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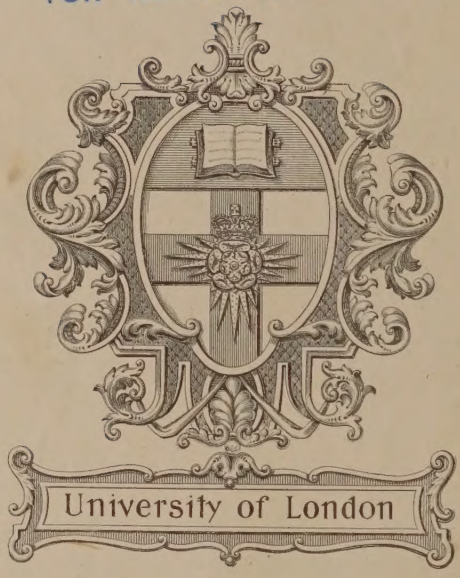

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REPORTS

FROM

COMMISSIONERS:

TWENTY-NINE VOLUMES.

—(19.)—

ELECTIONS—*continued.*

BRIDGWATER.

Session

8 *February* —— 10 *August* 1870.

VOL. XXX.

1870.

REPORTS

FROM

COMMISSIONERS:

TWENTY-NINTH VOLUME.

—(XX)—

ELECTIONS—(Continued.

LEGISLATIVE.

Session

of Twenty——Ninth Legislature, 1870.

VOL. XXX

1870.

REPORTS FROM COMMISSIONERS:

1870.

TWENTY-NINE VOLUMES:—CONTENTS OF THE

NINETEENTH VOLUME.

N.B.—*THE* Figures *at the* beginning of the line, *correspond with the* N° *at the foot of each* Report; *and the* Figures *at the* end of the line, *refer to the* MS. Paging *of the Volumes arranged for The House of Commons.*

BOROUGH OF BRIDGWATER:

[C. 10.] First Report of the Commissioners appointed to inquire into the existence of Corrupt Practices at the last Election, and at previous Elections, of Members to sit in Parliament for the Borough of Bridgwater - - - - - - - - - - p. 1

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BRIDGWATER ELECTION INQUIRY COMMISSION.

REPORT (FIRST)

OF

THE COMMISSIONERS

APPOINTED TO INQUIRE INTO

THE EXISTENCE OF CORRUPT PRACTICES AT THE LAST ELECTION AND AT PREVIOUS ELECTIONS OF MEMBERS TO SIT IN PARLIAMENT

FOR THE

BOROUGH OF BRIDGWATER.

Presented to both Houses of Parliament by Command of Her Majesty.

LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

[*No.* 10.—*Price* 1*d.*] 1870.

COMMISSION

TO INQUIRE INTO THE

EXISTENCE OF CORRUPT PRACTICES AT THE LAST ELECTION AND AT PREVIOUS ELECTIONS OF MEMBERS TO SIT IN PARLIAMENT FOR THE BOROUGH OF BRIDGWATER.

VICTORIA R.

Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith:

To Our trusty and well-beloved Edwin Plumer Price, Esquire, one of Our Counsel, Thomas Chisholm Anstey, Esquire, Barrister-at-Law, and Charles Edward Coleridge, Esquire, Barrister-at-Law, greeting:

Whereas the Lords Spiritual and Temporal, and Commons, of the United Kingdom of Great Britain and Ireland in Parliament assembled, have by a joint Address humbly represented unto Us that Sir Colin Blackburn, Knight, one of the Judges of the Court of Queen's Bench, and one of the Judges selected for the Trial of Election Petitions pursuant to the Parliamentary Elections Act, 1868, has reported to the House of Commons, that there is reason to believe that Bribery extensively prevailed at the last Election for the Borough of Bridgwater, and have humbly prayed that We will be graciously pleased to cause Inquiry to be made pursuant to the provisions of the Act of Parliament passed in the sixteenth year of Our reign, intituled "An Act to provide for more effectual Inquiry into the existence of Corrupt "Practices at Elections for Members to serve in Parliament," by the appointment of you, the said Edwin Plumer Price, Thomas Chisholm Anstey, and Charles Edward Coleridge, as Commissioners for the purpose of making Inquiry into the existence of such corrupt practices:

Know ye, that We, in compliance with the Prayer of the said joint Address, have authorized and appointed, and do by these Presents, in pursuance of the powers vested in Us by the said Act, authorize and appoint you, Edwin Plumer Price, Thomas Chisholm Anstey, and Charles Edward Coleridge, to be Commissioners for the purpose of making Inquiry under the said Act into the existence of such corrupt practices in the said joint Address referred to.

Given at Our Court at St. James's, the twenty-third day of June One thousand eight hundred and sixty-nine, in the thirty-third Year of Our Reign.

By Her Majesty's Command,

H. A. BRUCE.

FIRST REPORT.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

We, the Commissioners appointed under Your Majesty's Royal Sign Manual to inquire into the existence of corrupt practices at the last election for the borough of Bridgwater and also on former similar occasions, having carried out, up to the present time, as far as circumstances would permit, the inquiry which we were commanded to make, humbly submit this our First Report to Your Majesty.

On account of the provisions in the Corrupt Practices Act limiting the time for the prosecution of offenders to one year from the date of the committing of the offence, we humbly submit this preliminary Report to Your Majesty, limiting our statements as far as possible to portions of evidence affecting four of the principal offenders to whom we have thought right not to grant the protection of our certificate; viz., Henry Lovibond, solicitor; Dr. Hamilton Kinglake; Philip Vanderbyl, and Richard Fenelly.

The candidates at the last election were, on behalf of the Conservatives, Henry Westropp and Charles William Gray; on the side of the Liberals, the former sitting members, Alexander William Kinglake and Philip Vanderbyl. At the close of the poll the numbers were, Kinglake, 731; Vanderbyl, 725; Westropp, 681; Gray, 650; so the two former were returned.

As the present Report is confined to the cases of the four persons above named, to whom we have not given certificates, we propose now shortly to call attention to the evidence as affecting them.

The election took place on Tuesday, November 17th. On the previous Friday a meeting took place at the office of Mr. Henry Lovibond, a solicitor and chief agent for the Liberal party. He acted generally for both Messrs. Vanderbyl and Kinglake, but stated that he was more immediately bound up with the interests of the latter.

At that meeting Messrs. Paul Reed, James Cook, and Eustace Barham, solicitors and agents for the Liberal party, were present. The question of money to be employed for corrupt practices at the ensuing election was then discussed; and on a statement being made by Mr. Eustace Barham that Mr. Vanderbyl would not spend any money, great dissatisfaction was manifested, and Mr. Lovibond stated that he, at all events, was prepared on behalf of Mr. Kinglake. This statement was corroborated by evidence given before us that arrangements had been made some week or ten days before, between Mr. H. Lovibond and Dr. Hamilton Kinglake, a physician at Taunton, who had always acted as money agent for his brother, the candidate, as to finding money for the purposes of the election.

It was arranged that another meeting should be held that same evening with Mr. Vanderbyl and his partner Mr. Fenelly. This accordingly was held at the office of Mr. Eustace Barham, and Mr. Vanderbyl was at once requested to withdraw into a separate room. Then in his absence the question of spending money improperly was warmly discussed, the parties present being Messrs. Reed, Barham, Lovibond, and Fenelly. Mr Fenelly professed to hold out against spending money on behalf of Mr. Vanderbyl, and eventually left the room with the understanding that he should give a final reply in an hour. Messrs. Vanderbyl and Fenelly then left together, and in the course of an hour Mr. Lovibond received a letter, which he read aloud, stating that no money would be spent on behalf of Mr. Vanderbyl.

The next day, Saturday, November 14, two meetings of the Liberals, one public and the other private, took place; but nothing immediately bearing on this part of our present Report transpired.

On Sunday evening, the 15th, by pre-arrangement of Mr. Lovibond, a meeting of the heads of the Liberal party took place at the house of a Mr. Henry Nicholls, a large

draper and influential supporter of the Liberal candidates. At that meeting the probable result of the election was canvassed, and it was suggested that as the Conservatives, it was thought, would spend money largely in corrupt practices, it would be impossible to carry two Liberal members without a like expenditure. Mr. Lovibond at this meeting told Mr. Thomas Collins, a large cheese factor, that he was prepared, on the part of Mr. Kinglake, to spend money for the purposes of the election. Mr. Lovibond then made a proposition, that a deputation should wait on Mr. Vanderbyl, and request him to retire from the contest, so as to leave the field open to Mr. Kinglake, for whom he was more particularly concerned. After some discussion, a deputation was agreed to, consisting of Mr. Henry Nicholls, Mr. Thomas Collins, Mr. George Wilton, and Mr. Joseph Palmer, all warm supporters of the Liberal party. Accordingly, between 10 and 11 the deputation waited on Mr. Vanderbyl at the Globe Hotel, where he stayed, and remained in discussion with him till midnight.

The time so occupied is material, as well as to state that the latest moment at which a letter for London can be posted with two stamps in Bridgwater is 10.15 p.m., and that the last train leaves at 11.10 pm. Mr. Fenelly, who is a partner in business with Mr. Vanderbyl, and who had been introduced by Mr. Vanderbyl to the different agents and heads of the party named, as his representative and confidential friend, was present at the meeting.

Great pressure was put on Mr. Vanderbyl to compel him to retire. Mr. Vanderbyl then said he had been used very badly by his lawyers, who had caused him to spend a very large sum of money at his former election, as will appear in our future Report, and were again putting pressure on him for money, and he seemed inclined to yield. Mr. Fenelly, however, broke in, and said, "This is an important matter." "Let's have the night to consider it over." This was acceded to, and the deputation retired. As we determined neither to examine Mr. Fenelly or Mr. Vanderbyl, what took place, after the deputation left at midnight is mere matter of conjecture, except that between midnight and 1 a.m. of Monday, Mr. Cook was called out of bed by Mr. Fenelly, and informed that Mr. Vanderbyl was prepared to spend money. At 8 o'clock, or soon after, next morning (the nomination day), Mr. Fenelly left for London. Previously to the meeting on Sunday night last alluded to, Mr. Fenelly had written to another partner of himself and Mr. Vanderbyl, Mr. Redfern, to say, "If I telegraph for bales, a bale shall mean 100*l.*" Before Mr. Fenelly arrived in town, Mr. Redfern received a telegraph from Mr. Fenelly, "Send 15 bales, and send Thomas," meaning a clerk called Lomas, "to meet me on the Paddington platform." On the arrival of the train between two and three at Paddington, Mr. Redfern and Lomas were at the station awaiting Mr. Fenelly's arrival, with a black bag contained 1,500 sovereigns. That money had been obtained by a cheque in the name of the firm of Fenelly, Redfern, and Co., from the Consolidated Bank.

Messrs. Fenelly and Lomas returned to Bridgwater by the 4.50 p.m. train, reaching there at 9.15, and carrying the bag of sovereigns with them. They went that night with the money to the offices of Messrs. Reed and Cook, where it was arranged that Lomas should return to the inn where he was staying, and there make up the money into 10*l.* packages; and a private signal was agreed upon. Mr. Lovibond had been apprised on the morning of the nomination that money would be forthcoming on behalf of Mr. Vanderbyl, and observed, "that comes of last night's meeting." The same evening another scene was being enacted on behalf of Mr. Kinglake. Dr. Kinglake, of whom we have spoken, sent after banking hours for Mr. John Prior, the junior partner in the banking firm of Sealey & Co., of Bridgwater, and stated to him that he wished to raise 1,000*l.* to assist his brother's election on the ensuing day. Dr. Kinglake had no account with that bank, but, nevertheless, Mr. Prior, without any consultation with his senior partner, consented to advance the amount, upon Dr. Kinglake giving a cheque on Stuckey's Bank at Taunton for a similar sum.

It was at the same time arranged between them that the money should be at the disposal of Mr. Henry Lovibond.

The following morning (the polling day) the principal bribery agents on the Liberal side assembled at the "Globe" Inn between 10 and 11, and were met by the legal agents, Mr. Henry Lovibond being one of them, and were asked what sum would win the election. At that time the Conservatives were largely ahead. Various sums were mentioned.

Mr. Paul Reed, one of the Liberal agents, then said, in Mr. Lovibond's presence, "If 3,000*l.* will do you can have it." Nothing, however, was definitely settled at that time, and so hopeless was the contest considered by some of the Liberal party, that Mr. Kinglake left the town for London at 1.30. About 12 o'clock on the day of the

polling, Dr. Kinglake, Mr. Lovibond, Mr. Reed, and a Mr. Mogg had met outside the "Globe," when a conversation took place as to the sum required to win the election, and in the course of that conversation Reed said, in the hearing of all, that the election could be won for 3,000*l.*, and Mr. Lovibond and Dr. Kinglake having withdrawn apart for a short time, Mr. Lovibond returned, and said to Reed, "Kinglake's friends think "his seat of such importance that they would not mind spending 2,000*l.* or 3,000*l.*"

It is right that we should state that between 12 and 1 the same day, Dr. Kinglake went to Sealey's Bank; saw Prior; told him to cancel his cheque of the night before, and then left. Between one and two the same day another conversation took place between Reed, Cook, and Lovibond, when they all agreed that the time had come, if at all, for spending money, and Lovibond pressed Reed and Cook to advance it from Vanderbyl's coffers. They declined to do so, and Cook said it is not fair to bleed from one lung.

Lovibond then retired, and Reed and Cook about this time began to spend Vanderbyl's money, and whilst so employed Cook complained warmly of the absence of Lovibond, who at about 2.30 was fetched by Mogg, who told him the election was not lost. Lovibond then went out, and meeting one of the bribery agents, Andrew Allan, told him to go home and wait there. Shortly after, about three o'clock he met a Mr. Bate, and asked him to go to Sealey's Bank, and tell them to send 500*l.* to Allan. He refused; but Mr. Mogg, who came up about the same time, took the message to Mr. Prior, and delivered it, by writing down "500*l.* for Allan." Mr. Prior's son took the money in gold to Allan, by whom a portion of it was distributed in bribery at the New Inn. Mr. Prior stated, that but for the transaction with Dr. Kinglake the night before he should not have advanced the money.

Previously to this Lomas had brought 1,500*l.*, done up in packets, as arranged over night, to the Globe Hotel, and there 240*l.* of it was distributed in bribery, with the privity of Reed, Cook, and Fenelly.

The remaining portion was taken back to London the same night, repaid to the account of Fenelly, Redfern, and Company, and the 240*l.* debited to Mr. Vanderbyl's account with the firm, although, as seen by the books, Mr. Vanderbyl's name was afterwards erased, and Mr. Fenelly's substituted, and a corresponding alteration made in the balance of their respective accounts.

Lovibond, Reed, Cook, and Barham had all been guilty of corrupt practices at former elections, and, as far as related to the last election, to the knowledge of Mr. Vanderbyl himself.

We have now reported so much as we deem necessary for the present, and we reserve our further Report, and the complete schedules of the persons guilty of corrupt practices, for a future occasion.

We find that at the election of 1868 corrupt practices extensively prevailed in the borough of Bridgwater.

We find that Philip Vanderbyl, Richard Fenelly, Henry Lovibond, and Hamilton Kinglake were privy and consenting to the corrupt practices that took place at that election.

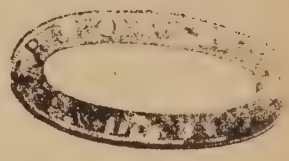
All of which we humbly submit to Your Majesty's gracious consideration.

EDWIN PLUMER PRICE.
THOMAS CHISHOLM ANSTEY.
CHARLES EDWARD COLERIDGE.

Temple, 4th November 1869.

LONDON:
Printed by George E. Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationery Office.

BRIDGWATER ELECTION INQUIRY COMMISSION.



REPORT (SECOND)

OF

THE COMMISSIONERS

APPOINTED TO INQUIRE INTO

THE EXISTENCE OF CORRUPT PRACTICES AT THE LAST ELECTION AND AT PREVIOUS ELECTIONS OF MEMBERS TO SIT IN PARLIAMENT

FOR THE

BOROUGH OF BRIDGWATER.

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24731. 1870.

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COMMISSION

TO INQUIRE INTO THE

EXISTENCE OF CORRUPT PRACTICES AT THE LAST ELECTION AND AT PREVIOUS ELECTIONS OF MEMBERS TO SIT IN PARLIAMENT FOR THE BOROUGH OF BRIDGWATER.

VICTORIA R.

Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith:

To Our trusty and well-beloved Edwin Plumer Price, Esquire, one of Our Counsel, Thomas Chisholm Anstey, Esquire, Barrister-at-Law, and Charles Edward Coleridge, Esquire, Barrister-at-Law, greeting:

Whereas the Lords Spiritual and Temporal, and Commons, of the United Kingdom of Great Britain and Ireland in Parliament assembled, have by a joint Address humbly represented unto Us that Sir Colin Blackburn, Knight, one of the Judges of the Court of Queen's Bench, and one of the Judges selected for the Trial of Election Petitions pursuant to the Parliamentary Elections Act, 1868, has reported to the House of Commons, that there is reason to believe that Bribery extensively prevailed at the last Election for the Borough of Bridgwater, and have humbly prayed that We will be graciously pleased to cause Inquiry to be made pursuant to the provisions of the Act of Parliament passed in the sixteenth year of Our reign, intituled "An Act to provide for more effectual Inquiry into the Existence of Corrupt "Practices at Elections for Members to serve in Parliament," by the appointment of you, the said Edwin Plumer Price, Thomas Chisholm Anstey, and Charles Edward Coleridge, as Commissioners for the purpose of making Inquiry into the existence of such corrupt practices:

Know ye, that We, in compliance with the Prayer of the said joint Address, have authorized and appointed, and do by these Presents in pursuance of the powers vested in Us by the said Act, authorize and appoint you, Edwin Plumer Price, Thomas Chisholm Anstey, and Charles Edward Coleridge, to be Commissioners for the purpose of making Inquiry under the said Act into the existence of such corrupt practices in the said joint Address referred to.

Given at Our Court at Saint James's, the Twenty-third day of June One thousand eight hundred and sixty-nine, in the Thirty-third Year of Our Reign.

By Her Majesty's Command,

H. A. BRUCE.

SECOND REPORT.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

We, the Commissioners appointed by Warrant, under Your Majesty's Royal Sign Manual, to inquire into the existence of Corrupt Practices at the last Election and at previous Elections of Members to sit in Parliament for the Borough of Bridgwater, humbly beg leave to submit to Your Majesty this our Second Report.

The Commission was opened on the 23rd day of August in the Town Hall of the borough of Bridgwater, and the sittings were continued almost without intermission until October 16th.

On the 11th and 25th days of September last, and the 11th day of October, they were necessarily discontinued for a time; in order to enable us, in compliance with Section Six of the Act of the 16th year of Your Majesty's reign, Chapter 57, to prepare ourselves for reporting certain matters to be laid before Your Majesty's Attorney-General; which reports have since been made. On the 29th day of September last we felt it a due requital of the services received from the local authorities that we should consult their obvious convenience by not requiring the use of their town hall, or the presence of their police, that being the day of the annual fair of Bridgwater; and we therefore adjourned from the day immediately preceding to the day immediately following that date. With those few, and, as we believe, reasonable exceptions, all our sittings at Bridgwater were holden *de die in diem.*

We take this opportunity to state that our thanks are due to George Bryant Sully, Esquire, the Mayor of Bridgwater, the Corporation and the Town Clerk of the same, and their other officers, the Superintendent of Police there and his subordinates, and the authorities of the Post Office, for the ready courtesy and zeal with which from the outset of our inquiry to the end they have endeavoured—and, as the result has proved, with great success—to support us in the discharge of our arduous duties, and to carry into effect every suggestion which appeared to us likely to forward the objects of our Commission.

At the close of our inquiry there, on the 16th day of October, we adjourned to London, where we had determined to examine witnesses residing in or near to London, and some of whom were for the time out of the kingdom. We, therefore, having obtained the leave of Your Majesty's Home Secretary to fix our first London sitting for the 2nd day of November last, proceeded upon that day and three following days to examine the remaining witnesses. On the twenty-fifth day of November, the last day actually occupied in the taking of evidence, we closed our inquiry, and adjourned to prepare and discuss the draught of our present Report.

Upon this, the last day of our labours, we have the satisfaction of submitting it to Your Majesty, along with the voluminous body of evidence taken in the course of this inquiry.

We ought, in the first place to take notice that we have had the usual difficulties to encounter by which all preceding Commissions of Inquiry have from time to time reported themselves to have been embarrassed, and some of them frustrated, in their endeavours to obtain the information which they sought. Our Court was simply one of inquiry; and the Inquiry had to be instituted and prosecuted to its end by ourselves alone. We neither had nor could allow ourselves to have the aid of agents or advocates:—for it was not an Inquiry of a litigious kind; and we had no parties before us. We were therefore bound to follow the precedent set in 1851 by the Commissioners named in the St. Albans Elections Inquiry Act (14 Vict. c. 106.), and the unvarying practice of Your Majesty's Commissions, appointed under the existing Act (15 & 16 Vict. c. 57):—that, namely, of reserving to the Commissioners alone the duty of marshalling and examining the witnesses, and of declining to allow any other person to do so, or, except as a witness, to be heard before us; giving to every person, (with the exception of some who are named in our first Report) and particularly to such as might desire to deny

or explain any act of corruption imputed to himself, the fullest opportunity of being heard as a witness; and, with those exceptions, so far as we know, we have not failed to offer it. We are happy to be able to say, that in that regard we have not unfrequently been met with as much candour towards ourselves and obedience towards Your Majesty's Warrant, and the statutes under which it was issued, as we were entitled to demand. But this was not always the case. The inherent difficulties, at which we have hinted, and by which our inquiry was from the outset very seriously beset, were from time to time enhanced and made more embarrassing to us by the attempts of some parties—and some of them in no mean position of life—to baffle all inquiry into the misdeeds of themselves or of their fellows, by any means soever, whether it were by the suppression of evidence, or by the absence of witnesses, or by the destruction of documents, or by conspiracy, or by false evidence upon oath.

We have, however, also the satisfaction to add that, notwithstanding the difficulties alluded to, we have, as we believe, been enabled in the case of every election to which our inquiry extended, to arrive generally at the true conclusion. A patient investigation of the facts in every case has been greatly aided by the confessions of persons long reticent, but now, through various causes, relieved of the interest they once had in screening the borough at large or their particular confederates from detection and disgrace or censure.

We commenced our inquiry with the last election (17th of November 1868). Having found the existence of corrupt practices thereat, to the statutory extent which made it incumbent upon us to inquire further, we have gone back to the two immediately preceding elections (7th June and 12th July 1866), and the next preceding one (12th July 1865), and so, *toties quoties*, from election to election, back to the first general election after the passing of Lord John Russell's Reform Act (11th December 1832). Into all those contests, their incidents and their consequences, and especially those relating to the two trials (1866 and 1869), the only trials which have taken place of any of the election petitions from Bridgwater, we have made an investigation, as searching as the evidence available to us permitted. That is to say, the results of our investigation have become more minute and detailed, in proportion as the dates of the election contests were nearer to the present time. Beyond the year 1832, we have been contented to make a general inquiry into the merits of elections at Bridgwater. But, even so, we have obtained quite enough evidence to justify us in reporting to Your Majesty that there is much reason to believe that in Bridgwater, within the present century at least, no election has ever taken place except under the influence of practices which, not only by the *Lex Parliamenti*, but by the common and statute law for the time being in force, were corrupt and criminal practices, and lawfully punishable as such.

The existing constituency of the place was of course very largely increased by the Reform Act of 1867, just as the constituency called into existence by the Reform Act of 1832 had been very largely in excess of the old constituency. Moreover, the ambit of the borough had been very largely increased by the Boroughs Boundaries Act of 1832 and other Acts, insomuch as in fact to extend the parliamentary franchise for the borough to the greater part of the parish of Bridgwater. Lastly, there is shown upon the face of the Population and Census Returns a very rapid yet steady growth of population, and increase in the number of tenements (chiefly small ones), for many years past. Still it is necessary for the due comprehension of the present condition of the place to begin with the past.

Bridgwater is the common name of three places, not conterminous with each other: a parliamentary borough, returning two members to Parliament ever since the 26th year of King Edward I.; a municipal borough, created in A.D. 1200 by a charter of King John, and remodelled by the Municipal Corporations Act of the 5 & 6 Will. 4. c. 76; and lastly, a parish, the largest—as the municipal borough is the least—of the three. Before the passing the Reform Act of 1832 (2 & 3 Will. 4. c. 45.) the elective franchise was vested in the "burgesses" of the place, *eo nomine*. It had always been exercised by those "burgesses;" except upon one solitary occasion in very ancient times, when the return is said to have been made "by deputation" in the Shire Court of Somerset. The parish and borough of Bridgwater are not conterminous. In 1769 the House of Commons defined the meaning of the term "burgesses;" by determining that "the "inhabitants of the eastern and western divisions of the parish of Bridgwater had no "right to vote; but it was in that division of the parish which is commonly called the "Borough, paying scot and lot within the said division, and in them only."

Thus remained the condition of things down to the passing of Lord John Russell's Reform Act. The constituency was greatly increased by that Act:—still more greatly by the recent statute, the "Representation of the People Act, 1867." From a maxi-

mum of about 400 in number, it rose in 1832 to one of 650, and in 1867, to its present number of about 1,500.

In 1801, the Comparative Statement of the census for Bridgwater made it only 3,634; in 1811, 4,911; in 1821, 6,155; in 1831, 7,807; in 1841, 10,430; in 1851, 10,883; and in 1861, 12,018. During the 14 years immediately preceding the first operation of the Representation of the People Act, 1867, the constituency had increased but slowly, when compared with the contemporaneous increase of population. In 1854 it was 619. It was not more than 697 in 1867. The whole constituency for 1868 under that Act has been estimated by the Town Clerk of Bridgwater to amount to 1,484.

We do not discover any connexion between the Parliamentary Borough and either of the two other divisions, called Bridgwater, demanding remark. No evidence was given before us to show that the organization and procedure in municipal or parochial elections were in any way connected with those used in Parliamentary contests.

So far as we have been able to gather any specific information touching the several elections which have come under our review, we see no reason to withhold our concurrence in the opinion expressed by every witness who has spoken as to the comparative state of morality in Bridgwater at the different periods in question. It has never varied. Whether in the old times, when the areas of place and population were narrow, the qualification such as we have stated it, and the constituency small; or at the present time when all those conditions appear to have been extended to the uttermost; or in the intervening period the proportion of local corruption has been always the same. It is always three fourths, at least, of the actual constituency who are said to be hopelessly addicted to the taking or seeking of bribes, and who show by their conduct that the imputation is well deserved:—whilst, of the remainder, a very large part, perhaps by far the largest, are addicted to the giving or offering or negotiating of bribes. Rank and station appear to make no difference. Neither do we find that the needy are more corrupt than the "well to do," nor the latter less prone to corruption. It is the chronic disease of the place:—and not one political party is more or less than any other tainted with the malady. The Tory bribes or is bribed, because he believes that his adversary will forestall him in the race if he attempts to run it upon "purity" principles. The Liberal acts and justifies his action precisely in the same way. The sole distinction attempted between the case of the Tory and that of the Liberal appears to be this. It is said that the former never does succeed, and never can succeed, but by bribery; the prevailing opinion of the place being always Liberalism; and there appears at first sight to be some truth in that. But, more closely examined, even that difference disappears or fails to establish the distinction set up. We found it admitted by some of the most expert and zealous of the Liberal managers themselves, in a confidential paper prepared with great care for the purposes of the last election trial,—and all the witnesses, including themselves, have confirmed upon oath the admission—that the apparent Liberalism of the constituency is thus accounted for. The great bulk of them have always been men entirely dependent for their bread upon the local employers of labour, in the manufactories of the place or in the coasting trade, the two great staples of the prosperity of Bridgwater. Of those local magnates the immense majority are, from tradition, or habit, or interest, strongly attached to the Liberal party. It is upon them and their influence over their dependents that the Liberal party depends for support and triumph; and that reliance has never been disappointed when the counteracting influence of bribery has been withdrawn. In other words it is the battle of undue influence against bribery, that is to say, of one corrupt practice against another, which has always to be fought out. And yet we see great reason to doubt whether the peculiar charm with which bribery has always presented itself to the mass of the actual constituency is not, and will not ever be, more than a match for every dissuasive at the command of all the other influences of the place put together.

Reverting now to the year 1832, when the first Reform Act became law, and retroceding to the year 1688, we find that, in the whole intervening period, there are only four recorded trials of election petitions before the House of Commons or its Committees, whether before or after the Grenville Act; in which the subject matter of complaint was the existence of corrupt practices at Bridgwater. Of these, the first was tried on the 4th November 1692; the second on the 2nd March 1781; the third on the 18th March 1803; and the fourth and last on the 24th March 1808. Taking up the history of the borough at this last date, we can well understand from the evidence before us the absence of any attempt to bring the condition of the borough under the notice of Parliament.

Mr. Astell, the East India director, for 25 years (1807–1831) was member for Bridgwater "on the then Tory side of politics," at first, says a Conservative witness, "as a Mr. Thornton," at the election of the 5th May 1807, but ever afterwards as "Mr. Astell."

"During his reign," we were told, "the people of Bridgwater had a good share of the "good things of India. It was enough to say to him, 'I am a Bridgwater man,' and he "would do anything for you." In his first three parliaments, George Pocock, Esq., was his colleague. The respective dates of return were the 5th May 1807, the 7th October 1812, and the 19th June 1818. But, at the next election, which took place on the 7th March 1820, and was consequent upon the demise of the Crown by the recent death of George the Third, a coalition had been formed between the Tories and Old Whigs, and Mr. Pocock was passed over, and the late Charles K. Kemeys Tynte, Esq., (commonly called Colonel Tynte the elder,) was returned to Parliament as Mr. Astell's colleague;—"free" and without opposition. According to two of our witnesses, this coalition was effected by some gentlemen of Bridgwater, in the determination, if possible, to get rid of that system of bribery and corruption which had been existing, and of which the last election, that of the 19th June 1818, had furnished only the latest examples. To give effect to that determination, however, subscriptions had to be raised and all expenses paid, under the management of a Whig Committee in which one James Bussell, an unscrupulous bribery agent, states himself to have been active for Colonel Tynte alone; whilst it was successfully insisted upon the Tory side, that "the great East India man," Mr. Astell, should be the other member. It may, therefore, be doubted whether the coalition, either then or at the next two elections (9th June 1826, and 30th July 1830) both of which were effected under its influence, was successful to achieve the purpose for which it had been devised. It is stated by one who had the conduct of the election in 1826, a contested one, that some of those who had got up the contest, by inviting down "a third man" upon requisition in writing under their hands, voted for the sitting members, and of course against himself and themselves. It is further admitted that, even so far as respected those sitting members and their interests, by the time that the third election of Messrs. Astell and Tynte, and their last joint election (30th April 1831) drew nigh, it was found that the coalition was at an end, that the expedient had failed, that "money was wanted," and that "money was spent." That was the last time that Messrs. Astell and Tynte were elected together. It was also the last election before the Reform Act of 1832. At the general election which ensued upon the passing of that measure, the same Colonel Tynte and William Tayleur, Esquire, were elected on the Liberal interest, and upon the show of hands, but not without expenditure of money. On the contrary, the object of the Liberal managers being to secure a majority of votes before the polling day, and so to discourage the Tory candidates, Messrs. Chatteris and Twiss, from demanding a poll, large sums of money were freely spent through the ordinary bribe agents. James Bussell told us that he believed that the bribes distributed by himself upon that occasion amounted to "nearly" as much as the monies distributed subsequently by him in like manner at the contest (hereafter to be noticed) of 1835;—when, on the Liberal side, the same Colonel Tynte and John Temple Leader, Esquire, were unsuccessfully opposed by Henry Broadwood, Esquire, and Francis Mountjoy Martin, Esquire, the Tory candidates; and those monies he himself estimates to have amounted to 2,000*l*. The number, however, of the voters "influenced" by the "distribution" must have been at least as large in 1832 as in 1835;—if James Bussell's impression that he spent the money from Mr. Tayleur in smaller sums than he spent the money from Mr. Leader be correct. The result was, that Colonel Tynte and Mr. Tayleur were both returned on the show of hands. The political extinction of Mr. Astell was celebrated by a highly indecent and blasphemous burlesque of the burial service of the Established Church of England, in which the same James Bussell officiated in full canonical attire as minister or priest. A more serious outrage, from which a literary gentleman of some distinction in the Tory party, the late Mr. Bowen of the "Alfred" newspaper, narrowly escaped with life, closed the election day. Under ordinary circumstances we should not at this time of day think it necessary to record or revive the remembrance of facts of that nature. If we do so now, it is because two of the ringleaders who were called before us, the James Bussell already mentioned, and a Mr. James Wood Sully, a wealthy employer of labour, of whom as one of the leading Liberals in the borough much mention is hereafter to be made, and who, since the termination of our inquiry there, has been elected a Town Councillor of Bridgwater, were afterwards indicted and tried with some of their accomplices, the former at Taunton Assizes for conspiracy to commit the riot and battery, the latter at Wells Quarter Sessions for the riot and battery itself. Under the learned judge's direction, upon a point of law the prisoners at the Assizes were acquitted; at the Sessions, against the learned Chairman's summing up, to the astonishment of all present, (and of none more so than the prisoners themselves, as one still surviving, a cordwainer, Mr. Carter Reeves, gave us to understand,) the jury acquitted the whole lot. We had sufficient evidence before us to lead us to the

conviction that the jury had been tampered with, and that James Bussell had taken a leading part in their corruption. It only remains for us to remark that no judicial inquiry into the alleged misconduct of the jury ever took place, nor were any of the incidents belonging to that election ever brought to the knowledge of Parliament.

We have already observed upon the rarity of Parliamentary inquiries of that kind before the passing of Lord John Russell's Reform Act had so greatly changed and extended the constituency of Bridgwater. The same remarkable fact offers itself at every stage of its subsequent history. Since the passing of that Act no less than 13 elections for Bridgwater have taken place. Not one of these has been a pure election, nor indeed other than a thoroughly corrupt one. Yet only four election petitions have during that time been so much as presented. Of those four, only two were brought to trial; the petition, namely, of 1865, against the return of Henry Westropp, Esquire; and the petition of 1868, against that of the late sitting members, Alexander William Kinglake, and Philip Vanderbyl, Esquires; and it is a significant fact, that both petitions had the effect of unseating their respondents. Scarcely less significant is the fact, to which we shall more particularly refer in its order of time, that of the two remaining petitions one obtained the immediate submission of the then sitting member, Mr. Broadwood, whose return at the "bye" election of the 16th May 1836 it distinctly impeached for bribery, and whose seat so won it claimed for the defeated candidate; whilst the other was deemed worth while buying off. Whether any money of the then sitting members, Colonel Tynte the younger and Mr. Kinglake, as was stated to us by one witness, was also paid for the withdrawal of the election petition in 1859, we are not able to determine. But it is very certain, and it has been proved to us, as will hereafter appear, that the compromise which secured that concession was one of a very corrupt kind, and clearly illegal in its character. Upon the whole, therefore, we see no reason to doubt the soundness of the opinion, which not a few of the most competent witnesses before us have concurred in, that in the case of Bridgwater at least, the paucity of election petitions, and the still greater paucity of petition trials, are most easily and surely to be explained, by the consciousness which each political party at every election for that borough has had, that its own corruptions were quite equal to those of the adverse party; and by the common knowledge, that on the one hand there was always the danger of a too close inquiry before the election tribunal, and its consequence, the disfranchisement of the borough itself; whilst, on the other hand, not even the most sanguine of petitioners ever hoped that the result of a scrutiny, if a scrutiny were granted, could possibly be the gaining of the seat. "Our own hands are not clean" is a phrase, which at Bridgwater elections has passed into common use.

At the general election of 1834–5, as already stated, Messrs. Broadwood and Martin, on the Conservative side, contested the borough with Messrs. Tynte and Leader, on the Liberal side, and were defeated;—the latter being on the 5th January 1835, returned to Parliament. There is abundant reason to believe that money was corruptly expended upon both sides at that election. The practised bribery agent, Mr. James Bussell, was again, as in 1832, active in the Liberal interest:—and, so far as we can collect it is about this time that, upon the other side, the name of Murliss became associated with the like proceedings. But the head and front of the management on either side would appear to have been with the candidates themselves. Of Colonel Tynte's antecedents we have spoken already. Of his new colleague, John Temple Leader, Esquire, a wealthy stranger from London, it is in evidence before us that, on being remonstrated with, for coming to contest on Liberal principles a borough in whose politics his Conservative relations, "the Luttrells," at that time took so strong an interest, he replied, "Let there be no misunderstanding between us. I have deter-
"mined to have my election, cost what it will." And in fact he had it;—but, at a cost of "from eight thousand to ten thousand pounds, amongst a constituency of about four "hundred in all;" the numbers for that year being, for some unexplained reason, reduced. Neither Colonel Tynte nor Mr. Leader, both of them residing abroad, appeared before us. The corrupt expenditure of Messrs. Broadwood and Martin, also wealthy strangers, contesting Bridgwater for the first time, is said by another witness to have been equal to that of Mr. Leader. Mr. Broadwood, indeed, thinks that his own expenditure did not exceed in all 2,000*l*. But the statement was one made entirely from memory, and, as he justly observed, not one to which, at so great a distance of time, he wished to be considered as pledging himself with preciseness. His colleague, Colonel Martin, stated his own expenditure to have been 3,000*l*., paid after the election in one cheque to his agents, Messrs. Lyon and Ellis. He was aware, he said, how it had been spent, viz. on corrupt purposes. At all events, their expenditure in that head must have been considerable. For, until the arrival of Mr. Leader, "they had been some days canvassing, and had met

" with support, and were almost certain of carrying the election;" whilst Colonel Tynte, on his side, had so completely abandoned all hope of saving his own seat, that his farewell address was already written and in the printer's hands:—but then Mr. Leader arrived " on a sudden;" the farewell address was withdrawn; and the superior profusion of the Liberal candidates' expenditure gained for them a corresponding superiority at the poll;—that is to say, 234 for Tynte, and 208 for Leader, against 190 for Broadwood, and 162 for Martin. Of the means employed no concealment was affected. " I can remember," says a Conservative solicitor examined before us, Mr. John Trevor, " voters coming out " of the house of a gentleman who is now dead, slapping their pockets, and causing gold to rattle." Two of the surviving parties to the management of the bribery of that election, Mr. James Bussell himself and Mr. George H. Pain, the lawyer, substantially confirm Mr. Trevor's statement. The former must, he thinks, have given away two thousand pounds of Mr. Leader's money with his own hands, in sums of various amounts, but ranging up to 40*l.* or 50*l.* a vote, or, as the puns then went, " Leader's piano fifties," against " Broadwood's piano forties:"—until " Leader was " sickened of it and went to Westminster, where it cost him three times as much." The other (Mr. G. H. Pain), although of opinion that the sum total was less by about one half, substantially agrees with Mr. James Bussell, adding, with some remains of his old admiration for a success so achieved, " I never knew an election better " managed than that." It is very obvious that there could have been no difficulty in setting aside an election return procured by such means, and the proofs of which means were so patent. But the return passed without challenge.

In the same year, the Municipal Corporations' Reform Act becoming law, the ascendency within the borough of Bridgwater passed into the hands of the Liberal party there. On the 1st January 1836 the first meeting of the new Town Council took place, at which the principle was laid down for making " political appointments " to all offices or posts in the gift of the reformed Corporation. It was instantly and ruthlessly applied in the practice. All appointments to vacant offices became " political:"—and where there were no vacancies before, the majority of the Town Council took upon themselves to create such by summarily dismissing the actual incumbents. Mr. John Trevor, who is still Clerk to the County Justices, was the Town Clerk, Clerk of the Peace, and Clerk to the Justices for the borough in 1836. He was one of those so displaced. And he enjoys to this day the " annual compensation," with which, charged on the borough fund, and calculated at " two thirds of the average income of the office " of Clerk to the Justices, the prudent doubts of the majority as to the legality of their proceeding induced them to combine it. A new Commission of the Peace for the borough was issued. Every name in it was that of some political partisan of the Liberal majority in the Town Council by whom it had been recommended. If indeed some personal fitness, real or supposed, had also been imposed as a qualification, the effect of the precedent then just established would have been less fatal to the electoral purity and independence. But how far that was from being the case may be gathered from the following instances. Every name in the new Commission of the Peace is a name also connected with the evidence before us of corrupt practices at some election or elections for Bridgwater. Two attorneys,—the late Mr. Thomas Ford, and Mr. Benjamin Lovibond,—had been guilty, the latter especially so, of organizing and manipulating the bribery machinery in use upon occasions of that kind. The offices of Town Clerk, and of Clerk of the Peace for the borough, vacated by Mr. John Trevor's removal, were filled up by the appointment of Mr. Thomas Ford to the former, and of Mr. Benjamin Lovibond to the latter—favours which had the effect of stimulating their zeal. They continued to be at the head of the electioneering finance to their respective deaths. It appears that neither the new Town Clerk nor the new Clerk of the Peace took the slightest pains to disguise the parts he played, or to dissemble his claims to profit of the gold brought down at election-time by the wealthy strangers whom it was the policy at Bridgwater to invite. The last, if not the worst case, which we think right to specify of these cases of requiting with public monies, and under public authority, the shameful services of standing bribe masters, bribe agents, and offenders against public order, is that of the person already alluded to, Mr. James Bussell. Altogether without experience of public employment of any kind, he has nevertheless become the recipient of the following bounties at the hands of his political friends (bounties, however, the remembrance of which, he admits, has not prevented him from subsequently accepting from their wealthiest adversary at Bridgwater a "kindness" by way of "loan" to the extent of 500*l.*, and thereupon changing his party and his vote). In January 1836, he received from the new Town Council the offices and emoluments of " tester of the weighing machine," and " night constable." In June of the same year, a vacancy in the Borough Gaolership having

been created by the transfer of one Mr. Gover, the then gaoler, to the mastership of the Union Workhouse, Mr. James Bussell was chosen to fill it, by the vote of "all present " in the Town Council, including those who proposed and seconded the other candidates." In September 1849, he was appointed Superintendent of the Borough Police. About the same time, (for we pass over his meaner appointments, such as the Keepership of the Recorder's Court Hall, and the like,) the retired bribery agent contrived to obtain a recommendation which secured to him the Bailiffship to the Local County Courts, and the Deputy Bailiffship to the same for his son, Robert Bussell:—to be mentioned by-and-by as a very active bribery agent in and from 1859, but upon the opposite side of politics. There is no doubt that those acts of favour were all designed merely by way of reward for the scandalous services rendered by the elder Bussell to the party which he has since forsaken. It is impossible to doubt that the impression made by these things has been one of lasting prejudice to the chance, always a very feeble one, of the regeneration of Bridgwater. The influence of examples, such as these, set by all of public authority with which the borough is familiar, will endure long after the system which they illustrate shall have passed away. And it has not passed away. It may be somewhat modified by subsequent experiences. But substantially this system of "exclusive dealing" applied to the jobbing of appointments to local offices is now what it was at its introduction in 1835. Even now, Mr. Henry Chapman Bussell, we were told, has some expectation of an office at the first vacancy—if the Liberal majority in the Town Council, which has the patronage, is not gone before the vacancy occurs. The Conservative, Mr. Robert Bussell, holds sundry small posts in the local courts of civil and criminal jurisdiction, certainly not conferred upon him because of his character, or for any cause other than that which we have stated. And as certainly the selection has been very little to the advantage of the administration of either civil or criminal justice, if we may judge from the statement volunteered by himself of his having made use of the opportunities afforded him by his father's employment of keeper and his own of hall porter in the Recorder's Court, to bribe a petty juryman in the box whilst engaged in the trial of a prisoner.

Between the general elections of 1834–5, and 1837, a "bye" election for Bridgwater took place on the occasion of Mr. Leader's accepting the Chiltern Hundreds, in order to contest the representation of Westminster against the late Sir Francis Burdett, Bart. The rival candidates at that election were Mr. Broadwood, on the Conservative side, and, Richard Brinsley Sheridan, Esquire, also a stranger to the borough, on the Liberal side. The polling day was the 16th May 1837, when Mr. Broadwood was returned. There is no doubt whatever that corrupt practices very largely prevailed at that election. It was stated in the election petition presently to be mentioned, that out of an actual constituency of 568 registered voters, not less than 153 were bribed to vote for Mr. Broadwood, and did vote for him accordingly, and so effect his return. We have no reason for supposing any exaggeration in that statement; and our only reason for supposing that, in that respect, even upon the part of his opponents there was, perhaps, a comparative abstinence from the like practices is suggested by the following circumstances, very unusual in the history of elections for Bridgwater:—(1.) That, on the 23d of the same month of May, a petition was presented by the defeated candidate to the House of Commons against the return; containing the usual allegations of personal and vicarious bribery, and claiming the seat; and that there was every appearace of a serious intention on the part of Mr. Sheridan to prosecute it to the end; and (2) that Mr. Broadwood neither recriminated upon the petitioner, nor traversed the accusations so made against himself or his agents, but by letter dated, "House of Commons, 5th June, 1837," signed by himself, and communicated to Mr. Speaker upon the following day, "declared that it was not his intention to defend his election or return." It is probable that Mr. Sheridan would have been admitted to the seat thus abandoned, but for the accident of a demise of the Crown occurring between that day and the 11th of July;—to which day the order for taking his petition into consideration was, in consequence of such abandonment, and in compliance with the Standing Orders, deferred. Your Majesty's accession, however, having occurred in the interval (20th June 1837), it became necessary, according to the law of that time, to proceed to a new general election within six months from the death of the late King, the utmost limit provided by the statute. This afforded an opportunity of intercepting all further proceedings on the part of the successful petitioner, by preventing him from taking his seat for the borough, during the few remaining days of the last session of the expiring Parliament. On the 28th June, that is to say, eight days after the decease of William the Fourth, a petition from one John Woodland, and five other electors of Bridgwater, praying the usual leave to defend the last return in Mr. Broadwood's stead, was pre-

sented to the House of Commons. And, in pursuance thereof, on the 11th July a further postponement of the hearing of the original election petition until the 25th of the month was ordered by the House. Before that day arrived however the Parliament was prorogued, upon the 17th July, and on the same day dissolved by proclamation. Nevertheless, some further inquiry did take place elsewhere. And the result was such as to disclose the main secrets of the conspiracy, and to bring one of the principal movers in it to justice.

Under the then existing bribery laws two *Qui tam* actions, at the suit of an informer named Webb, were commenced against Richard Smith, the eldest son of a pawnbroker, also called Richard Smith, and, with his son, from that time forth continually mentioned for activity and influence in promoting bribery and corruption on the Conservative side at the various elections for Bridgwater. The defendant was at that time the articled clerk of one Mr. Symes, a Conservative attorney of Bridgwater, and is the same person with the Richard Smith the younger, attorney-at-law, father and partner of Richard Bealey Smith, and brother of Joseph Richard Smith, pawnbroker, alderman, and justice of the peace, whose names reappear in a later portion of our Report, and in connexion with the organization and working of the bribery agencies at so many elections in favour of that side.

So far as we are informed, Webb *v.* Smith marks the beginning of their career in electioneering malpractices, and on that account alone it would have claim to be specially recorded. But it possesses also a higher importance, namely, as having been the means of bringing first to light the detailed methods of the great organizations for bribery purposes in use at Bridgwater elections at all times, and on both sides of politics. The practices of 1865, 1866, and 1868 are remarkably illustrated by those disclosed in the case of Webb *v.* Smith when it came on for trial.

The trial took place at the Taunton spring assizes in 1838, before Lord Denman, C.J., and a special jury. According to the uncontradicted evidence of the plaintiff, Richard Smith, the defendant, was actively and extensively employed as a "canvasser" for Mr. Broadwood at this May election in 1837, and as a principal manager of the machinery for bribing the voters. The working of that machinery was as follows:—Leave of absence from his master's employment being given to Richard Smith on the pretext of ill-health "during the election," (that is to say from some time before the polling day,) the latter, aided by his great previous acquaintance with the persons and circumstances of the electors, made such use of the leisure thus obtained as to enable himself to compile, with almost complete accuracy, a list showing the number of electors open to a bribe, their names, their addresses, and the rates at which they were to be had. It being known that money was forthcoming to an amount sufficient to buy the voters entered upon that list, the first thing to be done was to provide a shop or office for the transaction of the business between bribers and bribed. The house of the then Conservative agent, the late Mr. Murless, (whose son and successor in the bribery agency, Mr. John Murless, was examined before us, and gave us much valuable information as to a later election) was hired for that purpose by Mr. Broadwood. On the polling day it was thronged with electors invited personally by the defendant Smith, and he himself was present to receive them. To every man whom he "considered a fit man to be bribed" he gave a ticket signed by himself with a private mark upon it, and this the voter took into a darkened room in the same house, where sate a stranger to the borough, "who had never been there before or since;" who sate at a table, and on the production of the ticket handed to the voter a sealed packet containing sovereigns, (generally speaking, ten sovereigns at that election,) and in the technical language of the local bribe market called a "cartridge." Not a word passed between the mysterious "stranger" and the voter, but the latter retired, leaving with him the ticket in exchange for the "cartridge," and to be used as his voucher at the future passing of the bribery accounts. From the Messrs. Trevor—to whose emphatic disclaimer of personal complicity in those or any other corrupt doings, and whether at that or any other election, we lend entire faith—as well as from Mr. Richard Smith himself, through his wife, we were able to ascertain that the stranger in question was one Croucher, a low fellow from London, not having even the name of party zeal to urge in self defence, but, on the contrary, hiring himself out from borough to borough as "Man in the Moon," at one time to this party and at another to that. In Bridgwater, however, where his name reappears at elections subsequent to May 1837, it was always upon the Conservative side.

The evidence against Smith was, as we have said, not contradicted. His counsel called no witnesses, preferring to rely upon a point of law, which was at once overruled by Lord Denman, under whose direction a verdict was returned for the plaintiff. Another *Qui tam* action against the same defendant for similar offences, which had

been entered for trial at the same assizes, was then withdrawn. The unflinching tenacity with which the defendant and his family have always adhered to the cause of electoral corruption, as it were upon principle, was curiously exemplified by their unanimous refusal to pay, although very well able to pay, either penalty or costs. His body was taken in execution. He removed himself to the Fleet, filed his petition in the Court for Relief of Insolvent Debtors, and, after a brief period, obtained his discharge. He returned to Bridgwater, commenced business there as attorney-at-law, on his own account, and, undeterred by the remembrance of Webb *v.* Smith, resumed, and for more than 20 years longer continued to exercise, and occasionally to direct, at each succeeding election in favour of the Conservative party there, the acts and practices in which, as appears by the above summary, he had, from his youth upwards, been so proficient an expert.

The elections to the first Parliament of Your Majesty's reign took place about two months later, in the same year (1837) with Mr. Broadwood's "bye" election. The polling-day for Bridgwater was the 26th July 1837, when Mr. Broadwood, with Philip Courtenay, Esquire, a new candidate, and, of course, a wealthy stranger appeared on the Conservative side; whilst the Liberal candidates were the same Mr. Sheridan, and a new candidate, (coming forward upon the written requisition of a majority of registered electors and their solemn promises of support,) the late Sir Thomas B. Lethbridge, Bart. The result, however, of the contest proved that it was only a contest which many of the requisitionists intended, and not the success of their candidate nor of their cause, for they voted against both; so that the following grotesque result ensued:—Broadwood, 280; Courtenay, 278; Lethbridge, 5; Sheridan, 2. The Tory candidates, in fact, were returned by the majority promised to the Liberal candidates. It may be reasonably inferred from that very remarkable circumstance that even the shameless men who thus demeaned themselves would have scrupled so to act but for the presence of a bribe. And we have it in evidence that, notwithstanding the large bribery outlay at Mr. Broadwood's "bye" election but two months before, there was again a corrupt expenditure on behalf of himself and Mr. Courtenay at the second election also. It is also proved that Croucher was once more employed. We have no means, however, of ascertaining the probable amount, nor whether Mr. Broadwood, who speaks entirely from memory, is right in supposing it to have been only 500*l.*, and it is even likely that the bribery expenditure in July was less than that in May 1837. But there was a large expenditure in treating, a corrupt practice universally prevailing at Bridgwater elections, and of which we continue henceforth to hear a great deal. And, whatever the amount of the money may have been which was expended at this second election, either in bribery or in treating, there was one circumstance connected with it which seemed to give peculiar importance to every other circumstance. It is the only contest at Bridgwater, so far as we know, at which the London election managers for the two great political parties thought it important for them to assist. It was proved in evidence before us that the late William Holmes, Esq., M.P., formerly "whipper in" for so many years to the Tory party in Parliament, was openly active on the polling day at Bridgwater for his side, and that the late Parliamentary agent Mr. Coppock was also there that day, doing his best for the other side, and endeavouring to escape the recognition, and above all, the greeting of the witness, but in vain. There is reason to believe that the election in question was marked by corrupt practices on the Liberal side, whether or not so much as on the Tory side it does not appear; but quite sufficient to have disqualified, upon a scrutiny, their candidates from claiming either of the seats. In fact, but for a consciousness on their part that this was so, it is impossible to explain the extraordinary course which the two petitions actually presented to the House of Commons by the Liberal electors and Sir Thomas B. Lethbridge, complaining of the two last returns, and the election petition proper, also signed by that candidate and a number of electors, were made to take.

All these petitions were presented upon the same day (1st December 1837). The election petition charged bribery and corruption against the sitting members, and complained of the return at the last election; and the usual order was made for referring it to the Committee of Selection. The two other petitions were addressed to the common law jurisdiction of the House. They impeached, not only the return of Broadwood and Courtenay at the last election in July 1837, but also the return of Broadwood at the "bye" election in May immediately preceding. One of the two petitions was signed by Sir T. B. Lethbridge alone, the other by "156 out of 568 registered voters for Bridgwater;" but the allegations in both petitions were the same, and so was their prayer. Their statements of the corrupt practices prevailing specifically at the two elections of 1837 are substantially in accordance with the foregoing summary of them, so far as it relates to the Conservative party. But they also stated, with reference generally

to all former Bridgwater elections, that "at least one half of the electors were accustomed "to demand and receive bribes; that it was well known that they were in the habit of "openly selling their votes to the highest bidder; that thus they could at any time "secure the success of the candidate for whom they voted; and that they were therefore "called Balance Men, and were well known in the books under that appellation. They prayed for an inquiry before a select committee of the House of Commons into "the condition of that borough, and of the constituency;" and that the House would afford "to their agents, counsel, and witnesses, a full and free opportunity of verifying "the charges which had been made, and to secure the purity of election." An important debate then arose upon the presentation of these three petitions, and the due course of proceedings was pointed out by Mr. Speaker to be to take the election petition first, and after that inquiry was ended in the ordinary way, then to take the other two petitions, and determine for or against the extraordinary inquiry mentioned in their prayer. The two last-mentioned petitions were accordingly, by leave of the House, for the present withdrawn.

Neither the ordinary nor the extraordinary inquiry was ever instituted. The election petition was called on at its day, but there was no response, and the order was discharged. Neither of the two other petitions was again presented to the House. Nothing more was heard of the matter, and all our inquiries have failed to gain an explanation of this sudden and suspicious stifling of the most important endeavour ever made, down to the institution of the present inquiry, to promote a thorough investigation into the existence of corrupt practices at Bridgwater, and the remedy.

Amongst the borough electors the feeling then and always was, that what any one of them received at any given election for his vote, each of the others was entitled to ask and have, for giving, or for having already given, his own. The evidence of the witnesses examined before us upon the point is nearly concurrent, as to the existence of a depraved but antient custom to that effect. From time out of mind, "the belief amongst the "people," upon which we know that Mr. Justice Blackburn, in his judgment at the Bridgwater election trial of 1869, laid so much stress ("That, if anything was going, "those who voted first should be paid as well as those who voted later, and received "payment,") appears to have been an existing belief, a general belief, and a belief justified by the unvarying practice at every election. The very phrases which came out in evidence, as used at the last election, and to which his Lordship pointedly referred, "Whether anything was going? What stuff was going?" more than once occur in the language of the inquiries made by voters at former elections in the same sense. Some witnesses, it is true, gave it as their opinion that, notwithstanding the usage, voters who looked for bribes would not be "safe" in voting beforehand, and without a distinct contract; and perhaps not even then unless the money were paid down to them, and in hand. But they did not negative either the existence of the custom itself or of a general confidence in it on the part of the bribable electors, that is to say, about three-fourths of the constituency for the time being. They claimed their bribes as of right; a common right; a right founded not so much upon contract as upon ancient precedent and general practice. It appears to us that in the existence of that belief amongst the electors, have consisted the chief strength of the long-rooted corruptions of the place, and the chief weakness of the law.

The next election for Bridgwater took place in 1841, at the general election of that year. Mr. Broadwood was again a candidate on the Conservative side, and with him another wealthy stranger, in the person of Thomas Seaton Forman, Esq., "a large iron "merchant in Wales." They were opposed by two strangers to the place on the Liberal side, Edward Simcoe Drewe, Esq., "a Devonshire gentleman," and Augustine Robinson, Esq., barrister-at-law, and "a very rich man." The polling-day was the 29th June 1841. Much money was spent in the contest by both sides, and the result was the return of both the Conservative candidates. In reference to the present election it was stated to us by one witness, Mr. James Trevor the solicitor, that in his own recollection bribes ranged from 40*l.* to 50*l.* each, and were taken by "men worth thousands of "pounds." The return was not challenged.

We now come to a remarkable period in the local history. At one time the borough appears to have had, like other boroughs, but perhaps not to the same extent, its class of resident small gentry, an useful and even important element in the structure of the constituency. It seems, however, that for many years that little class had been gradually dwindling away; in so much that in 1847, at least, the chief local influence in all political affairs, and especially in the management of parliamentary elections, had somehow or other passed into the hands of certain local lawyers of the one party or the other, and who worked it of course with all the means at their especial command. Mr. Gabriel Stone Poole, a lawyer of Conservative politics, "has taken no active part in the manage-

"ment of elections from first to last;"—and the disclaimer, we understood, was meant also to include his partner and brother; and nearly the same thing has been said of himself by Mr. Carslake, a gentleman of Liberal politics, who now fills the office of town clerk. But with those exceptions it would seem that, by the time of the general election of 1847, all the real "patronage" of the parliamentary representation of Bridgwater had been gotten into the hands of the attorneys of the place, Conservative or Liberal, as the case might be. "The lead in election matters," for the Conservative clique, down to that election inclusive, and for some years after, was taken by Mr. John Trevor, as he himself informed us. But he, and his firm, although, according to his statement, in common with others, they had to "wink at it," were always careful to keep them clear of direct part in corruption. The corresponding office in the Liberal clique was always filled, down to a much later period, by the late clerk of the peace, Mr. Benjamin Lovibond, who united to his official and professional influence the not less influential character of general money lender. He was fitly aided by his colleague, the late town clerk, Mr. Thomas Ford, a name already recorded in this report. Perhaps there was no real difference between the *modus operandi* of the Tory attornies and the *modus operandi* of the Liberal attornies "in election matters;" and the only distinction between them was that what the former "only winked at," the latter openly and avowedly practised before the gaze of the public.

At the general election of 1847 there were three candidates; Mr. Broadwood being the only one on the Conservative side, and a former member for the county, Colonel Charles John Kemeys Tynte, son of the old borough member, with Mr. Serjeant Gazelee, on the Liberal side. But the latter was not supported by Colonel Tynte, on the part of whose "patron" and solicitor, Mr. Benjamin Lovibond, a coalition had for some time past privately been formed with the "patrons" of Mr. Broadwood, in order to save each of them an expenditure already become ruinous. The coalition, however, had been rejected altogether by three of Mr. Benjamin Lovibond's colleagues,—Mr. Thomas Ford, the late Mr. Bate, a certificated conveyancer, and Mr. Henry Lovibond, now appearing for the first time as a solicitor, distantly, if at all, related to Mr. Benjamin Lovibond, but whose professional interests were somewhat adverse to those of his kinsman. His name frequently occurs after this year, as a leader of the Liberal clique at the borough elections, and a manager unscrupulous as to the means. Of all their leaders examined before us, he alone did his best to evade our questions, evincing indeed the greatest determination to defeat our inquiry. We, therefore, abandoned his examination, and he is one of those to whom we refused the statutory certificate. We now wish it to be understood that wherever his name occurs in this Report our information is derived from extrinsic sources, and not from himself.

The consequence of this dissention was a breach which outlasted not only the election of 1847, but also the next election, and had important results. Messrs. Ford, Bate, and Henry Lovibond,—having been advised that the coalition was actually formed,—on the very eve of the election, took measures for bringing down some wealthy stranger from London, as "third man" at the contest on which they were determined. But every overture was declined; and Mr. Henry Lovibond, who went in person on that errand to London, returned on the 28th July 1847, the nomination day, with Mr. Serjeant Gazelee, a "Purity" candidate, in time to be proposed and seconded, and to win the show of hands. The existence of the coalition had been bruited abroad, and was not popular. Nor was the specious pretext, that of making an end to corrupt practices, believed on either side; the antecedents of Mr. Broadwood, of Colonel Tynte's "family," and, above all, of Mr. Benjamin Lovibond, being well known to all. In fact, on the next day at the poll, the confederates saw the borough fast passing out of their hands, and Mr. Serjeant Gazelee for some time after it began, although lower on the poll than Colonel Tynte, yet in a small majority over Mr. Broadwood. They found it "necessary" to do two things apparently irreconcilable, to give the Serjeant the open support of Colonel Tynte and his adherents, and to bribe those adherents to vote against the Serjeant. But the voting for him was only "a cloak to conceal the coalition," and was confined to a few of the more prominent men, and, amongst others, Mr. Benjamin Lovibond himself, the most active of all against him. The bribing, on the contrary, was extensive as of old, and upon the accustomed scale. There was some evidence that the means were supplied by "the Tynte family." They are also said to have "bribed at all the Colonel's elections, but always, it is believed, without his knowledge." Neither he nor Mr. Broadwood was then in a position to make a large outlay; and before the next election Mr. Broadwood retired from the representation for ever. But that the money, coming from whom it might, was distributed by the ordinary Liberal and Tory bribe agents, acting for once in concert, to promote the success of the single Tory candidate, and the defeat of the accepted second Liberal candidate, was too clearly

proved by the witnesses before us to admit of any doubt. Had there been any doubt it must have been removed from our minds when a document, accidentally discovered by Mr. Bate the younger, in searching his late father's papers for some information relating to our inquiry, was laid before us. It was the petition of 1852 to Parliament, noticed hereafter, bearing, amongst other signatures, those of four Liberal lawyers and of one Conservative lawyer of the place, and affirming that the subscribers knew of and censured the corrupt practices at this election of 1847, amongst others. The petitioners distinctly ascribed them to that unexpected advent of the second Liberal candidate, or "third "man," and to the consequences which followed; viz., the make-believe secession of some of the Liberals from the coalition, and their voting for Tynte and Gazelee, instead of for Tynte and Broadwood. They went so far as to say that the coalition being thus broken up, it had been found "necessary" to return to the corrupt practices of ordinary elections in order to defeat that third candidate. That petition was never presented, without any satisfactory reason being alleged. Nor is it explained by what means it came into the custody of Mr. Bate; who, as mentioned above, was a zealous "patron" and "introducer" of Mr. Serjeant Gazelee, the Liberal candidate, whose coming there made it so "necessary" to bribe. The whole matter is one of the mysteries of elections at Bridgwater.

The coalition was successful. But out of a registered constituency of 529 electors Mr. Serjeant Gazelee polled 196 votes, against 265 polled by Mr. Broadwood and 395 by Colonel Tynte, who was thus placed at the head of the poll. Fifty-five electors did not vote at that election. Mr. Serjeant Gazelee's own expenditure on that occasion amounted to no more than 26*l.* But the lawyers who had brought him forward were perfectly well aware of the corrupt practices of his opponents, and of the evidence by which those practices could be brought home to them. That no petition was presented against the return of either of the sitting members is probably to be explained in the same way as the like forbearance on similar occasions at Bridgwater.

We ought here to state that, until, by a painstaking investigation on our part, we succeeded in eliciting the above facts connected with the election of 1847, we were invariably assured by even the most trustworthy of our witnesses, that it was universally regarded as the one pure election which had taken place at Bridgwater between 1832 and the present time.

In 1852 the next general election took place. At that election, under the same "patronage" as before, Colonel C. J. K. Tynte was one of three candidates on the Liberal side; Lord Henley, who had been invited by an association, formed for the purpose of "opening" the borough, that is to say, of freeing it from the "patronage" of the Liberal attorneys, and who stood upon the principle of "Purity of Election," being the second liberal candidate; and Alexander William Kinglake, Esq., a very great friend of Mr. Sealey the banker, the third; himself enjoying, as we have said, the "patronage" by which his immediate predecessor, Mr. Serjeant Gazelee, had been induced to contest the place in 1847. The Conservative candidates were again two strangers to the place, Brent Spencer Follett, Esq., of the Chancery bar, and John Christopher Mansel, Esq., both brought down by the Tory attornies. It is necessary, however, to state that both these gentlemen signified unmistakably their determination not to countenance any corrupt expenditure, and that they both adhered to that determination to the end, there is no cause to doubt. The rivalry of the three Liberal candidates caused a split in their party, and another coalition between the "patrons" of the Tynte section and those of the Tories by a secret understanding, to which Mr. Follett was not privy, and which was also effectually concealed both from Colonel Tynte and Lord Henley. Each of them was led by Benjamin Lovibond to believe that they stood in the same interest and would receive the same support. Mr. Follett's expenditure, including the cost of a "five months canvass," was 1,150*l.* But, on the other hand, the money of Colonel Tynte's family was again applied to corrupt purposes in furtherance of the coalition, and again, it is said, without his knowledge. An attempt was made to involve Lord Henley in the like practices. On the following day, and after the poll had gone on for some hours, an application for the sum of 200*l.* to be expended in bribery was made to Lord Henley himself by one who had already bribed two voters on Lord Henley's behalf, viz. Lovibond's confidential clerk, Foster, in order to insure the return of himself with Colonel Tynte. This application was promptly and unconditionally refused by his Lordship. There is no evidence before us of any expenditure of that kind upon the part either of Mr. Kinglake or of Mr. Mansel. The former states his expenses to have amounted only to 300*l.*, and the latter is stated by Mr. Follett to have expended nothing at all;—and by Mr. Poole, to have expended 200*l.* only. Mr. Follett altogether denies that he himself defrayed or was called upon to defray any portion of the bribery monies

laid out in that contest, and says that, to silence Mr. Richard Smith, he threatened to vacate his seat if he discovered after the election that it had been won by corrupt practices. We see no reason to question his statement. Nevertheless it was proved before us that very large sums of money were spent in bribery, at 10*l.* per vote, and in treating at the different public-houses open in the interests of the coalition, with the privity of Mr. Benjamin Lovibond on the one side, and Mr. Richard Smith upon the other. For both Mr. John Trevor and his brother, —being considered by their professional colleagues in the "patronage" clique far too "scrupulous" to be trusted any longer with the conduct of a contest only to be waged with weapons which they repudiated,—had retired shortly before the election from the leadership of the party;—and the above-named Mr. Richard Smith was chosen in their place. Mr. Benjamin Lovibond's position, as sole "patron" and adviser of Colonel Tynte, the other party to the coalition, gave him free scope in the choice of measures on his side, and of instruments to carry them out. His chief confidence appears to have been placed in two known bribe agents, the late William Haslam, of whom it will be needless to say more, and one William Heal, similarly employed at the 1847 election for the same Mr. Benjamin Lovibond, and perhaps at former elections also. William Heal is still living. He has been a manufacturer, a brewer, and publican by turns at Bridgwater, and now fills a post of considerable trust, as well as some political power, under the firm of Coulthurst and Symons, at Durston, in the neighbourhood, in which firm one of his brothers-in-law, hereafter to be reported for offences similar to some of Heal's own, is an influential partner. Of this man Heal we shall also at the proper place have to record certain graver offences than those which are now the subject of remark. He has nevertheless assured us that not one of the disclosures of those misdemeanors during the last 20 years ever did him the slightest damage at Bridgwater, either in reputation, or in trust, or in commerce, and that even now "his credit there "stands as high as ever it did."

The whole of the money raised for the purposes of bribery at that election in the interests of Colonel Tynte was entrusted to those two men, Haslam and Heal, for "distribution." It is probable, too, that Mr. Richard Smith confided to them the "distribution" of the funds raised for the like purpose in the interests of Mr. Follett. It is certain, at least, that although the ordinary "tallies" went to the poll sometimes for Colonel Tynte only, those Tories who were in the secret, like Mr. Follett's brother-in-law, Mr. Hennett, of whom Mr. John Trevor makes mention, easily brought them to vote for Follett also, by threatening to "split" upon them for their 10*l.* bribes. In short, the bribery, if not done in the names of both candidates, was done for their joint benefit, and as for votes to be given for both, "so as to prevent any petition." Moreover, William Heal is a man particularly distinguished for his freedom from all mere party prejudices, and for an equal readiness to be "distributor," or rather treasurer, of Conservative as of Liberal gold: and of those dispositions of his ample illustration is contained in the later pages of this Report. At all events there was a large sum of money certainly "distributed" at this election both by Haslam and Heal; although as certainly a large portion of it, in the "distribution," was "stuck to," that is to say, had been embezzled by Heal. He himself seemed to be aware, that as much as 100*l.* had been intercepted by him on that occasion; but, far from feeling ashamed of that, he made it the subject of complaint, that at the subsequent election in 1857, a promise of 40*l.* for bribery work was broken on the part of Mr. Benjamin Lovibond, and his demand of payment refused, on the ground, as stated by Foster, the clerk who managed the election business, "Bill! you did us last time, and we have done you this time." We have been thus particular in noticing the defalcation in question, because it is the first discovered instance of what was soon to become—if it had not already become —the general practice of bribe agents, and of which several instances will be given elsewhere in our Report.

The result was that, at the end of the polling day (7th July 1852), Colonel Tynte and Mr. Follett were returned in that order of precedence, and that of all the candidates Mr. Kinglake stood lowest upon the poll. Apart from his having unhappily selected Mr. Henry Lovibond and Mr. Paul Reed for his agents at that election, there is no evidence to connect him with any corrupt expenditure; and he estimates his own expenditure at about 300*l.* Lord Henley's own expenditure amounted exactly to the sum of 304*l.* 2*s.* 6*d.* It is due to Lord Henley that we should record our conviction, that from first to last he remained true to his declaration, and preferred to be accounted the "mean man," whom one or two of the witnesses, unconscious of the effect of their words upon us, thought fit to denounce, rather than swerve from his resolution, to fight the battle upon the principles of "purity of election" and personal independence.

We have had occasion to call attention, in connexion with certain doings at the election of 1847, to the petition to the House of Commons, prepared and signed in 1852, but for some inexplicable reason, laid aside without having ever been presented. It was one of the first petitions for addressing Your Majesty under the Act of the sixteenth year of Your Reign, which had then recently passed; and under which we now hold Your Majesty's Royal Warrant. It affirms in the strongest manner the extensive prevalence of corrupt practices at both the elections of 1847 and 1852. If it had been presented, it is true that the prayer could not have been in terms granted, for no election petition had been presented against the last return. But the committee of privileges and elections is not effete; and there is an authority in the House of Commons, which, evoked, might even then have set in motion the powers of the Legislature, as was done only one year before in the case of St. Alban's, and 10 years before in that of Sudbury, and has recently been done again in that of the city of Dublin.

The open discords which had divided the Liberal lawyers at the general elections of 1847 and 1852 into two hostile sections were not appeased until the ministerial crisis of 1857 arrived; having, as its consequence, an immediate dissolution of Parliament. Colonel Tynte's was by this time distinguished from the other section by the name of "the Tyntites," a name which long survived the membership of the gentleman after whom they so called themselves. The old animosities and jealousies continued to influence the separate action of many long after a reconcilement of their leaders had openly taken place. And we may mention an instance which came under our own view, that of an alleged corrupt negotiation between a Liberal elector for a loan of money from a Conservative candidate (a transaction which had reference to a period so late as the contest of 1865). That applicant, a medical man, told us, as part of his explanation of the affair, that he was neither for nor against either party exactly, "being himself a Tyntite." The coalition with Mr. Follett's party came to an end. The Liberal party was declared to be once more united, and prepared to contest both seats at that election. Still, whether out of their own mutual jealousies, or out of a respect for the understood repugnance of many of their respective supporters to the reconciliation which had so recently taken place, the electors were authoritatively told that the chief Tyntite "patron," Mr. Benjamin Lovibond, would continue to act for his own nominee, Colonel Tynte, and that the Liberal candidate of the other, and so lately the antagonistic section, would continue to receive the support of his own proper "patrons," Messrs. Bate, Henry Lovibond, and Paul Reed;—all of them names either already implicated or about to be implicated very deeply in the corrupt practices by which alone—for so the whole of those still surviving assured us—the success of any political party, or any political cause, at any contest for the parliamentary representation of Bridgwater ever was or ever will be ensured.

Amongst the circumstances of this rearrangement of the Liberal tactics, the selection made of the candidate to be proposed along with Colonel Tynte is by no means undeserving of very particular attention. There were three candidates who, on the part of the Liberal section, opposed to the "coalition," had actually gone to the poll against it; Mr. Serjeant Gazelee in 1847, and Lord Henley and Mr. Kinglake in 1852; and each of those three candidates was still living, without a seat in Parliament, and desirous to obtain, or willing to accept one. The first of the three was passed over it seems without remark; between the second and third a private meeting of "leading electors," that is to say, shopkeepers and others accustomed to obey the real leaders of the party, had to determine. Lord Henley and Mr. Kinglake were both Liberals, and as yet untried in parliamentary life. But Lord Henley was still the representative of the two principles for which he had been selected in 1852, "Independence of Patronage" and "Purity of "Election;" and the way in which that contest had, on his part, been conducted, very plainly showed that he had been sincere in that. Mr. Kinglake was not the champion of "Independence." He was not now more than formerly averse to accept nomination and aid at the hands of that section of "patrons." As for "Purity of Election," he was not as yet pledged irrevocably to that principle. He had not said, nor (save only by his choice of "patrons" and confederates) done anything to the contrary of that principle. His merit, or demerit, in that respect was as yet only of a negative kind. The unanimous opinion of the "patrons" was in favour of Mr. Kinglake; and the "leading "electors" consented to pass Lord Henley over, and to invite Mr. Kinglake. He accepted the invitation. "Lord Henley's friends became as loyal and as much attached to him as "if he had been their man from the beginning." As for Colonel Tynte "there was "a separate agency, and a certain amount of distrust perhaps remaining; and they "canvassed separately;—but still they acted amicably together." Mr. Kinglake's business was done chiefly by Mr. Bate, but also by Mr. Henry Lovibond, and by

Messrs. Reed and Cook. He had also the assistance of another gentleman professionally engaged as his attorney at the election, but who, having had no vote hitherto, and being of Conservative opinions, cannot be ranked among Mr. Kinglake's "patrons," and who in fact at every subsequent election appeared prominently among the "patrons" of the opposite side in politics, and, as such, was frequently named in the evidence before us. That gentleman was Mr. Brice. Moreover, Mr. Kinglake's brother, Dr. Hamilton Kinglake, was residing but a few miles off; they, Mr. Kinglake says, "were very much "attached brothers," and "his brother was a far richer man than himself," and "always "acted for him at elections;" and they afterwards "passed the accounts" together. There can be no doubt whatever that to Dr. Kinglake the evil repute of his neighbours at Bridgwater was quite as familiar as according to Mr. Kinglake's evidence it had been to the candidate himself. On his side, Colonel Tynte, for all purposes whatsoever concerning his part in the contest, had but one chief representative or agent. It was Mr. Benjamin Lovibond.

On the Conservative side Mr. Follett was the only candidate. It was believed,—but erroneously, as he assures us—that he was "disgusted" with the results of former expenditure; this time his own expenditure amounted to no more than 433*l.* 5*s.* 8*d.*; and we have no reason to dissent from the opinion expressed by opponents and supporters alike, that there was less money corruptly expended on that side at this election than at the former election of 1852. Still it must be borne in mind that the management was always in the hands of Mr. Richard Smith, as sole leader of the clique of his "patrons," the Conservative lawyers; having under him the same staff of inferior agents as at former and subsequent elections. And we have it in evidence that, in corrupt treating on that side, the large sum, or very nearly the sum estimated to have been expended on either side at every election, was, on this occasion, expended in that way upon that side at the public-houses "kept open" by the party throughout the contest, that is to say, the sum of 500*l.*

Upon the Liberal side, at least, that amount was certainly expended at the public-houses "kept open" for the like purpose. Mr. Kinglake did not deny the fact. But he assured us that, although frequently about the town upon the polling day, he saw no signs of drunkenness or drinking amongst the electors. The statement is the more surprising when it is contrasted with that of every person, of whatever politics, examined as to the condition of voters when brought to the poll. They all agree that at every Bridgwater election there was much drunkenness exhibited in the streets, and at the polling-booths, and more especially towards the close of the poll when many voters were polled who did not know what they were about.

But the corrupt practices of the Liberal agents at this election were not confined to the debauching of the voters by means of drink. The already mentioned William Haslam and William Heal, and the other bribe agents of the party, were again employed and active; and bribes were asked and offered, given and received. William Heal in particular, according to his own account, so distinguished himself in that way as to give point and meaning to the reproach, recorded in the "Minutes" of the Election Trial of 1866, and again stated before us by Heal and others, to have been addressed to Heal at the intervening election of 1865 by his chief employer, Mr. Benjamin Lovibond himself, with reference to Heal's being about to desert his party, in order to bribe for their opponents; "If you leave us Heal, I am damned if I won't put "up my electioneering shutters." He was not only a bribe agent at the election of 1857, but he took that part in it which generally had been taken by the "Mysterious "Stranger," or, as he is sometimes called, the "Man in the Moon." At the request of the late Mr. Foster, a lawyer's clerk, but at election times chiefly employed extensively and confidentially for bribery purposes by his master, Mr. Benjamin Lovibond, Heal, who was no longer an elector, having been for some time past domiciled at Gloucester, left that place in January or February 1857, to resume his old occupations at Bridgwater, especially with reference to the election of that year, then but a few weeks distant. He was to receive 40*l.* "for his trouble." Arrived there he received the requisite instructions through Foster: and "some hundreds of pounds," in sums of various amounts, but how much in all he could not or would not tell us, were by Foster placed in his hands. In conformity with those instructions he began to "distribute" the money in bribes. The scene of his principal exploit was a Liberal public-house at the sign of the "Golden Ball." "It was done," he says, "darkly, not openly." The men to be bribed "were all put to him by Foster in a dark room upstairs" at that place. He himself "did not see one voter in ten" who were so brought to him; but he put out his "hand and gave them the money," at the rate of ten pounds a vote; Foster "referring "them to him," and "pointing them out to him as they came in," and taking upon himself the risk of "some of them whom Heal did not know, or might not believe to be

"electors," although he (Heal) "probably might have known some of them." He was or pretended to be "really unable, even if he had the poll sheet before him, to give "us any of the names of those persons: it was so long ago; and he never kept any of "the books; never kept a scrap of paper in his life:"—nor did he think that "if he "saw any of them now he should know them." He admitted that when he came to pass his bribery accounts afterwards with Foster, "he (Heal) was two hundred pounds short" upon the whole of his receipts and disbursements at that election. He bitterly complained to us that Foster thereupon refused to pay him the 40*l.* which he had been promised.

This is the transaction to which we have referred a few pages back. Our own belief is that bribes were given by Heal at that election, under the instruction of Benjamin Lovibond, or of Foster, and in the manner stated. But that, whenever so employed, some of the bribe money "stuck" to Heal's own fingers, and that on this particular occasion the missing 200*l.* so "stuck," we have equally no doubt.

Under the above circumstances, at the polling day (28th March 1857), Colonel Tynte and Mr. Kinglake were returned by large majorities. Mr. Follett, the defeated candidate, never again stood for Bridgwater. No petition was presented against the return, although there would have been no difficulty whatever in setting it aside. We had it in evidence that, in those days, and, in fact, until after the very next general election, that of 1859, concealment of the corrupt practices on either side was not deemed necessary to make an election safe; for "each side knew that the other would not dare to go "on with a petition," even if they presented one. So open and avowed, indeed, was the practice of bribery, that it sometimes led to street encounters between one set of bribery agents and another, which very strongly resembled riots. A remarkable instance of that kind will have to be mentioned with reference to the general election of 1859, the next in order.

A noticeable incident, however, belonging to the election of 1857 deserves first to be recorded. It is the reappearance of the name of Bussell in the pages of the bribery annals of Bridgwater; a name which since the retirement of Mr. James Bussell to the rewards of his long service had not been prominent. But, now having grown up into manhood, at this election his two sons, Messrs. Henry Chapman Bussell and Robert Bussell, appear,—the latter for the last as well as for the first time, on the Liberal side,—zealously engaged in corrupt treating, at the public-house of the former, soon to become so famous—the "Anchor." What was the entire amount so expended, he was unable to recollect, but Mr. Henry Chapman Bussell declared that "no doubt it must have been "about 50*l.*" His labours in that way recommended him to Mr. Benjamin Lovibond for higher employment. His brother, Robert Bussell, had gone over soon after the election of 1857 to the Tories, but Henry Chapman Bussell remained firm to the Liberals. On their part, "because," he says, "they considered that he stood to his faith," Foster was commissioned to prepare him to receive at the very next election employment as one of their most trusted bribe agents, and Foster prepared him accordingly, and not in vain. Between 1857 and 1859 "we were always in conversation; but not about money "until the nomination day, when he asked me if I had any objection to spend a little "money to get the candidates in." From that time forward Henry Chapman Bussell continued to be at every election the chief of the staff of the bribery agents employed immediately under the "patrons," on the Liberal side.

To keep up his local influence, during the same interval, Mr. Kinglake commenced to subscribe yearly to the local charities, and races, and in some cases for the relief of individuals. His outlay in this way from 1857 to 1868, inclusive, averaged, he says, about 110*l.* a year. It began with his election for the place. It ceased when he was unseated by Mr. Justice Blackburn's decision in February 1869, and he informs us that with the single exception of his subscription to the County Infirmary, it is not his intention to contribute any more money for such purposes. To one item of his expenditure in that way, at a much later period, we shall hereafter refer. For the present we have no further remark to make respecting it. We have also to record his statement that from time to time thenceforward, down to the end of his connexion with the borough, every Liberal appointment of a Bridgwater man to the commission of the peace for the borough or the county was made upon his recommendation. The justices so appointed are (for the borough) Messrs. Haviland, Nicholls, Mogg, Ford, and Hammill, and (for the county) Mr. John Browne.

To some of those names it will be our duty to call attention hereafter, in connection with corrupt practices at more recent elections for this place.

We now come to the next in order, the general election of 1859.

At this election Colonel Tynte and Mr. Kinglake presented themselves for re-election. Henry Padwick and Henry Westropp, Esquires, both wealthy strangers, were introduced

by Mr. Richard Smith as the Conservative candidates. The election took place on the 30th April 1859, and resulted in the return of Colonel Tynte and Mr. Kinglake; the numbers polled being—

Tynte - -	290	Padwick - -	230
Kinglake - -	279	Westropp - -	208

The number of electors polled was 512; unpolled, 31; dead, 10. The majority for Colonel Tynte over Padwick was 60, and over Westropp, 82; Mr. Kinglake over Padwick, 49, and over Westropp, 71. The published expenses of Mr. Kinglake were 248*l.* 8*s.* 6*d.* In addition to this sum, Mr. Henry Lovibond received 100*l.* as a fee for acting as agent. About three months after the election, Mr. Kinglake learnt from his brother, Dr. Kinglake, that Mr. Bate, already mentioned as the friend and recognized agent of Mr. Kinglake, had spent money illegally. Mr. Kinglake was called on to pay 1,125*l.* 15*s.* 0*d.*, being the amount Mr. Bate had so expended, with interest. The sum actually spent by Mr. Bate was 1,070*l.* The whole amount paid by Mr. Kinglake for his election was 1,474*l.* 3*s.* 6*d.* It was found impossible to ascertain the amount spent by Colonel Tynte, as his principal agent, Benjamin Lovibond, is dead, and Colonel Tynte is now residing abroad, and we have not been able to examine him, although duly summoned. But we have it in evidence that the Tynte party spent money very profusely, and paid the voters in 10*l.* notes; and we further had evidence from the manager of the Bridgwater Branch of the West of England Bank, that just before the election of 1859, Colonel Tynte himself presented his father's cheque for 700*l.* at the bank counter, and received the change in 10*l.* notes, and that very soon after men and women moving in the humbler ranks of life came into the bank to change 10*l.* notes for gold. So remarkable did the circumstance appear of the sitting member coming in for change of a 700*l.* cheque on the eve of the election, that, on Colonel Tynte leaving the bank, the manager made an observation to his cashier, "That is rather "a bold thing for a member to do." A petition was lodged against the return on the ground of bribery, but the petition was withdrawn at an early stage. It was charged before us that part of the bargain for withdrawing the petition was that a criminal information for which a rule had been granted and made absolute by the Court of Queen's Bench against "The Bridgwater Times" for libel, arising out of the election, should be discontinued; but no conclusive evidence could be obtained on the subject. The fact, however, is that with the withdrawing of the petition the criminal information was abandoned. The libel was that a Mr. Jenkins had bribed 60 voters in the Liberal interest.

The Liberal bribe agent, Henry Chapman Bussell, was now the landlord of the "Anchor" inn, a house which he still holds. He had been, as we have already stated, engaged on the Liberal side by Foster, already named, and received 100*l.* from him for that purpose, which was paid away in sums of 10*l.* Many of the voters bribed by Bussell had previously been bribed by John Murlis to vote for the Conservatives; Murlis having commenced paying the voters a fortnight before the election; the Liberal bribe agents picked them up on the polling day, and so they got paid on both sides. Mr. Benjamin Lovibond being under the impression that the Conservatives had not bought up the "balance men" then took no steps to secure them for the Liberal party until the morning of the following day, when observing that the first tally that went up to the poll were almost all "balance men," he immediately concluded they had been bought, and at once issued orders to his sub-bribe agents and others to barricade the streets leading to the polling place, and seize upon every "balance man" as he came up. There was only one polling place at this election. This was accordingly done, and about 40 or 50 "balance men," who had been paid 10*l.* each on the Conservative side, were thus seized upon, and bribed with 10*l.* by the Liberals, and then polled. The Conservatives being taken completely off their guard by these measures, found to their astonishment that they had really lost the election by 10 o'clock. The bribery at this election was carried on in the most unblushing manner, the money being paid openly in the streets. The principal bribe agents for the Liberals at this election were Henry Chapman Bussell, the clerk, Foster (now dead), John Smith, the grocer, Henry Faun (now dead), William Heal, and Thomas Hill, amongst others.

It has been already stated that Mr. Padwick was introduced to Bridgwater by Mr. Richard Smith, the solicitor, whom we were unable to examine on account of his being paralysed, but from Mr. Padwick we learned that the manner of his introduction was as follows:—Mr. Padwick being interested in the Horsham election on behalf of his friend, Mr. Fitzgerald, called at Messrs. Baxter, Rose, and Norton's office to get some information, and there in the waiting room made the acquaintance of Mr. Richard Smith, who said he was looking out for a candidate for Bridgwater. The result of a

short conversation was that Mr. Padwick agreed to stand for the borough. Richard Smith said the cost of a contest would be from 1,200*l.* to 1,400*l.* On the introduction of Sir Frederick Slade, who was then the standing Conservative counsel in electioneering matters, it was arranged that Mr. Westropp should stand as the second Conservative candidate on the understanding that Mr. Westropp should not be called on to pay more than 200*l.* as his share of the expenses in the event of losing, but 1,000*l.* if he was returned. Sir Frederick Slade informed Mr. Westropp, in reply to inquiries as to Mr. Padwick's position, that Mr. Padwick could lay a continuous line of sovereigns from Bristol to Bridgwater. Mr. Padwick went to Bridgwater about three weeks or a month before the election, and the morning after his arrival he placed in Mr. Smith's hands 1,000*l.* At the end of the week Mr. Padwick was informed the 1,000*l.* was exhausted in paying outstanding accounts, and another sum of 1,000*l.* was sent down from London to Mr. Smith by a Mr. Copperd, a friend of Mr. Padwick's. This sum was sent down in gold. Finding the contest going against him, Mr. Padwick left the town in the middle of the polling day. In addition to the 2,000*l.* spent by Mr. Padwick, and the 200*l.* by Mr. Westropp, each paid his own personal expenses. At this election John Murlis, junior, who then kept the "Albion" inn, was employed as the principal bribery agent for the Conservatives. Mr. Westropp was before the constituency about 10 days before Mr. Padwick, and on Mr. Padwick's arrival cards were issued, "Padwick and Westropp." Murlis waited on Mr. Smith, the solicitor, to ask what it meant, and he was told by Smith, "Well, you know those who pay the piper will have first chance"; saying at the same time, money would be going, and Mr. Padwick would find it. Mr. Smith further asked Murlis to take the management of money matters, and Murlis agreed to do so, stipulating that a proper check should be kept. Mr. Smith suggested that Murlis might begin at once to spend money gently among those whom he could trust. Murlis agreed to advance 325*l.* of his own money for the purpose, Mr. Smith telling him he might begin at once, and to pay 10*l.* per head. The 325*l.* was expended in the course of two evenings. At this election Murlis bribed by himself or sub-agents 140 voters. He commenced operations about a fortnight before the election and finished on the nomination day. After the 325*l.* was exhausted he saw Mr. Richard Smith, who told him if he wanted more money to go to Stuckey's bank, and they would let him have money. Accordingly Murlis waited on Mr. Woodland the bank manager, and got 500*l.* on an I O U. At that time Murlis had no account of his own at Stuckey's bank, and nothing was said about any interest. The money was repaid by Smith. When the 500*l.* was gone, Murlis went to Smith and asked for more money. Mr. Smith said, "You will have a parcel either to-day or to-morrow." Accordingly the parcel came, addressed to Mr. Murlis, at the "Albion" inn, labelled, "Samples, glass; with care. This side up." On the parcel being opened, 1,000*l.* in gold was discovered, out of which Murlis paid himself 325*l.* and Mr. Woodland 500*l.*, and spent the remainder in bribery. After this sum of 1,000*l.* was spent, another parcel labelled as before was brought to Murlis' house by a man who looked like a porter, which parcel contained 500*l.*, which was also spent in bribery. Mr. Padwick was put first of the Conservative candidates, and when voters could not be induced to vote for both the Conservative candidates, they were asked to vote for Padwick and Tynte. The principal bribe agents for the Conservatives were John Murlis and his sub-agents, Frederick Temblett, John Waddon, Charles Lear, Robert Pople, John Giles Davis, Frederick Jarman, William Pain, James Leaker, Robert Ford, Edward Denner, Thomas Walkem, Henry William Batten, Joseph Pitman, James Bussell, sen., of whom so much mention has been made on the other side, James Bryant, and Robert Bussell.

About two months after this election Mr. Haviland, J.P., a principal supporter of Mr. Kinglake thereat, and who had proposed him at the election immediately preceding, received a loan of 100*l.* from that gentleman through Mr. Bate, without security and without interest, and two years afterwards Mr. Kinglake converted that loan into a free gift. It is right to add that a majority of our number are of opinion that there was no corrupt motive, either actual or implied, influencing either the giver or the receiver of such loan.

After Mr. Westropp's defeat in 1859 he appears to have formed the idea of "nursing" the borough with the view to a future contest, and accordingly he subscribed liberally to the various charities and race meetings, and also made gifts to private individuals irrespective of party, although remonstrated with by his legal agents that such nursing would be entirely useless, and that he would have to bribe the voters over again, just as Colonel Tynte did, who resided in the immediate neighbourhood, and canvassed the borough from the 1st January to the 31st December. The annual sum spent by Mr. Westropp in thus nursing the borough averaged 370*l.* a year.

In 1863, two years before the next election, Mr. Parsons, "a Tyntite," applied by letter to Mr. Westropp for the loan of 500*l.* upon two life policies to be approved by Mr. Brice; and Mr. Westropp states that he offered in return his vote and interest for some future occasion; that letter, however, was lost in 1865, and Mr. Parsons denies that it contained any promise of his vote and interest. Mr. Brice told us that he subsequently, upon Mr. Westropp's refusal, did raise that sum for Mr. Parsons. A majority of our number wish to state, in regard to this transaction, as they have already done with regard to Mr. Haviland, that they do not see any reason to impute any corrupt motive to Mr. Parsons when he made that request.

When the general election of 1865 became imminent, Colonel Tynte signified his intention to retire, and Mr. Benjamin Lovibond, the then principal legal agent for the Liberals, went to London and had an interview with Mr. Travers Smith as to finding an eligible candidate for Bridgwater, and among the late Mr. Benjamin Lovibond's papers was found a list of names in the handwriting of his clerk Fletcher, with the qualification of each candidate, of which the following is a copy:—

"43 Parliament Street, Westminster, S.W.,
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"*Sir John Villiers Shelley.*—Present M.P. for Westminster. Rich country baronet residing at Maresfield Park, Lewes; town address, Brooks's Club. Advanced Liberal, for ballot and abolition of church rates, and a well-considered extension of the franchise. Has been a perfectly consistent supporter of Liberal principles for 15 years in Parliament. Has strong claims on the party for the public spirit shown in his recent retirement from Westminster. Very good speaker, and dashing candidate.

"*Sir F. Halliday.*—Late Governor of Bengal. An able man, and valuable Indian public servant; good speaker; Palmerstonian; very moderate; new to Parliament; against ballot; for abolition of church rates; rich and good candidate.

"*Walter Bagehot.*—An able man; editor or part proprietor of 'Economist;' son-in-law of James Wilson, M.P.; a good candidate.

"*Lord Milton.*—Eldest son of Earl Fitzwilliam; age 26; intelligent young candidate, but not experienced; the highest social and family position.

"All the above are men of wealth and position, who would do credit to any constituency."

It is right that we should state that Mr. Smith expressed strong doubts as to whether he had supplied all the names mentioned in the above document, and denied that the wording was his. At the same time he acknowledged that it might represent the substance of his communication with Mr. Benjamin Lovibond. Out of the above names Sir John Shelley was selected as the candidate in the Liberal interest in place of Colonel Tynte. Mr. Kinglake presented himself for re-election, and coalesced with Sir John Shelley. Mr. Westropp was the Conservative candidate. On Sir John Shelley consenting to stand he exacted the most solemn pledge from Benjamin Lovibond that no illegal expenses should be incurred; but during his canvass he constantly met with the reply from voters that they should vote for "Mr. Most."

On some of these occasions the hint was explained and enforced by one or more of the lawyers and canvassers who accompained him on the canvass. Moreover the pledge which as is already stated, he had received from Mr Benjamin Lovibond, was carefully concealed from the electors by Lovibond's bribery agents. Henry Chapman Bussell, who for some days before had learned Sir John Shelley's intention, continued to assure the bribeable voters that the money would be forthcoming by-and-by. John Smith, the grocer, whose house, at every election, according to the description contained in one of his letters to Mr. Kinglake, was open for the purposes of treating in the Liberal interest, continued down to the morning of the polling day to organize the inferior agents and to authorize them to promise the customary bribes. By another letter from the same bribery agent received soon after the election, Mr. Kinglake was made to understand how bitterly the writer and his fellow bribers regretted his defeated colleagues resolution not to bribe, or rather the tardy determination of Mr. Benjamin Lovibond to obey it. Had they known it at five o'clock that morning, instead of at nine, he said they would have taken the matter into their own hands and chanced all results.

Although bribery by direct money payments was not resorted to on behalf of the Liberal candidates, yet treating to a great extent prevailed, and tradesmen in a good position supplied flags, colours, ribbons, &c., to a very large amount without receiving any orders. After the election was over, the bills were sent in headed, "Kinglake and Shelley," but Sir John Shelley refused to pay them, and they stood over until the election of Mr. Vanderbyl in July 1866. And in one notable case, that of Mr. Henry

F. Nicholls, a draper and ship owner, and justice of the peace for the borough, goods were supplied illegally, such as flags, ribbons, handkerchiefs, &c., to the amount of 12*l.* 12*s.* 0*d.*, and the entry in the books was altered from "Kinglake and Shelley," the name of "Vanderbyl" being substituted for the latter. In another case, that of a Mr. Hurman, a draper who supplied goods without authority at Sir John Shelley's contest, was also paid by Vanderbyl after Hurman had made it a matter of strong complaint that his bill had not been paid, and ought to have been before Bagehot's contest. On the Conservative side it was proved that Mrs. Westropp, acting under the advice and in conjunction with Bealey Smith, a son of and partner with the Mr. Richard Smith already named in this Report, provided 1,500*l.* of her own money and caused the same to be conveyed by her sister, Miss Stockwood, to a Mr. Benjamin Humphrys Tromp, who was then a managing clerk to Messrs. Johnson, Farquhar, and Leech, solicitors and parliamentary agents, to be distributed in bribery. This sum of 1,500*l.* had been settled upon her by her husband some years before in her maiden name, and she was thus enabled to deal with it in her transactions with her brokers. Mr. Tromp played the part of "Man in the Moon," and in addition to this 1,500*l.* another sum of 500*l.* was given to him on the night of the nomination day by his receiving an intimation that if he would take a walk in Mr. Richard Smith's garden, he would find something in the summer-house. In addition to these sums, Tromp received 250 guineas for his own services besides his expenses, and also paid several public-house scores is addition. He told us that Mr. Farquhar, now dead, was the only member of the firm who was aware of his, Tromp's, employment at that election.

The contest resulted in the return of Westropp and Kinglake. The numbers being for

Westropp - - - - -	328
Kinglake - - - - -	257
Shelley - - - - - -	237

The principal bribe agents for the Conservatives at this election were B. H. Tromp, Frederick Harden, Frederick Temblett, John Truman, Francis Jarvis, Frederick Jarman, and others, amongst whom was William Heal.

A petition was lodged against the return of Mr. Westropp on the grounds of bribery and other corrupt practices, and a cross petition on similar grounds was lodged against Mr. Kinglake. The result was that Westropp was unseated and Kinglake duly elected; but the costs of the sitting member were not allowed, the chairman of the committee stating "that there was nothing frivolous about Bridgwater." A report was made to the House that corrupt practices had extensively prevailed at the last election. It is necessary here to state, that after the result of the petition was known in Bridgwater a petition was drawn up by a committee of the Liberal party, headed by Mr. Sealey, the banker and a justice of the peace for the county and borough, and leading man amongst the Liberal party, praying the House of Commons to delay the issuing of the writ, and for a commission of inquiry to issue. This petition was signed by 80 persons, many of whom acknowledged to us that it was got up as a party manœuvre simply to delay the issue of the writ, lest if a new election took place immediately, any candidate who stood on the Conservative side would reap the benefit of Mr. Westropp's bribery. Mr. Baxter, the chairman of the election committee, declined to take any steps in the matter, on the ground, as was stated to us, that the House of Commons had never acted on the report of any commission of inquiry into corrupt practices, and Mr. Kinglake himself, who told us he was quite averse to any inquiry whatever at that time into the state of the borough for which he sat, also refused. Sir Harry Verney was applied to and did make a motion for the delay of the writ, which was defeated by a large majority, and a new writ was accordingly ordered to issue. Mr. Kinglake, not willing to commit himself to any overt act of hostility, or dissent from the motion of Sir Harry Verney, although, as we have before said, himself averse to the threatened inquiry, took the precaution to be absent from the division. The minority in favour of the inquiry was entirely composed of Liberals. Both Conservatives and Liberals voted in the majority for issuing the writ. Mr. Kinglake's published expenses were 207*l.* 16*s.* 9*d.*; but his real expenses were 422*l.* 16*s.* 9*d.* Sir John Shelley's were about the same.

Two incidents in connexion with the contest of 1865, and the election trial of 1866, deserve particular notice in this place. The first is the case of William Heal, of whom we have already made mention. In the second the character and conduct of Mr. James Wood Sully are again materially involved. At this election William Heal, who had up to that time always acted for the Liberal party, being disgusted with Foster, Benjamin Lovibond's clerk, for not giving him the sum of 40*l.* in 1857, already mentioned in this

report, voted for Westropp, and received, among other sums, 250*l.* to bribe with, 200*l.* of which he acknowledged to have kept for himself. He also admitted that he had committed wilful perjury before the election committee in 1866. The second case to which we desire to refer, is one belonging to a class of cases of undue influence of which we had some evidence, but the particular case in question is one of very gross tyranny in the shape of the expulsion of a member from a Baptist chapel on the pretence that the member, one Robert Coles, had committed perjury before the committee of the House of Commons which tried the election petition in 1866, and had also been guilty of bribery at the election. The case is of such a nature that we deem it right to set it out somewhat at length. It appears that the Mr. James Wood Sully who has been previously mentioned in this our Report in connexion with the riot at Mr. Bowen's house was one of the deacons of a Baptist chapel, of which Robert Coles was a member, and who had voted for Mr. Westropp. Coles gave evidence before the committee of the House of Commons, and shortly after his return to Bridgwater, Mr. J. W. Sully requested Coles to attend a private meeting at the house of Mr Perkins, the pastor of the chapel. Coles accordingly attended, and found Mr. Perkins the pastor, and Messrs. Whitby and J. W. Sully, the deacons of the chapel, present. Sully acted as accuser, and said, "he has "been to London with dirty hands as to bribery and perjury." Coles denied the accusation, and asked them to wait until the Blue Book was published, and it was arranged they should do so. The following being sacrament Sunday, Coles was requested not to attend communion. On the Monday the usual monthly church meeting took place, at which, in violation of the arrangement previously come to, not to take any step until the Blue Book was published, the subject of Coles and his evidence was brought up and a vote taken upon it. Coles's son, in addition to the pastor and the two deacons, was the only male person present, the rest of the meeting consisting of eight or nine females. This proceeding was in direct violation of the rules of the church, which orders that no member shall be expelled without a special meeting being called, at which all the members are invited to attend. On the following morning Coles received a letter of which we here subjoin a copy.

"Dear sir, Bridgwater, May 3, 1866.

"Since our interview with you last night, when you denied the charges brought against you, we have obtained a certified copy of the evidence by you taken down by the shorthand writer employed. We grieve to find that the case as stated to you is most fully confirmed. The deacons have likewise had an interview with the gentleman who was present during the whole time of your examination. He also confirms the report of the shorthand writer, and also states his own feeling that your evidence was of the worst description. It was to him, a gentleman standing near him said, he could see from your manner that you were stating what you knew to be untrue. Under these painful circumstances we felt that we could do no other than bring the matter before the church, who have this evening passed a resolution for your expulsion. As we reminded you last night this step taken by them had nothing to do with your voting one way or the other. It is solely taken on the ground of the character of the evidence given by you before the committee which is already the topic of general remark in this town, to the injury of the cause of Christ with which you and we are connected. We most earnestly assure you that we have taken this step in no spirit of unkindness, but solely as a duty we owe to Christ; and our earnest prayer is, and will be, that God will give you repentance to life eternal, and that you may find peace and pardon again through the blood of Christ, which cleanseth from all sin.

(Signed) Joseph Perkins, Pastor.
J. W. Sully
John Whitby } Deacons."

Coles attributed this treatment to his having voted for the Conservatives; and he complained that since the expulsion he had suffered greatly, being looked down upon as one who had been expelled from a religious body, and that his family were often taunted with it. He afterwards brought an action for libel and recovered 50*l.* damages, and on the trial it was admitted that he had not committed perjury before the committee of the House of Commons.

The cost of Mr. Westropp's two contests, and the costs of the petition, amounted to 7,000*l.*, for which he never received any account from Richard or Bealey Smith; in addition to which the cost of nursing the borough, at the average rate of 370*l.* a year for nine years, amounts to 3,330*l.*, making a total expenditure of 10,330*l.* To this must be added the costs of the contest in 1868 and the petition in 1869.

Immediately upon Mr. Westropp's being unseated Mr. Spofforth was applied to by Mr. Bealey Smith and other persons from Bridgwater to find them a candidate to contest

Mr. Brogden had advanced upwards of 2,000*l.*, he told Mr. Vanderbyl that things were beginning to look ugly, and mentioned the amount he had advanced. Mr. Vanderbyl replied that the solicitors were very respectable people and he supposed it would be all right. Mr. Brogden understood that Mr. Vanderbyl left it to his discretion how much money should be advanced. Mr. Brogden would not fix any limit as to how far he would have gone in case more money had been asked for or if there had been a close run between Mr. Vanderbyl and Mr. Patton:—but if Mr. Barham had asked for 1,000*l.* instead of 700*l.* after the close of the poll, he would have given it to him. The last cheque given by Mr. Brogden to Mr. Barham was for 700*l.* after the close of the poll and upon the same Manchester bank. The question was put to Mr. Brogden, "If there "had been a petition, and the whole facts had come out before the House of Commons "Committee, do you not think that you would have been returned as a briber?" To which he answered that he did not; but considered he was completely relieved from responsibility by paying the money to the legal agents. And he also said that his lawyer whom he had consulted on the subject had recently expressed the same opinion. Mr. Sealey, the head of Sealey's Bank, and one of the prime movers in getting up the petition of 80, admitted that on the morning of Mr. Vanderbyl's first election his partner, Mr. Prior, showed him a check for 100*l.* drawn by Mr. Brogden on a Manchester bank, and told him that Mr. Barham wanted gold for it. Mr. Sealey upon that said, "What the devil did you come to me for on such a transaction as that?" By which words Mr. Prior told us he did not nor does now understand that Mr. Sealey meant to express any dissatisfaction with the part taken by Mr. Prior in the cashing of this and the other cheques. Mr. Sealey also admitted that on the same evening he saw a second check of Mr. Brogden's for 300*l.*, which had been cashed, and he did not remonstrate with his partner for cashing it. Mr. Vanderbyl's published expenses were 217*l.* 13*s.* 4*d.*, his actual outlay being over 4,000*l.* In the result Mr. Vanderbyl was returned, the numbers being for

Vanderbyl	312	
Patton	276	
	36	Majority.

In a few weeks afterwards Mr. Vanderbyl repaid to Mr. Brogden the sums so advanced to him, with interest charged thereon. It transpired during our inquiry that, whereas Messrs. Reed and Cook received but 50*l.* each for their services from Mr. Vanderbyl, Mr. Lovibond and Mr. Barham were each rewarded by him with the sum of 200*l.*

The principal bribe agents on this occasion on the Liberal side were Andrew Allan, Henry Chapman Bussell, and the others who acted at the previous election. As to Mr. Brogden, the lapse of time renders him safe from any prosecution under the Corrupt Practices Act. But it still remains to be seen whether it may not be deemed fit to render him amenable in some other form for the part he took in bribing at Bridgwater whilst a Royal Commission to inquire into corrupt practices was pending at Great Yarmouth, the scene of his former exploits in the same direction.

On Mr. Patton's behalf the "Man in the Moon," Tromp, was again employed. Mr. George Thompson as Mr. Patton's friend, provided 2,000*l.* in notes which he handed to Mr. Westropp who got gold for them at the Bank of England, and took them to the "Carlton Club," where he made them up into a packet, and caused the parcel to be carried out by a servant, and handed over to a Mr. Lilley, an auctioneer and justice of the peace for the borough of Bridgwater, who was waiting in a cab outside the club. We think it right here to state that we have no reason to suppose that any other person connected with the "Carlton Club" had any knowledge whatever of Mr. Westropp's proceedings. Mr. Bealey Smith had introduced Mr. Lilley to Mr. Tromp, and it was arranged that Tromp should call at Mr. Lilley's house after he got to Bridgwater for a parcel. Mr. Lilley took the parcel to Bridgwater and Tromp called under the pretence of inquiring about some public-house Mr. Lilley had for sale, and Mr. Lilley under the pretence of going for a catalogue left the room, and Mr. Tromp carried off the parcel containing the 2,000*l.* in gold. The money was spent in bribery by Mr. Tromp and his sub-agents who had also acted at the two previous elections.

The published expenses of Mr. Patton were 158*l.* 12*s.* 1*d.* The real cost of Mr. Patton's two contests was 6,150*l.*

Mr. Vanderbyl having, as we have already shown, gained his seat against Mr. Patton in 1866 by the most unblushing bribery, continued to hold it until the general election in 1868. The Conservative party, feeling that their own hands were little, if any, cleaner than those of their adversaries, had declined to petition, and there the matter rested. In 1868 Mr. Vanderbyl and Mr. Kinglake, the then sitting members, determined

again to contest the borough. The agents employed on their behalf were Messrs. Lovibond, Barham, Reed, and Cook; but the former, Mr. Lovibond, was more especially in the confidence of Mr. Kinglake, whilst Messrs. Reed and Cook were more immediately identified with Mr. Vanderbyl. Considerable distrust, however, seems to have been felt between the representatives of each of the Liberal candidates, and a system of reticence amongst them, if not of actual intrigue, began to obtain, which seems to have been continued more or less up to the very eve of the trial of the election petition itself. Indeed Mr. Barham told us that he had heard from Mr. Lovibond about two months before the election that he had received a very extraordinary application from Mr. Vanderbyl. This was that he should act as his agent only, and throw over Mr. Kinglake, for whom he had always been concerned. This proposition Mr. Lovibond curtly declined. Mr. Westropp, who after he was unseated in 1866 had declared that he would have nothing more to do with Bridgwater, had been invited early in May of that year to a Bridge Committee dinner, a sort of convivial meeting held annually, and restricted to the leading Conservatives of the town. He there, as he said, "carried away by the hearty "reception he received, in a weak moment promised again to contest the borough."

About six weeks before the election he came down with a London merchant, Mr. Gray, who had been recommended to the party by Mr. W. Toogood, a parliamentary agent, himself a native of the borough of Bridgwater. Mr. Gray was introduced to Mr. Lilly, by this time become alderman, and other leaders of the party by Mr. Toogood (who subsequently received one hundred and fifty guineas for his trouble), and a meeting of their supporters was held. It was, at the last moment, determined by the actual heads of the Conservative party that they should fight a pure election on this occasion; and although it was evident that the voters looked on that determination as a mere blind to the other party, and voted in the hopes of obtaining money thereafter, no money, with the exception of two sums of 3*l.* or 4*l.* paid by Mr. Leaker of the "Clarence Hotel" to voters late on the polling day, was corruptly expended, as far as we could learn, by the Conservatives at that election. No doubt many of the more noisy members of the party talked loudly about money, and how things ought to be, and complained greatly of the unwonted absence of corruption, but it was confined to the underlings as a rule—two of the most conspicuous amongst whom were a small attorney called Pain, and a draper of the name of Hodges, the latter of whom had also issued a circular bearing on the matter in question. Mr. Gray the candidate had also excited vague hopes by a speech he made early in the morning of the polling day at the "Clarence Hotel," wherein he indicated benefits of some sort as likely to accrue to the borough by the success of his election. To the ignorant and venal voters, money and money only was considered a benefit at election times. Indeed amongst the first "tallies" on the Conservative side there were many well-known voters whose practice at all previous elections had been never to poll before they had been bribed either by word or deed. The consequence, however, to the Conservative party of abstaining, on the whole, from bribery, was, that when beaten they thought themselves to be in a condition, for the first time in their lives, really to press a petition to its conclusion, and thereby to unseat both their antagonists.

Mr. Westropp, who depended on his acquired "popularity," was prepared, as he told us, to spend 500*l.*, but Mr. Gray, who depended solely upon his colleague's reflected popularity, was prepared, as he also told us, to spend 1,000*l.* in whatever way his agents might think fit.

We must here revert to what was going on, anterior to the election, on the part of the Liberals. Both parties had continued their canvass throughout a portion of October up to the very week of the election. Both were confident, and both evidently expected that the other side would spend money.

In view of this contingency, some weeks before the nomination Dr. Hamilton Kinglake, who has been before referred to, had had a communication with Mr. H. Lovibond, and had arranged that the necessary sum of money for corrupting the borough should be forthcoming on the part of his brother at the ensuing election. It should be remembered that Dr. Kinglake had always acted as money agent for his brother so far as finding the necessary sinews of war for the purposes of the election was concerned. The election took place on Tuesday, November 17th, in 1868. On the previous Friday a meeting took place at the office of Mr. Henry Lovibond.

At that meeting Messrs. Paul Reed, James Cook, and Eustace Barham were present, as well as Mr. Lovibond. The question of money to be employed for corrupt practices at the ensuing election was then discussed, and on a statement being made by Mr. Eustace Barham that Mr. Vanderbyl would not spend any money illegally great dissatisfaction was manifested, and Mr. Lovibond stated that he, at all events, was prepared on behalf of Mr. Kinglake.

It was arranged that another meeting should be held that evening, where Mr. Vanderbyl and his partner, Mr. Fennelly, who acted for him in great measure in the conduct of the election, should be present. This accordingly was held at the offices of Mr. Eustace Barham. Mr. Vanderbyl and Mr. Fennelly attended the meeting; but Mr. Vanderbyl was at once diplomatically requested to withdraw into a separate room. Then in his absence the question of spending money improperly was warmly discussed—the parties present being Messrs. Fennelly, Lovibond, Barham, and Reed. Mr. Fennelly professed to hold out against spending money on behalf of Mr. Vanderbyl, and eventually left the room with the understanding that he should give a final reply in an hour. Circumstances, however, which subsequently transpired, induce us to suspect that both these gentlemen were at that time prepared to adopt the alternative of spending money, should they find at the last that there was no chance of success without it.

Messrs. Fennelly and Vanderbyl then left Mr. Barham's offices together; and in the course of an hour Mr. Lovibond received a letter, which he read aloud, stating that no money would be spent illegally on behalf of Mr. Vanderbyl.

The next day, Saturday, November 14, two meetings of the Liberals, one public and the other private, took place, but nothing of any importance to our Report transpired, with one exception, and that was at the private meeting, where Mr. Lovibond over and over again urged the madness of two Liberals fighting without money, and the absolute necessity for Mr. Vanderbyl's retirement. It ought to be here mentioned that for the greater security and secresy of their communications it had been arranged between the Liberal attornies, that in speaking of Bridgwater and the Liberal candidates, they should call Bridgwater "Taunton," and that the names of the candidates Berkley and James, the gentlemen who were standing for Taunton, should be substituted for Kinglake and Vanderbyl.

On Sunday evening, the 15th, by pre-arrangement of Mr. Lovibond, a meeting of the heads of the Liberal party took place at the house of Mr. Henry Nicholls, J.P., the draper and influential supporter of the Liberal candidates, to whom we have already referred. At that meeting the probable result of the election was canvassed, and it was suggested that, as the Conservatives it was thought would spend money largely in corrupt practices, it would be impossible to carry two Liberal members without a like expenditure. Mr. Westropp's antecedents were well known, and Mr. Gray was so "insignificant in every "sense," as more than one witness told us, "that unless his name meant money it meant "nothing at all." Mr. Lovibond at this meeting told Mr. Thomas Collins, a large cheese factor, that he was prepared on the part of Mr. Kinglake to spend money for the purposes of the election. Mr. Lovibond then made a proposition that a deputation should wait on Mr. Vanderbyl, and request him to retire from the contest, so as to leave the field open to Mr. Kinglake, for whom, as we have before observed, he was more particularly interested. The pretext put forth for taking this course was, that Mr. Vanderbyl, in his examination concerning the winding-up of the Lundy Island Granite Company, had, upon oath, made statements that tended to discredit his honour and veracity. It is enough to say that on the previous day that very subject had been fully discussed at a public meeting, and a resolution in his favour, nevertheless, unanimously agreed to. After some discussion a deputation was arranged, consisting of Mr. Henry Nicholls, Mr. Thomas Collins, Mr. George Wilton, and Mr. Joseph Palmer, all warm supporters and in some sense leaders of the Liberal party. Accordingly, between 10 and 11 at night, the deputation waited on Mr. Vanderbyl at his hotel, the "Globe," and remained in discussion with him till midnight. The time so occupied is material. It is well also to state that the latest moment at which a letter can be posted, even with two stamps, at Bridgwater is 10.15 p.m., and that the last train leaves at 11.10 p.m. Mr. Fennelly, who is a partner in business with Mr. Vanderbyl, and who had been introduced by Mr. Vanderbyl to the different agents and heads of the party as his representative and confidential friend, was present at the meeting.

Great pressure was put on Mr. Vanderbyl to compel him to retire, and at one time he seemed inclined to yield. He said, however, that he had been very badly used by the same lawyers on the former occasion; that they had caused him to spend a very large sum of money on his first election, and now they were again putting pressure on him for more money, and he would not stand it. He also assented to the observation of Mr. Fennelly's, "It is not the Lundy Island Granite Company, "gentlemen, it is money you want." He seemed, indeed, to prefer giving up altogether; and on making some remark to that effect, which seemed to be understood and adopted by the deputation, Mr. Fennelly broke in and said, "This is an important matter; let us have the night to think it over." Mr. Vanderbyl closed with that suggestion, and the deputation, who also acceded to it, left somewhere about 12 o'clock.

But at that very time Mr. Fennelly had written a letter to his partner, telling him to be prepared with money in the way hereafter described. This letter must have been posted before the deputation arrived; which confirms us in our view that the pretended objection to spending money was not sincere, and only made with a view to see how much could be got out of Mr. Kinglake's pocket. Mr. Vanderbyl and Mr. Fennelly were then left alone, and as we determined to examine neither of those gentlemen, what took place between them is mere matter of conjecture. We know, however, that about an hour after the deputation left, at 1 in the morning, Mr. Fennelly called Mr. Cook up, who was in bed, and told him that Mr. Vanderbyl was prepared to spend money. Now considering that at 12 o'clock that night Mr. Vanderbyl had stated that he preferred retiring to spending money, that Mr. Fennelly prevented his doing so, that he had an hour's private interview with Mr. Fennelly, the inference is obvious, and we cannot but conclude that Mr. Fennelly's arguments determined Mr. Vanderbyl's indecision, and that, armed with Mr. Vanderbyl's authority, Mr. Fennelly made the announcement to which we have above alluded to Mr. Cook. At 8 o'clock or soon after the next morning (Monday), the nomination day, Mr. Fennelly left for London. Nor can we find any evidence to show that Mr. Vanderbyl expressed any surprise or annoyance at his absenting himself for 12 hours at the very most important crisis of events. As we have before stated, Mr. Fennelly, previous to the meeting on Sunday night, had posted the letter of which we have spoken. This letter was to a partner of his and Mr. Vanderbyl's, Mr. Redfern, and in it were the words, "If I telegraph for bales, a bale shall mean 100*l.*" Before Mr. Fennelly arrived in town Mr. Redfern received a telegram from Mr. Fennelly, "Send 15 bales and send Thomas;" meaning a clerk called Lomas, "to meet me at the Paddington station." On the arrival of the train between 2 and 3 in the afternoon at Paddington, Mr. Redfern and Lomas were both on the platform awaiting Mr. Fennelly's arrival, and carrying with them a black bag containing 1,500 sovereigns. That money had been obtained by a cheque in the name of Fennelly, Redfern, & Co. from the Consolidated Bank.

Messrs. Fennelly and Lomas returned to Bridgwater by the 4.50 p.m. train, reaching there at 9.15, and carrying the bag of sovereigns with them. They went that night with the money to the offices of Messrs. Reed and Cook, where it was arranged that Lomas should return to the inn where he was staying, and there make up the money into 10*l.* packages, which were to be called "samples of tea," and a private signal was agreed upon. Mr. Lovibond had been apprised on the morning of the nomination that money would be forthcoming on behalf of Mr. Vanderbyl, and observed, "That comes of last night's meeting."

The same evening another scene was being enacted on behalf of Mr. Kinglake. Dr. Kinglake sent after banking hours for Mr. John Prior, at that time junior partner in the banking firm of Sealey and Co., of Bridgwater, and stated to him that he wished to raise 1,000*l.* to assist his brother's election on the ensuing day. Dr. Kinglake had no account with that bank, but, nevertheless, Mr. Prior, without any consultation with his senior partner, consented to advance the amount upon Dr. Kinglake giving a cheque upon Stuckey's bank at Taunton for a similar sum. It was at the same time arranged between them that the money should be at the disposal of Mr. Henry Lovibond.

The following morning (the polling day) the principal bribery agents on the Liberal side assembled at the "Globe" inn, between 10 and 11, and were met by the legal agents, Mr. H. Lovibond being one of them, and were asked what sum would win the election. At that time the Conservatives were largely ahead. Various sums were mentioned.

Mr. Paul Reed, one of the Liberal agents, then said, in Mr. Lovibond's presence, "If 3,000*l.* will do you can have it." Nothing, however, was definitely settled at that time, and so hopeless was the contest considered by some of the Liberal party that Mr. Kinglake left the town for London at 1.30 p.m. He had been told at 1 p.m., as he acknowledges, by Mr. Lovibond, that "Brown & Co.'s workmen" (new voters for the most part) were hanging back, and would not go to the poll without money. That such was then also the current rumour was confirmed to us by other witnesses. Mr. Kinglake did not tell us what was the nature of his reply.

About 12 o'clock in the day Dr. Kinglake, Mr. Lovibond, Mr. Reed, and Mr. Mogg, the Justice of the Peace already mentioned, had met outside the "Globe," when a conversation took place as to the sum required to win the election, and in the course of that conversation Mr. Reed said, in the hearing of all, that the election could be won for 3,000*l.*; and Mr. Lovibond and Dr. Kinglake, having withdrawn apart for a short time, returned, and the former said to Mr. Reed, "Kinglake's friends think his seat of such importance that they would not mind spending 2,000*l.* or 3,000*l.*"

It is right that we should state that between 12 and 1 the same day Dr. Kinglake went to Sealey's bank, saw Mr. Prior, told him to cancel his cheque of the night before, and then left. About the same time of the day Mr. Lovibond had stated to Mr. John Smith, already named in our Report, who reproached him with what he called the mismanagement of the election, "We were prepared for any emergency in the morning, and if there is any fault to be found it lies with Reed and Cook." Between 1 and 2 the same day another conversation took place between Messrs. Reed, Cook, and Lovibond, when they all agreed that the time had come, if at all, for spending money, and Mr. Lovibond pressed Messrs. Reed and Cook to advance it from Mr. Vanderbyl's coffers. They declined to do so, and Mr. Cook said "it is not fair to bleed from one lung,"—meaning, as we imagined, taking money from Mr. Vanderbyl's pocket only. Mr. Lovibond then retired, and Messrs. Reed and Cook about an hour or so afterwards began to spend Mr. Vanderbyl's money—but sparingly,—and whilst so employed Mr. Cook complained warmly of the absence of Mr. Lovibond, who at about 2.30 was fetched by Mr. Mogg, who told him the election was not lost. Mr. Lovibond then went out, and meeting one of the bribery agents, before referred to, Andrew Allan, told him to go home and wait there. Shortly after, about 3 o'clock, he met Mr. Bate, son of the Mr. Bate who has been before mentioned as agent to Mr. Kinglake, and asked him to go to Sealey's bank and tell them to send 500*l.* to Allan. He refused, but Mr. Mogg, who came up about the same time, was more complaisant, and took the message to Mr. Prior, and delivered it by writing down "500*l.* for Allan" on a scrap of paper. Mr. Prior's son took the money in gold to Allan, by whom a large portion of it was spent in bribery at the "New Inn." Mr. Prior stated that but for the transaction with Dr. Kinglake the night before he should not have advanced the money.

He in no way denied that he knew the destination of the money, but his account of why he gave it, how he kept it concealed up to the present time from his senior partner, and the security that he deposited for it, was of the most confused and unsatisfactory character. He maintained, however, to the last that Mr. Sealey never knew anything about it because he never went to the strong room to count the bullion. If he had he would have found in another of the many bags containing each 500 sovereigns a paper debiting himself, Mr. Prior, with that sum, instead of the 500 sovereigns that were in the bag that was taken away. How far such a state of things could exist in a bank for a whole year we are at a loss to conjecture, and it seems impossible to believe but that Mr. Sealey (regard being had to the expressions used by him at the former election, when his bank was made the vehicle of corrupt practices) must have known something of the matter, in spite of repeated denials both by himself and Mr. Prior. Mr. Kinglake, when pressed by us as to what course he meant to pursue as to repaying the 500*l.* advanced by Mr. Prior, at first said that he should like to leave it in the hands of some man of honour to say what he ought to do. Upon a subsequent day, when the penal consequences of his repaying this money, which had notoriously been expended in bribery, were pointed out to him by us, he somewhat qualified his former statement, and seemed doubtful as to whether under any circumstances he ought to make good the money so illegally distributed. Indeed, on the last occasion of our examining him, he seemed altogether irresolute as to what course he should pursue.

Previously to the money above alluded to being sent to Mr. Allan, Lomas had brought 1,500*l.*, done up in 10*l.* packets, "of tea samples" as arranged the night before, to the "Globe Inn," and there 240*l.* was distributed in bribery, with the privity of Messrs. Cook, Reed, and Fennelly. Mr. Vanderbyl was during the whole of this day in a room at the same hotel, where he was in constant communication with Mr. Fennelly. Henry Chapman Bussell and Andrew Allan were the principal agents in the matter, although Lomas also assisted. Bussell gave a most graphic account of their proceedings. By 3 o'clock the majority for the Conservatives, which at one time had been 248, had dwindled to eight; but at that time no money had been spent on behalf of Mr. Kinglake. No doubt vague expectations had been held out, but it was when the voting became close that his money began to go. Bussell was sent by Mr. Reed into a dark room, where was a man who turned out to be Lomas, who said nothing. Bussell went out and complained to Mr. Reed, who went into the room, and then told Bussell to go back, and then Lomas having evidently been primed by Mr. Reed gave him 125*l.* in 25*l.* packages of gold. This he distributed in sums of 10*l.* to persons whose names will appear in our schedules. Bussell subsequently obtained more money from the same source, in all 185*l.*, all of which he expended in bribery.

Whilst Bussell was thus operating at the "Globe," Andrew Allan, having at about 3.15 received 500 sovereigns from young Mr. Prior, went to the "New Inn," and, with the assistance of one George Stacey and Edward Culliford, spent amongst some 30 men or more 315*l.* out of the 500*l.* Robert Garratt was also employed in spending money

provided by Lomas to the amount of about 60*l.* The balance of what he received Allan stated that he kept, and still had, not knowing what to do with it, but that had a commission not been pending he should have accounted for it to Mr. Henry Lovibond. Shortly after the threat of a petition Andrew Allan went to America, and did not return until Mr. Justice Blackburn, who tried the case, had left Bridgwater. Bussell also kept out of the way, and received two separate sums of 15*l.* each from John Smith the grocer, who had them from Lovibond for his maintenance. Messrs. Fennelly and Lomas also went abroad and remained until the petition had been tried. The last night that Mr. Fennelly was in England he slept at Mr. Vanderbyl's house in London. Their expenses were defrayed by the firm, and will be debited, as we gather from Mr. Redfern, to Mr. Vanderbyl's account. Neither they nor Allan nor Bussell consequently were examined on the trial of the election petition; but as to the two latter, we have no reason to believe that they came before us with any other intention than that of telling the entire truth.

Mr. Smith, however, had taken no part in this election beyond giving his vote for the Liberals. But he had previously obtained some favours from Mr. Westropp, with whom he had been in correspondence, and in the course of which he had promised by "no act " of his" to injure his chance. This letter will be found set out at length in the Minutes of Evidence.

Their opportune distribution of money eventually turned the scale, and Messrs. Kinglake and Vanderbyl were returned by a good majority. The numbers were as follows:—

Kinglake	731
Vanderbyl	725
Westropp	681
Gray	650

Treating was carried on at this election on the usual scale on both sides.

We have thus shown that 240*l.* of Mr. Vanderbyl's 1,500*l.* was distributed by Lomas to the bribery agents. The remaining portion was taken back to London the same night by Lomas, repaid to the account of Fennelly, Redfern, and Company, and the 240*l.* debited to Mr. Vanderbyl's account with the firm, although, as seen by the books, Mr. Vanderbyl's name was some months after the trial before Mr. Justice Blackburn, erased, Mr. Fennelly's substituted, and a corresponding alteration made in the balances of their respective accounts.

Messrs. Lovibond, Reed, Cook, and Barham had all been guilty of corrupt practices, as we have before shown, at former elections, and, as far as related to the previous one, to the knowledge of Mr. Vanderbyl himself. Andrew Allan and Bussell were well known bribery agents, and well known as such to Messrs. Lovibond, Reed, Cook, and Barham.

There is one circumstance in connexion with the election on the Conservative side to which we think we ought to call attention. It tends to illustrate the outrageous way in which the Act of Parliament requiring the publication of all legitimate expenses is constantly evaded. Mr. James Trevor, the election agent, told Mr. Leaker, landlord of the Clarence Hotel, the head quarters of the Conservatives, to return all Messrs. Westropp and Gray's personal expenses as part of his account, thus swelling the total by about 150*l.* This, however, he did not pay out of the money deposited with him for the legitimate expenses of the election, but used the 150*l.* for other purposes in the interest of the candidates unascertained by us. He merely handed over some 20*l.* or so for the use of committee rooms and refreshments for clerks to Mr. Leaker, and left the remainder, up to the time of our leaving Bridgwater, as a debt due to him from Messrs. Westropp and Gray. Messrs. Westropp and Gray both told us that they disputed their liability to pay Mr. Leaker's account, inasmuch as it appeared as already provided for by the money which they had deposited for legitimate expenses.

Shortly after the election a petition was threatened on behalf of the Conservatives, and every conceiveable means was adopted by the Liberal solicitors either to suppress it altogether or compromise it at whatever cost.

So alarmed were the Liberals about the effect of a petition on the borough that a meeting actually took place in London between Messrs. Lovibond, Kinglake, Westropp, Reed, and others. Mr. Westropp there blurted out a fact of which Mr. Lovibond up to that time was ignorant, viz., that negotiations had been carried on just before the election through Messrs. Hennett and Spink for a coalition between him, Mr. Westropp, and Mr. Vanderbyl, and the entire throwing over of the senior member, Mr. Kinglake. There was then an attempt to have the petition turned into a special case for the consideration of the Court of Common Pleas on a point of law as to the validity of certain votes, but as this could only be done under the circumstances by withdrawing

the charges of bribery it fell to the ground. Mr. Lovibond, Mr. Trevor, and Mr. Sealy met to consider the matter, but without a conciliatory result. Subsequent endeavours were made to smooth matters over by one of the members retiring; this failed owing to Mr. Vanderbyl refusing to be sacrificed, nor would Mr. Kinglake at that time give way. Eventually things became so desperate and the Liberal case appeared so black that it was all but agreed that both Liberal members should retire. Then came a hitch as to when;—although in the end Mr. Kinglake, in order to save his friends did consent to abandon his seat. Moreover a certain number of Conservative working men sent up a deputation to London to protest against any compromise whatever. Eventually, the day before the trial arrived, and after Mr. Justice Blackburn was in the town, a last effort was made. Mr. Barham, at Mr. Lovibond's request, went to Mr. James Trevor and asked him if he could suggest anything to prevent the terrible exposure impending. He said he could not, and so the trial proceeded, and ended in the two Liberal members being unseated, after being put into the witness box and stating upon oath that they knew nothing whatever of the corrupt practices to which divers witnesses had deposed. Just as Mr. Vanderbyl was entering the box his attorney, Mr. Reed, said to Mr. J. Trevor "For God's sake, Trevor, do not have Vanderbyl cross-examined!"—this was acceded to. Mr. Barham and other witnesses said more than once that the statements, both of Mr. Kinglake and Mr. Vanderbyl, produced a most painful effect on their minds. But after examining Mr. Kinglake we came to the conclusion that at the time he gave his evidence he was speaking what he then believed to be the literal truth. Mr. Vanderbyl, for reasons which will appear obvious, as before stated, we have declined to examine.

In the result, the learned judge having reported that corrupt practices extensively prevailed at Bridgwater, a Commission, on the joint address of the two Houses of Parliament to Your Majesty, was appointed, and the labours of which it has now been our duty to report.

We think it not out of place to state for Your Majesty's information that we considered it a part of our duty to inquire of those persons whom we considered best qualified to judge how far, in their opinion, the extension of the franchise under the last Reform Act had operated towards the purification of the Borough. We regret to state that in answer we were told that whereas before 1868 the number of voters was about 600, of whom 50 at most would take no part in corrupt practices, at the present time at least two-thirds of the new voters were of a class who are always amenable to money considerations, and that the old voters remained much as they were before. Mr. Barham, indeed, than whom no one was more qualified to judge, stated that when he came into the town on the morning of the election he saw hundreds of the new voters standing about in the cattle market like cattle themselves waiting for the highest bidder. Out of the number of voters bribed for Messrs. Kinglake and Vanderbyl, 34 were members of the Conservative Working Men's Association, and the entire number of them had actually promised their votes to Messrs. Westropp and Gray. We cannot therefore say that with the extension of the suffrage there is any improvement in the moral condition of the borough. The gain in quantity has certainly not improved the quality.

We venture further to call attention to the fact that under the Acts of Parliament disfranchising Yarmouth, Lancaster, Totnes, and Reigate persons found guilty of corrupt practices were prohibited from voting for the division of the county wherein their residence or qualification lay at the time of their disfranchisement, but were not debarred, as we venture to submit would be just, and as was done in the case of New Shoreham, from voting in any other county or borough in which they might thereafter acquire a qualification.

We also have to report to Your Majesty that the following witnesses made statements on oath before us, the falsehood of which was afterwards either acknowledged by themselves, or made plain to us in the course of the subsequent inquiry; viz., John Williams Veysey, Henry Cornelius White, William Heal, Robert Bussell, James Hayward, Peregrine Betty, John Truman.

We have also to report that one of the witnesses, William Symmons, having behaved in a grossly impertinent way to one of Your Majesty's Commissioners, was fined by us 50*l.*, which has since been paid into Your Majesty's Exchequer.

We think it right to add that a person called Cornelius Satterthwaite was summoned before us and refused to obey the summons. A rule for an attachment against his person was granted during the past Michaelmas Term by the Court of Queen's Bench. That rule was enlarged at his request until the next term, upon his submission to appear immediately before us. He has not, however, carried out his pledge, although we have taken the unusual course of issuing a second summons to him.

We should here have made some observation as to the state of the law under which we, Your Majesty's Commissioners, have been called upon to hold our sittings, especially in regard of giving or withholding certificates of indemnity, but as a rule for a mandamus against us in our capacity as Commissioners is still pending in the Court of Queen's Bench, we think it but respectful to that Court to reserve any expression of opinion until judgment has been given upon it.

We have not made out any schedule of persons treating or having been treated at the different elections into which we have inquired, because such a schedule would probably have contained the names of the greater part of the voters in the borough, and a large portion in addition of those who had no such privilege.

With respect to other corrupt practices also, it is only when we come to the more recent elections that a tolerably complete list of the names of the guilty at each election, distinguishing those who are from those who are not now on the register of 1868–9 could be obtained by us. We have no doubt that even as to these there are many names still wanting, and more especially of the bribed.

It remains for us humbly to submit to Your Majesty our findings in respect of the premises.

1. We find that corrupt practices have extensively prevailed at the last election and at every preceding election for the borough of Bridgwater into which we have inquired, up to and inclusive of the earliest in date, that is to say, the general election of the 30th April to 3rd May 1831.

2. We find that the corrupt practices so prevailing at the last-mentioned election took place on behalf of both the candidates thereat, the late William Astell, esquire, and the late Charles K. Kemeys Tynte, esquire, the elder; but whether either of them was or or was not privy and assenting thereto, we are wholly uninformed. Neither have we been able to ascertain the names of any of the parties guilty of the said corrupt practices.

3. We find, in respect of the next in date, that is to say the general election of the 11th December 1832, that the then candidates, the said C. K. Kemeys Tynte the elder, and the late William Tayleur, esquire, were privy and assenting to some of the corrupt practices extensively prevailing at the same.

4. We find, in respect of the same election, that the persons named in Schedule A. to this our Report annexed (with others whose names we have been unable to ascertain) committed corrupt practices and were guilty of bribery at the said election, in regard to the votes of other persons, but whose names we have also failed to ascertain.

5. We find in respect of the same election, that the persons named in Schedule B. to this our Report annexed (with others whose names we have been unable to ascertain) were guilty of other corrupt practices thereat.

6. We find in respect of the next election for the same borough, that is to say, the general election of the 5th January 1835, all the candidates thereat, viz.: the said Charles K. Kemeys Tynte (the elder), John Temple Leader, Henry Broadwood, and Francis Mountjoy Martin, esquires, were privy and assenting to some of the corrupt practices extensively prevailing at the same.

7. We find, in respect of the same election, that the persons named in Schedule C. to this our Report annexed (with others whose names we have been unable to ascertain) committed corrupt practices and were guilty of bribery thereat in regard to the votes of other persons.

8. We find in respect of the same election that the persons named in Schedule D. to this our Report annexed (with others whose names we have been unable to ascertain) committed corrupt practices and were guilty of bribery thereat in regard to their own votes.

9. We find in respect of the next election for the same borough, that is to say, the bye election of the 16th May 1837, the said Henry Broadwood, one of the candidates thereat, was privy and assenting to some of the corrupt practices extensively prevailing thereat, but that the other candidate, Richard Brinsley Sheridan, Esquire, was not privy or assenting to any of the corrupt practices so prevailing.

10. We find in respect of the same election that the persons named in Schedule E. to this our Report annexed (with others whose names we have been unable to ascertain) committed corrupt practices and were guilty of bribery thereat in regard to the votes of other persons.

11. We find in respect of the same election that the persons named in Schedule F. to this our Report annexed (with others whose names we have been unable to ascertain) committed corrupt practices and were guilty of bribery thereat in regard to their own votes.

12. We find in respect of the next election for the same borough, that is to say, the general election of the 26th July 1837, that the said Henry Broadwood, one of the four candidates, was privy and assenting to some of the corrupt practices extensively prevailing thereat, but that it doth not appear that the other three candidates, viz., Philip Courtenay, Esq., the late Sir Thomas B. Lethbridge, Bart., and the said Richard Brinsley Sheridan, Esquire, were privy or consenting to any of the corrupt practices so prevailing.

13. We find in respect of the same election that the persons named in Schedule G. to this our Report annexed (with others whose names we have been unable to ascertain) committed corrupt practices and were guilty of bribery thereat in regard to the votes of other persons.

14. We find in respect of the same election that the persons named in Schedule H. to this our Report annexed (with others whose names we have been unable to ascertain) committed corrupt practices and were guilty of bribery thereat in regard to their own votes.

15. We find in respect of the next election for the same borough, that is to say, the general election of the 29th June 1841, that one of the candidates thereat, viz., the said Henry Broadwood, was privy and consenting to some of the corrupt practices extensively prevailing thereat, but we have no evidence that the other candidates, viz., Thomas Seaton Forman, Edward Simcoe Drew, and Augustine Robinson, Esquires, were privy or assenting to any of the practices so prevailing.

16. We find in respect of the same election that the persons named in Schedule I. to this our Report annexed (with others whose names we have been unable to ascertain) committed corrupt practices and were guilty of bribery thereat in regard to the votes of other persons.

17. We find in respect of the same election that the persons named in Schedule J. to this our Report annexed (with others whose names we have been unable to ascertain) committed corrupt practices and were guilty of bribery thereat in regard to their own votes.

18. We find in respect of the next election for the same borough, that is to say, the general election of the 29th day of July 1847, that two of the candidates thereat, viz., the said Henry Broadwood, and Charles John Kemeys Tynte, Esq. (the younger), were privy and assenting to some of the corrupt practices extensively prevailing thereat, but that the other candidate, Stephen Gazelee, Esq., Serjeant at Law, was not privy or assenting to any of the corrupt practices so prevailing.

19. We find in respect of the same election that the persons named in Schedule K. to this our Report annexed (with others whose names we have been unable to ascertain) committed corrupt practices and were guilty of bribery thereat in regard to the votes of others.

20. We find in respect of the same election that the persons named in Schedule L. to this our Report annexed (with others whose names we have been unable to ascertain) committed corrupt practices and were guilty of bribery thereat in regard to their own votes.

21. We find in respect of the next election for the same borough, that is to say, the general election of the 7th July 1852, that one of the candidates thereat, viz., the said Charles John Kemeys Tynte (the younger), was privy and assenting to some of the corrupt practices extensively prevailing thereat, but that the other candidates, viz., Lord Henley and Brent Spencer Follett, John Christopher Mansell, and Alexander William Kinglake, Esquires, were not privy or assenting to any of the corrupt practices so prevailing.

22. We find in respect of the same election, that the persons named in Schedule M. to this our Report annexed (with others whose names we have been unable to ascertain) committed corrupt practices and were guilty of bribery thereat in regard to the votes of other persons.

23. We find in respect of the same election, that the persons named in Schedule N. to this our Report annexed (with others whose names we have been unable to ascertain) committed corrupt practices and were guilty of bribery thereat in regard to their own votes.

24. We find in respect of the next election, that is to say, the general election of the 28th March 1857, that the said Charles John Kemeys Tynte (the younger), was privy and assenting to some of the corrupt practices extensively prevailing thereat, but that the two other candidates, the said Brent Spencer Follett and Alexander William Kinglake, were not privy or assenting to any of the corrupt practices so prevailing.

25. We find in respect of the same election, that the persons named in Schedule O. to this our Report annexed (with others whose names we have been unable to ascertain) committed corrupt practices and were guilty of bribery thereat in regard to the votes of other persons.

26. We find in respect of the same election, that the persons named in Schedule P. to this our Report annexed (with others whose names we have been unable to ascertain) committed corrupt practices and were guilty of bribery thereat in regard to their own votes.

27. We find in respect of the next election, that is to say, the general election of the 30th April 1859, that the said Charles John Henry Kemeys Tynte, the younger, and Alexander William Kinglake, Henry Padwick, and Henry Westropp, Esquires, being the four candidates, were privy and assenting to some of the corrupt practices extensively prevailing thereat.

28. We find in respect to the same election that the persons named in Schedule Q. to this our Report annexed (with others whose names we have been unable to ascertain) committed corrupt practices and were guilty of bribery thereat in regard to the votes of other persons.

29. We find in respect of the same election that the persons named in Schedule R. to this our Report annexed (with others whose names we have been unable to ascertain) committed corrupt practices and were guilty of bribery thereat in regard to their own votes.

30. We find in respect of the next election, that is to say, the general election of the 12th July 1865, that the said Henry Westropp, Esquire, was privy and assenting to some of the corrupt practices extensively prevailing thereat, and that the said Alexander William Kinglake, Esquire, was privy and assenting to some of the corrupt practices extensively prevailing thereat, other than the payment of money in bribery, but that the late Sir John Villiers Shelley, Bart., another of the candidates at the said election, was not privy or assenting to any of the corrupt practices so prevailing.

31. We find in respect of the same election that the persons named in Schedule S. to this our Report annexed (with others whose names we have been unable to ascertain) committed corrupt practices and were guilty of bribery thereat in regard to the votes of other persons.

32. We find in respect of the same election that the persons named in Schedule T. to this our Report annexed (with others whose names we have been unable to ascertain) committed corrupt practices and were guilty of bribery in regard to their own votes.

33. We find in respect of the next election, that is to say, the bye election of the 7th June 1866, that Walter Bagehot, and George Patton, Esquires, the candidates, were privy and assenting to some of the corrupt practices extensively prevailing thereat.

34. We find in respect of the same election that the persons named in Schedule U. to this our Report annexed (with others whose names we have been unable to ascertain) committed corrupt practices and were guilty of bribery in respect to the votes of other persons.

35. We find in respect of the same election that the persons named in Schedule V. to this our Report annexed (with others whose names we have been uuable to ascertain) committed corrupt practices and were guilty of bribery thereat in regard to their own votes.

36. We find in respect of the next election, that is to say, the bye election of the 12th July 1866, that Philip Vanderbyl, Esquire, and the said George Patton, the candidates thereat, were privy and assenting to some of the corrupt practices extensively prevailing thereat.

37. We find in respect of the same election that the persons named in Schedule W. to this our Report annexed (with others whose names we have been unable to ascertain) committed corrupt practices and were guilty of bribery thereat in regard to the votes of other persons.

38. We find in respect of the same election that the persons named in Schedule X. to this our Report annexed (with others whose names we have been unable to ascertain) committed corrupt practices and were guilty of bribery thereat in regard to their own votes.

39. We find in respect of the next election, that is to say, the general election of the 17th November 1868, that the said Philip Vanderbyl, one of the candidates, was privy and assenting to some of the corrupt practices extensively prevailing thereat; but that the said Alexander William Kinglake, another of the said candidates, had not, down to the time of his last examination before us, been privy or assenting, and that the two other candidates, viz. the said Henry Westropp and Charles William Gray, Esquire, were not privy or assenting to any of the corrupt practices so prevailing.

40. We find in respect of the same election that the persons named in Schedule Y. to this our Report annexed (with others whose names we have been unable to

ascertain) committed corrupt practices and were guilty of bribery thereat in regard to the votes of other persons.

41. And lastly,—we find, in respect of the same election, that the persons named in Schedule Z. to this our Report annexed (with others whose names we have been unable to ascertain) committed corrupt practices and were guilty of bribery thereat in regard to their own votes.

All which we most humbly submit to Your Majesty's most gracious consideration.

(Signed) EDWIN PLUMER PRICE.
THOMAS CHISHOLM ANSTEY.
CHARLES EDWARD COLERIDGE.

Temple, 20th December 1869.

The Schedules referred to in the foregoing Report.

Schedule A.

Names of Bribers at the Election of the 11th December 1832.

Bussell, James	On the register.	Tynte, Charles K. Kemeys, the elder	Dead.
Pain, George H.	„		
Tayleur, William	Not on the register.		

Schedule B.

Names of persons guilty of undue influence at the same Election.

Bussell, James	On the register.	Reeves, J. Carter	On the register.
Faun, Charles	„	Sully, James Wood	„

Schedule C.

Names of Bribers at the Election of the 5th January 1835.

Broadwood, Henry	Not on the register.	Martin, Francis Mountjoy	Not on the register.
Bussell, James	On the register.	Pain, George H.	On the register.
Ford, Thomas	Dead.	Tynte, Charles K. Kemeys, the elder	Dead.
Heal, James	„		
Leader, John Temple	Not on the register.		

Schedule D.

Names of persons bribed at the same Election.

Frost, Abraham	On the register.
Heal, William	Not on the register.
Snell, William	On the register.

Schedule E.

Names of Bribers at the Election of the 16th May 1837.

Broadwood, Henry	Not on the register.	Smith, Richard, pawnbroker	Dead.
Heal, George	On the register.	Smith, Richard, gentleman	On the register.
Oliver	Not on the register.		

Schedule F.

Names of persons bribed at the same Election.

Cook, John	On the register.
Humber, John	

Schedule G.

Names of Bribers at the Election of the 26th July 1837.

Broadwood, Henry	Not on the register.	Oliver	Not on the register.
Croucher	„	Smith, Richard, pawnbroker	Dead.
Heal, George	On the register.	Smith, Richard, gentleman	On the register.
Murlis, John, the elder	Dead.		

Schedule H.

Names of persons bribed at the same Election.

Cook, John	On the register.
Humber, John	

Schedule I.

Names of Bribers at the Election of the 29th June 1841.

Broadwood, Henry	Not on the register.	Oliver	Not on the register.
Croucher	„	Smith, Richard, pawnbroker	Dead.
Ford, Thomas	Dead.	Smith, Richard, gentleman	On the register.
Heal, George	On the register.	Tynte, Charles K. Kemeys, the elder	Dead.
Heal, William	Not on the register.		
Lovibond, Benjamin	Dead.		

Schedule J.

Names of persons bribed at the same Election.

Ford, Thomas	Dead.
Temblett, James	On the register.

Schedule K.

Names of Bribers at the Election of the 29th July 1847.

Bate, Robert	Dead.	Heal, William	Not on the register.
Broadwood, Henry	Not on the register.	Lovibond, Benjamin	Dead.
Croucher	,,	Lovibond, Henry	On the register.
Ford, Thomas	Dead.	Smith, Richard, pawnbroker	Dead.
Foster	,,	Smith, Richard, gentleman	On the register.

Schedule L.

Name of persons bribed at the same Election.

Dibble, William	On the register.
Heal, William	Not on the register.
Temblett, James	On the register.

Schedule M.

Names of Bribers at the Election of the 7th July 1852.

Bate, Robert	Dead.	Lovibond, Benjamin	Dead.
Faun, Henry	,,	Lovibond, Henry	On the register.
Fletcher, Robert	,,	Pimm, William	,,
Ford, Thomas	,,	Smith, Richard, pawnbroker	Dead.
Foster	,,	Smith, Richard, gentleman	On the register.
Gooding	,,	Tynte, Charles K. Kemeys, the elder	Dead.
Haslam, William	,,		
Heal, William	Not on the register.	Tynte, Charles John Kemeys, the younger	Not on the register.
Hill, Thomas	On the register.		

Schedule N.

Names of persons bribed at the same Election.

Dunn, George	On the register.	Sharman, James	On the register.
Heal, William	Not on the register.	Temblett, James	,,
Hill, William	On the register.	Tilly, James	,,
Long, James	,,	Trapnell, Isaac	,,
Roberts, James	,,		

Schedule O.

Names of Bribers at the Election of the 28th March 1857.

Bate, Robert	Dead.	Lovibond, Henry	On the register.
Faun, Henry	,,	Murlis, John, the younger	,,
Fletcher, Robert	,,	Searle, Thomas	,,
Ford, Thomas	,,	Smith, Richard, gentleman	,,
Foster	,,	Tynte, Charles K. Kemeys, the elder	Dead.
Haslam, William	,,		
Hayward, Henry	,,	Tynte, Charles John Kemeys, the younger	Not on the register.
Heal, William	Not on the register.		
Lovibond, Benjamin	Dead.		

Schedule P.

Names of persons bribed at the same Election.

Abbott, James	On the register.	Sully, James	On the register.
Browning, Christopher	,,	Temblett, James	,,
Case, Vincent	,,	Webber, William	,,
Heal, William	Not on the register.	White, Charles	Not on the register.
Pearce, James	On the register.	Whitfield, Robert	On the register.
Sprankling, Charles	,,		

Schedule Q.

Names of Bribers at the Election of the 30th April 1859.

Bate, Robert	Dead.
Batten, Henry William	On the register.
Batten, John	„
Bryant, John	„
Bussell, Henry Chapman	„
Bussell, James, sen.	„
Bussell, Robert	„
Davis, John Giles	„
Denner, Edward	„
Dyment, William	„
Faun, Henry	Dead.
Ford, Robert	On the register.
Foster, ——	Dead.
Halliday, Charles	On the register.
Heal, William	Not on the register.
Hill, Thomas	On the register.
Jarman, Frederick	„
Kinglake, Alexander William	Not on the register.
Kinglake, Hamilton	„
Leaker, James	On the register.
Lear, Charles	„
Lovibond, Benjamin	Dead.
Lovibond, Henry	On the register.
Murlis, John	Not on the register.
Onion, William	On the register.
Padwick, Henry	Not on the register.
Pimm, William	„
Pitman, Joseph	„
Pople, Robert	„
Smith, John	On the register.
Smith, Richard Bealey	Not on the register.
Smith, Richard	On the register.
Temblett, F. C.	„
Tynte, Charles K. Kemeys, the elder	Dead.
Tynte, Charles John Kemeys, the younger	Not on the register.
Waddon, John	On the register.
Walkem, Thomas	„
Westropp, Henry	Not on the register.
White, William	„
Woodland, John	„

Schedule R.

Names of persons bribed at the same Election.

Allen, John	On the register.
Andrews, George	Not on the register.
Attwell, George	On the register.
Bailey, William	„
Baker, William	„
Batten, George	Not on the register.
Bell, William	On the register.
Board, William	Not on the register.
Bond, Thomas	„
Brawley, John	On the register.
Bridges, Henry	„
Brooks, George	„
Browning, Christopher	„
Bryant, John	„
Bryant, James	Not on the register.
Bussell, Robert	On the register.
Bussell, William	„
Buttle, John	„
Case, Vincent	„
Chambers, Frederick	Not on the register.
Clements, John	„
Cooze, John	„
Cooze, Joseph	„
Cresswell, James	„
Crocker, John	On the register.
Crocker, Thomas	„
Cutler, ——	Not on the register.
Dare, Lawrence	On the register.
Davey, James	Not on the register.
Davidge, George	„
Denman, Jeffery	On the register.
Denner, Edward	„
Denner, Robert, sen.	„
Dibble, William	„
Dunn, George	„
Dyment, William	„
Eakers, John	Not on the register.
Ellis, John	„
Exon, Abraham	„
Fackerell, John, sen.	„
Finner, George	On the register.
Foxwell, William	Not on the register.
Fryer, James	On the register.
Fudge, Charles	Not on the register.
Gilbert, William	On the register.
Gilchrist, James	„
Goaman, Charles	Not on the register.
Goslin, Joseph	„
Grunham, John	„
Gwyther, George	On the register.
Harrington, James	„
Haste, Andrew	„
Haste, Charles	„
Harwood, Henry	„
Harwood, William	„
Hayward, Henry	„
Hayward, James	„
Hellard, William	„
Hennett, ——	Not on the register.
Hensley, William	On the register.
Herbert, Thomas	„
Hobbs, Henry	„
Hodge, Frederick	„
Hodges, William	„
Hughes, William	„
Humber, John	„
Hurford, Samuel	Not on the register.
Jarman, Edward	On the register.
Jarman, Frederick	„
Jarman, George	„
Jarman, William	Not on the register.
Jefferies, Charles	On the register.
Jenkinson, David	Not on the register.
John, William	„
Jones, Charles	On the register.
Knowles, Henry	Not on the register.
Lane, E. T.	On the register.
Langford, Job	„
Lawrence, Edward	Not on the register.
Lear, Charles	On the register.
Lear, John	Not on the register.
Lee, Samuel	On the register.
Lewis, James	Not on the register.
Lintle, Matthew	„
Locker, Jasper	„
Long, James	On the register.
Maidment, Henry	„
Manchip, Francis	„
Matthews, John	„
Matthews, William	„
Meacock, E.	Not on the register.
Mockridge, John	„
Murlis, James	„
Pearce, James	On the register.
Pinn, William	Not on the register.
Rees, W.	On the register.
Reeve, Joseph	„
Rich, Francis	Not on the register.

SCHEDULE R.—*continued.*

Rich, John	Not on the register.
Richards, John (broker)	On the register.
Richards, John (shipbuilder)	,,
Roberts, James	,,
Rogers, John	,,
Salmon, Henry	Not on the register.
Sanders, James	On the register.
Score, Henry	,,
Sellar, William	,,
Sendell, Henry	Not on the register.
Sharman, James	On the register.
Sharman, John	,,
Smart, William	,,
Smith, John	,,
Smith, Joseph	Not on the register.
Snell, William	On the register.
Sprankling, Charles	,,
Squibbs, Isaac	Not on the register.
Squibbs, Moses	On the register.
Squire, John	,,
Squires, John	Not on the register.
Starkham, Humphrey	On the register.
Stoodley, Joseph	,,
Sully, James	,,
Sutton, John	Not on the register.
Temblett, James	On the register.
Thomas, Charles	,,
Thomas, John	,,
Trapnell, Isaac	,,
Trump, Henry	Not on the register.
Vearncombe, Thomas	On the register.
Walford, Edward	,,
Walkem, Thomas	,,
Walters, Frederick	,,
Webb, William	,,
Webber, William	,,
Wembridge, Richard	Not on the register.
White, Charles	,,
Whiteaway, John	On the register.
Williams, James	,,
Wintle, Matthew	Not on the register.
Wittridge, James	On the register.

SCHEDULE S.

Names of Bribers at the Election of the 12th July 1865.

Barrett, Thomas	Not on the register.
Batten, Henry William	On the register.
Boys, Thomas Henry	,,
Bryant, Edwin	,,
Bussell, Henry Chapman	,,
Bussell, Robert	,,
Harden, Frederick	,,
Heal, William	Not on the register.
Jarman, Frederick	On the register.
Kirk, Charles	Dead.
Lovibond, Benjamin	,,
Lovibond, Henry	On the register.
Neal, Walter	Not on the register.
Newton	Not on the register.
Pimm, William	,,
Phillips, Edwin	,,
Smith, Richard	On the register.
Smith, Richard Bealey	Not on the register.
Stockwood, Maria	,,
Temblett, Frederic C.	On the register.
Tromp, Benjamin Humphreys	Not on the register.
Truman, John	On the register.
Veysey, John Williams	,,
Westropp, Henry	Not on the register.
Westropp, Mrs. Mary Anne	,,

SCHEDULE T.

Names of persons bribed at the same Election.

Abbott, James	On the register.
Attwell, George	,,
Baker, John	,,
Baker, William	,,
Bartram, George	,,
Batten, John	,,
Bennett, Charles	,,
Best, Frederick	,,
Billin, James	,,
Bishop, James	,,
Bottomley, Jonas	Not on the register.
Bowering, Charles	,,
Boys, Thomas Henry	On the register.
Brawley, John	,,
Brawley, Thomas	,,
Brock, David	,,
Brookes	,,
Browning, Christopher	,,
Bussell, Robert (gardener)	,,
Bussell, Robert	,,
Cann, Eliab	,,
Carter, John Henry	,,
Case, Vincent	,,
Caseley, Richard	,,
Cavill, Charles	,,
Chorley, William	,,
Claxton, Thomas	,,
Coles, Robert	,,
Cook, H. T.	,,
Cooksley, Henry	,,
Cooze, John	Not on the register.
Crocker, Thomas	On the register.
Crocker, William	,,
Crowden, William	,,
Dare, Lawrence	,,
Dean, Samuel	Not on the register.
Denman, Jeffery	On the register.
Dibble, William	On the register.
Drake, Isaac	,,
Dunn, George	,,
Dunn, Henry	,,
Dyer, Charles	,,
Dyer, John	,,
Dyment, William	,,
Fackerell, John, sen.	Not on the register.
Fackerell, William	,,
Francis, William	On the register.
Frape	Not on the register.
Frost, Abraham	On the register.
Fryer, James	,,
Gardener, Thomas	,,
Gatter, William	Not on the register.
Gibbs, Edward	On the register.
Gilbert, William B.	Not on the register.
Gilchrist, James	On the register.
Glanville, Richard	,,
Green, Henry	,,
Gwyther, George	Dead.
Harden, Frederick	On the register.
Harris, Henry	,,
Harwood, Henry	,,
Harwood, William	,,
Haste, Andrew	Dead.
Haste, Charles	On the register.
Haste, John	Not on the register.
Hawkes, John, jun.	On the register.
Hayward, Charles	,,
Hayward, James	,,
Hayward, Samuel	,,
Heal, George	,,
Heal, William	Not on the register.
Hellard, William	On the register.
Herbert, Thomas	,,
Heyward, Henry	,,

SCHEDULE T.—*continued.*

Hobbs, Joseph	Not on the register.
Hodge, Frederick	On the register.
Hodge, John	,,
Hodges, William	,,
Hole, John	,,
Holland, George	,,
Hook, Charles	,,
Hooper, Isaac	,,
Hooper, Richard	,,
Hughes, William	,,
Humber, John	,,
Hurley, Richard	,,
Innalls, James	,,
Irish, John	,,
James, Henry	Dead.
Jarman, Edward	On the register.
Jarman, Frederick	,,
Jarman, William	Dead.
Jeffries, Charles	On the register.
Jefferies, Henry	,,
Jobson, John	,,
Jones, Charles	,,
Jones, Henry	Not on the register.
Jones, Thomas	On the register.
Kirk, Charles	Dead.
Lane, Edward	Not on the register.
Lane, E. T.	On the register.
Langford, Job	,,
Lear, Charles	Dead.
Lear, Charles	On the register.
Lee, John (Star Inn)	,,
Lee, Samuel	,,
Lee, Thomas	Not on the register.
Locke, William	On the register.
Long, James	,,
Luckes, William	,,
Matthews, John	,,
Matthews, William	,,
Martin, Thomas	,,
Moggridge, Charles	Not on the register.
Moggridge, John	,,
Murlis, James	,,
Murphy, James	,,
Oaten, Charles	On the register.
Oliver, Samuel	,,
Osborn, Charles	Not on the register.
Palmer, James	On the register.
Palmer, William	,,
Parminter, William	Not on the register.
Patterson, Thomas	,,
Pearce, James	On the register.
Phelps, George	,,
Poles, John	,,
Poole, William, sen.	,,
Poole, William	,,
Preece, Robert	Not on the register.
Price, Stephen	On the register.
Pugh, George	Not on the register.
Quick, John James	On the register.
Rees, William	,,
Reeve, Joseph	,,
Rich, Francis	Dead.
Richards, John	On the register.
Rogers, John	,,
Saunders, Robert	,,
Score, Henry	,,
Sellick, George	,,
Sellar, Joseph	Not on the register.
Sellar, William	On the register.
Sharman, James	,,
Sheppard, John	,,
Smith, Isaac	,,
Southard, Joseph	,,
Southwood, James	,,
Spencer, John	Not on the register.
Squire, John	On the register.
Stacey	,,
Staples, John	Not on the register.
Stoodley, Benjamin	On the register.
Stone, John	Not on the register.
Stone, William	On the register.
Sully, James	,,
Symes, Thomas	,,
Temblett, James	,,
Temblett, William	,,
Temblett, F. C.	,,
Thomas, John	,,
Tottle, Charles	,,
Trapnell, George	Dead.
Tremlett, William	On the register.
Truman, John	,,
Vearncombe, Thomas	,,
Watts, James	,,
Webber, John	,,
Webber, Robert	,,
Webber, William	,,
Williams, Thomas	,,
Wills, Robert	Not on the register.
Wright, Andrew	,,

SCHEDULE U.

Names of Bribers at the Election of the 7th June 1866.

Allan, Andrew	On the register.
Alway, James	,,
Bagehot, Walter	Not on the register.
Barham, Eustace	On the register.
Barrett, Thomas	Not on the register.
Batten, Henry William	On the register.
Bond, George	,,
Bryant, Edwin	,,
Buffet, Robert	,,
Bulpin, Charles	,,
Bussell, Henry Chapman	,,
Bussell, Robert	,,
Cook, James, the younger	,,
Cooper, William	,,
Dyer, Ambrose	,,
Dyment, William	,,
Ford, William John	,,
Gilbert, Philip, the younger	,,
Gold, William B.	,,
Harden, Frederick	,,
Harden, George C.	Not on the register.
Hodges, Richard	On the register.
Hydon, Charles	,,
Jarman, Frederick	,,
Jarman, Henry	,,
Jarvis, Francis	,,
Jones, ———	Not on the register.
Knight, George	On the register.
Lock, William	,,
Lovibond, Henry	,,
Moore, William	,,
Neale, Walter W.	Not on the register.
Onion, William	On the register.
Patton, George	Dead.
Pitman, Frederick	Not on the register.
Priest, William	,,
Reed, Paul O. H.	On the register.
Robins, George	Not on the register.
Searle, Thomas	On the register.
Sendall, Charles	,,
Smith, John	,,
Smith, Joseph R.	,,
Smith, Richard Bealey	Not on the register.
Stockwood, Maria	,,
Temblett, F. C.	On the register.
Thompson, George	Not on the register.
Tout, James	On the register.
Tromp, Benjamin Humphreys	Not on the register.
Tumner, Robert	,,
Waddon, J. H.	On the register.
Westropp, Henry	Not on the register.
White, Henry Cornelius	,,
White, Joseph	On the register.

SCHEDULE V.

Names of persons bribed at the same Election.

Abbott, James	On the register.
Aldridge, James	Not on the register.
Alway, James	On the register.
Attwell, George	,,
Baker, Edward	,,
Baker, John	,,
Baker, William	,,
Bale, James	Not on the register.
Barham, George	On the register.
Bennett, Charles	,,
Bennett, James	,,
Best, Frederick	,,
Bidgood, Joseph	,,
Billin, James	,,
Boucher, John	,,
Bottomley, Jonas	Not on the register.
Brawley, John	On the register.
Brawley, Thomas	,,
Bridges, Henry	,,
Brock, David	,,
Brown, John	,,
Browning, Christopher	,,
Bryant, John	,,
Burridge, William	,,
Buttle, John Alfred	,,
Cann, Eliab	,,
Carter, John Henry	,,
Case, Vincent	,,
Caseley, Richard	,,
Cavill, Charles	,,
Champion, James	,,
Chorley, William	,,
Clavey, John Mitchell	,,
Coles, Robert (sawyer)	,,
Coles, Walter	,,
Collings, Charles	,,
Cook, H. T.	,,
Cooksley, Henry	,,
Coombes, George	,,
Cooze	
Criddle, Henry William	On the register.
Crocker, John	,,
Crocker, Thomas	,,
Cross, William	Not on the register.
Crowden, John	On the register.
Culverwell, James	,,
Dare, Lawrence	,,
Davis, John	,,
Day, Charles	,,
Deacon, Jesse	,,
Denman, Jeffery	On the register.
Dennis	Not on the register.
Dibble, William	On the register.
Dowden, George	,,
Drake, Isaac	,,
Dunn, George	,,
Dunn, Henry	,,
Dyer, George	Not on the register.
Dyer, John (milkman)	On the register.
Dyer, John (nurseryman)	,,
Dyment, Francis	,,
Dymond, George	,,
Ellis, John	Not on the register.
Fackerell, John, sen.	,,
Fackerell, William	,,
Faulkner, George	On the register.
Finner, George	,,
Fisher, William	,,
Francis, William	,,
Frankling, Charles	Not on the register.
Frape	,,
Frost, Abraham	On the register.
Fryer, James	,,
Gane, Thomas	,,
Gardener, Thomas	,,
Gibbs, William	,,
Gilbert, Philip, jun.	,,
Gilchrist, James	On the register.
Glanvill, Richard	,,
Green, Henry	,,
Hamson, William	,,
Harden, Frederick	,,
Harrington, James	,,
Harris, Henry	,,
Harwood, George	,,
Harwood, William	,,
Haste, Andrew	,,
Haste, Charles	,,
Haste, John	Not on the register.
Hawkes, John	On the register.
Hawkins, Abraham	,,
Hayward, Charles	,,
Hayward, Henry	,,
Hayward, James	,,
Hayward, Samuel	,,
Heal, George	,,
Hellard, John	,,
Hellard, William	,,
Hensley, William	,,
Herbert, Thomas	,,
Hill, William	,,
Hobbs, Charles	,,
Hobbs, Henry	,,
Hobbs, John	Not on the register.
Hobbs, R. H.	On the register.
Hodge, Frederick	,,
Hodge, John	,,
Holdaway, John	,,
Hole, John	,,
Holland, George	,,
Hook, Charles	,,
Hooper, Isaac	,,
Hooper, Richard	,,
Hooper, William	,,
Hughes, William	,,
Humber, John	,,
Hurman, William	,,
Innalls, James	,,
Irish, John	,,
Jarman, Edward	,,
Jarman, Frederick	,,
Jefferies, Charles	,,
Jefferies, Henry	,,
Jobson, John	,,
Jones, Charles	,,
Jones, Henry	Not on the register.
Jones, Stephen Colin	On the register.
Kerle, George	Not on the register.
Lane, E. T.	On the register.
Langford, Job	,,
Lee, George	,,
Lee, John	,,
Lee, Samuel	,,
Lock, William	,,
Luckes, William	,,
Luxton, William	,,
Maidment, Henry	,,
Maine, William	,,
Marels, William	,,
Martin, Thomas	,,
Matthews, John	,,
Matthews, William	,,
Mogridge, Thomas	,,
Morrish, William	,,
Murlis, James	Not on the register.
Murray, Going	On the register.
Oaten, Charles	,,
Oliver, Samuel	,,
Osman, Henry	Not on the register.
Parsons, Edward	On the register.
Peach, John	,,
Pearce, Henry	Not on the register.
Pearce, James	On the register.
Phelps, George	,,

SCHEDULE V.—*continued.*

Pillinger, Henry	Not on the register.
Pole, John	On the register.
Poles, John	„
Poole, William	„
Poole, William, jun.	„
Potter, Joseph	Not on the register.
Powell, Philip	On the register.
Preece, Robert	Not on the register.
Price, Stephen	On the register.
Priest, William	Not on the register.
Prole, R.	On the register.
Quick, John James	„
Reed, Joseph	„
Rees, William	„
Reeves, John Carter	„
Reeve, Joseph	„
Richards, James	„
Richards, John	„
Roberts, James	„
Rogers, John	„
Saunders, R.	„
Score, Henry	„
Scott, Charles	„
Scott, Joseph	„
Sellar, Joseph	Not on the register.
Sellar, William	On the register.
Sellick, George	„
Sendall, Henry	Not on the register.
Sendall, William	„
Sewell, William	„
Sharman, James	On the register.
Sharman, John	„
Shattack, James	„
Sheppard, William	„
Skinner	Not on the register.
Smith, Isaac	On the register.
Smart, William	„
Snell, William	„
Southwood, James	„
Spencer, John	Not on the register.
Sprankling, Charles	On the register.
Squire, James Far	„
Squire, John	„
Stacey, John	„
Stacey, Robert	„
Staples, John	„
Stocker, William	„
Stokes, Benjamin	„
Stoodley, Benjamin	„
Strong, James	„
Strong, John	„
Sully, James	„
Temblett, James	„
Temblett, William	„
Temblett, Frederick C.	„
Thomas, John	„
Tooze, Richard	„
Tremlett, George	„
Tremlett, William	„
Tucker, John	„
Turner, Joseph	„
Vearncombe, Henry	„
Veysey, John Williams	„
Vickery, William	„
Vormby	Not on the register.
Walters, Frederick	On the register.
Watts, James	„
Webber, John	„
Webber, George	„
Webber, William	„
Westlake, Francis	„
Whitefield, Robert	„
Wilkins, Charles	„
Wilkins, Nathaniel	„
Wilkins, Robert	„
Williams, Thomas	„
Witteridge, James	„

SCHEDULE W.

Names of Bribers at the Election of the 12th July 1866.

Allan, Andrew	On the register.
Allway, James	„
Amery, Henry	„
Barham, Eustace	„
Barrett, Thomas	Not on the register.
Bertram, Henry	„
Bond, George	On the register.
Boucher, John	„
Bridges, Oliver	Not on the register.
Brogden, Alexander, M.P.	„
Bryant, Edwin	On the register.
Bryant, Henry	Not on the register.
Bulpin, Charles	On the register.
Bunter, John	„
Bussell, Henry Chapman	„
Bussell, Robert	„
Collings, Charles	„
Cook, Henry	Not on the register.
Cook, James, jun.	On the register.
Culliford, Edward	„
Dyer, Ambrose	„
Dyment, William	„
Ebford	Not on the register.
Frost	
Ford, William John	Not on the register.
Garratt, Robert	On the register.
Gilbert, Peter	Not on the register.
Gilbert, Philip, jun.	On the register.
Gold, Richard	„
Gold, William B.	„
Harden, Frederick	„
Heal, William	Not on the register.
Hill, Thomas	On the register.
Hobbs, Henry	„
Jarman, Frederick	„
Jarman, Henry	„
Jarvis, Francis	„
Jones	Not on the register.
Jones, Stephen Colin	On the register.
Knight, George	„
Lilly, Edward	„
Long, Walter	Not on the register.
Lott, Charles	Dead.
Lovibond, Henry	On the register.
Morris	
Newton	
Onion, William	On the register.
Patton, George	Dead.
Pearse	
Pitman, Frederick	Not on the register.
Prior, John	On the register.
Prole, R.	„
Reed, Paul O. H.	„
Reynolds, Henry Kingston	Not on the register.
Roberts, John	On the register.
Robinson, William	Not on the register.
Salmon, William	„
Sealy, John Lovell	On the register.
Searle, Thomas	„
Smith, John	„
Smith, Richard Bealy	Not on the register.
Symons, Clifford	On the register.
Symons, William	„
Temblett, F. C.	„

SCHEDULE W.—*continued.*

Thomas, Richard	Not on the register.	Waddon, J. H.	On the register.
Thompson, George	„	Westropp, Henry	Not on the register.
Tromp, B. H.	„	White, Henry Cornelius	„
Tumner, Robert	„	White, Joseph	On the register.
Vanderbyl, Philip	„		

SCHEDULE X.

Names of persons bribed at the same Election.

Abbot, James	On the register.	Dunn, Henry	On the register.
Allan, Andrew	„	Dyer, Charles	„
Alway, James	„	Dyer, George	„
Attwell, Geerge	„	Dyer, John (milkman)	„
Babbage, Edwin	„	Dyer, John (nurseryman)	„
Baker, Edward	„	Dyment, William	„
Baker, John	„	Ellis, John	Not on the register.
Baker, William	„	Evans, William	„
Bale, James	Not on the register.	Fackerell, John, sen.	„
Barham, George	On the register.	Faulkner, George	On the register.
Barrett, William	„	Finner, George	„
Bate, James	Not on the register.	Fisher, George Chapman	„
Bennett, Charles	On the register.	Fisher, William, sen.	„
Bennett, James	„	Fletcher, James	Not on the register.
Bennett, John	„	Francis, William	On the register.
Best, Frederick	„	Frape, J. F.	Not on the register.
Bidgood, Joseph	Not on the register.	Frost, Abraham	On the register.
Bigwood, Edwin	On the register.	Fryer, James	„
Billinger, Henry	Not on the register.	Fursland, Joseph	„
Billing, James	On the register.	Gandell, Richard	Not on the register.
Bisgrove, Thomas	„	Gane, Thomas	On the register.
Bottomley, Jonas	Not on the register.	Gardener, Thomas	„
Boucher, John	On the register.	Garratt, Robert	„
Bowering, James	„	Gatter, William	Not on the register.
Brawley, John	„	Gibbs, William	On the register.
Brawley, Thomas	„	Gilbert, Philip, jun.	„
Bridges, Henry	„	Gilchrist, James	„
Brock, David	„	Glanville, Joseph P.	„
Brown, James	Not on the register.	Glanville, Richard	„
Brown, John	On the register.	Green, Henry	„
Browning, Christopher	„	Gwyther, George	Dead.
Bryant, Henry	Not on the register.	Hamson, William	On the register.
Bryant, John	On the register.	Harden, Frederick	„
Bulpin, Charles	„	Harrington, James	„
Bussell, Henry Chapman	„	Harris, Henry	„
Bussell, Robert	„	Harwood, George	„
Buttle, John Alfred	„	Harwood, Henry	„
Cann, Eliab	„	Harwood, William	„
Carter, Henry John	„	Haste, Andrew	„
Case, Vincent	„	Haste, Charles	„
Caseley, Richard	„	Haste, John	Not on the register.
Cater, William	Not on the register.	Hatch, Benjamin	On the register.
Cavill, Charles	On the register.	Hayward, Henry	„
Champion, James	„	Hayward, James	„
Chorley, William	„	Hayward, Samuel	„
Clavey, John Mitchell	„	Headford, Philip	„
Clutterbuck, Captain	Not on the register.	Heal, George	„
Coles, Robert	On the register.	Heal, William	Not on the register.
Coles, Walter	„	Hellard, John	On the register.
Collings, Charles	„	Hellard, William	„
Cook, H. T.	„	Hensley, William	„
Cooksley, Henry	„	Hex, William	„
Coombes, George	„	Hill, William	„
Crowden, John	„	Hillyer, William	Not on the register.
Crump, Edward Philip	Not on the register.	Hobbs, Charles	On the register.
Crocker, John	On the register.	Hobbs, Henry	„
Crocker, Stephen	Not on the register.	Hobbs, John	Not on the register.
Crocker, Thomas	On the register.	Hobbs, Joseph	„
Culverwell, James	„	Hobbs, Richard H.	On the register.
Dabinett, James	„	Hodge, Frederick	„
Dare, Lawrence	„	Hodge, John	„
Davis, John	„	Hole, John	„
Day, Charles	„	Holland, George	„
Deacon, Jesse	„	Honeyball, James	„
Denman, John	„	Hook, Charles	„
Dibble, William	„	Hooper, Isaac	„
Dowden, George	„	Hooper, Richard	„
Drake, Isaac	„	Hooper, William	„
Dunn, George	„	Hughes, William	„

SCHEDULE X.—*continued.*

Humber, John	On the register.
Hurman, William	,,
Innalls, James	,,
Irish, John	,,
James, Henry	,,
Jarman, Edward	,,
Jarman, William	Dead.
Jarman, Frederick	On the register.
Jefferies, Charles	,,
Jefferies, Henry	,,
Jennings, Charles	,,
Jobson, John	,,
John, William	Not on the register.
Johnson, William	On the register.
Jones, Charles	,,
Jones, Henry	,,
Jones, Stephen Colin	,,
Kerle, Edward	,,
Kiddle, John	,,
King, William	,,
Kirk, Charles	Dead.
Lane, E. T.	On the register.
Langford, Job	,,
Lear, William	,,
Lee, George	,,
Lee, Henry	,,
Lee, John ("Star Inn")	,,
Lee, John (gardener)	,,
Lee, Samuel	,,
Lock, William	,,
Long, James	,,
Long, Walter	Dead.
Lott, Charles	Not on the register.
Luckes, George	On the register.
Luckes, William	,,
Luxton, William	,,
Maidment, Henry	,,
Maine, William	,,
Marels, William	,,
Martin, Thomas	,,
Matthews, John	,,
Matthews, William	,,
Merson, William	,,
Mogridge, Charles	Not on the register.
Mogridge, Thomas	On the register.
Morrish, William	,,
Murlis, James	Not on the register.
Murray, Going	On the register.
Nicholls, Henry Frederick	,,
Nicholls, Alfred	,,
Oaten, Charles	,,
Oliver, Samuel	,,
Osborn, Charles	Not on the register.
Osman, Henry	,,
Palmer, James	On the register.
Palmer, Thomas	,,
Parsons, Edward	,,
Pawley, Richard	,,
Peach, John	,,
Pearce, Henry	Not on the register.
Phelps, George	On the register.
Pole, John	,,
Pollard, William	,,
Poole, William	,,
Poole, William, the younger	,,
Potter, Joseph	Not on the register.
Powell, Philipp	On the register.
Preece, Robert	Not on the register.
Price, Stephen	On the register.
Prole, Robert	,,
Quick, John James	,,
Ralls, Thomas	,,
Redman, Thomas	,,
Reed, Joseph	,,
Reece, William	,,
Rees, William	,,
Reeves, John Carter	On the register.
Reeves, Joseph	,,
Rendall, Giles	Not on the register.
Rich, Francis	Dead.
Richards, James	On the register.
Richards, John	,,
Richards, Robert	,,
Roberts, James	,,
Rogers, John	,,
Saunders, Robert	,,
Score, Henry	,,
Scott, John	,,
Scott, Thomas	Not on the register.
Sellar, Joseph	,,
Sellar, William	On the register.
Sellick, George	,,
Sendall, William	Not on the register.
Sharman, James	On the register.
Sharman, John	,,
Shattock, James	,,
Sheppard, William	,,
Smart, William	,,
Smith, Isaac	,,
Smith, John	,,
Snell, William	,,
Southwood, James	,,
Sprankling, Charles	,,
Spencer, John	Not on the register.
Squire, John	On the register.
Squires, James Far	,,
Squires, James North	,,
Stacey, George	,,
Stacey, John	,,
Stocker, William	,,
Stokes, Benjamin	,,
Stoodley, Benjamin	,,
Stone, John	Not on the register.
Stone, William	On the register.
Strong, John	,,
Sully, James	,,
Sutcliffe, John	,,
Symmons, William	,,
Temblett, William	,,
Temblett, Frederick C.	,,
Thomas, John	,,
Tooze, Richard	,,
Torr, Charles	,,
Tottle, Charles	,,
Trapnell, George	Dead.
Tremlett, George	On the register.
Tremlett, William	,,
Tucker, John	,,
Turner, James	,,
Vearncombe, Henry	,,
Vearncombe, Thomas	,,
Veysey, John Williams	,,
Vicary, William	,,
Virgin, John	Dead.
Walters, Frederick	On the register.
Walters, Robert	,,
Watts, James	,,
Webb, George	Dead.
Webb, William	On the register.
Webber, George	,,
Webber, John	,,
Webber, William	,,
White, Henry Cornelius	Not on the register.
Whitefield, Robert	On the register.
Wilkins, Charles	,,
Wilkins, Nathaniel	,,
Wilkins, Robert	,,
Wills, Charles	,,
Wills, Robert	Not on the register.
Willis, Charles	,,
Williams, Thomas	On the register.
Witteridge, James	,,

Schedule Y.

Names of Bribers at the Election of the 17th November 1868.

Allan, Andrew	On the register.
Alway, James	„
Barham, Eustace	„
Bridges, Oliver	Not on the register.
Bulpin, Charles	„
Bussell, Henry C.	On the register.
Cook, James, jun.	„
Culliford, Edward	„
Dyment, William	„
Fennelly, Richard	Not on the register.
Fisher, Henry	On the register.
Garratt, Robert	„
Gilbert, Philip, jun.	„
Hodges, Richard	„
Jarman, Henry	„
Kinglake, Dr. Hamilton	Not on the register.
Leaker, James	On the register.
Lomas, Charles James	Not on the register.
Lovibond, Henry	On the register.
Mogg, Carey Bailey	„
Pain, Arthur George	„
Prior, John, sen.	„
Prior, Edward	Not on the register.
Robinson, William	„
Reed, Paul O. W.	On the register.
Redfern, William Edward	Not on the register.
Smith, John	On the register.
Stacey, George	„
Vanderbyl, Philip	Not on the register.

Schedule Z.

Names of persons bribed at the same Election.

Allan, Andrew	On the register.	Old voter.
Baker, John	„	
Bidgood, John	„	New voter.
Boucher, John	„	
Boys, Frederick	„	New voter.
Burridge, Richard	„	„
Burton, Benj. Bruce	„	„
Bussell, Henry Chapman	„	Old voter.
Buttle, Edward James	„	New voter.
Buttle, John	„	
Buttle, John Alfred	„	New voter.
Carver, Francis	„	„
Cooper, Frederick	„	„
Cording, James	„	„
Crocker, William	„	
Crossman, William	„	New voter.
Davis, John	„	
Duddridge, William	„	New voter.
Dyer, Alfred	„	„
Dyer, Thomas	„	„
Dyke, William	„	
Fackerell, John, jun.	„	New voter.
French, Joseph	„	
Fry (Carpenter)	„	New voter.
Garratt, Robert	„	„
Gibbs, William	„	
Guy, Henry	„	New voter.
Hamson, William	„	
Hawkins, Abraham	„	
Hayward, James	On the register.	
Heal, John	„	New voter.
Hellard, John	„	
Heron, Denis	„	
Hole, John	„	
Hooper, Richard	„	
Howe, Robert Jones	„	New voter.
Jobson, James	„	„
Kitch, John	„	„
Lucraft, William	„	„
Murray, Going	„	
Nethercott, Henry James	„	New voter.
Palmer, James	„	
Parker, James	„	New voter.
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Podger, James	„	„
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Singerton, Henry	„	„
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Witteridge, James	„	

LONDON:
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For Her Majesty's Stationery Office.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE COMMISSIONERS

APPOINTED TO INQUIRE INTO

THE EXISTENCE OF CORRUPT PRACTICES AT THE LAST ELECTION AND AT PREVIOUS ELECTIONS OF MEMBERS TO SIT IN PARLIAMENT

FOR THE

BOROUGH OF BRIDGWATER.

Presented to both Houses of Parliament by Command of Her Majesty.

LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
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1870.

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MINUTES OF EVIDENCE

TAKEN BEFORE

EDWIN PLUMER PRICE, Esq., Q.C., THOMAS CHISHOLM ANSTEY, Esq.,

AND

CHARLES EDWARD COLERIDGE, Esq.,

COMMISSIONERS APPOINTED TO INQUIRE

INTO

THE EXISTENCE OF BRIBERY AT THE LAST ELECTION OF MEMBERS TO SIT IN PARLIAMENT FOR THE BOROUGH OF BRIDGWATER, AND ON FORMER SIMILAR OCCASIONS.

At the Town Hall, Bridgwater.

HENRY FRANCIS PURCELL, Esq., Secretary.

FIRST DAY.

REFORM CLUB PALL MALL

Monday, 23d August 1869.

The Shorthand Writers sworn were Joseph Nelson Cherer, William Aish Davis, William Cocks, and Thomas Hill.

The Secretary read the Warrant directing the Commission to issue.

(*The Chief Commissioner.*) We are assembled here under the warrant of Her Majesty, which you have just heard read by our secretary, and which has been issued in pursuance of the Act of Parliament passed in the 31st and 32d year of the reign of Her Majesty, which directs that if the judge who has tried an election petition under the Act states in his report that corrupt practices have, or that there is reason to believe that corrupt practises have, extensively prevailed in any county or borough at the election to which the petition relates, such statement shall, for all the purposes of the Act of the session of the 15th and 16th year of the reign of Her present Majesty, intituled "An Act to provide for the more "effectual inquiry into the existence of corrupt "practices at elections of members to serve in "Parliament," have the same effect, and may be dealt with in the same manner, as if it were a report of a Committee of the House of Commons appointed to try an election petition.

Now, in consequence of the report made by the learned judge who presided at the election inquiry which was held in this borough some months ago, this commission has been issued under which we are now sitting here. You will perceive by that Act that the power and authority which are conferred on us are to be the same as those conferred on the Commissioners by the previous Act, the 15th and 16th of Her Majesty, which enacted, that after the report of a Committee of the House of Commons, which was then the tribunal for trying disputed elections, power should be given to commissioners constituted as we are now to inquire into such matters at an election; and here I may mention that our powers are not limited to inquire into corrupt practices at the last election, which has caused the commission to issue, but we may inquire as fully into the conduct at previous elections as we may think it our duty to do. We have power given to us under that Act of Parliament to summon before us all persons whom we may believe can give any information to us respecting corrupt practices and the mode in which elections have been conducted in this borough. We have the same power of punishing for contempt of court, for refusal to give evidence, which any of Her Majesty's Superior Courts have, and we have also power to call before us all persons from time to time whom we may have reason to believe may be able to give us evidence touching the matter of the inquiry.

It may be as well to state here that in perusing the report of the proceedings with reference to the last election for this borough which took place before the learned judge, we find he took occasion to animadvert on the absence of one or two persons who were deeply implicated in the corrupt

FIRST DAY.
Opening Statement.
23 Aug. 1869.

practices alleged to have taken place, and although they succeeded so far on that occasion in absenting themselves from the box, yet it may be as well that they and all other persons should know that they from absence on any particular day will not be able to frustrate the object of this inquiry, because we have the fullest power to report from time to time, and are not bound to make one report once for all. We may adjourn this inquiry from time to time so as to secure in the end the attendance of any person whom we may think it necessary to examine as a witness.

There is only one other matter that I need mention, and that is that by this Act of Parliament all persons who give to our satisfaction the freest and fullest disclosures with respect to all such matters as to which they shall be examined, will be entitled to receive under the Act of Parliament an indemnity from all ulterior proceedings that might otherwise be taken against them ; but it will depend on the manner in which they make the disclosures whether the certificate, which will be a protection against them from any other ulterior proceedings, shall be granted by the Commissioners or not.

After these observations, I think it will not be necessary to do more to-day, and my brother Commissioners agree with me that we had better adjourn the commencement of the inquiry until to-morrow, and we hope that in the course of this inquiry, and it may be a long one, proper respect for the Court will be observed, because otherwise if we should find any disorderly behaviour take place in the course of the proceedings before us we may think it necessary to adopt such measures as we may think proper for the closing of the Court, and the removal of the disorderly persons.

Now with regard to witnesses, it may be convenient to those who are living here, as well as those who are living at a distance, to know that from day to day the Secretary will affix a list of the witnesses who are those to be examined on the next day in such a place that each of the witnesses may know on what day he will be required, in addition to which he will receive a summons directing his attention specifically to the day on which his attendance will be required.

Adjourned to To-morrow morning at 11 o'clock.

SECOND DAY.
Mr. G.B. Sully.
24 Aug. 1869.

SECOND DAY.

Tuesday, 24th August 1869.

PRESENT :

EDWIN PLUMER PRICE, ESQ., Q.C.,
THOMAS CHISHOLM ANSTEY, ESQ., and
CHARLES EDWARD COLERIDGE, ESQ.
HENRY FRANCIS PURCELL, ESQ., Secretary.

MR. GEORGE BRYANT SULLY sworn.

1. (*Mr. Price.*) You are the mayor of Bridgwater ?—I am.

2. And the returning officer ?—Yes.

3. What are you by profession ?—A shipowner and shipbroker.

4. How long have you been mayor ?—Since the 9th November.

5. You were acting returning officer at the last election ?—I was.

6. Have you any books with respect to the election? —No ; they are in the custody of the town clerk ; he will produce them.

7. The candidates last time were Mr. Westropp, Mr. Gray, Mr. Kinglake, and Mr. Vanderbyl ?—They were.

8. Had you acted as returning officer at any previous election ?—I had not.

9. Mr. Westropp and Mr. Gray were the Conservative candidates ?—Yes ; and Mr. Kinglake and Mr. Vanderbyl Liberal candidates.

10. I suppose they had committee rooms here ; do you know ?—I have no knowledge that they had committees or committee rooms. I do not think it came out in evidence.

11. They were here sometime before the election commenced,—canvassing ?—Yes, they were.

12. All four of them ?—Yes.

13. For how long before the election ?—I should think the canvass began from five to six weeks before the election.

14. Mr. Gray was a stranger, was he not ?—Mr. Gray was a stranger to the borough.

15. Mr. Vanderbyl had sat for the place before ?—Mr. Vanderbyl had sat for about two years.

16. Mr. Kinglake also had sat for some time ?—For several sessions.

17. When was Mr. Kinglake first returned ?—I do not know that I remember distinctly, but I think it must have been in 1852 or 1853; but I have all the documents here.

18. Are you a native of Bridgwater ?—Yes.

19. You have known the political parties all the time you have been here ?—Yes.

20. Have there generally been contests for the borough ?—Yes, generally. I do not think I remember any election without a contest.

21. Party spirit ran very high I suppose ?—I should say so.

22. Before the last Reform Bill what was the extent of the constituency ?—You will get the exact figures from the town clerk, but it was nearly doubled by the Bill.

23. At that time how had the returns been made, alternately of Conservatives and Liberals, or generally one or the other from the previous Reform Bill to the last ?—I should think, speaking without the returns before me, that in the majority of cases Liberal members had been returned; but there had often been Conservative representations.

24. There had been contests as far as you remember on every occasion ?—I think so.

25. What was the first contested election that you remember ?—I remember many, but the first contested election I can charge my memory with was the election in which Lord Henley was a candidate, Mr. Kinglake was a candidate, Colonel Tynte was a candidate, and two Conservative gentlemen.

26. Five candidates ?—Five candidates.

27. What year was that in?—I think it must have been in the year 1849 or 1850, but I am not quite sure.

28. Was it a general election?—Yes; I am not quite positive as to the date, but I remember the names distinctly.

29. Probably it would be 1847?—Possibly it would be so.

30. That is the first that you remember?—Not that I remember.

31. But took a part in?—That I took a part in.

32. On which side?—I have always been a Liberal.

33. We will assume that that election was the one of 1847.

34. Did you take an active part in all subsequent elections up to the time you were returning officer?—I continued to take an interest, but I would qualify the words you have put in my mouth "an active part;" I took an interest in them, and I can explain that.

35. You took part sufficiently to be able to give a short history of each election?—No, I cannot do that. I can only speak of it as it presented itself to my eye.

36. Were you on the committee of any of the candidates?—No; I accompanied the Liberal candidates in their canvas on one occasion when Sir John Shelley came.

37. Who were returned in 1847?—Colonel Tynte and Mr. Follett.

38. That is one and one?—Yes.

39. Mr. Follett being the Conservative?—Yes.

40. Was the next election in 1852 a general election?—Yes, I fancy it must have been, but I am not sure. The first I could speak distinctly about would be the one in which Mr. Kinglake was a candidate and Mr. Follett.

41. That is not Sir William Follett, but his brother?—Mr. Spencer Follett. The next election resulted in Mr. Kinglake taking Mr. Follett's seat. I have no distinct recollection of the controversies. I may have been from Bridgwater at the time.

42. (*Mr. Coleridge.*) Who was returned?—I I believe Colonel Tynte and Mr. Follett continued members until Mr. Kinglake took Mr. Follett's seat.

43. (*Mr. Price.*) Was there a contest?—If there was an election there was a contest.

44. There would necessarily be?—There must have been, but I do not wish to be bound to dates, not having the materials before me.

45. Then you do not remember distinctly between 1847 and 1857 what was the state of the representation?—Yes, from the time Lord Henley contested the borough, Colonel Tynte and Mr. Follett retained their seats until Mr. Kinglake replaced Mr. Follett.

46. When was Mr. Kinglake first returned?—It would be 1857.

47. Was there a contest then?—Yes.

48. Do you remember who were the candidates?—Mr. Follett, Colonel Tynte, and Mr. Kinglake. I am not sure whether Mr. Mansell was also a candidate at that time.

49. Was Mr. Mansell a Conservative; Yes; it was either then or previously.

50. With regard to those two elections, 1847 and 1857, what were the majorities, can you tell?—No, I cannot.

51. Were they large? We will find that from the books?—Yes.

52. (*Mr. Coleridge.*) Were there any petitions after those elections?—I am not aware.

53. (*Mr. Price.*) Then in 1857 Mr. Kinglake was returned and Mr. Follett displaced?—Yes.

54. Then there was another election, I think in 1859. Do you remember whether it was so?—Yes, I remember two elections following each other at short intervals.

55. Do you remember in 1859 who were the candidates?—I suppose that would be the election when Mr. Westropp and Mr. Padwick were here. I am not sure whether that was the date.

56. Was that the first introduction of those gentlemen to the constituency?—Yes; of both of them.

57. Is Mr. Westropp connected with the town of Bridgwater in any way?—Not at all.

58. Is Mr. Padwick?—Not at all.

59. It is the Mr. Padwick whose name is pretty well known now?—Yes, the same gentleman.

60. In 1859 who were returned?—The two liberal candidates were returned.

61. These were Mr. Kinglake and Colonel Tynte?—Yes.

62. Is Colonel Tynte connected with the borough?—He is near us. His family home is at Taunton about ten miles from us.

63. Therefore at that time the two Conservatives Mr. Westropp and Mr. Padwick were unknown to the constituency except when they came down and were introduced?—Quite so.

64. Who introduced them?—I believe Mr. Richard Smith as their agent.

65. Is he alive?—Yes.

66. And Mr. Follett had then retired altogether. He took some office, I believe?—He had some office in the Court of Chancery.

67. At all events some office which deprived him of the power of sitting again?—Yes.

68. Did Mr. Westropp and Mr. Padwick stand on the last occasion as coalition candidates?—Yes, they stood together.

69. And Mr. Kinglake and Colonel Tynte?—I should think they were not so intimate in their coalition as the Conservative candidates were, because there had been some difference between the two sections of the Liberal party.

70. Then was there any change after that?—I think the next election was when the Parliament had expired.

71. That would be 1865?—Yes.

72. Who were the candidates then?—Colonel Tynte did not come forward in 1865. Mr. Kinglake and Sir John Shelley were in the Liberal interest and Mr. Westropp in the Conservative interest.

73. Alone?—He was alone for some time; indeed, I suppose I ought to say alone. There was an appearance of an address from a second candidate, but I believe it only lasted a few days—a Mr. Edwards. There was no nomination of a fourth candidate.

74. Therefore the whole contest was between Mr. Westropp, Mr. Kinglake, and Sir John Shelley?—Yes.

75. Sir John Shelley was introduced for the first time?—He was introduced for the first time.

76. Was he unknown except by introduction?—Except by his parliamentary career, he was unknown entirely to the town of Bridgwater.

77. That resulted in the return of Mr. Westropp and Mr. Kinglake?—Yes.

78. Then the Reform Bill took place?—No; prior to that we had an election. On the return of Mr. Westropp a petition was presented, and the result of an inquiry before the Committee of the House of Commons was the unseating of Mr. Westropp, and then came the election to supply the vacancy, and there were two candidates, the present Lord Advocate Patton and Mr. Walter Bagehot.

79. What was the result of that election?—The result of that election was the return of Mr. Patton.

80. A Conservative?—Yes.

81. Was Mr. Bagehot a stranger?—No; his family reside in the neighbourhood about ten miles off, and have large business connexions with the town. Personally and individually I should think he might be a stranger to many though known to some of us.

82. Then Mr. Patton accepted office as Lord Advocate?—Yes.

83. Then he came down again?—He returned for re-election and was opposed by Mr. Vanderbyl, and the result was the return of Mr. Vanderbyl.

84. With regard to that election, how long after Mr. Patton announced his acceptance of the office,

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Mr. G.B.Sully.

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and therefore his seat became vacated, was the contest got up by the introduction of Mr. Vanderbyl ?—The whole interval, I should think, could only be measured by days.

85. The writ would be moved for in the House on the acceptance of office, and then seven days would elapse. How soon after the issue of the writ was known in the borough, and of course that there would be an election, was it, that Mr. Vanderbyl came ?—I should think he reached the town on the Monday, and the nomination was on the Wednesday. I think I am correct in that.

86. He was a stranger to the borough ?—Yes, I believe up to that time, although he had had commercial connexions with the port, and at Highbridge.

87. What was he ?—I understood that he was a merchant and a bank director.

88. You say that he had commercial relations with the port ; do you mean Bridgwater ?—Yes.

89. What kind of commercial relations ?—He had property at Highbridge, and houses and land also, and was principal shareholder, if not managing director or chairman, of the Lundy Granite Company, whose main depôt was at Highbridge. The stone was brought to Highbridge and put on the railway there.

90. Their depôt is at Highbridge ?—It was at that time.

91. And you say he was managing director if not the chairman ?—He had a very large interest, so I am told ; indeed the steamer was called after his name.

92. Who introduced him to the borough ?—I believe he was introduced by what we should designate the Liberal lawyers. It would be Mr. Henry Lovibond and Messrs. Reed and Cook, and Mr. Eustace Barham at that time.

93. Do you know whether it was in consequence of the request of a deputation to London, or how it was that he came down ?—I heard that it was by deputation who waited upon him in London.

94. It is the same Mr. Vanderbyl who stood for Yarmouth ?—Yes.

95. He was known as the gentleman who had stood for Yarmouth and had been unseated for bribery ?—It is known now.

96. What was the result of the election ?—The return of Mr. Vanderbyl.

97. By a large majority ?—No ; Mr. Westropp's majority, in the first place, was a large one. It was less on the contest with Mr. Bagehot, and was turned into a minority, not a very large one, in the contest with Mr. Vanderbyl.

98. (*Mr. Anstey.*) Do you mean to say it was known then that he had been recently unseated for bribery at Great Yarmouth, and that the invalidity of his election had been decided a few weeks or months before he came down ?—As far as I recollect it was not made known until after his return.

99. (*Mr. Coleridge.*) Did not you know it yourself ?—I know it now. I do not say that I knew it then.

100. (*Mr. Anstey.*) Was not it known that at Yarmouth he had been guilty again and again of corruption, and that he had not claimed the seat ?—Very likely. I do not wish to make any statement in disparagement of anybody unless I know it, and my impression is that the inquiry into the practices of Yarmouth did not take place till after.

101. (*Mr. Price.*) But the election committee had just unseated Mr. Vanderbyl and some other gentleman ?—Mr. Brogden.

102. That election, however, resulted in the return of Mr. Vanderbyl, and that brings us down to the last election when you say the constituency was nearly double. The result of that election was that Mr. Vanderbyl and Mr. Kinglake were returned ? — Yes ; Mr. Vanderbyl and Mr. Kinglake, the old members, were returned.

103. Can you tell us from your general knowledge of the thing—you say there had been contests on almost every occasion—whether it was not almost perfectly notorious that they were very expensive contests ?—I have heard so. I have no knowledge of bribery in Bridgwater. I have never seen any money given in bribery except on one occasion. I was then, as I said just now, acting in the election with Mr. Kinglake and Sir John Shelley, and I was in the committee room when money was brought in by men who had received bribes. That was the only occasion I have ever seen, or as far as I know come in contact with, any persons who had been bribed.

104. Then was it not perfectly notorious to everybody, to a gentleman of your intelligence at all events, that the contests in Bridgwater had been expensive, compared with the size of the place ?—I can only say I have heard so, but I have no knowledge beyond that.

105. Probably the published expenses would give no clue to what the real expenditure has been ?—I am afraid they do not.

106. I do not know whether they were returned to you ?—They were returned to the town clerk's office.

107. Previously to the auditor, but now to the returning officer ?—They are.

108. The Liberal lawyers you say were the parties who got up the contest ?—I think so far as my memory serves me the candidates were always introduced by gentlemen of the legal profession.

109. On both sides ?—Yes, on both sides.

110. How many attornies are there in Bridgwater who take an active part in politics ?—I suppose six or seven.

111. On each side ?—No, not on each side ; together.

112. How many attornies are there in Bridgwater altogether ?—I do not know.

113. About a dozen ?—I should think quite.

114. You think not more than six have taken an active part in electioneering ?—It is very difficult for a layman to know.

115. How many attornies have you seen employed, or taking an active part for the Liberal candidates in these contests ?—Four on recent occasions.

116. One is Mr. Lovibond ?—Mr. Lovibond, Messrs. Reed and Cooke, and Mr. Barham.

117. That is for the Liberal side ?—Yes.

118. Who are generally known as active for the other side ?—Whilst Mr. Smith was in health I believe the arrangement and management of the Conservative party was for some years in his hands and that of his son, since then I believe Mr. Ruddock, and Messrs. Trevor, and Mr. Bryce have been connected with the Conservative side.

119. Those are all you can give the names of as actively employed in electioneering matters ; but are there any other, not appearing prominently but that you know of, who took an active subordinate part under those gentlemen who are attornies in the place on either side ?—I think perhaps I ought to have named Mr. George Pain's son, I think it is Mr. Augustus Pain, I think he was associated with the Conservative solicitors ; he is a practising solicitor ; and I think Mr. Edgar Haviland.

120. And Mr. Bate took an active part ?—Yes ; he is now dead ; he was connected with the Liberal side, and Mr. Benjamin Lovibond was, up to his death.

121. Did any one succeed Mr. Bate ?— Yes, his son ; but I do not remember his ever taking an active part.

122. Do you remember anybody else taking a subordinate part, but still an active part, for candidates at the elections ?—There were clerks to those solicitors. I suppose you are not alluding to them, but my memory does not serve me as to any other name.

123. Mr. Vesey, do you know him ?— Oh yes ; Mr. Vesey I know very well.

124. He took an active part ?—Yes.

125. He is a solicitor practising ?—Yes.

126. On which side did he take an active part ?—The Conservative side.

127. When was he first prominently before the public here at elections?—In the election when Mr. Westropp was returned and was petitioned against.

128. That was the election of 1865?—Yes.

130. (*Mr. Anstey.*) Was not there one who took an active part first on the Conservative side, but of late years on the liberal side, Mr. Boys?—Yes; he is an attorney's clerk.

131. Is not he a partner in a firm at present?—Not that I am aware of.

132. (*Mr. Price.*) Mr. Brice you mentioned?—Yes.

133. He is an attorney?—Yes.

134. And acted on the Conservative side?—And acted on the Conservative side.

135. One of the prominent men?—Yes.

136. During your knowledge of Bridgwater have there always been as many as four or five attornies employed on each side actively, or more?—I should think so, although I think there have been more attornies employed on the Conservative side since Mr. Smith's illness than before, apparently actively employed.

137. More since his illness than before?—Yes, actively.

138. We may take it that those legal gentlemen have contrived to have a contest on each occasion?—There have been contests, and some of us have been uncharitable enough to put it down to the source that you have named.

139. (*Mr. Anstey.*) Are there two gentlemen of your name in Bridgwater?—Yes.

140. Were you one of a deputation,—I do not know what you call it,—a small body of influential electors, who conducted a negotiation or two between Mr. Vanberbyl and his opponent Mr. Westropp, or between Mr. Kinglake and the same opponent at the last election?—No, I was not.

141. Which Mr. Sully was it?—I was not aware that either had done so.

142. Were you present for instance yourself?—No.

143. You were not present at any meeting, either at the Globe or at Mr. Kinglake's place, at which the question of a compromise was discussed?—I was not.

144. Then will you give me the Christian names of the other Mr. Sully, and of every Mr. Sully in Bridgwater, to your knowledge?—My uncle's name,—I presume the gentleman you allude to,—is James Wood Sully.

145. Any other?—There is another brother, John Sully.

146. Any other?—Not belonging to our family. I think there are one or two other Sullys but I do not know their names.

147. Have you signed any petition to the House of Commons,—either election petitions or petitions complaining of corruption in Bridgwater,—and requesting the suspension of the writ?—I believe I did.

148. Of which kind, and how many; first, election petitions?—Yes; if I signed an election petition it was against Mr. Westropp, and if I signed a memorial praying for an inquiry it was after Mr. Westropp was unseated.

149. That was 1865 or 1866?—It was in 1866.

150. Give us all the information you can to enable us to put questions to other witnesses. In this petition, printed by order of the House in 1866, you, as one of the petitioners, informed the Honourable House, that should an inquiry be instituted before a Royal Commission, a much larger amount of cases of bribery would be disclosed than is apparent from the evidence taken at the trial of the petition against the return of Henry Westropp, Esq., inasmuch as the case of the petitioners was stopped by the Committee when a few cases only had been heard, and that the only reason of the petitioners for abandoning their intention of proceeding to a scrutiny was the very great expense which they were advised would be very likely incurred. I am sure I need not point out to a gentleman of your capacity that this is a very serious statement to make to the House of Commons unless you are prepared to support it. I therefore wish to ask you to furnish the Commission, if not now by-and-by, with the names of the persons, if you cannot yourself give the information, who you think can give information touching these particulars. You have put your name to these statements, and you are bound by them?—Yes.

151. You will do so?—I shall be happy to do everything I can in my power.

152. Can you give any of these names now off hand?—I can give you the grounds on which I suggested that petition.

153. I would rather you answered my question. Can you give me the names of any person whom you know, or believe to have been guilty, or know or believe to be culpable?—No; I have not before me any paper that would answer that question satisfactorily, but there were lists prepared at that time, and I suppose were published lists,—I understood so at the time,—of the electors who were charged with having been bribed at Westropp's election, and it was in reference to the evidence given on either side to the Committee of the House of Commons that that statement was made. I had, and still have a very strong opinion that there were a large number of electors bribed on that occasion.

154. Where are those lists?—I had not charge of the inquiry. I will say this, that Mr. Henry Lovibond and Messrs. Reed and Cooke were agents at that time for the petitioners, and they must have them.

155. Have you any further intelligence you can give me or suggest beyond what those lists would furnish?—Certainly not.

156. Now, with regard to the history of this borough; have you not omitted a very important name in the number of candidates or members, a Mr. Henry Broadwood?—I have not mentioned him, but I do not know that my evidence went back to his time. I remember his being member for Bridgwater very well.

157. Was not he down in 1852?—I should think not.

158. You are not certain?—No, certainly not. Whilst I had a vote I never voted for him.

159. I understood you to say that you were personally acquainted with, though not taking a personal part in, the first election you named?—Lord Henley's is the first I have a distinct recollection of.

160. Whatever that date was you remember previous elections?—Yes, as a child, I remember the excitement and disturbance.

161. There is another name you have mentioned, that of Mr. John Smith, who used to conduct the electioneering business on behalf of the Conservative candidates?—Mr. Richard Smith.

162. What relation was he, if any, to a certain Joseph or John R. Smith, the defendant in a qui tam action which was tried at the Taunton Assizes in 1838, when two bribery penalties of 500*l.* each were recovered against the defendant, an articled clerk of that name living here?—I think the articled clerk of that name was the Richard Smith to whom I referred.

163. That gentleman is still in existence, and in Bridgwater?—I believe so.

164. I think you have signed an election petition too besides the petition praying for the suspension of the writ?—I believe I did.

165. Which?—The petition against Mr. Westropp.

166. What year?—It would be 1865 the election and 1866 the inquiry.

167. There were two election petitions I think, a petition and a cross petition?—Yes.

168. Your petition was against Mr. Westropp. There it is, James Bryant Sully?—No, my name is George.

169. Then you did not sign it?—I am not aware whether I signed it or not.

170. I am not asking you about proceedings at poll booths or elsewhere, but, as far as your private

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influence went, did you take any part in the election last year?—During the election certainly not, nor after I became mayor.

171. When did you first become mayor?—On the 9th of November.

172. When did the election take place?—I think it was on the 16th.

173. But down to the 9th of November you had taken part?—Down to the 9th of November, when we had meetings, I occasionally attended them, many of them, five or six, perhaps; sometimes I spoke, and on one or two occasions I was in the chair.

174. And I think you said the canvassing on both sides had certainly gone on five or six weeks before the 17th of November?—I said not more than five or six weeks.

175. Then knowing, by reputation at least, who are and who are not what are called balance men, and so forth,—by which we understand persons bribing or being bribed in the borough,—it will facilitate our proceedings very much if you will tell us the names of any persons of doubtful reputation who to your knowledge were employed or communicated with on your side during the period when you took part in the preliminary proceedings to the election?—I have not any knowledge of any questionable circumstance or communication whatever.

176. I am not asking as to the persons you know who are or who are not persons of ill fame in that regard; I want to know, whether the ill fame be deserved or not, the names of persons who were employed in any way?—I know of none to my knowledge.

177. Can you give us any information as to who the persons are from whom we could get that information; that is to say, persons whose antecedents were not such as your own, which would make them indifferent to what was said of them, who were the inferior instruments in promoting the return of your candidate?—I would willingly give every information I can, but I do not see how I can answer that question, and perhaps the Commissioners will allow me to say why I do not see my way to answer the question intelligibly. There are some electors on both sides who have for many years earnestly desired that the election should be carried out in a proper and legitimate manner. I believe there are men who are as anxious on the Conservative as on the Liberal side, and there are some of those men on either side who have not only spoken and used their influence but also, as far as they legitimately could, have spent their means to further it. We had hoped, and we had good ground for hoping, that when the franchise was increased we should be able, so to speak, to influence the new class of electors so as entirely to checkmate, using a word which every one understands, what we understood to be the bane of the borough before, the old balance men, and my experience of the meetings we attended was, so far as I could gather, that there was an enthusiastic feeling in favour of the Liberal candidates, and I am bound to say that I never once during my attendance at the meetings, or in private during the continuation of those elections, heard that it was contemplated at our last election to use any other but legitimate means.

178. Did not you know at the last election a certain Henry Chapman Bussell was taking an active part in the proceedings of the election on the Liberal side?—Most certainly not.

179. Was that concealed from you?—Entirely.

180. (*Mr. Price.*) I suppose the additions to this constituency like others were of a similar class and rank in life to those supposed to have been dealt with in the shape of bribery on former occasions?—I had always the impression that the working men as a class had an element of independence which would have enabled them successfully to resist the attacks which other men had given way to, but perhaps I was mistaken. The 10*l.* householder would not necessarily belong to the working class.

181. He would be higher?—Yes, a small shopkeeper.

182. Then your experience is that the higher the station the more likely the man is to be bribed?—No; my knowledge from what I saw led me to draw the conclusion that men who live in houses of 10*l.* or 17*l.* a year were the men who were susceptible to the influence of money.

183. (*Mr. Coleridge.*) Do you mean the lower you get the purer you get?—Not necessarily.

184. I mean you draw that inference?—Yes; not necessarily. I mean there would be a stratum above all taint.

185. (*Mr Anstey.*) You think so no longer?—No.

186. You do not think the contrary?—No.

187. (*Mr. Price.*) You know Mr. Kinglake's popularity while here, and his long standing; how do you account for the fact that with this number of respectable people in the constituency he left the town in dismay about 12 o'clock thinking the election over as against himself. It is a fact, is it not, that Mr. Kinglake in the middle of the day during the contest left the town in a state of despair as to his chance?—Yes, I saw him pass through the town.

188. What was the state of the poll when he went?—I believe he was more than a hundred, perhaps two hundred behind.

189. Do you believe the constituency was nearly polled out or not?—I should think so. I think there were only 60 pollable voters not polled.

190. Then Mr. Kinglake who had been member for several years seems to have left in despair, and Mr. Vanderbyl stayed behind?—I believe he was here.

191. He did not give up all hope?—No. I did not see him during the day until the declaration of the poll, therefore I cannot say the state of his mind.

192. However, he did not go?—No.

193. (*Mr. Anstey.*) I asked you just now about Mr. Bussell, did not you know that Andrew Allan, nicknamed "Fortnight," a draper or pedlar or something of that kind, was employed or to be employed?—Certainly not. I did not know until the election inquiry.

194. Then is your ignorance on this subject accounted for by the fact that the business of the election on your side or both was not transacted at all by the nominal committee men but by the knot of attorneys who had got the matter into their hands?—I do not think you are quite right in saying the nominal committee men. I am not aware there were any committee men.

195. But it was worked by a knot of attorneys?——I should think so.

196. Then being so worked by those who were bound by professional ties, you knew nothing of what was done in an indirect fashion which they wished to conceal?—Certainly not. I should be the last to know it.

197. There is only one point raised incidentally just now. You have said the constituency was doubled by the Reform Act of 1867, has not there been a very great increase independently of that Act in the number of voters for the borough during the whole period of your recollection,—I will go back to 1851?—There must have been so, because the population in 1851 was about 3,500, whereas we have now about 13,000.

198. Have you ever had the curiosity to go through what are called the numeration abstracts in the census?—Of the population I have.

199. And the houses?—Yes.

200. Have you a recollection of 1841?—I have a memoranda in my possession as to the population in 1801.

201. They would be useful no doubt; have you them here?—Yes.

202. (*Mr. Coleridge.*) You have no personal recollection of 1801; I need hardly ask you?—No. I find the comparative statement of the census for Bridgwater is as follows, 1801 3,634, 1811 4,911, 1821 6,155, 1831 7,807, 1841 10,430, 1851 10,883, 1861 12,018.

203. (*Mr. Price.*) That is the last you have?—Yes.

204. (*Mr. Anstey.*) Is there not this omission in your memorandum, that you have not allowed for the addition to the borough, made by the Borough Boundaries Act of 1832, of the district of Eastover, or some portion of the parish of Bridgwater, which was not before that time a portion of the borough. Have not those memeranda you have reference only to the ancient borough, and not as at present bounded?—I think they include the whole.

205. Are they voters or inhabitants?—These are inhabitants.

206. Male and female?—Male and female.

207. Look again; these are extracts which I have made taken from the returns themselves, are these numbers right? in 1831 6,953 male and 6,760 female, 1841 31,793, 1851 33,185, 1861 34,397?—Those figures cannot refer to the borough or parish of Bridgwater, they must refer to the union.

208. (*Mr. Coleridge.*) What is the present number of the inhabitants of Bridgwater, the parliamentary borough?—I should think from 13,000 to 14,000.

209. (*Mr. Anstey.*) Is the parish very much larger than the borough?—Not very much larger in the population.

210. (*Mr. Coleridge.*) Did the last Boundary Commission increase the borough at all?—Yes; it included a street in the parish of Wembdon, and some addition on the eastern side of the town.

211. How many inhabitants did that bring within the parliamentary borough?—I should not think more than from 800 to 1,000.

212. And are the parliamentary and the municipal borough coterminous, or is that plus?—That is plus.

213. They are not still in the municipal borough, but are in the parliamentary?—Yes; and the parish is wider still.

214. (*Mr. Anstey.*) With reference to this question of increase of voters, have you found the result of new tenements erected since 1851, or the time you began to interest yourself in the borough, has been to bring into the borough a class of voters distinguished in anyway respecting purity, or otherwise from the rest?—I have understood so.

215. In what way?—That they were less amenable.

216. More of the working class?—Yes; I have heard so.

217. The municipal election of last year and the parliamentary election ran very close together?—Yes; one would be on the 1st of November.

218. Have you any means of getting information on this point, whether there was any corruption on either side, particularly your own, before the municipal election with a view to that, and the parliamentary election too?—I have never heard the assumption or the expression of a thought that it was so.

219. Never since the borough was a borough?—I have never known money spent on municipal elections; I have heard so on one occasion.

220. What election?—Not in connexion with the parliamentary election.

221. That is what I mean?—No; and on the last election I never heard that it was thought there was such a thing.

222. (*Mr. Coleridge.*) Before you became mayor you were town councillor of course?—Yes.

223. When first you were elected town councillor had you a contest for it?—I believe so.

224. Did it cost you anything?—No.

225. In no shape or way?—No; I was from home.

226. Is there no custom here like at some other places of giving half-a-crown or a breakfast to voters?—I have never heard of it.

227. In fact you have never heard anything about municipal elections which leads you to think there was any corruption?—I have never heard of any, and I have been four or five times councillor, and never heard of anything being spent.

228. You said there was one occasion on which there was a report of corruption at a municipal election?—I have heard so.

229. On what occasion?—I cannot charge myself with the date, but one or two townsmen contested, and then I heard drink was given away.

230. Who was the contest between?—I am trying to recollect.

231. Do these municipal elections take a political aspect? Two tories do not oppose each other, but generally it is one Liberal and one Conservative I suppose?—Generally so.

232. And it is made a political matter?—Yes; but personal also.

233. But still a political matter?—Yes it is; there are parties in the municipal contest.

234. You have not told us the numbers at the close of the day at the last election?—

235. (*Mr. Price.*) The town clerk will give us the number.

Mr. Carslake will hand it to me. (*It was handed to the witness.*)

236. (*Mr. Coleridge.*) What was the state of the poll at the end of the day?—Mr. A. W. Kinglake 731 votes, Mr. Philip Vanderbyl 725, Mr. Henry Westropp 681, Mr. Charles William Gray 650.

237. What is the whole constituency of the borough of Bridgwater?—1,484.

238. You say it was polled within about 60?—I think so.

239. At the time Mr. Kinglake left in the middle of the day what were the numbers then?—I have no power or information, and nothing in my control that would give that, because the poll books were only made up at the end of the day.

240. Do not you know as a matter of notoriety that Mr. Westropp and Mr. Gray were in a large majority in the middle of the day, Mr. Westropp 184, and Mr. Gray 129, over the Liberal candidates?—Yes, I should think so.

241. Do not you know from what you saw taking place when the increase began to come towards the Liberal members?—I think it occurred immediately on Mr. Kinglake leaving. He must have passed me in his carriage within ten minutes of one o'clock.

242. As a matter of repute, do you know to what that sudden influx of Liberal voters may be put down to?—No; I do not know of my knowledge.

243. But as a matter of repute?—As matter of repute I heard there were large numbers of men unpolled, and when they found Mr. Kinglake was gone a large number of those who determined that the election of Mr. Kinglake for the borough should not terminate went to the poll, and so reduced the minority.

244. And did not you also hear they were equally actuated by the money Mr. Vanderbyl spent?—No; I have not heard so.

245. Do you mean as a matter of repute you have not heard that large sums of money were given away between the time Mr. Kinglake went away and the time he appeared at the head of the poll?—No, I have not.

246. Do you mean that there was no report to that effect?—Beyond what I have heard in this hall, I know nothing touching the expenditure of money at that election.

247. In 1866 you signed a memorial to the House of Commons in which you charge the borough with gross practices?—Yes.

248. Do you mean that your opinion was, that the addition of a large quantity of lower-class voters to the franchise had purified the borough between that time and the last election?—I told you my opinion of the addition to the constituency, and I have been informed since that a very large proportion of the men to whom I referred voted on the last occasion without any money at all.

249. Do you mean that on the last occasion you believe the election for Bridgwater was more pure than at the time you pledged yourself to the House of Commons that it was very impure?—Yes, I have believed so, most certainly.

SECOND DAY.

Mr. G.B.Sully.

24 Aug. 1869.

250. Tell us the information out of which you made a very serious charge against the borough in 1866 when you signed your name to that memorial? —On the information contained in the briefs prepared for the committee which unseated Mr. Westropp.

251. Can you tell me at all about the number of people charged with being bribed on that occasion?—I think more than 100 certainly; perhaps more than 200.

252. Had you any information over and above what appeared in the briefs that did not come out before the Committee, as to people who had been guilty of corrupt practices?—Certainly not.

253. Then when you signed you did it upon what might have come out before the Committee, but did not come out?—Yes; what I considered making allowance for the brief being corroborated or otherwise by living witnesses.

254. There must be bribers as well as bribees. Now what number of persons at the time you signed that memorial acted as bribers on that occasion?—As far as my recollection serves me, I understood there were three or four on the conservative side who acted as bribers on that occasion.

255. What were their names?—I understood that Mr. Boys was one, and I understood that Mr. Harden was another.

256. Let us have their christian names?—I think it is Thomas Boys.

257. Is he alive?—Yes.

258. Where does he live?—I think in North Street; he is a clerk to Messrs. Reed & Cook the attorneys.

259. Who next?—I heard that Mr. Frederick Harden had been so engaged.

260. Who is he?—A baker and innkeeper; and I heard that Mr. William Heal was so employed.

261. Where does he live?—I do not know where he lives now. I saw him in town.

262. What is he?—He was an innkeeper at that time and brewer.

263. Who else?—Mr. Vesey I heard. I do not know that he passed money.

264. (*Mr. Anstey.*) The lawyer, or cattle dealer?—He is a lawyer. I heard he was connected with bribery.

265. (*Mr. Coleridge.*) Acting on that information, and also the number of people you knew or heard of as bribees on that occasion, you signed that memorial?—Yes.

266. But were not there other bribers on that occasion which you heard of?—I dare say.

267. Cannot you tell us at all that you heard of. I do not ask of your own knowledge?—I think I have heard in connexion with it the name of Mr. Temblett; he is a broker.

268. (*Mr. Anstey.*) A brother-in-law of Mr. Bussell?—Yes, I think he is.

269. (*Mr. Coleridge,*) At the time you signed that memorial did you imagine your own side was pure, or that corruption was going on?—I imagined our own side was pure.

270. Entirely?—Entirely pure.

271. And that the whole corrupt practices at Bridgwater at that election were confined to the conservative party?—Entirely.

272. I observed that you changed your mind at the late election?—Previous to that.

273. Between the time of signing the memorial and the late election you had changed your mind as to the purity of the liberal party?—Yes.

274. When did that change in your mind come about?—I made the change in connexion with Mr. Bagehot's election, or Mr. Vanderbyl's first.

275. No; because there was no election between 1866 and 1869. In 1866 you signed the memorial to the House of Commons?—Oh yes; the memorial was signed between the unseating of Mr. Westropp and the coming down of Mr. Patton.

276. (*Mr. Anstey.*) Well, that was 1866?—Yes.

277. (*Mr. Coleridge.*) Then when did you change your mind?—After the first return of Mr. Patton.

278. That would be 1866?—Yes.

279. Upon what did you ground that?—I founded it upon a statement made to me, and which was the only statement made at all on the subject, and perhaps you will think it very indefinite.

280. You had better let us have it.—I took an active part in unseating Mr. Westropp, and so far as I was able in the return of Mr. Bagehot, and about five in the afternoon I met some one.

281. Who?—I may remember.

282. Do not you know?—I think it was Mr. Henry Nicholls.

283. You are pretty sure it was Mr. Henry Nicholls?—In the excitement of an election you are not sure. I will not withhold anything I can tell you. He said to me "You know our hands are not clean." I said "No, I have not the slightest idea," and I left the town at once and went home.

284. You were so shocked that you went away?—Yes, having spent the time and money that I had in trying to influence a better basis.

285. You did not ask for any particulars of it?—No.

286. But were contented with this vague expression?—I was.

287. (*Mr. Price.*) How had you spent money in making all pure?—An election costs money, and costs us money which we subscribe.

288. (*Mr. Coleridge.*) From what you heard in 1866 you knew that your party was not pure, in 1868 did you think that they would become more pure?—I hoped the introduction of a larger number of working men into the constituency would give us an element of purity sufficient to stem the repetition of occurrences which some had deplored.

289. Then you think the 10*l.* voters would be purified by those coming in?—I had hoped that the working men would exercise an influence over the venal men.

290. You mean that it would have made it impolitic to bribe the 10*l.* householders?—Impossible.

291. (*Mr. Price.*) It would take too much money?—Well, I hoped they would not be subject to the temptation.

292. (*Mr. Coleridge.*) Before 1866 you thought the liberal party quite pure?—I think you will recollect that I said I did not take any active part in the Liberal election till 1865.

293. As to 1865 you say until you were shocked by what you discovered you thought the Liberal party were pure?—Certainly.

994. As to elections in which you did not take an active part, former elections, had not you heard of impurity on the part of the Liberals as well as Conservatives?—I had.

295. Then I am to take it that until this 1865 election the Liberal party had been pure as compared with the Conservatives before?—I understood that previously to 1865 there were improper practices on either side.

296. Your opinion was that the 1865 election was pure on the Liberal side until your mind was disabused of that idea by this Mr. Nicholls?—No, it was pure as far as I know; it was the 1866 one that I had this information about.

297. Then you believe the 1866 election was pure until you had this conversation?—Certainly.

298. You said there were several people anxious for purity in the borough?—Yes.

299. You have not told us whether any of the lawyers were among them?—No; but I have no objection to tell you all about it.

300. You have given us the names of 8 or 9 solicitors, but I see there are 18.

301. Is Mr. Benjamin Tuthill Allen one?—He resides at Burnham, and is not a Bridgwater man, and I have not known him to interfere.

302. Has he any property in the town?—Not that I am aware of.

303. Mr. Henry Peter Amber?—He is a partner with Mr. Ruddock. I have not known him engaged in elections.

304. On which side is he ?—The Conservative side.

305. Charles Robert Bate ?—He is son to Mr. Bate. I am not aware that he acted improperly.

306. William Carvill Boyle we have heard of ?—No, I have not heard of him, but he has recently come into the town, and succeeded to Mr. Smith's practice.

307. Mr. Richard Brice ?—I think that gentleman resides at Burnham.

308. I suppose he has a vote here ?—I think not.

309. Mr. William Brice ?—Yes.

310. James Cook junior ?—He is a partner with Mr. Reed.

311. Edgar Haviland ?—I named him.

312. Arthur George Pain ?—That is the gentleman I referred to.

313. Gabriel Stone Pool ?—He is a Bridgwater man. I have never known him to act politically.

314. Which side is he in politics ?—I should call him a Conservative Liberal.

315. Which side does he vote ?—I do not think at all.

316. Then Paul Octavius Reed. Is he the gentleman you have referred to ?—Yes.

317. Mr. John Ruddock ?—Yes.

318. Mr. Richard Bealy Smith ?—Yes.

319. And Mr. John Trevor and Mr. Vesey. Those exhaust the lawyers. Amongst the people anxious to purify the borough can you name any one of those who has been anxious in his attempts to do it in the same way as yourself ?—Yes. In the petition against the return of Mr. Westropp in 1865 the professional men were as active as we were.

320. In what way ?—They subscribed money to further the petition, and procured the evidence on which the briefs were founded.

321. You mean that they subscribed in carrying out the petition against their own political enemy ?—They did.

322. You used the expression "to purify the constituency." Were any steps taken or meetings held ?—Yes, and some declined to subscribe until they had distinct assurance from the professional men who were present that if this matter were prosecuted the Liberal party would never again be placed in any similar position.

323. Did any of these professional gentlemen make speeches ?—Pledged themselves of course.

324. That was to protest against Mr. Westropp ?—And, as far as the Liberal party were concerned, that no practices of an improper character should ever again be followed.

325. And that, unfortunately, they did not keep on the last occasion ?—I am afraid they did not.

326. Did any of the professional gentlemen sign the memorial to the House of Commons praying for the inquiry in 1866 ?—I do not know who signed the petition.

327. Is it a fact that in all political matters here the solicitors are banded on one side and the other, and the destinies of the borough remain with them ?—They are largely.

328. In fact, the borough is in the hands of the lawyers ?—It is an expression which some of us used.

329. (*Mr. Price.*) If there were no lawyers you think the borough would be pure ? If you got rid of the legal gentlemen you think Bridgwater would be a pure borough ?—Must I answer that question ?

330. (*Mr. Coleridge.*) Yes, the Mayor of Bridgwater's opinion is a valuable one on that subject; would it be pure in that case ?—I do not say so. I have had more experience of human nature lately than previously.

331. How many solicitors were actually employed as paid agents on the last occasion ?—I am not aware.

332. (*Mr. Price.*) Do you know any one who was ?—No.

333. Did all the solicitors vote ?—I believe so.

334. What ! those who were paid ?—I am not aware that any were paid.

335. What became of Mr. Vanderbyl's money ?—I remember having a conversation with one solicitor on the subject. I am not aware whether Mr. Barham or Mr. Lovibond, prior to the election. I know the impression on my mind was that the agents were acting disinterestedly without pay.

336. But from your knowledge of human nature you would not think they would work for nothing ?—I am obliged to believe their statements.

337. However, you do not know of any particular agent ?—No.

338. Is not there any one in the return of expenses ?—I think not.

339. I hold in my hands the returns. Is no other agent mentioned ?—No, I have not examined the previous ones. They have not come into my hands.

340. (*Mr Coleridge.*) There is one answer which you gave which was not followed up. You say on one occasion you were present, and only on one occasion, when you actually saw money paid for bribery ?—Yes.

341. Will you give an explanation of that ?—I was in the committee room in Fore Street when Sir John Shelley and Mr. Kinglake were candidates.

342. That was the pure year ?—Yes ; as far as the Liberal side went.

343. What took place ?—I saw one or two men, who afterwards gave evidence in London, come into the committee room, and hand over the money they had received for their votes to some one of the Liberal party. I believe to Mr. Lovibond, or his clerk.

344. What were their names ?—Mr. Cooze is one.

345. Is he alive ?—No ; and Mr. Staples was another.

346. Did you hear it stated whom they received that money from ?—Yes ; I think I heard them state it. At any rate I heard them in London before the Committee state that they both received the money from Mr. Boys. I am not quite sure.

347. That was the only time you have guarded yourself that you have actually seen any of the money pass in bribery ?—Yes, it is.

348. Has it been the habit in this borough to subscribe anything towards the expenses of members ?—I have always understood they have borne their own expenses.

349. Do you know what sum of money Mr. Vanderbyl spent at the last election ?—No.

350. Or before ?—No, not the slightest.

351. You say in 1865 there was only a nominal address from Mr. Edwards ?—Yes.

352. Is that Mr. Edwards a solicitor of London who afterwards stood for Barnstaple ?—I do not know ; but his family reside at Rington.

353. Is he the Mr. Edwards who rents Brockley Coombe ?—Yes ; I think so.

354. (*Mr. Anstey.*) With reference to a question which was put by Mr. Coleridge with regard to the signatures, and the part the attorneys took, you spoke of the part taken by the Liberal attorneys in promoting purity of election after Mr. Westropp's return in 1865,—you know there was a petition presented to the House of Commons,—did you say that the Liberal attorneys signed that petition, or were instrumental in getting it up ?—Yes, certainly.

355. For the suspension of the writ I mean ?—I do not know about that.

356. I have an office copy from the Journal Office of the House of Commons of that petition, and the addresses, and I find the two attorneys who signed it ?—Yes ; I am not aware who the attorneys were.

357. Mr. Eustace Barham and Mr. James Cooke, junior ?—Yes.

358. Is the name of either of those gentlemen connected with the borough, by report or otherwise, with certain proceedings for raising 3,000 guineas, to be spent in facilitating or otherwise in promoting the return of Mr. Vanderbyl and Mr. Kinglake at the last election ?—It is the first time I have heard of such a sum or such a fund.

359. Have you ever heard their names mentioned in connexion with it ?—No ; never.

SECOND DAY.

Mr. G.B.Sully.

24 Aug. 1869.

360. With the statement that at the last election it was for procuring the return of Mr. Kinglake representing one section and Mr. Westropp as representing another section of the Liberal party?—I know they were actively engaged for that gentleman, certainly.

361. With regard to this resolution you speak of at the meeting not to indulge in these practices, that was not followed, unhappily, at the last election, you say; I will read this to you, and you will stop me at any name that occurs to you as having been mentioned to you as that of a person engaged either as briber or as bribee, it matters not which, engaged in corrupt practices at the last election two years after signing this petition. I will read them over: "J. L. Seeley, "banker, George Rowe, grocer, W. L. Winter- "botham, bachelor of medicine, G. B. Sully, mer- "chant and shipowner, James Haviland, surgeon, "I. R. Richard, goldsmith, Thomas Collins, cheese- "factor, William Hurman, draper, Henry Collis, "pastrycook, William Jones, schoolmaster, Ambrose "Dyer, nursery and seedsman, Andrew Allan, "draper"?—I heard his name at the last inquiry.

362. Is this Andrew Allen the same man who is reported by the Honourable Colin Blackburn, the judge at the trial of the last election petition, to have absconded and defrauded justice of his evidence?—He is.

363. (*Mr. Price.*) Has he returned?—Yes; I have seen him in the town recently.

364. (*Mr. Anstey.*) "William Bowling, tallow chan- "dler, William Plowman, accountant, Edwin H. "Burrington, leather merchant, G. Rossiter, silver- "smith, Charles Head, wine merchant, Richard "Hurley, butcher, John Hodge, railway carrier, H. "J. Rich, bootmaker, Fred. Walters, butcher, Charles "Hunt, shipowner, W. J. Holland, merchant, Charles "Bulpin, accountant, Thomas Towells, shipowner, "John Beale, organ builder, J. J. Allen, accountant, "John Browne (J. P.), merchant, &c., Alex. Thomp- "son, ironmonger, Alfred Nicholls, draper, &c." Is that the Mr. Nicholls who told you he was afraid your hands were not clean?—No.

365. Is it his brother?—It is his brother.

366. "J. B. Hammill, merchant, John Prior, "banker, Thomas Searle, builder, Thomas Redman, "cellarman, Alfred Bounsall, accountant, J. W. Pri- "deaux, surgeon dentist, Henry Bryant, coal merchant, "Robert S. Ling, accountant, John M. Clavey, "potter, James Warn, harbour master, Charles "Hydon, accountant, James Sealy, stoneman, Thos. "R. Richard, shipowner, James Alway, grocer, John "Pitman, butcher, James Budd, grocer, &c., John "Bunter, plumber, &c., Henry Brook, surgeon, "&c., E. Murch, gentleman, Fred. Hodge, baker, "S. C. Jones, tailor, James Richards, porter, Isaac "Lay, bootmaker, Wm. H. H. Akerman, music seller, "James Wood Sully, coal proprietor and merchant, "Eustace Barham, solicitor, Alfred G. Barham, "merchant, James Cook, junior, solicitor, Joseph "Palmer, agent, Joseph White, glover, &c. Wm. "Pine, gentleman, J. J. Calman, wine merchant, "George Bond, bootmaker, C. H. Lott, draper, "R. O. Barkwell, wholesale grocer, Thos. Parminter, "grocer, George Bond, jun., bootmaker, John Roberts, "coach builder, William H. Roberts, coach builder, "Edwin Roberts, coach builder, Edward H. Jones, "independent minister, James Dartridge, chemist, "Wm. Young, yeoman, John Bownsall, independent "minister, H. C. White, accountant, Thomas "Mauchip, cabinet maker, A. C. Parsons, accountant, "Paul S. H. Reed, solicitor." I was wrong. There were three solicitors who signed this. The question I put to you just now with reference to Mr. Cook and Mr. Barham, I will put to you with reference to Mr. Paul Reed. Has his name been mentioned in your hearing in connexion with any corrupt practices, or fund for procuring the return of Mr. Kinglake and Mr. Vanderbyl in 1868?—No; I have not heard any of the names that have been alluded to except Andrew Allan, and I have not heard any definite statement with reference to any of the legal gentlemen you have mentioned with regard to any improper practices at the last election.

367. I should like to have from you any indefinite statement that you have heard?—I have heard that improper practices obtained at the last election; and I have known that the gentlemen whose names you have now read acted more or less in the interests of the candidates on that occasion. Of course, the inference to be drawn is that they have more knowledge than I have.

368. You refer us to them?—Certainly.

369. (*Mr. Coleridge.*) Was that a petition entirely got up by the Conservative party?—Entirely.

370. (*Mr. Anstey.*) After Sir Harry Verney presented the petition, the signatures to which I have just read to you, it is stated, in what I call an answer to the petition, signed by 820 persons, alleging themselves to be electors and other inhabitants of the borough of Bridgwater, that the petition to which theirs is a reply is, both with regard to its spirit and prayer, "in direct opposition to the wishes and feelings "of a very large majority of the electors and others "inhabitants of the town of Bridgwater of all shades "of political opinion," and therefore they pray that the writ may issue, and the writ did issue accordingly, and the election took place at which Mr. Patton was returned. Now do you know anything of that petition signed by 820 persons, presented by Mr. Gore Langton, a few days after this was presented?—I knew nothing of it. I never heard of its having been presented, and I know nothing of the petition nor its prayer.

371. Signed by Mr. J. R. Smith?—Yes.

372. He was a pawnbroker?—He was, but he has retired.

373. John Atlye?—The name does not occur to me at all.

374. That probably is a fictitious name, or is it a misprint?—A misprint I should say.

375. And John Trevor, he is one of the solicitors?—Yes.

376. And 817 more, whose names do not appear. Now, do you happen to know, or have you heard, that by some extraordinary means the original of that petition has been removed from its place in the Journal Office of the House of Commons and is not now to be found?—I have not heard it till this minute.

377. Can you tell me how many of these 820 persons, according to your belief, were bonâ fide electors, and how many were inhabitants, not electors?—No; I have no knowledge on the subject. I neither saw the petition being carried round nor do I know anything of it. I was in communication with Sir Harry Verney at the time and heard that a counter petition was to be presented.

378. It was presented on the 18th or 20th May 1866?—Yes.

379. Now, is it true, or is it not true, that your petition, the one that you signed, was in direct opposition to the wishes and feelings of a very large majority of electors of all political opinions?—I should have said not. I should have said it was in consonance with the feelings of the majority.

380. They were in favour then of the suspension of the parliamentary writ, and of any inquiry like that which is now taking place?—I should say so.

381. Now, with the exception of this petition, and of the meeting or meetings which you have spoken of, at which it was determined (though the determination was not kept), to involve the Liberals no more in these practices, is there anything whatever you can think of or remember which the Liberal party can give themselves credit for, or the Conservative party either, in the way of active steps to put down the corruption of the unsound portion of the community, in the whole period of your recollection?—I could point to the formation recently of two working men's associations which I thought were in that direction. I think there were associations in communication with the Conservative and associations in communication with the Liberal party.

382. And both of them were established at public houses?—I do not know. I believe not.

383. I believe it is in evidence, is it not, before Mr. Justice Blackburn?—I do not think so. I think the working men met at a private room in Gloucester Place. I think most of their meetings were there.

384. I will refresh your memory. Do not you know one of the cases which was proved against Mr. Vanderbyl and Mr. Kinglake on the last occasion was the bringing up 27 navvies from several public houses, one of them called the "Neptune," or some such name?—I do not think you have taken my answer. The Conservative working men usually met at a private room. I believe the Liberal working men met at large public rooms. I attended three such meetings at such rooms, and therefore I know those meetings were held in those large rooms; and I also know the rooms were detached from the house, and there was no drinking, or anything going on, as far as I know.

385. You were only there three times?—Yes.

386. And they were adjoining the public houses?—They were adjoining the public houses, the most of them.

387. Do you not know that on the inquiry before Mr. Justice Blackburn the learned counsel who conducted the respondent's case, that is Mr. Vanderbyl's case and Mr. Kinglake's case, abandoned the defence of the seat upon the evidence, inter alia, of the acts done at those very rooms, or some of those rooms of which you speak, at which the Liberal working men's associations were marshalled or mustered?—Well, if it is so, I was not aware of it. I understood that the defence of the seats was given up in connexion with the evidence which implicated a house kept by Henry Chapman Bussell and his dealings, and also some transactions of Andrew Allan's which were alleged to have taken place at an inn called the "London" inn at Eastover, neither of which houses, as far as I know, were connected with the working men's associations.

388. Do you know, as a matter of notoriety, that many of these attendants at Conservative meetings which met in private halls, notwithstanding they were Conservative, voted at the last election for Mr. Vanderbyl?—No; I never heard it.

389. Have you never heard that a large number of those who returned the two sitting members were composed of Conservative working men?—No, I have not.

390. Is there anything else which you can mention, in the whole course of your experience, in which either the Liberal party or the Conservative party claimed credit for a demonstration of their sincere wish to put down this frightful and demoralizing practice of corruption and bribery at Bridgwater?—Some years ago, before I took a part, there was some association formed for that object I believe, and it was for that purpose that Lord Henley was brought down.

391. How long did it last?—I think not a year.

392. (*Mr. Coleridge.*) Could Lord Henley succeed?—No.

393. He could not get in upon principle?—No, he did not.

394. (*Mr. Anstey.*) I will make my meaning more clear. In the blue book, containing the reports of the last election and the next trial before that, and the former trials,—for instance, the penalties action trial at the Taunton Assizes,—a number of public houses, as you have heard, figured as being the permanent seat of these transactions; the "Clarence" on the one side and the "Globe" on the other, and the "Golden Anchor" on the one side and some other house on the other. Have you heard of the magistrates or justices having ever refused the licence in respect of any one of these houses because of the corrupt practices proved at the trial to have taken place?—No, I never have.

395. Have you ever heard of a single movement made by a Liberal or a Conservative purist, or anybody, for the purpose of getting the licences of those publicans stopped?—No, I have never heard of it.

396. Have you ever heard of a single clergyman of the Established Church, or a single dissenting minister, whose duty it is, it is said, to supply zeal wanting in the establishment, preaching against such practices?—Yes.

397. Where, and when?—I have heard that at St. Mary's church (the parish church), prior to the last election, an admirable discourse in that direction was delivered by the acting clergyman (the vicar having been unwell), and I know in some dissenting places in the town it has been the practice on more than one occasion to speak exceedingly plainly against improper practices.

398. Was this a solitary case in the Established Church, the sermon you speak of?—I never heard of more than that one prior to the last election. But, as I do not attend the Established Church, I cannot say anything about that; it is very possible it was not a single instance.

399. Taking the dissenting chapels, how often have you heard it there?—I have heard it in dissenting chapels on the last two or three elections certainly.

400. (*Mr. Coleridge.*) What chapels do you attend?—I attend regularly a congregational chapel.

401. (*Mr. Anstey.*) Did it strike you, when I read over this petition, that amongst the names there are the names of two dissenting ministers of religion who signed this, Mr. Jones and Mr. Bounsall?—Yes, I noticed that their names were there.

402. I will ask you therefore, can you form any conclusion as to the amount of zeal on this subject existing amongst ministers of religion generally against these practices, there being only two signatures, and this being the only petition on the subject?—I believe there is a very proper feeling actuating the minds of all the clergy in the town in connexion with this matter, and that they would do anything that lay in their power to improve the moral condition of the borough. I cannot give you any direct evidence for the foundation of that feeling in my own mind, beyond the opportunities I have had of conversing with ministers both of the Established Church and of dissenting places in the town, and, to some extent, testing their feeling upon the matter.

403. Now one question on this subject, as to the persons whose names you have heard,—Andrew Allan, Henry Chapman Bussell, and many others, not to speak of the attorneys,—has any one of them, to your knowledge, lost much weight or credit in the borough by reason of his name having come out in connexion with this notorious bribery and corruption?—Yes; I should say they all have.

404. In what way have they suffered?—They have suffered in reputation.

405. Nothing else? Have they lost a single customer or client?—I cannot say.

406. (*Mr. Coleridge.*) There is one thing I omitted to ask you. You have said, prior to the election of 1865 you thought the Liberal party were pure?—And during the election of 1865.

407. And during the election of 1865 I was going to say. During the election of 1859 do you know of any illegal expenditure having been made by them on behalf of Mr. Kinglake?—No, I do not.

408. Have you ever heard that a sum of 1,100*l.* and odd were paid, other than the legitimate expenses, by his agent, Mr. Bate, out of his own pocket?—No, I never have.

409. Do you mean you have never heard it currently reported in Bridgwater that a large expenditure to that amount was made on behalf of Mr. Kinglake in the election of 1859?—No, I have not.

410. And if Mr. Kinglake said he had made an expenditure of that money would it be entirely a matter of surprise to you?—Yes.

411. And do you think it would be the same to the generality of electors in the borough?—Yes.

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412. You never heard of anything of the kind ?—No.

413. You stated you were made a mayor on the 9th of November, and when you were made mayor you gave up all participation in the election during the preceding weeks. Had you the canvassing ?—No.

414. Did you employ anybody ?—No.

415. How many persons have you in your employ, or under your influence, who have votes ?—I should think 8 or 10.

416. Did not you canvass any of them ?—No.

417. None ?—None.

418. Did they all vote for Mr. Kinglake or Mr. Vanderbyl ?—No.

419. How did they vote ?—Some voted one way, and some voted the other.

420. I suppose, in consequence of your being about to become a mayor you took as little part as possible in the election ?—I have never spoken to anybody about the way in which they should vote.

421. (*Mr. Anstey.*) Is Mr. Joseph Smith the lawyer or the alderman ? — Mr. Joseph Richard Smith is the alderman.

422. (*Mr. Coleridge*). Are there any balance men in your employment ?—Yes.

423. (*Mr. Price.*) Are those balance men, who wait to turn the scale ?—Yes. They are supposed to be amenable to the weights.

424. They wait till they are wanted ?—Yes.

425. You know what election tactics are. Is it not one of the cardinal principles of electioneering tactics that the candidates shall be put as early as possible at the head of the poll, in order to have a great moral effect ?—Yes. I have always heard that it has a great moral effect.

426. And you have heard Mr. Kinglake had men working for him on this election, as on the last elcction ?—Yes.

427. And although you heard there were a great number went up to poll for him, and others also waiting to turn the scale, and notwithstanding you knew those were the usual tactics, did you believe that Mr. Kinglake's strong supporters voted for him, although he was in such an immense minority as you have stated ?—No. I do not know that I should explain exactly so.

428. I should like you to explain to me how you account for the fact that Mr. Kinglake having been a member so long, and having active electioneering agents likely to pursue the prevailing electioneering tactics, should get into so great a minority in the early part of the day and which was turned into majority by men whom you say were merely waiting ? —Yes ; speaking of my experience up to and prior to the 9th November, I considered Mr. Kinglake and Mr. Vanderbyl, the Liberal candidates, would have had a very large majority ; I held that opinion, and I had no reason to alter it. I had nothing to alter it until after the election, and nobody was so much surprised as myself to find that the Conservative candidates had so large a majority at the early part of the day. I have asked for information on the subject, and I have not got much ; but I have been told,—or whether I have heard it by rumour I do not know ; if you asked me who told me I could not say ; I would say if I could do so,—that a large number of the Conservative party voted early who were promised money, and that the others received intimations, either from those who had received those monies or by the other side, that if they would wait they would be paid, and that accounted for the delay in the polling on the other side.

429. (*Mr Price.*) And that being the way you account for the state of feeling in the borough, have you the slightest doubt that the minority of Mr. Vanderbyl and Mr. Kinglake were turned into a majority by the influence of money ?—I have come to feel, and I have tried to feel, that if these things were going to work in that way, that the fact of Mr. Kinglake's leaving, and the certainty of no money being forthcoming, had an influence in inducing them to vote.

430. You say there was a general rumour in the borough that the Conservative party had on the promise of money voted early, and that that was made to the working class generally. Have you any doubt that Mr. Kinglake's minority was turned into a majority in a similar way, by promises of money or the actual receipt of bribes—can you tell me that ? Having told me the strong impression you have as to what was done on the other side, can you say whether the fact of the minority being turned into a large majority was in consequence of promises held out, or the actual paying of money ?—I have told you the conviction I have formed, and that is strengthened by the information I have received, that that is the fact, strange as it is.

431. What is the fact you allude to ?—That the men went up when Mr. Kinglake had gone. I know the great majority went privately, because it is proved ; but the great majority went up after Mr. Kinglake left, to vote for him, having disappointed or misled him.

432. (*Mr Coleridge.*) And his sudden flight induced them to vote ?—Yes.

433. (*Mr. Price.*) How was he misled ?—By some information. Some intimation was sent to the Liberal candidates that some money would come, and all they had to do was to wait.

434. (*Mr. Coleridge.*) All they had to do was to wait ?—Yes.

435. And as they were true patriots they were to wait and vote, and accordingly they went up and voted for nothing ?—Yes.

436. (*Mr. Anstey.*) Is it not the practice at nearly all the elections, or some of them, that a man, a venal voter we will say, goes and votes for nothing, and that if "anything is to go on," to use the cant phrase of the borough, he is to have precisely the same amount as the venal voter who does not go up till the end of the day ?—That is not my experience. My experience is the other way.

437. Do you mean to say you do not know that in the last election trial before Mr. Justice Blackburn it was deposed that that was the depraved practice of the borough, namely, that if a man was asked to go up and vote, and said, "Is there anything to go on ?" the answer invariably was, "Yes, there is," or, "If there is, you shall have your money all the same" ?—I know it was so said, but all my experience is the other way.

438. I ask you whether it is not notorious in the borough ?—No, it is not notorious.

439. Tell me the name of one witness who deposed to that ?—I do not remember his name, but it was in the court a man said he was down at the Bathbridge Inn where this conversation was alleged to have taken place ; and that is the only case I remember this statement to have taken place.

440. Which election was this ?—The last election.

441. "If there is anything going on you shall have your share" ?—Yes.

442. You say you never heard of it before ?—No.

443. You are not aware that it was deposed to by at least 30 or 40 witnesses at the last election of 1866? —I am not aware of it.

444. You will not swear it is not the depraved custom to give money in that way ?—No ; I only speak as far as my own knowledge is concerned.

445. I am speaking of your knowledge of the notoriety of it ?—I speak from my knowledge of the party.

446. (*Mr. Coleridge.*) Is there no class of men, as was disclosed in the course of the Totnes Commission, a sort of matter-of-course men, who, if they had once taken money, received it afterwards as a sort of reward ?—I do not know.

447. (*Mr. Anstey.*) As regards yourself, you are the owner of ships, or small craft ?—Yes, I am.

448. The captains are, for the most part, all of your political persuasion ?—No ; some vote one way, and some the other.

449. Do you know that you have authorized or allowed Mr. Bussell to fetch men in your employ from your vessels in order to vote ?—No.

450. You have never authorized him ?—No.

451. Has he done so ?—Not that I am aware of.

452. Do not you know that it came out before Mr. Justice Blackburn ?—No ; it was not in connexion with my vessel.

453. (*Mr. Price.*) I will just call your attention to Mr. Justice Blackburn's report to the House of Commons. Mr. Justice Blackburn says, "I am sorry to "say I must come to the conclusion that corrupt "practices have extensively prevailed. The evidence "has satisfied me of this, that a very considerable "portion of the voters in this borough were, during "the day of the election, making inquiries in the "phrases which have been used, 'Whether any-"thing was going' 'What stuff was going' and "phrases of that sort." Now, does that remark strike you as being quite inconsistent with your knowledge of the state of the town on that day ?—I took exception to it as soon as I saw it in print. Of course, I must not put my judgment at all in comparison with his lordship's, but it did not strike me, having heard all the evidence here, that that was corroborated by all the evidence here. Of course I was a partial listener, and he was an impartial listener.

454. (*Mr. Coleridge.*) Is it not a part of your electioneering experience if a man spends a large sum of money at one election that that serves to do him some service in an ensuing one in the hope that that would be repeated ?—I should think it would ; but I have not heard it.

455. And do not you believe that if Mr. Kinglake spent something like 1,100*l.* in 1859 that that would have enured to his benefit in 1865 ?—Yes.

456. Should you not say, as a mere matter of common sense, that if 1,100*l.* was spread about the borough in corrupt practices in 1859 that people would expect something of the same sort in 1865 ?—Yes.

457. And I think you have said this is the first time you ever heard that such a sum was spent by Mr. Bate, his agent ?—Yes, certainly.

458. (*Mr. Price.*) In order to get on our notes what is the nature of the constituency, are there any freemen here ?—There were some scot and lot voters, no freemen ; they are now all absorbed in the new franchise.

459. The additions made by the last Reform Bill would be the addition of a class of men who had been formerly freemen, or scot and lot men ?—Yes, there were 31 scot and lot men at the last election.

460. Were they not freemen at all ?—No ; scot and lot.

461. When did they cease to exist as a distinct body ?—At this last election.

462. They then became merged in the general household suffrage ?—Entirely.

463. But before then there was a class of voters who were scot and lot voters ?—Exactly.

464. As I said just now they were the working class, not 10*l.* householders ?—Not entirely.

465. I mean a great number ?—Yes ; they were men who occupied a different position in life than they did at one time.

466. They are all householders now ?—Yes.

467. (*Mr. Coleridge.*) Any potwollopers ?—No.

468. I thought there were freemen before the Reform Bill ?—There were freemen before the Reform Bill.

469. They were abolished ?—Yes.

470. I think not. The rights of existing freemen were observed and so on ; they will go on from father to son, providing they serve the apprenticeship, and take up the freedom. I want to know whether there is such a class as that in Bridgwater ?—No, there is only the ordinary class who will come in under the ordinary franchise. There were 31 before the last election who were entitled to vote scot and lot.

471. (*Mr. Coleridge.*) They have been gradually diminishing. In 1859 do you know how many scot and lot men there were ?—In 1859 there were 70 scot and lot.

472. And in 1865 ?—45. In 1866, 41.

473. What was the constituency in 1859 ?—In 1859 there were 614.

474. And can you tell us how many voted for Mr. Kinglake at that time ?—279.

475. Then the constituency was not polled out on that occasion—not anything like ?—No, they could not be I suppose. The two larger figures are for Colonel Tynte and Mr. Padwick, 290 and 230.

476. And the sum of money which was spent would have to be divided between 279 voters at the outside ?—Yes.

477. (*Mr. Anstey.*) Can you tell us what is meant by the Bridge Committee of the Conservative Committee, and what is the number of it ?—No. I know it is the Conservative committee.

478. Does it entirely consist of lawyers ?—I do not know. I should say not.

479. Lawyers and land agents ?—I do not know. I know Mr. Joseph Parker and others met on those committees.

480. Why is it called the Bridge Committee ?—I believe it was in connexion with something in reference to the bridge.

481. What was the object of that petition to the House of Commons ? You petition, as you state in this petition, with reference to the corrupt practices. What was the object you sought to get at ; was it to get a commission to issue, and the disfranchisement of the borough ? When you presented that petition in 1865, when you prayed the House of Commons to issue a commission to inquire into corrupt practices, was the object of your party at that time, if the corrupt practices were proved before the commission, that the borough should be disfranchised ? Had you any idea that it would disfranchise the borough ?—We wanted the borough to be purged.

482. How do you mean "purged" ?—We had an understanding between us, that as long as corrupt practices were carried on on the other side we would petition.

483. I know you asked the House that a Royal Commission should be issued ?—Yes.

484. Such as that which is now sitting ?—Yes.

485. And had you in your view and were you aware of the Royal Commissions at Totnes, Yarmouth, and at Reigate ?—They are all recent.

486. At Sudbury and St. Albans ?—Yes.

487. (*Mr. Coleridge.*) Gloucester, where the writ was suspended for five years ?—Yes.

488. (*Mr. Price.*) Did you know that it would lead to the disfranchisement of the borough ?—Of course it was in our minds, but not hoped for or desired—only the disfranchisement of the bribees.

489. The disfranchisement of a certain number ?—Yes, or a Commission issuing.

490. If Mr. Justice Blackburn had found there was extensive bribery and corrupt practices in the royal borough, from your experience of the previous Commissions did you doubt that that would lead to the disfranchisement of the borough ?—Yes, very much.

491. Why ?—Because I thought our borough was not very different from other boroughs, and to expose the black spot was to cure it.

492. Do you know anything of the ancient history of this borough ?—I know something of it.

493. You speak of your borough as not being worse than others. Is it true or not that it has always had an unenviable notoriety as to corrupt practices ?—No.

494. As much as 200 years ago ?—I know there is some reference to it 200 years ago.

495. (*Mr. Coleridge.*) When these endeavours were being made to establish a system of purity between 1859 and the time you have spoken of had you at

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any time any communication with Mr. Kinglake on the subject ?—Personally not.

496. Had the Committee, or the managers, to your knowledge ?—I do not know.

497. Did he take a part ? Did you ever hear him, by speech or letters or in any way, express a hope that the place would be purified ?—Yes.

498. Was that between 1859 and 1865 ?—It would be from 1865 to 1866.

499. And can you give us any particulars of what part he took in that ?—I believe, so far as one can judge from the outward action of the parties, that he was as anxious as we were. He knew the object for which we had subscribed, and the object for which we were working. He appeared to assist us in every possible manner.

500. But did he, either directly or indirectly, throw out to you that he had to pay 1,100*l.* during the election of 1859 ?—Never.

501. Did Mr. Bate take any part in the election ?—Yes.

502. And I suppose Mr. Bate never told you anything about the part he took in it ?—No.

503. And you never heard it till to-day ?—No.

504. (*Mr. Anstey.*) Have you ever heard that the great authorities Serjeant Merewether and Dr. Stephens, in their history of the borough, state that all records of the borough are wanting until the year 1710, so that what we know of the borough is certainly not very pure in the 18th century, and not very pure in the 19th century ; and have you heard of Oldfield's work on the state of the borough in 1816 ?—No, I have not.

505. Do you recollect a very important petition, the last effort possibly of expiring purity in this borough, a petition presented by the late Sir Henry George Ward, then member for St. Alban's, signed by 156 out of 568 then registered voters, immediately after the general election ?—No.

506. Classified according to profession and trade ; does not your recollection go back to 1838 ?—I have no recollection of any incident of that sort.

507. You do not remember that there was a considerable discussion in the House of Commons on that subject, and it was withdrawn to enable an election petition then pending to be tried ?—No.

508. Do you remember the period when Mr. Ayshford Sandford respresented this division of the county of Somerset ?—Yes.

509. Do you remember Mr. Ayshford Sandford presenting a petition some time after this, by Mr. Parrott of Middlesoy, now dead, complaining that the state of the borough was so bad that it affected the neighbouring places, so that they who never before asked for a bribe now asked for one, saying they desired it inasmuch as the voters of Bridgwater were bribed ?—No.

510. Assuming these facts, do you still adhere to your answer that Bridgwater does not possess an unenviable notoriety as to bribery ?—You have much more information than I have on the subject, but that is the opinion I have formed as to this borough compared with other boroughs. I do not wish to add anything.

511. (*Mr. Coleridge.*) This 1,100 and odd pounds has come upon you by surprise ?—Quite so.

512. (*Mr. Price.*) You know that when Mr. Patton came down as lord advocate Mr. Kinglake deprecated a contest ?—I have never heard so.

513. But it was quite against his wishes that Mr. Vanderbyl should be introduced to the borough ?—I have heard Mr. Bagehot has done so.

514. Mr. Bagehot objected to Mr. Patton's being opposed after his having so recently obtained office ?—Yes.

515. Who introduced Mr. Vanderbyl ?—I believe Mr. Henry Lovibond and Mr. Eustace Barham.

516. They went up to London for a candidate ?—I believe so.

517. Mr. Bagehot had declined ?—I believe so. I have already explained how it was that I left off taking any active part.

518. Mr. Bagehot declined to contest the borough against Mr. Patton, and in consequence did these two legal gentlemen go up to London to get a candidate ?—I believe so.

519. The last question I have to put to you, is not put to you as a matter of form, and it is one which I put to all the witnesses on this inquiry, and that is, have you any further information from your knowledge and belief to give to us ? I put it to you, not as a matter of form, because, at the end of this inquiry, if we have reason to believe (which I trust we shall not have) that you had other information to give us but which you withheld, it will place you in a different position from other witnesses who have given us all the information they are possessed of ?—I have no wish to keep back anything. On the contrary, I wish to give the Commissioners the most full and perfect information that I can possibly give them on this matter, so that they make a good and complete deliverance.

Adjourned.

(*Mr. Sully.*) I wanted to make an observation to the Commissioners before they proceed further. The statement which I have to make, and which is rather in the form of an application, is that I have endeavoured to answer all the questions that have been put to me to the full extent of my recollection and knowledge. While I have endeavoured to answer all the questions that you have put to me, and also to give all the information that occurred to me at the time of my examination, I wish to ask whether, should anything occur during the progress of the inquiry which has brought to my recollection circumstances that I have omitted, or any other matter which might tend to elucidate the inquiry, I may be permitted to give such further information.

(*Mr. Price.*) Certainly.

520. (*Mr. Anstey.*) If you happen to have recollected anything since we adjourned you had better let us know.

(*Mr. Sully.*) I have not. I understood from the Commissioners that my examination was to a certain extent completed.

521. (*Mr. Price.*) All I wished to say was that we hoped you had given us the fullest information. If during the course of this inquiry you recollect anything that you had not present to your mind when you were examined to-day you are perfectly at liberty to state it. It will add to the completeness of our inquiry.

(*Mr. Anstey.*) I think it right to say for myself, speaking solely and entirely for myself, it will detract very much from the value of any information if it should happen we have already obtained it from any other witness.

(*Mr. Sully.*) Of course, I feel so.

Mr. John Hawkey Bingham Carslake called.

Mr. J. H. B. Carslake.

422. (*Mr. Coleridge.*) We won't swear you for the present ; it is only to produce papers ; it wont be necessary.

(*Mr. Price.*) Just hand those papers in, Mr. Carslake, and the list.

(*Mr. Carslake.*) You asked for the charters. I went to the gaol last night,—the muniment room,—and found that there were two or three large bulky parchment documents there ; but I have a book here which contains a copy of all the charters. Perhaps that would answer your purpose perfectly. I made it for myself.

(*Mr. Coleridge.*) We only wanted it as a matter of information.

523. (*Mr. Price.*) Here is a list of the charters which begin after the year 1200, of King John.

(*Mr. Coleridge.*) Are these all perfect?

(*Mr. Carslake.*) We have not got them all, I believe. There are copies in that book which I obtained.

Mr. Price read the following list of charters of the borough of Bridgwater:

Edward II, 1317; Edward III, 1361; Henry IV, 1399; Henry VII. (no date given); Queen Mary, 1554; Queen Elizabeth, 1588; James I. (11th year of his reign); Charles, 1658; Charles II, 1684.

524. (*Mr Coleridge.*) Then you have all sorts of local acts, I suppose, tollage, and pickage, and so on.

(*Mr. Carslake.*) We have a Market House Act, and an amended Market House Act.

(*Mr. Price.*) This is the number of voters on the register from 1854 to 1868.

525. (*Mr. Anstey.*) Are there any records older than 1760?

(*Mr. Carslake.*) I do not find any except the ancient rolls.

526. (*Mr. Anstey.*) There are ancient rolls older than 1710? Have you any idea how that statement has gone abroad then, in all the histories of Bridgwater, that they have all disappeared except the charters.

(*Mr. Carslake.*) I am afraid our borough has been much maligned in that respect. I have got them to Henry the First. A Commissioner was down from the Record Office, and made a list of them.

527. (*Mr. Anstey.*) It would be desirable to call Mr. Riley; he is one of the Record Commissioners here examining the Records?

(*Mr. Carslake.*) He is not here now.

528. (*Mr. Price.*) This is the list of voters on the register from 1854 to 1868:—

		Voters.	Scot and lot.	Total.
1854.	On the 10*l.* list,	528	91	619
1855.	„	523	84	607
1856.	„	508	81	589
1857.	„	528	74	602
1858.	„	544	73	614
1859.	„	561	64	625
1860.	„	568	61	629
1861.	„	583	54	637
1862.	„	603	52	655
1863.	„	606	50	656
1864.	„	611	45	656
1865.	„	638	41	679
1866.	„	662	35	697
1867.	„	701	31	732
1868.	„	1,484 general list, including lodgers, and 31 scot and lot included in the 1484.		

Total constituency in 1868 - 1,484.
Total population in 1851 - 10,883.
„ „ 1861 - 12,018.

(*Mr. Carslake.*) Perhaps I may as well state that very many of the scot and lot voters in previous years were also on the 10*l.* list. Therefore you won't get, perhaps, a strictly correct test.

529. (*Mr. Price.*) That would be a double vote?

(*Mr. Carslake.*) Yes.

530. (*Mr. Price.*) This is a list of members elected to serve in Parliament from the year 1784 to 1868.

(*Mr. Carslake.*) That is the earliest duplicate of return I find.

Mr. Price read the following:

Borough of Bridgwater.

List of Members elected to serve in Parliament.

Date of Election.	
5 April 1784.	- Honourable A. Poulett and Alexander Hood, Esq.
26 June 1804	- John Hugglestone, Esq. in place of Jeffrys Allen, Esq., resigned.
5 May 1807	- George Pocock, Esq. and William Thornton, Esq.
7 October 1812	- George Pocock, Esq. and William Astell, Esq.
19 June 1818	- George Pocock, Esq. and William Astell, Esq.
7 March 1820	- William Astell, Esq. and Charles K. K. Tynte, Esq.
9 June 1826	- William Astell, Esq. and Charles K. K. Tynte, Esq.
30 July 1830	- William Astell, Esq. and Charles K. K. Tynte, Esq.
3 May 1831	- Charles K. K. Tynte, Esq. and William Tayleur, Esq.
6 January 1835	- Charles K. K. Tynte, Esq. and John Temple Leader, Esq.
16 May 1837	- Henry Broadwood, Esq. in place of J. T. Leader, Esq., resigned.
26 July 1837	- Henry Broadwood, Esq. and Philip Courtenay, Esq.
29 June 1841	- Henry Broadwood, Esq. and Thomas Seaton Forman, Esq.
29 July 1847	- Charles John K. Tynte, Esq. and Henry Broadwood, Esq.
7 July 1852	- Charles John K. Tynte, Esq. and Brent Spencer Follett, Esq.
28 March 1857	- Charles John K. Tynte, Esq. and Alexander William Kinglake, Esq.
30 April 1859	- Charles John K. Tynte, Esq. and Alexander William Kinglake, Esq.
12 July 1865	- Henry Westropp, Esq. and Alexander William Kinglake, Esq.
7 June 1866	- George Patton, Esq., in place of Henry Westropp, Esq., unseated.
12 July 1866	- Philip Vanderbyl, Esq., in place of George Patton, Esq. who resigned on taking office.
17 November 1868	Alexander William Kinglake, Esq. and Philip Vanderbyl, Esq.

John H. B. Carslake,
Bridgwater, 24 Aug. 1869. Town Clerk.

531. (*Mr. Carslake.*) I do not find the duplicate of Mr. Allen's return.

532. (*Mr. Price.*) It is Colonel Tynte I suppose who is mentioned here?

(*Mr. Carslake.*) Yes.

533. (*Mr. Price.*) These particulars that you have handed in are the different numbers who voted at each election since 1857?

(*Mr. Carslake.*) Yes. I think the first one I was not able to obtain.

Bridgwater Parliamentary Elections 1857 to 1868.

27th March 1857, candidates:—
A. W. Kinglake, Esq.
Colonel C. J. K. Tynte.
B. S. Follett, Esq.
John Ruddock, Mayor.

Voters, Bridgwater	-	499
Wembdon	-	9
		508
Scot and lot	- -	81
		589

Colonel Tynte and Mr. Kinglake returned.

30th April 1859, candidates:—
Colonel C. J. K. Tynte.
A. W. Kinglake, Esq.
Henry Padwick, Esq.
Henry Westropp, Esq.
Richard Reynolds Woodland, Esq., Mayor.

SECOND DAY.

Mr. J. H. B. Carslake.

24 Aug. 1869.

Voters, Bridgwater	-	531
Wembdon	-	13
		544
Scot and lot	- -	70
		614

Votes polled :—

Colonel Tynte	- -	290
Mr. Kinglake	- -	279
Mr. Padwick	- -	230
Mr. Westropp	- -	208

12th July 1865, candidates :—
Henry Westropp, Esq.
(Election expenses agent J. Trevor.)
A. W. Kinglake, Esq.
Sir W. Shelley, Bart.
(Election expenses agent E. Barham.)
John Browne, Esq., Mayor.

Voters, Bridgwater	-	598
Wembdon	-	13
		611
Scot and lot	- -	45
		656

Votes polled :—

Mr. Westropp	-	328
Mr. Kinglake	-	257
Sir John Shelley	-	237

Mr. Westropp was then unseated on petition.

7th June 1866, candidates :—
George Patton, Esq.
(Election expenses agent James Trevor.)
Walter Bagehot, Esq.
(Election expenses agent E. Barham.)
George Parker Esq., Mayor.

Voters, Bridgwater	-	627
Wembdon	-	11
		638
Scot and lot	- -	41
		679

Votes polled :—

Mr. Patton	- -	301
Mr. Bagehot	- -	294

Mr. Patton took office as Lord Advocate.

12th July 1866, candidates :—
Philip Vanderbyl, Esq.
(Election expenses agent E. Barham.)
George Patton, Esq.
(Election expenses agent Jas. Trevor.)
George Parker, Esq., Mayor.

Voters, Bridgwater	-	627
Wembdon	-	11
		638
Scot and lot	- -	41
		679

Votes polled :—

Mr. Vanderbyl	-	312
Mr. Patton	- -	276

17th November 1868, candidates :—
Philip Vanderbyl, Esq.
A. W. Kinglake, Esq.
(E. Barham, agent for election expenses).
Henry Westropp, Esq.
Charles Wm. Gray, Esq.
(James Trevor, agent for election expenses.)
George Bryant Sully, Esq., Mayor.

Voters, Bridgwater :—			
Northwards	- -	—	460
Lodgers	- -	—	4
Wembdon	- -	—	68
Durleigh	- -	—	1
Scot and lot	-	15	—
Southwards	- -	—	948
Lodgers	- -	—	3
Scot and lot	-	16	—
		31	1484
Scot and lot	- -		31
			1515

Votes polled :—

Kinglake	- -	731
Vanderbyl	- -	725
Westropp	- -	681
Gray	- -	650

Bridgwater, 24th August 1869,
JOHN H. B. CARSLAKE,
Town Clerk.

534. (*Mr Coleridge.*) What is Wembdon ?
(*Mr. Carslake.*) Wembdon is an adjoining parish. A small portion of it is included in the borough, and has been for some time.

535. (*Mr. Coleridge.*) Has Durleigh come in under the Boundary Act ?
(*Mr. Carslake.*) A very small portion of it. There is only one voter.
(*Mr. Coleridge.*) You also hand in a copy of the charters from the date of 1200 in King John's reign up to the year 1694 in the reign of Charles the Second. Have you the election expenses ?
(*Mr. Carslake.*) The election expenses I have here whenever you wish to see them.
(*Mr. Price.*) We may as well have these on the notes.

ABSTRACT of Statement of Election Expenses incurred by and on behalf of Philip Vanderbyl, Esq., M.P., at the Bridgwater Election, in November 1868.

	£	s.	d.
1. Printing, advertising, and law stationery - - -	49	18	4
2. Check clerks, messengers, bill posters, &c. - - -	15	0	9
3. Hustings, polling booths, poll clerks, and town clerk's fees -	58	14	5
4. Personal expenses - -	30	10	0
5. Sundries - - -	12	0	3
	£166	3	9

Dated 18th January 1869.

EUSTACE BARHAM,
Agent for the said Philip Vanderbyl.

ABSTRACT of Statement of Election Expenses incurred by and on behalf of Alexander William Kinglake, Esq., M.P., at the Bridgwater Election, in November 1868.

	£	s.	d.
1. Printing, advertising, and law stationery - - - -	60	13	10
2. Check clerks, messengers, bill posters, &c. - -	15	0	9
3. Hustings, polling booths, poll clerks, and town clerk's fees -	58	14	5
4. Personal expenses - -	54	4	6
5. Sundries - - -	12	0	3
	£200	13	9

Dated 18th January 1869.

EUSTACE BARHAM,
Agent for the said Alexander William Kinglake.

ABSTRACT of Statement of Election expenses incurred by and on behalf of Henry Westropp, Esq., at the Bridgwater Election, in November 1868.

	£	s.	d.
1. Printing, advertising, and law stationery - - -	37	12	4
2. Check clerks, messengers, bill posters, &c. - - -	31	15	3
3. Hustings, polling books, poll clerks, and town clerk's fees -	34	14	4
4. Personal expenses - -	72	2	3½
5. Sundries - - -	14	16	6
	£191	0	8½

JAMES TREVOR,
Agent for the said Henry Westropp.

Dated, Bridgwater,
18th January 1869.

ABSTRACT of Statement of Election Expenses incurred by and on behalf of Charles William Gray, Esq., at the Bridgwater Election, in November 1868.

	£	s.	d.
1. Printing, advertising, and law stationery - - -	37	12	4
2. Check clerks, messengers, bill posters, &c. - - -	31	15	3
3. Hustings, polling booths, poll clerks, and town clerk's fees -	34	14	4
4. Personal expenses - -	76	14	10
5. Sundries - - -	14	16	6
	£195	13	3

JAMES TREVOR,
Agent for the said Charles William Gray, Esq.

Dated, Bridgwater,
18th January 1869.

(*Mr. Carslake.*) I have here several other papers. Am I to take them away again?

538. (*Mr. Coleridge.*) What are they?

(*Mr. Carslake.*) They are the return papers, the expense papers, the newspapers with the advertisement of the returns, and so on, all the papers in reference to each election, notices, and so on.

539. (*Mr. Coleridge.*) Perhaps you had better hand them to the secretary.

(*Mr. Price.*) They will be in the custody of our secretary. You shall have them back. You need not trouble yourself to take them away now if it is more convenient for you to leave them here.

(*Mr. Coleridge.*) We may want to refer to them.

Mr. WILLIAM PLOWMAN sworn.

Mr. W. Plowman.

540. (*Mr. Price.*) What are you, Mr. Plowman?—Assistant overseer and collector of rates.

541. How long have you filled that office?—Nearly 10 years.

542. Then you know the borough well, I suppose?—Yes.

543. Is the borough of Bridgwater all one parish?—No.

544. What parishes are there?—Part Wembdon, part Durleigh, and part Bridgwater.

545. Then Bridgwater is the largest proportion of the borough?—Yes.

546. What is the number of persons who are ratepayers in the parish of Bridgwater, apart from the other parish?—At the present time?

547. Yes?—About 2,800.

548. Ratepayers?—Ratepayers.

549. And how many in the other two districts?—That I cannot say. Durleigh has only about one, I think, and perhaps the other has sixty.

550. (*Mr. Coleridge.*) What is the other?—Wembdon.

551. (*Mr. Price.*) That 2,800 you say is in the parish of Bridgwater?—Yes.

552. Is the parish coterminous with the parliamentary borough?—No.

553. Tell us how that is?—The parish is more extensive.

554. Then how many are there within the parliamentary borough of Bridgwater who are ratepayers?—About 2,512.

555. In the parliamentary borough?—Yes.

556. How do you account for the difference between the fourteen hundred and something voters who voted at the last election and that two thousand?—There are some females, and a great number excused from payment of rates.

557. A great number excused from payment of rates. Would that account for the difference, the number of female ratepayers and the number who are excused?—Yes, with the females.

558. They would not be on the register?—No.

559. When you say "excused," do you mean that anybody is now excused since the last Reform Act?—A great number.

560. Are they still compounding?—No. It is since the composition is done away with.

561. Then how are they excused?—By the magistrates.

562. On the ground of poverty?—Yes.

563. Had you a system of compounding here before?—Up to the time of the passing of the Representation of the People Act of 1867.

564. In those cases the landlord paid the rates, getting a per-centage?—Yes.

565. Then there was no excusing?—No excusing whatever.

566. Since then the magistrates have exercised the power of excusing on the ground of poverty?—Yes.

567. Under what act?—Some Act of George.

568. (*Mr Anstey.*) A local Act?—No, a general Act.

569. (*Mr. Coleridge.*) Do you know what that Act is?—I cannot say.

570. (*Mr. Price.*) How many persons do you think there are who would be entitled to be on the register who are disqualified for the nonpayment of rates?—Not only is there nonpayment of rates, but there are a great number also of paupers who would be disqualified.

571. Well, how many do you think are persons disqualified either by nonpayment of rates or being paupers?—About seven or eight hundred people I have no doubt.

572. About seven or eight hundred people who are disqualified either by being excused on the ground of poverty or by nonpayment of rates?—They are all excused on the ground of poverty.

573. (*Mr. Coleridge.*) Then have all these received parochial relief?—Oh no.

574. A great number are excused who are not receiving parochial relief, who are residing in their houses?—Yes.

575. And who knew that if they are excused they would not be entitled to vote?—Yes, they ask to be excused.

576. Knowing at the same time that they would lose the franchise?—Yes.

577. What number are there who knowing that they would be disfranchised ask to be excused?—Four or five hundred the last time.

578. (*Mr. Price.*) Although knowing at the time they would forfeit the privilege of the franchise if they did that?—Yes.

SECOND DAY.

Mr. W. Plowman.

24 Aug. 1869.

579. Now just after the passing of the Reform Bill were there many persons or not who paid their rates who had not paid before?—Before the passing?

580. (*Mr. Coleridge.*) No; after the passing of the Reform Bill, when the franchise was made dependent upon the payment of rates; can you tell us whether there was any considerable number or any number of persons who previously to that had not paid the rates themselves, or who had compounded or been excused, who then came and paid their rates?—Yes; a great number.

581. Just tell us how it was?—There were about sixteen hundred houses that were compounded, and out of that first rate seven or eight hundred paid.

582. Paid by themselves or by the electioneering agent?—By themselves as far as I know.

583. (*Mr. Price.*) Who paid them? Was it a personal payment? Did you receive it from them?—I received it, I suppose, from them.

584. We should like very much to know what proportion of those who had been previously compounded for paid it personally?—You might calculate the whole; one might send another, a neighbour, but I do not believe there was one single case in which an agent paid the rate.

585. Not by his own hand?—Nor by anybody else.

586. These people up to that time had had their rates compounded for by the landlord on the assumption that it would be more worth while for the parish to get it from the landlord than have the trouble of collecting it?—Yes.

587. (*Mr. Coleridge.*) And the landlord had a rebate of one third?—One half. And nothing was compounded for over 9*l.* rental.

588. (*Mr. Price.*) What was the rent?—Nine pounds and below.

589. Was the Small Tenements Act in force?—That was under the Small Tenements Act.

590. What was the general rental before the passing of the Reform Bill of that class of voters which we call the ten pounders?—The class of houses you would like to know?

Yes.

(*Mr. Coleridge.*) The average class.

(*Mr. Price.*) The average class under the ten pound system?—At the last election there were about 740 voters at the "10*l.* and upwards," the old class. About 305 of them were the 10*l.* rental.

591. Simply the 10*l.*?—Simply the 10*l.*

592. Were the houses worth 10*l.*, or put at 10*l.* for the sake of the franchise?—Oh yes, about 10*l.* They were rated at 8*l.* 10*l.* gross.

593. Therefore that would be about half of the voters under the old Reform Bill would be persons who were renting houses exactly at the value that would give the franchise?—Not quite half, because the number would be 740,—the total number. Then over 10*l.* and under 20*l.* there would be about 180; over 20*l.* and under 50*l.*, about 200,—205, or something like that; at 50*l.* and over, fifty.

594. What is the highest rented house in the place?—I suppose the Messrs. Nicholls.

595. The highest rateable value?—Yes.

596. What is that?—About 200*l.*

597. That is higher than the "Clarence?"—Yes.

598. Now will you tell us, Mr. Plowman, what was the rank in life of the 305 whose houses would just give them the franchise?—Oh, various classes.

599. We wish very much to know it?—Mariners, sailors, captains of vessels, foundry men.

600. Working men?—Working men at the foundry.

601. Now give us, as near as you can, the numbers. We will take the class whom you call the captains of ships; the men who work the vessels up and down the river, and the coasting vessels?—That I could not say without going into the matter. I have not been into it in that way.

602. You cannot give us any idea?—No.

603. (*Mr. Price.*) We should like to have that before we close, very much indeed; and also as near an approximation as you can give us of the rank in life of that 305 who were the exact ten pound men; and we should also like to have that so as to show also, by way of comparison, what rank of life the new persons are who are added under the household suffrage as compared with those before the passing of the last Reform Act.

604. Would there be any agricultural labourers?—Very few.

605. (*Mr. Coleridge.*) What is the average of the agricultural wages?—There are scarcely any agricultural men who live in the borough.

606. I asked you what was the average of the agricultural wages in this neighbourhood?—About twelve shillings.

607. And the average of the foundrymen's wages?—I cannot say.

608. (*Mr. Price.*) Eighteen shillings a week?—I do not know.

609. That is a very important thing to know, what are the pursuits and occupations of these people. You cannot tell us now, but be good enough to get it. Of these ten pound people, were they people who had shops, as the mayor said, small shopkeepers, or people living by weekly wages; or what proportion of them were of the class, as you say, of captains of vessels who, I suppose, do not earn wages. They work the vessels, I suppose. Are they part owners?—Oh, part owners, and they work vessels.

610. What is the principal mode of getting their livelihood of those people here? What is the great source?—

(*Mr. Coleridge.*) The staple trade of the place?—Well, the iron foundry employs a great many, and the carriage works.

611. (*Mr. Price.*) How many men do you suppose are employed by the foundry?—I cannot say.

612. Are the iron foundry men men who lived in 10*l.* houses before the last Reform Act?—A great number, I have no doubt.

613. They would be in receipt of more than a pound a week?—Yes, I think it is very likely.

614. Well now, these carriage works?—Well, I suppose it is similar.

615. The men occupy a similar class of houses?—Very much. It is the station side of the town which is principally occupied by those classes.

616. Have any great number of carriage men or foundry men been added, or were they men who would be likely to have votes before the Reform Act?—Oh, some of each class were added.

617. (*Mr. Coleridge.*) Is not there a great tan yard business here?—No, there is only one, at which I suppose are a few hands, not many.

618. (*Mr. Price.*) There is a great brick establishment?—Oh yes, several brick yards.

619. That is one of the staple trades of the town?—Yes.

620. How many men do you suppose are employed in the brick trade, workmen?—That I cannot say at all. I have no idea.

621. Can you give any idea?—I could easily ascertain it.

622. In the first place do you know what wages they get?—Some twelve, some fifteen, some more.

623. And a great number of women are employed in that trade?—Yes, and children.

624. Do you know whether those were men who lived in 10*l.* houses as a rule?—Not many.

625. Would those be the class of men who would be added to the constituency, and who would formerly have been compounded for by living in houses of which the rates were compounded?—A great number, I have no doubt.

626. Could you say whether those are the class of men who have asked to be excused, and who are on the register as ratepayers?—A great number of that class asked to be excused the last time.

627. (*Mr. Coleridge.*) Is the magistrate's clerk in court?—I saw him here this morning.

(*Mr. Coleridge.*) He would be able to tell us what is the Act under which they are excused.

628. (*Mr. Price.*) As you have been overseer a good while I will ask whether that excusing Act was in force whilst the compounding went on?—We did not act upon it.

629. Your impression is that it was in force with Sir William Clay's Act, the Small Tenements Act?—I believe they brought forward that excusing Act on account of the mode in which the compounding had been carried on before. Sir William Clay's Act, the Small Tenements Act, was brought forward on account of the way in which the excusing had been going on, but the other Act remained.

630. (*Mr. Coleridge.*) Have you the Act of George the 3rd or 4th, by which houses let at between 6*l.* and 20*l.* a year furnished, the rates were to be paid by the lessor and not by the lessee? Is that Act in force here?—No.

(*Mr. Colerige.*) It is at Cardiff. I did not know whether it was in this borough.

631. (*Mr. Price.*) According to you, then, there is a very considerable number who have asked to be excused, and so forfeited the privilege of the franchise?—Yes.

632. With the knowledge that they did so?—There is no doubt of it.

633. Then what number should you say have been added? Can you give us any idea of what number of what you would call working men are now on the register—working men?—Taking in the whole?

634. Yes?—No, I cannot give it.

635. The constituency has nearly doubled. What I wish to ask you is this: I will put it in this way: As overseer, can you tell us,—the constituency has been nearly doubled?—Yes.

636. Has that been doubled by a simple addition to one class only, namely, the class who were compounded for, and who were working men, but who did not live in 10*l.* houses?—Yes, generally. There might be a very few exceptions.

637. The addition has been from the class who were originally compounded for, and who are working men?—Yes.

638. (*Mr. Coleridge.*) You told my friend just now that there were very few agricultural labourers in the place. I suppose the persons you refer to as labourers would be almost entirely in the brick field?—Yes.

639. (*Mr. Price.*) Is that the element that has been thrown into the constituency of the labouring classes—the persons employed in the brick yard?—Not the whole of it.

640. Who else?—Foundry men and the carriage shed men.

641. You think the others were to a great extent on the register before?—No, not to a great extent,—partly off and partly on. A great number was thrown on.

642. They got compounded for before?—The foundry men's houses, and the class of houses near the station where the carriage sheds are, are generally of a better class of houses than the ones which were excused.

643. (*Mr. Coleridge.*) And very few of the brick-field people were on the register before the Reform Bill?—Very few before the Reform Bill.

644. (*Mr. Price.*) Then the element, you say, that has been added to this constituency has been almost entirely derived from the class who had no franchise before from the fact that they did not occupy houses of the value of 10*l.*?—Yes.

645. (*Mr. Coleridge.*) I want to know as to lodgers. How many lodgers are there on the franchise? How many were put on by the revising barrister on the last occasion?—I do not think more than seven or eight.

646. What sort of houses would those be that let lodgings—what value of houses?—There is scarcely any lodgings here of any value in the town.

647. Is there no such thing as unmarried working men living in lodgings?—Yes, but not lodgings that would entitle——

648. Ten pound lodgings?—No.

649. Are there no clerks at the railway station, and so on, who do so?—I have no doubt there are.

650. How many lodger claimants were there?—About eight or ten.

651. Eight or ten were put on by the revising barrister?—Yes.

652. What is the date for putting in lodging claims?—The 25th of this month.

653. Then you cannot tell us the number now until to-morrow, or the day after to-morrow?—No.

654. (*Mr. Price.*) We should be glad to know whether the number of claimants will show any diminution in the constituency at the next election, if there ever should be one?—I will let you know that after to-morrow.

655. You have been assistant overseer for ten years. Have you ever found at any time—we will take it first of all when you became assistant overseer—in 1859—— ?—That was when I was elected.

656. Before that election do you remember any particular rush to get rates paid shortly before the revising barrister came down?—The election was before I took office.

657. In 1865 was there any special rush to pay rates that had been due and owing for some time, shortly before the election of 1865?—No. When I took office it was suggested that I should make and collect one rate, and collect the whole of one rate before another was made, which has been carried out.

658. I suppose very often the ten pounders did not pay?—They did pay. They were bound to pay the rate, and what did not pay were summoned before the magistrate.

659. But time was given them to pay?—Yes.

660. (*Mr. Coleridge.*) What has been found at other places is that the agents go round to these fellows and say, "You must pay before a certain "time, or you wont get your vote." Is it not the practice that before the election a great many people come round and pay?—It has been the practice that before that time arrives, in July, ever since I have been in office the qualifying rate has been closed, and a new one in collection some time before the election.

661. But unless that was paid up the man would not have his vote?—It has all been paid up.

662. In 1868 the election took place in November and a rate was made in July?—There was one made in July, but the qualifying rate for the election was made in December 1867.

663. Two months before the election how many ratepayers were still in arrear for that rate?—Some months before the election those parties that were in arrear for that rate, the defaulters, were had before the magistrates, and they were excused, and the rate was thoroughly closed before the date for paying up the back rate.

664. When were they excused?—Several months before.

665. They all lost their votes?—Yes.

666. Did none of those who were defaulters pay their rates when they were had before the magistrates, in order to save their votes?—No.

667. There is no general system, as far as you know, here, of paying up outstanding rates shortly before an election, or before the revising barrister comes down, in order to keep the vote on the register?—Not in my time.

(*Mr. Price.*) The clerk to the magistrates has sent a document here, but it does not give us the information we want. It merely states that "on a repre-"sentation . . . . &c. . . . ." Then that is signed by the overseers and churchwardens; and then follows a list of the persons whom the churchwardens recommend to be excused.

SECOND DAY.

Mr. W. Plowman.

24 Aug. 1869.

668. (*Mr. Coleridge.*) How is the consent of the ratepayers got?—I do not know.

669. It does not state under what Act of Parliament it is done?—I could get it for you. Those persons were brought before the magistrates without summons.

670. (*Mr. Price.*) Yes, the scot and lot men. I need not ask you about them. Were they on the rate books in former days?—Yes, they must be on the rate book, or otherwise they will lose their qualification.

671. They paid their rates. They were never compounded for. They could not have had their vote until they had paid. Is that right?—Yes.

672. They are very much like what the present franchise is supposed to be, the householder paying his rates?—Yes.

673. Well, those have been diminishing and they are now merged in the present household suffrager?—They are all merged.

674. They have been constantly decreasing?—Yes.

675. How do you account for that?—By death.

676. In those days scot and lot men were men who lived in a certain kind of house, and who paid rates for it. What class of house would they live in at that time?—I do not know.

677. (*Mr. Coleridge.*) Scot and lot men were bound to live six months in the house before the election to entitle them to vote?—Yes. They would die out.

678. How did they become scot and lot men?—(*Mr. Anstey.*) By a decision of the House of Commons in the middle of the last century.

679. (*Mr. Coleridge.*) But I mean the men themselves. Did they succeed one another, father and son?—I do not know.

(*Mr. Price.*) It must have been hereditary. The charter would show us.

680. (*Mr. Coleridge.*) In your time have you had any instance of a scot and lot voter losing his vote by not paying his rate for two years, in which case his right would be absolutely gone?—No.

681. Have you ever had them losing their vote from any cause?—Yes, leaving the borough.

682. With a scot and lot voter I believe it is sufficient to tender the rate without paying it?—It was never sufficient for me.

683. (*Mr. Price.*) What are the papers you have got there?—Merely memoranda to refresh my memory.

684. You cannot give us any idea of the number of men who have paid you but of whom you say that your impression is that if they have not paid you personally, they have paid you by friends?—By neighbours.

685. None of the rates have been paid by the known agents of the parties convassing for the borough?—None. I am quite sure of that in my own mind.

686. (*Mr. Coleridge.*) How many elections have you voted at yourself?—Three.

687. When did you vote first, in 1859?—No.

688. In 1865?—No.

689. When?—In 1866.

690. Whom did you vote for?—Mr. Bagehot.

691. Whom did you vote for last time?—Kinglake and Vanderbyl.

692. What is the other election at which you voted?—The first time of Vanderbyl.

693. You voted for Mr. Bagehot against Mr. Patton?—Yes.

694. Always Liberal?—Yes.

695. How long have you resided here?—Seventeen years.

696. Well, in 1859 you were appointed overseer; now, in going about as you would do amongst the lower orders did you hear anything about money being paid at that election?—Not having been paid.

697. Did you hear of any being promised?—I cannot tell any particular case.

698. But did you hear any general report that money had been promised in 1859?—Yes; but my collection would not begin till after that.

699. Did you ever reap the benefit of money paid to the voters by the outstanding rates being paid?—No; I never heard of it.

700. You never heard of a large sum of money being paid by Mr. Bate, Mr. Kinglake's agent?—No; not till to-day.

701. In 1865 did you hear anything of money going on the Conservative side?—Nothing in particular.

702. Did you hear that in the general election then money had been given on one side or the other?—As a talk we hear it; as a general talk.

703. Did you hear it as a talk that money had been given on both sides or only on one side?—On one side.

704. Which side?—Mr. Westropp's side.

705. Afterwards Mr. Bagehot and Mr. Patton, you know, had their election. Did you hear of its being given on one side or either side then?—It was a general talk all over the place.

706. Was there a report at the second election. At the first election, that of 1865, Mr. Westropp and Mr. Kinglake were elected. Then Mr. Westropp was unseated. Then in 1866, Mr. Vanderbyl was elected. Did you hear at that election of Mr. Vanderbyl that money had been going then?—Yes.

707. Which side?—Both sides.

708. And when Mr. Patton and Mr. Bagehot stood did you hear that money was going on both sides then?—Yes.

709. Then afterwards when Mr. Patton was unseated on taking office did you hear that money was going then again?—I heard so.

710. And you heard the same thing at the last election, I suppose?—Yes.

711. Did you hear it stated on which side the money was going principally; whether it was on one side, or both, or which?—At the last election?

712. Well, at the elections generally?—Not one thing more than another as far as I am aware of.

713. At the last election you heard it was going on both sides?—Well; I do not know that I did hear of any money on the Conservative side.

714. Did not you hear of anything that turned the people suddenly for Kinglake and Vanderbyl?—I say not on the Conservative side.

715. But on the other side?—Yes.

716. Can you give us any information?—Nothing more than what has been brought out here.

717. You have not happened to hear any conversation, or to know anything, or to find anybody 10*l.* better off than he was the day before?—They are not in the habit of letting me know, or I should be too tight after the rate.

718. Did you after the first election find the rates paid very easy?—No; we do not find that as a rule.

719. (*Mr. Price.*) I should like to know—can you tell us at all—whether these men who stayed back, and were stung with regret that Mr. Kinglake left the town, and then went and voted for him in large numbers, were of the brickmaking class?—The new ones.

720. They stayed back till the middle of the day, and then, when their favourite candidate had been beaten, they rushed to the poll after he left?—I have heard different stories.

721. And then those who had never voted had such a love for their old candidate, for whom they had never voted before, that they came and voted in a shoal?—I cannot say.

722. (*Mr. Anstey.*) I now come to a very grave matter. Your name appears amongst those who undertook in 1866 to instruct the House of Commons as to its duties, and you then put your signature to a petition, to say, that if the House would only join with the Lords Spiritual and Temporal in 1866, you, amongst others, would undertake to show that, whereas the House of Commons, which unseated Westropp on that occasion, had only inquired into

seven cases of bribery, there were remaining 173 cases of bribery alleged by the petitioners themselves. Seely is one of the petitioners. There were remaining 173 cases, and you make it a matter of complaint in your petition that the Commons did not inquire into those 173 too; and you go on further to say, that besides those 173 cases, "a larger number of cases of "bribery would be disclosed than is apparent from "the evidence taken, inasmuch as the case of the "petitioners was stopped by the Committee when a "few cases had been heard. Your petitioners" (that is you) "therefore humbly pray that your Honourable "House will be pleased to order that the evidence "taken before the Committee be laid on your table, "and that no writ be issued until your Honourable "House has had an opportunity of considering the "same. And your petitioners further pray that your "Honourable House will be pleased to direct that a "Commission be appointed to inquire into the prac-"tices above referred to, with a view to the adoption "of such measures as may prevent a recurrence of "the same." I ask you this general question, is every syllable which you allege there in that petition of yours to the House of Commons a delusion and a snare put upon that Honourable House, or is it true; and, if so, give us now those particulars which you then promised?—All I can give you is this,—that I heard that the petition was prepared and lying for signature, and I was asked to go and sign it; and I went and read it. I believe I read it all, but I am not sure. But why I signed it was this,—that the writ should be suspended for a time. That was my object concerning it. The town was in rather an excited state, and I thought it would be better that it should be put off for a little while.

723. And do you mean to tell me that your secret and real reason was a reason altogether different from and contrary to that which you solemnly and deliberately stated to the House of Commons, in order to incline the House to act?—That is why I signed it, and nothing more.

724. Then you wish that to go forth, that you stated falsely in your petition to the House of Commons that you desired inquiry and were able to furnish information, whereas your real reason was that there might be no election for some time in the then present disturbed state of the town; that you wish it to go forth to the town that you deliberately put your name to a false statement on that occasion?—Not a false statement.

725. (*Mr. Coleridge.*) Did not you know that if a Committee had sat, and had reported that corrupt practices existed here, that the borough would be disfranchised?—That is very likely.

726. You mean to say you do not know whether you read it. Surely you did not sign it without reading it?—It was done in a hurry.

727. Did you, or did you not sign this without reading it?—No; I do not think I did.

728. You have heard this read by my learned friend?—Yes.

729. Did you sign that without reading it?—I recollect signing that.

730. Do you recollect requesting that a commission should be sent down here?—From the fact of my name being there I suppose it is right.

731. Did you know that if a commission had come, and had discovered that such practices had existed, the borough would be disfranchised?—Yes; very likely.

732. Do you still adhere to your statement that you signed that under the misapprehension that you were asking for a suspension of the writ, or did you sign it knowing that you were asking that a commission should come, and if it did, and these practices were discovered, that very probably the place would be disfranchised?—It would be better to have the writ suspended rather than an election just at the time.

733. Did you know when you signed that you were asking, not for a suspension of the writ, but that you were asking for a commission?—It is asking for both. I think it is so.

734. (*Mr. Anstey.*) Yes. I will read to you the passages, that there may be no mistake about it: "That your petitioners are anxious to prevent the "recurrence of the corrupt practices which prevailed "in the borough at the last election of Members to "serve in Parliament, the existence of which prac-"tices has been reported to your Honourable House; "that your petitioners are informed and believe, that "should an inquiry be instituted, a much larger "number of cases of bribery would be disclosed," &c. That I read to you before?—Yes.

735. "Inasmuch as the case of the petitioners was "stopped by the Committee when a few cases only "had been heard, that the petitioners against the "return of H. Westropp, Esq. were induced to "abandon their intention of proceeding to a scrutiny, "on the ground of the very great expense which "they were advised would be thereby incurred. Your "petitioners therefore humbly pray that your "Honourable House will be pleased to order that "the evidence taken before the Committee be laid on "your table, and that no writ be issued until your "Honourable House has had an opportunity of con-"sidering the same; and your petitioners further "pray that your Honourable House will be pleased "to direct that a Commission be appointed to inquire "into the practices above referred to, with the view "to the adoption of such measures as may prevent "a recurrence of the same. Lastly, your petitioners "venture humbly to suggest that in any legislation "which may take place on the subject of the election "of Members to serve in your Honourable House, it "should be provided, that where a member has been "unseated for bribery, it shall not be necessary for "the candidate next on the poll to establish his elec-"tion by the tedious and expensive process of a "scrutiny, and your petitioners will ever pray." And your name comes very early on that list.

736. (*Mr. Coleridge.*) There you see you did not put it in your petition in any way in the alternative. You ask for a suspension, and the Commission. Now I ask you did you not, when you signed that, know that the probable effect of a Commission being granted would be disfranchisement of the borough?—Yes.

737. You did?—Yes.

738. Who asked you to sign that petition?—I believe I was going down this very High Street with a friend——

739. I do not care where you were going. Who asked you to sign that petition?—I believe it was a Mr. Collis.

740. What is he?—A pastrycook.

741. What is he in politics, how does he vote?—Liberal.

742. You mean your explanation is, that in reality you signed that petition, having read it, and imagining that you were asking for a commission, or the suspension of the writ in the alternative; is that what you say?—Yes.

743. That is not what it comes to?—No, I see it does not; it is stronger.

744. My friend has read that twice, and you say you have heard of a much larger quantity of bribery than was before the House of Commons. Where did you get that information from?—I have no information of my own knowledge.

745. Upon what instructions, and upon what facts, did you put your name to that solemn document?—I have just given you the reasons.

746. You have given me no reasons, except that Mr. Collis asked you to sign it?

747. (*Mr. Price.*) What did Mr. Collis say?—He said there was a petition lying in the office for signature asking for the suspension of the writ.

748. (*Mr. Coleridge.*) And upon that did you sign the petition?—I believe I read it; I was going in that direction.

SECOND DAY.

Mr. W. Plowman.

24 Aug. 1869.

749. You say you read it through before you signed it. Very serious charges are made against your own city in that petition, and I ask you from what information and from what facts you made the charges against the borough of Bridgwater which you there allege. What was it from, Mr. Collis's representations or from what you know yourself?—No.

750. Do you know anything yourself?—I had heard what had taken place on the unseating of Mr. Westropp.

751. Do you know anything more than that. Had you known anything of your own knowledge at all?—Not of my own knowledge.

752. (*Mr. Price.*) If this petition had been granted, having put your name to it, you would have been ordered to appear as a witness and depose on oath to acts of bribery?—I should not have been in a position.

753. (*Mr. Coleridge.*) If you had been heard on your oath what would you have been in a position to depose to?—To what I have stated here.

(*Mr. Coleridge.*) To nothing, in fact.

754. (*Mr. Price.*) Then you, in common with the rest of those who signed this petition, denounce in this sort of way your fellow townsmen as being guilty of corrupt practices, and you pray the House to grant a commission of inquiry into it. Had they more knowledge than you acted upon?—These things are done hastily.

(*Mr. Anstey.*) I can only say for myself, not merely with reference to you, but also with reference to any other persons who tell me a story such as you have told me just now, and who have put their names to a statement which is false, if your statement now is true, that I shall not consider at the end of this inquiry that you have answered the questions that have been put to you by me, and I shall act accordingly, and I shall not put my name to anything in the shape of a certificate of indemnity.

755. (*Mr. Price.*) You have read this no doubt: "That your petitioners are informed." Now, had you, as one of those petitioners, been informed, and had you reason to believe, if an inquiry had been instituted, that this large disclosure of further bribery would be disclosed?—I had no doubt.

756. Why had you no doubt? If a man has no doubt he must have knowledge?—Well, from Mr. Westropp being unseated, and what transpired.

757. (*Mr. Coleridge.*) If you had no doubt, why cannot you give us any assistance?—I have given you all I can.

758. (*Mr. Price.*) If you have no doubt you must have knowledge of the facts?—I have no facts to go upon.

759. What do you mean when you say you have no doubt about it, merely from what you heard cursorily in the street?—Merely from the evidence I heard they had against him.

760. Do you mean the list of names given in?—Yes.

761. But you go further than that, because you say that you had no doubt a much larger number of bribery cases would be disclosed than appears in the evidence placed before the committee?—Yes; I can understand your meaning. I did not prepare the document, nor consider it.

762. It is a serious matter to consider, and you have been asked about it, and we will ask you about it again. When you put your hand to that document you must have known a great deal of what was going on, or you would not have been, as a party man, asked to sign a petition, nor would you have been asked to give us information which you must have learnt in the course of your business in the town from your habits and avocations?—I tell you candidly I did not know that there was any such petition in preparation, or lying for signing, not more than three minutes before I signed it.

763. Did you know of your own knowledge, before you signed the petition, that there was notorious corruption and bribery at the election at Bridgwater?—I heard so.

764. You had heard so?—I had heard so.

765. And had you any doubt of the fact?—I had no proof.

766. Had you any doubt of it?—I had no doubt of it.

767. Had you any doubt of it at the time you signed that document?—No.

768. That there had been extensive bribery and corruption?—I had no doubt of it.

769. To what extent, with regard to the number of the constituency?—I cannot say at all.

770. What number of the constituency did you believe were open to receive bribes at the time when you signed that document and asked the House of Commons to have a commission issued. What proportion of this constituency did you believe were open to the reception of bribes that made it important that a commission should come down and inquire, from all you had heard?—I really cannot tell you.

771. 200 or 300 out of the whole number?—I am sure I cannot answer the question. There are all kinds of reports that have gone out.

772. Did you believe at the time, and have you any doubt, that there were about 200 or 300 open to the reception of bribes at any election at any time?—No.

773. You can give us no idea?—No.

774. (*Mr. Coleridge.*) Can you give us any idea how many were ready to be bribers, not how many to be bribed?—No.

775. Can you give us any idea?—Not more than the names I have heard mentioned.

776. (*Mr. Anstey.*) Do you mean to say this:—if the House of Commons or House of Lords had been induced to grant a commission for that year, and that commission had sat, that you were not prepared to have given those commissioners the fullest information as to the names of persons whom you had heard of, or believed to have been engaged in the giving or receiving of bribes, in order that they might find out from competent witnesses the state of the case; would you have refused to give them information, as far as you could, as to the names of those persons?—I had none to give.

777. You told us before that you had heard of the existence of these cases, therefore you had heard of the names of bribers and bribees. Would you have refused to give the names of the persons in order that inquiry might have been made with reference to them?—No.

778. Then please give us the names of those persons without further delay?—I heard of Mr. Boys; those cases that have been given.

779. (*Mr. Coleridge.*) Never mind that, let us have them again?—Mr. Boys.

780. Give us the bribers first, those who gave the money to those who took the money?—Mr. Frederick Harden and Mr. Temblett.

781. (*Mr. Price.*) Mr. Temblett the baker?—Yes.

782. What is his christian name?—Frederick Charles.

783. Who else; are those all on one side?—I did not hear of any on the other.

784. Do you mean to say that there is no person known on the Liberal side who acts in the same capacity as those three gentlemen whose names you have given us on the Conservative side?—Are you not confining yourself to the 1865 election?

785. Yes, 1865?—Yes, that is what I thought. I heard of none.

786. None in 1865?—None.

787. Next we come down to the election of 1866. 1865 was the time Mr. Westropp was unseated?—Yes.

788. At that time you say you knew of nobody on the Liberal side who had attempted to bribe?—No.

789. You knew of none?—I knew of none.

790. Nor of any who were bribed?—Nor of any who were bribed.

791. Do you believe that in the election of 1865, when Mr. Westropp was returned, that the bribing was all on one side?—So I heard; yes.

792. You believe that?—I had no reason to disbelieve it.

793. But do you say that that is so, so far as you know?—As far as I know.

794. Now we come down to the election of 1866.

795. (*Mr. Coleridge.*) Did you ever canvass at all?—Never.

796. (*Mr. Price.*) Then there was a second election of 1866?—Yes.

797. That was the election when Mr. Vanderbyl came down to oppose Mr. Patton?—Mr. Bagehot first.

798. Do you know anybody on the Liberal side who bribed in the contest between Mr. Patton and Mr. Bagehot, or on either side?—No. I really cannot tell; not to mention parties. I can say nothing except what I have heard in the course of talk.

799. Cannot you tell us anybody? Mr. Patton came down here, and as your returns show, or at least as the returns we have had show us, Mr. Patton got in by the narrow majority of seven?—Yes.

800. Six or seven?—Yes.

801. Now, bearing in mind that Mr. Patton got in by a majority of only six or seven over Mr. Bagehot, a gentleman living in the neighbourhood, do you mean to say you know of no persons who bribed on that occasion, or heard any mention of what was passing?—No, nor did I ever hear anything of the sort.

802. Have you heard now anything of the sort?—No.

803. And has it not astonished you that Mr. Patton, a complete stranger, should come down and beat Mr. Bagehot, a neighbour and a gentleman of position?—There were reports that money had passed on both sides.

804. To a considerable extent?—Yes, I suppose so.

805. Very freely?—Yes.

806. (*Mr. Coleridge.*) Did you hear that any of Mr. Westropp's money after he had been unseated had been used for Mr. Patton's purposes?—No.

807. (*Mr. Price.*) Did you hear that some had been spent for Mr. Patton on that occasion?—No.

808. Or any approximation?—No.

809. Was it considered a more expensive election than many others?—No, I never heard of any others.

810. You say money was spent very freely?—I really cannot say.

811. But you say money was spent very freely on both sides?—I cannot say at all.

812. (*Mr. Coleridge.*) Did you ever hear any people say that they believed it was a pure election? I cannot say.

813. You cannot say?—I do not think so.

814. Did you believe it was a pure election?—No.

815. (*Mr. Price.*) When can you fix a pure election in Bridgwater?—I do not know.

816. Now we come to 1866, that was Mr. Patton and Mr. Bagehot's, and then there was the next election in 1866 when it was Mr. Patton's and Mr. Vanderbyl's?—Yes.

817. And then comes Mr. Vanderbyl who came down on the occasion of the next election, and beat Mr. Patton by a large majority?—Yes, about a month after.

818. (*Mr. Coleridge.*) All three of those elections were in 1865?—No.

(*Mr. Anstey.*) The Committee sat in 1866.

819. (*Mr. Price.*) Mr. Patton comes down in 1866 and is elected, then he comes down again after having accepted an office as Lord Advocate, and is beaten by Mr. Vanderbyl by something about 70?—Yes.

820. At that time what was the report as to what money had passed freely?—Just as before?

821. Just as before?—Yes.

822. On both sides?—Yes.

823. Now you having told us that was what passed on each of those occasions, do you mean to say you cannot give us any of the names of the persons who were notorious in the town, who either bribed on the one side or the other in 1866 on that occasion?—There are so many, and there are so many reports, I cannot remember.

824. But can you give us any of the names that were mentioned?—I do not believe a quarter of what I hear.

825. Never mind that, but can you give us the names of any persons or person on the one side or on the other, during the election of 1866, because they can come and give disclosures if their names are mentioned?—They are the proper persons.

826. Give us the names?—I have given you all the names I think that I know.

827. We have heard three names on the Conservative side, now I ask you for the names of those on the Liberal side?—I have heard the name of Mr. Allan.

828. (*Mr. Coleridge.*) Have you ever heard Mr. Bates's name mentioned?

829. (*Mr. Anstey.*) What is Mr. Allan's christian name?—Andrew.

830. Who else?—Mr. Henry Chapman Bussell I have heard mentioned.

831. You say Mr. Bate you never heard of?—Never.

832. The old Mr. Bate?—The old Mr. Bate.

833. He is dead?—Yes, I was clerk to him seven years.

834. (*Mr. Coleridge.*) Were you clerk to him in 1859?—Yes, he was a conveyancer.

835. (*Mr. Price.*) Did he take an active part in election matters?—The old gentleman used to go and canvass.

836. An active part for Mr. Kinglake?—Yes.

837. A very active part?—Yes.

838. Was he one of his most active partizans?—Yes.

839. Not a paid agent?—I do not believe he was.

840. He was a certificated conveyancer, and he did not act as a paid agent?—No.

841. You were his clerk?—Yes; I left him in 1859.

842. Were you with him at the time that this contest occurred with Mr. Kinglake?—Yes.

843. In what capacity did he act for Mr. Kinglake. What was he agent for?—I believe he was his private agent.

844. Had he the payment of his private accounts?—Not that I am aware of.

845. Used he to go about canvassing?—Yes.

846. Whom did he bank with?—Mr. Seely.

847. Used you to go to the bank and get money for him at that time?—Occasionally.

848. Were the cheques cashed?—I used to pay in moneys.

849. Did you ever go down to get cheques cashed?—No; it was not the custom at all.

850. You never went down with a cheque to cash and get the money?—No, I only paid in money.

851. (*Mr. Coleridge.*) How much have you paid in?—I do not know.

852. As much as a thousand pounds?—Yes.

853. At one time?—I do not know that.

854. Have you ever paid a cheque for a thousand pounds for Mr. Kinglake?—No.

855. (*Mr. Price.*) Or anything like it?—No.

856. Have you ever paid in any of Mr. Kinglake's cheques?—I do not believe I did. I do not know that I ever saw one of his cheques.

857. Do you remember about the month of October 1869 paying in money to Mr. Bate's account, any large sum like 1,100*l.* or 1,200*l.*?—No.

SECOND DAY.

Mr. W. Plowman.

24 Aug. 1869.

858. Were you his clerk at that time?—In September I was.

859. Not as late as October?—I left him in October.

860. Did people come to Mr. Bate's office as voters; he had chambers or an office I suppose?—An office.

861. Did people come from time to time to Mr. Bates's office to see him?—Occasionally.

862. In numbers?—Not in numbers.

863. What class of voters?—All classes, some on election matters and some on other matters, all classes of voters.

864. (*Mr. Coleridge.*) Whom did Mr. Bate employ as his agents in money matters; you must know as you were with him; whom did he employ going about with him canvassing, and assisting him in one way or another?—We were his solicitors.

865. I know, but who were his underlings who were engaged to do the work of the election?—I do not know.

866. Who were the persons before the election coming backwards and forwards to assist him? solicitors or otherwise?—Mr. Lovibond.

867. Who else?—Mr. Reed.

868. Who else; Mr. Bussell?—No, I never saw him there.

869. And who else?—No one else.

870. (*Mr. Anstey.*) Mr. Barham?—No, I do not think so.

871. (*Mr. Coleridge.*) Used they to come alone?—Perhaps, at times.

872. Did they always see him alone?—That I cannot say at all. His office is upstairs.

873. (*Mr. Price.*) Was Mr. Bate at that time a gentleman in a position, so far as you know, to have advanced 1,500*l.* or anything like that,—1,100*l.* or 1,200*l.* out of his own pocket for election purposes in ready money?—He is a man who always had that at his command.

874. He had?—Yes.

875. (*Mr. Coleridge.*) Used you to see his banking books?—Yes.

876. What sort of a balance used he to have at his bank?—A very large balance.

877. That may be relative, as much as 1,100*l*?—Yes, as much as that.

878. And more sometimes?—Yes, sometimes more.

879. (*Mr. Anstey.*) How much have you known him to defray in connexion with the election expenses at one time?—I never knew of anything connected with the election expenses.

880. Was your ignorance of Mr. Bate's proceedings a matter of arrangement between you and him, or was it only the result of your own studious prudence, not wishing to be informed of his proceedings; which was it; by an arrangement with him?—No, certainly not.

881. Or did you keep yourself studiously in the dark?—No, I was not to put myself in the way unless I was asked.

882. But yon knew that he was engaged for these election matters?—Oh certainly.

883. And you abstained from making yourself acquainted with the details?—No, certainly not.

884. Then you did make yourself acquainted with them?—I did not abstain from making myself acquainted with them.

885. But you say you did not know anything connected with them?—No.

886. Then you did abstain from becoming acquainted with the details?—Yes.

887. All the time you were in his service?—Yes, other than canvassing and copying, and so on.

888. Who was the person who did attend to these matters?—He had a son.

889. In the office?—Yes.

890. What is his name?—Mr. Charles.

891. What is he now?—He is now in the town.

892. (*Mr. Price.*) Is his wife alive?—Yes, his widow.

893. When did he die?—Nearly two years ago, two years in September I think.

894. I am reminded that you carried the thing down to 1868. In 1868 do you know of any persons who were actively engaged in bribery, which was disclosed before the learned judge in the early part of this year?—From hearsay,

895. Besides those which you heard reported before the learned judge, do you know of any other persons who have been actively engaged in bribery?—No.

896. I will ask you this;—you no doubt have a pretty accurate idea of what has been spent on different occasions;—was the last election a more expensive one than the preceding ones?—I do not know at all, not a bit.

897. (*Mr. Coleridge.*) Do you mean, if you do not know what the men got by hearing them talk about what they got, that you did not hear from their wives what they got when you went about collecting rates?—I hear a great deal.

898. (*Mr. Price.*) What is the largest sum you have heard of on the last occasion?—10*l.*

899. The largest sum?—Yes.

900. What is the largest sum you have heard of on former occasions?—I think I have heard as much as 25*l.*

901. 50*l.*?—No.

902. The highest figure you have heard of is 25*l.*;—Yes.

903. Was that given freely?—That I cannot say.

904. What election was that when the tariff got so high?—I think that was at one of the elections in 1866.

905. Mr. Patton and Mr. Bagehot?—Yes; or one of the others; I cannot say which.

906. Did Mr. Vanderbyl's coming in the town raise the tariff at all?—I think it must have been at that election.

907. Did that raise the tariff?—I think so.

908. It was generally known that Mr. Vanderbyl was one of the gentlemen who parted freely at Yarmouth?—Yes.

909. And then the scale went up?—Yes.

910. (*Mr. Coleridge.*) You all knew he had been unseated at Yarmouth?—Yes.

911. It was generally known in the town?—Yes, either before or after; it was generally circulated.

912. (*Mr. Anstey.*) Do you wish us to understand, that since the period when you began to vote, which I think was in 1865 or 1866, you have not heard any persons named as bribers, that is, as bribing agents on your side,—on the Liberal side,—except the two names we have sufficient information of without you, or without anybody else, namely, Andrew Allan and Henry Chapman Bussell; do you mean to say, with the full knowledge of the consequence to yourself of our not believing your statement, that from the year 1865 down to this year of grace 1869 that you never heard the names of any persons mentioned as being connected with the bribery of your party, the Liberal party,—or any bribery, except those two persons twice convicted, Mr. Andrew Allan and Mr. Henry Chapman Bussell?—No agents.

913. You are asked by the chairman of this Commission if you have heard of the names of the persons connected with these shameful practices on your side, and whether you have heard the names of the persons connected with these equally shameful practices on the other side; I ask you, are those the only two persons whose names you have heard of from all your opportunities?—I have so many opportunities, I cannot recollect them; if I was to look over the list no doubt I should recollect more.

914. You mean to say you recollect no more?—No.

915. On your oath?—No.

916. (*Mr. Coleridge.*) I suppose you know every

man, woman, and child in Bridgwater?—No; I seldom see the voters.

917. By whom are the rates paid by to you,—the women?—Yes; I seldom see the voters.

918. (*Mr. Price.*) Was there any man brought down to do the bribery work, the actual passing of the money?—None that I heard of.

919. None that you heard of?—I might hear of it from two or three people congregated together, but none that I know of.

920. Cannot you give us, according to common rumour, any names excepting the two names we have heard of, Allan and Bussell on the one side, and the names of Mr. Heal, Mr. Vezey, Mr. Boys, and Mr. Harden on the other side? You cannot give us the names of any persons, except Allan and Bussell, who were notorious in bribery?—No; I do not know of them as a fact.

921. You know only of them as proved before the learned Judge in February, or whenever it was, but you cannot give us any other names of persons who have been spoken of?—There were many that have been spoken of.

922. Can you give us the names?—I cannot recollect the names.

923. (*Mr. Coleridge.*) Give us the name of every clerk who has been with Mr. Bate between 1858 and 1867, every clerk and office boy. It cannot be very difficult; there would not be so many of them?—Perhaps four or five.

924. Give me their names?—One called Robert Squibbs when I was there.

925. Where does he live?—He is there now.

926. Who else?—There is another, James Williams. He is dead.

927. Who else?—Williams, Squibbs, and myself, those were the three, and one came from Cornwall, I do not know his name, you will see it at the office, and another Cornish man called Martin.

928. Who else?—One called Lewis.

929. Is he alive?—Yes.

930, Still there?—I do not think he is; he is in the town.

931. Who else?—Aldridge.

932. Who else?—Squires; he is still there, and one other there, I do not know his name.

933. Which of those should you call, take the time you were appointed overseer, was his confidential clerk of all those?—Squibbs at that time.

934. (*Mr. Anstey.*) Why did you tell me when I asked you his confidential clerk there was his son, and not mention Squibbs?—Not while I was there.

935. (*Mr. Price.*) Who was, while you were there, confidential clerk; when you left?—I was with him.

936. (*Mr. Coleridge.*) But you say he reposed no confidence in you about election matters?—I had nothing to do with it.

937. (*Mr. Price.*) Do you mean to represent to us that Mr. Bate, though an active electioneering man, never discussed election matters with his confidential clerk?—He never did.

938. He kept them secret in his own breast?—Yes.

939. And never spoke to you or any confidential clerk?—No, he did not.

940. (*Mr. Anstey.*) Why mention his son?—His son was there.

941. His son knew about these matters, did he?—He was in the office.

942. Did his son know?—His son would go out sometimes with Mr. Kinglake.

943. Both father and son went out with Mr. Kinglake when you were there?—At times.

944. (*Mr. Coleridge.*) Was Mr. Bate alive at the time of the election of 1865 and 1866?—Yes, I think so.

945. Do you know whether he was Mr. Kinglake's agent then?—I think so, but not at the last election. He was dead before.

946. Dead before the last election. Is his son agent in his place?—His son is carrying on the business, and I suppose acting for Mr. Kinglake.

947. Who canvassed you on the last election?—Mr. Lovibond, I think.

948. Did Mr. Bate canvass you?—No.

949. (*Mr. Anstey.*) Which Mr. Lovibond?—Henry, I think.

950. (*Mr. Coleridge.*) Used Mr. Kinglake to stay with Mr. Bate when he came to Bridgwater; sleep at his house?—I cannot say for certain; he used to go to his house.

951. As far as you know, did he?—No, I do not think he did.

952. Where used he to stay?—I think at Mr. Allan's, in lodgings.

953. (*Mr. Anstey.*) Andrew Allan?—Yes.

954. The man who has been spoken of as the notorious briber?—Yes.

955. I will give you one more chance, knowing the names much better than I do. I am prepared nevertheless to give you at least four names reported by the agent. I ask you for the last time whether you cannot call to mind any liberal agent or person guilty of bribing or taking part in bribing, during the last two or three elections, except Andrew Allan and Henry Chapman Bussell?—I have heard of numbers.

956. Then give the name?—I cannot recollect now.

957. You never heard this of persons like Mr. Benjamin Lovibond, Mr. Jarman, Mr. Stroud, and several others I could name to you?—Those names were mentioned in 1865.

958. Then I ask you with reference to 1865, 1866, and 1868. My question is since you began to take a part which you fix at 1865, and I have already named more than you named to me, and you will expect me by-and-by to say I am satisfied with your evidence and to say that you have given answers to my questions; but certainly not; I warn you at this time before it is too late?—I shall be happy to give you all the information I can.

959. I shall not ask you another question, but leave you to the mercy of the qui tam informers who choose to give information.

960. (*Mr. Price.*) Now, Mr. Plowman, that is the last question we put to you at present, and you have an opportunity of making a full disclosure of everything you know, and before the end of this inquiry you may, if your recollection is refreshed in any way, ask permission to give and will be allowed to give any further information, and it is a matter, you have heard what my colleague has said about it, for your grave consideration; and I ask you now, whether there is anything in the way of information you can give us now which has not been disclosed in the course of your examination?—There is nothing that I can recollect now. If you will give me a chance I will try and look over the list of names; it might occur to one on reading through the different registers.

961. Then we shall not want you any further at present, but you are at liberty, as I have said, if you recollect anything more that will be of service to us in conducting this inquiry, and it will be better for yourself to come and give us information about it fully at once, rather than that we should discover hereafter, by any information we may get, that there are things that you must have known, and that you have kept back?—I have not kept back anything.

Mr. James Trevor called.

Mr. J. Trevor

962. (*Mr. Price.*) You have had a summons to produce papers and documents in your possession. Will you produce, without being sworn at present, all papers and documents relating to this inquiry both with reference to the last election and any other election?—The chief part are in London, at my agents, Messrs. Vizard and Co's. I believe they are subpœnaed to bring them down. It was arranged with

SECOND DAY.

Mr. J. Trevor.

24 Aug. 1869.

Mr. Purcell that they should bring them down. The papers in reference to the petition.

963. Are they with reference to the petition of 1865 ?—No; nothing to do with that.

964. What are they ?—They have reference to the last petition.

965. Are those the only papers you have connected with any of the elections ?—I have no doubt there are other papers at my office relating to the last 40 or 50 years.

966. Then from 1859 down ?—I have very few from that time. It is merely the draft of the election expenses, of which you have the fair copy.

967. 1859 ?—Yes.

968. That is the only document you have with reference to that election ?—Nothing else at all.

969. And the intervening elections ? — I have nothing, merely the account of the election expenses, as agent.

970. (*Mr. Anstey.*) Have you no drafts of instructions or briefs, and so forth, relating to the election of 1866 ?—No, I had very little to do with that.

971. 1865 ?—No, I have not. Nothing at all, except the draft of the election expenses.

972. (*Mr. Price.*) Who acted as agent for Mr. Westropp ?—Mr. Smith acted as his chief agent. He was chief agent to Mr. Ruddock, and went to London and assisted him.

973. (*Mr. Anstey.*) Which Mr. Smith ?—Mr. Bealy Smith ; a young man.

974. He is dead ?—No, he has gone to Australia.

975. Why ?—His mind became rather unsettled, and he took a fancy to go to Australia.

976. How long ago ?—I should fancy as near as possible a year.

977. Before the last election ? — Yes, clearly ; before the last registration I recollect he was gone.

978. When did you part with those papers ?—They went to London some months ago to have the bill of costs made out for taxation.

979. Since the election trial ?—Yes, immediately after.

980. Before you got the summons ?—Yes, months before.

981. Have the costs been taxed ?—They have.

982. And have they been returned to the agents ? —Yes, they have, and I do not think have been out of their possession at all. They were locked up in a box in the taxing master's office a few weeks.

983. (*Mr. Price.*) Then you have nothing, as I understand, now ?—I think nothing. I have the draft of these election expenses at home.

984. (*Mr. Coleridge.*) Those we have ?—You have the fair copy of them.

985. (*Mr. Price.*) You have not produced anything, and we will not swear you or trouble you with anything to-day. We shall probably want you again, and must have the papers which your agents possess sent down to us ?—I will arrange about it in any way you please. I believe they have been at the service of Mr. Purcell ever since I first heard of him, and I wrote to my agents to place them at his disposal. They could not be brought down here because of the taxation. It was fixed before the Commission.

986. (*Mr. Coleridge.*) Is that over now ?—Yes, and they can come any day you wish.

(*Mr. Price.*) Then we must have them sent or brought down if we want them, and will consider the matter.

Mr. E. Barham.

MR. EUSTACE BARHAM called.

987. (*Mr. Price.*) You have been summoned to produce papers and documents in your possession. What do you produce ?—I have here every document in my possession.

988. (*Mr. Coleridge.*) Will you say what they are, as you hand them in, chronologically as far as you can ?—There is nothing before 1868. My papers, this election case, are in the hands of the town clerk, and the bills and receipts ; these papers refer almost entirely to the registration of 1868, and I think there are my canvassing books as well when I canvassed with Mr. Kinglake and Mr. Vanderbyl.

989. Then this bundle, which I will mark A., are papers referring to the registration and your canvassing book of 1868 ?—Yes.

990. And this is also referring to the registration, which I will mark B. ?—Yes.

991. And this relates to the election of 1868, which I will mark C. And there are some memoranda relating to the petition, which I will mark D. ?—Those are the papers which my clerk tells me are the town clerk's papers. They are simply letters and copies of correspondence and notices concerning the election petition of 1868, marked E.

Mr. J. Palmer.

JAMES PALMER sworn.

992. (*Mr. Price.*) Are you a carpenter ?—Yes.

993. And live at Back Street, Bridgwater ?—Yes.

994. And you are a voter ?—Yes.

995. How long have you been a voter for the borough ?—The last general election.

996. For the first time ?—For the first time.

997. You are a householder paying rates ?—Yes.

998. And a working carpenter ?—Yes.

999. What wages ?—23*s.* to 24*s.* a week.

1000. Whom do you work for ?—I have been working on my own account for the last five or six months.

1001. As a master ?—Yes ; previous to that for Mr. Serle.

1002. Previous to the election were you working for wages or as a master ?—On wages.

1003. Who for ?—Mr. Serle.

1004. You were receiving then 23*s.* or 24*s.* a week ?—That was about the average I had during the time I was there.

1005. What sort of house did you live in ?—I paid 3*s.* 6*d.* a week.

1006. And no rates ?—And paid rates as well.

1007. You had no vote under the old system ?—No vote under the old system.

1008. Whom did you vote for at the last election ? —Mr. Westropp and Mr. Gray.

1009. Had you been canvassed ?—Yes.

1010. By whom ?—Four candidates.

1011. Had you promised any one to vote ?—I promised Mr. Westropp and Mr. Gray.

1012. Having promised them, I suppose you had not the others ?—No.

1013. Did you see the candidates themselves, or were you canvassed by an agent ?—I saw them all four.

1014. Were you canvassed more than once ?—No.

1015. Were you spoken to after you were canvassed and had given your promise to Mr. Westropp and Mr. Gray by the agents on the other side ?—No.

1016. Never ?—The master I was working for merely put the question whom I was going to vote for.

1017. That was Mr. Serle ?—Yes.

1018. And you told him ?—I told him to wait until the day of the trial came.

1019. You did not tell him for Westropp and Gray ? —No.

1020. You told him to wait until the day of trial ? —Yes.

1021. What did you mean by that ?—Because he being a Liberal I did not know how to stand on the matter ; I thought perhaps if I told him I might not be required.

1022. Do you mean to tell us you did not tell him because you thought he would turn you off ?—I do not say he would, but I thought he might have done so.

1023. Therefore you did not tell him you had promised ?—I did not.

1024. Besides Mr. Serle, did anyone else speak to you?—No, none but the candidates.

1025. The day of the election was the 17th November. Did you go and vote early?—No; I voted about half past two, I suppose.

1026. Why did you not go earlier than that?—Because, as I told you before, I hardly knew how to act. The master being a Liberal, I thought I should lose my situation, and that kept me back for a time, but later in the day I determined to go.

1027. Had you heard anything about money going before you went?—No, nothing at all.

1028. You simply abstained because your master was so Liberal?—Yes, that was what kept me back so long in the afternoon.

1029. Did you go to any public house before you began?—To the "Clarence" for a glass of beer.

1030. Anything more?—I went from there to the "Anchor."

1031. What time of day did you go to the "Anchor"?—I cannot exactly say; between two and three, before I had polled.

1032. What made you go?—I went with a friend.

1033. Who?—A foreman of a shipyard in the town, Francis Carver.

1034. How came he to take you down to the "Anchor"?—We strolled down together; that is all.

1035. Did he say anything?—No.

1336. Had you been a customer of the "Anchor" before?—If I passed the house.

1037. Had you been a customer at the time?—No.

1038. Where did you meet Carver?—We met in the town and strolled about together.

1039. Did you tell him you had voted?—Well, I might have done so.

1040. Did you?—Very likely.

1041. Is he a voter?—Yes.

1042. Who for?—I do not know; he said he was going as far as the "Anchor," and I went down the street with him and had a glass of beer.

1043. You said you have no doubt you did tell him?—I have no doubt I told him.

1044. Did he say anything going down to the "Anchor"?—It was merely to have a glass together.

1045. What did he say?—It was merely for a stroll.

1046. Do you know the landlord of the "Anchor"?—Yes.

1047. How long?—Ever since I was a lad.

1048. Henry Chapman Bussell?—Yes.

1049. Did you know he was an active man in election matters?—I understood so.

1050. That you understood he was an active man on the other side?—Yes.

1051. That was about two o'clock?—Yes; soon after.

1052. What did you see when you went down to the "Anchor"?—I saw several people in the room; Captain Bussell and Captain Press, and several others I do not know, in the parlour.

1053. Was anything said to you by Bussell?—Not at all during the time I was in the front room.

1054. Had you anything to drink?—I had a glass of beer.

1055. What was said to you afterwards?—I was called out of the room.

1056. Who by?—Bussell.

1057. What did he say to you?—Called me in and gave me 10*l*.

1058. Where did he call you into?—The room opposite the door.

1059. What did he say to you?—He told me to vote for Kinglake and Vanderbyl.

1060. What did you say?—I said, "All right."

1061. Did you tell him you had not voted?—I have no doubt I did, or else he would not have given me the money.

1062. He asked you first, I suppose?—I dare say he did.

1063. You must know?—Of course he would not have given me the money without.

1064. Did you tell him you had promised the other side?—No.

1065. What sort of money was it given in?—Ten sovereigns.

1066. Wrapped up?—No.

1067. Counted out to you?—Yes.

1068. And he said, "Now that is if you go and "vote for Kinglake"?—Yes, that is it.

1069. What did you say to Bussell?—It was more than I expected.

1070. What was it more than you expected?—Because I did not go with the intention of getting money.

1071. Do you mean to represent that you went down to the "Anchor" merely to get a glass of ale?—Yes, that is all.

1072. Knowing that Bussell had been an active man on the other side?—Yes, I knew that.

1073. Had you never heard that he had bribed on the other side?—No.

1074. Did you never hear that he was a man actively engaged in bribing?—No.

1075. How long before that had you been as a customer in his house?—I cannot say.

1076. Six months before?—Yes, I should think so.

1077. You will not undertake to say that you had been within six months?—I would not undertake to say that I had or not. I do not accustom any house in the shape of a public house.

1078. What did you do with the 10 sovereigns?—I took it to Mr. Westropp.

1079. Where?—At the "Clarence Hotel."

1080. Was the "room" you call it, a cellar?—The cellar opposite.

1081. When you got into the passage, did Bussell say anything to you about anybody going to the poll with you?—He said Captain Richards would go.

1082. Who is Captain Richards?—A shipowner in the town.

1083. Was he there?—Yes.

1084. Did you go with him?—A part of the way.

1085. How far?—To near the "Clarence."

1086. Then did you leave him?—I did.

1087. And went into the "Clarence"?—And went into the "Clarence."

1088. When you went into the "Clarence" did you see Mr. Westropp and Mr. Gray, and several other gentlemen?—I did.

1089. And deliver up the money?—I did.

1090. It was not wrapped up, you say?—No, I had it in my hand all the time.

1091. And carried it in the street all the time and handed the sum, 10 sovereigns, over to Mr. Westropp?—Yes; the same 10 sovereigns.

1092. Did you see anybody else at the "Anchor" that you know, a person of the name of Crocker?—Yes; I saw Captain Crocker.

1093. When you gave the money up did you see what was done with it?—Wrapped up and sealed by Mr. James Phelps, the corn merchant.

1094. Did you see Mr. Frederick Jarman there?—No; I do not distinctly remember. I remember Mr. Phelps putting a seal on it in the presence of several gentlemen, and Mr. Westropp and Mr. Gray.

1095. Since the 11th November have you left Mr. Serle?—Yes.

1096. Has he turned you away?—No.

1097. How was it you left?—I heard there would not be anything for me to do.

1098. What do you mean?—On account of what I heard from a shopmate that there would be no more work for me.

1099. A shopmate told you that Mr. Serle did not intend to let you work any more?—Yes; I did not know whether he spoke authentically, but I went to pick my tools up. I went and asked the son, and he said, "Yes, you may as well, as you have been away "all the week, pick up your tools." I did not go until the Friday.

SECOND DAY.

Mr. J. Palmer.

24 Aug. 1869.

1100. You stayed until the Friday when you saw the son ?—Yes.

1101. And the son told you, as you had been away, you might as well pick up your tools ?—Yes.

1102. And that was in point of fact your discharge ?—Yes ; mutually agreed on that point.

1103. Had you any option in the matter ?—I would not say. He did not turn me away.

1104. (*Mr. Anstey.*) Had you not promised Mr. Vanderbyl to vote for him before you received this bribe ?—Never.

1105. Were not you examined before Mr. Justice Blackburn ?—Yes.

1106. Did not you distinctly tell him that you had promised Mr. Vanderbyl to vote for him, because Mr. Vanderbyl was against flogging in the army ?—No; that is a misprint.

1107. Do you swear that ?—Yes.

1108–9. (*Mr. Price.*) This is what you said: "I told "Mr. Vanderbyl, 'If I vote in the Liberal interest, "I shall vote for you and you alone,' but that Mr. "Kinglake I would not vote for on any considera-"tion" ?—That is it.

1110. "I heard, in fact I have been given to "understand, that Mr. Kinglake had opposed Mr. "Otway's motion for the abolition of the lash in the "army.—I believe that is what I told Mr. Kinglake "at the time." "You think you told him what ?—I "understood he supported the lash in the army." "Mr. Kinglake did ?—Yes." "And you disapproving "of it gave that as your reason for not voting for "him ?—Yes." "How about Mr. Vanderbyl ?—I "never promised him at all" ?—No; I never did.

1111. "What about the lash in the army with him ? "—Mr. Vanderbyl came to me and said 'I am coming "down to have a flying shot at you.' I said 'Mind "you do not miss your mark.' Was nothing said "about flogging in the army ?—Not then. Mr. Van-"derbyl never made answer."—I never promised either of them.

1112. Now tell us what induced you to go down to Bussell. It could not be to get a glass of ale. You had just had a glass of ale at the "Clarence" ?—It was a sort of general holiday, people were not doing anything, and you must walk from one place to the other to see what was going on, to see people drinking as I had seen at the "Clarence." I did not expect to get any money.

1113. Do you mean to tell us that you went down to Bussell to see people drinking ?—I went down just for a walk along with this friend of mine.

1114. Do you mean all you went for was for a walk ? Why did you not go the other way ?—Well, I had walked the other way previously to that.

1115. Were there only two places to walk to ?—That is about the centre, the "Clarence," and we walked down and up.

1116. And you went to the "Clarence" and from there to the "Anchor" ?—Yes.

1117. Merely for a walk to see what was going on ?—Just strolling about.

1118. You knew it was the Liberal house, did not you ?—Yes.

1119. (*Mr. Anstey.*) And you had already had your beer at the "Clarence" ?—I had a glass of beer before at the "Clarence."

1120. (*Mr. Price.*) And had promised two candidates ?—I had several days before.

1121. And not having voted, and it being after two o'clock ?—That is it.

1122. What time did you vote ?—Directly after that.

1123. Did you get anything for the 10 sovereigns ?—I had 10 sovereigns in the place of it.

1124. From whom ?—I will tell you, the gentleman who made the amount up. He handed to Mr. Westropp a certain amount.

1125. Did Mr. Westropp advance you 8*l.* ?—I do not know.

1126. Did he hand you 8 sovereigns saying he had not enough ?—I think it was Mr. Henett.

1127. (*Mr. Anstey.*) Of the firm of Hennett and Spink, who tried to compromise between the Conservative and the Liberal candidates.

1128. (*Mr. Price.*) What time did you vote ?—Directly after I had the 10*l.*

1129. That you had in exchange for the 10*l.* you gave up ?—Yes, directly.

1130. Then having the 10*l.* from Mr. Westropp you went and voted for him ?—I voted for Mr. Westropp and Mr. Gray.

1131. Up to that time you had not voted and you say you doubted much whether you would ?—Well, that is it. That is the meaning of my stopping so late.

1132. Up to that time had you any doubt which way you would vote ?—I had not any doubt which way they went.

1133. And that removed all doubt ?—I do not know anything about that.

1134. Did it ?—Well, I took the money back.

1135. (*Mr. Coleridge.*) What made you take the money to Mr. Westropp ?—Because they were at the head of the poll in the early part of the day, and in the after part they were in arrear.

1136. Why did you take that ?—Just to show they were bribing.

1137. Had they told you to do it ?—No.

1138. (*Mr. Anstey.*) They bribed you ?—No.

1139. They gave you 10*l.* without other consideration but your vote ?—No.

1140. You gave them no consideration except your vote ?—Well, I gave the money up to them.

1141. And received it back from them in the shape of 8*l.* and 2*l.* What do you call that but bribery down here ?—

1142. (*Mr. Coleridge.*) Suppose they had kept the 10*l.* and not given you the 10*l.* back, which way should you have voted ?—I should have voted for Westropp and Gray.

1143. If you had not got the 10*l.* ?—Yes; I had intended to do it. I put the 10*l.* on the table.

1144. And had the other ?—Yes, that is true.

1145. (*Mr. Price.*) This is what you say, "I had the "money, and of course I placed the money on the "table ; and if I had placed that 10 sovereigns there, "and if they had taken the 10 sovereigns up, of "course I should have been nothing the better for it, "and they would have had the money, and I should "have been out of employment as well, because I "knew I should be turned out of my situation after "that" ?—Yes.

1146. Therefore your view was that you expected to be turned out of your situation immediately that became known to the other side, and therefore you ought to have ten sovereigns ?—I do not know that was exactly the thought I thought, I had no time to consider about the matter.

1147. (*Mr. Coleridge.*) You had time to make up your mind to stick to the money unless you got something in its place ?—I did not let it go out of my hands.

1148. What did Mr. Westropp say ; "Go and vote for me" ?—No.

1149. What was said ; "If I give you 10 sovereigns "will you give me the 10 sovereigns back ?"—That is it.

1150. Who to ?—The gentlemen present.

1151. Who were they ?—Mr. Westropp and Mr. Hennett.

1152. What answer did any of them make to that ?—I had the 10*l.*

1153. Did they put the 10*l.* down, and not say a word ?—No, they put it in my hand ; nothing about voting.

1154. What did they say at all ?—I cannot remember.

1155. Did they say anything ?—Not that I remember.

1156. Did they tell you to go and vote for Vanderbyl and Kinglake ?—No.

1157. What did they tell you ?—Nothing about voting.

1158. What did they say ?—I cannot remember.

1159. Did they say anything ?—I cannot tell you anything more.

1160. Did they say you should not be a loser by it ?—No.

1161. (*Mr. Price.*) Then how came Mr. Westropp to pull out his purse, and give you 8*l.* and Mr. Hennett to add 2*l.* ? Was nothing said ?—I told them from whence it came, of course.

1162. Then did you tell them you expected to have 10*l.* in its place ?—I stated that before.

1163. (*Mr. Anstey.*) Did you tell them you had not voted yet ?—No.

1164. Did you tell them you were on the way to the poll ?—No, I do not remember speaking at all about it.

1165. Did you tell them, as you said to Mr. Bussell, "all right ?"—No.

1166. Then, when you took the bribe from Mr. Bussell, you said "all right," and when from your own party you said nothing ?—I said nothing on the matter.

1167. I must warn you, as I did the last witness, that if I do not believe you I shall not sign any certificate to protect you against the consequence of your crime ; therefore you had better tell the whole truth. It is a most disgraceful revelation as far as you have gone, and I beg that you will not indulge in such merriment. Answer my question again without that indecent jocularity. Do you mean that when you received the money you confess to have received as a bribe from Bussell the bribing agent you said "all right," leaving him under the impression you were going to vote for Vanderbyl and Kinglake the bribing masters, and when you received the bribe over again on your side you said nothing at all, but went away leaving them in ignorance whether you were going to vote for them or not ?—I remember nothing being said to me about going to vote or not.

1168. You said distinctly that nothing was said ; do you now say that was so, or do you not remember ?—You confuse me ; I do not remember anything being said about going to the poll. I gave the money up.

1169. Have you any doubt that when you left the room, after receiving those sums of 8*l.* and 2*l.* from Mr. Westropp and Mr. Hennett, after the receipt of those two sums, that everybody in that room was under the impression that you were on your way to the poll to vote for Westropp and Gray ?—I promised Mr. Gray and Mr. Westropp as well, therefore I had no reason to doubt that they thought it, but as to speaking about the matter I do not know.

1170. Then you went and voted for Westropp and Gray ?—Yes.

1171. (*Mr. Coleridge.*) Who first came to canvass you at all ?—Mr. Kinglake and Mr. Vanderbyl.

1172. Did they come together ?—They were both on the premises when I saw them.

1173. Who came with them ?—Mr. Serle.

1174. Your master ?—Yes; at least after Vanderbyl had been down with me.

1175. Who came first ?—Mr. Vanderbyl.

1176. By himself ?—By himself.

1177. Where were you ?—In the shop.

1178. How long before the election ?—I should think about a week, it might be a fortnight.

1179. What did he say ?—He said he was going to have a flying shot at me.

1180. What did you say ?—I told him to mind and not miss the mark.

1181. How long after did Mr. Serle and Mr. Kinglake come in ?—A few seconds or moments.

1182. What did Mr. Kinglake say ?—I told him I should not vote for him on any consideration.

1183. What did he say ?—He asked me whether I would not.

1184. What did Mr. Serle say to you ?—I remember telling Mr. Serle I had a free and independent vote.

1185. What did Mr. Serle say to you ?—I forget the words now.

1186. What was the purport of them ?—I really cannot.

1187. Did he ask you to vote for Mr. Kinglake ?—He did.

1188. Did he ask you vote for Mr. Vanderbyl as well ?—He asked me to vote for both ; I told him to wait till the day came.

1189. Did he say anything about your work ?—No.

1190. Anything about employing you ?—No.

1191. You are quite sure ?—Quite sure

1192. How long before you went to Bussell did you meet Carver ?—It might be hours.

1193. You walked about with him, and went to the "Clarence"; did he tell you there was money to be got at Bussell's ?—No.

1194, Did he get any himself ?—I do not know.

1195. When did he vote ?—I do not know.

1196. How did he vote ?—I do not know.

1197. Did you go to the poll together ?—No.

1198. And nobody told you that money was going ?—No.

1199. You did not hear that at further elections he had money to give away ?—No.

1200. Do you mean to say on oath that you had not heard that he was a man to distribute money on the Liberal side ?—I never heard anything of the sort.

1201. And have lived in Bridgwater all your life ?—I have not.

1202. How long ?—Several years.

1203. Quite long enough to know the character of the place, and never heard that money was going at an election ?—No ; I will not swear that there were rumours.

1204. Had you heard rumours that Bussell was a person who had had it if there was money going ?—No.

1205. Who then ?—I do not know that I have heard.

1206. But not Bussell ?—No.

1207. You never heard that anything of the sort was going on at the "Anchor" ?—No.

1208. And when you got there he said "here is 10*l.* to vote for Vanderbyl and Kinglake" ?—That is it.

1209. Did not he ask who you had promised ?—No.

1210. Or whether you had been canvassed by Kinglake and Vanderbyl ?—No.

1211. Simply said, "here are 10 sovereigns to vote ?—To vote for Vanderbyl and Kinglake.

1212. And you said nothing ?—I said "all right," that is all.

1213. Who was in the house at the time ?—I went in with Carver.

1214. Was Carver present when the money was given you ?—No.

1215. How far off was he ?—I do not know that he was there at all.

1216. You went to the cellar you say. Was the door opened ; could Carver hear in the opposite room ?—No.

1217. Did Bussell speak in a whisper ?—No.

1218. Did he speak in an ordinary tone of voice ?—Yes.

1219. And the passage was about as wide across as this table ?—Yes.

1220. And the door open ?—I do not know whether it was left open when we went in.

1221. But you do not know that it was shut ?—No ; there is only the passage between, but one door is situated here and the other below.

1222. Could you have heard from the cellar to the room ?—I do not know.

1223. Do you think so ?—I think not.

1224. That you swear ?—I swear I think not.

1225. And that is all you swear ; you took the 10 sovereigns, and went up to the "Clarence" with them ?—Yes.

1226. Who did you speak to going up ?—I only spoke to Richards.

SECOND DAY.

Mr. J. Palmer.

24 Aug. 1869.

1227. What did you say?—Mr. Bussell said "Captain Richards will go to the poll with you." He was in the passage.

1228. Captain Richards must have heard what he said if he was in the passage?—I do not know.

1229. Mr. Bussell said, Captain Richards will go with you, and he was in the passage?—Yes.

1230. Did you say "I have had 10*l.*, and you are to take me to the poll"?—No, not a word about money transpired; he took me by the arm, and I said I will not be led.

1231. Were you drunk or sober?—Sober.

1232. What did he say?—He let go of my arm, and we walked on together until I wished him good afternoon.

1233. Where did he leave your arm?—Near the "Clarence."

1334. What did you say until he let go your arm?—I do not know; we had no conversation.

1235. Did you say anything about the election going along?—No.

1236. Anything about the poll?—No.

1237. Do you mean to say not a word was said between you, and the man who was taking you to the poll in the heat of the election, about it?—I will not swear, because there might have been anything said, but I do not remember what.

1238. Will you swear that nothing was said by him about anything?—I will not swear.

1239. Will you tell us something that he said about the matter or anything else?—I cannot remember. I have no doubt he spoke on the road, but as to what I cannot say.

1240. You cannot remember anything but as to what Bussell said, not what Hennett said or Westropp, or Captain Richards. Try and recollect something besides what Bussell said?—I do not recollect anything more than I have stated.

1241. You must tell me; you cannot recollect anything whatever what Captain Richards said to you, or you to him?—I cannot.

1242. With such a remarkable fact of receiving 10 sovereigns in the cellar, and it being told you that he was to take you to the poll, and meeting him in the passage, and going to the poll with him, you cannot remember what he said. Did he not say "Let us come along to the poll"?—No doubt.

1243. You said he said nothing?—Well if he said it.

1244. But did he say it?—I will not say whether he did or not.

1245. Did he say come along with me?—I went with him.

1246. Did he say come along with me?—He might.

1247. Did he say anything or nothing?—He might have said.

1248. Did he say "come to the poll," or "do not go to the poll," or what did he say?—He took me by the arm, he must have tried to lead me along.

1249. You said "I will not be led"?—Yes.

1250. Did he say "Will you come to the poll without being led"?—I said I would go to the poll by myself, I would not be led.

1251. You have never told us that before, but try and recollect?—It is so long ago.

1252. What else did he say when you said you would go to the poll, and would not be led?—He let go of my arm and walked by the side of me, and said "Would I go to the poll"? and I said "Yes."

1253. And that was a lie, and you did not?—I did go afterwards.

1254. But not to vote as you promised?—No.

1255. Did he not try to stop your going into the "Clarence"?—No.

1256. You said you wished him good day?—I wished him good afternoon.

1257. What did he say?—I went away as fast as I could to get into the "Clarence."

1258. Was there a crowd about the "Clarence"?—Yes, about the door.

1259. Then you walked with him until you got to the crowd?—Yes, to the crowd.

1260. Did you run?—No.

1261. Did he go away or stand still?—I did not look behind to see that.

1262. What was his parting word when you said good day? Did he know you were going to throw him over?—I told him I was going into the "Clarence."

1263. What did he say?—I said I wish you good day, I am going into the "Clarence."

1264. Did not he say, "Are not you going to vote "according to your promise, or for the money"?—Whether he knew that I had had money or not I do not know.

1265. Did he not say, "You have had the money, "you ought to vote according to it"?—No, I do not remember it.

1266. That you will swear?—I swear I do not remember any such words.

1267. Will you swear you do not remember anything about voting according to the money given given you?—I do not remember.

1268. Nothing of the sort?—Nothing of the sort.

1269. What did he say?—I said "I shall wish you "good afternoon, I am going in here," and walked as fast as I could.

1270. Did he not make objection, and catch your arm?—No, he did not.

1271. And did nothing to stop you?—No, nothing at all.

1272. When did you next see him?—I have seen him at different times.

1273. When did you next see him afterwards?—I do not think I saw him the same day.

1274. Did you?—No, not to my knowledge.

1275. When next did you see him?—Not to speak to since.

1276. Has he to you?—No.

1277. When did you next see Mr. Bussell after he gave you the 10*l.*?—I do not know.

1278. Did you that night?—No.

1279. The next day?—No.

1280. The day after?—No. I remember standing down by Hook's some days after, and he passed by.

1281. What did he say?—He never spoke, he has never spoken to me.

1282. And never asked you for the 10*l.* back?—No.

1283. I do not suppose you have given it him back?—No. He has never spoken to me since, or me to him.

1284. Then I understand from your evidence that you had 10*l.* for voting for Vanderbyl and Kinglake, and that being illegally given you gave it up to Mr. Westropp, and he gave you 10*l.* to vote for him. Is that it?—At least I had 10*l.* in exchange.

1285. (*Mr. Anstey.*) Who told you that if you brought money to the "Clarence Hotel" you would get the 10*l.* back?—No one at all.

1286. If you knew so little about the financial affairs of the "Golden Anchor" how came you to know so much of the "Clarence" that you went and made your deposit there?—I knew that was the head quarters where Mr. Westropp was staying.

1287. You had been there that morning?—Yes.

1288. Are you quite sure that neither Mr. Leaker or Mr. Westropp suggested to your going down to the "Anchor" to do this?—No.

1289. Had anything been said to you about your vote?—No.

1290. Had nothing been said, that if you got the money for your vote on the other side, and bring it here, you should not be a loser?—No.

1291. Then whose suggestion was it that you put it down, and did not say a word?—I said I had the 10*l.*

1292. What did you say further when you came into the room. You came in and said I have 10*l.*,—what else?—That I have from Mr. Bussell.

1293. For what?—To vote for Vanderbyl and Kinglake.

1294. Did you go to say I will give it up to you if you will give me a sum of equal amount ?—Some words to that effect.

1295. Did you also say "If you do not give me a "sum equal in amount I will not give it up" ?—No.

1296. Was it your intention to give it up ?—Well I could not have well kept it after showing it.

1297. You would have voted the same ?—I went with the intention of giving it up, not knowing whether I was going to have any exchange or not, and I said something I expect the amount in exchange."

1298. You said "I expect the money in exchange" ?—I put the 10*l.* down like this (describing), and they were going to take it up and I said "I must "have 10*l.* in the place of it."

1299. Upon which Mr. Westropp pulled out 8*l.*, and the other two, and they sealed up the money ?—Yes.

1300. Will your swear that your visit to the "Clarence" that morning was not prompted by the desire to make something out of the election ?—I will.

1301. What did you go for ?—There was a meeting in the morning.

1302. According to your account you went three times, once for that, and secondly to get a glass of beer, and then with this money, and you want us to believe that this was all the inspiration of a moment ?—It was done in the heat of the moment.

1303. Well, I do not believe it at all. What attornies were present, and attornies clerks on this occasion, when this exchange for ten sovereigns took place ? You say that Mr. Westropp was there, and you say that Mr. Hennett was there ; what attornies were there ? Was Mr. Trevor there, or his brother ?—I do not remember seeing Mr. Trevor. I remember seeing Mr. Brice.

1304. Was Mr. Veysey there ?—I do not remember seeing him. It was done in the heat of the moment.

1305. Was Mr. Smith there ?—No.

1306. Any of the family of the Smiths', from the pawnbroker upwards or downwards on that occasion ?—I did not see any of them. I saw Mr. Collett.

1307. Who is Mr. Collett ? — A licensed victualler.

1308. Did any of these attornies take part in the conversation about the 10*l.* ?—They took down the statement.

1309. Which of them ?—Mr. Brice I think.

1310. Mr. Brice took down your statement there and then ?—Yes. That was done in the heat of the moment. I had no doubt of getting the money.

1311. Had you seen Mr. Brice that day ?—No.

1312. Nor any other attorney ?—No.

1313. Have you seen Mr. Bussell since his return from his country excursion ?—I have seen him, but not spoken to him.

1314. I suppose it was mutually thought advisable that you should not enter into any particulars of this case. Have you had any correspondence with him through a friend, or by letter ?—No ; neither message nor letter.

1315. Has anybody reimbursed him the money he so fruitlessly expended on you ?—Not to my knowledge.

1316. You have kept the 10*l.* you received from Mr. Westropp and Mr. Hennett, and not bestowed any farthing of it except on your own pecuniary purposes ?—No.

1317. (*Mr. Coleridge.*) Have you a wife ?—Yes.

1318. Did you tell her anything about this 10*l.* ?—I gave it up to her.

1319. You say this is the first time you had a vote ?—Yes.

1320. At the former election in 1866 were you a messenger ?—No.

1321. Or employed about the election ?—No.

1322. Have you ever been employed about elections ?—No.

1323. Or had anything to do with them ?—No.

1324. (*Mr. Price.*) I see you were asked, "What "was your object in doing this, with the consciousness that you would lose your situation, and leave "your family destitute ?" Had you that consciousness that you would lose your situation, and leave your family destitute if you went and gave up the 10*l.* ?—I should have been able to go and work.

1325. Then that was not the object you say ?—No.

1326. What was the object ?—To show up the dirt of it. The election had been lost in the early part of the day, and they went and spent money for the election ; that is all.

1327. Then do you mean to say you did not go down there to get some money if you could ?—I did not. I had no intention whatever.

1328. (*Mr. Anstey.*) You know that Mr. Vanderbyl and Mr. Kinglake were buying votes like mad ?—No.

1329. Losing votes like mad ?—No, I did not.

1330. You have sworn it already ?—I knew the Conservatives were losing.

1331. Therefore you knew the state of the poll at that time ?—I do not know the numbers, but I know they were behind.

1332. (*Mr. Coleridge.*) Do you know any others who Mr. Westropp gave 10*l.* to ?—No.

1333. Or Mr. Hennett ?—No.

1334. (*Mr. Anstey.*) You did not hear there was money in the "Clarence" the night before ?—No.

1335. You heard no rumour circulating through the populace, or the respectable classes, to the effect that "Money has come down, and it is here in the house ?"—No.

1336. Are you the only member of the class added by Mr. Disraeli's Act to the constituency of this borough, with the exception of your comrade Mr. Crocker, who has sold his vote at this election, or were there others added to the constituency who have taken the earliest opportunity, like you, to make a market of it ?—I do not know.

1337. Then you want it to go forth to the world that you and Crocker are the only two black sheep among them ?—I do not know about that. I have not heard any more than I have stated.

1338. You have not heard of any who have taken money or had promises of money, except Crocker and yourself ?—No.

1339. And you and Crocker are new voters ?—I do not know about Crocker. I am.

1340. And the first moment you find yourself qualified, you go and make a good thing of it ?—I had no determination. It was done in the flash of the moment.

1341. You say it was done to show up the dirt ?—Yes, so it was.

1342. Then it was not done in the heat of the moment.

Adjourned to to-morrow morning at eleven o'clock.

THIRD DAY.

25 Aug. 1869.

THIRD DAY.

Wednesday, 25th August 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
HENRY FRANCIS PURCELL, Esq., Secretary.

1343. (*Mr. Sully.*) Sir, I wish to place in your hands a schedule of professional papers which I found amongst the documents and books which have come into my possession in consequence of my being the executor of the late Mr. Benjamin Lovibond. On looking over this schedule this morning, I found in two boxes what purport to be papers connected with the borough and municipal elections. Those papers, so far as I have been able to trace them in the box indicated in the schedule, I have brought here, and I now wish to leave them in the custody of the Court; and I also intend, with your permission, to place them in your hands, and tender to you the whole of the boxes of papers which have come into my possession in that capacity. I presume, however, as I am acting in the capacity of executor, that of such papers as you take into your custody you will allow a schedule or memorandum to be made for my security?—(*Mr. Price.*) Certainly.

Mr. J. Palmer.

JAMES PALMER recalled.

1344. (*Mr. Anstey.*) You did not tell us what became of the 10 sovereigns after they were shown to Mr. Justice Blackburn in Court.—I believe I heard they were going to be given to the Speaker of the House of Commons.

1345. Who told you that story?—I heard so in the Court. I believe Mr. Justice Blackburn said possibly they would go into his hands.

1346. The hands of the Speaker?—Yes.

1347. Will you swear that you heard Mr. Justice Blackburn say that?—No, I will not swear it, but I thought I heard one of the counsellors.

1348. Did not you get them yourself?—No.

1349. Have you had any further payment from anybody besides the 8*l.* and 2*l.* paid by the hands of Mr. Westropp and Mr. Hennett?—No.

1350. In whose service are you at present?—I am doing work about, jobbing about when I can get a job to do from any person.

1351. Are not you in any employment?—No, doing jobs for gentlemen. I have been clearing a greenhouse for Mr. Brice lately.

1352. Is that Mr. Brice the lawyer?—Yes, and I have been working as well for Mrs. Hutchings, and doing some work for Mr. Humber, that was of course working for him as journeyman.

1353. All those persons are in the Conservative interest, are they not?—They may be so and may not.

1354. But do not you know?—I know Mr. Brice is.

1355. And do not you know that Mr. Humber was a witness against Mr. Kinglake and Mr. Vanderbyl at the late trial?—I know he was examined here.

1356. Then instead of making that stupid answer "it may be so," say whether it is. Are not all the persons who have given you employment since you left Mr. Searle's, parties belonging to the Conservative interest?—Those you mention, but as to the lady I mentioned, I do not know anything about.

1357. How is it you are called by two names; which is the right name Fackerell or Palmer?—Palmer is my right name. I was brought up by an uncle and aunt.

1358. How did you get the alias?—By being called after them. They had me from a child, and I was known by it in the town for years.

1359. (*Mr. Coleridge.*) But your real name is Palmer?—Yes.

Mr. H. C. Bussell.

HENRY CHAPMAN BUSSELL sworn.

(*The Witness.*) I have a request to make before I give my evidence, that is, that in examining me you shall confine yourselves, as far as you can, to every election as they come, not to mix up one election with another, because I come with the express purpose of telling the truth, and if you ask me a question concerning one election when I am under examination as to another I may make a mistake.

1360. (*Mr. Price.*) We will take care to keep the histories of the elections, as far as we can, distinct. What are you?—An inn holder.

1361. You keep the "Anchor Inn"?—I do.

1362. How long have you been holder or landlord of the inn?—Since 1852.

1363. And are a voter for the borough?—Yes.

1364. Have you always exercised the franchise at the elections?—I have.

1365. Have you taken an active part in all the election matters?—All but one.

1366. Which was the one you did not?—In 1852, when there were five candidates here.

1367. How old are you?—47.

1368. In 1852 you took no part?—It was no use. The party I went with were nowhere, and we knew that before we began.

1369. Lord Henley's party?—Yes.

1370. Lord Henley, Mr. Kinglake, Colonel Tynte, Mr. Follett, and Mr. Mansell?—I voted a plumper for Mr. Kinglake.

1371. Take the last election first, 1868. Did you take an active part in it?—I did not take as active part at the last election as at the former ones.

1372. Not as active?—No.

1373. Was your house hired by any of the candidates?—No.

1374. Were there any committee meetings at your house?—No, never.

1375. Did you canvass yourself?—No.

1376. Never?—No, and those witnesses who came into this Court and swore, perjured themselves, everyone.

1377. We want your account. You say you did not canvass any of the candidates?—I did not.

1378. Had you promised your vote?—Yes, I had promised my vote; there was no necessity for asking me.

1379. What were the head quarters of Mr. Vanderbyl and Mr. Kinglake?—They had no committee rooms at all.

1380. Where did they have any head quarters for meeting their friends?—Here, at this hall.

1381. Where were they living?—I believe Mr. Vanderbyl was residing at Pightly, and they stopped occasionally at the Globe.

1382. And Mr. Kinglake?—He resided at the Railway Hotel; first of all, I believe, at Andrew Allan's.

1383. How long before the election did they take up their abode here?—I believe 8 or 10 days. Mr. Vanderbyl had been residing in the hotel some time.

1384. (*Mr. Anstey.*) Are you quite sure Mr. Kinglake did not reside at Andrew Allan's as well as at the Railway Hotel?—I say a few days, and then he removed to the Railway Hotel.

1385. Are you quite sure that at the same time he had a room at the Railway Hotel he had no room at Allan's?—I do not know that the rooms were not engaged at Allan's.

1386. Are you quite sure that he did not spend his days at Allan's and his nights at the hotel?—No, I am quite sure of that.

1387. (*Mr. Price.*) Did I understand that you did not canvass with the candidates at all?—I did not.

1388. During the remaining 10 days that they were here were they canvassing in the town?—They were.

1389. Had you canvassed any of the new voters before they came?—No.

1390. In no way whatever?—In common conversation I may have asked who they were going to vote for.

1391. Is your house made the resort for the voters before the election?—At election times we generally find more come than at other times.

1392. You had numbers there night after night?—Not numbers. We may get perhaps ten or a dozen, and sometimes twenty. You must bear in mind that ours is not a very large house, and we could not have numbers.

1393. You had 10, 12, or 20 of a night previous to an election at your house who were political partizans?—They came in.

1394. Which party; Mr. Vanderbyl and Mr. Kinglake?—Yes, it was a rare thing to get a Conservative coming to the house.

1395. (*Mr. Coleridge.*) Your character was pretty well known as a Liberal?—Yes.

1396. (*Mr. Price.*) You say you had not canvassed any new voters; not went round?—No, I never went round canvassing. If a man asked who was coming, I may have stated who he was going to vote for, but I never went round with any person at all to ask who he was going to vote for.

1397. Who were you in communication with on the part of Mr. Vanderbyl and Mr. Kinglake previous to the last election?—I never had any communication with any one of them in my life.

1398. But did you hold any communication previous to the last election with any who were partizans of Mr. Vanderbyl and Mr. Kinglake?—Previous to the last occasion, only parties we considered as agents.

1399. Who were they?—Messrs. Reed and Cook, Mr. Barham, Mr. Lovibond. Mr. Haviland we considered an agent. He did not take a very active part. No person else.

1400. (*Mr. Price.*) Did you have communication with them from time to time about election matters?—They may be passing along the street, and I may have asked them a question.

1401. That may be, but the question is whether you did?—They may be passing along the street, and it is very likely I may have asked them how matters were going on at previous elections.

1402. Did you or did you not, that is the question, have frequent communication with them previous to the election?—The last election?

1403. Yes.—No.

1404. You had not?—Not up to the day before the election, no more than merely asking them in the street how they were getting on with the canvass.

1405. Were they canvassing down your street then?—I met them promiscuously in the street.

1406. Where?—Different parts of the town.

1407. Were they canvassing at the time?—No, I made a point of never going into a street where they were canvassing.

1408. Your account is that you used to meet these gentlemen quite promiscuously some days before the election; every day did you meet them?—Yes, there was not very many days, but it was not every day that I spoke to them.

1409. Did you ever go to their offices?—Yes.

1410. Did they come down to your house?—No, I saw them in the street.

1411. If passing your house do you mean to say that none of them whom you call agents ever came into your house on one of the days previous to the elections?—Mr. Barham came in with Mr. Kinglake.

1412. When?—When he was round canvassing.

1413. Mr. Barham came in with Mr. Kinglake, anybody else with them?—No person.

1414. What did they come in for?—They came in as a matter of compliment.

1415. Compliment?—They were passing round; I happened to come in at the time. I was not in when they came in.

1416. Every person knew your politics, and there was no occasion to canvass you?—Well, they merely went in to see my wife out of a compliment, that was their reply.

1417. How long were they there?—Three or four minutes.

1418. That was the only occasion on which any of these gentlemen came to your house?—It is.

1419. The only time?—The only time that any of them was ever in the house at that election.

1420. I ask you again, did you ever go to any of their offices?—Never.

1421. Or their houses?—Never.

1422. Or on any matter concerning the election?—Never.

1423. Never?—Never at that election.

1424. Did Mr. Vanderbyl pay you a compliment?—I have never spoken to Mr. Vanderbyl but twice.

1425. That is not the question; did Mr. Vanderbyl pay you the compliment or your wife the compliment of calling?—He spoke to me in the street.

1426. Did he ever come to your house?—No.

1427. That you are sure of?—Yes.

1428. He had the same agents as Mr. Kinglake?—The same.

1429. Those gentlemen's names you have mentioned were agents for the two?—The same.

1430. You had, according to your account, nothing to do with the canvassing, and you had no communication with the agents or candidates, except on that one occasion when Mr. Kinglake came to pay you the compliment of a visit with Mr. Barham?—Up to the time of the nomination.

1431. Now, on the nomination day, did you have any communication with them?—Yes, I was going up the street and I met Mr. Reed.

1432. Before the nomination or after?—Before the nomination.

1433. Where did you meet him?—About 50 or 60 yards from my own house.

1434. Was he coming down to your house?—He was coming down the town, I was going round the corner.

THIRD DAY.

Mr. H. C. Bussell.

25 Aug. 1869.

1435. Tell us what passed.—Mr. Reed took hold of my arm, and said "All right, Bussell, there will be some money."

1436. Yes, and what did you say?—And with the same Mr. Reed went away. I said "All right."

1437. That was all that passed?—That was all that passed.

1438. Did you see on the nomination day any other gentlemen?—I saw them all.

1439. Did you have any conversation with them?—No, I believe not; no more than that.

1440. Now you say that Mr. Reed took you by the arm and said "All right, Bussell, there will be some money"?—Yes.

1441. Did you understand from your experience of former elections what that meant?—I did.

1442. What did you understand it to mean?—Why, that there would be money to give away.

1443. To bribe?—Yes.

1444. (*Mr. Coleridge.*) Did you understand that you would have it to give away?—Well, he took an active part in those matters.

1445. (*Mr. Price.*) You understood from that there was money to be given away in bribery, and that you were to have a discretion in using it?—Yes.

1446. That was the only communication you had on the nomination day with any of these gentlemen?—It is. I do not know; when we were on the hustings I may have spoken to them. I cannot charge my memory with it.

1447. When you went home did you get any money sent down?—No.

1448. Not that day?—No.

1449. Did any mention take place on the nomination day that you can tell us with regard to what would be done on the next day?—No, we appeared all sixes and sevens.

1450. Who appeared?—Why, the party altogether.

1451. How do you mean?—There was no money forthcoming, and we did not expect any. There had never been any money on the Liberal side till after the nomination day.

1452. There had not been any money until after the nomination?—No.

1453. Till after the nomination?—Not until after the nomination.

1454. Then why do you say they were all sixes and sevens. Mr. Reed told you in the morning that it would be all right before the nomination, and there would be money?—Yes.

1455. Did you go to the committee room in expectation to get money?—No, I did not.

1456. Where was it that they were all sixes and sevens?—About the town.

1457. Who were all sixes and sevens?—The whole party altogether.

1458. Do you mean the voters?—The parties who were taking an active part in the matter.

1459. Who were they?—What I mean by sixes and sevens is this, that we are getting——

1460. (*Mr. Anstey.*) Before you go into that question will you answer the question who were the parties who were all sixes and sevens?

(*Mr. Price.*) What are those papers you have got there?—Some little memoranda.

1461. You have made them yourself?—For charging my memory.

1462. (*Mr. Coleridge.*) The list of people, you could deal with then?—Some of them. These are the names I have put down since Mr. Purcell came to me in the first place.

1463. (*Mr. Anstey.*) You were going to give us the names of those who took the active part?

(*Mr. Price.*) Who you say were sixes and sevens about money.—There is myself, Andrew Allan, John Smith.

1464. (*Mr. Price.*) Where does he live?—York House.

1465. (*Mr. Anstey.*) John Smith the grocer?—Yes; Charles Bulpin.

1466. (*Mr. Price.*) Where does he live?—On the quay.

1467. What is he?—He is a clerk, an accountant; Allway.

1468. (*Mr. Anstey.*) James Allway the grocer?—Yes; Thomas Hill, and others that I cannot charge my memory with.

1469. (*Mr. Price.*) What is Hill?—A baker.

1470. Where does he live?—John Street.

1471. You say they were active. How were they taking an active part?—They were taking an active part this way, they would get a certain list of men who we think we can deal with them.

1472. That is to say those were gentlemen who, like yourself, made out a list of voters who they thought they could manipulate?—Yes.

1473. Those were to be captains, were they?—You may call them that.

1474. (*Mr. Coleridge.*) Did they take districts?—Oh, yes, they were all over the town.

1475. (*Mr. Anstey.*) Who appointed you?—Nobody, we appointed ourselves.

1476. Whom do you mean by "we"?—The lot of us. No person appointed us.

1477. (*Mr. Price.*) Men who had been employed, like yourself, in a similar business before?—We were employed originally by a person of the name of Charles Forter; he is dead.

1478. (*Mr. Anstey.*) He was an attorney's clerk?—And a lawyer; that is how we came down from that time to the present.

1479. (*Mr. Coleridge.*) In what year was that?—1865.

1480. (*Mr. Anstey.*) Is that the man about whose alleged embezzlement of 40*l.*, which was intended for a voter of the name of Heal, there was some question?—I do not know.

1481. I want to have this answer of yours explained, you say that you appointed yourselves. You were to be trusted with money, were you not?—Yes.

1482. Well, who appointed you or authorized you to fill these offices, and so to receive the money?—We originally got appointed by Forter, and since then we have come from election to election.

1483. A self-elected body?—Yes.

1484. When you filled up vacancies, who approved of those vacancies?—We, amongst ourselves.

1485. Who intrusted you with the money, you being self-elected?—The lawyers.

1486. Who are they, that is what I want to know?—I have given them. Forter was the person who trusted me with the money first, and I never had a halfpenny of money for bribing a voter from lawyers since.

1487. I am talking of this last election?—The last election. I did not have money from any lawyer. At the last election I received the money at the Globe.

1488. You did not receive any money from the lawyers at the last election?—I did not.

1489. (*Mr. Price.*) You say the parties were at sixes and sevens that day, not knowing where the money was to come from?—Yes.

1490. Did you discuss the thing together as to what you should do?—Yes.

1491. Where?—At the poll.

1492. But keeping to the nomination day, did you have meetings to discuss what to do?—Oh, we considered it would be all right in the morning.

1493. Did any one of them to your knowledge see any of the agents you have named?—Not to my knowledge. I did not.

1494. You understood in the morning that the matter was all right?—I found out in the morning that it was all wrong.

1495. You said Mr. Reed told you it was all right, there would be money?—Yes.

1496. When did you find out it was all wrong?—About 9 o'clock in the morning.

1497. The nomination?—No, on the following day.

1498. But you say after the nomination you were all sixes and sevens as to where the money would come from on the nomination day ?—Yes.

1499. That was after Mr. Reed told you that it would be all right, that there was money ; then how was it you discovered on the nomination day that matters were all wrong ?—It was on the polling day we discovered that.

1500. (*Mr. Coleridge.*) Then it was the nomination day you thought that ?—Yes, it was the polling day we discovered that.

1501. Did you go to bed on the nomination day ?—Yes, at 10 o'clock.

1502. (*Mr. Price.*) You went to bed tolerably satisfied that it was all right ?—Yes.

1503. Did you get up early in the morning ?—At 6 o'clock.

1504. What did you do ?—I expected to see the man who had brought me the money before bring it again.

1505. Who was he ?—Andrew Allan.

1506. Had he always brought you money down on the polling day ?—No, I had only dealt with money at four elections.

1507. Whenever you dealt with it, was he the man ?—At the two elections in 1866.

1508. Then who had you your money from before that ?—From Mr. Forter.

1509. Andrew Allan had been the person who brought you money at two elections in 1866 ?—The two in 1866 ; in 1867 we did not spend money.

1510. Andrew Allan you expected to come down, and he did not come ?—He did not.

1511. There was nothing in 1867 ?—No, 1865 I meant to say, the pure election.

1512. Allan not coming, what did you do ?—I went out about, trying to get up the voters, and I found they were very slack at the poll.

1513. Had you arranged with any voters you had charge of already to come down the night before, after you heard from Mr. Reed it would be all right ?—No, I had not.

1514. You did not state it to anybody ?—I told a certain lot they had better be in the way.

1515. (*Mr. Coleridge.*) Which was that lot ; give us the names. You told them so on the nomination day ?—Yes, I believe Captain Bryant was one, Captain Baker was another, Captain Deacon was another, Gibbs, Hampson, Maine, Pearse.

1516. Are all these seafaring people ?—Yes, and several others I cannot charge my memory with.

1517. (*Mr. Price.*) Try and recollect any other name. You must find out all those persons if possible.

1518. (*Mr. Coleridge.*) Was Palmer one ?—No.

1519. (*Mr. Anstey.*) Or Crocker ?—No.

1520. (*Mr. Price.*) How many altogether do you think you informed that night ?—I do not think more than about 12 or 14.

1521. (*Mr. Anstey.*) You have given us 7 names, was Richards one ?—He is a retired shipbroker.

1522. Was he one ?—No.

1523. Any others ?—I believe a man by the name of Brawley was another.

1524. Also a captain ?—No, he voted for the Conservatives, I believe, at the last election.

1525. Who else ?—A man of the name of Strong, I think.

1526. Who else ?—Jennings, Captain Redman, and Captain Jobson.

1527. (*Mr. Price.*) Any more you have down on that paper which I see you refer to ?—No, it is a matter I did not think I should be called upon.

Let us see that document.—(*The witness handed it.*)

1528. (*Mr. Coleridge.*) What do the crosses to these names mean ?—I put them against their names regarding some money they had.

1529. At what election ?—In 1866, the first election.

1530. (*Mr. Price.*) You say you mentioned it to these men ; did you mention it to these men as persons whom you thought were likely to receive bribes for their votes ?—I did.

1531. That is, you know they had been bribed at previous elections ?—Not all of them.

1532. You knew some of them had, and that all of them would take bribes ?—Oh yes.

1533. What are the names of those that have not crosses there ?—The names I have on this paper refer to two elections.

1534. (*Mr. Coleridge.*) Do those without crosses refer to the last election, and those with, the 1866 election ?—Both refer to 1866.

1535. What is the difference between those that have crosses and those that have not ?—Those men who have the cross against their names ; there were 17 men that went to the poll, I do not believe there was one of the lot expected a penny.

1536. Those are the men with crosses to their names ?—Yes, and some of them came a long distance, and then it was decided that those 17 men should have 5*l.* a piece.

1537. Did you give it to them ?—Before Mr. Vanderbyl's election I was had to Mr. Henry Lovibond's to have the money to pay those 17.

1538. (*Mr. Price.*) You were referring to that paper just now when you were giving the list of the names of persons you saw on the polling day at the last election ?—Yes.

1539. Looking at that paper, there are certain names with crosses and some without. Have those names with crosses and names without crosses reference to what you are telling us about the last election ?—No.

1540. You need not look at it then for this purpose ?—No, I refresh my memory from this list, because it is an old list.

1541. And was it the same people voted at each time ?—Each of those two elections in 1866.

1542. Those you spoke to on the nomination day were the same lot you knew had taken bribes in 1866 ?—The principal part of them.

1543. You met them and told them they had better be on the look-out, did you say ?—To be there in the morning.

1544. What do you mean by "there" ?—Why, at my house.

1545. You said, you had better be at my house ?—You had better be here.

1546. Then they were already at your house ?—About there, somewhere in the street outside.

1547. "You had better be here in the morning ?" —Yes.

1548. Did you see any other persons that evening, any of those who acted with you ?—Yes, I saw Smith and Dyer, and White and Hill, and the parties I have named and several others got into conversation together.

1549. (*Mr. Coleridge.*) You have not named White before. Is he one of the people who assisted at this sort of thing at former elections ? — Yes, Joseph White.

1550. (*Mr. Price.*) Did you come to any arrangement what they should do ?—None. We never make arrangements one with another. Every man took his list and did not have anything to do, if possible to avoid it, outside the list he had.

1551. You saw them and saw they had lists, did you, or knew that they had ?—I knew that they had a list.

1552. Have you the list ?—No, I destroyed all the papers. This is only since Mr. Purcell came to me first. I put those names down from memory.

1553. How many had you on your list altogether ? —I took it off the register.

1554. Give us an idea of how many persons you meant to deal with yourself, or that you could deal with altogether ?—If I had the register I could tell you.

THIRD DAY.

Mr. H. C. Bussell.

25 Aug. 1869.

1555. You shall have it. Is it any particular ward or district that you want to look at?—No; all over the town.

1556. (*Mr. Coleridge.*) Perhaps in telling us that you will tell us which are new voters under the new Reform Act, and which are the old ones?—Shall I put a mark against them?

1557. Yes, a cross against the new and an ear mark against the old ones you expected to deal with. (*The witness went through the register, and marked the names therein.*)

1558. These are all the people you could deal with?—Yes.

1559. (*Mr. Price.*) John Baker, Coffee House Lane?—Yes.

1560. Charles Bennett, of Eastern Quay?—Yes.

1561. Silas Billing of the same place?—I believe so. He is an old voter.

1562. Henry Came is a new one?—Yes.

1563. Francis James Carver of Chilton Road?—He comes under the new list, but has been an old voter.

1564. John Mitchell Clavey of Valletta Place?—Yes, an old voter.

1565. Charles Coates?—A new voter.

1566. James Day of Eastover?—No, Back Lane, I think.

1567. (*Mr. Coleridge.*) You have marked the new voters on both sides?—I did at the beginning

1568. (*Mr. Price.*) Jesse Deacon?—An old voter.

1569. William Francis of Valletta Place?—An old voter.

1570. Henry Harris of Eastover?—An old voter.

1571. William Hensley?—An old voter.

1572. Charles Jennings of Russell Place?—An old voter.

1573. James Jobson of Back Lane?—A new voter.

1574. You have marked him as old?—Yes, the first beginning I marked him on that side.

1575. George Luckes?—He is an old voter.

1576. Eastover?—No, Quay.

1577. James Sharman of Russell Place?—Yes.

1578. An old voter?—Yes, I will tell you when it is a new voter.

1579. William Gibbs?—Yes.

1580. Chiltern Street?—Yes, an old voter.

1581. William Hamson, Wembdon Road?—Old voter.

1582. John Hole of Chilton Street?—Old voter.

1583. Stephen Farrance?—No, William Farrance.

1584. William?—Yes.

1585. Of Salmon Lane?—Old voter.

1586. James Harrington, Barclay Street?—Old voter.

1587. John Holdoway, Fryern Street?—He is an old voter, but I do not think,—yes, he is on the last list.

(*Mr. Anstey.*) Take your hand from your mouth, I really do not hear you.

(*Witness.*) He is an old voter.

1588. (*Mr. Price.*) John Peach, Barclay Street?—Old voter.

1589. James Shattock, Wellington Road?—Old voter.

1590. John Strong of St. John Street?—Old voter.

1591. James Studley of George Lane?—Yes.

1592. And Henry Symes of Fryern Street?—That is a new voter. Thomas Symes I suppose it is.

1593. Thomas Symes is it?—Yes, an old voter.

1594. Thomas Symes of Polden Street?—Old voter.

1595. That exhausts the old voters. Now we will take the new ones.—There may be others that I, in looking over in this short time, have missed.

1596. (*Mr. Coleridge.*) We shall want them all accurately. They will all have to be scheduled.

1597. (*Mr. Anstey.*) That makes 24 old voters?—I do not know how many it is.

1598. (*Mr. Price.*) Well now, Henry Came, is he a new voter?—Yes.

1599. Henry Came, Eastover. And Charles Coates of Eastern Quay?—New voter.

1600. And James Cording of Fryern Street and North Street?—He is a new voter.

1601. And James Day of Back Lane?—New voter.

1602. And Thomas Gayler of West Street?—New voter.

1603. William Griffiths of Eastern Quay?—New voter.

1604. And James Hoyle of Prickett's Lane?—A new voter.

1605. And James Luckes of Eastover?—New voter.

1606. And James Nicholas is it?—No.

1607. Henry James Nethercott?—Yes.

1608. Eastern quay?—Yes.

1609. And Henry James Winslade, of Prickett's Lane?—Yes, a new voter.

1610. Edward Baker of Chilton Street?—Old voter.

1611. Old? He is marked here on that side on which you have marked the new voters.

(*Mr. Anstey.*) Then we must put him down on the old list.

1612. (*Mr. Price.*) Edward Day, on the old list?—The old list.

1613. Which do you say Day is? Is he new or old?—He is on that list there.

1614. (*Mr. Anstey.*) You have put him down on both lists.

(*Witness.*) You called out "Baker" in the first place; he is old. Day is in the new list.

1615. John Brawley, Chilton Street?—He is an old voter.

1616. You have marked him on that side. John Brawley is to be added to the old list?

1617. (*Mr. Coleridge.*) How many old voters does that make?

(*Mr. Price.*) Twenty-five.

1618. John Channon of Provident Street?—New voter.

1619. And William Addicott of Barclay Street?—New vote.

1620. William Crossman of Polden Street?—New voter.

1621. Robert Frampton of St. John's Street?—New voter.

1622. And William Frampton of Polden Street?—New voter.

1623. And Henry Guy of Polden Street?—New voter.

1624. Josiah Meaker of Bristol Road?—New voter.

1625. (*Mr. Coleridge.*) Have you marked Palmer and Crocker amongst that lot?—No, I did not anticipate I could do anything with them. I did not try to.

1626. (*Mr. Anstey.*) Besides those, are there any that you have forgotten, or is this all?—If I were to look over the list carefully at some time I might be able to find others; but I could not looking over the list the same as I did just now. Looking over fourteen hundred names, it is impossible for me in that way to mark every man. I may have made a mistake.

1627. (*Mr. Coleridge.*) You had better take this list and go through it carefully.

(*Witness.*) It is impossible for me to take a list of fourteen hundred names and put a mark to them in this way and be accurate. I may have made a mistake in some of those names, but there is no doubt that the names I have marked here would have money if there was money going.

1628. On the Liberal side?—On either side; they are not particular. If we were not spending money they would have it of our opponents.

1629. (*Mr. Price.*) They were men who you know were open to bribes?—Yes.

1630. (*Mr. Coleridge.*) Were they men who, if money was going on both sides, would go on the Liberal side or the Conservative side, or either side?—On the Liberal side, every man of them.

1631. But if there was none going on the Liberal side they would go on the Conservative side, if there was money there?—If there was money going they would have it.

1632. (*Mr. Price.*) They preferred money to politics?—You would not get them to budge before they got the money.

1633. These were men you say that you thought you could deal with?—The majority of them.

1634. That being so, you say you had arranged this the night before the polling morning. When did you first discover there was no money going on the Liberal side?—About nine o'clock.

1635. How did you find it out?—I went to vote about eight o'clock. I found the men were polling very slack. I went to my own polling booth which was at the back of this hall. I afterwards went to the south polling booth; I found that the voters were very slack in polling. I afterwards walked down where there was a large room.

1636. Where was that?—Where there was a room with the list of voters on the table.

1637. Do you call it a committee-room?—There was no person there, only a clerk to strike the names off.

1638. Where was that?—Either at the Three Crowns or the Rose and Crown. The room was distinct from the house although it was belonging to the house, and there was a separate staircase.

1639. Who was the clerk?—I believe it was one of Mr. Barham's clerks.

1640. Do you know his name?—I could not say his name.

1641. Is he here? Do you see him anywhere?—No. He was a young man.

1642. Should you know him again?—I think I should.

1643. You think he was one of Mr. Barham's clerks?—I think he was; but there is no doubt that the lawyers would be able to inform you that they had rooms to check the names as they came in.

1644. Who is the landlord?—I hardly know. I know he is conductor of a 'bus. French is his name, I think, Joel French. You will find his name on the southward.

1645. How did French vote?—On the Liberal side.

1646. What did you say to the clerk? What passed?—I first went in and looked over the list to see whether they were striking out many; and I believe that I made use of the expression "It is slack work." I walked on.

1647. Is that all that passed?—That was all. I came down and went out.

1648. Did the clerk say anything to you?—No.

1649. Nothing at all?—No, I believe not.

1650. Try and recollect?—You see it was a lad; he was a young man that was there, I think about eighteen.

1651. Was he the only person there?—The only person in the room at that time.

1652. But the only person that you say on those premises?—Yes, at that particular time, at nine in the morning.

1653. What did you do after that?—I came out and got round by the market-house. I believe I met Mr. Lovibond, Mr. Barham, and I would not be certain whether Mr. Reed was one; and I said "This is slack work. The people aint going to poll very fast." And I do not know whether it was Mr. Barham or Mr. Lovibond, one of them spoke up, and said they had seen my brother, and he said the bird had flown with the money. There was no money going on the opponent's side.

1654. They had seen your brother, and your brother said to them the bird had flown who had had the money?—Yes; and there was no money going on the other side.

1655. That is your brother Robert?—Yes. He is on the Conservative side.

1656. The bird had flown which had the money, and there was no money going on their side?—Yes.

1657. That is what Mr. Lovibond told you?—Yes; and that we should not spend any. Well, then I went and tried to persuade all I could to go to the poll, and I watched about, and I think about half-past nine or ten o'clock I stood against the Clarence Hotel.

1658. When this was said to you by Mr. Lovibond, did not you say to Mr. Reed, "Why, you told me last night that it would be all right, there was money"?—No, I did not. I never made any reply to them, because I took it for granted as the Conservatives was not going to spend any money there was no necessity for me to do so; because if the Conservatives did not spend any money at all, the Liberals had a very large majority in the borough.

1659. You went away, and looked about. What else? Tell us what you did next.—Then I strolled around the Cornhill to keep my eyes about me to see what was moving, and persuaded all our own men to go I could. About half-past nine, I fancy that must be about the time, I cannot be accurate about the time, but from 9 to 10 o'clock, there was a very large muster came out of the Clarence; a very large muster of men, and they all walked away to poll.

1660. (*Mr. Anstey.*) From the Clarence?—From the Clarence. And the result of that was that the Conservative candidates got a very large number ahead. All this time our men was holding back. I cannot account for any other cause than that they wanted the money.

1661. (*Mr. Price.*) You think the only cause was that they wanted the money?—Yes, I believe this, that there had been certain parties on the Conservative side who had been round, saying, that if the people went with them they would have their money. If they would only return the candidates they would be paid afterwards, the same as they had been before.

1662. Then did the Conservatives always pay afterwards, and not on the day?—They have done so.

1663. Always?—No, not always. Sometimes they are paid before.

1664. Sometimes they are paid before, sometimes after, and sometimes on the day?—On the day of the nomination mostly.

1665. The nomination. The day of the poll?—Yes, on the day of the poll mostly.

1666. On this occasion there was no money up to this time that you knew going at all?—I knew very well by the class of voters who went to poll that they would not go to poll without they had some money or a promise.

1667. Those were the voters coming out of the Clarence?—Out of the Clarence.

1668. Did you see any of those whose names you have given us in the lot coming out of the Clarence?—Not one.

1669. Did you see any of what are called "Liberal" voters?—No.

1670. They all seemed to you to be Conservative voters?—No, there was a great many there amongst them, no doubt, wanted to have money if money was going.

1671. Were they men whom you had known as Liberal voters before when there was no money going?—No, the majority were working men. They belonged to two establishments in the town.

1672. What establishments?—The carriage sheds and the iron foundry.

1673. Were they men who had always voted on the Conservative side?—There has been always a report here that the screw has been put on.

1674. Never mind the screw. Were they men who would vote Liberal if they had not any promise?

1675. (*Mr. Anstey.*) Will you give the names of the establishments you refer to?—Hennett and Spinks

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foundry, and the carriage works belonging to the Bristol and Exeter Railway Company.

1676. Is that establishment there managed, or the corps of volunteers managed, by somebody who calls himself—— ?—Captain Bridges, and he is a Conservative in politics.

1677. He calls himself "Captain" of a rifle volunteer corps?—He does.

1678. Is he the manager of the carriage factory?—He is.

1679. For the railway company?—Yes.

1680. Whose?—The Bristol and Exeter are the proprietors of the works, but they generally send down the notices that they shall not bias the men in any way at all; but that, you know, is quite useless when there is people in the establishment who take a very active part.

1681. Well, these men whom you saw coming out were principally men from those two works?—The majority of them.

1682. (*Mr. Coleridge.*) Was not at one time Mr. Gard, the Liberal member for Exeter, the Chairman of the Bristol and Exeter Railway Company?—Not that I know of. The Earl of Devon is chairman now.

1683. (*Mr. Price.*) You saw this lot going down to the poll. What did you do?—I got down somewhere I think about eleven o'clock, down to the Globe.

1684. That is where Mr. Vanderbyl was staying?—Yes.

1685. What time do you think it was when you got to the Globe?—About eleven o'clock.

1686. Whom did you see when you got there?—I believe Messrs. Reed and Cook and Mr. Lovibond. I am not certain whether Mr. Barham was there.

1687. Anybody else?—Oh, a room full.

1688. Mr. Vanderbyl?—No, I never saw Mr. Vanderbyl without I saw him through the window in his room for the day.

1689. (*Mr. Anstey.*) Was there anybody there except lawyers?—Fifty, I should think, in the room.

1690. (*Mr. Price.*) Did you have any conversation with anybody there?—Yes, we had a consultation.

1691. Who? Tell us the parties.—There was me, John Smith, Andrew Allan, and I believe Charles Bulpin. That was four.

1692. (*Mr. Coleridge.*) Henry Lovibond?—Yes, I believe. I am almost sure that Henry Lovibond was there.

1693. Reed and Cook?—Reed and Cook.

1694. Barham?—I am not certain about Mr. Barham. I cannot charge my memory about Mr. Barham being there.

1695. Did you go out of the room where the large party was?—Yes, into a small room.

1696. What did you do when you got there?—The lawyers wanted to know what we considered would carry the election.

1697. Who spoke?—I could not say whether we spoke or they.

1698. Which of the "they"?—The lawyers.

1799. Did they all speak together?—I do not know.

1700. Who took the leading part in the discussion?—It was a common discussion. The conversation was that the Conservative returns had come in, they were then about a hundred ahead; and then the question was, what was on the move. We considered that money was moving, and we told the lawyers that that was so.

1701. I think you said just now—you dropped the term—that the lawyers asked you how much would carry the election?—I will come to that directly.

1702. Go on then.—The conversation began about what was moving on the Conservative side, what we thought. I said "I believe that they must be spending money to get the class of men to go who was polling." And Mr. Lovibond, or one of them, I would not say which, said they did not believe that. They could not make it out. There must be a mystery somewhere or another. Could not we find it out? Then they wanted to know what we thought would carry the election, and I believe we named the price, four thousand. The result of it was that one of them, I do not know which, wanted to know if three thousand would not do it.

1703. Cannot you tell us which one it was?—I cannot. Perhaps some other of the witnesses would be able to have a better memory about it. We considered it would not amongst ourselves. We thought it was not hardly money enough to carry the election. The result of it was that the lawyers went out, and they left us four in the room. I considered they had been out some time, and I said to the rest of them, "I am damned if I am going to be humbugged at all. I shall go, and have no more to do with it." That was my expression to the rest of the three, and they persuaded me to stop, and the result of it was that I did stop. Then the lawyers came back into the room, and they said that they had decided that there was no chance for us to win, and it was no good to spend money. My reply to that was, that I believed with a little money and a little persuasion we could get the election now.

1704. (*Mr. Coleridge.*) What time would that be?—About 11 o'clock.

1705. You went in at eleven, and they left you some time?—It all occurred in about half an hour.

1706. Between 11 and 12?—Yes.

1707. (*Mr. Anstey.*) Which of the lawyers was it said, "It is no use to spend money, for we are not going to win the election"?—I believe it was Mr. Lovibond.

1708. Did Mr. Barham say anything of the kind?—I would not swear that Mr. Barham was there.

1709. Mr. Lovibond said so?—Yes, it was Mr. Lovibond; I am certain of that.

1710. Was anything said by Mr. Reed and Mr. Cook?—We joined in common conversation. When five or six parties were together in common conversation they would all join in.

1711. Do I understand that Mr. Lovibond spoke in the name of all the lawyers present, when he asked you that question?—The fact of it was there was seven or eight out of the number away there together, and we was all in conversation together. One put a word in, and another put a word in.

1712. And none of the lawyers protested in any way that it was wrong, and not to be done?—No.

1713. (*Mr. Price.*) Then you said you thought by a little persuasion and money the thing still could be done?—Yes, I was certain that there was a majority; that the men would not go on the Conservative side if they did not spend money, and with money we could get the election.

1714. What was the state of the poll at that time?—I do not remember.

1715. Had half the constituency polled?—Not half—a little over a third.

1716. (*Mr. Coleridge.*) How much ahead were the Conservatives? — A hundred. Under the old constituencies we polled more in two hours than we had done up to that time.

1717. (*Mr. Price.*) You knew that the numbers unpolled were more than sufficient to give you a majority?—I think if you refer to the number on the petition you will find that at 11 o'clock there would be something like eight or nine hundred left unpolled.

1718. Tell us not only of those whom you knew yourself you could deal with, but from your general knowledge of the borough, how many of the constituency then remaining unpolled do you believe could be got for money out of the seven or eight hundred unpolled. I do not mean by you alone, but amongst you out of that lot?—If I could see a list of the men who were polled I could tell you. There is a very small number in this borough that will go without money.

1719. That is what I want to know. How many men do you think there are in the borough, from what you know of it, who will be led by money?—I will tell you what I believe, and I think it is facts, too,

that as far as the Liberal party is concerned they can poll about 140 or 150 men without money, that is, under the old constituency.

1720. That is under the old. A hundred and forty would poll without money out of the seven or eight hundred ?—No, six hundred.

1721. What do you think about the new ?—Our opponents would poll from 80 to 85.

1722. Under the old constituency ?—Yes.

1723. When the new element is added, how many then do you say ?—I cannot say. The working men are a difficult class to deal with.

1724. (*Mr. Coleridge.*) The working men are a difficult class to deal with ?—Yes.

1725. (*Mr. Price.*) You cannot say how many ?—No.

1726. What made you think that at that hour of the day, when there was a majority of a 100 against your candidates, and there remained 800 to poll, what made you think you could turn that majority into a minority ?—Because the greatest number of the employers are Liberals, and these men worked for them, and they have got to look at their bread and cheese at that particular time.

1727. Then you mean that the voters who were working men, having most of them Liberal masters, would be obliged to vote with the masters ?—No ; but the labouring classes here have always gone with the Liberal party.

1728. You said just now they had to look to their bread and cheese ?—I am speaking about their voting. They would not vote for the Conservative candidate.

1729. Is it because you knew there was a great number of the working classes unpolled whose masters were Liberal, and that they would get them to vote that way ?—Yes, I do think so.

1730. Supposing this majority was to be turned into a minority, how many persons should you have to distribute the 4,000*l.* you wanted amongst ?—It entirely depends.

1731. But I ask you, at the time of this meeting, how many voters did you imagine you would have to distribute it amongst ?—About four to five hundred.

1732. That is how many you thought you could buy over at that hour of the day ?—Yes, four to five hundred.

1733. (*Mr. Anstey.*) That would be including the new and the old ?—Yes.

1734. (*Mr. Coleridge.*) Had the greater part of the new voters polled early, more than the old ones ?—No, I do not think there was but very few. I have never seen the list since the election.

1735. (*Mr. Price.*) You think about 500 could have been dealt with at that time ?—I do.

1736. At 10*l.* a piece ?—Yes.

1737. That would be about the sum that would be required ?—Yes, about the amount.

1738. Now then go on telling us. Finish up the rest of the story. These lawyers asked you that, and then they came back to you, you said. And what happened then ?—Then I went away.

1739. You said you thought by persuasion and money the election might still be carried. Was that all that passed ?—They said they would not spend any ; it was no good.

1740. (*Mr. Anstey.*) Who did ?—The lawyers.

1741. Which of them ?—I cannot charge my memory as to that.

1742. (*Mr. Price.*) Very well. Then you parted from them ?—I parted from them.

1743. Where did you go ?—I went out about the town, and when I came to a cluster of voters I swore at them, and told them they were not men, because they did not go to the poll.

1744. Were they working men ?—Yes.

1745. New men ?—Yes, the majority of them, some old voters.

1746. And they went to poll ?—Yes.

1747. How many went to poll upon that remark of yours ?—Oh, a great many.

1748. Tell us how many.—They stood, the majority of them, about the bridge, and a good many went away. They said they would go to poll ; there was plenty of time ; they had until four o'clock. That was the principal answer that I could get out of them, and as long as they polled before four o'clock, that is all we could expect.

1749. Did they go and poll ?—They did.

1750. Directly ?—No ; it appears that the run of the polling was between one and two.

1751. That would be about 12 o'clock or a little after 12 when you spoke to them ?—Yes.

1752. What did you do after that ?—Well, I went up town, and I persuaded those people, and I think about one o'clock some four or five of our townsmen were going to Taunton—going away by the express, and they wanted me to go too, and I said first I would, and then I took second thought, and I thought that having taken an active part the Tories would say I had run away.

1753. What did they want you to go out of the town for ?—They considered we had lost the election, and we had better have a spree down to Taunton instead of having it here.

1754. When did you learn that Mr. Kinglake had left the town ?—Not till after the poll was closed. On my oath of it.

1755. (*Mr. Anstey.*) How many of your people went away by the express ?—I do not know.

1756. Did Mr. Barham ?—I do not know.

1757. Did Dr. Kinglake go away ?—I never saw Dr. Kinglake.

1758. You said some of your people were going away by express. Let us hear about them. Who were they ?—William King, James Allway, John Bunter, and I believe there were one or two gentlemen of the country, farmers, one by the name of Lane, and another by the name of—Oh, I forget his name, but both King and Allway and Mr. Bunter wanted me to go with them, and I should have gone only I thought that the Tories might go down and perhaps smash my windows in, or something or another, and I stopped home to protect my own house.

1759. This Allway is the man whom you have named as one of the bribing agents ?—Yes.

1760. (*Mr. Price.*) Where did you go instead of going out of town ?—Home, and had some dinner, and then went out again.

1761. What time was that ?—About two o'clock.

1762. What was the state of the poll then ?—I do not know the state of the poll, for I considered we had lost ; that the men had not gone to poll, and I could not have went into either one of the rooms not until I think about a quarter to three in the afternoon, and I was up in High Street then.

1763. Let us understand. What time did you get in to your dinner ?—Between one and two.

1764. Whilst you were in your house did anybody come to you ?—Nobody came, only people merely coming in and out.

1765. Did Francis Carver come ?—No.

1766. Not at all that day ?—Yes.

1767. What time did he come ?—I think about five or ten minutes past three.

1768. Did Palmer come to you before you went out after your dinner ?—No, they both came together.

1769. Nobody had been to you whilst you were in the house getting your dinner ?—Only the customers coming in and out.

1770. Then you went out again ?—I went up round the town persuading the people all I possibly could to go to poll.

1771. Were these men whom you saw about and tried to persuade to go to the poll new voters ?—The majority of them ; I went up to the western polling booth, and strolling down the lane with a few who wanted to know how things was going and amongst them was a man of the name of Isaac Trapnell, junior. So Trapnell says to me—at the time I was speaking to Trapnell the clock struck three, the church clock,—and Trapnell says, "Oh,

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Captain Bussell, is there anything going?" and I said, "No, there is not. We ain't going to spend a penny." Trapnell says there was he and his father unpolled, and they would not go unless they got something, if it was only a few shillings all. My reply to him was, "We are spending nothing." "Well," he said, "I won't go to poll without I got something." And I left him. I went into the Mansion House. There was a room there; not into the house. I went into a room there; you may call it a committee-room.

1772. What do you call this Mansion House?—A public-house close by here where they had a room distinct from the house. There was the poll sheets for the north ward. I just cast my eye over it, and I said to the young man who was there "What is the state of the poll now?" "Oh," he said, "We are pulling up pretty fast." And I believe I made the reply to him, "Where the devil do they come from?" I believe that was my reply to him.

1773. What, the voters?—"Where did the voters come from." I walked down town, and I went over to the Globe. That was the first time after the time that I have told you already.

1774. (*Mr. Coleridge.*) Yes, after the consultation?—After the consultation. When I got into the room I heard them sing out that our minority was eight; and then there was a cry in the room by somebody, "Get all the men you can." Now, I believe, whether it was Mr. Reed or Mr. Cook, I would not like to be certain which one of them said, "Bussell, go out and get all the men you possibly can." Well, I went out. "And if you can get some men, there shall be some money."

1775. Either Mr. Reed or Mr. Cook said that?—One of the two. I went out.

1776. About how many men remained unpolled then, do you think?—I do not know.

1777. You cannot give us any idea?—No, I cannot.

1778. That was about three o'clock?—I came back and went into the Globe. I take it to be a quarter past three as near as can be. I went out and a great many people were standing by, and they were cheering; and I said, "For God Almighty's sake go and get all you can, and take them over to my house." Then I ran over the bridge, and I believe the first two men that I saw was this Palmer and Carver.

1779. Had you taken any money with you from the Globe?—I had not then.

1780. Not then?—Not then.

1781. Had you any money of your own about you?—None, I got two voters at that time.

1782. Before you saw Palmer and Carver had you got any money?—I had money of my own.

1783. How much of your own had you?—I suppose I had sixty or seventy pounds in the house.

1784. (*Mr. Coleridge.*) In gold?—Yes.

1785. (*Mr. Price.*) You went home, and the first men you saw were Palmer and Carver?—It was. I said to Carver,—I knew Carver.

1786. Is Carver a Liberal voter?—He has always voted Liberal, but he required money.

1787. You knew Carver, you say. You did not know Palmer?—I know Palmer because I have had Palmer to work for me and he has been working under his master for me, and Carver is repeatedly working for me; that is by his master's instructions. I employ Mr. Gough, his master, very often.

1788. Well, now then, tell us what passed.—I said to Carver and Palmer, "Have you been to vote?" and they said, "We have not." I told them to go into my house. I think very soon there mustered there,—I do not know who brought them in, but in a very few minutes there were ten or a dozen there.

1789. In your house?—Yes.

1790. Can you give us the names of them?—There was this Palmer.

1791. (*Mr. Coleridge.*) And Carver you have told us?—Yes, I will tell you the names of the men who were brought in before I went out. There was Crocker, Palmer, Carver, Crossman, J. Hayward, H. Guy, William Duddridge, William Haddicott.

1792. (*Mr. Anstey.*) Is Duddridge in Brown's establishment?—No, he is master of a vessel.

1793. (*Mr. Coleridge.*) Well, go on.—Walford, J. Jobson, and I fancy that that would be about pretty near the lot, I fancy so.

1794. (*Mr. Coleridge.*) You cannot recollect any others?—Well, I have got some other names that was here afterwards.

1795. (*Mr. Price.*) These men came in with Palmer and Carver, or were in the house at the same time?—I believe that Palmer and Carver was the first two men in the house; and these men come in who were brought in afterwards by other people.

1796. About a quarter past three?—Yes.

1797. Palmer you gave ten sovereigns to?—No, I had not got the money then.

1798. (*Mr. Coleridge.*) Tell us what took place.—When I found I had got about a dozen I went over to the Globe again, and I saw two lawyers, Reed and Cook. I told them I had got 12 or 14 (I believe I stated the number) over to my house; and they stated that they would give me some money. One of them went in through the door of this room where we had the consultation in the morning, and came out again, (I rather fancy that that was Mr. Reed), and told me if I could get any others I should be all right. He asked me how much money I wanted. I told him I thought about 120*l.* I went in there, and he said the party that I should have the money from would be there. I went into the room. I did not like to speak, or he did not; and the result of it was I went out of the room.

1799. (*Mr. Price.*) Could you see him?—Yes.

1800. Describe him?—It was rather a tall man.

1801. (*Mr. Coleridge.*) Was he dark?—Yes.

1802. (*Mr. Price.*) Do you know him?—I never saw the man before or after. He was a stranger.

1803. Describe him. Tell us what he was like.—I believe he was a tall man, I could not describe his features; but there is no doubt at all Messrs. Reed and Cook could tell who the man was.

1804. (*Mr. Price.*) Was the room darkened?—It was not a very light room. I said to Mr. Reed it was no good to go in there, "the man never spoke, and I have not spoken to him." The result of it was Mr. Reed went in and came out again. I went in and received 125*l.*

1805. In gold?—In gold; in five packages of 25*l.* each. Then I went home; and when I got to the door who should be stood at the door but Palmer. I said, "Hallo, Palmer! What are you doing out here?" He said, "I am not going to be sold by you." I said, "I don't want to sell you. You had better come in here." He said, "You ain't going to humbug me at all. If you don't pay me, I shall go." The result of it was I took him in a cellar; I closed the door, and said "How much money do you want?" He said, "Ten pounds." I said, "We can't give you more than five. We shall win the election." I knew it was very close quarters when we were in a minority of eight. I did not like to lose a vote for the sake of five pounds. I said, "Very well, I will "give you ten pounds; and remember, if you go and "tell anybody I shall tell the truth;" and he said before he would go and tell upon me he would cut his throat. I said, "If you go and split I must go and tell the truth." That was my answer to Palmer; and Palmer said, "Sooner than go and split upon you I will cut my throat." Well the result of it was—

1806. What did you mean by saying you must tell the truth?—I naturally expected we should have an inquiry.

1807. Then you meant to tell everything?—Yes, I did. Well then, I had got hold of Palmer, and the next rub was how to poll him, and there was nobody in the house that I thought I could trust to. I walks out to the front door, and who should I see,—I fancy I sung out to somebody, and there was this

Captain Richards; he was passing by, and he said, "If you want anybody to take the man to poll I will take him." And that is how it was that Captain Richards came to take him up to poll. What became of him afterwards I do not know.

1808. (*Mr. Anstey.*) Do I understand you to say that when you paid Palmer this money he perfectly understood that there was to be no secresy in the event of an inquiry, and that you would let it all out?—I did.

1809. (*Mr. Price.*) Well, go on.—I paid 12 men. I paid 14 I believe then, before I went into the house, and I paid them all 10*l.* a piece.

1810. £120 you had got, and 20*l.* of your own?—No, I had 125*l.* I took 15*l.* of my own. I found there were three or four more there.

1811. Did you know these other men to whom you gave this money?—I have got all their names. I will give them to you.

1812. But you had known them before?—All but one.

1813. Palmer was a new voter?—Yes, he was.

1814. Were these other men new voters?—The majority of them.

1815. What did you do with them?—I paid those 14, and they went and polled. I did not go with them.

1816. Did you pay them separately in the cellar or before one another?—I paid them all separately in the cellar, every man.

1817. Finish the account of it.—After I had spent 140*l.* I went over for some more money.

1818. A fresh lot had come?—Yes.

1819. How many more?—Three there must be, because I paid 17.

1820. There were 12 originally?—Yes, about 12 there.

1821. Then you paid the 14. Then there were three more had come?—There were three more.

1822. Then you went to the "Globe" again?—Then I went over to the "Globe" again.

1823. (*Mr. Anstey.*) For more money?—For more money.

1824. (*Mr. Price.*) Whom did you see?—I saw Messrs. Reed and Cook.

1825. Did you see this stranger again?—Yes, I saw the stranger.

1826. Tell us what passed between Reed and Cook.—Mr. Cook rather refused. He thought we was going on too fast, and he wanted to know if I had seen Andrew Allan. I did not know that anybody else was spending money then but me. I did not know there was a penny spent. I told him I had not; and in the meantime Henry Lovibond came in, and they had a chat together, and Mr. Lovibond said "Have you seen Andrew Allan?" and I said "I have not." I said "While you are coddling about it, we shall lose the election." The result of that was that some person saw this party again, one of the lawyers, and I had 60*l.*

1827. (*Mr. Anstey.*) Sixty more sovereigns?—Yes.

1828. Who saw the party?—One of the lawyers.

1829. Saw this stranger?—Yes.

1830. (*Mr. Price.*) Go on.—I went into the same room again, and this stranger said, "How are you getting on?" and I said, "We shall win.'" Then I paid the remaining portion of the names.

1831. (*Mr. Coleridge.*) You have given us 10 names, Crocker, Palmer, Carver, Crossman, J. Hayward, H. Guy, William Duddridge, William Haddicott, Walford, and J. Jobson. You paid Crocker?—Yes.

1832. Palmer?—Yes.

1833. Carver?—Yes.

1834. Crossman?—Yes.

1835. Hayward?—Yes.

1836. Guy?—Yes.

1837. Duddridge?—Yes.

1838. Haddicott?—Yes.

1839. Walford?—Yes.

1840. Jobson?—Yes.

1841. Now we want seven more.—When I was paying Carver, Carver says, "There is Howe down at the south polling booth."

1842. (*Mr. Price.*) Howe, is he a voter?—Yes. "If you will give me the money for him he will go and poll." I said, "Very well, here is the money; and mind he goes to poll." That is 11.

1843. (*Mr. Coleridge.*) That is 11.

(*Witness.*) That is R. J. Howe, H. J. Nethercott, H. J. Winslade, J. Kitch, and Hugh Pearce.

1844. That is 15.—Yes. Now there are two men unaccounted for. I gave the money to a person named Fisher to pay it.

1845. How much money?—£20.

1846. (*Mr. Price.*) What is the Christian name of Fisher?—I do not know. I believe he is a voter.

1847. Where does he live?—He works at the Steam Flour Mills.

1848. You never heard any acconnt of what he did with that 20*l.*?—I made it a rule if I gave a man money never to speak to him afterwards upon it. He took the money to give to J. Hole and Hawkings.

1849. (*Mr. Coleridge.*) Well now, out of these 17 fellows whom you paid or got paid did all except Palmer vote for the Liberals?—I believe so.

1850. What is this man Fisher?—He is at Spiller and Brown's Steam Flour Mills.

1851. (*Mr. Price.*) Is that all you did that day?—That was all that I done in the shape of money.

1852. (*Mr. Anstey.*) Do you know whether any that you bribed had previously promised to vote for Westropp or Gray?—I do not.

1853. Do you know whether any of those men whom you had bribed were, or professed to be, members of the Conservative Working Men's Association?—What I understood about that is that Crocker has got a card.

1854. You mean a card of membership of that association?—Yes, that is the only man that I know.

1855. (*Mr. Coleridge.*) Did Crocker vote for the Liberals?—I do not know who he went to vote for. He went away.

1856. (*Mr. Anstey.*) He is called "Captain Crocker?"—Yes.

1857. (*Mr. Price.*) All these men, so far as you know—the majority of them—were working men of the new constituency?—14 out of the 17.

1858. And the other three are —— ?—On the old list.

1859. Then that is all you say you did in the way of money given away to voters?—It is all.

1860. Then did you go and make a report afterwards?—No, I have never spoken to a soul. I have never divulged what I have divulged here now to any living being.

1861. You kept out of the way? You had not much chance?—Yes, I came home the day after the petition was over.

1862. Then you changed your mind about telling the truth if there was an inquiry?—No, I did not.

1863. You went away.—I will tell the reason. After the poll was over I heard J. R. Smith say, "There is that round-shouldered Bussell. I will pledge my word that he shall have two years—the extreme penalty of the law." That was one thing that induced me to go away.

1864. How soon was that after the election?—The same night.

1865. (*Mr. Coleridge.*) How soon after the election did you go away?—On the 30th of December.

1866. (*Mr. Price.*) Did you hear there was going to be any inquiry then?—The petition was filed. If I had stopped home here and told the truth my own party would say I was a traitor to them.

1867. Did you see anybody before you went away—any of these gentlemen—Mr. Cook, Mr. Reed, or any of them?—No.

1868. You did not?—No, not one.

1869. (*Mr. Anstey.*) Is Mr. J. R. Smith a magistrate?—He is.

THIRD DAY.

Mr. H. C. Bussell.

25 Aug. 1869.

1870. And an alderman?—Yes.

1871. Do you happen to know whether he had been guilty of bribery at that election?—I do not know. I know he took a very active part, and there was a report circulated that they had a meeting. I should not like to say anything from memory. They would not allow me to go to any one of their meetings. I came here once, and had liked to get killed.

1872. Had you any reason to believe that Mr. J. R. Smith either gave or promised bribes, or encouraged the voters of southside to look for bribes?—That was the very thing I was going to explain. I believe after—whether it was the same night that he retired from being mayor, or whether it was the next night—there was a meeting at Gloucester Place where the Conservative Working Men's Association was; and J. R. Smith spoke there. This was a report you know. I cannot vouch for the accuracy of it, because they would not allow me to go to their meetings, and there it was distinctly stated that Mr. Smith had made use of this expression, that "the men were to mind M. D., money down, and sugar their plums well.

1873. Was he the predecessor of the present mayor?—He was.

1874. Therefore he went out of office on the eighth or ninth of the month?—Yes.

1875. And the election was on the sixteenth?—Yes, and this was either the night he retired from office or the next night.

1876. You say it was just when he ceased to be mayor that this took place, this meeting?—Yes.

1877. He ceased to be mayor on the ninth.—It was either on the evening of the ninth or the tenth.

1878. On that evening this meeting took place, where?—At Gloucester Place.

1879. What place?—It was originally used as a chapel.

1880. I want to know the names of any persons who can inform me what this late mayor and now alderman and magistrate of the borough really did say with regard to bribery?—I cannot tell you that.

1881. You are coming here to-morrow?—Yes.

1882. If you will come to-morrow, and furnish the names of persons whom we can examine about this gentleman's alleged language, I shall be obliged to you myself?—It is only common report.

1883. (*Mr. Coleridge.*) In addition to what you have told us about your own side, we want all the information you can give us about the other side.—I intend to do it.

(*Mr. Coleridge.*) I do not want it now.

(*Mr. Anstey.*) I should like to have the same names myself.

1884. (*Mr. Price.*) You told us what you did that day, and you told me that was all the part you took?—Yes.

1885. You say you found out afterwards that Andrew Allan had been doing something on the same side; but I wish you to tell us now the names of any persons on the same side who had been doing what you had been doing, acting in the same way.—I believe there was nobody.

1886. I thought you said, just now, that there were?—Under the 1868 election, I believe we were the only two people.

1887. You and Andrew Allan?—Yes.

1888. Only you and Andrew Allan, as far as you know, had anything to do with regard to bribery?—As far as I know.

1889. How much did Andrew Allan pay away?—I do not know. I did not know where he got his money from. I did not know until after the election, when Mr. Andrew Allan had gone, that he had given any money.

1890. (*Mr. Coleridge.*) Have you seen the gentleman, the man who was in the room, and who gave the money, since you got the last sum of money from him?—I never saw him before, to the best of my knowledge, or since.

1891. Not since you got the last sum of money?—Not to my knowledge.

1892. Do you know when he left the place?—No, I do not.

1893. (*Mr. Price.*) Do you know at all what money Allan had?—I do not. I am as ignorant of that as you are.

1894. (*Mr. Coleridge.*) You made a point of not knowing that?—No.

1895. I mean you did not talk of it afterwards?—I always made it a rule when an election was over, never to approach the subject to the men to whom I gave the money, nor to the parties engaged in the election. I always furnish an account of the moneys to the parties engaged in the lead.

1896. (*Mr. Price.*) Have you furnished an account of this expenditure?—I have not, for I have never seen the man since. I should have furnished the lawyers.

1897. Wait a moment. I understand you to say you always furnish an account of the mode in which you spend the money to the parties who take the lead?—To the parties who had given the money.

(*Mr. Anstey.*) That is what I understand.

1898. (*Mr. Price.*) How was it you did not give an account?—I never saw the agent to do so.

1899. How were you to do it on former occasions?—If there had not been an inquiry, I should have gone either to Mr. Lovibond or to Mr. Reed.

1900. If there had not been an inquiry, you would have gone either to Mr. Lovibond or to Mr. Reed?—Yes, I should.

1901. You were out of pocket?—I was 15*l.* in.

1902. How was that?—Because I had 15*l.* more than I spent.

1903. In addition?—Yes.

1904. (*Mr. Coleridge.*) What were you supposed to have for your trouble?—I have taken an active part in every election since 1857, and I have never had from anybody at all the value of that book for all the trouble and loss of time I have incurred.

1905. Then you were not a paid agent?—Never; I never had the value of that book. I defy anybody to come into the box to say so.

1906. (*Mr. Anstey.*) What have you done with that surplus sum? You say you have a surplus balance in your favour; what have you done with it?—I have got it.

1907. You have not accounted for it to Reed and Cook?—I have not accounted to any living soul. I have not given an account of the transaction till I came here now.

1908. Did you mention to Reed and Cook that you have in your possession a certain surplus, which you, through their means, obtained from this unknown man?—I have not.

1909. Why not?—Because I considered if I did not say anything about it they could not go before any enquiry to say that I had, and I would come and speak for myself.

1910. Oh, I see; you wished to make the disclosure yourself, before they could do so?—Yes.

1911. (*Mr. Price.*) I understood you to say there were at least 500 men of the present constituency who, you thought, could be bribed?—Yes, I think so.

1912. How many do you say, out of the present constituency, you believe can be tempted, from your experience at large?—Out of the 1,600?

1913. (*Mr. Coleridge.*) Yes.—I suppose something like 1,200 out of the 1,600 would have money, if it was going.

1914. (*Mr. Price.*) Does that range amongst the class of persons in the rank of life of the old constituency, of the 400 out of the 700; do you think they could be dealt with in the same way?—Some of the old constituency call themselves respectable men.

1915. What are they?—Shop-keepers.

1916. What, in the streets we walk in?—Yes.

1917. Give us their names?—I will give you the name of a man who accepted 30*l.* under Mr. Vanderbyl's first election.

1918. What is his name ?—Hook.

1919. Where does he live ?—In Fore Street.

1920. What is he ?—Provision dealer.

1921. Tell us the rank of life of the old constituency, whom you call in a respectable position of life.—You may call masters of vessels in a respectable position, but wages are not very high, and 10*l.* is of a good deal of use to them.

1922. You have told us about them. What about shop-keepers ?—And there are a number of 10*l.* householders to whom a 10*l.* note is of some importance.

1923. Small shop-keepers ?—No.

1924. (*Mr. Coleridge.*) Foundry-men and such-like persons ?—Yes.

1925. (*Mr. Price.*) What is the class of shop-keepers who would take bribes ?—I know a person who calls himself a merchant.

1926. (*Mr. Coleridge.*) What is his name ?—Shattock.

1927. (*Mr. Anstey.*) You have given us his name already.—No.

1928. (*Mr. Price.*) What is he ?—He describes himself a timber merchant.

1929. Where does he live ?—I think his place of business is at East End Quay.

1930. (*Mr. Coleridge.*) Will he take money ?—Yes ; not only will he take money, but I will tell you what he will do afterwards, he will go to the man Bryant and say he did not give him half so much as he did.

1931. Was this at the last election ?—Yes.

1932. (*Mr. Price.*) I only ask you as to the class of men. As a general rule you said they were small shopkeepers ?—I think not. There are some shop-keepers. There is a man of the name of Hayward. I am a close neighbour to him. He is a man, I think, from my own experience, having known him for several years, and having been mixed up in a petition inquiry, I should say he is a man who would not vote without he got money.

1933. (*Mr. Coleridge.*) Have you had any experience of a man taking money on both sides ?—Yes.

1934. This last election ?—No.

1935. (*Mr. Anstey.*) Following up this question about the state of the classes, will you tell me whether any of the professional men, I mean by that, clergymen, lawyers, and so on, have been in the habit of taking bribes ?—No, not to my knowledge.

1936. You have not heard of any cases of that kind ?—No, I have not.

1937. Not among professional men ?—Never.

1938. (*Mr. Coleridge.*) Professional men have been more on the bribing side than on the bribed ?—I do not know. Unfortunately I and the rest I have enumerated have come under the bribing class.

1939. The professional men come under the class of bribing men ?—Unquestionably.

1940. But you do not know of any instance of their being bribed ?—No.

1941. (*Mr. Anstey.*) Keep your attention fixed upon the last election, and the last election only. I want you to be as brief as you can. I daresay you have read the evidence which Mr. Crocker gave before Mr. Justice Blackburn ?—I read it in the "Times."

1942. Where were you at that time ?—When I paid him the money ?

1943. No, when Mr. Crocker was being examined here, where were you actually residing ?—I do not know whether I was at Hull the day he was examined.

1944. At all events it was in England ; you read it in England, and you read it in the English newspapers ?—No, I did not. I never saw it until I was home, because the report was very meagre in the London newspapers.

1945. Did you on the occasion of which you speak, when a number of voters were at your house, Mr. Crocker amongst them, did you bribe them with a sum of money to vote for Kinglake and Vanderbyl ?—I did.

1946. How much ?—10*l.*

1947. What o'clock in the day was that ?—A quarter past three. I believe that Mr. Crocker was one of the men in the first batch of the 14. I am certain of it.

1948. And he then went and voted, did he, for Mr. Kinglake and Mr. Vanderbyl ?—Well, after I had paid him the money I wanted somebody to go and vote with him.

1949. (*Mr. Price.*) The best thing for you to do will be to answer the questions, and then you can explain afterwards. The question put to you is, did he vote for Mr. Vanderbyl and Mr. Kinglake ?—I am not certain, I have never seen him ; I do not know, I believe so.

1950. (*Mr. Anstey.*) You have had no other instance of any other voter whom you bribed, have you, voting contrary to the terms, except Palmer ; he is the only one of the lot you bribed who went and voted for Mr. Westropp and Mr. Gray instead of Mr. Kinglake and Mr. Vanderbyl ?—Yes.

1951. All the others voted according to the terms agreed on ?—Yes, to the best of my knowledge.

1952. And as far as you know he had a card of the Conservative Working Men's Association ?—No, I did not know but what he was going to vote for the Liberal candidates.

1953. Had you any communication about this election with Mr. Haviland ?—No.

1954. Or with young Mr. Bate ?—No.

1955. Did Mr. Bate take any part in the election ?—I never saw him with them during the whole of the election.

1956. You said, when I asked you the question in the midst of the Chairman's examination as to which of the lawyers said so and so, you said seven or eight of them ?—No, I could not say that, that is not correct. We have not got that number, we have only five.

1957. How many lawyers altogether from first to last,—I do not say at one time, but from first to last, —were occupied on your side of the question with you at any time previous to or at the election of Mr. Kinglake and Mr. Vanderbyl ?—Only three.

1958. And those are the persons you have named ?—Yes, I never saw Mr. Haviland take any active part in the election at all, and he never did.

1959. You have stated that already you know. Now tell me the names of the lawyers, you mentioned four. You mean three firms, but four lawyers ?—There are four lawyers.

1960. Three firms ?—I have given the three names.

1961. (*Mr. Coleridge.*) You have given the firms ?—Yes.

1962. (*Mr. Anstey.*) And you reckon Reed and Cook as one firm ?—Yes.

1963. Barham another ?—Yes.

1964. And Haviland another ?—Yes.

1965. Give us the names of lawyers clerks who acted in the election.—I do not remember at all.

1966. Do not you remember one who deserted to the other side, a Mr. Boys, who was convicted in the House of Commons in 1866 of having bribed on the other side ?—I know him very well.

1967. Is he not a clerk of Messrs. Reed and Cook's now ?—Yes.

1968. And was he not on that election taking a part ?—Yes.

1969. And did he not take a bribe for a voter on that election on behalf of Mr. Vanderbyl ?—No, if he had come and asked me for a bribe for a voter I should not have taken notice of him, knowing he was a Conservative.

1970. Did not Foster take a part ?—He has been dead five or six years.

1971. Now, do you know of any further lawyers clerks ?—None at all. I believe the majority of lawyers clerks are Liberal lawyers clerks, and they voted Conservative.

1972. It is not what they voted, but do you remember any clerks of Mr. Bate taking an active part in the election ?—Never.

1973. I have not the names here, but you have heard them mentioned ?—Yes.

THIRD DAY.

Mr. H. C. Bussell.

25 Aug. 1869.

1974. Did they take any active part?—Yes.

1975. Not in the last election?—No.

1976. Now, I want to know, how came those persons whom you represent to have been on your premises, or near your premises, and against whose names you have put crosses, how came they to be there where you saw them the day before the nomination day, or the day before the polling day, which was it?—I have not said so.

1977. You remember the words you said to them were these, "You had better be here to-morrow"?—Oh, that might be all over the town.

1978. Now I will read to you the note I have upon it. "The crosses I have mentioned are against the "names of persons who were present, and who had "taken bribes in 1866. I had told them, 'You had "'better be here to-morrow,'" and I asked you what you meant by "here," and you said "My house or thereabouts," and you gave the names, and one of the names was Bryant. They were not persons whose names were crossed, but they were persons whom you saw near your house that night, or that day, and your words were, "You had better be here to-"morrow"?—Yes.

1979. Who brought them there then so that you could say to them those words, "You had better be "here to-morrow"?—It was the usual place where people stand about in electioneering times.

1980. Your house is?—No, about the bridge and the neighbourhood.

1981. But the old town is about that neighbourhood?—No, it is not.

1982. The "Golden Anchor" is?—Not the "Golden Anchor."

1983. (*Mr. Coleridge.*) Your house is near to the bridge?—My house is near to the bridge.

1984. (*Mr. Anstey.*) Is your house near the "Golden Anchor"?—No, it is not.

1985. Now, another thing; have you not made a mistake as to the Christian names of the person who was to take part as in former elections, that is to say of a person of the name of White?—No, I have not.

1986. You said the name was Joseph White, is there not a Joseph White in the leather trade?—Yes, that is the man.

1987. That is the man you mean?—Yes, in the High Street.

1988. In the High Street?—Yes.

1989. I only want to be clear upon that. Now you heard the names of these petitioners, the petitioners of 1866, praying for a suspension of the writ?—Yes, I have.

1990. It was read several times yesterday?—Yes.

1991. Have you not given us to-day, amongst the persons whose names you have identified on the register as being bribable persons, or persons who would bribe,—have you not given us the names of some of the persons who also figure at the foot of this Puritan petition?—I believe I have.

1992. For instance, Baker, is he one? I think not.—No.

1993. Billing is not. Then there is Carver. Then here is one I certainly know, Clavey?—Yes.

1994. Then there are one or two more, however, I will not trouble you with them now; have you any idea from what quarter Messrs. Reed and Cook obtained that money, or the man who was with them?—I do not.

1995. Well I do not say have you any information, but you are a man who was entrusted in times past, and from your knowledge of the machinery of the party, cannot you form a very shrewd suspicion as to whether it came out of the hands of Messrs. Sealy & Prior, or out of the hands of any other banker before it got into that person's hands?—I do not, I should fancy it would be a friend of Mr. Vanderbyl's.

1996. What friend do you suppose; Mr. Fennelly?—I do not know.

1997. Or Mr. Lomas?—I do not know.

1998. Cannot you give us any idea?—No.

1999. What we want is to trace this money as much as possible; if you can give the names of these persons it will render us an immense service.—I can give the names of the parties who know the parties whom they had the money from. I cannot give any other information than that, because I am as ignorant of the matter as you.

2000. (*Mr. Price.*) But cannot you give us the names of any persons whom we can call before us?—I have done so. I have given you the names of two—Mr. Reed and Mr. Cook.

2001. You say Mr. Reed, Mr. Cook, and Mr. Lovibond?—No, it was the first interview at which Mr. Lovibond was present.

2002. (*Mr. Anstey.*) Mr. Reed was a party to it?—Yes.

2003. The name of anybody not a party to it is what I want?—I cannot give it.

2004. Was Mr. George Lovibond, the son of Mr. Henry Lovibond, present at any meeting this day at the "Globe"?—I cannot say.

2005. Had you any communication, direct or indirect, with him during the election?—I never did.

2006. Was it by arrangement between you and the lawyers, that is, between you and the persons who conducted the election, that you were to avoid as much as possible intercourse with them until the day of the election?—No, there were no such arrangements.

2007. There was a tacit understanding I suppose?—No.

2008. But you had made up your mind to do it?—I had.

2009. Why?—Because there was a former inquiry, and they made an attempt to implicate me in it.

2010. Not unsuccessfully, did they?—Yes.

2011. Not unsuccessfully?—Yes, unsuccessfully.

2012. Did not you refer to the election of 1865?—Yes.

2013. Do not you recollect how that election petition turned out?—Why, the member was declared duly elected.

2014. Yes he was, but do not you remember it failed only on the question of agency?—Well, if Mr. Benjamin Lovibond had allowed me to go into the box when I wanted to do so, in the House of Commons, I could always have disproved that, and plenty of other witnesses as well; it was all false that was sworn.

2015. Never mind that, the reason why you avoided all intercourse with all persons on the day of that election was on account of that enquiry?—Yes, it was on account of that enquiry.

2016. So that you might be on your guard on account of that enquiry?—Yes.

2017. So you anticipated a new enquiry with regard to that election?—No, I did not. I thought they had had enough of it; both parties had to pay the costs.

2018. Having this distrust or suspicion towards the lawyers, what made you have any communication at all, either before the nomination day or on the nomination day, or after the nomination day, with them?—I did not. It was made promiscuously—meeting one another.

2019. You went to Mr. Reed's?—No, I did not.

2020. You never went to Mr. Reed's at all?—I did not.

2021. All that you have sworn as to him is untrue?—I went over to the "Globe" Hotel.

2022. You not only went over to the "Globe" Hotel, but you made use of him to get money?—Oh, yes.

2023. Not having trusted him before, what made you trust him then?—Because it came to the last minute.

2024. You would not have trusted him then if you had not been compelled in order to get the money; you would have preferred to have got the money from some other of your friends?—I should.

2025. You had not much confidence either in Mr. Reed or Mr. Cook?—I thought it was better not to get it from the lawyers.

2026. Is it not the fact as to the last, and you may say also as to former elections if you like, but as to the last election, is it not the fact that the borough was worked by the lawyers, and the lawyers only?—It is.

2027. Is it not within your knowledge that they divide, either directly or indirectly pecuniary emoluments for the enormous influence which they appear to exercise over elections?—I do not know.

2028. You do not know one way or the other?—No.

2029. Can you give us the names of those who conducted the election, or rather who controlled the contest on the other side—I mean of those lawyers?—Some of them I can.

2030. Give us the names?—Mr. Boyle first.

2031. Of the firm of Smith and Boyle?—Yes. The next is Mr. William Brice, who took an active part on both sides.

2032. When was he last on the side of the Liberals?—I believe it was in 1865—I believe it was—1857, I mean to say in 1857—1857 or 1859 was the election that Mr. Brice took an active part in on the Liberal side. Since then he has gone on the other side.

2033. Now he has changed over?—Now he has swopped over.

2034. Then Mr. Boyle?—Yes.

2035. Mr. Boys, not Mr. Boyle?—Mr. Boyle; there is no lawyer of the name of Boys.

3036. It is in the blue book. Mr. Boys was formerly the managing clerk of an attorney, and now he is the managing clerk of Messrs. Reed and Cook?—Yes.

2037. (*Mr. Price.*) Mr. Boys is a clerk?—Yes.

2038. And there is an attorney also of the name of Boyle?—Yes.

2039. (*Mr. Anstey.*) Mr. Boys was the person who went over?—Yes.

2040. Mr. Boys went over. Having been a Tory in 1865, in 1868 he appears in the character of an agent on the Liberal side?—I never saw him taking an active part.

2041. (*Mr. Price.*) What did you say Mr. Boyle had done?—Mr. Boyle was one of the lawyers.

2042. On which side?—On the Conservative side.

2043. And he acted on the Liberal side?—No.

2044. (*Mr. Anstey.*) I am quite right. The firm of Smith and Boyle were amongst those who controlled the contest on behalf of the Tories at the last election?—Yes.

2045. Now go on?—The next was Mr. Brice, who took an active part on both sides; Mr. Ruddock—

2046. Alderman Ruddock?—Yes; George Hemming Pain, and a person on the Conservative side of the name of Lilly.

2047. He is an auctioneer?—Yes.

2048. He has been examined several times on previous elections?—I believe he has, or at least only one.

2049. At least before Mr. Justice Blackburn on the election of 1866. Mr. Poole took no part in it?—No, he never did to my knowledge.

2050. Then the Trevors?—The two brothers, John and James.

2051. When to your knowledge did the brothers cease to be called Trevor and Son, and called Trevor Brothers; in what year?—I should think it was over 25 years ago.

2052. Before you can recollect?—Yes, before I can recollect anything about it.

2053. Then the two brothers took an active part in the election?—Yes.

2054. Anybody else?—Not as lawyers.

2055. Mr. Veysey?—Yes. I do not call him a lawyer.

2056. I am not asking you as to his professional qualifications.—No, I do not think he took a very active part in the last election, because I do not think they trusted him.

2057. Never mind what you think, but did or did not he take an active part in the election?—He was about using his influence.

2058. That is another thing?—That is about all the lawyers, or at least I fancy so, unless you can bring any other to my memory.

2059. But, as a matter of fact, what your lawyers did on your side theirs did on their side, and the contest was between these two lots of lawyers represented by the respective sets of candidates?—I believe so.

2060. Was there any committee of any kind,—you of course are a practical man, and understand what I mean by that,—was there any committee appointed to manage the committees on behalf of Mr. Kinglake and Mr. Vanderbyl from first to last during the last election?—No.

2061. Was there any committee appointed at any time to manage the election on the part of Mr. Westropp and Mr. Gray from first to last during the election?—I cannot say.

2062. But all that you saw was the lawyers going about?—Yes.

2063. And then Lilley, who is a half lawyer, being a land agent?—Yes.

2064. (*Mr. Price.*) Are the lawyers the committee then really?—Well, I believe they are. What they say is law.

2065. Answer my next question; are they what is called or are they not what is called the Bridge Committee of this borough? I am speaking of the borough lawyers?—No. It appears that is a club formed some years ago. It is not only the lawyers, but the Conservative party together, and I think they generally have a dinner some time in May.

2066. (*Mr. Anstey.*) Do you recollect whether either of the candidates at the last election of the borough were present at a dinner given by that committee, either Mr. Gray or Mr. Westropp?—I know for a certainty that Mr. Westropp was at one of their dinners, whether it was in 1867 or whether it was in 1868 I do not know, but he did come to one of their dinners there.

2067. Are the lawyers, the borough lawyers, members of the Bridge Committee?—I cannot tell you, but I believe they are. They go to the dinner, and they have a jovial feast.

2068. A great many go to the dinner who are not members?—I do not think they are. I believe there is an arrangement of this kind. Some of them perhaps are not able to pay their way, and they give them a ticket.

2069. Am I to understand you to say that the Bridge Committee is a very numerous body?—I suppose the lawyers will tell you the number; about 40 or 50, they generally say, sit down.

2070. Are they members or not?—It is only a dinner party.

2071. How many are on the committee managing it?—I do not know, I really cannot tell you that.

2072. You cannot tell me that?—No.

2073. Can you give me the name of any person who can, who is not a lawyer?—There is no doubt Mr. Trueman there (*pointing*) is one of the party.

2074. What is his Christian name?—John Trueman.

2075. What is he?—A fishmonger.

2076. Is he one of the committee?—I think I have seen his name at the dinner.

2077. (*Mr. Coleridge.*) I want to ask two or three questions of you. You gave us the names of the people with whom you dealt at the last election?—Yes.

2078. Have you not omitted one?—Not one.

2079. Was there not a man called George Bond, a shoemaker?—George Bond, a shoemaker, take a bribe!

2080. Yes?—Not very likely.

2081. But was he not at your house; that is what I mean?—Not to my knowledge.

THIRD DAY.

Mr. H. C. Bussell.

25 Aug. 1869.

2082. When Mr. Crocker was there, was that about the time you were there?—Yes, that was about half-past one.

2083. Did you see a person of the name of George Bond, a shoemaker, there?—I did.

2084. And you have given us the name of Pearce?—Yes.

2085. And Pearce the same? Was that the time you fixed at which you say George Bond was there; at the time you went out about to get the money?—It was so sharp I had not time to look round the room.

2086. But did you give George Bond any money?—No, he is a respectable person.

2087. Now was the last election the first time at which you received money, as I say, direct from the lawyers?—It was.

2088. I do not want to go into the other elections at present, but that is the first time you received money actually, as I may say, in the presence of the lawyers?—Yes.

2089. Now you have told us just now there are only five lawyers on your side altogether?—That is it.

2090. Do you mean those are the only lawyers out of the 18?—There is the town clerk, but he takes no active part.

2091. You have given us Boyle, Ruddock, Pain, Barham, and Vesey. There are some of these lawyers you have not mentioned as being on the one side or the other. Benjamin Allan for instance?—He is a Conservative.

2092. Charles Robert Bate?—He is a conveyancer.

2093. Still he is a lawyer, is he not?—I have never known the present Mr. Bate take anything.

2094. Then there is Gabriel Stone Poole, do you know that he took any part?—You asked me just now if the lawyers took anything, and I said no.

2095. I understand neither of them took any part?—No.

2096. I understand you to say you imagine the money came from Mr. Vanderbyl on the last election?—Yes.

2097. I want to know why you take Mr. Vanderbyl in preference to Mr. Kinglake?—Because it was in his house.

2098. As I understand you, it was a joint canvass between Mr. Vanderbyl and Mr. Kinglake?—Yes.

2099. And they never asked for a plumper, or anything of the sort, but a split vote?—I believe so.

2100. And you have no reason for supposing that it came from Mr. Vanderbyl, except from the money being in Mr. Vanderbyl's house. You have no reason to know anything about it except that?—No.

2101. And it is only from the fact of its being in Mr. Vanderbyl's house that you assume the money came from him?—Yes.

2102. Now you told us you went away to Hull.—Oh, to plenty of places.

2103. Where did you go first?—To Guernsey.

2104. Had you any conversation with anybody before you went to Guernsey?—No, I was very anxious to get away.

2105. You left this on the 30th December?—Yes.

2106. Before that, between the election and the 30th December, had you any consultation or any conversation with anybody on the subject of your going away?—Yes.

2107. Who with?—John Smith the grocer. I had a conversation with him on the matter, and I said I should go.

2108. What did he say?—He said he thought it was a very good plan too.

2109. How long after that was it that you went?—A day or two.

2110. Was he the first person to whom you mentioned your going away?—Yes.

2111. Had you been served with a Speaker's warrant then?—No, they had not power then to issue a Speaker's warrant.

2112. Had anybody been to you to see what they could get out of you?—No, it was no good.

2113. Had you seen anybody about endeavouring to see if they could fix anything upon you?—There was John Smith.

2114. That was the day of the election. I want to know what took place subsequently.—Yes, there were five or six men who went up to London, and they went up because the petition was not filed.

2115. Who were they?—The man named Hook, whom I mentioned just now.

2116. And who else?—Frederick Harden, I believe.

2117. Who else?—Henry Clement Heard I think.

2118. All on the Conservative side?—And two others; and then they came back.

2119. Beyond the fact of their going to London, did you know what they had been to London about?—Oh, they came back, and they came with a mob to my house, and I thought they were going to break everything in; they halloed and hooted, and called me everything.

2120. How many were there?—200 or 300; and they followed me down to the station, and if I had been the biggest scoundrel on the face of the earth, they could not have served me worse.

2121. When they came to your house what did they do?—They halloed and they hissed, and called me everything they could lay their tongues to.

2122. What did they call you?—They called me a briber; and I suppose that amongst the lot there was not one who would not take a bribe.

2123. (*Mr. Price.*) Which do you look upon as the worst, the man who bribes or the man who gives the bribe?—You want a man of some little respectability to give the money to. You cannot trust a man who would take a bribe with the money, because he would be likely to take the money.

2124. (*Mr. Coleridge.*) If there were to be no bribers there could be no bribees?—No, it is the gentleman who brings the money who is the worst. If they did not bring the money I could not give it away.

2125. When this mob came to your house, did you keep in your house?—Yes.

2126. Did you shut the door?—No; I was afraid to shut the door. I thought it was better to stand away from it, with a poker, to defend myself if they came in.

2127. To defend your castle?—Yes; and I thought it was better for me to be off.

2128. When was this, in December?—Up to very near to the day of filing the petition. That will give you a pretty near idea when it was.

2129. How long afterwards was it that you went to Guernsey?—A few days.

2130. That was through the terrorism of the Conservative party?—Yes, I know that.

2131. Do you mean to say you went to Guernsey because you were frightened for your own safety, or because you thought the petition would be going on?—No, for my own safety.

2132. Have you a wife?—Yes.

2133. And a family?—Yes.

2134. Did you leave them at home?—Yes.

2135. You were not afraid for their safety?—No, not a bit of it.

2136. You mean to tell us that you went away, not because you did not wish to be called on the petition, but because you were afraid of personal violence on the part of the Conservatives?—And being called on the petition as well.

2137. If you had not been afraid of being called on the petition, you would not have gone through being afraid of this mob?—I do not know. This Mr. Joseph Richard Smith is rather a vindictive character, and I did not know but what he might have me taken up; and I did not know what they might do.

2138. If this petition had been withdrawn, should you have gone away?—Yes, I went away because I thought they would take steps against me.

2139. You went away because the petition was on, and not on account of the mob?—Yes.

2140. If this petition had been withdrawn, would you have gone away; would you have been afraid of the mob?—No, because I should have retaliated.

2141. I understand you came back after the petition was over?—I came back on the Sunday. The petition was over on the Friday.

2142. Were the mob aggressive?—No, I did not show myself.

2143. Did you go away again?—Yes.

2144. When?—On the Monday.

2145. Where did you go?—To London.

2146. How long did you stay away then?—Three weeks.

2147. What made you go away?—Because I thought the Conservative party would be a little riled, and I went away till the Assize was over.

2148. (*Mr. Price.*) You thought the Conservative party would be riled?—Yes, because they would have to pay the costs.

2149. (*Mr. Coleridge.*) You went away to avoid being served with a subpœna?—Yes, I did.

2150. And you came back a second time, and you went away again because you found the whole thing was not over, and you went away till the Assizes were over?—Yes.

2151. And when you came back, you were in terror of the mob?—No, I was not. When I knew there was a Commission, I knew they could not take any steps against me, because I should have to come here and state all I knew about it.

2152. When did you come back?—The very day the House was asked to grant a Commission.

2153. (*Mr. Anstey.*) That was before the Assizes?—After the assizes.

2154. (*Mr. Coleridge.*) After the Assizes at Taunton?—Yes, after the Spring Assizes.

2155. Then you had no terror of the Summer Assizes?—Not a bit, because we have this inquiry now.

2156. If you had been indicted at the Summer Assizes, this inquiry would not have helped you?—I know that very well, because I should have had to come here to suffer, and tell the truth.

2157. The real truth is, you did not wish to be called on the petition, or put into the dock at the Assizes?—No.

2158. And the mob had very little to do with it?—No, it did not. There was no hurry for my going away, because there was no chance of the matter coming on for some time.

2159. You could have been subpœnaed?—No, I could not, not until the trial was fixed.

2160. When did the trial take place?—In March, I think.

2161. Did anybody assist you with money to go away at this time, to spend all this idle time, and to spend money too?—The night before I went away, Mr. John Smith gave me 15*l.*

2162. The grocer?—Yes.

2163. Do you know where he got it from?—No.

2164. Have you got any money from lawyers?—No.

2165. Have you sent in any bill to them?—No, what good is it?

2166. You mean you would not be likely to get it paid?—No, I think it has cost me 15*l.* 10*s.* for travelling expenses. I do not know who to go to.

2167. Either to Mr. Vanderbyl or Mr. Kinglake?—No, and I ought to have asked them for it.

2168. (*Mr. Coleridge.*) You say the whole of your expenses of going away was 15*l.*, which was given you by Mr. Smith?—Yes.

2169. And he was the only person, as I understand you, whom you consulted about going away?—Yes, when I came back I had the second 15*l.* from Mr. Smith.

2170. That was the Assize job you got that for?—Yes.

2171. When you came back after the Assizes, did you get anything more?—No.

2172. What is Mr. Smith?—A grocer.

2173. Did you suppose that the 15*l.* came out of his own pocket, without his having a chance of its being returned to him?—No.

2174. Have you any notion who is going to return it to him?—No, I do not. I wanted to know, but he would not tell me.

2175. But he told you it was from someone?—Yes, he said, "Here is the money."

2176. You did not know it was his own money?—No, I did not.

2177. You did not say to him, "I do not like to take this money out of your pocket"?—No, I expected it came from some one else.

2178. Whom did you suppose it came from, the lawyers?—My own impression was that it came from the lawyers.

2179. (*Mr. Price.*) Reed and Cook, and Lovibond?—I should not like to say, because I should not like to say what is not true here.

2180. (*Mr. Coleridge.*) You said in answer I think to a question from me, I think it was after you had been marking the register, "Did you ask "either Crocker or Palmer, and have you marked "them on the register?" your answer was, "No, "because I do not think I could do anything with "them."—No, because you had it down already.

2181. Your answer was, "I do not think I could do anything with them."—It was a mistake of mine.

2182. Did you expect Crocker would vote for you?—Yes.

2183. Did you expect Palmer would?—No, I did not know who he would vote for; I had no communication with the man until the time I gave him the money.

2184. What made you think Palmer was a doubtful character altogether, more than those other 17 whom you paid?—Palmer having been at work only occasionally for me, I did not know anything of him.

2185. He was a new voter, and you knew nothing about him?—Yes.

2186. Did you know anything of his master?—I did not.

2187. At that time, who was he working for?—I did not know at the time, but I found out afterwards he was working for Mr. Searle.

2188. You said you knew his master, and he came from his master to do a job here and there. Who was he working for in that way?—Mr. Gough.

2189. At the time of the election he was working for Mr. Searle, who was a Liberal?—Oh, I did not know that.

2190. Did not he tell you?—No, I did not ask him.

2191. Did Palmer, a year before the election, use your house?—No, he did not.

2192. Had you spoken to him a year before the election?—No, he was a man I never did speak to. Some years ago, when he worked on board the vessel, I might have told him to do certain work.

2193. What, had you any suspicion he was going to plant upon you?—I had none; I would not have given him the money if I had.

2194. You made use of the expression "I did not "expect to get Palmer, and therefore I have not "marked him on my list"?—That is a mistake of mine.

2195. When you gave him that money did you believe that he would vote true as any other man?—Yes.

2196. You took the precaution to get him to go to the poll with Captain Richards, did you take the same precaution with the other 16?—No, except where I had a doubt about him.

2197. What made you doubt about Palmer?—Because he was a fresh man.

THIRD DAY.

Mr. H. C. Bussell.

25 Aug. 1869.

2198. Out of that 17 you said 14 were fresh men ?—Yes.

2199. Did you say seven of that 14 were doubtful ?—No.

2200. You have told us Palmer was a fresh man ?—I did not doubt his word at all. I said, "If you like to split, and say you have had the money—"

2201. That is not the question. You said the reason you doubted Palmer was because he was a fresh man. You say out of 17 men you paid 14 voters ?—Yes.

2202. You say you doubted Palmer because he was a fresh man ?—I did not doubt him.

2203. How was it you let him go to the poll with Captain Richards, whereas you let the others go by themselves ?—He was a stranger to me.

2204. You have given the reason, because he was a new voter. That was the reason you got Captain Richards to take him to the poll. I say, why did you not take the same precaution with the whole 14 ?—If you have understood me so, that is my mistake.

2205. That is what I have understood you.—I have said, when I paid Clavey, I went out to the door to look for somebody to go to the poll with him, and I fancy I called somebody to go with this man to the poll, and Captain Richards was going by and he said "I will go with him."

2206. Do not imagine I am trying to trip you up. I only want to know why you seem to have taken more precautions with Palmer in sending him to the poll than with the other 14 voters you had paid money to ?—Because he was a stranger.

2207. But he had been working for you ?—That was many years ago.

2208. Do you say the others were better known to you than Palmer ?—All but one.

2209. Who was that ?—A man of the name of Kitch.

2210. Did you send somebody with him to the poll ?—I believe he went away to the poll with somebody he had with him.

2211. It is no use to send anybody but a trusted party ?—In electioneering matters, if you see a man outside to whom you have paid money, and you know he is right, you would intrust him with money again.

2212. Did you send anybody with any of the voters to whom you paid money except this man ?—I believe not. I wanted Crocker to go with him, and he said he would go, because I thought he was right.

2213. And all the reason you give is, because he was a stranger, a new voter ?—Yes.

2214. And you say the same applies to Kitch ?—Yes. Somebody came with Kitch ; I do not know who he was.

2215. All the others, except three, were new voters ?—Yes.

2216. (*Mr. Anstey.*) Of those new voters, 14 I think you say, were there any, to your knowledge, besides Crocker and Palmer, who had down to that time been reputed to be supporters of Conservative interests ?—No.

2217. Did that influence you in any way in asking somebody to go with Crocker and Palmer to the poll, they being the only two persons known to you to be Conservatives ?—If I had known they had belonged to the Conservative Club I would not have given them the money. I would not have trusted them.

2218. Then that did not influence you ?—No, it did not.

2219. (*Mr. Coleridge.*) Just listen to my question, and guard yourself in answering it. You have talked about this stranger in the darkish or dark room ?—Yes.

2220. Is it always usual in other elections to have a stranger in the same way ?—No. I never knew there to be a stranger before.

2221. Did you ever know anybody from the office of Baxter, Rose, and Norton being down at this place at the last election, the solicitors for the Carlton ?—No. I have heard they have at former elections.

2222. But have you heard of Baxter, Rose, and Norton at this last election ?—No.

2223. And have you heard the name of the stranger? No.

2224. And you had very few words with the stranger. Just tell me this, I hear you are a Somersetshire man, could you tell by his accent whether he was a Londoner ?—All he said was "How're ye getting on." That is all that took place between us.

2225. Could you tell whether he was a Somersetshire person ?—No; I should think he was a person in the neighbourhood of London.

2226. You should not think he was a person in the neighbourhood of Somersetshire ?—No, I do not think he was.

2227. You thought he was a person from London ? I think he was.

2228. You have told my friend here you made a point of never going into the street while they were canvassing, why did you make that a point ?—The reason I made that promise was, that when I went up to London they went about the town and swore I went about canvassing, when I had not.

2229. I understood you to say the agents did not come to your house, but you went to them ?—No. They have never come there.

2230. Nor at other times ?—No.

2231. You say it was arranged that they should not come to your house; where were you to meet them if they were not to go there ? Take a week before the election, when you were thinking about money, and all that sort of thing ? We do not begin so soon as that, only on the day of the nomination.

2232. Do you mean to say the day of the nomination is the first time ?—We do not talk about it till then.

2233. Do not you know whether the contest is going to be fought, some time before, either with or without money ?—No. I never knew until the day of the nomination whether money was going to be spent in my life.

2234. Until the day of the nomination you never took any part in it ?—No.

2235. On that occasion you met Mr. Reed ?—I was going one way and he the other. We met in the street. I think we met at the telegraph office.

2236. Then in a casual way he told you you would have to deal with money ?—Yes.

2237. On former occasions you have had to deal with Mr. Reed ?—No, never.

2238. Or his firm ?—No.

2239. Never ?—Never. I never had anything to do with him.

2240. On former occasions, when he told you there would be money, you took it for gospel, and believed it ?—I never heard him say so.

2241. When he said there was money you went away and said nothing more about it ?—I believed it was all right.

2242. And you never went to any other office ?—I went to other offices, like a cat watching a mouse.

2243. Exactly. You carry on the business of a professed briber in this place. You did not mix up yourself with the lawyers in this place ?—I did not say I was a professed briber.

2244. I mean as a professed briber, knowing the practices going on, and knowing you would be one of the most active people engaged in that branch, you thought it was better you should not be seen going to other offices ?—Yes.

2245. And you purposely abstained from going to other offices ?—Yes.

2246. (*Mr. Price.*) Tell me about the number of persons employed to bribe; you have mentioned Andrew Allan ; have you heard, since you were employed to bribe, of a man named Garrett ?—Yes, now you bring his name to my recollection.

2247. Anybody else ?—No.

2248. I take it for granted that it was for Mr. Vanderbyl that employment was ?—Well, Kinglake

was my man. I did not care who sank so long as he swam.

2249. (*Mr. Price.*) Kinglake was your favourite ?—Yes.

2250. (*Mr. Anstey.*) You say you went to Mr. Vanderbyl's own house, that was what you called it, the Globe, and Mr. Kinglake, you say, you saw nothing of ?—No.

2251. Then were you employed by Reed and Cooke, or either of them, or any one of these whatever, your own wishes were to bribe for Mr. Vanderbyl ?—No, I was not ; there was neither Vanderbyl's nor Kinglake's name mentioned, because they knew if I got anybody to vote it would be for them, and nobody else.

2252. Then why did you not go to Allen's house, which you knew was where Vanderbyl put up ?—For the reason that until half-past three no money was expended, and it took me rather at a nonplus, and I did not know where to go else.

2253. But you went to the Globe ?—That is where it was, I did not want to go to Allan's, because I went to the Globe. I went to the Globe at 11 in the morning.

2254. Why did you not go at 11 to Andrew Allan's, or to the Railway Hotel to see Mr. Kinglake ?—The Globe was the principal committee-room.

2255. Of Mr. Vanderbyl ?—Of both.

2256. Why did you say it was Mr. Vanderbyl's own house ?—Mr. Vanderbyl stopped there ; Mr. Kinglake went in there sometime to see Mr. Vanderbyl ; it is an hotel.

2257. Then do I understand you to say that you were employed to bribe both for Kinglake and Vanderbyl ?—I bribed for both ; nobody told me it should be Kinglake or Vanderbyl, but I did for both, and never gave the money unless I knew he was going to vote for the two.

2258. Do you know who employed Allan ?—No.

2259. And who employed Garrett ?—I do not know.

2260. Is it not a fact that each of the three attornies you speak of took a division of Bridgwater, Mr. Barham one, Messrs. Reed and Cook another, and Mr. Lovibond a third ?—They took three districts ; it would be for their clerks.

2261. Did they do it ?—I cannot say.

2262. Do not you know there was a dispute among them, and it was agreed that equality should be made ?—There was a report of it, but I did not hear more than other people say so.

2263. Did you know of these divisions ?—There was a report of it.

2264. Of those divisions ?—Yes, I believe they divided it for the canvass.

2265. Mr. Reed had that by the Globe ?—He had the eastern division.

2266. Is that the Globe division ?—Yes.

2267. Which did Mr. Barham have ?—I do not know.

2268. The working men, was not it ?—The working men are all over the town.

2269. Eastover ?—No, that was the district Reed and Cook had.

2270. And Mr. Lovibond ?—I do not know, but I understood they went and canvassed all together unitedly all round the districts, and when one was not able to call the other did ; but they had three committee-rooms, one was where I told you this morning, the Rose and Crown, that was for the purpose of having the list as they struck off the names of those they polled, and in the north district, and the principal committee-room was at the Globe.

2271. (*Mr. Coleridge.*) Was Garrett present at what you call the consultation at the Globe ?—He was not ; I never saw him for the day.

2272. Did you see him on the nomination day ?—Very likely.

2273. Was he a man who worked in the same way as you on former elections ?—No, I never saw him before ; he was a young man.

2274. Then you did not know of his having one of the divisions ?—No.

2275. Kinglake being your man, supposing it came to a hard push, and any of the "Lambs" you had saying that they would split between Kinglake and the Conservative, would you have given him anything ?—Not a penny if they had not voted for both.

2276. You would not have let Kinglake swim and all sink, you would thorough for the two Liberals ?—To be sure.

2277. And every voter you had an understanding with was that they should vote for both ?—Yes, it was ; I would not give a penny to any man if he did not vote for both.

2278. Therefore you said to Palmer, if you are to split, I shall have to tell all about it ?—I did.

2279. Why did you say that if you thought he was a good man and true ?—I did not know.

2280. It was a curious thing to say ?—Well, he was a stranger to me.

2281. By "split" do you mean tell about being bribed ?—Yes.

2282. What made you suspect ?—He was the first man I paid, and I gave him the caution to begin with which I intended to give to all, but I did not. I gave him the caution because he was the first man I paid money to.

2283. (*Mr. Price.*) You have told us with regard to the last election all you recollect ?—As far as our own party is concerned ; but there was as active workers on the other side as ours.

2284. We want what you know of the other side. Confine your attention to the last election first before you go into what the other side did. Have you told us all to the best of your recollection everything that took place, to the best of your knowledge, on your own side ?—I believe I have ; I would not withhold anything. I have come here to speak the truth.

2285. I do it as a matter of caution and protection to you, that you should have an opportunity of making the freest and fullest disclosures to us which will entitle you to receive an indemnity at our hands, and if you have omitted to tell us anything from want of memory you shall have an opportunity of coming up again ?—I will come up again, and will not withhold anything.

2286. At present you have told us all in your knowledge with regard to your own party with regard to the last election ?—Yes.

2287. (*Mr. Anstey.*) Has anything occurred to you we have not asked you about which you would like to tell ?—Well, I have been some time at it now, and I can hardly say what I have said, but if asked the same questions I should tell the same story over again.

2288. (*Mr. Price.*) You will have an opportunity of reading your evidence before the inquiry closes, and if anything is not disclosed and you wish to do so, you will have the fullest opportunity. Now tell us anything you like to give us information about of what the other side did ?—I will tell you what I did, I forgot that. At 11 o'clock I went on to the bridge when I came down from the "Globe," and there was a lot of men there, and one man, James Redwood.

2289. (*Mr. Coleridge.*) Is he a voter ?—Yes.

2290. (*Mr. Price.*) Where does he live ?—Crystal Road.

2291. (*Mr. Anstey.*) What is he ?—A sailor. I did not know his surname then. They had a nickname for him which I forget, which I called him by, and I said "Are you going to poll ?" And he said he would be damned if he would until he was paid. And I said "You are not going to poll." He says he would not by all that was good and great until he was paid. Now that man went to the poll within half-an-hour afterwards, and he had not any inducement, mind, made him to poll. He went to poll for the Conservatives.

2292. Was he a new voter ?—Yes. There were two men, Rogers, father and son, sailors too, in common conversation all along. I asked him for their vote, having to do with them, and they told me

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they should go for Mr. Most; they did not care who it was.

2293. Who is Mr. Most?—Why the most money. They went to poll before half past 11 o'clock.

2294. He said he wanted to vote for "Mr. Most"?—I went to the father and son afterwards. I think Robert Rogers was one.

2295. What is he?—A sailor.

2296. And his son?—Yes; I had several conversations with him, perhaps five or six times, asking and trying to persuade him to vote on our side. He would never say he would not vote, but all I could get out of him was, he would not unless he got something. Now they went about half past 11 o'clock, and what made them vote for the Conservatives?

2297. What name and address is it?—Robert Rogers; he lives in Barclay Street. I do not know the name of the son.

2298. (*Mr. Anstey.*) Are they new voters?—Yes.

2299. (*Mr. Price.*) You say they went to vote at half-past 11?—Before half-past 11.

2300. (*Mr. Anstey.*) How do you know?—Because I saw them come back after they went, and they said they had been and polled already.

2301. After you had spoken to them in the first instance?—I did not speak to them on the day of the poll, but some days before, and on the day of the nomination I spoke to them, but I do not think on the day of the poll until after the poll.

2302. And it was some days before the poll they said they would vote for Mr. Most?—Yes.

2303. And then you asked them on the day of polling?—Yes.

2304. And they said they had polled?—Yes.

2305. (*Mr. Anstey.*) With regard to that expression "Mr. Most," is not it the fact that that term was a well known term at previous elections in Bridgwater, and was not the answer made to Sir John Shelley "I shall "vote for Mr. Most"?—I believe it was Sir John Shelley who has stated it, if I recollect rightly, in the House of Commons.

2306. You are right; his evidence before the Committee of the House of Commons in 1866.—He came down to fight the election on pure principles, and that is what we ought always to have done if it had not been for the Tories.

2307. He said that answer was made most frequently to him in the course of his canvass?—Yes, and we should always have had it so if it had not been for the Tories. I will give you some of the people now who took an active part on the Conservative side; there is John Vesey to begin with, and Frederick Temblett.

2308. Who is John Veysey?—The lawyer. There is a man by the name of Jarvis; I think he is already subpœned.

2309. What is Jarvis?—A clerk in the iron works of Messrs. Hennett and Spinks. There is a foreman of the name of Dennis in the same employ. There is a man of the name of Jarman—I think his name is Frederick—a baker.

2310. What is the name of the man who bribes on the side of the Liberals; is it he?—I never knew a man named Jarman to pay money on the Liberal side. I know Henry Jarman, but I never knew that he gave a penny in his life.

2311. Are they brothers?—No.

2312. (*Mr. Price.*) There is a brother of your own?—He is on the opposite side.

2313. We are on the opposite side now. He is an active man now, is not he?—Yes.

2314. We will take him?—He is one. There is Wadden, junior, a very active man on the Conservative side in Church Street.

2315. (*Mr. Anstey.*) What is Dennis' Christian name?—I do not know, there are three here, George, Henry, or John; I know him if I see the man.

2316. Is he in Court now?—Some one says it is Henry; I do not know, and I do not see him here.

2317. (*Mr. Coleridge.*) What has become of John Cooze and Staples who were found guilty of bribery in 1866?—Cooze is dead, and I have not seen Staples here to-day. I do not know whether he is, he was here some time ago.

2318. Had he a vote on the last election?—No.

2319. What has become of Philip Gilbert?—He is here.

2320. And Frederick Jones?—He is expected here to-day.

2321. Where is he?—At sea.

2312. What has become of Newton?—I do not know where he is to be found; it would be a very good thing if he could be, because he could give you a good deal of information; it would be a good job if you could find him, because he could give you a good bit.

2323. But you cannot say more?—No, I do not know where he is or I would tell you pretty quick.

2324. Is your brother here?—He was just now.

2325. Have you always taken opposite politics?—Yes.

2326. Divided the business between you?—No, I never had anything to do with it of late years.

2327. You had not?—No. If they would only go on the way I persuaded them they would be all Liberals. Then there is Edwin Phillips and Frederick Harden.

2328. (*Mr. Price.*) Are these men who do the same sort of business as you?—Yes, exactly the same—they took an active part.

2329. In the bribery business?—I believe so. I cannot say what they have done. You ask me what the report is and I give it you.

2330. (*Mr. Coleridge.*) They seem to have had a shrewd suspicion of what you did?—They knew exactly. Then Thomas Collett; he made himself notorious by going about after the election and saying he had done a good bit at it; whether he did or not I do not know. It is for you to satisfy yourselves.

2331. What is his address?—Commercial Inn.

2332. He went about boasting of what he had done?—Yes, I heard it. I recollect being at Durston once.

2333. We are speaking of the last election?—He was here taking an active part at the last election. Then Henry Jones Truman, a fishmonger, Henry Hayward, William Henry Batten, he is a man in the carriage shed; then there is Chapman, I do not know his Christian name, Mr. Boyle's clerk, he has taken a very active part. Then there is Mr. Henry Frederick Harden, brother of Robert, he is a yeoman, and has been in the town taking a very active part in the election. He may be able to give you some information, and I think at the present time that is pretty nearly the lot.

2334. Is there anything else you wish to tell us with regard to what has been done on the other side. Do you know any instance of money having been paid in the way in which you say you yourself paid men to vote?—No, I know they had some man down here.

2335. A stranger?—Yes, they brought a stranger by the name of Charles Frederick Hankel, I think it is; he came up in the afternoon with flying colours in a cab riding through the town.

2336. Where does he live?—I do not know.

2337. Where does he come from?—He resided in the town.

2338. (*Mr. Anstey.*) What day was that?—He came in the day of the poll in the afternoon. I think he must have come by the express train, or whether he came later I do not know.

2339. By the express from London?—No, he lives in the neighbourhood. He is a cutter in some establishment in one of the neighbouring towns.

2340. What do you mean by a cutter?—In a tailor's shop.

2341. (*Mr. Price.*) At Taunton?—He was in one of the rifle corps. I saw him at a review here a few weeks ago.

2342. Who commanded at that review?—Colonel Bruce, I think.

2343. But who was at the head of the corps?—It belonged to the Somerset.

2344. Is that the one you were speaking of just now?—No, I rather fancy he must be down in the neighbourhood of Wellington.

2345. What part do you say he took on the polling day?—In the first place he was not entitled to be on the register, and he had a Liberal employer, and the task he undertook was that he should go to the Conservatives and say that he intended to support them if they would only allow him to remain on the register for the purpose of getting his name on.

2346. That was before the registration?—Yes.

2347. Was he on the register of voters?—Yes. Then he was to go to the Conservative meetings, and let us know what was done there.

2348. He was a spy employed by you?—He was not employed. He offered his services himself. I did not employ him.

2349. He was a spy then?—That is what he intended to do.

2350. How could we get at that man so as to get at the secrets of the camp?—He would be able to tell you what passed at the meetings. I will endeavour to find out; but he was in one of the corps at the review on the third of this month.

2351. (*Mr. Coleridge.*) How many corps were there?—I cannot say.

2352. (*Mr. Price.*) You cannot give us the Christian name?—Charles Frederick he said. He is a foreigner by birth.

2353. How does he get on the register?—He got on by being an occupier of a house.

2354. (*Mr. Coleridge.*) A 10*l.* householder?—I do not know whether he was, or whether he was a lower rate.

2355. (*Mr. Price.*) Was he an occupier at that time?—Not when he voted, because he had left the town because he was out of employment.

2356. (*Mr. Coleridge.*) Was he a ratepayer?—He was out of position altogether. He was out of the town.

2357. (*Mr. Price.*) His vote would have been struck off on a scrutiny?—Yes.

2358. But his name was on the register?—Yes.

2359. Therefore he would have been prepared to vote?—Yes.

2360. And you could not have got it examined, and the clerk must have taken the vote?—Yes.

2361. What report did he make to your side?—He never brought a report to me.

2362. Who to then?—To Mr. John Smith.

2363. Then Mr. Smith can tell us the reports?—If there were any.

2364. On the polling day he came in here you say?—Yes, in a carriage. He drove through in a fly, and stood up waving his handkerchief, and bidding us defiance as he went along.

2365. Then he turned round?—Nobody went to look for him on our side.

2366. Can you tell us anything more that was done?—No.

2367. Do you know of any actual money passing?—I do not.

2368. Nor can you give us any idea of who paid money on the part of the Conservatives at all?—I cannot.

2369. Like this stranger?—I cannot.

2370. I will ask you again, if I have done so before, can you give me the least idea from what you have heard since the election of what it cost Mr. Vanderbyl and Mr. Kinglake in bribery?—I cannot give any idea.

2371. £1,000?—No, nor yet half.

2372. Your impression is that it was not 500*l.*?—No.

2373. Should you be astonished to hear that Allan paid away 500*l.*?—I should.

2374. Why?—Because I do not think if he began the same time as I did that there was that number of voters to pay.

2375. But it would depend on what was given. If 10 men got 50*l.* each that would do it?—Yes, but I only paid 10*l.*

2376. Would you be surprised to hear that 500*l.* was paid by Allan?—I should.

2377. Besides what Mr. Garrett paid?—Yes, I should.

2378. (*Mr. Coleridge.*) What is the largest sum you have ever known given for a vote?—£40.

2379. When?—Mr. Vanderbyl's election.

2380. You do not recollect higher?—Yes, I have heard of other heavier sums on the opposite side.

2381. Do you recollect whether it was the election between Mr. Leader and Mr. Broadwood?—It was before my time.

2382. You have heard of that election?—Yes, but I do not know anything about it.

2383. But what was about the sort of tariff?—I will not say anything about what I do not know anything about.

2384. Now the next preceding election to the last, which was the second of the two in 1866, was not it?—Yes, Mr. Vanderbyl's election.

2385. Mr. Patton came down to be re-elected?—Yes.

2386. When did you first hear that there was to be a contest against Mr. Patton's re-election?—Sunday night, I believe, or Monday morning very early.

2387. How long before the election would that be?—I fancy the election was on Wednesday.

2388. Who told you there was going to be a contest?—I saw the addresses; a bill I saw come out first with "Vanderbyl."

2389. Nothing before that?—I knew the lawyers, it was reported, there was a rumour, that the lawyers had gone away to London to get a candidate.

2390. Who were the lawyers?—I believe it was Mr. Lovibond and Mr. Barham.

2391. Give us, as near as you can, the day and the month when you heard they had gone to London?—If you can give me the dates I can tell you.

2392. The election took place on the 12th of July 1866?—Is that Mr. Vanderbyl's election?

2393. Yes.—I do not vouch for the date of this myself.

2394. No, but how long before the 12th of July, the day of the election, did you hear that the lawyers had gone to London for a candidate?—On Saturday.

2395. They had gone on Saturday?—No. I heard on Saturday that the lawyers were away. I did not know what it was for.

2396. Had the party, as a party, the active men, been called together in that preceding week to consider the question of the contest or not?—No, I believe the lawyers went away on their own responsibility for this very reason, that it was an eternal disgrace to the borough that we lost Mr. Bagehot, and it was their fault, and they went away to get a candidate to retrieve that.

2397. To retrieve the eternal disgrace to the borough?—Yes.

2398. Then to retrieve that they brought down Mr. Vanderbyl?—Yes, the party were disgusted with it.

2399. With what?—That we had lost Mr. Bagehot.

2400. (*Mr. Anstey.*) Through the fault of the lawyers you say?—Yes.

2401. (*Mr. Price.*) When did the lawyers come back. Did you know or not, or ever hear that Mr. Kinglake had deprecated the idea of having any contest at all?—It would not be any good.

2402. Why?—Because I believe the Liberal party were so disgusted with the election before that if the lawyers had not brought a candidate they would have had one of their own here without them, and gone in independent.

2403. But you do not know that Mr. Kinglake had expressed disinclination?—No.

2404. Mr. Bagehot refused to come and contest it?—I do not know.

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2405. Had you heard that?—I heard it stated for the first time in my life yesterday, here; that was the first time I heard he had refused.

2406. And that Mr. Patton being so recently elected, he thought it would be an unhandsome thing to stand against him. You never heard of that?—No.

2407. Nor any of the party?—No.

2408. When you say the lawyers, do you mean Mr. Lovibond, and Mr. Cook, and Mr. Barham?—I believe the common talk then was that it was Barham and Lovibond, I would not say Reed and Cook.

2409. When next did you have any communication with the party at all after hearing that on the Saturday?—On Sunday there was no news. On the Monday morning there was a slip out that Vanderbyl was coming.

2410. (*Mr. Coleridge.*) When was the writ moved?—I rather fancy on Friday night, then the election would take place on the following Wednesday.

2411. The writ must have been issued the week before that, because eight days are required.—The election took place about five days afterwards; the election is over before eight days here, I do not know what they do in other places.

2412. (*Mr. Price.*) It must have been moved for on the Monday or Tuesday?—No, on the Friday or Thursday.

2413. Well, what took place on the Sunday?—Well, there was no news.

2414. Where did you go to try to learn any?—Well, you would naturally expect that sort of news to fly very fast.

2415. Then on Monday?—On Monday morning I got up about half-past 6. I was told that the printer was getting out some slips, that Vanderbyl was coming. I went over to see whether that was true, and there saw him; and I believe he was then prepared to get Mr. Vanderbyl's address out.

2416. What was the printer's name?—Wood.

2417. You saw the slips you say?—Yes, and that night he came down, and a pretty good reception he had.

2418. Mr. Vanderbyl?—Yes.

2419. In the meantime the bills had been posted over the town?—Yes.

2420. Where was he met, at the station?—Yes, I believe so.

2421. Who organized the reception?—It is very little trouble for the Liberal party to organize a reception here; send out one or two to let them know.

2422. Should you for instance?—I told them and others told them, and there were the slips and address.

2423. Did you see any of the heads of the Liberal party?—Yes, I believe I saw Mr. Henry Lovibond when at Wood's with an address.

2424. (*Mr. Anstey.*) Young Mr. George Lovibond?—Yes; that is who I think I saw there with the addresses, I would not be positive; and he told me he was coming that night; and I believe there were some telegrams passed during the day that he was coming. It was generally known all over the town that he was coming, and news flies fast in election matters.

2425. Did you ever make enquiry as to who Mr. Vanderbyl was?—I knew.

2426. That he was the gentleman who stood for Yarmouth?—Yes.

2427. And the town knew that pretty well?—Yes, the Conservative party carried about red herrings hung upon a string.

2428. (*Mr. Coleridge.*) They carried about plenty of money too?—Yes.

2429. (*Mr. Price.*) He was known to be a rich man?—It was understood so.

2430. It was known that if the lawyers went up for any good purpose, it was to bring a rich man down?—Well, it was considered so.

2431. To beat Mr. Patton it would be necessary to bring down a rich man, if a stranger?—Not unless Mr. Patten spent money.

2432. Then it would be necessary that a rich man should be put against him?—Yes.

2433. (*Mr. Coleridge.*) At that time was the election pretty even unless money was spent on both sides?—No, I should think the Liberals in a fair stand-up fight would have a majority of about 60.

2434. On the poll as it then was?—Yes.

2435. (*Mr. Price.*) That is to say if no money was going?—If no money was going, if a pure election. Look at Mr. Kinglake and Colonel Tynte when Mr. Follet was turned away.

2436. You say Mr. Vanderbyl was known to be coming, and he had a reception at the station, and who came down with him?—I believe Mr. Brogden came.

2437. That is the gentleman who stood with him at Yarmouth?—Yes, I believe so.

2438. Who else?—I suppose the lawyers came; I cannot charge my memory. Mr. Barham very likely; you could not see them; the fact is there was a crush and you could not tell.

2439. Where did they go, to the Globe?—No, I think they went up in George Lane, in a place they had a committee-room at that time, and there were so many people they had to have them out on the Corn Hill, and had to have a break and put them in.

2440. That was the Monday?—Yes, I believe so.

2441. And the election was to be on Wednesday?—Yes.

2442. Did you have any communication with anybody on Monday night as to how matters were to go or be conducted?—No, I do not.

2443. Did you on Tuesday?—Yes.

2444. Who did you see?—I saw Andrew Allan, I believe.

2445. Where?—About the town.

2446. What passed?—He said there was plenty of money.

2447. Andrew Allan told you there was plenty of money?—Yes.

2448. Did you state anything to him?—Very likely.

2449. Tell us what?—Very likely I asked him whether there was any money to go.

2450. (*Mr. Anstey.*) Do not say very likely, but tell us what took place?—Very probably I said to Andrew Allan "Is there any money to go."

2451. (*Mr. Price.*) And he said "Yes, there is plenty"?—Yes.

2452. What did you do after that?—The nomination took place.

2453. Did you go and see nobody after Allan?—No.

2454. You did not go to any committee-room?—No, there was no committee-room.

2455. Where were the head-quarters of Mr. Vanderbyl?—I believe he stopped at the Globe then, but the principal committee-room was in this room.

2456. What did you do after seeing Mr. Allen,—you went about the town?—Yes.

2457. Did you see nobody that evening and arrange anything or discuss matters about the election business that evening?—Not more than those parties I have named; no, I think not, or parties connected with paying away the money.

2458. Did you go and see the same men whose names you have given us?—I do not think I gave all.

2459. Then let us have them?—John Smith the grocer, Andrew Allan, Thomas Hill, Charles Bulpin, H. C. White.

2460. (*Mr. Coleridge.*) What is he?—He is a retired tradesman. John Allway, Joseph White, William Gold, and Mr. Dyer the gardener.

2461. Those were all on the Liberal side?—Yes, I rather fancy so.

2462. (*Mr. Price.*) You saw those gentlemen?—Yes; and we decided on the course of action next morning.

2463. Tell us what course of action you decided?—Allan was to bring us some money that night.

2464. To your house?—No, he brought me some; I suppose he took the others to their houses. I believe Allan brought me 100*l*. I am not certain.

Most likely he will be able to give you the figures by-and-by. I have not anything to charge my memory about the money.

2465. He was to bring you the money at all events? Yes.

2466. And took it to the others ?—Yes, and took it to the others ; he brought us some.

2467. He gave you 100*l.* that night ?—Yes.

2468. (*Mr. Coleridge.*) In gold ?—Yes, I believe in gold.

2469. (*Mr. Price.*) Did he say anything about more would be had if more was wanted, or anything of that kind ?—He said there would be plenty.

2470. Having made this arrangement with him, was that all that took place that night ?—That night.

2471. Then the next day ?—Would be the polling day.

2472. What did you do on the polling day ?—The following morning I got up middling early and had a look round, and found that the voters were very scarce.

2473. Holding back ?—Yes, and I went with some of them, and they said they would not go to poll at all until they had their money. They were not going to be done the same to as they had been at the former election, and my answer to them at once was, to some of them, "What was that ?" "Why you had 10*l.* for me and only gave me 5*l.*"

2474. They said that to you ?—Yes. So my answer to them at once was, "I had a good deal of trouble to get that money for you. I never promised you anything at the former election. I had a good deal of trouble after the election to get that money for you, and now you twit me with robbing you of 5*l.*;" and that is the position you place yourself in from being a briber.

2475. That is what you said to them ?—No, I say so to you.

2476. You said to them you had a good deal of trouble about it ?—Yes.

2477. Had you got 10*l.* for them and given them only 5*l.* ?—No, I did nothing of the sort.

2478. What did you say to them when they accused you of this ?—I told them what little money I had I gave them. I never kept a single farthing from any man living. That is what I told them.

2479. Were those men whom you had bribed at the former election ?—Yes, there were 17 who were to have this 5*l.* a piece, and I had 70*l.* handed over to me to give to 17.

2480. They said they would not vote because you kept 5*l.* from them ?—Yes.

2481. How did you agree with them at last ?—I agreed to give the majority of them 10*l.*

2482. The majority of the 17 ?—No, all the 17 are not here. I have not the poll-sheet here. I do not think there was one that was not forthcoming on the former election.

2483. You said you would give them 10*l.* ?—Yes.

2484. Were they satisfied ?—Yes, and I paid them, and they went to poll.

2485. You paid them beforehand ?—Yes.

2486. There and then that morning ?—Yes, I did.

2487. And then they went to the poll ?—Yes.

2488. All of them ?—Yes.

2489. How many men did you give 10*l.* to ?—I cannot charge my memory. Some had more than 10*l.* I can only tell by reference to memoranda, and jotting it down from time to time.

2490. How many do you think you paid 10*l.* to at that time ?—I will give you every one as far as I remember at the present time, as I can carry my memory back. I will give you every man I paid, but there being a previous election I cannot recollect everything done then.

2491. (*Mr. Coleridge.*) You probably kept no account of such transactions ?—No, I never did.

2492. (*Mr. Price.*) If you had a register of 1866 would you be able to remember ?—I think most names are here.

2493. Then give us them.—In 1866, Mr. Vanderbyl's election, Captain Barrett, who is now residing at Swansea, John Bryant, Edward Baker, Jesse Deacon.

2494. (*Mr. Coleridge.*) Is that the same Captain Deacon you have spoken of ?—Yes. William Gibbs, William Hampson, Peter Lear.

2495. (*Mr. Anstey.*) Is he the old or young ?—It is William Lear.

2496. You said Peter ?—It is William, of Valetta Place, Charles Jennings, William Maine, a person of the name of Squires.

2497. Is that the clerk of Mr. Bate ?—The father of the clerk of Mr. Bate, I believe ; James North Squires I think is his name. James Sharman.

2498. (*Mr. Coleridge.*) But your 100*l.* did not come to 10*l.* each to all these ?—No, I will tell you that by-and-by. I am giving you the names of the men I paid money to first. Charles Wills ; I think his name is Charles Henry Lee. A man of the name of Brown.

2499. Would that be James Brown of Barclay Street ?—Yes, I think it is. Henry Harris, Eastover ; Giles Randall, of Russell Place ; a man of the name of Thomas, I think a captain.

2500. Richard Thomas, of Salmon Lane ?—No. I think it was John Thomas of Chilton Street.

2501. Which of those men had the 40*l.* you spoke of ?—Neither one of them. John Strong, of John Street, John Brawley, of Chilton Street, John Hole, of Chilton Street ; a man of the name of Shattock.

2502. (*Mr. Coleridge.*) A merchant you said ?—Yes, I did not pay this man money myself, but I gave it to another to give him. There are two of them here.

2503. (*Mr. Anstey.*) Who gave it to him ?—Richard Thomas.

2504. (*Mr. Price.*) He had to give it to Shattock ? Yes.

2505. James Shattock, Wellington Road ?—Yes, that is the man.

2506. (*Mr. Coleridge.*) The man you called a merchant ?—Yes.

2507. (*Mr. Price.*) Richard Thomas, Salmon Lane, is that the one ?—Yes, that is the one.

2508. (*Mr. Coleridge.*) Did Thomas have anything himself ?—No, he had 20*l.* for Shattock and 20*l.* for Bennett, I think, in John Street.

2509. (*Mr. Price.*) There are Charles, James, and John ; and two live in John Street.

2510. Allow me the list. I think his name must be James (*referring*), but he resides in Eastern Quay. Then there was a man named Long, since dead, clerk to Carslake and Barham.

2511. What was his Christian name ?—Walter.

2512. Riverside ?—Yes.

2513. He was clerk to Mr. Carslake ?—Yes ; then there was another, John Squires, I believe.

2514. (*Mr. Anstey.*) What relation was he to the confidential clerk of Mr. Bate ?—Uncle, but he would not have any control over him. You will have his character by-and-by.

2515. There is a John Squire, Holden Street, not Squires ?—No. Charles Haste is the next, Silver Street, I believe that is the man you put him in the box, and I will identify him ; and I believe John Turner, Holden Street ; he describes himself as a draper. Those last three men had 15*l.* each. I think the next is Buttle, and that is the lot.

2516. What was his Christian name ?—He is the father of the others.

2517. (*Mr. Anstey.*) There are a great many Buttles, are not there ?—I think you will only find one of them at that particular election.

2518. (*Mr. Price.*) There is only one. Now you have given us the names, tell us how many of them had 10*l.*, how many had 15*l.*, and how many had 20*l.* ?—I cannot charge my memory with the amount they had, but I know none had less. Yes, there was one man had less, a man of the name of Champion, he had from Clifford Simmons 5*l.*

2519. Charles, James, or Jonas ?—I do not know. Mr. Simmons will be able to explain.

2520. (*Mr. Coleridge.*) Mr. Champion had 5*l.* through Clifford Simmons ?—Yes, I know a man of that lot, I told you who had less than 5*l.* I cannot vouch the name. John Buttle had 40*l.*

THIRD DAY.

Mr. H. C. Bussell.

25 Aug. 1869.

2521. How came he to have so much?—It appears that some person must have got into negotiation with Buttle, and I was going up through George Lane; very likely you will be able to call witnesses before you who will be able to explain that more fully than I can, and I fancy there was a man named Hodge, and I believe another of the name of Taylor; that is my impression, for I know one man, Hodge, was there, and I believe they had been in speaking to Buttle about his vote.

2522. Were they Conservatives?—No, Liberals. This was well on in the afternoon, between two and three on polling day. I was going through George Lane and ran against those people, and with that they took me, I fancied, by the collar, which is the general way of doing it in these matters, to stop you and have their say out, and he said, "There is Buttle in here," and I said, "What about him?" "Oh, he will not go to the poll." "How much does he want?" "40*l.*" I said, "Oh, 40*l.*, it is better to lose the election than give 40*l.*" There is some other person—I have done all I can to charge my memory—who took a leading part in it, and I cannot bring it to my recollection at all as to who that party was; but I suggested to some one there, perhaps the parties who went with me can tell, I cannot myself, I would if I could.

2523. Who were the two you met?—One was a man of the name of Hodge. I do not know whether his name was Hodge.

2524. (*Mr. Price.*) Can you tell where he lives?—He was in court.

2525. (*Mr. Coleridge.*) What other man?—A lad by the name of Taylor. I believe it was either Frederick or John Hodge, one of the two, I cannot tell you where they live. I know them both, and they are brothers.

2526. If we call those witnesses you will know them?—If he will go into the box he will tell you all about it, no doubt. I said it would be better to lose the election. I cannot charge my memory who it was I met, but some one taking an active part in the election, and I said, "Here is so and so wanting 40*l.*"

2527. Did you try him yourself?—I did not know until I took the money.

2528. (*Mr. Price.*) Had Buttle been a Liberal voter?—I cannot tell unless I had the list before me.

2529. You did not know him before?—Not as a voter.

2530. You did not know which side he voted?—No, this Buttle, whoever the party was, said I was to give the money to him.

2531. (*Mr. Coleridge.*) Was it one of the lawyers?—I cannot say, because I do not recollect, and I will not tell an untruth.

2532. But it must have been some one, from his telling you to give the money, who was in authority.—There is no doubt about that, but there is no use in saying a certain man did it, and commit myself; I want to keep myself to the truth.

2533. But I want to get from you, it was at all events some person in authority?—Yes.

2534. He said you must give it to him?—Yes, and I went to Andrew Allan, and I do not know whether I did go up stairs; and I had the money at Andrew Allan's, and took it him, and paid him in eight notes; and I said, "Hollo, old chap, this is too much money," and he swore out an oath and said he would not go without the money, and I gave it to him, and I rolled up the notes and he said, "Do not be too fast, I am going to see what I have got first," and he turned it and took the notes, and I think put them from one place to another until he found them all right, and when he found them all right, then he went to the poll.

2535. (*Mr. Price.*) Were they country notes?—I believe so, Stuckey's notes I think.

2536. Not Bank of England notes?—No, country notes. That disposes of the matter of Buttle.

2537. Did Buttle vote?—I believe he voted all right. And now we come to Squires. About one o'clock I find we stood very well on the poll.

2538. (*Mr. Coleridge.*) Is that James North Squires or John?—John; I got into a fly and went to the lower part of the town; our polling booth was at Market House at that time, and I went to look for Squires. I knew he had not voted, and knew he was not a man to go without money, and when I got to his house I found he was gone, and I drove back and went into the house, and I was not in the house very long before I was going out again, but who should come tumbling over the steps but this Squires, Charles Haste, and Turner. These three men had voted for the Conservatives when they could get money. I do not think Haste ever voted for the Liberal party, except at that election, but Squires had voted for them when no money was going. This Turner, the stranger, I do not think had a vote but once or twice before. They come tumbling in, and knowing this Squires was a notorious old scamp, I said "Hollo! old John, what do you do here?" He said "Oh, master, I have come to see whether I can "do anything for you." I said, "Our election is won, "we do not want it, but as you have always voted for "the Tories I do not mind giving you a little."

2539. To vote for the Liberals?—Yes, that was Mr. Vanderbyl, so I had them all three out behind, and they wanted 20*l.* each, and I said "As you have always voted for the Tories I shall give you 15*l.* each, and then the next rub was to pay the money, I had not got it; I had to look for some one to go and get it.

2540. This was between one and two on the polling day?—Yes, so I went out and looked for someone, and I believe it was Henry Cornelius White went for it; I will not be positive, but he stopped a little while longer than I thought he ought to, and I went up for the money myself to be a little bit dapper than he was. I went up to Andrew Allan's, and I saw White there; this is downstairs mind; and I said he was long coming back with their money, we should lose the fellows presently, and he said, "All right, I will come back with you;" and the result was when I turned round these three men were staring me in the face, all three of them in Allan's house.

2541. (*Mr. Price.*) They had followed you?—Yes, knowing the man had brought them I felt a little annoyed by their coming, and thought it was not right, and kicked up a bit of a shindy about it, and the result was I had them in the back room at Mr. Allan's, and thought I would not be done by them, and that the best way to get these three to the poll was to poll the biggest scamp first, and I said to them all "Now look here, do not let us "have any humbug about this matter; I am not "going to pay you all at once" (they wanted to be paid all at one time); "I shall pay one man first; I "shall go up with him to the poll; if he does not "poll right I will not have anything to do with "the other two, so it rests with the man who goes "first. If he polls right you shall have the money; "if he does not you will have to go about your busi-"ness." The result was I went with Squires first, and polled him.

2542. (*Mr. Coleridge.*) Did you pay him?—Yes.

2543. Before he polled?—Oh, yes, he would not poll without. Then I paid Haste next.

2544. And polled him all right?—Yes, and the next was Turner.

2545. You polled him all right?—Yes, this man Squires the next day had the impudence to send a note to my house to say I owed him 2*l.* 12*s.* So I walked over to this man, knowing I did not owe him anything, and said "Hollo, Jack, what do you mean "by saying I owe you 2*l.* 12*s.*" He said "So you "do." "What do I owe you 2*l.* 12*s.* for." He said, "Why you know." I said, "That is the very thing "I want to know, because I say I do not owe you "anything." "Well," he said, "Mr. Foster promised "me the money." "What the devil has Foster to "do with me, and I have spoken to him since, and "believe you had the money out of John Smith the "grocer, after the election."

2546. Who is Foster?—He is now dead.

2547. You are under the impression that he went to Mr. Smith and had 15*l.* after the election?—No,

he had 2*l.* 12*s.* after the election, which he said was an old account, owing for some flag poles, or something of that sort.

2548. That was an old transaction?—Yes.

2549. You said something about Shattock having 20*l.*?—Yes, I gave Mr. Thomas 20*l.* in the morning for Mr. Shattock, and 20*l.* for Bennett. Mr. Thomas went out, and I believe he paid them this in the morning, I think about 12.

2550. Is Mr. Thomas alive?—Yes, I saw him last night in the town. Those men I considered had gone to poll, but in the afternoon there was a tally coming out from the Commercial Inn and walking up, when I came to turn my eye round, I saw this man walking up as big as could be, with the independents.

2551. With Mr. Patten's voters?—No, with our own. There was a certain tally to see if they were right, of the independent voters over the bridge, and found they were safe for winning.

2552. Who do you call the independents?—People who go to poll without money. They consider we were sold at Mr. Bagehot's election, and would not poll until we were right with Mr. Vanderbyl.

2553. (*Mr. Coleridge.*) Do you mean they would not poll until they saw you had got a majority?—No, those independents would not; they were sold before, and then they turned back because the lawyers thought enough had been polled to make the election sure, instead of that we lost the election by seven.

2554. (*Mr. Price.*) These independents had not polled at the former election?—Yes.

2555. How did they feel themselves disappointed or annoyed?—Because they thought we ought to have won.

2556. Did that make them abstain on the second occasion?—They would not go until they saw we were safe.

2557. (*Mr. Coleridge.*) They only went to swell the majority?—That was all.

2558. They wanted to be on the winning side?—Oh, no.

2559. (*Mr. Price.*) Were these two men going up to poll then?—They walked up in a tally. I think there were 16 or 18.

2560. They had not polled till then?—No, they went then.

2561. Is that all you did?—Yes.

2562. (*Mr. Coleridge.*) You have given us the names of 28 you visited on this occasion?—Yes.

2563. Is that all?—As far as I recollect now, I question very much if it is all.

(*Mr. Price.*) Then you must think it over.

2564. (*Mr. Coleridge.*) You can help us in this way, if you can tell us what money you spent we can see if it exhausts the money?—This is the exact position I am in. I told you I believed that Andrew Allan had brought me 100*l.*, and then afterwards if I wanted any money I should send some one who was trustworthy to go to Andrew Allan for money, and after the election was over I furnished Allan with the list of every man's name.

2565. Allan has that account?—I do not know that I furnished him with it.

2566. Every man's name, and the sums given?—Yes.

2567. Do you recollect how much you paid away altogether?—I should think about 400*l.*

2568. When you got the money from Allan did you get it from him direct, or was there any stranger?—No, I do not know anything about money. I am not certain about that 400*l.* I never had any money from Allan's house except the 45*l.* which I paid those three men given me by White, and the 40*l.* I had from Allan to pay Buttle. I had no money in Allan's house myself.

2569. How did you get it?—Supposing now, for instance, I was out of money, I would send up to see some one or other.

2570. Do not you recollect whom you would trust on such an occasion as that?—There was a brewer out in the town I think went once or twice.

2571. What name?—Robinson.

2572. What Christian name?—I do not know.

2573. Were Frederick Hodge and Taylor, who told you about Buttle, voters?—Yes.

2574. Did they have anything?—I cannot recollect that I paid them.

2575. I suppose that they did have something?—I cannot answer that, because I do not know.

2576. When they told you about Buttle, did they say that they wanted something themselves?—They had polled early in the morning.

2577. Then perhaps it had been given by some one else?—I do not know about that.

2578. (*Mr. Price.*) That is all you did that day?—Yes.

2579. Who else was employed that you know of?—I have given you the names.

2580. Did you have any conversation at all about it, or can you give us any idea how much was spent by Mr. Vanderbyl in that way at that election?—I cannot. I adopted the same principle at that election as I told you I did in 1868.

2581. You have given us the names of eight or ten men who did the same sort of work. You say you suppose you had about 400*l.*; do you think they had as much?—Well, I should suspect I paid as much money as anybody did.

2582. You cannot tell us how many altogether were bribed of the constituency?—I cannot.

2583. (*Mr. Coleridge.*) What was the majority at the end of the day?—Something like 30 I think.

2584. (*Mr. Anstey.*) Did you see Mr. Vanderbyl yourself during the election?—I have never spoken to Mr. Vanderbyl ever since he represented this borough but twice, the first time when he came round to return thanks for his election, and the second time was last election, meeting him in the street.

2585. From all that you recollect of those two elections, the last and the one in 1866, which was the first time you saw him, have you any doubt that he was aware that his money was going in corrupt practices, or have you no doubt that he was not aware that his money was going in corrupt practices?—I should think he was aware of it.

2586. (*Mr. Price.*) Was it as much as 4,000*l.* or 5,000*l.* that he spent?—Well, the report was there was some 2,000*l.* or 3,000*l.* spent at the time.

2587. By Mr. Vanderbyl?—Yes; it might be more for aught that I know.

2588. Do you think it is more likely that 4,000*l.* or 5,000*l.* was spent than 2,000*l.* or 3,000*l.*?—Well, I should think 3,000*l.* or 4,000*l.*

2589. (*Mr. Coleridge.*) Had you any money left at the end of the day which you had not paid away?—No.

2590. Were you out of pocket of your own?—I believe that Andrew Allan had to pay me a balance of 10*l.* or 15*l.* I will not be certain.

2591. When did he pay you?—We squared up about two days afterwards.

2592. (*Mr. Price.*) You say from 3,000*l.* to 4,000*l.* was spent on the part of Mr. Vanderbyl; did you ever hear what the cost on the other side was from what was talked about in the town?—There have been reports about the town, circulated in common conversation, that the Lord Advocate, on the last day when he was nominated last time, brought down 2,000*l.* here, and it was distributed amongst the voters, and they went and voted against him next day. Whether it is true or not I do not know. It was a report.

2593. (*Mr. Coleridge.*) Of these 28 people you bribed on that occasion, how many had voted for Mr. Patten on the former one?—Squires, Haste, and Turner. I believe that is all.

2594. (*Mr. Price.*) Then the others you saw they were men who would be sure to vote, if there was money going, for the side that had money?—No, the majority of them would vote Liberal if there was no money going on that side.

2595. But others were men who, when no money was going, had certain political opinions, but if money was going preferred money to politics?—Yes.

THIRD DAY.

Mr. H. C. Bussell.

25 Aug. 1869.

2596. (*Mr. Coleridge.*) How many are on the register now who prefer money to politics?—I cannot say now.

2597. On the old one how many preferred money to politics—the whole place, both sides?—I told you this morning.

2598. About 200, I think, you made it, who did not?—No, more than that, 145 and 85.

2599. About 260?—That would be the whole, that is, you must clearly understand me, there is no doubt there is a certain number on each side who would not poll for their opponents if they could get money, but they will have money if it is going.

2600. But you think about 85 Conservatives would vote without money always for the Conservatives, and about 140 of the others?—140 to 150.

2601. Who would vote also on principle for the other side?—Yes, and then you can tell the number who required to have majorities.

2602. (*Mr. Anstey.*) About these Buttles, was there not some confusion as to their politics?—I do not know anything about them.

2603. Do you know whether they had voted Conservative before or Liberal before?—I stated that before, that I did not know whether they had a vote before.

2604. My reason for asking you is that I have before me here a paper prepared at Mr. Trevor's office from which it appears that they were always Conservative?—I do not know.

1605. I have Buttle's own evidence before Mr. Justice Blackburn, in which they declare they were always Liberal, and I have a third statement according to which they had no votes before the Reform Act of 1867, and therefore could not have voted at the previous election. Which of those statements is the true one?—One of them had.

2606. Which?—The father.

2607. Do you remember at which election a Buttle or more than one was or were bribed under the false impression of being qualified to vote—taking the vote and not being qualified?—I do not know. I never heard of that circumstance, but the way to find out whenever Buttle voted Conservative is to get the list of voters that voted at the election before 1866.

2608. There are misprints in that list, sometimes it occurs as "Brittle" and sometimes "Buttle," is the right name Buttle?—Yes, no doubt the clerk has a list of voters some few years before.

2609. You say you had a balance at that election?—That is my impression, but I will not answer for that.

2610. Have you always had a balance at every election?—I believe it has been so.

2611. Always something in hand?—No, the reverse, a balance against me.

2612. You had at this last election for 1868 a balance of 22*l.* which you accounted for?—No, I did not, I accounted for 15*l.*

2613. But though you had that sum in your hands, when you came back the first time from your trip to Guernsey, you went to Mr. Smith and got another 15*l.* from him?—No, I did not go to Mr. Smith.

2614. Well, you got it from him?—Yes.

2615. You had 15*l.* of Mr. Vanderbyl's money or the anonymous man's money to account for when you got the additional 15*l.* for Smith, the grocer?—I had.

2616. That made 30*l.*?—Yes.

2617. Then you say your expenses came to 22*l.*?—I told you that was my travelling expenses alone.

2618. Then what you have to account for now is less than 8*l.*?—No.

2619. (*Mr. Coleridge.*) No, you got another 15*l.*?—You could not live for three months without eating.

2620. (*Mr. Anstey.*) I am not questioning your account, but there seems to be some confusion I want to clear up. You say your expenses came to 22*l.* odd?—I say the travelling expenses alone.

2621. Then you say of the bribing money you got from this anonymous person in the "Globe" there remained 15*l.* in your hands unemployed?—No, I say it cost me more than 50*l.* when I was away. Yes, I got the 30*l.*

2622. You got certain sums of money which you paid away all but 15*l.*?—Yes, I had.

2623. Then the 15*l.* which you got from James Smith the grocer on your first return from Guernsey made the 30*l.* you had received?—Yes.

2624. Against that you have some charges to make?—Yes.

2625. Then in point of fact you have, if the total amount of your expenses was 22*l.*, only a balance of 8*l.* to account for, if it was 50*l.* which you have incurred whilst abroad, then instead of there being any owing to the anonymous person or Mr. Vanderbyl, the anonymous person or Mr. Vanderbyl is indebted [to you?—Yes, to give me more than 50*l.* altogether.

2626. Then how do you propose to get reimbursed the amount owing to you?—I consider it is gone, and shall never have a penny of it.

2627. Not even from Mr. Vanderbyl?—No.

2628. Why not?—If he had he would have sent it to me before now.

2629. But you have told us to-day that you kept all this carefully until to-day in order that you might have the merit of publishing it for the first time?—No.

2630. (*Mr. Coleridge.*) You had the 15*l.* left from the money at the election?—Yes.

2631. Before you went away Smith gave you 15*l.*?—Yes.

2532. After you came back he gave you another 15*l.*, which makes 45*l.*?—Yes.

2633. (*Mr. Anstey.*) At all events you are a creditor of the party, whoever it is, from whom the money proceeded?—They are indebted to me.

2634. Do you mean to say you made them a present of that balance?—It is no good my going to ask them, I expect.

2635. Have you any doubt in your own mind that the source from which these sums came to you, the bribery money, the money to enable you to go abroad, and the money which you received after your first return from abroad, all came out of one pocket, and that pocket Mr. Vanderbyl's. Have you the least doubt about that?—I cannot say, I will give you the name of the party I got the money from.

2636. Let us have it?—I think Mr. Smith.

2637. An anonymous person, supposed to be Mr. Reed, Mr. Vanderbyl's attorney, in a house which the Liberals had taken, and that is all the information?—Yes.

2638. I ask you whether you have the least doubt that Mr. Vanderbyl was the paymaster?—I cannot answer for but the money Mr. Smith gave me.

2639. Deducting that.—I believe it was Mr. Vanderbyl's money, the money I had over there.

2640. (*Mr. Coleridge.*) That is the 15*l.*?—Yes, that is the 185*l.*

2641. You had 15*l.* from a mysterious stranger, and 30*l.* from Mr. Smith at two different times?—Yes.

2642. And your expenses were about 50*l.*?—Yes.

2643. And in fact you have had 45*l.* from what your expenses were?—Yes, about my being reimbursed I had never had any. I have had no sympathy for my own party since I came back.

2644. (*Mr. Price.*) We are going to adjourn till to-morrow noon, in the meantime will you go through the list and the register, and see whether you have omitted any names at the last election of electors whom you dealt with?—I would rather have a little time for going through the register.

(*Mr. Price.*) Very well, we will take you into the other elections.

2645. (*Mr. Anstey.*) If you can possibly recollect the names of who were probably present at that meeting at Gloucester Place you have spoken of, let us have them?—If I can find out any information I will give it to you.

Adjourned till to-morrow at 11 o'clock.

FOURTH DAY.

Thursday, 26th August 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
HENRY FRANCIS PURCELL, Esq., Secretary.

FOURTH DAY.
Mr. G. B. Sully.
26 Aug. 1869.

Mr. GEORGE BRYANT SULLY recalled.

2646. (*Mr. Anstey.*) I wish to ascertain from you whether you were under any mistake as to the meaning of some questions I put to you; they are those which, after having examined you as to your opinion of the purity or the impurity of what is vulgarly and most improperly, in my opinion, called the lower classes in society, with regard to these practices, we thought it our duty to put with respect to what is also improperly, in my opinion, called the upper classes of society, and I asked you whether anything had been done by them according to their means and opportunities; for instance, the justices by the refusal of licences and so forth,—what had been done by them to stem the torrent of corruption since you recollected the borough. I then asked you some questions regarding clergymen of the Established Church and the Noncomformist body, and your answers were very important; but a doubt has been expressed as to whether you correctly understood my questions as they were meant with respect to the ministers of religion, as the expression was "not belonging to the Established Church." Did you understand me or not as meaning thereby to include all ministers of all religions not belonging to the established religion; for instance, the newly introduced congregation of Roman Catholics, or that of the Jews, if there be a Synagogue, and that of the Quakers, who though they have no ministers of religion properly so called, are ministers of religion themselves,—those who have no religion at all, but suppose they have religion, as for instance the Mormons, if there be any,—did you understand me as including all those, or as confining the question only to those denominations who generally and vulgarly pass under the common name of Dissenters?—I understood your question to relate to ministers of the Established Church and Dissenting ministers, and my answer was made with that present in my mind.

2647. And not the others?—We have no Mormons, as far as I am aware. I certainly should have included, so far as my knowledge extended, ministers of the Roman Catholic persuasion. We have no Jews.

2648. Quakers?—I have never thought of ministers amongst the Society of Friends, but if I had thought of them I should have been led to the expression of opinion that their influence would have gone very strenuously in the endeavour to purify the proceedings of elections.

2649. With that exception, therefore, are the Commissioners to understand that there is nothing in what I have now suggested to you which in any degree qualifies the answers you have already given to the general questions?—Certainly. To the best of my belief I should say all the ministers of religion in the town would do what they could to make our elections pure and legitimate.

2650. (*Mr. Price.*) I think I understood you to say that you knew that one gentleman who officiated at the Established Church during the temporary absence or illness of the vicar preached from the pulpit and denounced it?—I think I guarded myself, not being present at the sermon, by saying it was reported to me as being quite in that direction.

2651. (*Mr. Anstey.*) One clergyman supplying the place of the vicar?—One clergyman supplying the place of the vicar at the parish church.

2652. (*Mr. Price.*) But at one of the congregations that had been done?—Again and again.

2653. Those are the only instances, I understand, in which anything of the kind was done by any ministers of religion?—From my personal knowledge I can only speak of the Congregational Chapel.

2654. (*Mr. Coleridge.*) Apart from any preaching about bribery and corrupt practices, were the churches both on one side and the other made use of at all for political purposes on the Irish Church Bill before the last election?—I never heard so.

2655. You never heard of any preaching about it, or any topic introduced about it into any sermon?—Certainly not.

2656. (*Mr. Anstey.*) At any period?—At any period. I have heard general principles enunciated from the pulpit.

2657. (*Mr. Coleridge.*) But on the Irish Church?—No; I have not on any political question.

2658. Because, doubtless, you are aware that across the Channel every church was made use of on one side or the other?—I have heard so.

Mr. H. C. Bussell.

HENRY CHAPMAN BUSSELL recalled.

2659. (*The Witness.*) I wanted to put myself a little bit right regarding the election of 1868. In the first place I made a statement regarding J. R. Smith making a statement in a place called Gloster Place. You told me yesterday when I left that I must try to get some information, and I found out afterwards that I was able to get the names of two witnesses. One is William Nicholls and the other is Richard Bale.

2660. (*Mr. Anstey.*) What are they?—I believe they are both labourers.

2661. But I mean as to votes?—I do not know how Bale is, but Nicholls voted Liberal, and it appears that they were at this Conservative Working Man's Association this night when this conversation occurred, and instead of its being Gloster Place it was at a public-house called the "Lamb."

2662. (*Mr. Price.*) What was the conversation you refer to?—In regard to the "M. D."—money down.

2663. These were the two men?—Yes; I saw Nicholls this morning and simply put the question to him if he was present at a meeting held at any place, and whether "M. D." was made use of by Smith, and the answer I got from him was that he was, and that Smith did make use of that expression, and he went on to make some remark, and I said I would not hear it, he must come to the court and make his own statement.

2664. (*Mr. Coleridge.*) That is Joseph Richard Smith?—Yes; Nicholls, I think, lives at Provident Place; he is a voter.

2665. (*Mr. Anstey.*) It was not at Gloster Place?—No, it was at the "Lamb."

FOURTH DAY.

Mr. H. C. Bussell.

26 Aug. 1869.

2666. At a meeting of the Conservative Working Man's Association at the "Lamb" public-house?—Yes.

2667. (*Mr. Price.*) Is that the place, where the Conservative Working Man's Association generally meet?—I am not up to that very well. I believe they hold their meetings—I fancy so, but I would not be certain—there. There is a paper published there, which I suppose they file, called the "Standard." If you could get hold of that, you would find who were the principal speakers, and I fancy myself that there was a meeting at the "Lamb," at Gloster Place, and I think at the "Golden Lion."

2668. What is the paper?—It is the "Standard," a Conservative paper published here.

2669. (*Mr. Coleridge.*) How often?—Once a week. I recollect, from seeing the paper from time to time, that they generally gave an account of the Conservative Working Men's Association and who were the speakers there.

2670. Now about what date would the paper be?—I think it all occurred within ten days or a fortnight before the election. It cannot be very long, because it was after the return of his mayorship—about the 9th or the 10th. They had repeated meetings before. Now you asked me, I believe, who were the secretaries. J. R. Smith's son was, I believe, temporary secretary to the Working Men's Association, and he is likewise a clerk in the establishment of Mr. William Brice. Then afterwards I believe that Frederick Jarvis took on. Now with regard to Mr. Smith, I will put in an anonymous letter, and you must please take it for what it is worth (*the witness handed in the letter.*)

2671. (*Mr. Price.*) This came to you?—Yes, this morning.

2672. (*Mr. Anstey.*) What did you say were the names of the late and present secretaries?—I do not know whether the association is in being now. Now there is a little matter personal to myself. I underwent a long examination yesterday, and if I made an error I did not do it wilfully. You inquired of me in regard to the money about my going away; now I want to put myself right on that point. After I went out of this court I began to consider. I believe the questions were late in the day. You inquired of me if I knew any persons besides, mixed up in the matter, that knew I went away. I told you yesterday that I did not, nor did I know any person who was mixed up in the matter, and no person ever said anything to me until I came back after the petition was over; and then, I fancy, but I am not quite certain, whether I went away on the Wednesday or the Thursday. I will not be certain, but I was only home a day or two. Mr. Paul Reed sent for me, and said, "Bussell, I think you had better be out of this "town, because the Conservatives are rather sore."

2673. (*Mr. Coleridge.*) That was after the petition?—After the petition.

2674. (*Mr. Price.*) After the judge had gone?—They were rather sore because they had lost. After the judge had gone he said, "I would advise you to "go away until after the assizes are over."

2675. (*Mr. Coleridge.*) That is Mr. Reed, the attorney?—Yes. This is a little matter which, after the examination I underwent yesterday, you can excuse me for having forgotten.

2676. Did he say anything to you about giving you money to go away with?—Mr. Reed said, if I would make up my mind to go. I believe I said to him I should not stop; I was going. I believe that was the conversation that took place between us. My own impression was that I had better be off, when he said if I did, if I would send my wife up he would see what could be done. I believe those were the words. The result of it was that my wife did go. What the conversation was about between them I cannot say; I do not recollect, but I know this, that I never saw Mr. Reed afterwards, and that Mr. Smith brought me the money, the same as I said.

2677. Your wife did not bring any?—No.

2678. And the only money you received were the two 15*l.* and the 15*l.* in hand?—That is all, I only wanted to put myself right, I spoke to some one else besides John Smith.

2679. (*Mr. Price.*) About going away?—Yes.

2680. (*Mr. Coleridge.*) I dare say your wife will remember?—I have not brought the subject to her.

2681. (*Mr. Price.*) Is that all you wish to say?—I think it is.

2682. Now you yesterday made use of an expression which I should like you to explain a little more, and that is you said that the party were so disgusted with the treatment of Mr. Bagehot, or with the result of the election when Mr. Bagehot was defeated, that it had made them hang back, I think you said, at the second election in 1866, the independents?—There was a certain lot, I think you have them subpœnaed, they will answer for themselves, they said they never would be sold again, they said they were sold in Mr. Bagehot's election by the lawyers.

2683. In what way were they sold?—This was their expression, that some one or other had had their money, and they spent it improperly.

2684. That they had not got their shares?—No, they would not take money themselves, these men who went up in that tally.

2685. How was it then?—For instance, we belong to all one party, and were free and independent men, and there was a lot of others.

2686. What you mean is, the money which they thought ought to be spent in bribing the men who would not vote had not been spent in that way, and therefore they lost the election?—Yes.

2687. (*Mr. Coleridge.*) At 3 o'clock on the day of Bagehot's election, which we will come to presently, Bagehot was 30 or 40 ahead, was not he?—No; I think, if I remember right, the Conservatives got ahead about 2 o'clock.

2688. When was the last time that Bagehot was ahead?—I cannot recollect exactly, I fancy they kept Mr. Bagehot in the first place in the morning a very large number ahead.

2689. Did not the Liberal lawyers make, or was not there a report that they made so confident of Mr. Bagehot's keeping ahead that they ceased to pay money, and the Conservatives then went in to win, and bought up voters. Is that what you meant by having been sold at Mr. Bagehot's election?—Yes.

2690. (*Mr. Price.*) Now we come to the first election of 1866, when Mr. Patten came down for the first time against Mr. Bagehot. Mr. Bagehot had not been a candidate before had he?—No, he had not.

2691. He is a gentleman who resides somewhere in the neighbourhood?—Yes.

2692. (*Mr. Anstey.*) I have some questions which were not put to you yesterday with reference to corrupt practices at the two last elections not included under the name of bribery; the first is treating, the other is undue influence. I would rather put those questions to attorneys and candidates, but as they are not here I will put them to you. Is it true, as stated in the proceedings before Mr. Justice Blackburn, that there was an organized system of treating on both sides in this at the last election?—I never knew less in my life than there was at the last election.

2693. That is not an answer to my question; was there any?—Yes.

2694. Now I will give you the names to save the trouble of reference, and ask you, were those the names of houses on your side which were opened for the purpose of treating, either alone or together, with bribery, "Bath Bridge Inn"?—I have heard so.

2695. The "Mariners Arms"?—I have heard so.

2696. The "New Inn"?—I believe so.

2697. The "Duke of Wellington"?—Yes.

2698. The "Mason's Arms"?—Yes.

2699. The "Queen's Head"?—Yes.

2700. And your own house the "Anchor"?—Yes.

2701. Any other?—I do not know, as far as I am personally concerned. I am a publican, and I do not go into any other man's house in the town, because I do not drink anything myself, and the result of it is I do not know of anywhere else.

2702. You cannot add at present to those names?—No, I cannot, I am not certain; I only go from hearsay, as far as those are concerned.

2703. You have sufficiently guarded yourself already. Now, on the other side, the "Clarence"?—Yes, it is reported so.

2704. Go on?—The "Bristol Arms," the "Bull and Butcher," the "Golden Ball," the "Lamb Inn;" and then there are others on the opposite side of the way. This is a matter I am not well up in with regard to treating, but if you go down the list of the houses I could tell you better.

2705. If you do not recollect them all just now I will defer it?—Then there is on the opposite side, whether it is the "Three Crowns" or the "Rose and Crown" I do not know.

2706. What do you mean by the opposite side?—That is on the south side.

2707. But still on the Conservative side?—Still on the Conservative side; and the "Cheese House," the "Golden Lion," and a house kept by a man of the name of Culverwell, and another kept by a man of the name of Lee over at the railway station, and there is no doubt there are others; but as far as treating was concerned you must bear in mind this, that I know nothing of it, for it would not do for me to go into a Conservative house, I would get my neck broken.

2708. (*Mr. Coleridge.*) Was the "Railway Hotel" used on either side as to treating?—No, not to my knowledge.

2709. (*Mr. Anstey.*) If any other names on either side occur to you before the Commission closes I shall be glad to be favoured with them?—There is no doubt that during this inquiry many things will crop up that I shall be able to remember and inform you of.

2710. No doubt, but can you tell me in which of these houses named by me, or by you, on either side, there was bribery as well as treating?—No; there is another house I have omitted naming, perhaps you may not call that treating, I do if you do not; that is if there is a society belonging to a house, and they turn to and go there for a jollification of a night for the new candidates, and spend 17*l.* or 18*l.*, I call that treating to a very great extent.

2711. (*Mr. Coleridge.*) You mean the candidates paying the money?—Anybody belonging to the party.

2712. (*Mr. Anstey.*) What place was that?—At the "Albion." I have always understood that Edward Lilley gave the order there.

2713. Is that the Shepherds?—I do not know what society it is; it is either the Shepherds or the Odd Fellows.

2714. Take your own house; how was the drink, or food, or whatever it was, paid for?—There was no food.

2715. How were the refreshments paid for, and by whom?—Well, if everything had gone on straight, and the election had ended right, there is no doubt at all that the lawyers would have paid it.

2716. On your side?—Yes, and on the other side the same, I suppose.

2717. As a matter of fact, have you not been paid for the treating in your house?—I have not.

2718. And that forms part of your own unpaid debt?—It does, it is not a very large amount.

2719. (*Mr. Coleridge.*) What does it amount to?—Perhaps 13*l.* or 14*l.*

2720. That goes a long way in beer, does not it?—It is generally grog at these times.

2721. (*Mr. Anstey.*) Say yes or no to my question. Can you give me any idea of what the sum would be, and the same question with regard to each of the other houses?—I have heard a report that it has gone on extensively in some houses.

2722. But as to payment?—I suppose they would be all paid the same as I.

2723. You have no reason to believe otherwise?—No.

2724. (*Mr. Coleridge.*) You have had yours open at former elections?—I have.

2725. Who paid you then, in 1866 for instance?—Mr. Henry Lovibond.

2726. Who paid you the election before that in 1866?—Mr. Henry Lovibond.

2727. Who paid you in 1859?—It is the election before 1865; I believe the money came from Mr. Bate to Mr. Lovibond.

2728. Did Mr. Lovibond pay you on each occasion?—He did.

2729. Without making inquiry as to the items he took your statement?—He did.

2730. (*Mr. Anstey.*) You believe that the money came to him from the late Mr. Robert Bate?—I do not know whether it did; I know there was some eight or nine of those captains came home, they came from a long distance, some from Ireland, and they had to settle that they should have 5*l.* apiece.

2731. (*Mr. Coleridge.*) How much money in those elections did Mr. Lovibond pay you each time, in 1866; how much for the treating at your house?—I believe it was between 20*l.* and 30*l.*

2732. About what sum would it be before in 1865?—I think between 30*l.* and 40*l.*; I will not be certain whether it was under 30*l.* or not; in 1865 it was about some time.

2733. In 1859, which was when Westropp first came, I believe, who paid you?—Frederick Charles Foster.

2734. How much?—About the same amount, 20*l.* to 30*l.*, I believe.

2735. (*Mr. Anstey.*) That is the lawyer's clerk?—Yes, he had passed then, he was a lawyer.

2736. You say therefore that the treating this last time was about half or less than half of what it had been on former occasions?—I will tell you my impression about it, that it was not the fifth of what it had been formerly.

2737. But as far as you yourself are concerned it was 20*l.* or 30*l.*, and on former occasions 30*l.* or 40*l.*?—But it was done differently at other houses.

2738. How do you mean?—Why they carried it on to a greater extent, and always did.

2739. (*Mr. Coleridge.*) Do you know any house where they were paid for treating at the last election?—At the last election I do not know of a penny being had.

2740. Well, incurred?—I think I heard that there was a lawyer's letter went to John Smith for 33*l.*, I think.

2741. From whom?—From the "Queen's Head." I believe Mr. Smith and Mr. Boyle were the lawyers who sent the letter.

2742. (*Mr. Anstey.*) In particular do you know of Duddridge, whom you mentioned with reference to another question, whether at the last election he distributed the money to an assembly of voters of 1*l.* a head, besides drink?—No, I do not. I believe it was an untruth. I do not believe he distributed one farthing, that is my own impression of the matter.

2743. Now with regard to undue influence—you know what I mean by undue influence as distinguished from bribery,—can you give me any instance of undue influence having been practised on your side of the question in order to obtain a vote?—I never knew one.

2744. You never heard of Richard Axford, the surgeon?—I never did.

2745. Nor of Elsbury, the gardener of the Poor Law Union of Bridgwater?—I never did.

2746. The next question also is with reference to these two last elections. I wish I had the attorneys here, and the candidates, to put it to them, but you have given us very frankly a great many very valuable details about the slackness of the voters at and before the election, and your own individual

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grounds of complaint against the Conservatives on the one hand for going against you, and the Liberals on the other for ignoring you, and not defending you properly, and so forth. Keeping in mind your answer on those points, answer me this question: When you were so zealous on behalf of Mr. Vanderbyl and Mr. Kinglake before the election of 1868, that is after the election of 1866 and before the polling day of 1868, were you aware, or was it known to the people of Bridgwater that for some months before the nomination day Mr. Vanderbyl and Mr. Westropp had been negotiating together in London and elsewhere for the purpose of getting themselves returned, and Mr. Kinglake and Mr. Gray kept out?—I never heard any such report until, I think, some three or four days before he came down here, and then there was a report that such was the case, and I took my stand, and I said "Now before I ever promise " Mr. Vanderbyl my vote I shall know whether they " are going to run together, and if they do not I will not vote for them."

2747. Who was that to?—I said it to several.

2748. To the lawyers?—No, never. I never had any conversation with the lawyers about it, only it was in common conversation with different tradesmen about the town. There was this little report, that Vanderbyl and Westropp were going to run together, and throw Kinglake overboard; but I for one had taken my stand, and would have done all I possibly could to have ousted Mr. Vanderbyl if I had thought there was any truth in it.

2749. Now on the Saturday and Sunday which preceded the election, are you aware that at one and the same time there were negotiations going on, first between Mr. Vanderbyl and Mr. Westropp, and secondly, between Mr. Kinglake and Mr. Westropp, for the purpose of getting rid of Mr. Vanderbyl or Mr. Kinglake, and of getting an election without a contest of Mr. Westropp and Mr. Kinglake, or Mr. Westropp and Mr. Vanderbyl, as the case may be?—If I had known the statement you now tell me, I never would have voted for anybody, neither Mr. Kinglake nor Mr. Vanderbyl.

2750. You did not?—No, I did not.

2751. As a fact, did you discover it afterwards?—No, I never heard of it until now.

2752. Then the last question on that point is, are you aware that after the election had terminated in the nominal return of Mr. Kinglake and Mr. Vanderbyl, and both had been followed by Mr. Trevor, who had gone on the subject of the proposed petition up to town, that for some time afterwards there was, first of all, a negotiation for the return of Mr. Kinglake and Mr. Westropp, Mr. Vanderbyl having to resign, and afterwards, a proposal made by Mr. Cook that both Mr. Kinglake and Mr. Vanderbyl should resign, in order that there might be no inquiry and no exposure before an election Judge, and the Conservatives to be allowed to return their two members?—I have heard that they went up to London, but I do not think that Mr. Reed went first. I think there were some other of the lawyers went before.

2753. Are you aware that Mr. Kinglake was himself a party to the proposal that he and Mr. Vanderbyl should ask for the Chiltern Hundreds, that is resign, and allow Mr. Westropp and Mr. Gray to come in without any opposition, rather than face an inquiry before an election judge?—It is the first time I have ever heard of it now. I did hear that they wanted to compromise the matter, and the lawyers went up on both sides.

2754. Now assuming those facts to be true,—I do not say they are, although they depend upon a paper prepared by the lawyers on the one side, and on another paper prepared by the lawyers on the other side, which I have before me,—assuming those facts to be true, and that knowledge had gone forth amongst the electors, would not that have accounted for the slackness of the electors at the election, and also the treatment you yourself complained of as having received from your own party as well as the opposite party since the election?—I think not.

2755. (*Mr. Coleridge.*) As both the candidates and attorneys will be called here and examined before us, I will not ask you anything that will come more properly from them, but having been employed to distribute money at different elections, were you ever employed to pay the treating bills at other houses than your own?—Never a penny. I have in Mr. Foster's time gone round to the different public-houses with him prior to the election, and he has left me to pay the orders that have been given by the people.

2756. Do you mean day by day, or to settle up the whole score?—In the evening, when they have gone round from house to house.

2757. But never the whole score?—No.

2758. (*Mr. Anstey.*) Now a general question with reference to the two last elections; you may answer with reference to all if you like, but the two last particularly; you have given your opinion about new and old voters, petty tradesmen, and so forth, now about another class altogether: have you any reason to believe that the gentry, or upper class, or whatever they may be called, of this borough, have abstained from taking any part in the bribing of voters, or in conniving at bribing them?—I believe they have, so far as my knowledge goes. I never knew any of them taking any part in it—not in the bribery.

2759. All excepting the lawyers you mean to say?—Oh, the lawyers we have spoken upon. I understood you yesterday, when I thought there were about 1,200, that there were over 1,600 voters; that was my impression at the time. That made me say about 1,200, but I think if you took the register and took three-fourths of the constituency that would be right.

2760. Three-fourths, whatever the number is, would represent the bribable portion?—Yes, that is if money was going they would have it.

2761. Do you include people bribed as well as taking bribes?—I do not know what our opponents do, but I believe every man on our side goes and works honestly, and does not get a penny for it.

2762. When you say that three-fourths would take bribes do you include in that three-fourths all those who do bribe or deal with money towards those people?—No.

2763. Then all the bribers are to be added to those three-fourths?—Yes, for certain.

2764. (*Mr. Price.*) Did either of the candidates have their committee-rooms at public-houses?—Unfortunately there is no other place. I would rather see them out of it.

2765. Then is the money for the charges you made for committee-rooms or for drink?—We never had a committee-room in our house in our lives.

2766. Then it was paid for drink?—We never had meetings.

2767. Was it houses hired by different candidates as their houses?—Some person or other connected had given the orders in Mr. Foster's time; he had an an uncle who used to go round and give the orders by the name of Fawn, now dead.

2768. Was any limit put at the last election on the drinking?—None; the fact is as far as the lawyers were concerned, they said they would have no treating, and you only draw the drink and run the risk whether you get paid afterwards—no orders were given for it; every landlord who will come up here I think will prove that no orders were given for the drink, but drew it simply on the strength of being paid afterwards if their candidates won.

2769. (*Mr. Coleridge.*) Then as the lawyers went through the form of saying there was to be no treating, did they go through the form of saying also there was to be no bribery?—Oh no.

2770. How many days before the election as a general rule did you supply drink free to the voters?—As soon as there was a probability of an election there were certain people who you were forced to keep sweet.

2771. Take the last election when there was a long canvass. How long before did you begin supplying liquor free?—It was some time about. Perhaps I might give away a glass of grog a night, or half a dozen.

2772. How long before the election?—A fortnight. I think we are at sea in regard to being a long time about. They came down here first of all, and I do not think, if my memory carries me right, that they did canvass when they came first, but they then went away and it was a settled matter between them that they should not be down for some seven or eight days before the election.

2773. Then seven or eight days before those seven or eight days you began to give away liquor free?—Yes; it could not be very free because of the payment.

2774. Was there as much done as at the last election?—I do not believe so much by a fifth of what was done before.

2775. (*Mr. Anstey.*) Can you throw any light upon some evidence given before the two last election trials of 1866 and 1869 upon the depraved custom said to exist here by which if bribe money goes on at any time of the day—say three or four o'clock—those who have already voted on that side and asked for it, or money having since been put in motion, consider themselves entitled to come and receive their share, just the same as if they had bargained for their votes before given?—I do not understand the question.

2776. Supposing money is set in motion at three o'clock, and men who are bribable men who voted, say at 11, and they hear that money is given on that side, do you know any practice here by which those persons are considered entitled to go to the bribe agent and say, "as money has been stirring, and as "some voters have got it, we must have ours who "have voted early"?—There is no doubt at all that under the old constituency a great many did get their money in that way.

2777. (*Mr. Coleridge.*) As a reward for having voted instead of as an inducement to vote?—Yes. Now there is a lot, the principal part of those I named yesterday, would vote Liberal; if the Conservatives offered them money they would not take it if none was going on the Liberal side, but if there was they would have it, and they would not go Conservatives—the majority of them I named yesterday. I do not think out of the lot I could pick out five.

2778. I think you said Haste and Turner and Buttle were those who would have gone Couservatives?—I have got another gentleman directly I consider the worst of the lot.

2779. (*Mr. Price.*) At the last election?—No, the one when I paid those three men.

2780. (*Mr. Anstey.*) In 1866?—Yes.

2781. (*Mr. Coleridge.*) Is that man's name Hook?—Yes; and Charles Hook always professes to be Conservative, and he is the man who went to London.

2782. (*Mr. Price.*) Is he the provision dealer?—Yes. He is the man who went to London with a petition got up. He wanted to sign a petition to go to Westropp that he should carry on the inquiry, and they went away five or six of them on the Sunday night by the express. I cannot recollect their names, but I think they will cut a pretty figure before you before you have finished the inquiry. They went up to insist on the petition being carried out.

2783. This last one?—Yes. Now that man at the election before—he voted for Mr. Patton the first time it appears, and he did not get his money; that is the way I take it to be, and from what I understood, his own party when Mr. Patton found that he had come back here to be re-elected, two of that party handed him over 10*l.* a piece—whether it is true I do not know, he will be able to answer for himself—but I believe this is true, that his own party did not place confidence in him returning to the poll, and they gave him 2*l.* 12*s.* to go to Gloucester for a person who was not there.

2784. (*Mr. Coleridge.*) Was that Charles Hook?—Yes.

2785. (*Mr. Price.*) To keep him away?—Yes, they knew that if he went to Gloucester it would be impossible for him to vote because he would not be back in time. The result was that he came back. Between 1 and 2 o'clock I went from my house and was walking up the street, and I believe it was an uncle of his I met; his name is Roberts. I do not know whether John, but he is the senior partner of the firm who carry on the carriage works at Eastover.

2786. (*Mr. Anstey.*) Whose carriage works?—His own, carried on under the style of Roberts and Son. He said to me "Mr. Hook is in the house. I think I can get him if you can give him 30*l.*" I said, "Go into his house, make the arrangements, and I will pay him." Roberts went into the house; I stopped outside, because I did not like to appear in the matter. I began to put my considering cap on who I was going to deal with, and I thought to myself "The faster I am out of this the better," and ran as fast as I could up the street for fear that Roberts would come out and ask me to pay him the money, because I did not think he was safe.

2787. (*Mr. Coleridge.*) Was Roberts liberal?—Yes; I was always under the impression that the man had 30*l.* I told him so at the last election when he had got a placard in the window with Pot and Dodger on two cards. Mr. Vanderbyl and Mr. Kinglake climbing up the pole, Mr. Westropp head downwards. I having taken an active part, and knowing what a man he was to take money at one election and not poll square, could not help telling him what man he was at his door. "A pretty scamp you to take "money two years ago at the last election, and to put "such a placard as that in the window."

2788. What did he say?—I believe he threatened to bring an action against me and some one else, but I knew he could not do that.

2789. (*Mr. Price.*) What did he say to you?—He said I was a scamp and had better be off about my business, but that did not daunt me at all.

2790. He did not deny having the money when you accused him?—He could not; but since I have been given to understand from some source or other which I suppose will come out by-and-by that he had 40*l.* he was not satisfied with 30*l.*

2791. (*Mr. Anstey.*) What election?—1866.

2792. The first or second election?—The second. The first he voted for Mr. Patton.

2793. And how at the second?—For Mr. Vanderbyl.

2794. Where did he get it from?—Roberts senior will be able to tell you who he got it from, because I ran away from him.

2795. What do you call the picture or emblem?—Pot and Dodger. It was some print that he took out of some cheap periodical, and there was two poles and a lot of people underneath.

2796. (*Mr. Price.*) Now we will go to the first election in 1866, Mr. Bagehot had been then for some time living in the neighbourhood of this town, and probably was known to the Liberal party, to some of them at all events?—Yes.

2797. Did he come first into the field with Mr. Patton?—I will not be certain.

2798. The way it was was this, was it not, Westropp was unseated for bribery?—He was.

2799. And Mr. Kinglake retained his seat?—And Mr. Kinglake retained his seat.

2800. There was a cross petition not proceeded with?—They proceeded with the cross petition and failed.

2801. And failed?—Yes.

2802. At all events Mr. Kinglake retained his seat, then there was a fresh election, and then Mr. Westropp came down to introduce Mr. Patton, did he not?—I believe he did.

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2803. How soon after that did Bagehot appear in the field?—I am not certain about that. I should imagine Mr. Patton and Mr. Westropp were here first. Mr. Westropp is the cause of this bribery in this borough.

2804. Will you please to answer the question. Then Mr. Bagehot was introduced. Who introduced him?—I believe it was the lawyers. That is my impression.

2805. The same gentleman?—That is my impression. I believe in Mr. Benjamin Lovibond's time he took the lead.

2806. Is Mr. Bagehot a gentleman of large fortune?—I believe he is.

2807. When Mr. Patton was first in the field, how soon after did he take part in the election before Mr. Bagehot was announced?—We had a very exciteable year that year. First of all there was a petition. Then there was Mr. Bagehot's petition, and then Mr. Vanderbyl. They came in such quick succession that they kept a person in a state of ferment that I cannot exactly recollect, and I believe that some of those names I called over to you, as I told you before, I put those names down from memory, when Mr. Purcell called upon me for information, which I would not give until I came before you. But from time to time, I have put down the names, and I believe some of those names that I named then are men that I paid at Mr. Bagehot's election, and not Mr. Vanderbyl's. That I think you will find very probable; but I am certain of this that every man I named yesterday I paid that year and in that month.

2808. I want to know how soon you began to operate in that first election of 1866. How soon did you begin to have any communication with any of the lawyers, or what were the first steps that you took in the matter when there was a contest?—Mr. Bagehot, I think, came in in the same way as I described Mr. Vanderbyl, I believe, came up to the Cornhill. I believe he did, and he had a pretty good reception; I believe he came up in a carriage.

2809. I do not want to know that. I want to know what you first did. Did you see the lawyers at all, as soon as Mr. Bagehot was announced as a candidate?—Oh no.

2810. What did you do?—I went with the whole body. There was no time. The time was so short. I believe the writ was issued before they came down, and the time was so short that there was not much to do, and then the number of voters was very small, about 600, I think.

2811. Then when did you first begin to deal with any of the voters at all, on the nomination day or when?—Well, the nomination day came. Knowing that there was a petition we considered that the Conservatives had spent money again, because we thought, or I thought, and I suppose others did the same, that it cost us so much to fight that petition that they would think that we were too tired to have another, because it was the Liberal party of the town who paid the money to fight that petition of Mr. Westropp's.

2812. Who do you mean by the Liberal party?—I mean the voters.

2813. The men you have spoken of as men open to receive bribes?—No. It is not likely *they* would pay anything.

2814. Who then?—Why, the respectable ones. Some of them put down heavy stakes, I know.

2815. Then you say you thought the Conservative party would be tired of spending money?—No. I thought that they would begin, thinking we would not petition, because it would be no good for the Conservatives to bring a Conservative candidate here without bringing money.

2816. You have told us that. You do not answer the question. You need not make speeches against the Conservative party. You thought the Conservatives would spend money then. What steps did you take to counteract them?—We did not know what to be up to. We anticipated there would be money, but there was no certainty of it; and I do not think there was any money in the town until 8 or 9 o'clock the day of the nomination.

2817. Now then we have got it. How did you get to know that money came at 8 or 9 o'clock on the nomination day?—I believe on that election I was home in the evening, and I believe there was a person in the house with me of the name of Thomas Hill.

2818. That is the nomination day?—Yes. I do not think there were any others, and I fancy Andrew Allan came in. I know he did come in, and I believe he gave me 70*l.*, and I believe he gave Thomas Hill 50*l.*

2819. Have we had Thomas Hill's name before?—Yes.

2820. (*Mr. Coleridge.*) Is he alive?—Yes.

2821. Did he give it to you in Hill's presence?—I believe he gave it to us both upstairs in each other's presence.

2822. (*Mr. Price.*) In gold or notes?—I believe in gold; and, in the result, I knew what it was for; and in the morning I went out to work; and after I got what I did, everything went on swimmingly. I went on bribing.

2823. Did you get rid of that money in bribing?—Yes.

2824. How soon did you get rid of that money?—I cannot charge my memory. As, I say, there was so much of it a time. I fancy I got rid of that 70*l.* in the morning.

2825. How many did you give that 70*l.* to?—Can you give us their names?—I can give their names.

2826. (*Mr. Coleridge.*) What did you give them? 5*l.* at a time?—I believe I gave them 5*l.*, and promised them another 5*l.* when the election was over; and, I believe, they had every farthing I promised them. I spent that 70*l.*

2827. Let us have the names?—Charles Day, James Strong, William Morrish, John Hawks, James Harrington, Henry Vearncombe.

2828. (*Mr. Price.*) Is that the same man who was examined before Mr. Justice Blackburn, was he not examined there?—I think not.

2829. He was examined before the Committee of the House then?—I do not know. If I had the report here I could tell you in a minute.

2830. I think he was examined. John Vearncombe, is that the man?—No. Henry Vearncombe.

2831. (*Mr. Anstey.*) He was named by your brother in the trial of the election petition?—I cannot tell you. If I had that report before me I could tell you in a minute.

2832. (*Mr. Price.*) Very well, go on then?—James Bell, William Hill, John Thomas, John Brawley. I think I had better close for a minute or two there to state a circumstance that occurred with regard to this election before I go on to the remainder, without you like to take all the names first.

2833. (*Mr. Price.*) We had better take all the names first, and then you can tell any particular instance?—As I come to them?

2834. Yes.—John Thomas was the last.

2835. (*Mr. Anstey.*) John Brawley was the last?—Now Thomas Brawley. This is the man who took the money.

2836. (*Mr. Coleridge.*) Perhaps you had better give the names first?—William Francis, James Shattock, Richard Hooper, John Holdoway, John Staples, James Culverwell. There are others that I cannot name, because, as I told you before, very probably that when you come to examine those witnesses you will find some I named yesterday belonged to this election, and there are others that I cannot charge my memory with, but if I do remember them I will tell you.

2837. (*Mr. Price.*) How many do you make that in number that you have given us to-day?

2838. (*Mr. Coleridge.*) You have given us 17?—Then there is James Far Squire, I believe I paid him at Bagehot's election. I should not like to put a man to the wrong time.

2839. You wanted to say something special about this man Brawley?—Richard Hooper was the first man. He had the money from me, and I believe he took it to the Conservative party and was afterwards I suppose paid by them and voted for them, and this John Brawley did the same. There were two at this election. There are others that I cannot name that I gave money to, and it is impossible as I told you before, crowding upon a person's brain so much at once, and not keeping any record of it. I always furnished an account at each of these elections to Andrew Allan.

2840. (*Mr. Price.*) Then Andrew Allan would have, or must have had at one time or other, an account from you showing whom you paid this money to?—Yes.

2841. Then you say 17 of them had 70*l.*?—They had.

2842. You say you gave them 5*l.* a-piece, and 5*l.* more afterwards?—Some of them had 10*l.*

2843. (*Mr. Coleridge.*) Then you got more money that morning?—Yes.

2844. (*Mr. Price.*) When you had spent that 70*l.*?—I believe I got a good many to go upon promise; a good many I believe; I know I did.

2845. How many?—A dozen perhaps.

2846. Did you get any more money after the 70*l.* was expended?—About half-past 9 or 10 o'clock a messenger came down to me.

2847. Where did he come from?—He told me he came from Henry Lovibond's.

2848. What is his name?—William Dyment.

2849. (*Mr. Price.*) What did he say to you?—He said "Bussell, I have come down from Mr. Lovibond "to tell you that you are neither to give money nor "promises." At that time I had no money, I was getting voters to go upon promise.

2850. (*Mr. Coleridge.*) You had spent your 70*l.*?—I had spent my 70*l.* That I was neither to promise nor to pay money. The result of it was, that there were several voters stood about there waiting to see if they would be called in.

2851. (*Mr. Price.*) Stood about where?—In the neighbourhood of the house.

2852. Your house?—Yes; and the result of it was that they came up and asked me if there was anything, and I said, "No, we have won our election."

2853. That was about half-past 9 in the morning?—10 o'clock.

2854. Mr. Bagehot had a very large majority?—Yes, I believe so.

2855. How much?—I should think perhaps 40 or 50. I should like the poll produced.

2856. It shall be produced. Do you think the constituency was polled out?—No, I do not think half of them were, but I believe there were half our good men behind.

2857. That being so, and you telling them there was no more to be had, you considered the election safe?—Yes, and the result of it was, that I saw some of them strolling up town, and it appears, as they strolled up town, some parties got hold of them and "bottled" them as it is called.

2858. Who was it "bottled" them?—I believe a certain number of them were taken in to the "Clarence" hotel, and a certain number of them taken into the "Bull and Butcher."

2859. In this street, kept by a man named Rose?—Yes, it was then kept by a man called Temblett.

2860. (*Mr. Coleridge.*) By "bottling" do you mean put into a room?—Yes.

2861. That is what you call "bottling"?—Yes.

2862. (*Mr. Price.*) What happened then?—I believe we went up to 12 o'clock, and then I believe about 12 it was "Whole roast and burn the bellows," that you had to run and get the voters, so that if we did not look sharp we should lose the election.

2863. Who said that, did any of the lawyers say that?—Well I believe I did. Then, I do not know who it was, but somebody brought me some more money. I cannot tell you who it was. It was not much I believe.

2864. How much?—I cannot tell.

2865. About 30*l.* or 40*l.*?—Very possibly it was. Then I got everybody to vote that I possibly could.

2866. How many of those men do you think were "bottled"?—They got in enough to get a majority.

2867. Tell me how many you think?—I should think 30 or 40.

2868. (*Mr. Coleridge*) Thirty or 40 at the "Clarence?"—At both houses.

2869. (*Mr. Price.*) You think there were 30 or 40?—I believe so.

2870. Were the two Lears amongst them, old Lear and the son?—I do not know. I cannot name the men, because I do not know.

2871. You knew they were voters?—I knew they were voters.

2872. I understood you to say some of them were men who had been asking you for money?—Yes.

2873. And then you said there was no more for them?—Yes; and they walked up to the town.

2874. (*Mr. Coleridge.*) They were voters you could have got if you had had money?—Yes.

2875. (*Mr. Price.*) You spent you think 30*l.* or 40*l.* more, is that all you spent that day?—My own impression is we spent 200*l.* that day; that is my own impression.

2876. You have said you first of all got 70*l.*, and then you think you got 30*l.* or 40*l.* more, now tell us about the remainder?—I think it was brought from the same man. The money came from Andrew Allan my impression is. He will be able to answer if I am correct or not, but, as far as my memory will carry me, it came from there.

2877. How did the amounts come?—They came as at the second election; the amounts came as I wanted it. As I wanted it I got somebody to run up for it.

2878. And you got as much as ever you wanted?—Yes. I went down to the station at half-past 1 o'clock, and I heard a man of the name of Bowden was coming; it has just been brought back to my memory, I forgot all about his name. That was the man. I believe I paid him afterwards, and I think I paid him at both elections. Now this man Bowden lived at Cardiff, and he had a vote here. I expected him to come by train, but he did not come. Mr. Hodge, down at the hotel, said, "I am going "to drive to Burnham."

2879. (*Mr. Coleridge.*) Would he not come by boat?—Yes, he did. Mr. Hodge said, "I am going "to drive down to Burnham; if you have a voter to "get go with me, and I said, 'I have one, and I will "'go with you.'"

2880. Who was ahead then, Bagehot or Patten?—I think it was a close run; I think it was about 1. I went with Mr. Hodge, and when I got down about Huntspill parish, there I saw my man coming in a donkey cart, and I drove back in the donkey cart with my man and Bowden.

2881. Did you pay him anything?—Yes.

2882. How much?—10*l.*

2883. That was Bowden?—Yes.

2884. (*Mr. Price.*) You have not given us the names of those you paid on the second occasion or the third, except Bowden?—I cannot recollect them; I would give them if I could. I will tell you, there were a certain number of those men I paid 5*l.* to, and when I afterwards got the money I gave them the remainder. I know this, I believe I had the money to pay them the balance the day after the election; I believe so, I am not certain.

2885. (*Mr. Coleridge.*) From whom did you have that?—I believe from Andrew Allan; I am not certain about that. I had the money to pay them the balance.

2886. (*Mr. Price.*) That included the 200*l.*?—Yes; that I spent at that election.

2887. (*Mr. Anstey.*) What did you pay Bowden, did you say?—10*l.*, I believe.

2888. Did you see any of those men, who you say were bottled, go up to the poll?—No, I went to get all the voters I could; I did not stop about them.

FOURTH DAY.

Mr. H. C. Bussell.

26 Aug. 1869.

2889. Do you remember seeing any of them afterwards that day?—No, they went away from my house, and I lost them. I sent others up town to look for them.

2890. (*Mr. Price.*) Do you know who they were?—I should know who they were if I saw them.

2891. Cannot you give us their names?—I fancy there was a man of the name of Billing.

2892. (*Mr. Anstey.*) Was he "bottled" at the "Clarence"?—I believe he went to one of the houses. I am almost sure Billing was one of the men. I believe he went to the "Bull and Butcher."

2893. Were they sober in the morning?—Yes.

2894. You did not see whether they were sober the rest of the day?—I did not see them afterwards, during the rest of the day.

2895. (*Mr. Coleridge.*) Can you give me the name of anyone else who was "bottled" at that election of Bagehot's who afterwards voted for you at the following election?—No, I cannot; I know we paid some 17 or 18.

2896. Of those who had been "bottled"?—No; I believe that man Squires, mentioned yesterday, was a man who had been "bottled." I do remember a man now.

2897. Tell us his name?—He is a dairyman. It was reported he had got a cow. I do not know whether he did or not; it was a common report that he did. (*The witness referred to the list of voters.*)

(*Mr. Price.*) The dairyman's description will not be there to help you.

2898. (*Mr. Coleridge.*) Was he one of the bottled witnesses at Bagehot's election?—It was reported he was.

2899. And he voted for you at Vanderbyl's election?—I do not know. I do not know that either one of them that was bottled at Bagehot's election voted for us at Vanderbyl's election.

2900. (*Mr. Price.*) About how many do you believe were bottled, 30 or 40?—Yes, I should think it was.

2901. Was that number enough to turn the balance of the election at that time?—I believe it was.

2902. At that time of the day?—Yes; they got a good number up.

2903. It was a little after 12?—Ten o'clock in the morning, some time after 10; it was about 10, I believe. I tell you the time as far as my recollection will bear me out, I believe this was about 10. Then I suppose they polled their men on as well as they could, and they kept their men on; I suppose that is what they did, that they kept their men in the house, holding them on as long as they could see that they had enough.

2904. Was it immediately after Lovibond stopped the money?—They went up directly.

2905. Directly after he stopped the money they went up directly and were "bottled"?—Yes; these were the men who went up and remained at the "Clarence," and voted for Patton, Haste, Squires, and Turner. That was at the election of Vanderbyl.

2906. You were looking for this man who was a dairyman?

2907. (*Mr. Anstey.*) What were you going to tell us about him?—It was reported that he had the price of a cow.

2908. From the other side?—From the Conservative side; and it was always reported that he would not go to the poll without a heavy sum.

2909. (*Mr. Coleridge.*) 20*l.* is about the price of a cow?—It was reported it was a higher sum than that; it was reported it was 60*l.* I do not know.

2910. (*Mr. Anstey.*) You mentioned this Henry Vearncombe?—Yes.

2911. Are you sure you did not bribe him at Benjamin Lovibond's own office?—I will swear I did not.

2912. I will not read you the whole of the evidence, as it is rather long, but I will tell you shortly the effect of it. Your brother, Robert Bussell, deposed, before the Election Committee of the House of Commons in 1866, to having met this Vearncombe between 9 and 10 at night, when he had got some money. He deposed to a conversation which Vearncombe had with him, in which he asked your brother to go and see Mr. Joseph Richard Smith for him; that he had been to Mr. Smith and asked him if he would support him in his contract for scavenging the town if he voted for Mr. Westropp, and Mr. Smith said in reply that he was to go and vote, and do what he considered right, and that when the contract was made, right would be done, and thereupon your brother refused to go; and Vearncombe said, "Well, "I have asked two or three times, and I have an "I O U from the other side, and unless some one "will intercede for me I shall accept it," and your brother said he afterwards met him coming from the direction of Lovibond's; so that it would appear that this Vearncombe had actually gone to this Lovibond to get the money?—You have made a mistake, that was not in 1866.

2913. No, 1865. I am telling you what took place in 1866 at this election trial?—All I know of that transaction is this, we had a pure election. It was the election of Sir John Shelley and Mr. Kinglake, when we did not spend a penny, and I wish I never had.

2914. That was another election?—That was the election petition.

2915. Yes.—I wish we had always been the same as at that election.

2916. That was at another election?—Yes. A gentleman in the hall has said that I have stuck to 2,000*l.*

2917. (*Mr. Price.*) You have told us you spent 200*l.* on Mr. Bagehot's behalf?—Yes.

2918. Do you know what money was spent by others on your side at this election?—I believe there was some one who spent some money on his behalf.

2919. Mr. Bagehot's behalf?—Yes.

2920. How much do you understand, from what you have heard and known, that Mr. Bagehot paid in the way of bribes?—I have no doubt that he paid 1,400*l.* or 1,500*l.*

2921. You were going to say what some gentleman in the hall said?—There was some gentleman here, I do not know whether he is here now, he is a medical gentleman, who made an assertion that I and another gentleman walked off with 2,000*l.* I wish we had had it, no Tory would have got in.

2922. 1,400*l.*, you believe, was spent by Bagehot, is that the limit you think that he spent?—As I said yesterday, I am not certain about any amount spent than what I spent. It is not good for me to say. I made it a rule not to inquire.

2923. (*Mr. Coleridge.*) What is the name of that doctor?—Bent.

2924. (*Mr. Price.*) He accused you of taking money?—He went about spreading a report, "No "wonder we feathered our nests, because we "pocketed 2,000*l.*, me and John Smith." That is the report that got about; and I think it is only right that he should come here before this inquiry and say whether that is true.

(*Mr. Coleridge.*) Do not go on lecturing us, that is our business and not yours. We know perfectly well what our duty is.

2925. (*Mr. Price.*) You say Mr. Bagehot was in a minority of seven at the end of the day?—There was treating at that election.

2926. A good deal of treating?—Just about the same as the others. A little more than the last election.

2927. Do you remember what was going on on the other side, as far as you saw or heard? I understand the same men you gave us yesterday were your fellow-workers in the bribery business?—Yes; about the same.

2928. If you remember any other name you will tell us?—I will give it to you.

2929. Having seen what was going on in the town, can you tell what else was going on besides this bottling on the other side?—I only know it was impossible for them to get their candidate in.

2930. What sum do you suppose they spent upon the voters?—No voters were named, but I have heard that they gave them 30*l.* or 40*l.* a piece.

2931. (*Mr. Coleridge.*) Can you tell me the name of any voters who voted for you at the election of 1865, the general election, and who voted for Patton at the election of which we are now talking?—I could, if I had the poll sheets; I could not tell else.

2932. The register of 1865 will do for you, will it not?—I anticipate there is a new register.

(*Mr. Price.*) The poll sheets are all gone to the Crown Office.

2933. (*Mr. Coleridge.*) I mean, cannot you recollect any of those who voted for you in 1865, at the general election, and went and voted for Patton at this, and rather astonished you by their change of mind?—I could not tell you where I saw the list.

2934. (*Mr. Coleridge.*) Have you the poll sheets there? (*Mr. John Smith then produced the poll sheets.*)

2935. (*Mr. Price, handing some printed paper to the witness.*) Those are returns of the poll, which appear to have been printed, showing how everybody voted?—That is the last election.

2936. Were there books published after each election like this?—Not by our party, I believe. I never saw one.

2937. What have you got in your hands?—They tell me they are the poll sheets.

2938. Who produces them?—John Smith.

2939. (*Mr. Price, addressing Mr. John Smith.*) Mr. Smith, how do you get them?—(*Mr. Smith.*) I kept them. I always have them by me.

2940. (*Mr. Price.*) They are your checks, made out by your poll clerks?—(*Mr. Smith.*) No; they are the ordinary poll sheets after the election.

2941. (*Mr. Price.*) I mean the real poll sheets have gone to the Crown Office?—(*The Witness.*) These are the poll sheets, got up afterwards, showing the list, and showing how each voter voted.

2942. (*Mr. Price.*) It would take you some time probably to do that?—Yes. If you give me all those sheets I will come up the first thing to-morrow morning and answer it.

2943. You will answer the question with respect to those who attended for you in the general election in 1865, and then voted for Mr. Patton?—Yes.

2944. (*Mr. Anstey.*) I should like also to have those who voted for Patton in election No. 1, and for Vanderbyl in election No. 2, in 1866?—I can give you all those names by referring to the sheet. I think it would be about 17.

2945. (*Mr. Price.*) You will look through the sheets of both those elections, and give us the names. We will write it down for you, and you will see exactly what we want?—At that election of 1865 there were a very large number bribed.

2946. We have not got to that. We are coming to that.

2947. (*Mr. Anstey.*) You did not answer the chairman's question, whether the majority was a very small one?—Seven, I think; seven or eight, I will not be certain.

2948. (*Mr. Price*). Was the constituency polled out. That sheet will show you, if it is added up?

(*Mr. Coleridge.*) I have written down for you "The names of voters who voted Liberal in 1865, "and for Patton in 1866; also those who voted for "Patton in the first election of 1866, and for the "Liberals at the second election in 1866."

2949. (*Mr. Anstey.*) And also at the election in 1868?—There were 294 voted for Mr. Bagehot; Mr. Patton, 301. Majority, 7. The electors polled 595. Electors unpolled, 36. Electors dead, 11.

2950. (*Mr. Price.*) The electors were polled out?—Yes. I believe that is the average number of those unpolled throughout the elections.

2951. (*Mr. Coleridge.*) Are there some voters who never vote?—There are some electors who do not vote.

2952. Never do? There generally is?—I will tell you in a moment. There is a certain class, sea-faring men; you cannot get all of them here. That is one class.

2953. (*Mr. Price.*) There are some shopkeepers who will not vote on account of their custom?—I think so.

2954. (*Mr. Anstey.*) About this instance of "bottling," is it the practice, or is it the only instance you remember of the kind at the elections?—It has been a common talk at the elections.

2955. Before 1866?—Yes, before that election; but I never did it in my life.

2956. Just answer my question. I will take care that you shall have a full opportunity of clearing yourself. Have you heard of it since that election of 1866?—No, I have not.

2957. Have you heard of any instance since then? I do not want to go into previous elections, but have you heard of any instance of this kind, in which the name of Lears, father and son, or father or son, is connected?—Yes.

2958. Now what election was it? Just give me the date of that, not the particulars?—I believe there was a report of that sort at the last election of Mr. Patton.

2959. That is the election you spoke to yesterday?—Yes.

2960. You do not mean the election of Mr. Patton, but the second contest of Mr. Patton?—The contest of Mr. Patton, when he was defeated. And now you bring it back to my memory, there was a report that there were a good many "bottled" up at the "Clarence," and they bundled them out when they found they were a good deal behind.

2961. It was to that circumstance my question was directed. One of the Lears is dead?—Yes.

2962. Which is that?—The father.

2963. He was a barber?—Yes.

2964. The son is living in Bridgwater?—Yes.

2965. Also a barber?—Yes.

2966. How many days had they been shut up at the "Clarence"?—Oh, they had not shut them up days. It is only during the time.

2967. (*Mr. Price.*) During the polling day?—The polling day.

2968. (*Mr. Anstey.*) In what state were they,—sober, or what?—I never saw them the following day.

2969. You said something about bundling them out?—I only said that was a report. I did not see it.

2970. Can you give me the names of the persons who told you at that time?—It was common conversation. I could not name any person's name.

2971. Can you give me the name of any person who is likely to know besides Mr. Leaker, is not that his name?—I may be able to find out when I leave here.

2972. Who is the waiter, or tapster, or maid at the inn who attends to that sort of thing?—I do not know.

2973. (*Mr. Price.*) You do not attend the "Clarence"?—I went in one election, and there was a fight there in consequence of my being there.

2974. (*Mr. Anstey.*) I do not want to hear any mere reports any further than for my information,—to know whom I am to send for. I want you to name the name of any person who you think is likely to say aye or no from his knowledge as to the alleged "bottling" of Lear, father and son, and a number of voters at the election of 1866?—If I can give any information after I leave the Court I will produce it in the morning.

2975. (*Mr. Price.*) Now let us go to the two elections of 1866, with the exception of your giving us the information on the sheets, as to the number of voters?—Quite so.

FOURTH DAY.

Mr. H. C. Bussell.

26 Aug. 1869.

2976. Is there anything else before we leave 1866, that you recollect now, that I have not asked you about?—Not at present.

2977. (*Mr. Coleridge.*) Were the same people employed on the Conservative side that you told us of?—They were about the same men always engaged on both sides; you will find the same men always engaged on both sides from election to election.

2978. (*Mr. Price.*) The next election we go to is the general election of 1865, in which Mr. Kinglake and Mr. Westropp were returned, and in which Sir John Shelley was defeated. Was that the election which you say was pure on your side?—It was.

2979. And not on the other?—No, I am sorry to say it was not.

2980. Sir John Shelley came down here at that election?—Yes.

2981. We all know that he had been a member for Westminster for a long time?—Yes.

2982. Tell us about the conduct of that election as far as you can. Before we come to that, do you remember on that occasion whether Mr. Westropp and Mr. Kinglake were in the field before Sir John Shelley came down?—Mr. Westropp had been sticking to the borough since he was defeated at the election of 1859.

2983. I know, and he had announced his determination to come down again?—Well, he spoke to the borough like this in the interval; he had been made a Bridgwater brick, and we could not get rid of him.

2984. At all events, he was constantly down here during those five or six years?—He was, and it was always understood he would stand again.

2985. Were your party expecting to have a contest?—Yes.

2986. Mr. Westropp had been a defeated candidate?—He had with Mr. Henry Padwick.

2987. He had been a defeated candidate and had announced his determination to come down again?—Yes.

2988. Had Mr. Westropp announced his intention to come down?—Yes, and it was always understood he would come down.

2989. When Colonel Tynte retired, your party looked out for a second man, and they brought down Sir John Shelley?—They did.

2990. You say that was a pure election on your part?—Yes.

2991. Tell us what means you have of informing us as to what makes you come to that conclusion?—I must begin with the first to give you the beginning of it. From what I recollect of the circumstance, Mr. Benjamin Lovibond went up to Sir John Shelley, and he consented to stand. Sir John Shelley sent his address down, and I believe my impression is that Sir John Shelley's address was issued, and then came a hitch; and the question was, what was the hitch? Nobody knew. Mr. Benjamin Lovibond went back to London again, and when Mr. Benjamin Lovibond came back, it was an understood thing that Sir John Shelley had said, having learnt from the report that he had had of the corrupt state of the borough, that he would refuse to stand unless the election was conducted pure, and he came upon that principle, and upon that principle we fought it.

2992. Therefore it was determined you say then by the leaders of the party?—Everybody.

2993. That no money should be spent?—No.

2994. And that was generally known?—Generally known, no; that would not do.

2995. It appears that Sir John Shelley stated to the Committee, "After my address was published "here, there were rumours that bribery had formerly "taken place at Bridgwater, and might do so again. "After my address had been published, I refused to "go down to Bridgwater, although telegraphed for, "until I had a second interview with Mr. Benjamin "Lovibond in London, and at that interview I pointed "out to him that I had always taken a very strong "view in the house"?—That is how I understood it.

2996. "I insisted upon seeing Mr. Lovibond, before "I would go down, and I extracted from Mr. Lovi-"bond, who was my agent, that upon his word of "honour as a man and a gentleman nothing had "occurred and nothing should occur that could in "any way implicate me with improper practices"?—No; you asked me whether it was generally known we were not going to spend money. Now, it would not have done for us to have done that, because if we had, the balance-men would have gone over to the other side for a very small amount.

2997. You left the people, who were generally comeatable, in ignorance as to whether there would be money or not?—Yes; I left them in ignorance whether there would be. We told them it would be all right.

2998. You did not promise them money?—We told them it would be all right.

2999. When you said to these persons it would be all right, did you intend to convey to them, and did you wish them to believe, that they would have money?—Yes, I did.

3000. (*Mr. Anstey.*) Was this after you were aware that Sir John Shelley had refused to come down except upon the express and solemn undertaking of the lawyers here, upon honour that there would be no corrupt practices at the election?—It was.

3001. And, nevertheless, you left these people to understand this?—Yes.

3002. (*Mr. Coleridge.*) And as far as you know, the lawyers did honourably keep to their promise?—Yes, they did.

3003. (*Mr. Price.*) And you being a wise man, engaged in these election proceedings, held out this promise to these men, and told them "it would be all right"?—I told them to wait a bit, and I told them it would be all right by and by. I did not promise them any money. I told them to wait and it would come all right. I did not promise them money; it was the reverse of that.

3004. Then the election went on. Who informed you that there had been this compact between Mr. Lovibond, as a matter of honour, and Sir John Shelley, that no money should be spent?—Mr. Foister, I believe it was.

3005. (*Mr. Coleridge.*) Had you no conversation with Andrew Allan then?—Andrew Allan had nothing to do with it at that time. Mr. Foster was the man. Andrew Allan had nothing to do with it; he began in 1866.

3006. Mr. Foster was your colleague in the matter?—Yes.

3007. These other men who generally acted in the election, and who officiated in bribery business, did they hold out the same thing?—No, they were not told to do anything of the sort.

3008. Did they do so?—No doubt they did.

3009. Then came the polling-day, and then Sir John Shelley was defeated?—Yes.

3010. Then you say that you believed money was given on the other side; what foundation have you for saying that?—The money went wholesale to the "Golden Lion."

3011. When you say "wholesale," what do you mean by "wholesale"?—They polled them by fifties at a time.

3012. 50*l.* to a man?—No, 50 at a time they brought up, and it was always reported—I do not know it myself—that the principal man who paid the money was William Heal. That was the person who was reported to have paid the money.

3013. (*Mr. Coleridge.*) Is he alive?—Yes.

3014. (*Mr. Price.*) So far as you know how many men received money from the Conservatives on that occasion to vote?—A very great number.

3015. How many do you think?—100.

3016. Was Mr. Westropp at the head of the poll, or was he not?—At the head of the poll 100. He was the highest candidate.

3017. What over Mr. Kinglake?—Yes, Mr. Kinglake 257, Sir John V. Shelley 237, Mr. Westropp, 328.

3018. Then he was at the head of the poll?—Yes.

3019. (*Mr. Coleridge.*) Then Mr. Edwards did not go to the poll?—Mr. Edwards came here of a Sunday. He went away the next morning.

3020. What did he do when he came here?—I believe he went to the "Clarence."

3021. Who did he see?—Well, I went to a place of worship that morning, and when I came out from there, the first thing that I heard was, that the second Conservative candidate had arrived and was gone off again.

3022. Do you know that he went by train up to Barnstaple?—No, he came from Barnstaple here.

3023. (*Mr. Price.*) He had been announced as a candidate for Barnstaple before he came here?—Before he came here.

3024. Then when did he come, an hour or two after?—I cannot answer for the train, but he came here, and I believe the colours were all about the street, "Westropp and Edwards."

3025. How long was he in the town?—A few hours.

3026. Did he come attended by any gentleman? If you have heard the name will you tell us?—Nobody.

3027. Cannot you tell us?—No name that I heard. I cannot recollect the parties who went down to the station with him when he went away. I never heard anything said about it. There were placards out that he would be down the next day by the express, which is the middle of the day. Now, whether the hustings were erected or not I would not be certain.

3028. (*Mr. Coleridge.*) But he never did come?—He never came back here.

3029. (*Mr. Price.*) Just tell us from that sheet how many voters were unpolled out of the whole constituency?—51.

3030. That is a larger proportion than usual, then?—Yes.

3031. (*Mr. Anstey.*) Do you know a person being employed as an agent on your side at that election called William Onion or Onions?—I never knew him employed at all on our side. He has taken an active part, but I never knew that he paid any money.

3032. We will not quarrel about the term "employed," employed himself then?—There is no doubt about that, he took a very active part.

3033. What is he?—He is an outrider for a brewer.

3034. What is the name of the brewer?—George Knight & Sons.

3035. And he was then, I believe, in the same occupation?—Yes.

3036. In the same employ?—Yes, he was.

3037. Do you know William Poole, of the "Bristol and Exeter Inn"?—Yes.

3038. Did you never hear, I do not say that it is true you know, but did you never hear during that election that William Onion had endeavoured to bribe this William Poole to vote for Mr. Kinglake and Sir John Shelley, by means of a bit of chalk and a piece of board, using the one to write on the other, the name of the sum which he was to have if he voted for those two candidates?—Well, I do not recollect for certain his name, but there were several of us charged with bribery at that election. I believe I was.

3039. Therefore, when you say it was a pure election on your side you do not mean to say that there were not a great number of you who were charged with having given or taken bribes?—You can see by the petition, I believe. I forget the numbers, but I know they brought up a petition, and they had not a leg to stand upon, and they had to abandon it.

3040. You do not answer my question, do not you remember that a number of you were charged with giving and taking bribes by the other side?—That was by the Conservatives.

3041. You were aware that proof of agency as it is called was not brought home to Mr. Kinglake?—The first time I have understood that is since I have been here, because I wanted to go into the box.

3042. (*Mr. Coleridge.*) Was there any treating at that election of 1865?—Yes, there was.

3043. (*Mr. Anstey.*) I am not asking you whether Onion was an agent or not, or whether he might have employed himself, no matter about that. Have you any reason to believe that this statement is true as regards Onion?—I believe the statement that Poole made is false, that was my impression.

3044. And still is your impression?—Yes, and always was.

3045. Have you heard of another case; a statement made by George Heal. Do you know George Heal?—Yes.

3046. I will read to you his statement; he is on your side, George Heal?—I believe he is of late years, but I believe he has been on both sides.

3047. That he might have said in speaking to a voter who he believed to be Poole. He is not certain whether it is Poole or not. He might have said, "those who promise and do not give are a damned "sight worse worse than those who do give." Now, supposing George Heal admits that he might have said that, or supposing he did say it, would you still be of opinion that the election had been conducted with perfect purity by those who take part on the Liberal side?—Well, as far as my own knowledge went.

3048. Only as far as your own knowledge went?—As far as my own knowledge went.

3049. (*Mr. Coleridge.*) Was there any treating on the Liberal side at that election?—Yes.

3050. Then it was not pure on that occasion?—Yes.

3051. What was your bill for that?—I think about 30*l.*

3052. Who paid that?—Mr. Lovibond.

3053. And did Sir John Shelley complain of that?—No, he did not.

3054. And I believe there was treating at the other public houses in the same ratio?—There was.

3055. How much do you imagine was spent in treating on your side in 1865?—In what way?

3056. It was a general election, and, therefore, it was a good while about, but how long before did they begin treating, and how long at your house?—About the same time I told you.

3057. About a fortnight?—About a fortnight or three weeks.

3058. And you had a bill of somewhere about 30*l.*, or more?—I do not know; my impression is it was not so much.

3059. You sent that bill in to Mr. Lovibond?—I took it there.

3060. How did you make it out?—"To refreshments supplied."

3061. To whom?—To refreshments supplied at a certain election.

3062. (*Mr. Price.*) To voters?—Very likely. Whether they were voters or no I would not be positive.

3063. (*Mr. Coleridge.*) And after that you talk about the purity of the election. That was paid by Mr. Lovibond?—Yes, and that was paid just prior to the election of 1866.

3064. From your knowledge of Bridgwater, how many houses should you say were open to treating on that occasion. Tell us roughly?—I should think we have about half the number of publicans that the Conservatives have.

3065. That is not what you were asked; just tell us how many houses you would say were open to treating on that occasion?—About what I told you this morning.

3066. About a dozen?—Yes.

3067. Do you say that one with the other their bills were as large as yours?—I should think not.

3068. Which bill would be the largest; where would be the largest treating?—I do not know.

3069. At your own house?—Very likely.

3070. Do you suppose 500*l.* was spent in treating?

FOURTH DAY.

Mr. H. C. Bussell.

26 Aug. 1869.

—Mr. Lovibond gave me 35*l.* to pay the expenses of five men who came home from Ireland.

3071. Did you give it to those men ?—Yes.

3072. (*Mr Price.*) What was that for ?—For their travelling expenses.

3073. (*Mr. Coleridge.*) And you call that a pure election ?—This was the men's expenses in coming here.

3074. Do you know that it is contrary to the law to pay their expenses ?—It was not then ; I am not certain.

3075. How came their expenses to come to 35*l.* ; do you recollect their names ?—I do not recollect their names.

3076. (*Mr Price.*) Where did they come from ?—I think some of them came from London, and I think some of them came from Dublin.

3077. (*Mr. Coleridge.*) Did you write to them to come up to the election of 1865 ?—Yes.

3078. And when you wrote to them, did you state that you would pay them ?—No, I did not, but they expected I would. I told them they would have paid all the expenses.

3079. It was not paid till sometime afterwards ?—No.

3080. Did you advance the money, and get it back again ?—To some of them.

3081. Did you not pay the expenses before or on the day for voting ?—No.

3082. Just be careful; or the day after ?—No.

3083. When they had voted, I suppose, they went off to London ?—Yes.

3084. Who were they ?—The masters of vessels.

3085. You told them that they would get 5*l.* a piece ?—Yes.

3086. And whether their expenses had been 5*l.* or not, you gave it them all the same ?—Yes.

3087. (*Mr. Anstey.*) There are those two other cases. The cases I have referred to you—both of them before that—had reference to particular elections. I ask you now with reference to this particular election. The first is the case of another Heal, William Heal. It was stated in evidence by several witnesses before the House of Commons, when the petition against Kinglake's return (the second petition) was tried, that this William Heal had an old bribery debt standing over from 1857, as long ago as that, which had not been paid to him, which the Liberals said had been paid for him to Foster, but which they also said had been embezzled by Foster on its way to Heal, that this old debt (of 40*l.* I think it was) was mentioned by William Heal in Benjamin Lovibond's office as the only condition on which he would vote for Shelley and Kinglake, and that Lovibond and the other lawyers gave him a general sort of promise that it should be paid ?—The first time I ever heard of that was when the statement was made in the House of Commons.

3088. In the House of Commons ?—Yes, that was the first time I ever heard that in my life, and I was surprised at it.

3089. But you heard it then ?—I heard it then ; I was there.

3090. And it has been repeated since ?—I do not know.

3091. At the trial before Mr. Justice Blackburn ?—I do not know.

3092. Supposing that took place, you would not say that either the election of 1857 or the election of 1865 was a pure election ?—I should not.

3093. Have you any reason to doubt the truth of Mr. William Heal's statement, and the statement of those who were present that heard the lawyers give this gentleman a promise that it should be looked into ?—I should rather believe the lawyers.

3094. The promise that it should be looked to ?—I should rather believe the lawyers that what they said was true.

3095. And not what Heal said ?—Not what Heal said.

3096. Vearncombe's case I mentioned just now by mistake in reference to a subsequent election, and it turns out that it took place at this. Now your brother appeared as witness before this election committee ?—He did.

3097. He was examined with reference to this very case of Henry Vearncombe ?—I believe he was.

3098. And in stating the rumour, or stating what took place between him and Vearncombe, who, for some reason or other, was not called by Mr. Kinglake or Sir John Shelley to contradict him, he stated the day, the hour, and the place where the money which he heard chinking in Vearncombe's hands was paid to Vearncombe, as he said, on his promise to vote for Kinglake and Shelley, he having previously promised not to vote for them, but for their Conservative opponents. Now I have made that statement of the case in a general way to you, I have merely to ask you this question : do you believe that statement of your brother ?—I do not.

3099. If it were true, that also would show that your practices would not be pure in the election of 1865 ?—It would.

3100. Therefore it is a question of your brother's credit ?—Yes ; and I think you will find in the same report from the same witnesses a charge against me,—in the same report.

3101. Well, if there had been no report by the same witnesses against you, would you have believed your brother's statement about Vearncombe ?—No.

3102. Are you on good terms with your brother ?—No, not for months before this election occurred. I never gave him an angry word in my life. I never intend to do.

3103. Are you on good terms with him ?—No ; I have never had a fall out with him.

3104. Have you been on speaking terms with him for some years ?—No.

3105. Nor at the election of 1865 ?—We were not.

3106. I ask you one more question, which has been suggested to me by the learned chairman. In the face of all this enormous treating, this corrupt practice, the organized treating of 1865, how happened it that no evidence on the subject was given against Mr. Kinglake in regard to it ?—I do not understand the question.

3107. You know Mr. Kinglake was declared the sitting member ?—I do.

3108. Can you explain the fact that no evidence of this enormous organized treating was given against Mr. Kinglake ?—I do not know.

3109. Were you examined ?—I wanted to be examined.

3110. Against Mr. Kinglake ?—No, for Mr. Kinglake.

3111. If you had gone up to the House of Commons to be examined were you then prepared to state what you have stated now, that there was this organized and enormous system of treating going on for the benefit of Kinglake and his colleague ?—I should.

3112. You know what the result of that would have been ?—I considered then that treating was not so strict as it is now.

3113. But you cannot throw any light upon the fact the cross-petition against Mr. Kinglake was not much pressed ?—No.

3114. Was there no compromise ?—I am certain of that.

3115. Not amongst the lawyers ?—No, I think not, because they were at daggers drawn.

3116. Did no money pass ?—Not to my knowledge.

3117. You know that that blunts the points of daggers though they are drawn ?—Yes.

3118. (*Mr. Coleridge.*) After having told us of your own bill of 30*l.* for treating, which was paid by Mr. Lovibond, the lawyer, do you still adhere to an answer you gave me that they always honourably kept to the compact they gave Sir John Shelley that it should be a pure election ?—No.

3119. (*Mr. Price.*) You will not call it a pure election now ?—I do not know.

3120. (*Mr. Anstey.*) You will not now say that they always honourably kept their compact?—No.

3121. (*Mr. Price.*) I want you to turn the matter over in your own mind. You have said that having heard these things which have been brought to your recollection you do not think it was a pure election. Have you made a full disclosure with reference to this election of 1865?—I have, to the best of my belief.

3122. (*Mr. Anstey.*) The shorthand writer and the secretary wish to know the christian names of Turner and Haste.

(*Mr. Coleridge.*) Charles Haste and John Turner.

(*Mr. Price.*) And their addresses.

(*Witness.*) One I think is Polden Street. I am at a loss to know whether it is Joseph Turner or John Turner.

3123. (*Mr. Coleridge.*) John Turner.

(*Witness.*) John Turner lives in Polden Street. He is a draper; and Charles Haste lives at Silver Street.

Short adjournment.

3124. (*Mr. Coleridge.*) The last election before this was in 1859, was it not?—It was.

3125. (*Mr. Price.*) There is nothing you wish to add to what you have told us about the election?—I do not recollect anything.

3126. I think I may just ask you this before you leave that. You said, I understand—it came out in the course of an examination by one of my learned brother Commissioners—that with regard to that petition (I understood you to say) there was an idea that got abroad in the town that the petition was going to be dropped?—Which one?

3127. The one of 1865, against Mr. Westropp?—Oh, no.

3128. I thought you said that some parties went up to London to insist upon its going on?—That was in the present year.

3129. Well then, there was no idea, was there, at that time that the petition was going to be dropped against Mr. Westropp?—Oh, no; they were determined to carry it.

3130. (*Mr. Coleridge.*) You said that several of the townspeople put down heavy sums to carry on that petition of 1865. Who were they? Who were the principal ones?—I think the present mayor gave some, G. B. Sully.

3131. What did he give?—Well, I forget what it was he gave.

3132. Do you know how much was collected altogether?—I have heard the amount, but I entirely forget.

3133. But about a thousand pounds?—I think it cost over two.

3134. (*Mr. Price.*) Was that all collected in the town?—Yes.

3135. Two thousand pounds?—Yes.

3136. (*Mr. Coleridge.*) Did not Sir John Shelley or Mr. Kinglake give any?—Sir John Shelley did, but I believe Mr. Kinglake paid his own costs to defend his own seat. I believe that was it, but the lawyers can inform you that. My own impression was that that was how the matter stood; but I think that certain parties took up like shares, that was, according to their number of shares they contributed. They put a certain price down. I gave 3*l.* towards it myself.

3137. And were there many subscribers of smaller amounts than that, of a pound and that sort of thing?—Very likely. I know what I gave.

3138. Did you see any list?—I never saw any list only when I put my name down.

3139. (*Mr. Anstey.*) Was it not done on the principle of shares?—Yes; and they that would not take a share up had to put the money down.

3140. How many shares were there?—You would have to take the amount of money that was subscribed at a fixed sum, and then the rest would be the number of shares that were divided, and the money came to so much a share.

3141. (*Mr. Coleridge.*) The amount of the shares would in reality be decided by the amount of the costs?—It was so.

3142. (*Mr. Anstey.*) Did any persons besides you, who had been engaged in giving bribes, take shares or subscribe to this fund?—Yes, I believe there was.

3143. Many?—Some.

3144. Tell us their names?—I think Bunter did; and I fancy Mr. Heal did.

3145. Garrett?—No, Garrett is a young man.

3146. Allan?—Very likely. I wont answer for the names.

3147. Therefore you qualify your first statement which was that it was the respectable men who subscribed to this fund and not those guilty of bribery?—Well, I am included in those guilty of bribery. I was one of them.

3148. (*Mr. Coleridge.*) Yes, Andrew Allan another?—Yes.

(*Mr. Anstey.*) But you know that when the learned Commissioner asked you the question, "Were they persons concerned in bribery?" you said, "No, the respectable men." Now it appears that there were a great many who had been guilty of bribery who subscribed to this fund.

3149. (*Mr. Price.*) Was there any arrangement made with the lawyers that they were to undertake it for costs out of pocket only?—I believe so.

3150. Who were the solicitors to the petitioners?—Benjamin Lovibond was the principal one, and the rest assisted him. I believe that that is how the matter stood.

3151. Costs out of pocket only?—I believe so.

3152. (*Mr. Anstey.*) Every one of the lawyers, or many of the lawyers, or some of the lawyers themselves had charges of bribery against them with reference to that very election?—I do not recollect.

3153. Don't you remember Benjamin Lovibond had?—Yes, he had; the hairdresser.

3154. Then of course in supporting this petition they were supporting themselves?—Well, you see it was a counter-petition put in after the petition was filed on the part of the Liberal party.

3155. However that was, they were personally concerned in its success?—They were.

3156. (*Mr. Coleridge.*) Do you mean that the petition against Kinglake was prior to the one against Westropp?—No, the one against Westropp was filed first.

3157. You said this was a counter-petition by the Liberal party?—No, no, the Conservative party.

3158. (*Mr. Anstey.*) Against Kinglake. I suppose it was done for the purpose of intimidating the Liberal party to withdraw theirs?

(*Mr. Coleridge.*) For a compromise?—Yes.

3159. (*Mr. Price.*) As you have used the word compromise, I will ask you, did you ever hear anything suggested or talked of as a compromise of the election petition of 1865?—No, I never did.

3160. Never?—I believe that the gentlemen who had the management (I cannot charge my memory who was the committee) were fully determined to carry out that petition.

3161. (*Mr. Anstey.*) I thought you said just now that it was presented, according to the best of your belief, in order to compel a compromise?—No, no.

3162. What did you say just now?—I am talking about the Liberal party.

3163. You told my learned colleague just now, the learned chairman, that you never heard anything about a compromise connected with the petition of 1865?—I say so now.

3164. You said just now, to the best of your belief, one of the petitions of 1865, to wit, the counter-petition, was presented with that view and no other?—No, I say my impression is that the petition was presented for that reason.

3165. (*Mr. Coleridge.*) By the Conservatives?—Yes, to induce the Liberal party to withdraw.

3166. (*Mr. Anstey.*) Then you have heard about a compromise?—No, it was my own impression.

FOURTH DAY.

Mr. H. C. Bussell.

26 Aug. 1869.

3167. (*Mr. Price.*) You never heard there had been ?—No.

3168. (*Mr. Coleridge.*) You told me before we adjourned that you were very anxious in the 1865 petition to go into the witness box ?—I was.

3169. But I suppose the lawyers were far too wise to allow you to do so ?—I believe it was the London agent.

3170. Because probably you had told the lawyers what you have told us to-day, that you had spent all this money in treating, and spent this money, 35*l.*, upon men who came from a distance ?—I had not had it then.

3171. (*Mr. Price.*) Did you say to them you wished to be examined ?—I did.

3172. When you said that, what did anybody say to you ?—They said their agent, whoever he was, said that I had better 'bide out of the box.

3173. Keep out of the box ?—Yes.

3174. Did he say why ?—No ; he did not give any reason why.

3175. Did he say you knew too much ?—No, they said the petition was closed.

3176. (*Mr. Coleridge.*) He thought Mr. Serjeant Ballantine would cross-examine you, perhaps ?—I do not know.

3177. (*Mr. Anstey.*) Did you tell the lawyers on that occasion what you have told us, namely, that after the solemn pledge that had been given by the lawyers here to Sir John Shelley, which was not kept afterwards, you complied with the request of the balance men, and told the balance men it was all right ? Did you tell the lawyers in London that ?—No.

3178. Did they know you were going to tell that ?—No.

3179. Were you going to tell the committee that ?—If they had asked me to explain.

3180. (*Mr. Coleridge.*) You wanted to be examined. What did you imagine you could prove on behalf of Mr. Kinglake or against Mr. Westropp ?—I considered the evidence was against me with regard to a man of the name of Coates and my brother, was false. I wanted to disprove it.

3181. It was a personal matter ?—Yes.

3182. I suppose the lawyers told you that was a collateral issue, and they would not let you be examined ?—That was my reason, to clear up my own character.

3183. (*Mr. Anstey.*) You wanted to contradict your brother ?—Certainly.

3184. With whom you were on bad terms ?—I am not on bad terms.

3185. You said you were then. You were not on bad terms ?—No; I am not on speaking terms. There is no ill-feeling as far as I am concerned.

3186. (*Mr. Coleridge.*) But yet you do not speak ?—We do not speak.

3187. (*Mr. Price.*) Has he always been a Conservative ?—Always voted Conservative.

3188. You have always been a Liberal ?—I have always been a Liberal.

3189. Is it about politics you disagree ?—No, it was on another transaction—a business transaction.

3190. (*Mr. Coleridge.*) We won't go into that. When did you first have a vote ?—In 1852.

3191. (*Mr. Price.*) I want to ask you this. Consider it carefully before you answer the question. It is going back again to the time of your going away when the election inquiry was about to come on before the learned judge I want you just to consider. Have you any idea whatever that the money that was given to you to go away with was actually given to the person who handed it to you, Mr. Smith I think you said, by Mr. Vanderbyl himself ?—No, I do not think he was here. My own impression is that Mr. Smith must have had it from some of the lawyers ; that is my impression.

3192. Have you never heard that it came direct from Mr. Vanderbyl ?—I have asked Mr. Smith and he refused to tell me.

3193. You have asked him where it came from ?—Yes ; I should have been very glad to have known.

3194. He never would let you know ?—No, he would never tell me where the money came from.

3195. (*Mr. Coleridge.*) I suppose he told you it was much better you should not ?—To be sure he did ; the first 15*l.*

3196. He told you in those very words probably ? There is no doubt about it.

3197. (*Mr. Anstey.*) That there be no misunderstanding about your last answer, you know he had a partner here who is said to have done a good deal of dirty work at the election, a certain Fennelly. Now, have you any reason to believe that any money came from Fennelly or through Fennelly ?—I do not know who the man was that I had the money from.

3198. Was it not Fennelly ?—I do not know. I do not know Fennelly.

3199. Do you know Fennelly's clerk ?—I do not.

3200. Lomas. You said no before you heard his name you know ; therefore I will put it to you again. Do you know a man of the name of Lomas who was seen about with Fennelley and Vanderbyl ?—I do not.

3201. Who used to go to Hennett's and Spinks', and conduct the negotiations with the Tories through Hennett and Spink, for the unseating of Kinglake ? I have seen a stranger down here with Mr. Vanderbyl at some times, but I have never known his name. That was not the man to the best of my belief. I will swear that that was not the man that gave me the money as far as I could recognize him.

3202–3. Where was Vanderbyl's money deposited in the town ; what bank ?—I do not know. I do not know that he had any deposited.

3204. Do you know whether either of the candidates, Vanderbyl or Kinglake, used to do business at the bank ?—I do not.

3205. Do you know whether either of the candidates, Vanderbyl or Kinglake, used to do business with the bank or anywhere in this way, not compromising themselves by drawing cheques, but sending persons with verbal instructions to receive money ?—I do not.

3206. You have never heard of such a case ?—I never have.

3207. Have you any doubt that sums of money were provided either in that way or some other way direct or indirect, both by Kinglake and Vanderbyl, for the purpose of paying illegal expenses at this election ?—My impression always was that the money was divided.

3208. Will you answer my question, yes or no ? Have you the slightest doubt that both these gentlemen—both these candidates rather—contributed money avowedly for the purpose of paying illegal expenses at these elections ?—No, I have not.

3209. You have no doubt ?—No.

3210. One question more about treating in reference to these elections that have taken place in Kinglake's time. Is not it a fact, after all that has been paid by Kinglake or for Kinglake towards the satisfaction of expenses incurred in treating, there is at this moment an unpaid claim by Phelps of the "Commercial Inn," an inn not mentioned by me to you to-day, for the corrupt practice of treating the voters, of the large amount of 75*l.* ?—I believe there is. I have heard of it. That was in Sir John Shelley's time, I believe.

3211. (*Mr. Price.*) Now then, we will go to 1859. In 1859—— ?—There was Henry Padwick.

3212. Mr. Westropp ?—Yes.

3213. Mr. Kinglake ?—Yes.

3214. And Mr.—— ?—Colonel Tynte.

3215. Was Colonel Tynte at that time and had he been sitting member ?—For some years.

3216. He was a gentleman who, we know, has large property in the country ?—Yes.

3217. And Mr. Kinglake had been then sitting from 1857 ?—He had.

3218. Then Mr. Bagehot and Mr. Westropp were two strangers ?—They were. It was the first of their appearance in the borough.

3219. Mr. Kinglake you say had been elected in 1857 ?—He was elected in 1857.

3220. He had sat two years when the 1859 election was ?—He had.

3221. In 1859, therefore, there was a contest at once announced. It was known that there was going to be two and two ?—Oh, for some time. I think there was some rupture that the Government went out again at that time.

3222. (*Mr. Anstey.*) The first Reform Bill ?—(*Mr. Coleridge.*) Lord Derby came in then.

3223. (*Mr. Price.*) Both Mr. Padwick and Mr. Westropp came down here and commenced their canvass ?—They did.

3224. Early before the election ?—I believe they were down here five or six weeks before the election.

3225. Do you know who introduced those two gentlemen ?—Oh, they are always introduced by the lawyers, nobody else.

3226. Then how soon did you begin to take an active part in that election ?—Oh, I began as soon as our candidates came down.

3227. How long before the election did they come down ?—I rather fancy that as soon as they made their appearance—the Conservative candidates—ours came too.

3228. What was the date of the election ?

(*Mr. Coleridge.*) What time of year was it ?

(*Mr. Price.*) What time of year ?

(*Mr. Anstey.*) Summer, of course.

(*Witness.*) April 30th, 1859 (*referring to a paper*).

3229. (*Mr. Price.*) As you have got that sheet in your hand, you may as well tell us what are the numbers? —Colonel Tynte, 290 ; Kinglake, 279; Padwick, 230; Westropp, 208.

3230. Westropp was at the bottom of the poll ?—208.

3231. How many remained unpolled ?

(*Witness.*) Shall I give you the majorities ?

3232. Yes ?—Majority for Colonel Tynte over Padwick, 60 ; over Westropp, 82. Majority for Kinglake over Padwick, 49 ; over Westropp, 71. Electors polled, 512 ; electors unpolled, 31 ; dead, 10.

3233. (*Mr. Anstey.*) Was the Padwick that you have named the Padwick whose name has become so notorious in turf transactions ?—It is.

3234. Mr. Henry Padwick ?—They discovered him directly he came here that he was the man.

3235. Connected with the Duke of Newcastle's estate ?—Yes.

3236. (*Mr. Price.*) Was it known generally that Mr. Padwick was coming down as a man of money ? —I do not think he was in the town ten minutes before he was known, and everybody knew that he had plenty of money.

3237. (*Mr. Coleridge.*) He was an attorney, was not he ?—Yes, I suppose. He always went as such. You see he was discovered directly as he came here ; and they got placards out that he was connected with a man of the name of Cook who was hung.

(*Mr. Coleridge.*) No, no, Palmer.

(*Witness.*) Palmer, for poisoning Cook ; and they got placards out about it directly ; our party.

3238. Your party ?—Yes.

3239. Have you got a placard ? No.

3240. (*Mr. Anstey.*) How do you mean "connected" ?—I believe he was connected in the evidence, in giving some evidence. And an awful fight there was over it. They brought a gallows, and one of the most awfullest placards that ever you clapped your eyes upon.

3241. Have you got one ?—No. We had to burn it, or else there would have been a riot. You would say if I brought one here that it was one of the awfullest placards that was ever brought out about a man.

3242. Just describe this placard to us ?—(*Witness, explaining by reference to the rostrum on which he was standing*), This part here was about so long, and about the depth, or it might be a little longer to the floor ; and the figure was put on a pull and hung up, so that pull a string and down he would run. On this placard some person or another (I have never to this day heard who painted it) represented Padwick with this Palmer hung up to a gallows ; and one portion of Padwick right down from the nose was painted blue, and I think the other was white ; but it was a most ghastly thing. I never in my whole experience ever witnessed——

3243. (*Mr. Price.*) What was Mr. Padwick represented as doing ?—Being the means of hanging Palmer.

3244. He was acting as Jack Ketch ?—Yes. He had no nerve afterwards.

3245. It was known that he was a man of money. Tell us about Mr. Westropp ?—He was represented to the Conservative party as being a very rich gentleman.

3246. They said so, did they ?—I believe he has a lot of money, because he spent a precious lot here.

3247. (*Mr. Coleridge.*) That would be a reason for not having it ?—He must have had it.

3248. What was done on your side ? Did you take an active part ?—Very likely I went out canvassing. You see I was a young man at this time.

3249. (*Mr. Price.*) Was this your first election ?—

(*Mr. Coleridge.*) 1852 was the first.

(*Mr. Anstey.*) The election of 1857 you were in ?—Yes, the first of Mr. Kinglake's.

3250. (*Mr. Coleridge.*) You voted in 1852 ?—Yes, I voted.

3251. (*Mr. Price.*) Well ?—So everything went on. I was not placed in the same position. I did not take the same position then as I have lately, not such an active part, not as I have at these elections that I have already told you of ; and I did not inquire then anything about money matters. I did not ask anything about it. At both of those elections, when the money was going, Foster came and asked me to spend it.

3252. In 1859 did Foster come to you and ask you to pay any money ; spend any money ?—No, he told me he should be ready for me the next day. That was the poll day.

3253. (*Mr. Coleridge.*) On the poll day ?—On the nomination day.

3254. (*Mr. Price.*) He told you that he should be ready for you the next day ?—Yes.

3255. Did you ask him what he meant by that ?— —I knew what he meant—that he should have some money.

3256. (*Mr. Anstey.*) How did you know that ?— He said he would have it ; that he would be ready with the money the next day.

(*Mr. Coleridge.*) That is the first time you have mentioned money.

3257. (*Mr Price.*) That was the first occasion on which you had been entrusted with money for bribing purposes ?—Yes, it was.

3258. You had nothing to do with it in 1857 ?— I had to do with the election, but not with the bribing.

3259. I should like you to tell us,—what did you say ? When he said he would be ready with the money, did you express any disinclination to deal with the matter in that way ?—Well, I did not.

3260. You accepted the situation ?—I did.

3261. (*Mr. Coleridge.*) This was your first bribery 'bout as far as I understand ?—It was the first time.

3262. Then you must have had some conversation with him about it, and whom you were to pay it to ? —You did not ask me that question. Mr. Foster asked me if I could go and get some men, and I said I would look round, and I believe I did. The fact of it is, I knew I did. I looked round and saw who I could put my hands upon the next day. The result of it was——

FOURTH DAY.

Mr. H. C. Bussell.

26 Aug. 1869.

3263. Tell us who they were now ?—I cannot tell you their names.

3264. Not one of them ?—No, I could not.

3265. (*Mr Price.*) Could you, if you look at the poll sheets ?—Well, you see it is so many years ago, and I did not keep any memorandum of it.

3266. (*Mr. Anstey.*) You say you got them. You got them for money ?—Got them for money.

3267. (*Mr. Coleridge.*) We want the names, for we have to schedule them.

3268. (*Mr. Price.*) Do the best you can, by looking at the poll sheets and refreshing your recollection, to tell us the names of those you gave money to ?—I will do that.

3269. Did he say how much you were to have ?—No ; his uncle would take the leading part about it. His uncle was a tailor, in the habit of visiting my house.

3270. (*Mr. Anstey.*) What is his name ?—Henry Faun. You see, unfortunately, those people are dead.

3271. His uncle, Henry Faun, a tailor, was visiting at your house ?—He was in the habit of visiting here.

3272. He was an active man ?—He was very active. He and Foster took the lead.

3273. (*Mr. Price.*) In bribing ?—Yes.

3274. (*Mr. Coleridge.*) Did you then keep the same house you do now ?—I did.

3275. (*Mr. Price.*) What did they tell you ?—You know the conversation in these matters is that you must get all the men you can.

3276. Did they say what sum ; how much you were to give ?—No, not a word.

3277. You were to have no limit ?—No.

3278. You were to use your discretion ?—Yes.

3279. They gave you to understand that ?—Yes.

3280. That you might call for any quantity you wanted ?—Yes.

3281. What did you do on the polling day, having got that information ?—I think I had better tell you how matters were standing in the borough first. The Conservative party was here,—Mr. Padwick's and Mr. Westropp's party, and they had been spending money a long time.

3282. Previously to the nomination day?—Previous to the nomination day.

3283. How had they been spending money, in treating or what ?—In giving it to the voters. A person of the name of John Murlis took the principal part.

3284. (*Mr. Coleridge.*) Is he alive ?—I saw him in the Court here since the inquiry commenced.

3285. (*Mr. Price.*) Then he is probably alive ?—He kept the "Albion Hotel," and they spent the money very freely. Now Mr. Benjamin Lovibond did not believe it.

3286. That is the gentleman who is dead ?—Yes. He did not believe money was going until the first tally of the poll came up in the morning ; and when the first tally came up, he saw the class of voters that were in it, and he knew very well they were spending money ; and then the cry was, barricade the streets ; stop all the voters from coming up, and nail all you could. That was the balance men ; and the result of it was we did.

3287. There was only one polling place at that time ?—It was built at one place ; but it was three I think polling places.

3288. You used the word barricade the streets so that you could stop the way towards the polling-booth ?—Yes.

3289. Was that done ?—Yes.

3290. To stop people from going without permission ?—Yes.

3291. Who was stationed at these barricades ?—Every person was of the Liberal party.

3292. How were the streets barricaded ?—Just two or three of them would go at the end of the street, and if you saw a voter come up who would take money, seize him.

3293. And carry him off ?—No, not carry him off ; he would go off himself if he knew there was money.

3294. (*Mr. Coleridge.*) What time was this ?—About 8 in the morning ; very early.

3295. (*Mr. Price.*) Was the Conservative party barricading as well ?—No ; they were rather asleep. They had bought so many voters on the night before that they made sure of it. They did not trouble their heads at all about it, and that is how they lost. They turned to and got some little banners up. I have had put into my hands one of these cards which is supposed to be a copy of the placard I was speaking of, but this is not equal to the original. (*The witness handed a small card to the Commissioners*). That was some cards that were got out afterwards.

3296. (*Mr. Anstey.*) What is the meaning of the double face there,—the pink and blue ?—Pink on one side and blue on the other.

(*Mr. Coleridge.*) What is the meaning of the different colour on one side of Padwick's face and the other ?—That was what made it such an awful looking thing.

3297. What is the meaning of it ? Does it mean double-faced or what ?—I suppose it was meant for that. And he had changed his colours as well. He had been a Liberal.

3298. What are the colours in this borough ? What are the Liberal colours ?—Purple and orange, the Liberal colour ; and blue and pink, generally speaking, for the Conservatives, if they had any colours. They were the principal colours.

3299. It is blue and pink instead of the old blue and orange ?—It appears that some few years before Padwick came down here I believe he was steward to some person, and then the estates were sold into some other hands ; sold off to a Conservative, and then he became Conservative.

3300. (*Mr. Anstey.*) What did you do next ?—I was speaking of the banners that the Conservatives got out. It was a nice little hand-banner to put in the voters' waistcoat pockets on a little pin, "All right at last." That was what the Conservatives had on the day of the poll, when to their surprise, about 10 o'clock, they had lost the election and we won, and Mr. Padwick went away,—I think it was a train at half-past eleven that day. He went away, and I fancy and I believe that Mr. Westropp remained behind.

3301. Yes, but Mr. Bussell, there was an interruption owing to some unfortunate disturbance just then, and you did not finish your statement. You said that the plan was that barricades were formed to seize every Conservative voter that came up ?—Every voter that you knew was going to the Conservative side.

3302. Did you say that you took the money from them and that the voters then went away themselves? —No, we got hold of them and then gave them money our side, and then they polled with us.

3303. (*Mr. Price.*) What time do you say that was ?—This was about 9 o'clock in the morning. It might be a little before ; it was very early in the morning.

3304. At that time which had the majority ?—We was about on an even then. It was this tally that sold the Conservative party. When they brought up the first lot it was all the balance men.

3305. How did it sell them ?—From that tally we knew the men would have money before they went to poll.

3306. (*Mr. Anstey.*) You say that very hour the election was won by you ?—I say that within an hour afterwards the election was won.

3307. (*Mr. Price.*) Do you mean that within an hour the whole constituency was polled out ?—No ; we had got a majority of the men that they had bought. We picked up a majority of the men that the Conservative party had bought, and then they would have lost the election.

3308. I suppose if the Conservatives had got hold of these men and overbid you——?—They had paid them before.

3309. But if they had got hold of them after you had paid them again ?—We stuck to the men.

3310. You polled them ?—We polled them.

3311. (*Mr. Coleridge.*) What did the Conservatives pay a head ?—10*l.*

3312. What did you pay ?—10*l.* I had a hundred pounds. It was paid to me by Foster in his grandfather's house.

3313. (*Mr. Price.*) These men had had 10*l.* from the Conservative side ?—Yes.

3314. Apiece ?—Yes.

3315. Then they had another 10*l.* from your party and then they voted for your party ?—They did.

3316. How many men were there paid like that ?—It was generally said 40 or 50.

3317. Five hundred pounds were spent by you, and they had had 500*l.* from the other side, the same 50 men ?—Well, it was all a squabble.

3318. (*Mr. Anstey.*) Will you answer the question ? (*Mr. Price.*) Was that so ?—Yes.

3319. That was all you spent ?—Yes, a hundred pounds.

3320. (*Mr. Coleridge.*) Did you promise any ?—I never promised any at that election, I was not up to it then.

3321. You had not credit ?—I had credit as far as people trusting me with money goes.

3322. (*Mr. Price.*) But you were not known to the voters as the accredited financial agent ?—No.

3323. You had not been installed into office ?—No.

3324. You had 10 men at 10*l.* a-piece ?—Yes.

3325. Give us the names of these 10 men ?—I will look over the list.

3326. But besides that 100*l.* that you spent yourself how much do you know had been spent on your side ?—There was a report that there was a very heavy sum.

3327. (*Mr. Coleridge.*) I just suggest this to you, that it is most probable that of the 10 men whom you bribed then, as far as they were alive, some of them would have come out again in the next election of 1865 ?—Very likely.

3328. So that by looking at those in 1865 and 1866 you will very likely be able to find the names of some of them ?—I know one man that is dead. It was the narrowest chance in the world that he had not had my 10*l.* when he had had money from two men besides before.

3329. What was his name ?—Squibbs.

3330. Was he clerk to Bate ?—I don't know. I don't know any of his family.

3331. Had he had two 10*l.* notes from your side ?—Yes.

3332. And he had had 10*l.* from the other side too ?—It was reported so.

3333. Then you found him out ?—I was not going to give it him myself, I was going to give it by another man. I went to the party I gave it to, Mr. Charles Bulpin, and I said, "That man that you "said you had polled has been paid, please to give "me the money back" and he gave it to me directly.

3334. Is Bulpin alive ?—He is in America. He was a gentleman farmer here in this neighbourhood, a great many people about here then were farmers who came in from the country.

3335. (*Mr. Price.*) Did Squibbs get 10*l.* from you ?—It was reported he had some from the Conservatives, I don't know how much.

3336. (*Mr. Coleridge.*) Who gave him the 10*l.* on your side ?—Faun gave him one, I forget who the other was.

3337. Is Faun alive ?—It is the man I am speaking of, he is dead.

3338. (*Mr. Price.*) Faun is dead ?—I do not know whether his daughter has any recollection of it.

3339. Faun is dead, and Bulpin is gone to America ?—Yes.

3340. You were going to say that a heavy sum was paid by your side, what heavy sum ?—I should say at that election three or four thousand.

3341. Spent ?—Yes.

3342. How much on the other side ?—It was generally reported that they had spent four or five thousand.

3343. That would be about ten thousand pounds in the borough ?—That was what the general ——

3344. And the constituency was how much, five hundred and something ?—About six hundred.

3345. Do you believe, Mr. Bussell, that that ten thousand pounds, nearly ten thousand pounds, was distributed, into how many hands ?—Oh, I cannot say. There was a report, you know, that Murlis ran away with a lot of it, whether that is true I don't know.

3346. Which side, Conservative money or Liberal ?—Conservative.

3347. (*Mr. Coleridge.*) What has become of Murlis ?—He was here the day before yesterday, he has got a subpœna.

3348. (*Mr. Anstey.*) Then there has been a report against Murlis the same as against you of his having allowed some money to slip through his fingers on the way ?—There was never a report of that against me.

3349. Why, you have told us of Dr. Bent ?—Oh, yes.

3350. Then another man on your side, was not he charged with embezzling some money, this man Foster ?—There was a report of it.

3351. At this very election ?—Whether it was true or not I do not know.

3352. (*Mr. Price.*) What was the sum that he got hold of ?—He had the handling of the whole amount.

3353. How much was it said that Mr. Foister had stuck to ?—I think it was something like thirty or forty.

3354. (*Mr. Anstey.*) No more ?—No, we never heard of any more.

3355. (*Mr. Coleridge.*) How much did Murlis stick to ?—I forget the amount.

3356. But about ?—

(*Mr. Price.*) A hundred ?—I fancy it was some hundreds the report was.

3357. Tell us, as far as you know, of that sum spent at that election on both sides, into how many hands or voters' pockets do you believe that money went; out of that constituency of 500, or whatever it was, how many should you think were not bribed ?—Well, I should think the number was always about the same as what I told you yesterday.

3358. Two hundred and eighty ?—No, about one hundred and forty on one side, and eighty or eighty-five on the other.

3359. Who had not had money ?—Yes.

3360. Then out of the constituency of that time there would not be more than 260 who had not had money ?—Yes.

(*Mr. Anstey.*) Two hundred and twenty, 140 on one side and 80 on the other.

3361. (*Mr. Price.*) How many polled ?—512.

3362. And you think at that election out of 512 who polled there were not more than 220 who did not receive bribes ?—Yes.

3363. And that is the only way you can account for 10,000*l.* being distributed ?—I think 10,000*l.* would not be exceeding the mark.

3364. You talked about 10*l.* a man on each side, that would be 20*l.*, many of them ?—Yes.

3365. (*Mr. Anstey.*) Was not this money that you alluded to just now in connexion with which Foster's name is mentioned, was not that a sum of thirty or forty pounds said to be money promised to one voter only ?—Yes.

3366. (*Mr. Price.*) There must have been more than 10*l.* a man ?—As far as I know I never paid one penny more than that.

3367. If you add them together, take 350 of them, then you know that giving 10*l.* a man would only bring it up to —— ?—Something like 3,500*l.*

3368. Then you say there was as much spent on the other side, or more ?—Yes.

3369. Then they must have had —— ?—A large number of the men had it both sides. That accounts for it.

3370. It was quite notorious that they had ?—Yes. Then there was lawyers to be paid, and all these men.

3371. (*Mr. Anstey.*) You have mentioned Murlis, was this Murlis the same man whose house was proved at the trial in 1838 to have been taken up for bribery purposes by the Tories ?—I believe he could not have been.

3372. It was mentioned in the report of the trial that the house in which the unknown stranger was placed along with Smith to identify the voters who had been bribed was a house hired of one Murlis or an empty house given up by one Murlis ?—Oh, it must have been his father, he is not old enough for that I think.

3373. (*Mr. Price.*) Was it the late Mr. Bate who acted in that election ?—Mr. Bate acted as the agent for Mr. Kinglake.

3374. Then Kinglake and Colonel Tynte were the two candidates on the Liberal side ?—They were.

3375. Who do you think found the money at that election ?—My impression was that they both found it.

3376. We do not want to disclose a man's private affairs unnecessarily, but it was well known for many years that Colonel Tynte was a man in embarrassed circumstances ?—Yes.

3377. Well now, that being well known as far back as 1859, do you believe that Colonel Tynte found the money himself ?—It was generally reported that his sister found the money, Lady Cooper. And there was a report that there was a thousand pounds sent to him from Brighton to come down, and he lost it in gambling that night. It was reported so certainly.

3378. At all events it is quite certain he had not got the money ?—He had not got the money.

3379. Well now, what do you say as to Mr. Kinglake ? What proportion of the three or four thousand pounds that you say was spent, or probably more, what proportion of it do you suppose Mr. Kinglake found at that election ?—I always fancy, or my own impression was, that when two candidates go together they divide the costs. That was my impression.

3380. Then the money according to your rough estimate would be about 2,000*l.* for each of them ?—Yes. You see I might be exceeding it.

3381. But according to your estimate, assuming that to be correct, it would come to about 2,000*l.* apiece ?—It would.

3382. (*Mr. Anstey.*) What other corrupt practices to your knowledge were committed at this election of 1859 ?—Nothing without it was treating.

3383. Besides bribery, I mean ?—Treating.

3384. I do not want to go into details of course ; was the treating more considerable than the treating of 1865 ?—It was.

3385. And of course than any subsequent one ?—Yes.

3386. How much more, double ?—I should think it was.

3387. (*Mr. Price.*) What should you say was spent in treating ?—Eatables and drinkables.

3388. (*Mr. Coleridge.*) How much was spent altogether ?

(*Mr. Price.*) Apart from money spent for bribes. We are now talking of money spent in treating ?—Perhaps a thousand pounds.

3389. (*Mr. Coleridge.*) On each side ?—Both sides.

3390. (*Mr. Price.*) 500*l.* on each side ?—Yes.

3391. (*Mr. Anstey.*) Were all the public-houses open on one side or another for treating ?—Pretty near.

3392. Your house amongst them ?—Yes.

3093. (*Mr. Coleridge.*) What was your bill at that time ?—I forget.

3394. About 50*l.* ?—No doubt it was about that amount.

3395. (*Mr. Anstey.*) You have told us that the bill for 1868 has not been paid you. All the others were paid for always ?—Yes.

3396. Benjamin Lovibond paid them ?—Foster ; he is the agent.

3397. That is Lovibond's clerk ?—Yes.

3398. (*Mr. Price.*) Foster gave you everything you got in the shape of money ?—Yes.

3399. (*Mr. Anstey.*) Which was Bate for ?—Bate was for Kinglake.

3400. Benjamin Lovibond was for Tynte ?—Yes, I believe that this was the way that they arranged. I expect that Mr. Bate if he paid any money for Mr. Kinglake handed it over to Mr. Foster. That is what my own impression about the matter was.

3401. (*Mr. Price.*) There are a certain set of men that you say are the men that you seized hold of and carried off and got them to vote upon payment of money ; but in addition there were these men who would be sufficient to turn the scale. I suppose what you said before would apply to them really, that there were a great number of men who would vote for your side when they knew that money was going. Those who had not voted would then call upon you and be paid for their votes ?—The men who had not polled then had the money either before or afterwards.

3402. Were they men, who like many when they knew money was going but had not voted, would then call on you to pay them for their votes ?—On our side they had not polled ; those had the money before or afterwards, in addition to those we took away from our opponents.

3403. Then nearly every man after a certain hour polled for money ?—Not every man.

3404. But the great majority after that time polled for money ?—To be sure.

3405. (*Mr. Anstey.*) Was there any bottling at this election on your side ?—No, we took them at once. If we could get hold of a single man we took him right away.

3406. (*Mr. Price.*) Who were the other men engaged as you were ?—I cannot tell.

3407. Allan did not act ?—No, he had not anything to do with it. I believe John Smith was one along with Thomas Hill, and there may be five or six others. Faun took the most leading part, and Foster would pay them himself. There was no mistake about Foister.

3408. Who else ? Was there any disguise about this matter at all ?—No, everybody knew it.

3409. Did you give them the money openly in the street ?—We did.

3410. You did not take them into the cellars ?—No.

3411. Gave it to them openly in the streets ?—Yes, everybody there could have seen it.

3412. (*Mr. Coleridge.*) Afterwards you became more secret in your operations ?—We were forced to ; the fact was then, the Conservatives bribed to such an extent that we were compelled ; that is the reason we paid them in the street. We did not think that Mr. Padwick had courage to go on with the election petition.

3413. (*Mr. Price.*) There was no petition after 1859 ?—They filed one.

3414. It was not proceeded with ?—No.

3415. Was not that petition presented for the mere purpose of inducing parties to some prosecution for libel to abandon that ?—It was reported so, and when the prosecution was withdrawn the petition was.

3416. Both were withdrawn together ?—Yes.

3417. Mr. Heard was party to the prosecution and to the petition ?—Yes, Mr. Reed brought an action against Mr. Heard for a libel.

3418. Mr. Reed the attorney ?—No, this was a gentleman who died lately at Burnham, connected with the Somerset and Dorset Railway, and Mr. Heard was the proprietor. I do not know whether the paper was called the "Standard" then—the "Times," he wrote an article about Mr. Reed bringing the money into the town ; that they accused him of.

3419. Was Mr. Reed a Conservative or Liberal ?—A Liberal ; the result was that Mr. Reed com-

menced an action against Mr. Heard at once, and this petition was filed to upset this.

3420. That was the petition against Mr. Kinglake?—No, I did not take it for that, but for the express purpose of making them withdraw the action.

3421. But the petition was against the return of Mr. Kinglake and Colonel Tynte?—Yes.

3422. And they paired off one against the other, the petition was dropped, and the prosecution was dropped?—Yes, and the report was, and from that day to this certain people in the town believed, that a relative of Colonel Tynte paid 2,000*l.* for the withdrawal of that petition, but I believe it to be a falsehood.

3423. Was that Lady Cooper?—Yes.

3424. (*Mr. Anstey.*) That did not go to committee?—No.

3425. The committee was not struck?—No.

3426. And I see by an answer that was given by Colonel Tynte in the House of Commons, that everybody in Bridgwater knew that there was no intention of going on with it, he told that to the House?—Very likely; he did not often say much in the House, he was a silent member.

3427. That is the only petition; the one which we have examined you upon?—That is all.

3428. (*Mr. Price.*) With the exception of your looking through the names and furnishing us with any you know who gave bribes, that is all as to the 1859 election?—Yes.

3429. (*Mr. Coleridge.*) Prior to 1859 had the borough in the same sort of guilds of solicitors managed the whole thing as now?—I cannot charge my recollection.

3430. Although Mr. Benjamin Lovibond was the leading man on your side?—Yes.

3431. Who on the other?—The same as now. Mr. Bate and Mr. Lovibond at that time, I believe, took the whole control, and the other lawyers had nothing to do with it hardly.

3432. Who took the lead on the Conservative side?—I believe Mr. Trevor and Mr. Smith, and one or two others.

3433. Mr. Vesey?—I can tell by looking at this whether that is the occasion the gentlemen of the profession voted for the Liberals, and the next for the Conservatives.

3434. What profession—the legal profession?—Yes; that is the election (*referring*), he went over to the Conservatives.

3435. Who?—Mr. William Brice.

3436. Which election did he first go for the Conservatives?—This must be the election I believe, 1859. I believe in 1859 he voted for Colonel Tynte and Mr. Kinglake.

3437. In 1859 he joined the Conservatives by voting for Westropp and Padwick?—Yes. I was going to say that I believe at one election, I cannot charge my memory which, he said on the hustings he should like to crush a Liberal under the heel, like he would a toad under the heel.

3438. (*Mr. Price.*) You say that Mr. Padwick left on the morning; did Mr. Westropp stay on?—He remained, and was on the hustings, I believe, at the close of the poll.

3439. Did he declare his intention of coming down again?—Yes, he said he would be made a Bridgwater brick, and he stuck to it.

3440. Bricks being the subject of a great trade here?—Yes.

3441. Did he continue, as far as you knew, from 1859 down to the next time he stood, spending money at intervals?—Yes, I believe he did. He was free with his money always.

3442. Did Mr. Westropp spend much money in the intervals?—I believe if anybody was in distress he would subscribe to it, if it was a case needful.

3443. Do you know whether he subsidized the borough in any way?—I believe not.

3444. Was there any fund of any sort or kind?—No.

3445. To which he subscribed to keep up his election?—No, I do not know of any.

3446. (*Mr. Anstey.*) Mr. Westropp's own account of the matter is given in his evidence before the House of Commons in 1866. To use his own words, he nursed the borough from the time of his first coming down in 1859 to the election in 1865?—He did.

3447. What do you understand by his saying he nursed and nourished the borough?—Why, he stuck to it, and opened his pocket freely.

3448. (*Mr. Price.*) In what way?—By distributing money about. He gave it to everybody pretty nearly, and his party made free use of it.

3449. Did the shopkeepers?—No, I do not know.

3450. To whom do you say, then?—If there was anything at all going on in the town he would give 5*l.* or 10*l.*

3451. That is subscriptions to charities, or what?—Anything at all going on that wanted a subscription he would down with it.

3452. Only in that way. You do not mean he sent money down to be taken into a man's house?—No.

3453. (*Mr. Coleridge.*) What did he give to the races?—I am not a racing man, and never attend to it.

3454. Did not you ever hear what Mr. Westropp subscribed to them?—I believe the members always gave a plate, and I think he gave a little more; I fancy so, I could not be certain. It is a matter I do not go into.

3455. (*Mr. Anstey.*) He further stated, that beyond nursing, and in another place nourishing, the borough, he "never interfered with any of the concerns of the "election, and studiously avoided going into any "place in any way connected with the election"?—I believe that was true, for he spoke the truth then.

3456. Another witness, examined before the same Committee, says, that an inducement held out to persons to vote by him, the witness, was, because Mr. Westropp had given so much money to children. What is the meaning of that?—I suppose that means the schools.

3457. Not the children individually?—I should think not.

3458. Not a 10*l.* note to a child?—I should think not.

3459. You do not know what it means?—I do not.

3460. (*Mr. Price.*) How much do you suppose that it cost Mr. Westropp per year for what you have heard, to keep up his position in this borough?—From 200*l.* to 300*l.* a year, I should fancy.

3461. When not a member?—Yes.

3462. How much did it cost Mr. Kinglake when he was a member?—I cannot say.

3463. As much?—No, I should think not; perhaps 100*l.* a year. I do not know that it cost him that.

3464. Have you had the distribution of any money at any time between the elections?—Yes; Mr. Westropp took the trouble once to send me 3*l.* for a pilot. Some pilots got their boats ashore down at Coombe, and it was put into the papers, and it appears that Mr. Westropp saw it in the paper that these pilots had got their boat ashore and it was likely to become a total wreck, and he at once sent me 3*l.*, saying, he did not know the residence of the pilots, would I be kind enough to hand it over to them. I handed it over to them, took their receipts and enclosed it, and I told him I had handed the money over and enclosed was the receipt returned to him. I did not say more.

3465. (*Mr. Anstey.*) During the years which elapsed between the years 1859 and 1865, the period of Mr. Westropp nursing or nourishing the borough, did he come down himself and make these payments, or was it done through the lawyers?—He was down here repeatedly; I cannot say how often.

3466. Were the payments made through the lawyers or by himself?—I cannot say; all I know is, if he gave any money we saw it in the Bridgwater paper, which was their organ.

FOURTH DAY.

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3467. He has stated, in his same evidence, that he had two agents as the election, one called an agent for election purposes, and the other a professional adviser, both lawyers. Is that the custom of candidates here, to select one lawyer to be agent for professional purposes, and the other for election purposes ?—I believe it is.

3468. What is the meaning of the difference when each is lawer for the same person, namely, the candidate ?—I cannot make it out.

3469. Is it done to blind the public not to make inquiry ?—That has always been a mystery to me.

3470. The one lawyer is James Trevor, called election agent; and the other lawyer is Mr. Smith, junior, called professional agent, both being lawyers for the same candidate at the same election, and doing the same business. What is the meaning of the distinction ?—I never saw them here in my life; but I saw all of them connected with the case about the town with them, and I took them always to be one, and all the agents I hear considered that.

3471. I shall ask you now with reference to the question of expenditure. You have heard the statements contained in the papers presented yesterday, or the day before, of Mr. Westropp, Mr. Kinglake, Mr. Gray, and Mr. Vanderbyl's election expenses, do you believe those papers contain a true account of the election expenses of those persons ?—No, I do not.

3472. Do you believe that a fraud has been committed in the preparation of those papers by all four of them ?—I cannot say whether it was done as a fraud or no. I do not know what construction to put upon them.

3473. (*Mr. Price.*) Must not the candidates have known, those practices having gone on for years, that the returns made would not represent anything like the expenditure on their behalf ?—If they were to tell me no I would not believe them.

3474. (*Mr. Anstey.*) And their lawyers, too, must have known ?—Yes.

3475. Did Mr. Foster abscond before he died ?—Never.

3476. Where did he die ?—Here in practice.

3477. Was it before the election of 1865 ?—He was dead some years before then, I believe.

3478. (*Mr. Coleridge.*) Whose clerk was Foster originally ?—Mr. Lovibond's.

3479. Was he ever clerk before that to Mr. Bate ?—Never, to my knowledge.

3480. In the election of 1859 what had Mr. Bate to do with Mr. Kinglake ?—Mr. Robert Bate was always Mr. Kinglake's agent, as far I understood.

3481. Did you know of his expending any money at that election ?—No, I did not.

3482. Have you ever heard of his having brought in a bill to Mr. Kinglake for some 1,000*l.* odd for money expended, in addition to the legal expenses of that election ?—Not until I heard it here; but I believe so.

3483. Have you reason to believe that money was the money which passed afterwards through Foster's hands to you, and others like you ?—I believe so.

3484. Do you believe that it came from Mr. Kinglake, or that it was advanced by Mr. Bate without Mr. Kinglake's knowledge, and afterwards paid by Mr. Kinglake ?—I cannot answer.

3485. Was Mr. Bate a man in a position to advance 1,000*l.* on his own account ?—Oh, four or five times that amount.

3486. (*Mr. Anstey.*) On no security ?—I suppose he would take security; he would not like to let me have it, perhaps.

3487. Was he a man who could afford, without a certain chance to get it back again, to advance it ?—No; I believe the reverse.

3488. (*Mr. Price.*) He would not have done it ?—No.

3489. (*Mr. Coleridge.*) Are you of the same opinion as the mayor, that if there were no lawyers here there would be no bribery ?—I can hardly say that.

3490. You have good experience ?—Yes.

3491. What should you say ?—As far as the present practices are persisted in, if they do not adopt some means of voting in secret it will be always so, whether there are lawyers or not.

3492. Have you known what you call corrupt practices set on foot here, except through the lawyers ?—No.

3493. And your experience is upwards of 20 years ?—No.

3494. It is about 20 years since you voted first ?—Yes.

3495. (*Mr. Price.*) You became a financial agent in 1859 ?—Yes.

3496. (*Mr. Coleridge.*) What had you done to entitle you to become a financial agent in 1859, because you tell us you had done nothing in 1857 ?—I had done nothing in the shape of money in 1857.

3497. What made them come to you, what had you been doing between 1857 and 1859 to get yourself into this financial position as one of the Liberal bribers of Bridgwater ?—In the first place in 1852 I voted for one candidate.

3498. In 1857 you did not have anything to do with money, and you voted again, I suppose ?—I wanted to explain the matter why they placed some confidence in me; in 1852 I voted a plumper for Mr. Kinglake.

3499. Did Mr. Kinglake stand first in 1852 ?—Yes.

3500. In 1852 Mr. Kinglake was not elected, was he ?—No; I was going to tell you we had no chance of winning. I took my ground and stuck by it, that was, I considered Kinglake was an ill-used man, and I stuck to him through thick and thin.

3501. What was your special interest in Kinglake ?—I liked his principles.

3502. Had you ever known him before ?—Never. I say I was brought up to the sea, I never stopped ashore but five or six weeks at a time. I plumped for him, and I had great temptations thrown in my way, but all of them would not induce me to vote.

3503. We will come to that by and by. Did you vote for him in 1857 ?—No; for him and Tynte. We healed up the differences.

3504. In 1852 you had nothing to do with money ?—No.

3505. What occurred between 1857 and 1859 to exalt you to the position of being one of the Liberal bribers ?—I suppose they considered that I stood to my faith.

3506. Had nothing taken place ? You know it was a dangerous thing, putting yourself in the hands of persons in that position. Did not the lawyers or any of the Liberal party have a communication with you between that and the next election ?—No; I never spoke to anybody but Mr. Foster.

3507. How long before 1859 was it you spoke to Foster ?—We were always in conversation.

3508. Between 1857 and 1859 ?—Yes.

3509. How long before 1859 did he know you were ready to assist him in corrupt practices ?—Not a day before I took the money.

3510. The day of the nomination ?—The day of the nomination.

3511. The day of the nomination 1859 was the first time that any conversation occurred between you and Foster as to your willingness to act for him ?—It was. He asked me if I had any objection to spend a little money.

3512. For him ?—To get the candidates.

3513. Do you say something to him about the danger ?—No.

3514. Did he say to you ?—No.

3515. Did he, as you were a young man, give you any precautions ?—Yes; he told me not to pay a man twice if I could help it.

3516. What else ?—Nothing; they do not tell you anything.

3517. Do you mean that it is all intuition ?—Yes ; you have to learn that yourself.

3518. Natural intuition ?—Yes.

3519. Then you had no conversation with Foster or anybody else until the nomination day ?—Not about money.

3520. About treating ?—Yes ; he paid the account.

3521. Then I suppose it was your being one of those who bribed through treating in 1857 that made him trust you to bribe with money instead of through treating in 1859 ?—Very likely.

3522. Also in the meantime had not you been very active in municipal elections ?—No.

3523. When did you first commence your activity in municipal elections ?—I cannot get hold of the year ; I was going to tell you the party that caused me.

3524. Was it before 1859 ?—I do not think it was. I will tell you whether it was before 1859. If a man is down here (*referring to a list of voters*). No, I do not think it was before 1859, because I see the man is here, voted.

3525. You had begun corrupt practices in parliamentary elections before you had anything to do with municipal elections ?—I had.

3526. What have you done in the way of corrupt practices at municipal elections ?—I have given a little drink.

3527. On every municipal election that has taken place, since what year will you put it since you first began to give away a little drink ?—I never had but two accounts.

3528. Have you had two for treating at municipal elections ?—Yes.

3529. When ?—The time I voted for this man.

3530. When was that ?—I cannot charge my memory when this man was.

3531. Was it 10 years ago ?—Within 10 years.

3532. Who was the man ?—A Conservative, W. D. Bath, was the cause of my voting Conservative.

3533. And you voted for him although he was a Conservative ?—Yes, he had been an alderman here for many years, and I considered his party served him very bad. I said, " Mr. Bath, we will get you in " next time, and show your party they cannot throw " you overboard."

3534. And he paid you a bill for treating in consideration ?—He paid me 50*s*., I think.

3535. How long before the election did you begin treating ?—The same day.

3536. Did you take the voters up to the poll for him ?—It is very likely.

3537. Then the reward you got for that was a bill of 50*s*. for beer ?—Yes, about 50*s*.

3538. Chiefly for beer, I suppose ?—Yes, it was for beer.

2539. When was the next time you did anything in treating at municipal elections ?—The last, 1868.

3540. Who were you supporting then ?—The Liberals.

3541. What amount of treating did you do then ?—I think it was the same amount.

3542. Who paid you that ?—Nobody.

3543. Not anybody yet ?—No.

3544. Did you ever give any money, half-a-crown or a shilling, to a man to go and vote at a municipal election ?—Yes, I believe I gave sixpence to two men the last election to go in and have a quart of beer.

3545. Instead of going to your house ?—Yes.

3546. Is that all ?—If close to a public house in the town I may have put my hand in my pocket, and given them the price of a pint of beer. I never gave them money except for drink.

3547. Has the municipal corruption gone on in like ratio with the parliamentary ?—No, there has been no corruption in the municipal election.

3548. You say, with the exception of treating, there has been no corruption ?—Not in my time.

3549. Have you heard of 50*s*. being given to anybody else ?—No.

3550. Do you believe it, I ask ?—No.

3351. To what extent have public-houses been kept open for the purpose of corruption ?—Very little.

3552. You got 50*s*. ; were there many houses who got 50*s*. ?—I should not think there were.

3553. You think a municipal election gets over with a certain amount of treating ?—You cannot get over that giving a pound or two away.

3554. The last previous municipal election almost preceded the parliamentary ?—Yes.

3555. Was there anything done at the municipal which was to be carried on to the parliamentary ?—No.

3556. Or were any promises made for the municipal which should be carried out by payment for the parliamentary ?—No.

3557. Then, as far as your knowledge goes, you do not see any connexion between parliamentary and municipal elections ?—Not a bit.

3558. (*Mr. Anstey.*) Have you anything more to say about 1859 ?—Not without you can bring anything to my memory.

3559. (*Mr. Price.*) You are not prepared to go further into the 1859 election to-day ?—This is exactly the position I am in. I have had a very long examination, and that is my memory so far.

3560. (*Mr. Anstey.*) I wish you to bear in mind that when we come to the election of 1857, I shall ask you again about the sum alleged to have been received by Foster for payment to Mr. Heal of 30*l*. or 40*l*. respecting the election of 1857. I shall also ask about 1852, and I particularly wish you to tell me, if you can, about the election preceding of 1852, which was the first election at which you voted ; you may have a distinct recollection of transactions that took place at that election you took part in, if so, I should like you to tell me ?—I was never here at an election before, I stated.

3561. Before you went to sea ?—I went to sea, and was never here at an election before that I can recollect anything about.

3562. (*Mr. Price.*) When did you go on your voyages ?—I was in the coasting trade, and was away sometimes 12 months at a stretch, and then would come home for about a week. I never went less than two months.

3563. (*Mr. Coleridge.*) Were you born here ?—Yes, I am a native.

3564. (*Mr. Price.*) You have told us all you recollect with regard to the election of 1859 ?—Yes.

3565. (*Mr. Anstey.*) Mr. Westropp in his evidence distinctly admitted that he was accompanied in his canvass two or three times by Mr. Veysey, the lawyer, in convassing the borough for the election of 1865 ; he stated himself that Mr. Veysey went with him to that extent and some other extent as his agent, can you tell me what part Mr. Veysey had in corrupt practices, whether bribery or treating as connected with the election of 1865 ?—I cannot.

3566. Do you know what the other, the cattle dealer, was engaged in in your time ?—I do not recollect his having a vote here until the last election.

3567. I ask you if in your time you recollect Mr. Veysey the lawyer's father, a cattle dealer, being engaged as an agent, or in any way engaged or taking part in corrupt practices in elections on the Tory side ?—No, I do not.

3568. He is alive, I believe ?—I think he is present.

3569. (*Mr. Price.*) Now we go to the election of 1857, have you the poll sheet of that year ?—No.

3570. Who were the candidates ?—Mr. Follett, Mr. Tynte, and Mr. Kinglake.

3571. That was Mr. Kinglake's second appearance ?—Yes.

3572. He was not sitting member then. Who were the sitting members ; Mr. Follett and Mr. Tynte ?—They had been up to 1857 sitting members from 1852.

FOURTH DAY.

Mr. H. C. Bussell.

26 Aug. 1869.

3573. Then Mr. Kinglake appeared as a candidate to contest the borough?—He did.

3574. And you voted for him you told us?—Mr. Tynte and Mr. Kinglake.

3575. The difference had been healed I think you said?—Perhaps I had better tell you a little of the history of that election. It appears that at a former election we had three candidates, and that the money supplied with the Liberal party, the result of it was that we lost one member.

3576. What was the cause of the split, want of money, or what?—No; I fancy there was an association started here by a few gentlemen, and they wanted to have their own candidate.

3577. (*Mr. Anstey.*) Who were those gentlemen?—I believe Mr. Joel Spiller was the principal one; I do not know.

3578. I will put my question more plainly. Mr. Spiller and the gentlemen in association were not lawyers?—They were not.

3579. And they wished to take it out of the hands of lawyers?—I do not know whether there were any lawyers mixed up in that matter. This was the principle, from what I recollect from hearing it, that they did not want a candidate to vote in any way but what they told him. Now no independent man would do that.

3580. (*Mr. Coleridge.*) Without money?—No; the candidate when he got into the House of Commons.

3581. (*Mr. Price.*) He must go up to Parliament bound hand and foot to them?—

3582. (*Mr. Coleridge.*) As their delegate?—Yes; and then the matter went on until probably there would be a dissolution, and I believe the lawyers went up to Mr. Otway.

3583. The Under Secretary for Foreign Affairs?—Yes, I believe that was the man, and I believe he refused to come.

3584. Do you know why he refused?—No, I do not. There was some misunderstanding somehow or another.

3585. Not on the ground that it would be too expensive a place for him?—No. Then there was a meeting I attended amongst others, and I believe it was decided amongst us that whichever the majority said they would have he should be the man, as far as the candidate went. I do not know whether Lord Henley and Mr. Kinglake were the two who were proposed, but the choice fell on Mr. Kinglake.

3586. (*Mr. Price.*) But Lord Henley did come down?—In 1852 not in 1857.

3587. Then the choice fell on Mr. Kinglake?—Yes; and then there was a telegram, and I fancy he came down the same year, and the canvass began and went on, and the result was the return of Mr. Kinglake and Colonel Tynte.

3588. You have not the poll sheet, and cannot tell us the numbers?—No.

3589. (*Mr. Anstey.*) Who were the candidates?—Mr. Follett and Mr. Tynte.

3590. But who opposed Tynte and Kinglake?—Mr. Follett.

3591. (*Mr. Price.*) Mr. Follett was the sitting member, and was turned out?—Yes.

3592. Kinglake was returned?—Yes.

3593. (*Mr. Anstey.*) Nobody stood with Mr. Follett?—No.

3594. (*Mr. Price.*) Was there any money going at that election?—No, to my knowledge I never saw a penny.

3595. Nor heard of a penny spent on either side?—Nor heard of a penny spent on either side. I remember a circumstance that occurred at that election. There was a man named John Squires at the Market House, walking up and down in front. Mr. Follett had gone at 11 o'clock, because he was entirely gone, and he left at that time. The result of it was that this man was walking up and down, and we had done all we possibly could to persuade him to go to the poll, and he said he would not. There was plenty of time, and by-and-by there would be some money, was his answer. And some man at the Market House who saw that we had a good deal of trouble with this man, pretended to be drunk, and rolled down the steps, and he said to him "Have not "you polled yet?"—"No." And he said "If you "do not make haste the books will be closed," and he went up and polled, and that is the only time I have known that man to have polled without money.

3596. How much was spent in treating?—400*l.* or 500*l.* on our side.

3597. How much on the other?—I do not expect so much then. I fancy Mr. Follett was a little bit disgusted with the place.

3598. He had spent a good deal of money in it, I suppose?—Yes, it was reported so.

3599. He held his hand and did not spend anything?—Yes. I suppose so.

3600. But there was a great deal of treating on your side?—Yes.

3601. At your house as well as at others?—Yes.

3602. How much was your bill?—About the same as I told you the others, about 40*l.*

3603. Who paid you?—Mr. Foster.

3604. Who found the money at that time, Mr. Kinglake?—The same as I told you before; I believe both of them. That is the way I always put it. Nobody could induce me to believe other than this,—if two candidates stood, they divided the cost between them.

3605. (*Mr. Price.*) Provided they were equally rich?—Then there was his sister.

3606. (*Mr. Coleridge.*) Was there any report about his sister finding money at that time?—I believe his father was alive at that time, and I believe the old gentleman came into the town. There was plenty of money then.

3607. (*Mr. Price.*) Is that all you know about the election of 1857?—Yes.

3608. There was treating on your side?—Yes.

3609. But you know of no money passing?—No.

3610. (*Mr. Anstey.*) I have now again to ask you about Mr. Heal. You say you were a friend of Mr. Foster?—No, I was not a friend.

3611. He used to visit your house with his uncle, Faun, a tailor, and it was he who induced you to enter on the career of bribe master. Now in the election of 1857, when he had not your valuable assistance in that employment, and was doing it himself, he is said to have had an assistant of the name of William Heal to whom he or some other agent had promised some stated sum of 30*l.* or 40*l.* in consideration of his voting for two liberals; that that man was unpaid in 1865, that his claim to be paid was recognized by Mr. Benjamin Lovibond in 1865 and by other lawyers then and now living, Mr. Lovibond being dead now, but their statement was that in point of fact the money had been paid though it never reached his hand, having been intercepted by your acquaintance and colleague Foster. Now, considering that all these facts had been before the public since 1857, that they were made the subject of judicial inquiry in 1865, and made the subject of allusion by me the other day while you have been here, it is not too much to ask you whether you cannot, between this and your next appearance, throw some light on that circumstance?—I do not know anything about it.

3612. In other words you do not mean to inquire?—I will inquire about it.

3613. Did you never hear of it before?—I have heard of the inquiry.

3614. (*Mr. Price.*) Apart from this inquiry have you never heard as a thing well known in the town?—There is no doubt of it.

3615. You have heard of that story being talked of?—There is no doubt of its being talked of, I do not say it has not.

3616. (*Mr. Coleridge.*) You have heard it yourself?—I say there is no doubt about it.

3617. (*Mr. Price.*) And the truth of the story is not believed?—No.

3618. Which part of it?—That Foster stuck to the money.

3619. But that he was promised?—I do not know.

3620. (*Mr. Anstey.*) Have you any doubt that he was promised some for his vote in 1867?—I have no doubt either way.

3621. You have no impression?—No.

3622. No belief either way?—No; but I do not see, if there was no money going to anybody else, and there was a large majority at that election, why they wanted to promise one man 40*l.*

3623. (*Mr. Coleridge.*) Before you began your active trade as a briber, you had probably heard about bribery going on before?—Yes I heard of it in the 1852 election.

3624. You knew it was a regular system at Bridgwater that somebody should bribe somebody?—To be sure it was.

3625. And even before 1852 you heard of it?—Yes.

3626. When you were a boy?—Yes.

3627. When you commenced having a public-house of your own and had a family, did you then think there was any danger in entering on this career?—I always thought there was danger attached to it.

3628. From the very beginning?—Yes.

3629. Then taking that into account, did you enter into it from pure love of politics, and no reward of any kind?—It was so.

3630. And did not Foster offer you anything for doing the work and the danger?—Nothing of any kind.

3631. And no one in the meantime remunerated you for putting yourself in this exceedingly dangerous position?—I say I defy any man——

3632. I do not say you took it, but was it offered to you?—No person offered me the value of that book.

3633. All the bribery, as far as you know, on the Liberal side has been done in this borough gratis?—Yes, as far as I know.

3634. And no established system of the person who handles the money keeping back a percentage for his own use?—No.

3635. The Conservatives the same way?—I cannot answer for it.

3636. But as far as the Liberals are concerned all the bribery was done by unpaid agents?—That is my impression. I will not answer for anybody but myself.

3637. As far as you are personally concerned, you not only never received but you were never offered anything?—Never.

3638. Were you before you began to bribe offered anything for your vote?—Yes, I was.

3639. When?—In 1852.

3640. Now we come to 1852. Had you taken your inn in 1852?—Yes.

3641. When did you take the "Anchor"?—In 1852. I think some seven or eight weeks before the election.

3642. (*Mr. Coleridge.*) I have omitted one question about 1857. Was there any sort of report during the election of 1857, that any money had been going on the Conservative side?—No.

3643. No suggestion of any such thing?—No.

3644. And as far as you know, and from what you have heard since—you have gone so much among people who were bribed in 1859, and subsequently—have you ever heard it from them of money paid to people in 1857?—Neither side.

3645. Then as far as you know, with the exception of treating, there were no corrupt practices at that election?—No.

3646. (*Mr. Price.*) Was any intimation held out to the people at all if Mr. Follett had chosen to open his purse strings there would be money on your side?—I never heard of it.

3647. No understanding such as you said afterwards that it would be all right?—No.

3648. Who had done the bribery in 1852?—I do not know; I fancy it was William Heal took an active part on the Liberal side.

3649. Whom do you suppose took an active part on the Conservative side in 1852? You were offered money on the Conservative side, were you not, in 1852?—I cannot say. I cannot charge my memory. I was not offered money, I was offered money's worth.

3650. Did those people who had been bribing in 1852 try to stir up something in 1857?—It was not a bit of good.

3651. There was no money to be got?—No.

3652. (*Mr. Price.*) They were all too poor, the candidates?—I do not know. I never saw money going about.

3653. At that time Mr. Kinglake was a barrister?—I think not. I think he had retired.

3654. Then your account of the matter is that Mr. Follett got disgusted with the borough, and I suppose that he had distinctly told his friends that he would spend no money, and this had got about the borough again; therefore there was nothing of the sort on your side?—No.

3655. But to keep them sweet the treating went on?—Yes.

3656. You became a householder in 1852?—Yes.

3657. And gave up the sea for life?—Yes.

3658. The candidates were Lord Henley, Mr. Kinglake, and Mr. Tynte on the Liberal side?—Yes.

5659. And Mr. Follett and Mr. Mansell on the Conservative side?—Yes.

3660. Was that the hard fought contest?—It was rather a left-handed one, having three Liberals.

3661. Lord Henley came down to stand on pure principles?—No, Lord Henley and Mr. Tynte ran together. Mr. Kinglake was single-handed.

3662. Did not Lord Henley come down intending to get elected on pure principles?—So far as I recollect of the circumstance he came down to run with Charles Tynte.

3663. Was not it understood generally that Lord Henley intended to fight the borough on pure principles?—I never heard of it, he may have done it, but I never heard of it.

3664. Then he and Colonel Tynte ran together, and Mr. Kinglake stood on an independent line of his own?—He did.

3665. Was that the first time he appeared in the borough?—Yes, Mr. Kinglake.

3666. Who was his managing man?—Mr. Bate.

3667. Had Mr. Bate taken an active part in the election before that time?—It is out of my recollection.

3668. You say you attached yourself to Mr. Kinglake and voted for him?—Yes.

3669. (*Mr. Price.*) Who acted for Mr. Tynte and Lord Henley?—I think Mr. Benjamin Lovibond. I do not know the others.

3670. Who acted for Mr. Mansell and Mr. Follett?—I think the present lawyers. I rather fancy Mr. Gabriel Poole took an active part at that election.

3671. Has Mr. Barham been an active man in all these elections?—Not over active until the last two or three years. He has not been here very many years.

3672. He has taken a very active part the last two or three years?—He has.

3673. Then going back to 1852 the contest resulted in the return of Colonel Tynte and Mr. Follett?—Yes.

3674. One and one?—Yes.

3675. (*Mr. Price.*) You mean the Trevors and others represented Mr. Mansell?—Yes, the Trevors I think were connected, and Mr. Smith.

3676. And Mr. Gabriel Poole?—I am not certain about him, but I believe he took the part of Mr. Mansell. That is my impression, but I may not be right. I am not certain about that matter.

FOURTH DAY.

Mr. H. C. Bussell.

26 Aug. 1869.

3677. Was Mr. Mansell a gentleman connected with this part of the world?—Yes; and I believe a client of Mr. Poole's, and there was some connexion between them.

3678. Mr. Follett was a stranger?—Yes.

3679. Never been here before?—No; he had a brother-in-law connected with this large iron foundry. I do not know that he had anything to do with it.

3680. That would be the mode of his introduction to the borough?—Yes.

3681. The return, you say, resulted in one and one?—It did.

3682. Was there a good deal of money spent?—There was a report so.

3683. How much, did you hear?—All I know about that election was I did not take any part in it. I polled early in the morning.

3684. But you could tell us what was the genoral idea of the expense?—There was a general report that both had spent 3,000*l.* or 4,000*l.*

3685. Each side?—No; between them. That was the report, whether it was true or not I do not know. I did not take much of a part in it.

3686. You were not one of the initiated then?—The fact is this, before we went to the poll we knew we were nowhere. I went and plumped for Mr. Kinglake.

3687. Mr. Kinglake, then, did not spend any money?—Not a penny, to my knowledge.

3688. Therefore he was beaten?—He was.

3689. Was there treating at that election?—None. There was no chance of his getting in on account of three standing, and we polled a large number of plumpers for Mr. Kinglake.

3690. (*Mr. Anstey.*) Why was there no treating?—I say as far as I know, on the part of Mr. Kinglake, there was no treating. There was none in my house.

3691. (*Mr. Price.*) But was there treating, though not on the part of Mr. Kinglake, and bribing going on in the borough?—Yes.

3692. As much as ever?—Yes.

3693. (*Mr. Anstey.*) How much at your house?—Not a penny.

3694. (*Mr. Price.*) You were a Kinglake man?—I was a Kinglake man.

3695. You stood aloof from the Liberal party?—I did.

3696. And those who were with Mr. Kinglake?—Well, I do not know that. There was a large number of plumpers, the same as I was, but both parties wanted to get my second vote, and I would not part with it. I was told by Foster and some one on the part of the Conservative party, that if I would only give my second vote I might draw what drink I liked, but I refused to do it.

3697. In your house to treat other people?—Yes.

3698. To any extent you liked?—Yes.

3699. That you refused to do?—Yes; I had made my mind up, and they thought they would get the second vote out of me, but I would not be bought.

3700. Besides that did they offer you any money?—Not a penny. It would have been no good.

3701. Did they intimate to you that if that would not satisfy you, letting you give any amount of drink away, did they offer you anything like money as well?—No; because if they had, and if it had been in the house, I should have kicked them out.

3702. (*Mr. Coleridge.*) You seem to draw a strong distinction between giving and taking money?—I do.

3703. Which is the worst?—As I said yesterday, the briber gets the worst blow, he has got to bear the brunt of it, and if it were not for the gentlemen bringing the money we should not be placed in the position I am now here in.

3704. And if you did not give it to the poor men they would not be in the position to have to come here also. They received the money from you?—If I did not do it some one else would, and it would be no good to give money to a bribee, because if they did, he would run away with the lot, or there would be the chance of his doing it.

3705. (*Mr. Price.*) Is that all you have to tell us about 1852?—Yes.

3706. The offer made to yourself?—Yes.

3707. The fact that there was treating going on as much as ever?—As much as I have seen since.

3708. And a report that 3,000*l.* or 4,000*l.* had been expended by the Conservatives?—Yes.

3709. What was the offer on their side?—The same as the other.

3710. But not any money?—No.

3711. Who made the offer?—I do not know.

3712. Did you see the treating going on?—I saw a number of people in the town.

3713. Did you see people drink without paying?—Yes, all over the town.

3714. (*Mr. Anstey.*) Was the "Clarence" one place?—The "Clarence" has been always a noted house in the Conservative interest, and the houses have been generally the majority of them on the Conservative side.

3715. Was there any bottling of them at the "Clarence"?—I believe they polled their voters from the "Clarence," and made a committee room of it.

3716. Were there organised treating places?—Yes.

3717. And the "Clarence" was one?—Yes.

3718. And what was the other treating house, the "Globe"?—No; I think the "Globe" was a Conservative house.

3719. Which was the principal house at that time?—"The Bristol Arms," I think at that time; I would not be certain, and I do not know whether the "Golden Ball" was at that time.

3720. When you speak of open treating and beer brought out into the street ——?—They do not bring it into the streets.

3721. What did you say just now about everything was open in the street, was that bribery?—Yes, bribing.

3722. Was there much drunkenness public and open when the treating was organized?—A good bit.

3723. At these treating houses?—There is always at electioneering houses.

3724. Have you ever been in peril about your house, or has a single publican, from the "Clarence" downwards, been put in peril, from the time you know that these disgraceful scenes took place down to the present time. Have you known anybody put in peril of his licence in respect of his share in these transactions?—No.

3725. (*Mr. Coleridge.*) You say you knew about bribery going on here at the time you were a boy?—No, I do not say so, I have heard of it.

3726. Had your father a vote?—Yes, he had a vote when I was a boy; he has voted now for 40 years.

3727. When did he last vote?—I think he voted lately, at the last election.

3728. What was the next election before 1852?—I cannot tell what election he voted at before 1852; he was a jailer in 1847.

3729. Do you recollect 1847, when Mr. Broadwood, Mr. Tynte, and Mr. Gazelee were the candidates?—No, I do not; I have heard of it.

3730. (*Mr. Price.*) Give us some idea of some one who can give some information about the election of 1852?—I cannot, more than those parties.

3731. Who was it that filled, in 1852, the sort of position that you took up in 1857?—I was almost a stranger here at that time, although born here.

3732. But who was the financial man there?—I say Mr. Foster, on our side.

3733. Principally Mr. Foster?—Yes, I believe so.

3734. Nobody else now alive?—No; Faun and he did the principal part.

3735. (*Mr. Coleridge.*) Had your father anything

to do with this sort of thing at elections you know of?—Yes.

3736. Which side?—Liberals.

3737. Is he alive?—Yes.

3738. He may be able to tell us something?—Very likely.

3739. (*Mr. Anstey.*) In 1852 had your father any part in it?—No.

3740. On what occasion, then?—He was jailer, I think, in 1837.

3741. Was it before he was jailer he had anything to do with it or afterwards?—Yes, he had to do with elections before that.

3742. In 1837 and 1835 had he anything to do with those when Mr. Broadwood was candidate?—I will not answer.

3743. (*Mr. Anstey.*) Mr. Sheridan was candidate?—Very likely.

3744. Do you recollect an election that was made memorable by this circumstance, that Sir Thomas Letheby was induced to come down here to contest the borough with Mr. Broadwood, the piano manufacturer, by a requisition signed by a majority of electors of the borough, who, as the result bore out, only wanted a contest. He came down and was defeated by a majority, who were represented by those who signed the request to him to stand?—I do not recollect the election, but I fancy that is not the statement of the case from what I have heard of it.

3745. You cannot give me the year, and I am trying to give you the fact; what year was the election in which your father was engaged?—No election since 1836.

3746. Was he one of the requisitionists to Sir Thomas Lethbridge on that occasion?—I do not know.

3747. (*Mr. Coleridge.*) Do you know the election in 1835, when Charles Tynte and John Temple Leader were candidates?—I recollect the circumstance.

3748. Do you recollect, subsequent to that, two years afterwards, a contest between Leader and Broadwood, when a very large sum of money was spent?—I do not.

3749. (*Mr. Anstey.*) Is your father a jailer now?—No.

3750. What is he?—He is bailiff to the County Court.

3751. Why, I thought your brother was bailiff to the County Court?—So is he, my brother is under him.

3752. Which of them was it advised a voter that he could not recover a sum of money that had been claimed for bribing, your brother or your father that went to London?—My brother.

3753. Then one is bailiff and the other is under-bailiff, I suppose?—Yes.

3754. Before that, your father was jailer?—Yes.

3755. And before that was publican?—Some years ago.

3756. The same house as yours?—No.

3757. What was the name of his house?—"The "Duke of Wellington" I think it was called then.

3758. It is still a Liberal house?—Yes.

3759. Can you find out the elections at which you have seen your father?—He is here at present.

Mr. James Bussell sworn.

Mr. J. Bussell.

3760. (*Mr. Price.*) You are County Court bailiff?—I am.

3761. And were jailer here?—I was.

3762. When were you a jailer?—I went into the jail in 1836?—

3763. How long did you remain there?—26 years.

3764. What did you know about elections prior to 1836, did you take an active part?—I know nothing of elections since that period.

3765. But previous to your becoming jailer, had you taken an active part in the elections of the town?—Well, I had taken a very active part.

3766. That would be the election of 1835, would not it?—I had nothing to do with it.

3767. (*Mr. Anstey.*) On which side were you?—Since I left the jail?

3768. No, before going to the jail?—I believe I took part in elections from a very early day in my life.

3769. On which side?—On the Liberal side.

3770. (*Mr. Price.*) Did you begin as far back as 1812?—No.

3771. 1818?—No, I do not know on what occasion; I was quite a youngster.

3772. In 1820, Mr. Astell and Mr. Tynte?—I think Dodridge and Perkins.

3773. Astell and Tynte in 1820?—No; but in 1820 we formed ourselves into a committee to return Colonel Tynte. Bribery had been going on to some extent, and we endeavoured that it should be put down, and subscriptions were entered into in Bridgwater to get hold of Colonel Tynte to be returned free, and Colonel Tynte was returned and all expenses paid.

3774. He continued to be member for Bridgwater for many years?—Yes.

3775. Down to 1835?—No, there was an opposition before that.

3776. (*Mr. Anstey.*) He afterwards became member for the county, did not he?—I cannot say exactly.

3777. He was the father of the present Colonel Tynte?—Yes, the Honourable Colonel Tynte.

3778. Have you ever known an election conducted on purity principles on both sides?—I have just told you. I have no doubt of it except what was legitimate, and that was after the election, or during the election the voters joined, and had a treat together.

3779. What year was that?—From the time that Colonel Tynte came until the first opposition came against him.

3780. (*Mr. Price.*) What year?—I will not exactly say.

3781. (*Mr. Anstey.*) Is this 1820 or 1826?—When he was returned.

3782. But at the first contest against Colonel Tynte the elder, was the election conducted on purity principles?—Yes, there is no question about it. I think Sir Colin Campbell's expenses were when he came here, and the late Bishop of Bath and Wells with him; the whole of his expenses in Bridgwater were not 200*l.*

3783. What year was that?—That I cannot tell you.

3784. (*Mr. Coleridge.*) Are you not speaking of the county?—No, I am just informed 1826, which I believe to be correct.

3785. (*Mr. Anstey.*) William Astell and Colonel Tynte were returned in 1826?—I know that, but Sir Colin Campbell was a candidate, and his expenses did not exceed 200*l.*

3786. Do you recollect the first time there was a contest between Mr. Broadwood and John Temple Leader?—Yes, I do.

3787. That was in 1835, was not it?—I do not know.

3788. Was not there an immense quantity of money spent on that occasion?—A great deal.

3789. Then in 1837 was not there a contest between Broadwood and Leader?—No.

3790. Do you recollect the contest between Leader and Broadwood, in which they talked about the pianofortes and Leader sent the pianoforte fifties?—Certainly.

3791. When was that?—I cannot tell.

3792. 1835?—If I had some of the papers which you have to supply the dates I could tell.

3793. Do you recollect that fact, that between Friday and Monday, the election taking place on the Monday,

FOURTH DAY.

Mr. J. Bussell.

26 Aug. 1869.

Mr. Leader came here and spent 12,000*l.* in the course of three days?—I will not say how much was brought, but I know he was sickened of it, and went to Westminster where it cost him three times as much.

3794. Do you know that he spent large sums in bribery?—Yes, I do.

3795. Can you tell me the people who acted for him?—I did.

3796. What did you give a vote?—Different sums.

3797. What was the largest?—Well, I think 40*l.* or 50*l.*

3798. How many people did you bribe?—I cannot say.

3799. 50?—No.

3800. 30?—I influenced more than that.

3801. But gave money to?—I should say 30.

3802. How much money did you give, 3,000*l.*?—You ask me after all these years.

3803. Did you give a couple of thousand?—Yes, I should think I did give that.

3804. Is that the first time you did in bribery business?—No.

3805. When was it first?—Mr. Tayleur's.

3806. That was 1832?—Yes.

3807. Who for?—Mr. Tayleur.

3808. About what sums did you distribute?—Nearly as much.

3809. And in the same large quantities of 50*l.* and 40*l.*?—I had nothing to do with that. I will not venture to state what took place on the opposite side.

3810. But did you spend the sum of money from Mr. Tayleur in sums of 40*l.* or 50*l.*, or smaller sums?—I think it was less.

3811. Was 1832 the first time you gave money in bribery?—It was.

3812. (*Mr. Coleridge.*) We have the contest in which Leader spent such a lot of money, but in spite of that Mr. Broadwood beat him, did not he?—No, he did not, Leader was returned, and Colonel Tynte.

3813. Was there a large sum of money according to what you heard and believed at the time spent on behalf of the Conservative Mr. Broadwood?—I really think it is not a fair question for me to answer what occurred on the other side, for I was actively engaged for my own to win.

3814. When was the last time you were actively engaged in giving money?—I had very little to do with giving money after Leader's elections.

3815. The next two were Mr. Broadwood and Mr. Courtenay?—Yes.

3816. Anything then?—There is no question that I did.

3817. That was 1837?—I know nothing about that. I told you I went into the jail in 1836, and then I refused to take an active part in politics.

3818. Did you have nothing to do with distributing money after you went to the jail in 1836?—Nothing.

3819. (*Mr. Anstey.*) Not down to the present time? No, I have only voted twice since I left. I am now superannuated. I voted for Westropp the first time and for Westropp the last time.

3820. I thought you said you were on the Liberal side?—On the Liberal side, Westropp.

3821. I thought you said you were on the Liberal side?—Well, so I was, but my opinions are much changed since that. John Bright, and two or three others like him——

3822. (*Mr. Coleridge.*) As far as you can recollect you only distributed money at three elections?—I do not think any more than two.

3823. You have told us of three?—I have not, sir.

3824. Tayleur's election, Leader's election, and then you say you have no doubt you have done it again in Broadwood and Courtenay's election?—That I would not be certain.

3825. You said so?—But I have since contradicted that, because I was in the jail.

3826. Those elections by your showing were very impure?—Yes.

3827. (*Mr. Anstey.*) When did you first change your politics and vote for Westropp?—After I had left the jail and went to live by the river.

3828. Why did you leave the jail?—I was superannuated.

3829. When you were appointed bailiff?—No, I have been bailiff 23 years.

3830. While you were gaoler?—Yes, and high constable of the borough.

3831. What induced you to join Mr. Westropp, having been down to that time engaged as bribery agent, or political agent, or election agent, on the part of his opponents?—It is almost an insulting question, because I was not bribed to do so.

3832. I want to know distinctly, yes or no, did you receive any gratification directly or indirectly for your change of vote?—None whatever, except an act of friendship to me by Mr. Smith, who have been intimate friends for years.

3833. What was that act of friendship?—I got into a little difficulty, not of my own seeking, and he, as a friend, advanced me some money on my property.

3834. How much money?—I think 500*l.* now.

3835. When?—Two or three years before Mr. Westropp came here and stood.

3836. Then the next election to that advance of money was Mr. Westropp's election, was it; the next election after the money was advanced?—Yes, I think so; it was two or three years prior to that.

3837. What was Mr. Westropp's first year of coming forward?—1859.

3838. On that occasion did you vote for him?—I did.

3839. Why?—From friendship.

3840. Did you from that cause vote for him?—I did.

3841. Was the advance of money made to you by Mr. Smith before or after 1859?—Two or three years before.

3842. After the election of 1857?—I do not know.

3843. Was it before or after the election of 1857 that the money was advanced to you?—I cannot say.

3844. Was not it in 1865 that you first voted for Mr. Westropp, and not 1859?—I did not vote for Mr. Westropp in 1865, did I.

3845. (*Mr. Price.*) How many times have you?—Twice.

3846. (*Mr. Anstey.*) At all events you voted for him the first time two years after you received this advance from Mr. Smith; what Smith was it?—Mr. Smith the solicitor, my neighbour.

3847. Is that the Mr. Smith against whom two penalties of 500*l.* each were recovered for bribery in 1838 at Taunton assizes?—It is the same person.

3848. That, therefore, was your reason for changing your votes and not what you first stated, your dislike to John Bright?—It is so and it is not so. It is partially on both sides, for I am as complete a Liberal now as ever.

3849. (*Mr. Coleridge.*) Is your name Robert?—No, James.

3850. (*Mr. Price.*) Who acted as briber on the part of the Liberal party after you went to the jail?—I do not know. I never mixed myself up with the elections. It was my duty to attend the returning officer at the hustings.

3851. You cannot tell us anybody who took that part?—I do not know how the elections were carried on, agents or messengers on either side.

3852. (*Mr. Anstey.*) You remember the death of William the Fourth?—Certainly.

3853. I am giving it to you as the date. Do you recollect some months before the death of William the Fourth Mr. Broadwood declining to defend his return for this borough in the face of a petition presented against his return by Mr. Sheridan charging Mr. Broadwood with personal bribing, and Mr. Broadwood thereupon writing a letter to the

speaker saying it was not his intention to defend his return?—I do not.

3854. Do you recollect then the general election that took place immediately after the death of William the Fourth in the autumn of 1837?—Of course I remember it, but then I had nothing to do with it.

3855. You took no part in it?—I took no part in it.

3856. You saw what was passing in town. Were the public-houses open in that year during that election on either side or both sides for treating?—I must have seen it.

3857. Have you any doubt of the fact?—I think it is very likely, for it is always the case.

3858. I will give you the candidates: Mr. Sheridan Sir Thomas Lethbridge, Mr. Broadwood, and Mr. Courtenay—those are the names that occur to me?—There is no question but that there were open houses.

3859. Do you recollect whether there was bribery or treating at that election?—No, as I told you before, I was then in the jail, and paid no attention to the proceedings outside the walls.

3860. The next election to that, when Lord John Russell, being defeated in the House of Commons upon a vote of want of confidence, an appeal was made to the country on the Corn Law question in 1841, when Sir Robert Peel came into power. Do you recollect that?—I do not. There is no question but I know nothing of it.

HENRY CHAPMAN BUSSELL re-called.

Mr. H. C. Bussell.

3861. (*Mr. Anstey.*) You know nothing of the elections I have been asking your father about?—No.

3862. (*Mr. Price.*) You can ascertain it, and give us some information as to the persons who took an active part on the Liberal side after your father took possession of the jail, and down to the time you and Mr. Foster and some other gentlemen took an active part?—I will try and get it if I can, but it would be information that would be rather scarce. My father's memory is not over good now.

3863. (*Mr. Anstey.*) What I have said will give you a general idea of the line the elections run in?—You are entirely mistaken as to dates as far as I am concerned. My father had not a vote when Mr. Westropp came here first, and could not vote for anyone; in 1865 he had a vote, and voted for Mr. Westropp.

3864. How many years before that had he been advanced the 500*l.* by Mr. Smith?—Eight or ten years before.

Bussell senior: He got three times the value in the property for it.

3865. (*Mr. Price.*) It is mortgaged?—Yes, that is what it is, a common mortgage of 25 or 26 houses.

3866. Does he hold that mortgage?—At the present moment.

3867. Do you pay interest?—I pay him 25*l.* a year for it.

(*Mr. Price.*) We adjourn now. Look through the list, and if anything occurs to you let us know to-morrow.

Adjourned to to-morrow at 11 o'clock.

FIFTH DAY.

27th August 1869.

PRESENT:

EDWIN PLUMER PRICE, ESQ., Q.C.
THOMAS CHISHOLM ANSTEY, ESQ., and
CHARLES EDWARD COLERIDGE, ESQ.
DE TRACY GOULD, ESQ., Acting Secretary.

MR. GEORGE BRYANT SULLY recalled.

3868. (*Mr. Anstey.*) I have gone though the chief documents which you offered to us, and the result I need not state, but the Commissioners will be obliged if you will complete the search which you have made in this way,—I understand that this bundle of documents you found among Mr. Benjamin Lovibond's papers?—I did.

3869. It is an alphabetical list?—Yes.

3870. I cannot find any general reference to the matters connected with the election, or any reference showing that all the papers connected with the election are in those particular boxes, which makes me think I may be mistaken, that there is a separate schedule or list of papers of that kind. The second matter is that you will find under the head of "Tynte Money Account," particular years. Of course we shall not make use of any money accounts that do not bear on the elections, but shall be obliged by your looking over those money accounts, if there are any, which are not included in those large bundles of papers which you have already furnished to us. The third is, we should like to have Mr. Benjamin Lovibond's letter books as far back as you can supply them down to the time of his decease. Of course we shall go through them, and shall not use any letters that do not refer to the matters in question before us. Perhaps it will be convenient that you should take the schedule book, and we shall be much obliged, if you can find the papers, by your laying them before us as early as possible?—I shall do all that is in my power in the direction which you have indicated, but personally it would be more agreeable to me to place the schedule and boxes in the hands of some one in the court whom you may depute. I am not a lawyer, and have very little knowledge of professional papers, and it is possible that I may overlook or misunderstand things which a person who understands this kind of work would not do. I am willing to place the whole of the papers which are in my possession at the disposal of the Commissioners, but I hope they will adopt that suggestion, and allow me to hand them over to some competent person who will understand them far better than I can do. The bulk of these boxes have not been opened. I have only opened two in

FIFTH DAY.

Mr. G. B. Sully.

27 Aug. 1869.

which election matters were apparently referred to on the face of the schedule, and I should like a competent person to search and examine the rest.

3871. You will not suppose that I mean for a moment to question your readiness to give us all the information you can?—There would be nearly a cart-load of boxes I think; that is the difficulty.

3872. (*Mr. Price.*) Are they at your office?—They are at my office on the eastern quay.

3873. (*Mr. Coleridge.*) Do you imagine that each box contains a schedule of what is in it?—I do not know.

3874. How did you find that one?—I found this in a box, and among some papers more immediately connected with the matters which I have to deal with as executor. Before Mr. Lovibond's death he was ill some few years, and his managing clerk in anticipation of his death had arranged his papers to some extent, but unfortunately he died before the master, and when the papers came into my possession there was a box of papers, among which was this bundle.

3875. Was there anybody else assisting?—Yes, Frederick Charles Foster, the son of the Foster you heard of yesterday.

3876. Was he the managing clerk who died?—No; that was Robert Fletcher, the son of the one you heard of yesterday when junior clerk at Mr. Lovibond's, assisted in the arrangement of these papers. This schedule is in his writing.

3877. Probably he could give you some information, and save a deal of trouble about these papers?—I may say that on Wednesday morning I sent for Frederick Foster, and it was with his assistance that I found those papers which I tendered here.

(*Mr. Price.*) If Frederick Foster can give us some information, probably the best thing would be that our secretary should name a time, and take Frederick Foster with him to your office, and go through the thing with him. We shall rise early to-morrow, and we will give our secretary an opportunity of doing that.

3878. (*Mr. Anstey.*) You mentioned a name just now that struck me, what is the name of Fletcher the clerk?—Robert Fletcher.

3879. Has he left any representative?—A wife and child.

Mr. H. C. Bussell.

HENRY CHAPMAN BUSSELL recalled.

3880. (*Mr. Coleridge.*) Have you been able to make out those things which we wanted?—No; the fact of your having given me too hard a day's work yesterday, and I felt very unwell. There are 1,800 names to go through, and it would take some time if I was all right in the head, but you gave me two days severe work. Any evidence I can give you during the enquiry I will, because matters are sure to turn up.

3881. (*Mr. Anstey.*) Was 1865 one of the years?—It was the lists you gave me to go through. You gave me three lists to show any person who voted for one candidate at one election, and for the other at another.

3882. I have a printed list showing how the voters voted in 1865 at Mr. Walter Bagehot's election; would that be of any use to you?—That would be in 1866.

3883. I mean 1865, showing how the electors stood?—That is the one I have, only it requires considerable time to go through it.

3884. (*Mr. Price.*) Then if you take till Monday, will that do?—Yes; there are sure to be during this inquiry many questions turn up, and you may want to ask me for some explanations about them.

3885. I think it is due to you that I should express my opinion that so far as we understand the thing at present, you have given us a very frank declaration of all you know?—There is no doubt there are many questions now that will turn up, but from the large number of questions I have answered it is impossible for me to recollect.

(*Mr. Coleridge.*) As far as you have been examined you seem to have told us very truthfully what you know.

3886. (*Mr. Anstey.*) Of course it is quite possible that we may receive other evidence before the Commission closes, but as far as I see now, though I say nothing upon the morality of your opinions, I must say that you have shown great frankness and readiness in giving what the Commission required?—I have endeavoured to speak the truth as far as I was required.

(*Mr. Coleridge.*) And I believe the general impression is that you have done so.

Mr. A. Allan.

ANDREW ALLAN sworn.

3887. (*Mr. Price.*) What are you?—A glass and china dealer. I have been in the Scotch trade myself.

3888. Are you a native of Bridgwater?—No; I have been in Bridgwater these 21 years.

3889. (*Mr. Coleridge.*) Where did you come from?—Ayrshire, in Scotland.

3890. (*Mr. Price.*) Have you been in business all that time on your own account?—No; 17 years on my own account.

3891. What were you before you were in business on your own account?—In the same trade.

3892. In whose employment?—William Glencross, of this place.

3893. Is he alive?—No.

3894. Did you succeed to his business?—A part of it.

3895. For 17 years you have been in business on your own account?—About that time.

3896. You are a voter, of course, for Bridgwater?—I have been a burgess voter for 13 years.

3897. That is a voter for the borough members?—Yes.

3898. When did you first begin to take part in the election for members here?—In the election for Mr. Bagehot in 1866. I voted for Kinglake and Tynte in the previous election.

3899. (*Mr. Coleridge.*) Kinglake and Shelley, was it not, at the previous election?—I voted for Kinglake and Tynte, and Kinglake and Shelley as well. I first voted for Kinglake and Tynte.

3900. (*Mr. Price.*) At the last election in 1868, what were you employed upon in that election?—Finance agent, I suppose. I dealt with money matters. I supplied the men who paid the voters with the money which they paid.

3901. You supplied the men who were to bribe the voters?—I did not at the last election. At the last election I paid the voters myself.

3902. Confine yourself to the last election. In 1868 what part did you take in election matters?—I paid or bribed the voters on my own account. I had no agent under me at all.

3903. (*Mr. Price.*) At the last election of 1868 you yourself bribed the voters?—I did.

3904. You paid no money to others?—Not any agent connected with the election had any money from me. I paid them myself.

3905. (*Mr. Coleridge.*) Nobody like Mr. Bussell was under you?—Not at the last election.

3906. (*Mr. Price.*) Was that the first time you acted directly in paying the money?—With the exception of two or three voters at the time of each election.

3907. Had you been canvassing and taking an active part?—I never canvassed in my life. I did not believe in canvassing.

3908. Did you attend the "Globe," Mr. Vanderbyl's head quarters?—I have been there perhaps twice during the canvassing.

3909. Had you been to Mr. Kinglake's head quarters?—Mr. Kinglake rented rooms at my place.

3910. For Committee purposes?—All the candidates. Mr. Bagehot in his time, and so on. My place has been the residence of the Liberal candidates for years.

3911. (*Mr. Coleridge.*) Do you mean that Mr. Kinglake slept there?—Yes, and boarded there; and Mr. Bagehot.

3912. What is this about his going to the "Railway Hotel?"—There were some votes there, and his servant stayed there, and that was the interest on which he went.

3913. (*Mr. Price.*) Some votes there, do you say?—Yes; and he slept not more than two nights there. The train passing the hotel disturbed his repose, and he came back to our place again, but he never gave up the suite of rooms at my place all the time. He simply slept at the hotel twice.

3914. I thought you dropped something about there being some votes there. What do you mean?—Well, it is a widow lady who keeps the hotel, and her son manages it; and for many years there was no vote; and I think some five or six years ago her son got on the register, and perhaps it was with a view to his interest. I only surmise it. I have no proof of it.

3915. He slept there?—Yes.

3916. And used the hotel?—Used the hotel.

3917. With a view to secure the vote of the house?—Yes; that is my opinion. I have no proof of it.

3918. (*Mr. Anstey.*) Was there a vote for the house?—The son had a vote, living in the house, and managing for his mother. I do not know whether he held it for the hotel.

3919. (*Mr. Price.*) The son who managed the hotel had a vote, and Mr. Kinglake slept there some time himself, and his servants were there during the time he was here?—Yes; he slept there twice, I think.

3920. His head quarters were at your house. He lived in your house. Was it also used as a place where his partizans could come?—At any time, he had a private room.

3921. And in point of fact did anybody come to him who wanted to see him on practical matters?—Yes, anyone who wanted to see him.

3922. Was any regular committee formed there who used to meet periodically?—Not at my house.

3923. Was there anywhere?—I know of no committee rooms in the town at all.

3924. Whatever was done, was done in the way that you have mentioned; people coming to see him at your house, and you yourself being in constant communication with him?—No; I scarcely spoke to him all the time he was there.

3925. Did not you see him at all?—I saw him going up and down stairs.

3926. Not to talk to him about the prospects of the election?—I did not speak to him more than twice at the last election.

3927. Did you purposely abstain from speaking to him?—No, I did not.

3928. You never talked over with him the chance of success?—No, never in my life, or any other member we had.

3929. When did you commence active operations in the way of money?—About 11 o'clock at the "Globe Hotel" on the morning of the poll. Up to that time I saw nothing but inactivity as far as election matters were concerned.

3930. Voters were hanging back?—Well, it was different from any other election we had, inasmuch as we had five polling booths instead of two. The two were in front of my window, and you could see them from the windows of the room which Mr. Kinglake occupied. These five were scattered about the town, which took people to different booths, and therefore the two opposite my house were taken away, and it did not look a bit like an election morning.

3931. Did you learn at 11 o'clock the state of the poll?—I knew we were behind at 10 o'clock. There was the state of the poll at 10 oclock.

3932. What did you do when you first discovered you were behind?—I went down to the "Globe" where there was a return from the five booths.

3933. Whom did you see at the "Globe"?—I saw there the men whom I was accustomed to know in election matters, and the solicitors.

3934. Who were the men you were accustomed to know in electioneering matters?—Henry Bussell, John Smith, Charles Bulpin. I think I saw Bunter there. I think I saw James Alway.

3935. Those are all?—No.

3936. You saw the lawyers there?—Yes.

3937. What lawyers?—Mr. Reed and Mr. Cook, Mr. Henry Lovibond. I have a doubt in my mind about Mr. Barham. I think I saw him, but I will not be sure.

3938. Where were they, in a committee room?—Yes, that is where I saw them first.

3939. Did you see Mr. Vanderbyl?—No.

3940. He was staying at the "Globe"?—Yes, he and Mrs. Vanderbyl.

3941. What passed when you saw those gentlemen?—We adjourned into a small room adjoining the room.

3942. We understand from Mr. Bussell there were from 40 to 50 in this room?—I should think there were.

3943. And he and the others you have named adjourned into a smaller room?—Yes, we did.

3944. For a consultation?—For a consultation. The reasons were required by the solicitors why we were so far behind the poll. They asked our opinions why, because the Conservative party had polled double as many as we, and with a new and extended constituency we had not polled so many in this as in the old, and there were five booths instead of two.

3945. When they asked you the reason, what did you say?—Well, I knew the reason very well.

3946. Did you tell them the reason?—Yes, we did.

3947. What was the reason?—There was no money going.

3948. Did you tell him so?—Yes, we thought there was money going on the part of the Conservatives inasmuch as they were polling so many more than we were, and we knew none was going on our part.

3949. And that was the reason you were not polling?—We found the men in the Conservative interest polled before 11 o'clock, whom we knew would never go without being paid.

3950. (*Mr. Coleridge.*) Men who had been paid on your side before?—Men who had been paid on our side before, and who would never vote without.

3951. (*Mr. Price.*) What did they say when you said there was no money going, and that was the reason why you were behind on the poll?—They adjourned from the little room.

3952. The lawyers?—The lawyers, and where they went I do not know.

3953. You remained with Bussell and the others in the small room?—Yes.

3954. What was the next thing that happened?—They came back, and the first thing was to adjourn again.

3955. (*Mr. Coleridge.*) How long after?—I should say they stayed 10 minutes.

3956. The first time?—Yes.

3957. (*Mr. Price.*) And then they came back and retired again?—Yes, without saying anything you could understand. They may have asked a question which I do not remember.

3958. They came again?—Yes.

3959. Came in and looked at you and went out again?—Just about like that; it was so amusing that Bussell said he tired of it, he would go home.

3960. Tired of waiting?—Yes.

3961. Did they come back again?—They came back again, and sat down.

3962. You will perhaps recollect three or four times coming backwards and forwards, whether Mr. Barham was there or not?—I would say if I knew.

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Mr. A. Allan.

27 Aug. 1869.

3963. You cannot recollect ?—I cannot.

3964. When they came back the third time, what occurred ?—Mr. Reed was the lawyer that spoke, and he said how much money would it take to win ; how much do you think we could do it for ? That was the substance of his question.

3965. What do you say, that was the question addressed to you ?—Yes, to all of us.

3966. Then who spoke ?—I do not know that anybody particularly replied to it ; it was discussed among us, and again Mr. Reed said, "Well, if you see your way clearly to a win, here is 3,000*l.* for you." Those were the words. "It is no use making any bones about it."

3967. (*Mr. Coleridge.*) Was Bussell present ?—Yes, Bussell was present.

3968. (*Mr. Anstey.*) "It was no use making any "bones about it ?"—"It is no use making any bones "about it, if you see your way clear, here are "3,000*l.*"

3969. (*Mr. Price.*) I suppose he did not hand it to you or show it ?—No, he did not.

3970. What was said ?—Mr. John Smith replied to him on our part; he said 3,000*l.* in the morning would have done, but it would take 5,000*l.* now to make a win.

3971. What did he say to that ?—"It was no use "to say any more about it. I may as well go "home."

3972. That is what he said ?—Yes.

3973. What happened then ?—Then he rose up and went home.

3974. Went away without anything more ?—Yes, nothing more ; that is the substance in full.

3975. (*Mr. Coleridge.*) Had you polled yourself at this time ?—I had polled at eight o'clock, or as close on it as I could.

3976. And did you go home then ?—Straight home, and as far as the others went I saw nothing of them.

3977. That would be getting on to half past eleven ?—I stayed at my house, and did not leave until Mr. Kinglake left by the two o'clock train.

3978. Did you see him go ?—Yes.

3979. Did you not say anything to him ?—I did not.

3980. What was done after that ?—I think I shook hands with him, I did not speak to him, and could not speak.

3981. You shook hands with him, and he went intending to go to London, and did go ?—Yes.

3982. State what you did after that ?—I stayed at home till about quarter to three. I went out after half past two, it must have been then ; the state of the poll was every quarter of an hour paraded up and down the street, and was brought into my shop as well as others, and I saw and knew what it was.

3983. What was the state of the poll then ?—We were getting up when I began to take notice of it, and felt any hope in the matter. We were 48 behind ; in a minority.

3984. That would be about quarter to three ?—I think so, it would be about that.

3985. How many men were left unpolled at that time ?—I could not say the number.

3986. About ?—I could not say about, but from the number of men left unpolled at that time there was a possibility of winning.

3987. (*Mr. Price.*) That is the conclusion you came to ?—That is the conclusion we came to.

3988. What did you do upon that ?—I went down the street towards the "Globe Tavern," and on the way going down found every one who had a vote and who had not polled was going to the "New Inn," and tell-all the others who had not voted.

3989. What was the "New Inn" ?—A beer house or public house, I think it is a spirit house.

3990. What interest is it in ?—Liberal.

3991. They were telling everybody to go to the "New Inn" ?—Yes. You would get a voter to go to the "New Inn" when he would not go to the poll.

3992. Did you go down ?—I did.

3993. Without going into the "Globe" ?—No, I think I went into the "Globe."

3994. Who did you see ?—I went in to see the people, I do not remember seeing any one there.

3995. You went on to the "New Inn" ?—I went on to the "New Inn."

3996. What happened then ?—I saw a lot of voters ; I did not know that they had not polled, but I found out afterwards that they had not.

3997. Why do you say that you could always get people to go to the "New Inn" when they would not go to the poll ?—Because if a man goes to the poll he records his vote, if he goes to the "New Inn" he retains it.

3998. I suppose they went down there with the expectation of getting something ?—Exactly.

3999. Was the "New Inn" a place where at former elections they had been dealt with in the way of bribing ?—No, the "New Inn" had changed hands at this election from what it was in at prior elections.

4000. Then you mean, when you say you could get them to go to the "New Inn," it was only on this particular day ?—That was a place used rather than any other place, merely accidentally.

4001. What happened at the "New Inn," then, when you found they had not voted ?—I saw Mr. John Smith there ; he was the first man I saw, and he said to me, "I am glad to see you ; do keep these men "until I come back, I will be back in a minute." I thought he was going to get some money to poll them, and he did not come back, he left me there with the men until I could not keep them any longer.

4002. How many of them were voters ?—I should think at that time there was perhaps 40 voters there.

4003. Enough to have turned the scale nearly ?—No doubt.

4004. What did you do when you found he did not come back ?—I went to see why he did not come, to the "Globe."

4005. Who did you see there ?—I saw the solicitor. I saw Mr. Cook.

4006. (*Mr. Coleridge.*) What time would this be ?—This would be a quarter past three.

4007. (*Mr Price.*) What did you say to him ?—I said, "You can win the election in ten minutes for a handful of money." Knowing what he had offered me in the morning I said "Why the election is your own, "you are throwing it away for nothing." Well, he said "All that has been done we have done already. "Where the devil is Lovibond ?" Well, Mr. Lovibond was called for, and he very soon appeared. He told me to go home.

4008. Mr. Lovibond did ?—Yes, I did not ask him a question but went home.

4009. That is all that passed ?—All.

4010. (*Mr. Coleridge.*) Now when you got home what happened ?—When I got home I had not been there above four minutes, before I had 500*l.* given me.

4011. Who brought it to you ?—Young Master Prior, the banker's son, a cashier at the bank.

4012. (*Mr. Price.*) I suppose he did not say anything to you ?—He did not.

4013. (*Mr Coleridge.*) Was it in gold ?—Yes, in gold.

4014. Done up in a bag ?—Yes.

4015. (*Mr. Price.*) Did he tell you the amount ?—He never told me, and I did not ask any question, I had no time.

4016. What did you do then ?—I went straight down to the "New Inn" and saw George Stacey there, a gas fitter at Eastover, I told him to see the voters come upstairs into the bedroom, and I paid them.

4017. You went into a bedroom with the money ?—Yes.

4018. How many did you pay ?—31.

4019. How much apiece ?—10*l.* apiece I paid, with one exception, when I paid 15*l.*

4020. Then about 300*l.* you paid away?—315*l.* I paid away.

4021. (*Mr. Anstey.*) Amongst 31?—Yes.

4022. (*Mr. Coleridge.*) Did all those you paid, the 31, poll for you?—Two of them did not, for two had not got votes.

4023. (*Mr. Price.*) They had their money when they had no votes?—Yes.

4024. (*Mr. Anstey.*) Only two did not vote, all the rest voted?—Yes, all the rest voted, I believe; yes, all the rest voted.

4025. Now give us the names of the 31?—John Heal of Polden Street the son of Mr. Heal who was called this morning, William Francis Rose, North Street, Frederick Boys, Moat Lane, Robert Walters, Pigs Cross, Richard Hooker, Eastover, Edward James Buttle, Back Lane, John Buttle, Back Lane.

4026. (*Mr. Coleridge.*) Is he the man who got 40*l.* at the election before?—His is the next name I shall mention; John Alfred Buttle, Dampiet Ward.

4027. He was the one who got the 40*l.*?—At the prior election. Alfred Buttle, no vote, a younger brother.

4028. (*Mr. Anstey.*) He was one of the two who had no vote?—The man who kept the check on the stairs let him up, and I did not know who I was paying.

4029. (*Mr. Coleridge.*) Was that George Stacey?—Yes; and Edward Culliford in the High Street, William Lucraft, John Davis, St. John Street, James Podger, Benjamin Burton.

4030. (*Mr. Price.*) Did you make them give you their names?—I had the lists from the men who kept the check on the stairs, Culliford and Stacey. Wm. Alfred Dyer, Alfred Bidgood, John Boucher, John Webber, Charles Stone, George Stacey.

4031. (*Mr. Coleridge.*) He was the checktaker?—Yes.

4032. Did he get anything extra for check taking?—I paid him 5*l.* extra.

4033. Is he the one you spoke about having 15*l.*?—Yes.

4034. William Hamson, John Hillard, Valetta Place, Barnet Porter, Richard Burridge, James Witteridge, Going Murray, Henry Singerton, John Baker, James Parker, Fredk. Cooper, Wm. Dyke, Henry Ware, no vote; I cannot find him on the register. Those are all. You have not mentioned Edward Culliford; did you not pay him?—I did not.

4035. Nothing at all for checking?—Nothing. I have had him at two elections I have been concerned in, and he never in his life would take a farthing.

4036. (*Mr. Price.*) Having done that they went off and polled?—As far as I know.

4037. You had a balance in hand then?—Yes; I have a balance in hand now. We have never come to any settlement; I have seen no one to settle with.

4038. (*Mr. Coleridge.*) Do you mean you have 185*l.* now?—Yes.

4039. (*Mr. Price.*) The balance of that 500*l.*?—Yes. I have had it ever since.

4040. Did you do anything more that day?—Went straight home.

4041. That is all you did then?—It was four o'clock. Then the poll was declared. I went on to the hustings. It was within 15 minutes of the time. They just had time to run to the poll. If there had been more men in the place I should have polled every man there.

4042. And that was all you had in your place to give the money to?—Yes.

4043. Why had you said when you went to the "Globe" that 3,000*l.* would have done in the morning?—It was not me who said that.

4044. Who?—Mr. John Smith.

4045. Did you agree with him?—I did not support or dissent from it.

4046. What do you say yourself; would that be about what the sum in the morning would have been?—I do not think it would have been enough.

4047. Not the first thing in the morning?—No.

4048. Do you think the first thing in the morning it would have required 5,000*l.*?—I do not think 3,000*l.* would have been enough.

4049. (*Mr. Coleridge.*) How much was spent in effect?—I do not believe a shilling beyond what Bussell has given you an account of and I have had to pay.

4050. (*Mr. Price.*) What was the idea conveyed to your mind when they said, "What can be done we have done already, where the devil is Lovibond"?—The idea conveyed to my mind was that Mr. Cook had paid money to some one.

4051. You understood him to mean that?—I quite understood him to mean that.

4052. You understood him to mean that he had been paying money?—Yes.

4053. (*Mr. Coleridge.*) Did you see anything of this mysterious stranger Bussell has spoken of?—No.

4054. You had money brought by Mr. Prior?—Yes.

4055. You say you do not know any more money having actually to your knowledge been spent?—I do not.

4056. Have you reason to doubt that there was a great deal more spent from your previous knowledge of Bridgwater than the 315*l.* you spent and what Bussell spent?—From my knowledge of the last election, knowing well the last three elections, there was never so little money spent.

4057. How do you account for that?—From 11 to 3 not a shilling was paid by us, or promised to anybody.

4058. That is to say you did not?—I did not, and I know Bussell did not.

4059. But now your idea is that Mr. Cook meant to represent that he had been paying money in that way. That was the idea conveyed to your mind. That must have been between 11 and 3?—I have only knowledge of me and Bussell.

4060. (*Mr. Coleridge.*) Had not you any intimation before on the nomination day?—No.

4061. You did not ask anybody?—No. I have at the election, before but this one not.

4062. (*Mr. Price.*) You say there was never so little spent from your experience of Bridgwater, and having heard what Mr. Cook said, do you still think that was all that was spent in bribery, the sums you mentioned and Bussell's?—I have heard that Garrett spent money, but I have no knowledge of it, nor do I know what sum it was or where it came from, nothing about it.

4063. (*Mr. Anstey.*) Was that since the last election?—I did not know it until two days ago.

4064. When did you first know that Bussell had been bribing?—On the election day, when Mr. Prior went up with this money, it was talked all over the town.

4065. When did you first learn that Bussell was spending money?—I did not know that he had spent a farthing of money until the close of the poll.

4066. You have perhaps heard Bussell's evidence?—I have heard his evidence.

4067. You saw Bussell down to the moment of the close of his examination express his disbelief that you had been employed?—He did not know anything about me.

4068. Bearing those three facts in your mind, can you still undertake to say, speaking of matters which you must necessarily be ignorant of, that there was less bribery committed on your side at the last election than at previous elections?—I am not prepared to prove it, but from my knowledge of the circumstances I do not believe it. I was in my own house, and I do not know.

4069. (*Mr. Price.*) But have you the slightest doubt from your former experience of Bridgwater, and the expression made use of at this meeting, that 5,000*l.* would be required,—3,000*l.* might have done early in the morning,—that a great deal more than you have told us was spent in bribery on your side?—I

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do not know it. I should have known it, because there is no secret. I have not been kept in the dark as to anything as a rule.

4070. But you were as to Garratt?—In this instance.

4071. (*Mr. Coleridge.*) Generally you supplied Bussell with money at elections?—I did.

4072. On this occasion did you supply any one?—No one; I did it myself.

4073. Who should you feel justified in paying over that 185*l.* to?—Whoever claims it from me.

4074. I might claim it from you, but you would not pay me; who would you fell justified in paying it to?—Well, I should think that the money came to me with Mr. Henry Lovibond's knowledge. That is my opinion.

4075. If Mr. Lovibond claims it, and gives you a receipt for it, will you let him have it back?—I will.

4076. Would you let anybody else have it?—No.

4077. In fact you look to Mr. Henry Lovibond as having provided it?—I do. If I said anyone else I should say what is untrue.

4078. Were you examined on the election inquiry here?—I was in America then.

4079. When did you go?—On the 12th December I sailed from Liverpool.

4080. What did you go to America for?—Because I had been guilty of bribery at the last election. I could not afford to commit perjury, and I would not, and I would not be a traitor to my own party. That is the reason.

4081. Who paid your expense of going to America?—I never asked anybody about it; I had plenty of money.

4082. (*Mr. Price.*) Did you consult with anybody as to your going?—Nobody knew but my wife and Mr. John Smith. I did not consult with them; I told them I was going.

4083. (*Mr. Coleridge.*) Did Mr. Smith advance you money?—Not a farthing.

4084. (*Mr. Price.*) It must have cost you a considerable sum?—Yes.

4085. How long did you remain there?—Five months. I have a father and mother, and four or five brothers there.

4086. You have only come back a short time, then?—I came back in the middle of May.

4087. Since the Taunton assizes?—No.

4088. Since the Spring assizes at Taunton?—Yes.

4089. (*Mr. Price.*) Who minded your business in your absence,—your wife?—I was, as I have already told you, always engaged in the Scotch trade. My business has been for 15 or 16 years in the country, and my wife has always had a business which she has conducted herself in the town. I have no business. I have given it up 12 months ago, my Scotch connexions, retired from that altogether, and so my trade was only my wife's trade.

4090. So that you had no trade of your own?—No.

4091. Your wife was doing all?—I had sold my wife's trade, and was retiring from business 12 months ago.

4092. (*Mr. Coleridge.*) You say that Mr. Smith did not advance you any money to go to America, did you take any of the money with you which you had received from Mr. Prior?—I kept 185*l.*

4093. What has become of that 185*l.*, have you it in gold as you received it?—Not the same money.

4094. Did you use that money for your purposes in going to America?—I have not the slightest doubt I did.

4095. When you come to square up with Mr. Henry Lovibond, if ever you do, should not you feel justified in deducting your expenses for going to America?—I will give it as an item in the electioneering business, which, if objected to, I would stratch out in one moment.

4096. But if they do not object you would deduct it as you felt you had earned it?—Exactly.

4097. And what would that amount be?

(*Mr. Price.*) Would it exhaust the 185*l.* for five months?—Well, I should think it would. My expenses must have been about that.

4098. (*Mr. Coleridge.*) The actual 185*l.* in the money in which you received it from Mr. Prior has all gone?—Yes; if Mr. Henry Lovibond claimed it I would pay it.

4099. But the money has gone?—Yes.

4100. And pretty well exhausted in keeping out of the way for the sake of the party?—Yes.

4101. (*Mr. Anstey.*) Have you any reason to believe that it will be allowed in account? Have you any reason to believe when you come to square accounts, that that item will be allowed?—I have not the least doubt.

4102. On what is your impression founded?—Well, I have precedents which are very small minor matters as compared with this one. That is the only thing.

4103. You have precedents?—Yes.

4104. What are they?—Near to 32*l.*

4105. But I say, what precedents are they; what cases?—In the election of Mr. Vanderbyl.

4106. What, persons absconding, or going away?—No. An item of about 32*l.* in balancing up our cash account. I do not know where the money went.

4107. You were allowed an item of 32*l.* on the balancing up of the cash account?—Yes.

4108. Under similar circumstances?—Yes.

4109. Going away?—No; money spent on the former elections.

4110. Do I understand you to say you were allowed to keep the balance of the money you spent in bribery?—Yes.

4111. And on that you found your belief, whatever the amount of this balance is, that you will be allowed to keep it?—Those are the only precedents I have to go by.

4112. And you think, on that ground, you will be allowed to keep it?—Yes.

4113. You have had no communication about it?—Never.

4114. Not even with Smith?—No; Smith did not know of my having money.

4115. Have you seen Mr. Henry Lovibond about this matter of Mr. Prior, jun., about that advance of money, since your return about the middle of May?—I have seen him, but not spoken to him about it.

4116. (*Mr. Coleridge.*) Did you think your wife knew anything about it?—Yes.

4117. She knew all the circumstances about it?—Yes.

4118. Do you mean to say that you did not go off to America without telling her anything about it?—No.

4119. You do not know whether she has had any communication with Mr. Henry Lovibond?—No, not that I am aware of.

4120. I mean, she has not made any communication to you?—No.

4121. (*Mr. Anstey.*) Mr. Lovibond, I believe, represented Mr. Kinglake at the last election, did not he?—Mr. Lovibond has always been known as Mr. Kinglake's agent, more than Mr. Vanderbyl's.

4122. Answer my question, yes or no, did he not, on this election, represent Mr. Kinglake?—I have no reason to say no.

4123. Did not Messrs. Reed and Cook represent Mr. Vanderbyl more particularly?—I believe they did.

4124. Who did Mr. Eustace Barham represent, we have heard they were all agents?—Yes, there was a rumour, of which I have no proof, that Reed and Cook managed Eastover, the other side of the river, that Mr. Barham represented the north ward, this side of the river, and Mr. Lovibond the south ward, on this side of the river. I say it was a rumour, I do not say it was true; they represented every ward.

4125. (*Mr. Anstey.*) You had no money from Reed

and Cook, or any person you believe to have come from Reed and Cook ?—No.

4126. And the money you had, you believe to have come from Mr. Lovibond ?—I do.

4127. Do you know handwriting ?—No.

4128. You do not know any handwriting in the world ?—Well——

4129. You say "no" before you have thoroughly considered my question ; allow me to put the question to you again, do you know this handwriting that I am going to show you ?—What I mean to say is, that I could not depend upon myself to swear to handwriting as a rule, I will if I know. (*Mr. Anstey handed a written letter to the witness.*)

4130. Look at that ?—I cannot swear to that.

4131. (*Mr. Price.*) But whose do you believe it to be ?—I cannot swear to it.

4132. (*Mr. Anstey.*) Neither of these Hooks ?—No.

4133. (*Mr. Price.*) Have you any belief at all of handwriting ?—No, I have none.

4134. It is not a question of your being obliged to swear, but have you any belief at all that you recognize that writing ?—No, I have none.

4135. (*Mr. Anstey.*) You have not mentioned Mr. Carslake or Mr. Auber, were either of those present at either of the meetings on that day ?—No, they were not.

4136. Did you take any part in treating that day ?—None at all ; my expenses for the day did not exceed 6*s.*

4137. You were in the "Globe" that day ?—I was.

4138. We have not got that down. Was the "Globe" one of the houses open that day for treating ?—Not to my knowledge.

4139. (*Mr. Coleridge.*) You have spoken about a conversation, in which you say that Cook said, "All "that has been done has been done by us ; where "the devil is Lovibond"? Excepting that Mr. Lovibond is Mr. Kinglake's agent, do you mean that the money came from Mr. Kinglake, rather than from Mr. Vanderbyl ?—I should rather think from Mr. Kinglake.

4140. Taking this language, would you rather believe it came from Mr. Kinglake himself ?—I should think it did.

4141. You had no conversation with Mr. Bussell on this occasion ?—No, nor any one else.

4142. Had you any conversation with Bussell after the election about this ?—No.

4143. No conversation ?—No.

4144. And it was the first time you had had to do with it personally, it was only owing to the hurry that you had had to do it ?—No, I had no reason to tell it to anybody, I was too well trained.

4145. Not until to-day ?—No.

4146. You do not believe in canvasses ?—I do not believe in them.

4147. You mean they promise to vote and do not keep their promises, and they are not to be relied on ?—Yes.

4148. Do you know whether on this occasion any of them got bribed by anybody else twice over ?—Not that I could say.

4149. Do you know whether any of them got it from the Conservatives ?—Yes.

4150. You have not been asked that. Was there much bribing going on upon the Conservative side at this time ?—I did not know it.

4151. But from your general knowledge of Bridgwater and your training did you judge that it must have been so ?—I did not say I had any training.

4152. But from your general knowledge of the state of things in Bridgwater, do you say there must have been bribing ?—I think so. I believe that to many of the men who voted before 11 o'clock for the Conservatives at the last election they were paying money, or the equivalent.

4153. (*Mr. Price.*) What is your belief,—that the Conservatives had actually paid or promised money ?—In effect it would be the same.

4154. I know the effect would be the same, but do you really know whether, up to that time, any money had been paid ?—I do not know that any money had been paid.

4155. It has been said that no money was actually paid by the Conservative side, but there was a thorough understanding that they would have money, but it was not paid away ?—I know the reason why the Conservatives polled so many and so early in the morning.

4156. That is what we want to know. Just tell us that ?—Well, they had a meeting of the Conservative Association at the "Clarence Hotel," or some other Inn there, on the morning of the poll at 8 o'clock. They were invited to come there as a whole. The Working Men's Association, as a whole, were invited, and they were invited to bring all their friends. They did not ask me to go. There were a good many converts made that morning at the meeting to the Association.

4157. (*Mr. Coleridge.*) You mean people who formerly voted Liberal, afterwards voted Conservative ?—New members who came over on the election morning, and were enrolled.

4158. (*Mr. Price.*) What else ?—Mr. Hodges told me himself.

4159. Who is he ?—He is a woollen draper in the town ; that in addressing the whole Conservative Association as a body he so couched his language as not to commit himself, but made them believe that every man would be paid three weeks after they voted for Westropp and Gray. That is the reason they polled.

4160. (*Mr. Coleridge.*) When did Mr. Hodges make that speech ?—At the meeting in the morning.

4161. (*Mr. Price.*) At the "Clarence" ?—At the "Clarence" or some other Inn.

4162. Then you think the voters had taken that upon trust, and had gone and voted ?—Yes, exactly. If we, I do not say myself, as our voters accustomed to take money up to the last election never knew me, but if our agents, accustomed to pay money, Smith——

4163. Or Bussell ?—Yes, if they had gone to them they would have won them. We would have polled faster than they on the same principle.

4164. You have no doubt in your mind, from what Mr. Cook said, that he had been paying money at all events, at least that is the idea he conveyed to your mind from what he said ?—Exactly.

4165. And he said, "Where the devil is Lovibond?" What is your idea as to whether Lovibond had abstained from impure practices or not ?—At the last election ?

4166. Yes ?—I have already told you my idea of Mr. Lovibond with respect to the 500*l.*

4167. It came from him ?—Yes, that is my idea.

4168. I am going to read this to you. This is what Mr. Kinglake said on the trial of the election petition of 1869. "The determination to conduct the election "within the strict bounds of legality originated, I "must say, with Mr. Henry Lovibond, my head "agent." Do you concur in that idea, that Mr. Lovibond conducted that election upon pure principles ? That is what Mr. Kinglake said ?—In the present opinion I have given, how can I ?

4169. Quite right. That is straightforward. I do not want to trip you up in anything. It rather takes us by surprise. I will now read what Mr. Vanderbyl said on that. "Did you, as well as Mr. Kinglake, "give to your agents direct instructions to avoid all "such irregularities as might place the election in "jeopardy, if you succeeded ?—I did." Do you believe anything was done by the respective agents in direct contravention of the orders given to them by their respective candidates ?—No, I do not say that.

4170. That is what I ask you. Do you believe if Cook and Lovibond both found money, that they did that directly in contravention to the express orders given to them by their respective candidates ?—That is my opinion of the candidates, and I cannot say ; I have no means of judging.

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4171. You had no communication with anybody to lead you to suppose that there had been those instructions given?—No.

4172. Nothing of the kind?—No.

4173. Or announced to any active men of the party like yourself that there would be no money at all? Nothing of that kind had been said to you beforehand?—I had not heard that there would be or would not be.

4174. Exactly. You, being the active agent for them, and their confidential agent on the former occasions, had no intimation that there would be no money?—None whatever.

4175. (*Mr. Anstey.*) Have you the slightest reason to suppose that either Mr. Kinglake or Mr. Vanderbyl expressed the least disapprobation on account of the bribery made on their account by their lawyers?—I am not aware that they have.

4176. If anybody told you so, would you believe it?—If you will please to ask me the question again, I will try to answer it.

4177. If anybody told you that Mr. Kinglake and Mr. Vanderbyl are very much shocked to hear that Reed and Cook, or Mr. Lovibond, gave you, and Bussell, and Garratt money to bribe with at all, would you believe it?—No; I would not.

4178. You said Mr. Hodges, a woollen draper. What is his Christian name?—I do not know. I forget his Christian name. It is Richard.

4179. What street is he in?—Cornhill, a next door neighbour to me.

4180. (*Mr. Coleridge.*) There is just one question I want to ask you about your lodgings. Were you in the habit of letting your lodgings, or was it an exceptional thing that Mr. Kinglake had them?—Mr. Kinglake always had them when he was down.

4181. Did you let them to anybody else?—Mr. Bagehot.

4182. Is it an exceptional thing for you to let them, or do you always let them?—Occasionally.

4183. Is there a private door?—Oh, yes.

4184. Was Mr. Lovibond in the habit of going there to see Mr. Kinglake?—I have not the slightest doubt of it.

4185. And were also Mr. Cook, and Mr. Reed, as well as Mr. Lovibond?—I think Mr. Lovibond more than any others.

4186. When Mr. Bate was alive, he was, as we were told, Mr. Kinglake's agent. Used he to go, before Mr. Lovibond?—That was before I had anything to do with him.

4187. (*Mr. Price.*) Mr. Kinglake says in answer to this question: "This evidence has brought facts to "your knowledge, of which you were perfectly "ignorant?" This is the evidence before Mr. Justice Blackburn, and he says, "Entirely." Now do you believe that Mr. Kinglake had never heard of what had been done on that following day, before he heard it disclosed before Mr. Justice Blackburn?—It is quite possible that he never had.

4188. (*Mr. Anstey.*) Remember, this is months after the election, after Mr. Kinglake has been said to have been engaged in negociations about staving off the election petition, and, after all this he states at the very end of the election trial, for it is the last question put to him,—this: "Did you strive, by direc-"tion, and by personal interference, in every way "you could, to secure a pure election in this borough? This evidence has brought facts to your knowledge "of which you were perfectly ignorant?—Entirely." Have you any remark to make to that?—The words may be literally true in the abstract.

4189. But not in the concrete?—Well that is my opinion.

4190. (*Mr. Price.*) It must be wilful blindness you mean. Now we go to the election immediately before the last, that would be the second election of 1866. That was the election in which Mr. Patton came down to be re-elected upon taking the office of Lord Advocate?—Yes.

4191. And when Mr. Vanderbyl was brought from London?—Yes.

4192. When did you first learn Mr. Vanderbyl was coming down, how long before? Had you anything to do with getting Mr. Vanderbyl?—No; nothing at all.

4193. Had you any previous conversation with any of the heads of the party as to having a contest at all?—I know Mr. Lovibond and Mr. Barham had gone to London, and it was with a view to get a candidate in the Liberal interest.

4194. Do you know that Mr. Bagehot had declined to go and contest against Mr. Patton so recently after his election?—I had heard it.

4195. Do you know whether Mr. Kinglake had expressed a desire not to have a contest? Did you know he had expressed his disapprobation of it?—No; I did not.

4196. You first heard from some of the agents of the party, I suppose, with respect to Vanderbyl's coming down?—I was out of Bridgwater town on the day he came down, on the Monday, and I was then in my own trade; I was out on my own commercial business. I came in on the Monday night.

4197. That was the Monday before the election?—That was the Monday before the election.

4198. It was all done very quickly. The writ was moved for, and how soon after the writ was moved did Mr. Vanderbyl come?—Monday night he came.

4199. Then the writ had been moved for probably on the Friday?—I came home by train about 4 o'clock of that Monday afternoon, and I saw the name "Vanderbyl" posted up, and I did not know what it meant.

4200. On the Monday?—On the Monday.

4201. Had Vanderbyl then arrived in the town, do you know?—No. He arrived the same evening. This was about the 4 o'clock train I arrived by, and Mr. Vanderbyl came down by the 7 train.

4202. You did not known the meaning of this?—No.

4203. Did you make any inquiry about it?—Yes.

4204. Where did you go? Did you go to the "Globe," or the head quarters?—No.

4205. Or did you put yourself in communication with the lawyers?—No, I did not.

4206. Not that night?—No, I did not.

4207. Now, about the Tuesday?—Was Tuesday the nomination day?—No.

4208. When was the nomination day?—Wednesday was the nomination.

4209. On the Tuesday, do you remember seeing anybody in connexion with the parties?—No, not the Tuesday.

4210. When you made inquiries of people whom you met, as to who Mr. Vanderbyl was, did you know he was the candidate who stood for Yarmouth?—No; but I knew it afterwards.

4211. And you knew he had spent a good deal of money there?—I knew it before the election.

4212. That he had spent a good deal of money there?—Yes.

4213. On Tuesday, did you put yourself in communication with the legal agents or not?—Yes.

4214. Now we come to the nomination day?—Yes.

4215. On the nomination day, was there anything you did on that day?—It was either Tuesday night or Wednesday morning, I will not swear which, that Mr. Barham told me if I would go down to the "Globe" hotel on the nomination morning, which would be the Wednesday morning, that I should meet there a Mr. Brogden, and I was to tell him all I knew, and to explain the matter.

4216. (*Mr. Price.*) Bagehot's in 1866 was the first election you acted in?—Yes, it was.

4217. At that time the position you had fulfilled was that of paymaster to the bribers?—Yes.

4218. That was the experience they had of you, as paymaster to the bribers?—Exactly.

4219. Then Mr. Barham told you to see Mr. Brogden, and tell him all you knew?—Yes.

4220. Was that all that passed?—Yes.

4221. You knew what that meant, I suppose?—Yes.

4222. That you were to go and tell him all you knew, and tell him what money would be required?—Yes.

4223. (*Mr. Coleridge.*) It had that impression on your mind?—Yes.

4224. That you were to go to Mr. Brogden and tell him what the election could be done for, and give him the benefit of your experience?—Yes.

4225. (*Mr. Price.*) And did you know that Mr. Brogden was the gentleman who stood at Yarmouth with Mr. Vanderbyl?—Yes, I did.

4226. (*Mr. Coleridge.*) He is a Glamorganshire coal merchant?—At Porth Caul.

4227. (*Mr. Price.*) You knew he was a moneyed man?—No, I did not.

4228. You knew he was Vanderbyl's colleague?—Yes.

4229. Did you go and inquire for him at the "Globe"?—On the nomination morning?

4230. Yes. You went there and saw him?—Yes.

4231. After the poll was opened?—It was on the nomination morning.

4232. Did you see him at the "Globe"?—I saw him at the "Globe."

4233. Now tell us what passed?—We went upstairs into a room.

4234. You and he alone?—Yes.

4235. We want a full disclosure of what took place between you and him?—I told him what I knew of the organization of the liberal party with respect to Mr. Bagehot.

(*Mr. Coleridge.*) Tell us what you told him.

4236. (*Mr. Price.*) What did you tell him was the state of things in the town with respect to the mode of conducting elections here?—I told him the number of men we polled in Bagehot's election by paying.

4237. How many did you tell him you had paid by bribing?—Well, I cannot say how many now.

4238. (*Mr. Coleridge.*) About how many?—We lost the election.

(*Mr. Price.*) Never mind that.

4239. (*Mr. Coleridge.*) How many did you tell him you polled by bribing?

(*Mr. Price.*) You told him the number you say? How many did you tell him?—About 170.

4240. About 170 you polled by payment?—Yes. It may be 10*l.* each.

4241. That is as near as you can say. Did you tell him how much you paid them?—Yes.

4242. What sum did you say you required?—They were paid 10*l.* each.

4243. (*Mr. Coleridge.*) 1,700*l.*?—How many hundred pounds?

4244. (*Mr. Price.*) There are 170 at 10*l.* a piece?—That would be how much money.

4245. (*Mr. Coleridge.*) 1,700*l.*?—Oh, I made a mistake. There could not have been so many, because the amount spent at that time was 1,100*l.* We did not pay so much in Bagehot's election.

4246. (*Mr. Price.*) Whatever the number was you told him you paid them 10*l.* each?—Yes. You will please correct the sum I gave. It is a positive mistake. It is too many men.

4247. (*Mr. Price.*) What did Mr. Brogden say to that?—He introduced me to another gentleman.

4248. Did he say anything to you about the sum when you named that?—No, he did not.

4249. (*Mr. Coleridge.*) Did you tell him where that money came from?—No, I did not. He never asked me.

4250. (*Mr. Price.*) He introduced you to some one?—To a gentleman, a man of whom I had the money.

4251. A gentleman who was in the room with him?—No.

4252. He introduced you to him?—Yes; he was a stranger.

4253. (*Mr. Anstey.*) Where?—In the hotel.

4254. In another room in the same hotel?—No.

4255. (*Mr. Price.*) Can you give us any notion of what sort of man he was; did you hear Bussell's account of him, the description he gave?—That is a different election.

4256. (*Mr. Anstey.*) What is his name?—I do not know his name.

4257. (*Mr. Price.*) He was a stranger to you?—He was a stranger to me.

4258. (*Mr. Coleridge.*) What sort of looking man was he; was he a tall dark man?—He was dressed in dark clothes. He looked like a Wesleyan preacher.

4259. Was he dark or fair?—Dark.

4260. Very dark?—

(*Mr. Price.*) Like a coloured man at all?—Well, he was a white man.

4261. Was he like a sort of mulatto man?—No; he looked to me more like a waiter to an hotel, or a muslin weaver in Scotland, in his Sunday clothes.

4262. (*Mr. Coleridge.*) Was he a stranger here?—Yes.

4263. You say he looked as if he was in his Sunday clothes. Did he look as if he was not in the habit of wearing good clothes every day, and did not seem at home in them?—No; I said as a muslin weaver. That is the description; I cannot say more than that.

4264. (*Mr. Price.*) What aged man was he do you think?—I should think a man of 50.

4265. (*Mr. Coleridge.*) Mr. Brodgen introduced him to you?—There was very little introduction.

4266. (*Mr. Price.*) What did he say?—I do not recollect that he said anything; it was through Mr. Brogden I took notice of and knew the other man.

4267. What passed between you and this stranger?—Some money.

4268. How much?—1,400*l.*

4269. (*Mr. Anstey.*) He gave it to you?—Well, he opened a bag, and gave me some; it was more than I could carry, and I took it home at three times.

4270. (*Mr. Price.*) Eventually you got 1,400*l.* in sovereigns from him?—All in sovereigns.

4271. (*Mr. Coleridge.*) Did you get any money from anybody else at that election?—I did.

4272. Who from?—Mr. Barham.

4273. When was that?—On the polling day, after the money was done.

4274. After you had disbursed your 1,400*l.* on the polling day, you wanted more?—Yes.

4275. How much more did you calculate that you wanted?—I do not know that I calculated anything, but I will tell you how much more I got.

4276. Well do?—2,600*l.*

4277. From Mr. Barham?—Yes.

4278. (*Mr. Coleridge.*) In sovereigns?—No.

4279. In paper?—In paper.

4280. In Bank of England notes?—Well, they were in bank notes.

4281. (*Mr. Price.*) Were they provincial notes, or what?—They were local notes.

4282. Of what bank; a bank here? Does this bank issue its own notes?—There were some Bank of England notes amongst them; but the most of them were the West of England and South Wales District Bank.

4283. (*Mr. Coleridge.*) And were they 5*l.* or 10*l.*, or what?—Mostly.

4284. In twenties?—No; mostly in fives or tens.

4285. What time of the day was this?—That was about the meridian blaze.

4286. About 1 o'clock?—Yes.

4287. And where did you receive it from him?—At my own house.

4288. Did he come to you, or did you send to him?—He came down to me.

FIFTH DAY.

A. Allan.

27 Aug. 1869.

4289. (*Mr. Anstey.*) Is this the name of the bank whose notes you received, the "West of England and South Wales District Bank"?—Exactly so.

4290. (*Mr. Price.*) And that bank has a branch office here in Bridgwater?—Yes.

4291. (*Mr. Anstey.*) Who is the manager?—Mr. John Ford,—Captain Ford.

4292. And who is the cashier?—I do not know.

4293. Do you know anybody connected with it, whose surname begins with C.?—No; I do not know anybody connected with it; I do not bank with it. They are my next door neighbours.

4294. (*Mr. Coleridge.*) When Mr. Barham came down to you, did you tell him that you had had 1,400*l.* from a stranger, and had spent it?—No; I do not think I did.

4295. (*Mr. Price.*) Tell us what passed between you and him. You had sent up to him to say you wanted more money?—Yes.

4296. Did you send up word to him that you wanted more money, or how, before he came with more money that was wanted by you?—I stayed in my own house, and all the election agents, whenever they wanted any money, came to me, or sent to me, and had it; and the fund got exhausted, and Mr. Barham supplied me with more.

4297. But how did Mr. Barham know you wanted more?—He was in and out of my house every quarter of an hour throughout the day.

4298. So that he knew from time to time that the money was exhausted, and you wanted more?—I had the money from 200*l.* to 300*l.* at a time till it was exhausted, and he knew where it was going.

4299. (*Mr. Coleridge.*) It was not in one lump?—No.

4300. (*Mr. Price.*) As he came down to your house from time to time, you told him more money was wanted, and he came down with more sovereigns?—Yes.

4301. And altogether you got 2,600*l.* from him?—Yes.

4302. (*Mr. Coleridge.*) What time of the day was it that he gave you the last lot, how long before the close of the poll?—I should think about one o'clock.

4303. You had the whole of it by one o'clock?—I think so.

4304. Did you pay the most of them before the poll, or the most of them afterwards?—They were almost all paid before the poll.

4305. (*Mr. Price.*) That money went mostly through the hands of your sub-agents?—As I have already said, with two or three small exceptions.

4306. Who were those whom you paid yourself?—Oh, I paid a Mr. Winterbottom, who used to keep a school here, and he came back here just in time to record his vote.

4307. A schoolmaster?—Yes.

4308. (*Mr. Anstey.*) Is he any relation of Dr. Winterbotham?—His name is Bottomley, not Winterbottom.

4309. (*Mr. Price.*) And you say he was a schoolmaster here?—He was a schoolmaster and a draper.

4310. Had he given up the school at that time?—Yes; and gone and taken a business at Tiverton.

4311. And he came down here to vote?—Yes.

4312. How much did he take from you?—10*l.*

4313. Did he come on purpose here to vote?—Yes.

4314. And he came down first thing?—Mr. William Hurman introduced him to me. Mr. Hurman said he said, "he would not go to poll at all."

4315. Who told you so?—Bottomley told me so.

4316. He said he would not go over to vote unless he had 10*l.* Had he been in a good position here?—Yes.

4317. And he was in a good position at Tiverton?—Yes.

4318. And he came over on purpose to get the money?—Yes.

4319. (*Mr. Anstey.*) Is he in what is called the Tiverton Grammar School?—I think he has left Tiverton now.

4320. But at that time?—At that time he was in the Tiverton Grammar School, and I believe he has left now.

4321. (*Mr. Price.*) Who else?—Another man who lived in this town, who has gone, James Kerle; and he came here to vote.

4322. (*Mr. Coleridge.*) How much did Kerle get?—10*l.*

4323. (*Mr. Price.*) Where is he living now?—He is living up at Chard.

4324. At Chard?—I believe so.

4325. He is to be found there?—He is connected with the Chard Railway.

4326. (*Mr. Anstey.*) Were there any other persons you paid?—I also paid James Mears in Eastover.

4327. What is he?—A boot and shoe manufacturer, and a general shopkeeper.

4328. (*Mr. Coleridge.*) What did he get, 10*l.*?—15*l.* He would not take 10*l.*

4329. (*Mr. Price.*) He would not take 10*l.* and you gave him 15*l.*?—Yes.

4330. (*Mr. Coleridge.*) How had Mears voted at the election before?—Always voted for us. The first year, I paid him.

4331. Did Kerle always vote for you?—Yes.

4332. And this Bottomley, had he always voted for you?—Yes. He had not been out of town long.

4333. In 1862 whom did he vote for?—He voted for us.

4334. (*Mr. Anstey.*) Do you know where Bottomley has gone?—I do not know.

4335. Where can he be heard of?—I cannot tell.

4336. (*Mr. Price.*) Is there anybody here who would be likely to know where he has gone?—Perhaps the gentleman who succeeded him in the school might know where he is; the gentleman who holds the school that Bottomley had when he was here, he may know.

4337. Was it a public school?—No; it was quite a private school for young gentlemen.

4338. Not attached to any chapel or church?—No, a private school.

(*Mr. Price.*) That will be mentioned by the shorthand writers, that any person, who we find has had an opportunity of seeing the evidence that has been given, and does not choose to come forward and give his evidence, will have no protection, and of course we shall be obliged to schedule him as a person who has received bribes, to be dealt with by the proper authorities. If there is any friend of this gentleman in the town, or present here, he will be doing him a good service by letting him know that as soon as possible, whoever he may be.

(*Mr. Anstey.*) Or any other person who has given or taken bribes.

4339. (*Mr. Price.*) Was there any name to the school, or was it merely called "Bottomley's school?—Bottomley's school.

4340. Is there anybody carrying it on now? Did he pass the school over to anybody else who has taken it up?—Yes. I told you that perhaps that gentleman could tell you.

4341. What is the name of the gentleman?—Mr. Russell.

4342. Those are the only three persons that you bribed yourself?—The only three that I can remember.

4343. (*Mr. Anstey.*) There were others?—I do not remember.

4344. There may have been?—There may have been. If I remember any other I will tell you.

4345. (*Mr. Coleridge.*) There is 3,965*l.* for you to account for through your agents, when you do it?—Yes.

4346. (*Mr. Price.*) What portions were distributed out to the different men?—I cannot speak accurately to each man, looking individually. These are only fresh memoranda I have put down to refresh my memory.

4347. From your recollection?—From my recollection. If I make a wrong statement——

(*Mr. Coleridge.*) The parties can be called, and they can put it right.

4348. (*Mr. Price.*) We take it that you are giving it to the best of your recollection. You are not primed to it?—Ambrose Dyer, nurseryman and seedsman in this town. I think he polled about three people.

4349. (*Mr. Price.*) How much money did you give him?—I would give him about 10*l.* apiece I believe for three people, and that he paid.

4350. (*Mr. Coleridge.*) You would give him 30*l.* for three voters; besides that, would you give him anything for himself?—No. That is the reason why Mr. Bussell said yesterday that the party was all sixes and sevens. By me they were paid money for the first election, which they were not under the last election.

4351. May we put it down that you gave Dyer about 30*l.*?—Yes.

4352. Who else?—James Allway.

4353. (*Mr. Price.*) How much did he have?—I think the same. He polled about three.

4354. Who else?—Thomas Searle. He is a builder. I think he polled about 13.

4355. (*Mr. Coleridge.*) 130*l.*?—That would be about it.

4356. We take it all as about. Now go on. There was the firm of Cooke and Heal.

4357. What are Cooke and Heal?—Brewers. That is the Heal who was called this morning. Cooke came to me with a list on the election night, and it looked a very powerful instrument, and on that, on the morning of the election, I paid 150*l.* to his partner. He was there, and introduced me to his partner.

4358. (*Mr. Price.*) You paid that to Cooke?—No, to Heal, on the faith of that list handed by Cooke to his partner. I went up and saw Mr. Cooke, and he said, "Yes, yes, Heal attends to that,—my partner."

4359. And how many did he poll?—He polled one voter, as far as I know.

4360. What became of the rest of the money?—I do not know.

4361. All that you know is that he polled one vote?—Yes.

4362. Do you suppose that one voter got 150*l.*?—No.

4363. What is the largest sum you ever heard that any one voter got here?—40*l.*

4364. You do not know anybody who ever got 150*l.*?—Not to my knowledge. The only person that got 40*l.* that I know of was given by Mr. Bussell yesterday. I went five or six times to get a statement from him before I could make up my own account, and I went to Cooke and Heal to get this statement until I was tired of going.

4365. (*Mr. Coleridge.*) What excuse did he make? He would to-morrow.

4366. Did you ever accuse him point blank of embezzling the money, or not paying it to the voters?—I never did.

4367. Did you ever tell him that he had only brought up one voter?—He referred me to Mr. Cook, the lawyer, and I went to Mr. Cook to know about it, and Mr. Cook knew nothing about it. I determined at last that he had the money, and I gave it up.

4368. But in your mind he stuck to the money?—He did, as far as I know.

4369. Well, go on, who is the next?—White, in the High Street.

4370. What is his Christian name?—I do not know. I forget.

4371. How much did you give him?—I think he polled about five votes for us.

4372. Did all these people come down to your house for it?—Unless I went and gave them the money, they came for it.

4373. (*Mr. Anstey.*) Joseph White was that, or what is his Christian name?

(*Mr. Coleridge.*) He forgets.

4374. (*Mr. Anstey.*) What is he?—A fellmonger.

4375. (*Mr. Price.*) Do you see Mr. Heal here in court?—No.

4376. Have you seen him this morning?—No, I have not.

4377. Have you seen him during these proceedings?—No; I have not.

4378. (*Mr. Coleridge.*) Now, go on?—William Dyment, of the Taunton Road.

4379. (*Mr. Anstey.*) Is he in Brown's employment?—No; he is in the employment of Collins of this town.

4380. (*Mr. Coleridge.*) How much to him?—10*l.*

4381. Was that for himself?—No, for some one.

4382. Go on?—Bunter, plumber and glazier.

4383. What is his Christian name?—John.

4384. How much?—Seven votes.

4385. 70*l.*?—About 70*l.*

4386. Go on?—Henry Cornelius White.

4387. How much?—20 votes.

4388. 200*l.*?—I think more than that.

4389. How much do you think it was. I have taken it all "about?"—That is what I have put it down,—20 votes.

4390. You made up your account. Who would have your account, if there is any in existence?—Mr. Lovibond and Mr. Barham.

4391. (*Mr. Anstey.*) Mr. Henry Cornelius White was in court yesterday?—He was.

4392. Sitting on that side (*pointing*)?—Yes; he is sitting there now.

4393. Sitting on that side (*pointing*)?—Yes.

4394. (*Mr. Coleridge.*) Then you will go on about the accounts?—In making up the account there was 20*l.* deficient. Mr. White lost in making up his accounts that item of 20*l.*, which he could not account for.

4395. Do you mean he had that for himself, and had given it away, and could not tell to whom he had given it?—No; William Bradford Gold, a tailor and linen draper. I say "William Bradford," because there is another "Gold" in the same trade, and in the same street.

4396. How much?—Three votes.

4397. £30. Go on?—Charles Lott.

4398. How much?—Four votes.

4399. £40?—Henry Bussell.

4400. How much?—Forty votes.

4401. £400?—Charles Bulpin.

4402. How much?—Twenty-five votes.

4403. £250?—John Smith.

4404. How much?—Fifty.

4405. £500?——

4406. (*Mr. Anstey.*) John Smith, the grocer?—John Smith, the grocer; William Symons the brickmaker in this town.

4407. How much?—He had 130*l.* of me, for which he never accounted.

4408. You do not know that he polled anybody?—No.

4409. Did he poll himself?—Yes; I believe he did.

4410. As far as you know, he got 130*l.* himself for his vote?—As far as I know.

4411. He never gave you any account himself?—No.

4412. (*Mr. Price.*) And you do not know whether he polled one single vote?—I do not know whether he polled one single vote.

4413. (*Mr. Coleridge.*) Did you ask him for an account?—I did.

4414. And what did he say?—He simply put me off.

4415. Simply put you off?—Yes, he is a gentleman in a good position, you could not easily approach, and he puts you off. He did not speak to me at that time because I had some unpleasantness with him about money.

4416. Is he a master brickmaker?—Yes, he employs a couple of hundred workmen, and he belongs to the firm of Symonds & Co.

4417. And he has stuck to this 130*l.*?—Yes.

4418. Is he in court?—I have not seen him.

FIFTH DAY.
A. Allan.
27 Aug. 1869.

4419. (*Mr. Price.*) Is he in Bridgwater ?—Yes.

4420. (*Mr. Coleridge.*) Who next ?—Roberts the coach maker.

4421. What is his Christian name ?—John.

4422. How many votes ?—One.

4423. How much money ?—40*l.*

4424. Who was the voter ?—Hook.

4425. (*Mr. Price.*) Was it asked for specially as a sum of money to be given to Hook ?—Yes.

4426. That Hook required ?—Yes, exactly, Thomas Hill, St. John Street.

4427. How much ?—Six votes.

4428. £60. Who is the next ?—William Onion.

4429. How much ?—Two votes.

4430. £20 ?—There was a Mr. Fisher a foreman at Brown's mills.

4431. What is his Christian name ?—I do not know his Christian name; "Henry" I hear some one say.

4432. How much ?—About three votes, Culliford.

4433. Edward ?—Yes, Edward Culliford.

4434. How much ?—About 10 votes.

4435. £100 ; he was a man who would not take money for himself, I think you said ?—Yes.

4436. Did he account for it ?—Yes.

4437. Go on, we have not come to the end yet.—That is the amount.

(*Mr. Coleridge.*) Just let me cast it up.

4438. (*Mr. Anstey.*) Will you tell me why, as you heard from Bussell's evidence yesterday, he should have thought it so very improbable that William Onion was employed by you to distribute amongst bribable voters ?—No, I do not know.

4439. He said he did not believe that William Onion ever was employed, or ever would be employed, do you know any reason for that belief ?—No, I know of no reason for that belief, only Bussell's ignorance of the fact.

4440. I make that 2,185*l.* as against 4,000*l.* that you received, which, added to the 35*l.* you paid away, would make 2,220*l.* as against 4,000*l.* you received ?—Well then there is another item of disbursement that I can mention.

4441. I mean there is something like 1,800*l.* unaccounted for at present ?—Yes.

4442. That is all you say you gave away to these persons ?—Some of them ; it is impossible to account for more money.

4443. (*Mr. Coleridge.*) Can you give me any others? That is a large amount of money, 1,800*l.*?—Those are all the electioneering agents working for me. Some of these men had 25*l.* for their votes, they did not go for tens.

4444. Then let us get it right on the note; you mean that many of these men had got a larger sum than I have put them down for ?—Oh yes.

4445. (*Mr. Coleridge.*) I have taken them down as tens.

(*Mr Anstey.*) That is why I took down the votes without the money.

4446. (*Mr. Coleridge.*) That would be a matter for the men you gave the money to ?—That would be a matter for the men I gave the money to.

4447. When you came to make up your accounts you must have seen by those expenses exactly what you gave away. Had you consumed the whole 4,000*l.*?—Every farthing of the money.

4448. Then you must have given some of these men more than you have told me of ?—I have another item of disbursements.

4449. That is what we want to know.

(*Mr. Price.*) Go on to the other items ?—In Sir John Shelley's election the liberal interest paid no money. At that election there was as usual as at other elections public house bills incurred. There were bills for electioneering favours at drapers' shops, for colours and ribands ; and there was a bill of Mr. Glanville for flags and decorations, tradesmen's bills.

4450. That was after the Procession Act ?—They did not take any money for their vote, but they had an indirect claim for goods sold.

4451. It is very important that we should know it, because it is very much the same as receiving a bribe ?—These bills were not paid in Sir John Shelley's election. When it came to Vanderbyl's election, the bills having stood over for two years.

4452. Why did it skip over to Mr. Vanderbyl instead of being charged to Mr. Bagehot ?—Because Bagehot's party had not the money to pay it, and that was the reason we lost the election.

4453. How much is the gross then—we will go to the details afterwards,—how much did you pay out of Mr. Vanderbyl's money for what was done in Mr. Kinglake's and Sir J. Shelley's election ?—There was a bill to William Hurman of 34*l.*, a draper in Fore Street. There was a bill to Merson at the "Punch Bowl" public house.

4454. How much ?—I could not say.

4455. 10*l.* ?—I could not say.

4456. 20*l.* ?—I have not the most remote idea ; but Merson could tell you.

4457 (*Mr. Price.*) Did you render an account of this matter ?—I did, and it is in the list.

4458. (*Mr. Coleridge.*) Then go on ?—Stephen Crocker. He was then hotel keeper at the "King's Arms" on the quay. He had a bill as against Sir John Shelley.

4459. (*Mr. Price.*) A public house bill ?—A public house bill.

4460. (*Mr. Coleridge.*) How much ?—I could not swear to the amount of his bill.

4461. But about how much ; was it 100*l.* ?—No ; well it was about 20*l.* perhaps. I should say 20*l.*

4462. We take them all as about ?—It was about. I speak all from memory in this case. And Stephen Crocker had also 20*l.* from me that day to poll a Mr. Richards who voted. I forgot to enter him in the list, and he never polled him.

4463. (*Mr. Anstey.*) For Captain Richards ?—No, not Captain Richards, John Richards I think was his name.

4464. (*Mr. Coleridge.*) Did he poll him ?—No.

4465. Did he give him money ?—No.

4466. He kept the money ?—He kept the money.

4467. Did he vote himself ?—He did vote himself, but he appeared in Mr. John Smith's list for 10*l.*

4468. He got 20*l.* from you, and 10*l.* from Mr. Smith ?—Yes.

4469. (*Mr. Price.*) And his bill paid ?—Yes.

4470. He got 20*l.* from you, and 10*l.* from Mr. John Smith ?—Yes.

4471. (*Mr. Coleridge.*) Then go on ?—Mr. Charles Lott, a draper.

4472. How much ?—He had a bill of 60*l.*

4473. (*Mr. Price.*) What was that for ?—The bill was before I had anything to do with electioneering.

4474. (*Mr. Coleridge.*) What was that for ?—I do not know.

4475. No items given ?—No.

4476. To whom was it charged ?—I handed the money to Mr. John Smith, and he paid the bill. I never saw it.

4477. It was paid to Mr. John Smith, and Mr. John Smith delivered it ?—Yes, it was on Mr. John Smith's list.

4478. (*Mr. Price.*) Did he tell you it was for expenses incurred in the last election ?—Yes, Mr. Smith told me so. Mr. Smith told me that Mr. Lott owed him some rent down in High Street, and Mr. Lott would not pay it unless he paid the bill, and he actually paid him the money for this bill. This bill was for 60*l.*

4479. (*Mr. Coleridge.*) Mr. Smith got his rent through this means ?—Exactly ; he would not pay it.

4480. (*Mr. Anstey.*) Then, in point of fact, in settling Mr. Lott's bill for 60*l.*, you were accommodating out of Mr. Brogden's and Mr. Vanderbyl's money, not Mr. Lott at all, but Mr. John Smith the grocer, who received the amount in payment of his own rent ?—Mr. Lott said the order was given by Mr. Smith, and Mr. Vanderbyl was the debtor for

the money. Mr. Smith can account for the money. I do not know whether it was Mr. Smith who paid the money.

4481. (*Mr. Coleridge.*) Yes, that was 60*l.*?—Then there was Mr. Henry Chapman Bussell had a bill at Sir John Shelley's election. That was outstanding.

4482. How much?—I could not say. He gave me a statement yesterday.

4483. He told us?—He told you yesterday.

4484. (*Mr. Price.*) But we did not understand from Mr. Bussell that he did not get paid until this time?—I think Bussell's bill in Sir John Shelley's election was not paid till Mr. Vanderbyl's election.

4485. Bussell did not tell us that?—And then there would be Mr. Vanderbyl's own bill at that election as well.

4486. (*Mr. Coleridge.*) What bill?—The treating bill.

4487. Mr. Vanderbyl's treating bill?—Bussell's treating bill.

4488. Although I dare say we can get a good many of these accounts rendered by the people themselves, yet there is a very large margin left; and as two or three people have stuck to the money, we are not sure of getting a correct account?—Mr. Vanderbyl had the debts of Sir John Shelley to attend to, as well as his own.

4489. You have only given us about 160*l.* of Sir John Shelley's debts. Is that all?—There is William Bradford Gold.

4490. How much?—10*l.* or 16*l.*

4491. Have you no sort of memoranda by which you can tell me roughly how much money you were paid by Mr. Vanderbyl, for debts which were left by Sir John Shelley?—No, I cannot.

4492. (*Mr. Price.*) Not a rough sum?—No, I passed all the accounts.

4493. Do you think there was as much as 400*l.* or 500*l.* debts arising out of Sir John Shelley's election paid by Mr. Vanderbyl? Just consider for a moment?—I will give you the items as far as I can, and you can add them up as well as me.

4494. (*Mr. Coleridge.*) But you give them so slowly. You have given us about 160*l.*—There was Joseph Glanville sent me a bill.

4495. (*Mr. Anstey.*) What was Gold's bill for?—Silk ribbons and favours.

4496. He is a silk mercer?—Yes, he is a woollen draper.

4497. (*Mr. Price.*) Give us the amount in round numbers if you can. Was it as much as 300*l.* or 400*l.*, or 400*l.* or 500*l.* debts, arising out of Sir John Shelley's election?

(*Mr. Anstey.*) Or more?

(*Mr. Price.*) Or more?—I could not undertake to give it to you.

4498. Not within 100*l.*?—No; I could give you the items.

4499. You do not give us the items, because you cannot give us the sums?—I gave you the names of the gentlemen. You can do it yourself.

4500. But you cannot do it?—No, they must do it themselves.

4501. But it seems, that in some cases they have kept back some money. We are not sure that we can get it?—There is Glanville,—there is a small bill in his case.

4502. (*Mr. Price.*) What could he have a small bill for?—For painting and decoration, or something of that sort; there was a bill I know. Then there was Edward Babbage in Eastover,—there was a bill from him.

4503. (*Mr. Coleridge.*) You do not know how much?—I think it was 28*l.*

4504. Then, in fact, Mr. Vanderbyl was expected to liquidate the debts of the borough?—It was the only way to get in; it was compulsory.

4505. Of course Mr. Bagehot would not pay Sir John Shelley's debts as he did not get in?—I do not know; however, he did not get in.

4506. You say, because he skipped over those debts, that was the reason he lost his election?—Yes.

4507. If he had had plenty of money to have bribed right and left, he could have got in without paying these outstanding debts?—The liberal party voted for Mr. Bagehot, but he did not lose those votes through not paying them.

4508. (*Mr. Price.*) When they got a rich man down they thought it was worth their while to press for their money?—They thought they ought to have been paid their money, and they said "We will not "vote until we are paid."

4509. (*Mr. Price.*) Do you know whether or not these men had refused to vote at this election of Mr. Vanderbyl, until they had these bills paid?—William Hurman told me he would not vote until his bill was paid.

4510. Any other?—And Babbage.

4511. Any other?—No.

4512. Do you know whether or not they made that a stipulation with the men who were employed to go and pay the bills?—No, they did not.

4513. Did you pay all the bills yourself?—I did not.

4514. Then you entrusted some person to go and pay them. I do not understand when you gave up this money, that all of them had refused to vote until they were paid these bills?—Not all of them. I had a conversation with Mr. Hurman a day or two before.

4515. But do you know that that was the case?—They voted for Bagehot.

4516. But that might be the more reason for saying the next time that they would not be passed over. What are you looking at? (*Referring to a paper handed to the witness by some person in court.*)

4517. (*Mr. Coleridge.*) Is that a memorandum of your own?—No.

4518. (*Mr. Price.*) What is that? No person has a right to interfere with the witnesses, and hand them up a document without being put in the box.

(*The Witness.*) This is a gentleman who said, "You "gave 15*l.* to William Thomas." (*The witness handed the paper to Mr. Coleridge.*)

(*Mr. Coleridge.*) He has no right to hand you this. This should be given to us privately.

4519. Taking it roughly, there is 1,500*l.* left unaccounted for. Supposing we take 500*l.* from that, and say there is only 1,000*l.*, after what you have given us, would that still leave a fair margin? I understand you got 1,400*l.* and 2,600*l.*, did not you?—Yes.

4520. And you gave away both of those sums?—You will find that from one to half past one they would not look at 10*l.*

4521. You mean that generally?—Yes.

4522. (*Mr. Price.*) What do you say in the early part of the day that they got?—10*l.*

4523. And what afterwards?—Then it came to 15*l.*

4524. And then about 12 o'clock to 25*l.* 100*l.* for four votes?—That is just about the money.

4525. At all events, whatever the voters got for their votes, you got rid of the money in the course of the day?—Yes.

4526. You mean you paid these bills on the very day of the election?—They would not vote until they got the money.

4527. (*Mr. Price.*) The men would really not go and vote until they had these bills paid?—I did not see them go.

4528. No doubt it was so. It came to this; it was bribing in another form?—It looked like it; it was very strong.

4529. (*Mr. Anstey.*) How was it mentioned at all that these unpaid bills of Sir John Shelley's election were to be paid by Mr. Vanderbyl or Mr. Brogden?—and, secondly, how did it come to be mentioned at all that you were to pay these unpaid bills out of your bribery fund, unless it was distinctly understood by you that the payments of these unpaid bills were to be considered as payments for the purchasing of votes?—That is just how I looked upon the money when it was paid away.

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(*Mr. Price.*) I do not know whether Mr. Barham is in court, but without swearing Mr. Barham I shall call upon him when we meet again to produce the accounts mentioned by this witness.

(*Mr. Anstey.*) And I shall also call upon Mr. Barham for the accounts for what he calls accounts of expenses not legal, because those he has produced are accounts of what he calls legal expenses of his clients.

Mr.E.Barham.

Mr. Eustace Barham called.

4530. (*Mr. Price.*) W[illegible] will not swear you at present, but will you produce the accounts which were rendered to you by Andrew Allan?

(*Mr. Barham.*) I have no such accounts. I have given you over every document in my possession. The accounts which were furnished by Andrew Allan, of which he has spoken, if there are any still extant, are in the possession of Mr. Henry Lovibond. I have not any further accounts and documents in my possession than what I have already handed over to you. Since you stated that you were going to call upon me I have spoken to Mr. Henry Lovibond, and he says——

4531. (*Mr. Price.*) Well, I only ask you to produce them. You are not a witness at present. Is Mr. Lovibond here?

(*Mr. Barham.*) He will be here.

4532. (*Mr. Anstey.*) Have you got the paper I asked for.

(*Mr. Barham.*) No, I assure you, sir, I have no other paper than what I have handed over; I have had a most careful search made through the office. Every paper I could find bearing upon election matters I have had made up into parcels and handed over to you.

4533. (*Mr. Anstey.*) You have no loose papers.

(*Mr. Barham.*) I have not.

(*Mr. Price.*) Very well. That will do for the present.

[Adjournment.

A. Allan.

Andrew Allan recalled.

4534. (*Mr. Price.*) Well now, Mr. Allan, since we adjourned have you discovered anything else you can give us about the distribution of this money; about the mode in which it was paid away?—There is a small correction I want to make. I was told since I went out that Mr. Babbage's bill was 40*l.* I think I said it was 28*l.*

4535. 28*l.*, you said, and it is 40*l.*?—40*l.* I have been told. I do not vouch for the correctness of it. I paid a bill of 25*l.* to Mr. Phelps.

4536. (*Mr. Anstey.*) Repeat what you said, I do not hear a word you say?—Mr. Babbage's bill I gave the statement of as 28*l.* I have been told since I went out, by some one, it was 40*l.* Phelps of the "Commercial," I paid him 25*l.* for the public house bill.

4537. (*Mr. Coleridge.*) That would be for treating, I suppose?—For carriage hire.

4537 *a.* (*Mr. Anstey.*) There was a disputed item for carriage hire?—There is a bill disputed now. I paid him a disputed item of twenty-two or four pounds.

4538. That disputed item, however —— ? — Is unpaid.

4539. That disputed item, however, has no reference whatever, I believe, to the second election of 1866, but was one of those old unpaid debt or claims standing against Sir John Shelley and Mr. Kinglake. Do not you remember that?—The money I paid him——

4540. Do you remember that or not,—that that claim of Phelps's was in respect to Shelley's election, although it was settled at the second election of 1866. Was not there an advertisement in the papers both by Sir John Shelley's agent and by Kinglake's agent saying that Phelps's claim was disputed as to amount?—Yes, there was.

4541. Well then, is the money you speak of now, as having been paid at the second election of 1866, that claim?—I do not believe it is.

4542. Another claim?—I believe so.

4543. Also against Shelley?—I may be wrong. I paid him 22*l.*, for what claim Phelps must explain.

4544. (*Mr. Price.*) In what form did you render this account to Mr. Barham? Was it in the shape of a book, or a bill which you made out? What kind of paper was it you rendered the account on?—No, I gave him the lists from the principal ones—the large matters.

4545. Yes; of these large matters the account which you say you rendered to him —— ?—Was lists; and the others were all verbal.

4546. Then you said you rendered an account. I understood you to have rendered a written account. What did that written account contain?—Oh! I took my own particulars together with the lists I had from the men that had received money from me. I tendered the lists, and I gave them the particulars, and they audited the account themselves.

4547. Did you see Mr. Barham put it down or enter it in a book?—Not in a book, on a paper.

4548. Who was present?—Henry Lovibond and Mr. Barham. No one else.

4549. How long was that after the election?—Two or three days.

4550. You took down your list and the documents you had, and the returns from the men you entrusted the money to?—As far as I had returns. In many cases I had no returns. I had no return from Symmons, no return from Heal, and a great many other matters I had no return of.

4551. You made out as much of it as you could verbally without documents?—I gave them all the documents I had, and fill up the others by statements.

4552. (*Mr. Anstey.*) Had you had returns at that time from all the previously unpaid claimants, tradesmen,—claims for supplies and so on, from such men as Hurman, and so on?—These were paid on the polling-day.

4553. And you made a return two or three days after the election of all those?—Of everything.

4554. Therefore Mr. Barham, when he prepared an abstract of election accounts for publication in the usual way, was perfectly aware that you had spent some hundreds of pounds for settling claims in that way?—He must have been.

4555. (*Mr. Price.*) Well, is there anything else you wish to tell us?—He must have been aware if the abstracts were prepared more than three days after the election.

4556. Are you aware that there was a month given?—I think it is within a month you are obliged to return—now at all events—the expenditure by the election agent. Was Mr. Barham the person who would have to make that return?—I do not know.

4557. You do not know whether he was the election agent for the election expenses under the statute?—No.

(*Mr. Anstey.*) He was one of them.

4558. (*Mr. Price.*) Then at all events before the month had expired, long before the month had expired, you had given him a return of this expenditure?—I had.

4559. Of every shilling of it as far as you know?—Of every shilling of it, of all the 4,000*l.*, that I swear.

4560. Now you know it has been stated, and it is only fair to put the question to you, it has been said against you that the party was at sixes and seven, as Mr. Bussell said, in 1868, and that arose to a certain extent from an idea that had got abroad that some persons who had been entrusted with money had stuck to it, some persons in your position. I think you said yourself that that had been reported against you?—No, I will make an explanation. After the election of Vanderbyl, whose accounts were closed

about two or three days after the election, after that time, Mr. Smith, Henry Cornelius White, Henry Bussell, Charles Bulpin, and I do not know any others, but these having passed their accounts to me, and I having passed them, they came to me and thought that they ought to be paid something for services rendered. I said, "Why did not you say "something about services rendered before the "accounts were closed? I have no money. Not a "shilling." I told Mr. Lovibond of the matter, and they were never paid a farthing, and never had a halfpenny, and for that reason they were all sixes and sevens with me, and thought that it was me that prevented them having it.

4561. They thought you prevented them having it. It was not an imputation upon you that you had put anything in your own pocket?—Not the slightest. I will defy either lawyers or agents or any one to show that I have ever had money in that way, or to bring anything against me. That is irresistible, I admit bribery; I admit illegal money dealings in the sense I have named, I do not admit anything else.

4562. (*Mr. Anstey.*) These are the dates, Mr. Allan. On the 10th of October 1866, there was published in the Bridgwater Mercury advertizing column of that day, page two, Eustace Barham's abstract of Vanderbyl's election expenses, amounting to only 217*l.* 13*s.* 4*d.* containing a note that there is only one disputed demand for 12*l.*, that of Hodge for supplying carriages and horses for procession, and so on, dated 4th October 1866; and in the same paper, the 12th of September previously, page two, there is a similar statement by him, "Election expenses, Bagehot, 206*l.* 10*s.* 2*d.*," bearing date the 28th August 1866. Now, on the 28th of August 1866, or at all events on the 4th of October 1866, are you quite certain that you had furnished Mr. Eustace Barham with a statement of all the payments which you had then made on the various accounts of which you have spoken?—Quite certain, and I will give you the reason.

4563. (*Mr. Price.*) Yes?—I believe that electioneering accounts always grow bigger if they are not paid, and my principle is to pay them the next day. I started two elections ago with honest intentions. I thought there was some business about politics till I found out different. When I say "politics" I mean electioneering politics.

4564. What you say now is this, that in 1868 the party, that is to say, certain members of the party, were at sixes and sevens, who were in point of fact these men whom you had employed to bribe voters on former occasions, and who were angry and disappointed that they had not received money themselves as remuneration for the services rendered?—Well, seeing such a large sum of money go as they had seen, and taking so much trouble as they had taken, they thought and said that they were entitled to some remuneration for services rendered, and they thought I ought to pay them, and I said I had no fund to pay them.

4565. (*Mr. Coleridge.*) Did Henry Chapman-Bussell ever say that?—Not to me personally.

4566. Did he to anybody that you know of?—Did you hear that he had complained of not being remunerated?—I think that Henry Cornelius White more than any other wanted to be paid.

4567. I ask you whether Henry Chapman Bussell made any complaint of not being remunerated?—I do not remember an individual complaint on the part of Mr. Henry Bussell. I thought it was said to me by Mr. Smith (Mr. John Smith) that Henry White and they that had taken an active part expected it. He did not say that he expected it on his part but "they" expected it.

4568. Who said this?—Mr. John Smith.

4569. If he said White expected something he took care to get something, because he did not account for 20*l.*?—Smith, I presume, did not know anything about that.

4570. Well then William Symmons again had 130*l.* unaccounted for?—He did not ask anything for services rendered.

4571. He was pretty well paid. Did you on that day at the election you have been speaking of, get any money from anybody but the stranger with the black coat and Mr. Barham?—I did not.

4572. Did all money that was expended in corrupt practices at that election go in some shape or other through your hands?—As far as I know.

4573. You do not know whether any money went into anybody else's hands without passing through yours?—I do not know that anybody in the town received any money except what passed through me.

4574. When you received the money from the stranger (you had it in three instalments if I recollect your explanation) did not the stranger say, "I shall see you here again"?—No.

4575. Did not he say a syllable?—No.

4576. What occurred?—I went into the bedroom, and he had a big black bag there.

4577. Was there anybody in the room besides?—No. He opened the bag and he showed me the lot, and I said, I cannot take it all."

4578. Was it in the bag?—In small gingham or jean bags inside the black bag.

4579. How many bags?—Three.

4580. It was rather a bulky affair?—Yes, it was.

4581. So you took it at separate times for the purposes of concealment, of course?—And it was easier carried.

4582. And for purposes of concealment, I presume, on such an occasion?—Yes.

4583. Did you receive any money from anybody else?—No.

4584. And you do not know that anybody else received any except from you?—No.

4585. At the time Mr. Barham was in and out of your house every quarter of an hour and bringing these sums of money, did he upon any occasion write a cheque in your house, and go out to get it cashed?—Not in my own presence.

4586. Do you know how he got that money?—I do not know. He never told me, and I never asked.

4587. What was the biggest amount at any one time you received?—I should think not more than 300*l.* at one time?

4588. Always in notes. Did you always pay it away in notes?—In the way I had it.

4589. In notes?—Yes.

4590. Paid away the identical notes?—The identical notes. In fact Mr. Barham was close to me when I refused to pay Mr. Symmons 100*l.*

4591. You never told us of that. Why did you refuse to pay Mr. Symmons?—Because he would not tell me what he was going to do with the money.

(*Mr. Price.*) Now, tell us what happened.

4592. (*Mr. Coleridge.*) What time of day was it, first of all?—Well, it may have been between 10 and 11 o'clock. He came into where I was in my own house, understood to be there by them I was working with. Symmons came in, and came into the room where I was, and said ———?

4593. What is Symmons?—A brickmaker.

4594. (*Mr. Price.*) He employs about 200 workmen?—So I understand.

4595. Does he make those bath bricks that are one of the staple trades of the place?—I believe he does. I gave him 15*l.*

4596. (*Mr. Coleridge.*) What was that 15*l.* for, if he would not tell you what he was going to do with the hundred? Was that for himself?—It was not an unreasonable lot for one man to have, and I did not question him.

4597. Do you imagine that was for him, or was he going to give it to some one else?—I imagine he was going to give it to some one else. He asked for some more money, and I paid him 10*l.* next. He had not been gone long when he wanted some more money, and I gave him the 10*l.*

4598. When was Mr. Barham present?—He was not present at that time; not in the house.

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4599. You were going to explain your saying that you refused to give him 100*l.* ?—I will come to that. Mr. Symmons came back again and wanted more money. I said to him, "I am short of money. It is nearly gone. There is 5*l.*" And he had 5*l.* It was 15*l.*, and 10*l.*, and 5*l.*

4600. 30*l.* ?—He came back again when he had not been gone very long, and he wanted some more. I said, "Where is it all going? because I may possibly "be sending money to the same source as you are "taking it to. As a matter of business let us see "where it is going;" for there is some business even in electioneering. He would not tell me. He was indignant.

4601. Was Mr. Barham present then ?—He was in hearing.

4602. In the room?—Not in the room, in the passage.

4603. Was the door open ?—Yes; Symmons and me were talking loudly.

4604. (*Mr. Price.*) You were in a room, and there was a passage with the door open. How do you know Mr. Barham was in hearing?—From the fact that he appeared in the door and said, "Let him have a hundred." Therefore he must have been in hearing. I was under his orders, and I paid the man.

4605. (*Mr. Coleridge.*) Have you ever had any account whatever from Mr. Symmons of this money? —No.

4606. Have you ever given money at any former election ?—No.

4607. This was not the only election of 1866. There was one shortly before. Did not you give him anything then ?—Not that I remember.

4608. (*Mr. Price.*) From the fact of his not having rendered any account of this money, and from his coming back from time to time and asking for these sums, and asking for the 100*l.*, are you now under the impression that Mr. Symmons came for that money for himself to put in his own packet, or that he required it really, bonâ fide, if I may use the expression, to go and bribe with? What is your impression?—It is a question I did not ask.

4609. At first you doubted about giving it to him, and then you gave him this 100*l.*, and he rendered no account. Is he a person who would take that money for his vote?—I do not know him sufficiently. He is a gentleman, and I believe he had the money for electioneering purposes.

4610. (*Mr. Anstey.*) What do you mean by a gentleman?—A man of position.

4611. (*Mr. Price.*) The result of it is this, that so far as you know from any account rendered by Mr. Simmons, that money has gone into his own pocket for his vote?—As far as I know.

(*Mr. Price.*) Well then, of course, Mr. Symmons (I do not know whether he is here present) must thoroughly well understand this, that unless he can give an account of how he disposed of that money he will be considered by us to have received 130*l.* for his own vote.

(*Mr. Anstey.*) Under particularly aggravated circumstances.

(*Mr. Price.*) And he will go into the schedule as a person who has been bribed.

4612. (*Mr. Anstey.*) You have said that when you went into the bedroom the only person in it was this stranger?—Yes.

4613. And that no words passed between you and him. He only produced the bags, and gave you the money?—I do not remember anything more.

4614. Just carry your recollection back. You know this is very important. He was a stranger to you and you were a stranger to him. If you did not speak to him what check or authority had he for securing against an impostor coming in to receive the 1,400*l.*?—Nothing more than an introduction I had from Mr. Brogden.

4615. You were asked repeatedly to specify what you meant by "no particular introduction," and you said "not much of an introduction." I should like to have the dialogue word for word, as it passed between the stranger and Mr. Brogden?—I do not know that a word was spoken. I was ushered out of one room into another, and nothing more than a bend.

4616. (*Mr. Price.*) That is, as far as you know, the appearance of you brought in by Mr. Brogden was a satisfaction to this man?—Beyond a doubt.

4617. (*Mr. Anstey.*) Therefore, whatever conversation took place about the 1,400*l.* must have taken place between Brogden and him?—An understanding must have existed before.

4618. Nothing was said at that time to have justified him in paying over the money to you?—Nothing.

4619. (*Mr. Coleridge.*) Well now, I do not wish to mix up another election with this, but I want, à propos of this, to understand how you first got into the somewhat peculiar position of being a go-between? —That is just what I should like to explain.

4620. The being a go-between between the lawyers so to speak, and the men like Bussell and others who distributed the money; because you have told us that 1868 was an exceptional case in which you did it yourself, but you would much rather have employed others.

4621. (*Mr. Price.*) Deliberately, just tell us how it was?—It was my fortune or misfortune to buy the premises in which the Liberal candidates had been for some years accustomed to stay. I went to live there myself.

4622. (*Mr. Coleridge.*) What year?—About seven or eight years ago when I went there. At the first election as usual they came and rented the apartments, as they had before.

4623. (*Mr. Price.*) When you went there did anybody acting on their behalf come to you and ask you whether you would undertake to have your house at the disposal of the candidates, any one of the lawyers? —When I went there.

4624. I mean the first election after you went there. How was it brought about that you should consent to take in the candidates, as had been done before with former candidates, as the house had done before. Some person must have come to you on behalf of one of the candidates and asked you whether you would accommodate them with your house?—The facts of the case prove it. I do not remember the instance. The candidates came there to lodge.

4625. Who was the first candidate that came there? —Kinglake.

4626. (*Mr. Coleridge.*) Kinglake and Sir John Shelley?—Kinglake. We had but room for one. Sir John Shelley had intended to come, but he gave the apartments up to Kinglake.

4627. Where did Sir John Shelley go?—I do not remember. I think to the Railway Hotel.

4628. (*Mr. Price.*) Now then go on?—Having the candidates in the house, the agents naturally were running up and down stairs and out and in, and having close connexion with the candidates, and I afterwards met in electioneering matters the same gentlemen as well who had been in communication with the candidates.

4629. Barham and Lovibond?—I call them the agents in the matter.

4630. But they were the persons who were calling? —Yes.

4631. Tell us how you came to be the financial agent?—All the persons who were interested in money matters respecting elections came, in consequence of the member being there, most naturally to head quarters.

4632. Bussell and those men?—Bussell and John Smith.

4633. And White?—Yes, through having the candidate in the house we were brought into close contact with them.

4634. (*Mr. Coleridge.*) Did Mr. Kinglake ever see these men?—Not to my knowledge.

4635. How many rooms had you in your house?— Mr. Kinglake had a sitting room and bedroom.

4636. What other room did you let to him?—I did not let any other to him.

4637. Where were the agents, in Mr. Kinglake's sitting room ?—Yes.

4638. (*Mr. Price.*) Was there any other room in your house occupied by Mr. Kinglake, excepting what we will call his private apartments, in which anybody coming there to see his agents could have any discussion upon electioneering matters ?

4639. (*Mr. Coleridge.*) When men like Bussell and others came there. (You say they came because the member was there), where did they go to ?—They came to my rooms, my own part of the house.

4640. (*Mr. Price.*) They saw you then ?—They saw me.

4641. Did they ask for you, or go at once to Mr. Kinglake's room ; or did they come and at first ask for you ?—No, I only mentioned them as an element that connected me with the electioneering. Another element was the widows of people at the time of Bagehot whose husbands had previously supported the Liberal candidates. They would come and want something from the candidates because of what their husbands had done.

4642. What, is it an element of corruption in this borough that supporting a candidate is to be looked forward to a pension to the widow ?—There is no fund.

4643. Has it been in your knowledge a practice for a candidate to reward the widow of a defunct voter ? —You could not keep the widows from coming to ask you.

4644. (*Mr. Coleridge.*) No, but although widows are notoriously importunate would you have allowed these widows to be shown up to Mr. Kinglake ?—But they came to me, and that is how I was connected with the electioneering matters.

4645. (*Mr. Price.*) You were connected with electioneering matters by the importunate widows ?— They were one element. The solicitors were another element, and a more important one.

4646. (*Mr. Coleridge.*) When did they first take you into their confidence ?

(*Mr. Price.*) Did they say, "Will you take this "matter in hand ?"—I do not know.

4647. (*Mr. Coleridge.*) Who was your seducer, in fact ? Who tempted you ?—Mr. Henry Lovibond, at his own office. We had a meeting in the Liberal interest. I knew nothing before about electioneering matters, never had anything to do with them.

4648. Not in Scotland ?—No, not in Scotland. I was only eighteen when I came to this town.

4649. Well, go on. Tell us about the meeting ?— I went to the committee room and Cornelius White was there, John Smith was there, Bussell was there, and I should think fourteen or fifteen men, perhaps twenty, active men in the Liberal interest. I did not know the nature of the meeting at first, but I was there. I went with them, and the business of the meeting passed over and we rose to leave.

4650. When was that ?—It was the nomination night of Bagehot's election.

4651. (*Mr. Price.*) The election of 1866 ?—Yes.

4652. (*Mr. Coleridge.*) You had nothing to do with them before 1866 ?—Nothing in my life. Mr. Henry Lovibond asked me to stay back behind the meeting, and I asked him what he wanted. He told me he wanted me to convey a parcel to John Smith and Henry Bussell.

4653. (*Mr. Price.*) To convey a parcel ?—I accepted the office, thinking there was some difficulty about it, and a matter of confidence and trust; and I did it. It was 500*l.*

4654. (*Mr. Coleridge.*) And that was your first dealing with money in any form ?—The first time on which I even felt the weight of it, or touched or saw it.

4655. (*Mr. Price.*) That was the way in which you were introduced into the matter ?—That was the way.

4656. (*Mr. Anstey.*) And after that you became the regular treasurer and financial agent ?—At the last three elections.

4657. (*Mr. Coleridge.*) Did you vote at the election of 1865, the general election ?—I did, and the election before that.

4658. Had you anything to do with it besides voting ?—I never had anything to do with it before voting, and I was out travelling at the time, and I drove 18 miles to vote on the election day, and never had the value of the scale of a herring, and never expected it.

4659. (*Mr. Price.*) Do you agree or not with Mr. Bussell as to the proportion of electors before the last Reform Act ; the proportion on each side who are bribable, that is to say, he put it at 140, if I remember right, on the Liberal side, and 80 on the Conservative side ? — There is no man who is more experienced or told a more truthful tale in respect to that than Mr. Bussell.

4660. Will your experience lead you to agree with him in that fact ?—I support him. It is a fact.

4661. (*Mr. Coleridge.*) Have you ever had anything to do with municipal elections ?—Never ; I do not now, and I never have touched them.

4662. You vote ?—I never spent 4*s.* in municipal matters in my life.

4663. From you knowledge of Mr. Barham and other people who deal with parliamentary elections, do you think there is anything done on a small scale in municipal elections ?—I should not think there was.

4664. (*Mr. Price.*) Tell us whether the addition to the constituency by the last Reform Act has increased very considerably the bribable element or not. Before the last Reform Act you agree pretty much with the way in which Mr. Bussell describes the unbribable numbers ; that is to say, 80 on the Conservative side, and 150, speaking in round numbers, on the Liberal side, who are unbribable. Have you formed any opinion from the experience of the last election, or from what you have heard, have you formed any opinion as to whether there is any considerable addition to the bribable element ?—I consider the constituency is much better now than it was before.

4665. You think it is ?—Yes.

4666. (*Mr. Coleridge.*) More difficult to deal with ?—More honest.

4667. And more difficult to deal with in consequence ?—I believe the new constituency are less corrupt than the old. I do not say what the new might be after three or four elections.

4668. When corruption has eaten its way into it ? —I say that the new constituency is as good and honest as I was before I had anything to do with Bagehot's election.

4669. Before you fell ?—Before I was connected with them.

4670. (*Mr. Price.*) Do you think that elections in Bridgwater will continue to be managed on the same principle ?—I cannot support that, I will contend that the new electors of Bridgwater are as good as the new electors in any town in England.

4671. (*Mr. Coleridge.*) Supposing there was an election in which not one single farthing was spent in treating or bribing or anything else, how many do you think would take the trouble to record their votes ?—I have not the slightest doubt they would record their votes.

4672. If there was no money ?—Yes ; if there was no money the new voters will record their votes. Never having had money they would know nothing about it.

4673. You can hardly take into your mind the hypothesis I put, of an election that should be absolutely pure ?—It would be impossible to get it so, because there would be the suspicion on the part of the men of the old constituency that there would be money.

4674. (*Mr. Anstey.*) I thought you said that you supported Mr. Bussell's statement ?—I stated I supported it as to the old constituency.

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4675. But in a general way, putting it generally?—I support him as to the old.

4676. (*Mr. Coleridge.*) I do not think Mr. Bussell made much distinction?—There is a proportion of new voters who have been bribed.

4677. (*Mr. Price.*) If that is so, does not that lead to the conclusion that the new element is as easy to deal with in the shape of bribery as the old?—I do not think the per-centage is equal to the per-centage of the increase in the constituency.

4678. Then according to your view the higher up the constituency were in the scale the more likely you were to continue bribery?—No; when you get an old electioneer you will find you will have him to pay.

4679. (*Mr. Coleridge.*) You mean the man who has tasted blood will always have it?—And he will not go without it.

4680. (*Mr. Anstey.*) Can you tell us what person in Bridgwater in your time has occupied the same position in the Tory party as you have occupied in the Liberal party?—I do not know from my own knowledge.

4681. Can you tell us anybody else who will know? Give us his name.

4682. (*Mr. Price.*) We want the "Andrew Allan" of the other side?—John Murlis.

4683. (*Mr. Coleridge.*) Is he alive?—He is here.

4684. Will you allow me to point this out to you for your own sake, because it may be as well you should try and clear it up. You have acknowledged receiving 4,000*l.* You have given us the names of all you have distributed it amongst; but there is still a large deficiency, as far as we can make out in the amount. It may be that when these people come up the may give us such an amount that it may exhaust the 4,000*l.*; but at present I believe there is 1,500*l.* unaccounted for. The difficulty will be this, that in addition to putting you down as a briber we shall be obliged to put you down as a bribee, because there is this large sum of money unaccounted for, and you afterwards voted for the Liberal party. You are in that position through having that sum unaccounted for?—If you accredit them 10*l.* apiece, and that only, I can quite understand the deficiency.

4685. If I add 500*l.* on, on that account, that leaves a 1,000*l.* unaccounted for?—I will do the strongest and best thing I can towards giving you a full statement.

4686. (*Mr. Coleridge.*) We must endeavour to get these sums of the individuals?—If I can further assist you I will.

4687. (*Mr. Price.*) Have you any reason to suppose that besides the case you have mentioned of Mr. Symmons having 150*l.* unaccounted for, there were men who got very large sums, besides the 10*l.*, for their votes?—Have you any foundation for supposing there were men who got very much larger sums?—Why, I was paying 25*l.* a vote for an hour.

4688. (*Mr. Coleridge.*) Who was paying that?—I was.

4689. No, no, but you told us on this occasion that you only paid three voters at all yourself?—I was paying the money.

4690. On the footing of 25*l.*?—To these agents. They were drawing 25*l.* a vote for some of the voters.

4691. But you did not pay directly more than 10*l.* or 15*l.* yourself to any voter, and that was James Mears?—I did not.

4692. (*Mr. Price.*) As far as you were informed, there were voters being paid for an hour at the rate of 25*l.* a head. How many do you suppose were being paid at that rate?—That was about the current price for the hour. I do not know how many polled in that hour.

4693. If you can also give us any information we shall be glad to have it from you as to what sum you understand or suppose was paid on the other side at that election?—I do not know. I have no means of knowing.

4694. (*Mr. Coleridge.*) I suppose the sub-agents who actually deal with the voters are more likely to be able to tell that?—I should think they were.

4695. (*Mr. Price.*) Now is there any other information—I put this to you not merely as a matter of form, but in justice to yourself, any other information with regard to the election of 1866 which you can give us as to the way it was managed?—Not that I think of. If I think of anything I will be very happy to give it.

4696. (*Mr. Price.*) Now we will come to the election of 1866, in which Mr. Bagehot was introduced to the constituency after Mr. Westropp had been unseated on petition in 1865. That was an election which was going to be fought as a single-handed election. Mr. Westropp had been unseated; one seat was vacant, and there were two candidates, Bagehot and Patton. Did Bagehot take up his abode at your house?—He did.

4697. Then it was that you were called back by Mr. Lovibond?—Yes, it was at that one.

4698. At your own house?—No, at his office.

4699. Was that before Mr. Bagehot had come into the field?—Nomination night.

4700. And these two packets you took down?—It was only one.

4701. What packet you took down to Mr. Bussell. Now, besides that tell us what other part you took in that election?—I will give you the names of the men who held eleven hundred pounds of Patton's money in that election and paid it.

4702. The first transaction was your taking the money down to Bussell. What was the next communication made to you by Lovibond?—I had that 500*l.* from Barham.

4703. That you took down to Bussell?—Yes.

4704. How did you get it?—I went to Mr. Barham's house for it.

4705. Who told you to go there?—Mr. Lovibond.

4706. You went?—Yes.

4707. Did you see him?—Yes.

4708. Did you see anything put for you?—He showed me where it was.

4709. What?—Yes; he paid me the money.

4710. Tell us what passed?—I think the money was on the side board, and he told me to take it.

4711. Did you know Mr. Barham before?—Yes, very well. I went in and stayed two or three minutes, not very long, because it was very late, past eleven o'clock at night.

4712. At his own house?—Yes.

4713. Did he point to the money?—Yes.

4714. Did he say there is the money for you to take?—I would not swear to the exact language, but in effect and in substance it was that.

4715. You took it away with you?—Yes.

4716. What was the next communication you had, either with him or anybody else, on money matters?—I saw him the next day in my own house, perhaps about half past ten o'clock, or it may be eleven.

4717. On the polling day?—Yes. And I told him that the money was exhausted; we had nothing.

4718. Had you received any information from Bussell to that effect?—Yes, I had.

4719. You had received information from Bussell that the money was gone?—There was John Smith, and Henry Bussell, Charles Bulphin, Henry Cornelius White, Ambrose Dyer, James Alway, and Thomas Serle; and on that occasion I paid 10*l.* to George Knight, the spirit merchant of this town.

4720. Out of what money?—Out of Bagehot's.

4721. Where had you got that sum?—Out of the money I got from Mr. Barham.

4722. (*Mr. Coleridge.*) But you have not told us about the 500*l.* from Mr. Lovibond?—That was the 500*l.* I had from Mr. Barham. Mr. Lovibond asked me if I would go to Mr. Barham and get the money.

4723. (*Mr. Price.*) Was it out of that 500*l.* that you paid the money?—Yes.

4724. (*Mr. Coleridge.*) Who told you how to distribute it?—It was left to my own discretion.

4725. This being your first election experience, how were you to know who these agents were? Was a list given to you by Mr. Lovibond or Mr. Barham? —No, I knew the men so well, from my own knowledge of them.

4726. How did you know they were the corrupt agents that were to be trusted? You had not fallen then. How did you know it if they did not tell you? —I have already stated that I was told to take it and distribute it.

4727. You were told to take it to Bussell?—Yes.

4728. Who told you how to distribute it.

(*Mr. Price.*) Was it from Bussell that you got orders, so to speak, to give it in certain proportions to the other people you speak of?—No, it must have been from the solicitors. I do not remember their words.

4729. (*Mr. Coleridge.*) You were a novice in the matter, and you were not mixed up in electioneering matters before. You do not mean to represent to us that without any instructions of what you were to do with the money you walked with 500*l.* out of the place?—Bussell and Smith had always had the confidence, financially, of the lawyers on our side.

4730. You did not know about it at that time?—No.

4731. (*Mr. Price.*) Who told you they were to be trusted?—Mr. Henry Lovibond, and they would put me on the scent.

4732. He never said you were to take it to them? —I was to take it to Mr. Bussell and Mr. Smith.

4733. Mr. Lovibond told you you must take it to Mr. Bussell and Mr. Smith?—Yes, and it was for the election of to-morrow, and Smith and Bussell and Bulpim and these men that were on this list. I was to let them have the money, and they would keep an account of it.

4734. Did he give you a list?—No, not a written list, a verbal statement.

4735. He gave you the names?—Yes.

4736. Did you take all the money down to Bussell, or distribute it amongst them?—I distributed it.

4737. (*Mr. Coleridge.*) Who told you in what proportion to give it to these different men? Did the lawyer give you that information then, or was it left entirely to your then inexperienced discretion?—It was left to my own then inexperienced discretion; and let me say there is no man who is liked better, as far as financial matters are concerned, than an inexperienced man.

4738. You had to report next morning that this money was all exhausted?—Yes.

4739. You then communicated that part to Mr. Barham?—I did.

4740. At his office?—No; he came to my house.

4741. Why?—Because the candidate was lodging with me.

4742. And coming to see the candidate on the polling day you communicated that the money supplied to you was exhausted?—I did.

4743. What time in the day was that?—About 10 o'clock.

4744. When you told him what did he say?—I do not know what he said, but he gave me 200*l.* more.

4745. There and then?—There and then.

4746. Out of his pocket?—I believe out of his pocket.

4747. (*Mr. Coleridge.*) What in?—Gold.

4748. And was the 500*l.* in gold?—It was.

4749. (*Mr. Price.*) Was that all that passed at that time?—That was all that passed.

4750. You distributed that 200*l.* among the different men in the same way as you had done the 500*l.*?—Exactly.

4751. What time after that did you see either Mr. Barham or Mr. Lovibond again during that day? —Well, about 12 o'clock we thought we had won the election; we were in a majority, and the funds were all exhausted; we had not a shilling. The Conservatives had money, and we had no more money at our command.

4752. Did you know at that time that money was going on the other side?—At 12 o'clock I did not know. The voters went on the other side, voted against us, and Bagehot lost that election because we had not the money.

4753. Was the 700*l.* all you got on that day?—I got 200*l.* more than that.

4754. Who from?—Mr. Barham.

4755. What time?—About one o'clock, after all the voters were bottled up; and the money was not spent on that day, we could not get a voter, it was no use to us.

4756. Is the 900*l.* all you got together?—That is all I got that day.

4757. I thought you said you got 1,100*l.*?—It may have been 300*l.* that I had got at one o'clock instead of 200*l.*

4758. I thought you said incidentally, sometime to-day, that you got 1,100*l.* at this election?—I did. I got 100*l.* two days after the election on the balance of the account.

4759. (*Mr. Coleridge.*) What became of those 300*l.* that you could not contribute?—It went into the balance of account.

4760. I do not quite understand you; the balance of account,—what balance?—The men who went and polled on a promise.

4761. You mean if there was 100*l.* more to be paid plus this 300*l.* after the election?—I do.

4762. Then this was paid away after the election? —After the election; inasmuch as we could not use it on the election day.

4763. So you paid those who were promised?—We had the money when it was too late.

4764. You had got a lot of people to vote, who promised to vote?—Exactly; and we paid them two days afterwards.

4765. (*Mr. Price.*) And there was no person yet unpolled to whom you could distribute this 300*l.*?—They were left unpaid, but were locked up in the "Bull and Butcher," and surrounding places, by the opponents, so that we could not get at them.

4766. And so you lost the election?—So we lost the election.

4767. Was the sum of 1,100*l.* accounted for in any way?—It was accounted for.

4768. Do you know of any other sum not spent? —No.

4769. (*Mr. Coleridge.*) How did Mr. Barham give you the 200*l.*? The balance by cheque?—No; gold.

4770. And you distributed that like the other, to the sub-agents, and they distributed it?—We balanced accounts two days after the election.

4771. You were 200*l.* to the bad, and had 100*l.* more to balance?—Just so.

4772. And it was distributed to the sub-agents, who distributed it to the voters who had been promised?—Every shilling.

4773. Had you accounts by the sub-agents of what they paid, and whom to?—Yes.

4774. Can you give the accounts?—No; not one.

4775. The names?—I have given them already.

4776. Only you do not know who the agents bribed?—No; I leave them to do that.

4777. (*Mr. Anstey.*) I understood you to say when asked why Mr. Bagehot's election was unsuccessful, that it was because there was no money for payment of these old bills, and Mr. Vanderbyl was called upon to pay them at the second election that year; was there at Mr. Bagehot's election no money spent at all? —We had not sufficient money.

4778. You said no money?—If I said no money it was a mistake, we had not sufficient money, that is what I meant.

4779. Is not it a matter of fact that some of the parties,—I have the account here,—whom you have named as having claims against Sir John Shelley were paid sums of money at Mr. Bagehot's election? I do not say the whole amount?—I paid one bill to Mr. Phelps, and only one. That is the only amount I knew paid.

4780. Was that bill incurred at Sir John Shelley's election?—I have already told you I could not say,

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because I had nothing to do with the money at Sir John Shelley's election.

4781. Was the printing bill at Mr. Bagehot's election for business done at Sir John Shelley's election?—Not to my knowledge. I know nothing of it. If he was it was paid outside of me, not through me.

4782. Mr. Bagehot himself was a man of property, was not he?—I have no doubt he was.

4783. Did you know whether he was called upon to make any payments himself to his agent during the election?—Not to my knowledge.

4784. Because the reason for asking this is that it appears he was called upon in August, which is some months after the election; you do not know anything about that?—I do not.

4785. Nor why he was called upon?—I do not.

4786. Why was not he requested to stand again the same year, to oppose Mr. Patton, on his vacating his seat to become Lord Advocate? Why was Mr. Vanderbyl sent for?—I always understood that Mr. Bagehot was refused.

4787. What was his answer?—I did not request him, and his answer was not to me; but I always understood that the Liberal interest had refused him.

4788. Had that anything to do with the payment of bills?—Not the slightest.

4789. How do you know?—Because his bills were all paid.

4790. I am not speaking of those. Was his refusal to stand again connected with the expectations of the Bridgwater electors that Sir John Shelley's expenses were to be paid?—I do not believe that Mr. Bagehot knew anything about that, it was a matter of 400*l.* or 500*l.*, but I have no means of knowing.

4791. (*Mr. Price.*) Do you say that the amount of Sir John Shelley's bills unpaid was 400*l.* or 500*l.*?—It could not exceed that.

4792. Was it as much?—I should think it would amount to that.

4793. (*Mr. Anstey.*) And Sir John Shelley's bills at this time were left unpaid; his canvass, I believe you have stated, being a canvass proceeding on pure principles?—I have no acquaintance with his canvass.

4794. I thought you said his canvass had nothing to do with money?—I understood, and having to do with the next elections I thought that the bills of Sir Shelley were not paid, and that is all I knew about them.

4795. Was Mr. Bagehot's election attended with the same consequences; the election expenses being left unpaid, subsequent candidates had to pay them?—No.

4796. All the expenses were paid then?—All the expenses were paid then that I know of.

4797. Then as you were applied to at subsequent elections you did pay on application the hitherto unpaid expenses of Sir John Shelley's election, and as that appears to be the only one the expenses of which were left unpaid, can you explain to the Commissioners how that exception happened, how it was that Sir John Shelley's expenses to the large amount you have stated were left unpaid, and no other expenses were in the same predicament?—Because there were no funds.

4798. Not because it proceeded on pure principles then, but because there were no funds to meet the large demands?—I am no authority connected with that election.

4799. But you looked into the claims and determined to pay, not because of that, but because those people would not vote unless they were paid?—The only reason that I heard was that there was no money.

4800. In Sir John Shelley's time?—In Sir John Shelley's time.

4801. No money provided?—That is the only reason I had for the accounts being unpaid.

4802. And in Mr. Bagehot's time, because they were never mentioned to Mr. Bagehot?—They were not paid.

4803. (*Mr. Price.*) Were they mentioned to him?—I do not know whether the parties holding the claim did not mention them to the electioneering agents.

4804. (*Mr. Anstey.*) But they were mentioned to Mr. Vanderbyl, and then were settled at once?—They absolutely came to this "at the last election you "did not pay them, and they have now been standing "two elections, and will not stand any longer."

4805. (*Mr. Price.*) It came to this, that they would not vote unless they were paid at Mr. Vanderbyl's election?—It is not surprising that public houses have these election bills paid.

4806. (*Mr. Anstey.*) Do you know whether Mr. Bagehot and Mr. Kinglake used the same bankers?—I do not know; I never saw a cheque belonging to either of them to my knowledge.

4807. You do not know that they used to have the same banker, and the same cheque book, for two years?—I do not know that either of them had a banker.

4808. (*Mr. Price.*) I think that is all the evidence that we shall get from you now. As I said before, if you make a full and fair disclosure, and we have no reason to suppose from the manner in which you have conducted yourself to-day that you have not done so, you will be entitled to an indemnity, but if anything occurs to you in the course of the inquiry that refreshes your recollection, and you will come and inform us, all the better.—I am quite prepared to do that, and I will answer any question so far as I know.

R. Garratt.

ROBERT GARRATT sworn.

4809. (*Mr. Price.*) What are you?—A railway company's servant.

4810. What company are you a servant of?—The Bristol and Exeter.

4811. How long have you been in their employment?—13 years.

4812. Are you a resident person in Bridgwater?—No; I have only been four years.

4813. Where did you come from?—Langport, about 12 miles from here.

4814. Are you a householder here?—Yes.

4815. A voter?—Yes.

4816. Have you voted at the last two elections?—No, only at the last.

4817. You were a voter at the other two, were you, in 1866?—No.

4818. You were a voter in 1868; where did you reside?—I resided in John Street then, now in Wellington Road.

4819. How did you first become acquainted with electioneering matters in this town; had you taken an active part in electioneering matters before you voted in 1868?—No, not a particularly active part. I attended some of the meetings of the committee.

4820. Up to 1868 had you taken an active part in the way of canvassing or attending meetings?—No, only asking some of our men which way they were going to vote.

4821. You had done that on previous elections?—Yes, but then they did not vote the way I asked them.

4822. But you canvassed them?—Merely walking along the line, that is all; just passed the remark.

4823. Did you do that in 1868?—I asked some of them.

4824. Did you know that your directors had issued a placard, which is a printed one, and stuck up at all the stations, that they did not wish in any way whatever to have any interference made with those employed by them?—I merely asked.

4825. Did you know that?—Of course.

4826. What are you ?—Inspector of the permanent way.

4827. Then you are in receipt of a handsome salary I suppose ?—No.

4828. What is it ?—Thirty shillings a week.

4829. But you are inspector of permanent way, and have control over the men ?—Yes.

4830. Have you the emyloyment or dismissal of them ?—No; not without the sanction of the engineer.

4831. You are aware that the railway company have published these placards, and they were printed and published all over the line, and in the town ?—They were.

4832. You say you did canvass them ?—Yes; I merely asked them. They could go wherever they liked. It would not make a bit of difference.

4833. Did you tell them which way you went ?—No; because they knew my principles.

4834. You were a Liberal ?—Yes.

4835. Was that the first active part you took ?—Yes; just walking on the line, that is all.

4836. When did you first become acquainted with anybody connected with the election ? Mr. Lovibond for instance ?—I never spoke to Mr. Lovibond about it until that day.

4837. Is it true or not that you were employed to pay money away at that election ?—The last election I did.

4838. Who employed you ?—About half past three I came up to town.

4839. Who employed you to pay away money at that election ?—When I came to the committee room Mr. Cook told me where to go.

4840. What time ?—Between half past three and four.

4841. What do you call the committee room—to the "Globe" ?—To the "Globe."

4842. How came you to go to the "Globe" ?—Because I attended some of the committees of the Working Men's Association on the Liberal side.

4843. What time did you go ?—This must have been about half past three or twenty minutes to four.

4844. Are any of your men in railway employment members of this association ?—Yes, I believe there was one. I do not know for certain.

4845. What happened at the "Globe" ?—I went in, and I think at that time we were nearly about level, or whether we were a trifle behind the Conservatives I do not know, and there were three men standing outside, and I went up and said to Mr. Cook, "There are three votes out in the road, what are "you going to do ?" Just like that.

4846. What are you going to do, did you say ?—"What is to be done for them ?"

4847. Which was it ?—I cannot be positive. I think it was "what is to be done with them." That is the first I had anything to say about it.

4848. What induced you to do that ? Have you ever been in much communication with Mr. Cook ?—No, not particularly.

4849. What induced you on this occasion ?—Because I saw him in the committee room, and knew that he acted as agent for one of the Liberal candidates.

4850. What did you mean by asking him that ?—Because I had been told there was money going.

4851. Who told you ?—I heard it rumoured in the street.

4852. Who from ?—I cannot tell you who.

4853. What made you go to Mr. Cook ?—Because he is one of the agents.

4854. Did you know that the money was coming from one of the agents ?—No, I asked him.

4855. You knew that was a proper quarter to apply to ?—I did.

4856. Did you go there purposely to inquire whether any money was to be got ?—I did.

4857. That is the object you went to the committee room for ?—Yes, at that time.

4858. What did he say ?—He said, "You stay a "minute," and he left me and came back again, and beckoned me to a little room.

4859. Was there anybody there besides you ?—No.

4860. You and he were alone ?—No, Mr. Cook did not go in. He only beckoned me, told me to go into a little room—pointed with his finger.

4861. Had he known anything of you up to that time as a person to be trusted ?—He had known me by name and met me at different places—that is at the station seeing him go up and down.

4862. Had he known your politics ?—I believe so.

4863. Nothing more than by going up and down and seeing you at the station ?—Not that I know of.

4864. Whom did you see in this little room ?—Some man came—I do not know who—I never saw him before—he gave me three——

4865. You are often at the station. You have seen him since ?—Not before or since.

4866. (*Mr. Coleridge.*) Have you seen him leave or going away ?—No.

4867. What is he like ?—A dark-whiskered man.

4868. What age ?—Between 30 and 40.

4869. (*Mr. Price.*) Was he dressed as you heard described by Allan ?—He had a black coat on and a black suit.

4870. Is he the sort of man that was described by Allan as a muslin weaver ?—He looked a respectable man.

4871. Did you say anything ?—No.

4872. Or he to you ?—When he came out he went into another room again, and left me by myself in a little room. He said, "How many voters ?" I said, "Three."

4873. Did you know these three as voters ?—Yes.

4874. (*Mr. Coleridge.*) Were those railway men ?—Yes, they were railway men——No, two of them were not then; they had been discharged a week or two before for shortness of hands.

4875. (*Mr. Price.*) What did he then do ?—He gave me three packets of money wrapped up in newspaper.

4876. Did you see what it was ?—I did not count it.

4877. Did you see whether it was in gold or silver ?—It was in gold. I believe it was wrapped up in newspaper. He did not tell me the amount.

4878. (*Mr. Anstey.*) Did you see him wrap it up ?—No, that was in another room.

4879. (*Mr. Price.*) Did he say whether it was in gold or not ?—No; he said something about twenties or something of that sort.

4880. What did he say about twenties ?—First of all he said, "three votes," and then gave me two packets which I supposed to be tens. Then he came again and gave me another packet. That was the only three I had.

4881. Then what did he say ?—Nothing.

4882. I thought you said something about twenty ?—That was the first twenty they brought out in two packets.

4883. Did he say it was 20*l.* ?—Yes.

4884. He told you it was 20*l.* ?—Yes.

4885. (*Mr. Anstey.*) That was the first ?—Yes.

4886. (*Mr. Price.*) Then you said "three votes," and he brought you another of a similar character ?—A similar sort of paper.

4887. And what did you do ?—Went out to the three men, went down the street to the "Queen's Head," and there went into the little room behind, and they were sitting in chairs. I said, "You had "better go and look out of the window, and see "what is going on," and I put those three packets on the chairs behind them.

4888. Did you say anything to them about voting ?—I said, "You must mind and go to poll for the Liberal party," and they did.

4889. Was anything said about taking them into employment again by the company ?—No.

4890. (*Mr. Coleridge.*) Who were those three men ?—Thomas Dyer.

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4891. How much had he?—10*l.* James Podger and William Heal.

4892. (*Mr. Price.*) Is that the same Heal we have been talking of?—No, he is a carpenter.

4893. Did you render any account of that afterwards?—No, because I have never seen anybody about it.

4894. Is that all the money you got that day?—No.

4895. What did you do after you had done that?—Well, there was 20*l.* more I had.

4896. How did it happen?—I went back again to the "Globe" and knocked at the little room again, and then I had 20*l.*

4897. Two packets of tens?—No, the last was in one packet.

4898. Of 20*l.*?—Yes.

4899. Who told you it was 20*l.*?—That I counted afterwards.

4900. Did you see anybody when you went to the "Globe," or did you walk straight up into the room where this man was?—I went into the coffee room, and saw Mr. Cook again, and I said "There is "another down there."

4901. When you said that, did the man and you go into this room again?—The little room.

4902. And then you got this 20*l.*?—Yes.

4903. What did you do with it?—When I came out the voter had gone to poll.

4904. (*Mr. Anstey.*) How did you get 20*l.* from the silent man in the other room? You were only going for one vote?—He brought me out 20*l.*

4905. (*Mr. Price.*) Did you say only one to him?—I did not speak to him. I only said to Mr. Cook one. I never spoke to this man.

4906. Try and recollect, because, as it has been pointed out to you by the learned Commissioner, on the first occasion you had three votes and you got tens for them. Now the question is, how you happened to get for one vote 20*l.*?—It was coming up very close to the time then.

4907. What was said?—I said there was another one down in the street has not polled yet, and I believe he went in again, but I did not go with him once, and I went in and had this 20*l.*

4908. Did you say how many votes it was for?—No; I merely went in, and this man came out of an inner room, and put this into my hand.

4909. (*Mr. Anstey.*) Cook, you say, may have gone in first?—He may have done.

4910. (*Mr. Price.*) Do you think he did?—He may very probably.

4911. Can you in any way account for how you came to get 20*l.* for this vote when it was only 10*l.* before?—No, I cannot tell that, unless it was owing to the election being close.

4912. Have you any doubt that Cook went in and spoke to this man?—I have no doubt he did.

4913. You have no doubt he went into the room before you got the 20*l.*?—Very likely, but he did not go in the same way as I.

4914. But he left the room?—He left the room.

4915. The man had gone you say?—He had gone to the poll.

4916. Who was he?—I did not give it to him, but his name is Burton.

4917. What did you do with the 20*l.*?—When the election was over, I took it to my house.

4918. Did you ever account for it?—No one ever asked me.

4919. You have it now?—Yes.

4920. Or have you spent it?—I do not say the whole is there.

4921. How much have you spent?—I spent a good deal of it when I went away.

4922. (*Mr. Anstey.*) You went away during the petition?—I was back two or three days during the petition, but my name was never mentioned during the petition.

4923. (*Mr. Price.*) Was that all the money you got during the election?—Yes.

4924. Or the next day?—I never had any the next day.

4925. Or the day before?—No.

4926. Or any other time?—Or any other time.

4927. (*Mr. Anstey.*) Do you now expect to be asked for that 20*l.*, or to account for it?—No one ever asked, and I suppose if I was I should have to get it up again.

4928. Did you expect to be?—I do not say now. I did not expect that I should be by any of the party.

4929. (*Mr. Price.*) Do you mean to say that not having been able to pay this away in the shape of a bribe, having received this 20*l.* to pay away to this voter, you consider yourself entitled to spend that for your own purposes?—I did not think I ought to take it back to them again.

4930. Is it in point of fact that you were to have 10*l.* yourself for your trouble?—It was never promised me.

4931. (*Mr. Anstey.*) Was it a silent understanding, a nod or a wink, which satisfied you that you were at liberty to deal with it in the way the chairman has suggested?—I never had any nod at all. I took it on my own responsibility.

4932. Was there an understanding?—No.

4933. Do you mean to say that you embezzled this money? Is that what you mean to accuse yourself of, without an understanding?—No.

4934. What authority had you in your own conscience for taking this money? You must have had some authority in your conscience, you know; what was it?—I thought I had done whatever I could for them, and that I was entitled to it.

4935. (*Mr. Price.*) What reason was there why you should not have gone back that afternoon and seen Mr. Cook or this man and handed back to him the 20*l.*?—Because it was within a few minutes of four o'clock, and at four o'clock the poll was declared, and then the procession went round. There was no chance of seeing him that evening.

4936. Do you mean to say that you could not have gone, if you had liked, back to the "Globe," and put this 20*l.* into the man's hands if you had chosen?

(*Mr. Anstey.*) Or into Mr. Cook's hands. There was no delicacy with a man like Cook, who had been engaged in this affair with you.

(*Mr. Price.*) Do you mean to say you had no opportunity?—Not that night.

4937. (*Mr. Coleridge.*) Was there not any next day?—There was next day.

4938. And then you did not do it?—No.

4939. Suppose Burton had been found, how much of the 20*l.* would you have given him?—The whole packet as it was.

4940. Will you undertake to swear that you would not have taken out 10*l.* for yourself, and given him the same as other voters?—No.

4941. (*Mr. Price.*) Why should he expect 20*l.*, had you told him at all?—No.

4942. Why pay him more than the others?—I said to him first of all, I asked him if he had polled; he said "No." I said "Wait a minute then, and I will go up "and see what I can do."

4943. Did he say anything about 10*l.*?—No; I heard it said that he would not go to the poll without 15*l.* or 20*l.*

4944. Having heard that from this man, do you mean to say that you did not tell Mr. Cook that you wanted 15*l.*?—I did not mention any sum.

4945. And you cannot account for its being 20*l.*?—No.

4946. You cannot account for its being 20*l.*, and not having said one word to Mr. Cook about it?—No.

4947. (*Mr. Coleridge.*) Has Burton been to you since?—No.

4948. (*Mr. Anstey.*) When did you hear him say that?—I did not at all; I heard by report.

4949. When did you hear he had said so?—It was

common talk with everyone that he would not go without being paid.

4950. When had you heard that first of all?—Perhaps a fortnight or three weeks before the election.

4951. When you saw Mr. Cook the last time did you tell him it was Burton, the man about whom there had been this common talking, who had not yet polled?—I told him he had not polled.

4952. Then he must have known by that, that it was he who would not vote for less than 15*l.* or 20*l.*?—I cannot say that.

4953. Have you any belief?—No.

4954. A simple question, which anybody could answer in a second, you require 20 minutes to answer. Have you any doubt in your own mind that this man Cook, being one of the bribers in this borough, and you being another, and you having heard what you say of this common talk long before, that this man would not vote for 15*l.* or 20*l.*, had heard it too?—I have not any doubt.

4955. (*Mr. Price.*) What did you say; did you identify Burton in any way to Cook when you said Burton?—No; because he is pretty well known, this Burton.

4956. You have kept that back. Tell us all, because if you do not give a full disclosure you will not be entitled to a certificate, and keeping back a part will do no good?—Another reason I suppose was that Burton had promised the two Conservative candidates.

4957. I feel perfectly certain there was something more passed between you and Cook?—The second time I went in I said "There is Burton down here, "Mr. Cook; we can have him, I expect." Then Mr. Cook went from the room I think again.

4958. Are you sure that is all you said to him?—I believe it was all I said to him.

4959. Was nothing said about 20*l.*?—No.

4960. Now you think Mr. Cook knew he was the man well enough who would have 15*l.* or 20*l.*?—Yes.

4961. You say he was well known?—Yes.

4962. And had promised the Conservatives?—Both the Conservatives.

4963. All you said to Mr. Cook was, "I believe "we can get him"?—Yes, and then Mr. Cook left me, and went down the other way down the stairs.

4964. (*Mr. Anstey.*) You have no doubt that he went into the room where this man was who gave you the money?—None whatever.

4965. Then you went in and got the 20*l.*?—Yes.

4966. When did you go away?—On the 23d or 24th of February.

4967. The very day the learned Judge came here?—Either on the Sunday or Monday night.

4968. Tuesday was the 23d, therefore you went away the night before the inquiry took place?—I went away on the Friday.

4969. Before the Judge came?—Four or five days before.

4970. (*Mr. Coleridge.*) Was it because he was coming here that you went away?—Well, because I had been telling this man, and I thought if I was away I might be out of it.

4971. (*Mr. Price.*) Did anybody else suggest to you to go?—Yes, I saw Mr. Reed one evening.

4972. (*Mr. Coleridge.*) Mr. Cook's partner?—Yes, I saw Mr. Reed, and he said "I think you had better go."

4973. Did he say why?—He said "Your name may be brought up." "Well," I said, "I can go the first thing to-morrow morning," and he said "You had better go to-night." I did not go that night nor yet until the next evening.

4974. Did you see Mr. Reed again, or anybody belonging to the party?—When I am speaking about is about 3 o'clock, and I saw Mr. Reed again between 7 and 8, and he told me that the trains were watched in the morning, and I had better go over night.

4975. (*Mr. Coleridge.*) Did he give you any money?—No.

4976. Did he promise you any?—No.

4977. Permit you to draw on the 20*l.*?—He said you have been trusted and you may trust others.

4978. Then you understood that you would have some money to go away with?—I understood that my expenses would be paid.

4979. And were they?—Partly.

4980. Who by?—I had 5*l.* sent me.

4981. By whom?—John Smith.

4982. (*Mr. Anstey.*) After your return?—No, while away.

4983. Where did you go to?—Teignmouth and Torquay.

4984. Did you get a pass?—As far as Exeter.

4985. From whom?—My engineer. I had my regular holiday.

4986. (*Mr. Coleridge.*) Who asked for your holiday?—Myself.

4987. Did Mr. Reed or Mr. Cook apply?—No.

4988. (*Mr. Anstey.*) You got a free pass as far as Exeter?—We do once a year.

4989. And then you got 5*l.* from Smith the grocer?—Yes.

4990. Any more from anybody?—No.

4991. (*Mr. Coleridge.*) How did Mr. Smith know where you were?—I sent him my address.

4992. How long were you away at this watering place?—I came back on the Thursday, that was two days before the petition had finished.

4993. It could only have been one, because it finished on the 26th?—I was back on the 24th.

4994. You mean that you were back before the learned Judge went?—Yes, I was back on the Thursday morning, and he did not finish till the Friday afternoon.

4995. Why did you come back?—My holiday was up.

4996. You were only away four days?—I was allowed six days, and my time was up, and I came back.

4997. (*Mr. Anstey.*) On your arrival at the railway station where did you go to?—I went on to Highbridge.

4998. And there you stopped?—Some time.

4999. Until when?—I walked back to Bridgwater.

5000. When?—The same day.

5001. Late in the day?—The afternoon part, towards the evening, 9 o'clock.

5002. That being February it was pitch dark. You got back here late at night on Thursday the 25th or Friday the 26th. I suppose you are aware that Mr. Justice Blackburn gave judgment on the Friday?—Yes.

5003. What did you do during the Friday when he was deliberating on his judgment, or rather when they were closing the examination of witnesses?—On Friday morning I went away on the line again.

5004. Where to?—I walked to Huntspill Parish, and then after that walked on to Highbridge again.

5005. You were not in Bridgwater therefore at all?—Only nights and morning.

5006. During daylight either on the Thursday or Friday?—Oh yes, on the Friday morning. It was between 7 and 8 o'clock when I went away.

5007. (*Mr. Price.*) That is daylight in February?—Yes.

5008. (*Mr. Anstey.*) With that exception you were away the two days?—Yes.

5009. When did you finally cease to walk about the line from Highbridge to Bridgwater, and Huntspill to Highbridge, and so forth?—That is my duty; three times a week regularly I have to walk these distances.

5010. But this was every day?—Sometimes I walk it two or three days in succession.

5011. When did you cease to walk it, on Saturday?—Saturday I probably walked some other length.

5012. When did you come back?—On Friday I slept at home, on Friday night the same as on Thursday.

5013. Did you go away on Saturday mornings the same as on Friday?—Yes.

FIFTH DAY.

R. Garratt.

27 Aug. 1869.

5014. And stay away the whole day?—No; because Saturday my time is up at 1 o'clock, on other days at 6 o'clock.

5015. You were no longer afraid of the Judge being in the town?—I heard that on Friday.

5016. Your mind was at ease?—Easier than it was before.

5017. What is the engineer's name?—Francis Hocks.

5018. (*Mr. Price.*) How much do you say your trip cost you altogether out of your pocket?—I cannot tell exactly what, because I took my wife with me.

5019. You must know what you paid?—There was myself and wife living several days at Teignmouth and Torquay, which would run away with a goodish bit of money.

5020. And you paid it out of your own pocket you say?—Barring that 5*l.*

5021. But you had 20*l.* in hand?—Yes.

5022. Did you spend the whole 20*l.*?—No.

5023. How much short of it?—I dare say, in one way and the other, we spent 11*l.* or 12*l.* besides that 5*l.*

5024. (*Mr. Coleridge.*) How much was left?—About 9*l.*

5025. (*Mr. Price.*) 9*l.* to the good you had after paying 11*l.* and 5*l.*?—Yes.

5026. Then you spent 16*l.*?—Yes.

5027. (*Mr. Anstey.*) Have your employers, the company, censured you, or punished you in any way for having canvassed voters in defiance of their order to the contrary?—No, they have not.

5028. Do they know what you have done?—Some one wrote and told them.

5029. Who are the directors; any of the names we have heard of? Was Mr. Vanderbyl one of them?—No.

5030. You have not been blamed by any one of them for what you have done?—No.

5031. Or for going away, and depriving Mr. Justice Blackburn of the value of your evidence?—No.

5032. Has any one found fault?—I had a letter from the engineer that he should speak to me more about it when the inquiry was over.

5033. This inquiry?—Yes.

5034. Now take care how you answer this question. Will you swear positively that before you went into that door the second time you saw Mr. Cook you had spoken a single word to a voter about any money at all, or about his vote?—Before I went in the second time I had spoken to a voter.

5035. Who was it?—Burton.

5036. You swear that you spoke to him?—Yes, I spoke to him in the passage of the "New Inn."

5037. Did you give him to understand that if he waited he could have any money?—I said, "You wait a minute, and I will see what can be done."

5038. (*Mr. Coleridge.*) Who did pay Burton as you did not?—I think you will find it in Allan's account.

5039. (*Mr. Anstey.*) But he voted for Mr. Vanderbyl and Mr. Kinglake?—Yes.

5040. Having promised the other side?—Having promised the other side.

5041. (*Mr. Price.*) Do you know what was paid?—Allan gave his name in the account as one of the 31.

5042. (*Mr. Anstey.*) Did you know that only to-day for the first time?—I did not know who paid him, we only supposed that he was paid.

5043. I suppose you will hand over the 20*l.* to Allan he having paid him?—No, not without reckoning the expenses out of it I had in that way.

5044. Is it the same that you paid Mr. Allan?

(*Mr. Allan.*) Yes; Benjamin Burton the railway porter, he had the money from me; the check taker passed him up stairs into the room, and I paid him.

5045. (*Mr. Anstey to the witness.*) At the "New Inn"?—Yes, at the "New Inn."

5046. You are quite sure you had spoken to Burton about it?—Yes, because I can bring a witness who was there at the time.

5047. (*Mr. Coleridge to Mr. Allan.*) What time had you paid him, Allan?

(*Mr. Allan.*) About half past three.

5048. (*Mr. Price to the witness.*) Now what was the time you saw him?—As I said, about half past three or 20 minutes to 4.

5049. (*Mr. Coleridge to Mr. Allan.*) Where did you pay him?

(*Mr. Allan.*) At the "New Inn."

5050. (*Mr. Anstey to the witness.*) What time was this that you told him to wait a bit?—Between half past 3 and 20 minutes to 4; somewhere about that, within five minutes.

5051. He must have gone to the "New Inn" then just at that time?—He was there.

5052. (*Mr. Price.*) Have you told us everything that you did that day in election matters, because we shall inquire, and something more may come out that you have done, and if you do not tell us you had better?—I do not know anything else, those are the only thing I have ever had anything to do with.

5053. Are there any you have made promises to?—No.

5054. (*Mr. Anstey.*) Did Bussell know you were employed to bribe men?—No.

5055. Did Allan know?—No.

5056. How came you to be trusted with money? Had they ever employed you before?—No.

5057. How did they know that they could rely on you to pay the money?—Because these three outside were men I knew perfectly well.

5058. But how did the bribe master, the stranger, and Messrs. Cook and Reed, who were the go betweens between you and the stranger, know you were going to be an honest man, and pay the money?—I do not know how they knew it, but they did do so.

5059. Have they ever trusted you with money before?—No.

5060. To the extent of 20*l.* at least this trust was not a wise one?—(*No answer.*)

5061. (*Mr. Price.*) Had you ever done anything at any other election previous to this?—Yes.

5062. What?—I took a voter once up to Allan.

5063. What election was that?—That must have been the one before.

5064. 1866?—Yes.

5065. The second election when Mr. Vanderbyl first came?—Yes.

5066. Were you inspector of permanent way then?—Yes.

5067. Who was this voter; a railway man?—Yes.

5068. One of the men in the employment of the railway?—Yes.

5069. You took him to Allan to get him some money?—Yes.

5070. Knowing he had money you took him there?—Hearing so.

5071. Did you get any money from him?—Yes.

5072. How much?—£15.

5073. What is his name?—John Jobson.

5074. (*Mr. Coleridge.*) Had you a vote then?—No.

5075. (*Mr. Price.*) What made you take this man to Allan to get him bribed to go to the poll?—It was merely an interest to get Mr. Vanderbyl carried, being of the same party.

5076. (*Mr. Anstey.*) Was Jobson one of the workmen?—Yes.

5077. In this company?—Yes.

5078. (*Mr. Coleridge.*) What did Jobson give you out of the 15*l.*?—Nothing.

5079. Nothing to drink?—No; I treated him with a glass of beer.

5080. What did Allan give you?—Nothing.

5081. (*Mr. Price.*) Did you get nothing for doing that at all?—No.

5082. (*Mr. Coleridge.*) At no time?—No; I asked two or three whether there was any chance of getting anything for running out, and they said no; I had better see Reed and Cook, but I never did.

5083. (*Mr. Price.*) Did you take any other active steps at that election?—No; that is the only man I took up or spoke to about it.

5084. What do you mean by running about then? Did you try to get any other?—Yes.

5085. Did you go back, and see if you could get any other to receive bribes?—To tell them where the money was if I could find any.

5086. Did you tell any?—No; I do not think I did anybody else.

5087. But you were running about for that. You thought you ought to be paid?—Yes.

5088. Did you tell Mr. Cook that?—No.

5089. Did you ever speak to him or anybody about keeping this 20*l.* that you expected to be paid before?—No.

5090. Never a word?—I said to Mr. Smith one night,—that is this last time,—I did not consider the 5*l.* sufficient for expenses, but I never had any more than that.

5091. (*Mr. Coleridge.*) What did he say about the 20*l.*?—I never mentioned that.

5092. Did he know of it?—I do not know whether he did or not.

5093. (*Mr. Price.*) Did you tell him that you expected from him something more for previous elections than what had been done in 1868?—No.

5094. You said 5*l.* was not enough for expenses in 1868?—For my expenses while being away.

5095. Then you could not, being as we understand inspector of this permanent way, with 30*s.* a week, possibly make 5*l.* cover your expenses for these three days at Teignmouth?—Not to pay travelling expenses on the South Devon.

5096. How much?—Every place we went to.

5097. How much is the second class fare from Exeter to Teignmouth?—

5098. (*Mr. Coleridge.*) 3*s.* or 3*s.* 2*d.*?—But we went about.

5099. (*Mr. Price.*) Do you mean you could not have gone down, having a free pass, with your own money, and back again, without spending a 5*l.* note?—I did not stop at Teignmouth; I went to Torquay.

5100. If it had been your own money, would not you have stopped at one place and lived economically?—I might have done so.

5101. (*Mr. Coleridge.*) According to your account you spent 16*l.*?—Thereabouts.

5102. You have said so; 11*l.* and 5*l.*?—Things we bought as well.

5103. (*Mr. Price.*) What did you buy?—Children's things.

5104. Dresses?—No, small things.

5105. (*Mr. Anstey.*) Have you ever received any money for your vote at any time?—No; never promised.

5106. Did you ever expect any?—I do not know. I may have expected; all the rest had it.

5107. (*Mr. Coleridge.*) You got 20*l.* this time?—That was after I voted. I voted early in the morning.

5108. (*Mr. Price.*) Then you did expect to be paid for your vote as other people were paid?—Yes, if the others did.

5109. You did?—Yes.

5110. (*Mr. Anstey.*) As other people had been paid?—As other people had been paid.

5111. You think if a man votes without a promise, and finds another vote for money, he has a right to be paid the same sum?—Expects to be.

5112. That is the general belief here, is it not, amongst people of your class?—I believe it is, generally.

5113. (*Mr. Price.*) The franchise here is thought a valuable thing, because it is worth money, is not that it?—It has been.

5114. Of course it will be in our breast, after considering your evidence, whether you have made a full and free disclosure to us, and it will depend also on whether anything turns up in the course of this inquiry to show that you have not, therefore I tell you before going, as I have told the other witnesses, if you do recollect anything, and choose to come and tell us before the end of the inquiry, you will have the benefit in our minds when we pass judgment on your evidence of having done so; and of course you will be at liberty to give any explanation if anything turns up in the course of the inquiry that reflects on you. There is nothing now you recollect?—No.

5115. (*Mr. Coleridge.*) Did you ask anybody to give you anything for your vote last time?—No.

5116. If you say you expected that you ought to have money the same as others, why, when you went to get the money for those three men, did not you ask for yourself?—Because I had already given my vote.

5117. But you have told us that if you had polled without money, and found others had polled with money, you should think that you ought to have money afterwards; why did you not say, "I have "polled for nothing, what are you going to give me?" —I never asked.

5118. (*Mr. Price.*) What sort of scheme had you in your own mind, if you heard afterwards, as you had done no doubt, that others had been paid to get money for yourself; should you have claimed it of Mr. Cook?—No, I do not think that I should have gone to Mr. Cook after I heard that Allan had been giving away money, most likely I should have gone to him, knowing that he had the money.

5119. (*Mr. Coleridge.*) If you had not had this 20*l.* to which you stuck should not you have gone to Mr. Allan's afterwards?—I should have expected it from some one.

5120. The only reason you did not go was that having got the 20*l.* you thought they would not give you another?—That is it.

HENRY CORNELIUS WHITE sworn.

H. C. White.

5121. (*Mr Price.*) What are you?—I am an accountant.

5122. And a voter for Bridgwater?—Not now.

5123. When did you cease to be?—Prior to the last election.

5124. Are you not a resident?—I am living in the parish of Wemdon.

5125. Without the parliamentary borough?—Without the parliamentary borough.

5126. But before the last election had you been a voter for the borough?—I had.

5127. And had you voted at several elections?—I had.

5128. At how many elections had you voted?—The first election at which I voted was when Mr. Mansell was a candidate.

5129. There were five then?—There were five then.

5130. Mansell, Follett, Tynte, and Kinglake?—Yes, that would be 1852.

5131. You voted at that election?—I did.

FIFTH DAY.

H. C. White.

27 Aug. 1869.

5132. Now come to the election of 1868, you were no longer a voter then ?—Not in 1868.

5133. You had voted I suppose always on the Liberal side ?—With one exception.

5134. When was that ?—Mr. Mansell.

5135. Did you give him a plumper ?—I think I voted for Mr. Kinglake and Mr. Mansell. There was a split at the time in the party, and a section of us agreed to vote for Mr. Mansell, unless, I think it was Lord Henley would resign. He would not resign, and I should tell you I have always been a strong supporter of Mr. Kinglake.

5136. Of course you remember the contest in 1868, but not being a resident in the borough did you attend any of the meetings which were held previous to the election ?—I did not.

5137. Did you at all go to the "Globe" previous to the nomination day ?—No, I did not.

5138. Which was the hotel of the two candidates, Mr. Vanderbyl and Mr. Kinglake ?—I did not go.

5139. Did you know of Mr. Vanderbyl coming to the town before he arrived ? When did you first hear that ?—I understand you now to speak of the election of 1868 ?

5140. Yes, the last election. When did you first learn there was going to be a contest ?—The last election I was poll clerk for the North Ward. I had nothing whatever to do beyond. I never solicited a vote, or interfered in any shape or form whatever with the last election.

5141. You were one of the returning officer's poll clerks ?—I was at the North Ward.

5142. Do we understand you to say that you took no active part at the last election at all ?—Not the slightest.

5143. Were never in communication in any way with any of the legal gentlemen whose names have been mentioned ?—Not the least.

5144. You never had ; and no money passed through your hands in any shape or way ?—Not one penny.

5145. Is that all the part you took in that election, acting as poll clerk ?—Yes, all.

5146. Now the election before that, the second election of 1866, you were then a voter ?—I was.

5147. What part did you take in that election ; Mr. Vanderbyl's first appearance against Mr. Patton ? —I took a very active part in that election.

5148. What money did you receive from anybody at that election ?—I received I believe the night before the election from Andrew Allan 90*l.*

5149. The night before the election ?—The night before the election.

5150. You say you are an accountant. Is that what you were at that time, in 1866 ?—I was.

5151.—On your own account ?—On my own account. I had given up business.

5152. What had you been before ?—I had been a confectioner. I came to Bridgwater I think in 1846. There was an election in 1847, but I came in September 1846, and was not qualified for the election that took place in 1847.

5153. What position were you filling in the town in 1866 when you took upon yourself the office of briber ?—I did not take upon myself the office of briber.

5154. Who put it upon you ?—My experience began in the previous election.

5155. Then you had been a briber before the last election of 1866 ?—I was connected with the money in 1866.

5156. (*Mr. Anstey.*) Why do you not call things by their proper names ? You were connected with the bribery ?—I was.

5157. (*Mr. Price.*) What sort of business were you in at that time as to station in life when you were acting as briber. Were you earning your livelihood as an accountant in this town ?—I had been in business as a confectioner, and I believe at that time, but I cannot tell you exactly now without referring, whether I had given up the business of confectioner or not. I had sold my business which I had been in for 15 or 16 years.

5158. Had you retired with sufficient to live upon, gained by your business ?—Yes.

5159. (*Mr. Anstey.*) You were a person of independent means, obtained from your business added to your means, and you were adding to it by acting as an accountant ?—A trifle.

5160. I thought you said you had given that up too ?—No, certainly not, not the business of accountant. I was the secretary of a building society.

5161. (*Mr. Price.*) You got the 90*l.* from Mr. Allan the night before the polling day ?—I did. I had better begin by telling you my first experience in connexion with money.

5162. We are going back by steps from the election of 1858 ; tell us what the facts were first in 1866 ; you received 90*l.*, had you known Mr. Allan before as a person who had the distribution of party money ? —Yes.

5163. You got 90*l.* from him the night before the poll ?—I believe it was 90*l.*

5164. What did you do with that 90*l.* ?—I took it down.

5165. Are you sure it was the night before the polling day ?—To the best of my belief it was.

5166. (*Mr. Coleridge.*) Because Allan has sworn that he had no money until the polling day ?—

(*Mr. Price.*) Have you sufficient recollection about it hearing that he has said that he did not get it until the polling day to say whether it was the polling day or not ?—Allan has an advantage over me. You see I am speaking entirely from memory.

5167. So was he ?—No, he has notes, and has a list of men he was thoroughly well acquainted with, and those names were supplied to him from a general list, and my object I take it would be to try to explain to you the charge.

5168. What I am asking you is—we do not want unnecessarily to get into a conflict between two witnesses—have you sufficient recollection about the matter to be sure it was the night before the polling day you got the 90*l.*, or may it have been on the polling day as Mr. Allan has said ?—The only thing is whether I may confuse that election with one before.

(*Allan.*) You will find there are two elections, and the first election I paid money on the nomination day.

5169. (*Mr. Anstey to the witness.*) You took it home, you say ?—Yes. Do I understand first that Allan admits it was the night before ?

5170. Yes.

5171. (*Mr. Price.*) It is quite clear he has never said to the contrary. What did you do with it eventually ?—I kept it until the next morning. I had a tenant by the name of Boucher who lived at a corner shop in St. John Street in this town, and he and I had agreed upon certain names he had submitted to me, and names I had also suggested to him, who we knew in fact would not poll without receiving this money.

5172. Did you go and see them then ?—I took the money and gave it to him as he required it. In one or two instances I think he came to me for it.

5173. Did that exhaust the whole of the 90*l.*, or did you pay any away yourself directly to a voter ?—I did not.

5174. None of that 90*l.* ?—Not of that amount.

5175. All that was through the hands of Boucher ? —Yes.

5176. Did he render you an account afterwards of how he had distributed it ?—Yes.

5177. He is alive ?—He is. Parts of the amount, I believe the whole, with the exception I told you ;

there was some mistake with regard to 20*l.* I had given him 20*l.*, and therefore I was 20*l.* short. I told him so, and he denied it.

5178. Then there was a dispute between you and Boucher as to the amount you say you paid him, and the amount he said he had received?—There was a dispute about this 20*l.*

5179. He said he had only 90*l.*?—I forget now what he said. The whole of the accounts were sent in, and the balance of the money was paid by Andrew Allan.

5180. (*Mr. Anstey.*) Minus this 20*l.*?—Minus this 20*l.*

5181. In this case out of 90*l.* there was a question of 20*l.*

5182. (*Mr. Price.*) It stuck somewhere?—It stuck somewhere; where I do not know.

5183. It is a question between you. Boucher says, it stuck to you, and you say it stuck to him?—Nothing of the kind.

5184. Then what was it?—You will quite understand, during that election people were almost mad with excitement, at all events our party was; in the after part of the day I went up.

5185. Are you perfectly certain in your own mind that you handed 90*l.* there to Boucher?—I am perfectly certain in my own mind that I spent every single farthing I received.

5186. That is not the question; but what sum will you pledge your oath to that you paid to Boucher?—I cannot pledge the sum. The names were given as he gave them.

5187. (*Mr. Coleridge.*) If Boucher comes and swears he only got 70*l.* from you, that stands uncontradicted?—I have no idea what he will swear.

5188. (*Mr. Price.*) But if he says so, may it be true? Are you prepared to say that he is wrong, if he swears he only got 70*l.* out of that 90*l.*?—I should be sorry to accuse any man.

5189. But if he comes and tells us he only got 70*l.*, are you prepared to say that is not the truth?—At the time that was my belief.

5190. But what do you say now?—I can only say that my impression at the time was that the money was paid to him.

5191. What is your belief now?—My belief now is the same.

5192. That you gave him the 90*l.*?—That I gave him the various amounts as he came, which exhausted the money.

5193. Did you or not give him the 90*l.* according to your belief and oath?—I did not give him all the money at one time.

5194. But did you give him the 90*l.* which you had from Allan? Will you undertake to say that all that passed into Boucher's hands?—To the best of my belief it did.

5195. But you will not undertake to say if he comes here and says he only got 70*l.* positively that that is false?—To the best of my belief, I say.

5196. Will you undertake to say, if he comes and tells us that he only got 70*l.*, that that is false?—I believe it is.

5197. (*Mr. Anstey.*) Then did both you and he vote on that occasion for the party who gave this 90*l.* bribe money into your hands.—Mr. Vanderbyl?—Certainly.

5198. Speaking only for myself, I strongly recommend you and him to come to some account in the matter, because if 20*l.* of this money admitted to have been received by you, if not by him also, is not accounted for, I shall make no difference between broad cloth and cloth that is not broad, but consider that you have received 20*l.* for your and his votes, or yours alone, and I shall propose that you be reported accordingly?—I hope you will hear my evidence before you condemn me.

5199. Yes, please give your evidence, and not in the way you have been dallying with questions which might have been answered at once. You will have an opportunity of clearing your character offered you, if you will only answer the questions?—I will do it to the best of my ability.

5200. (*Mr. Price.*) What was the dispute about this 50*l.*? Did Boucher deny that he had the 90*l.*?—The dispute was really as to the names, who received it.

5201. Was there any dispute as to the amount?—Not the least.

5202. Does he account for the 90*l.*?—I am not aware what he accounted for.

5203. (*Mr. Coleridge.*) Let me call your attention to this, for it is only fair to you; Mr. Allan says that he gave you upwards of 200*l.* on this occasion. I do not say all at once, and he says there is still a dispute as to 20*l.* Is that the 20*l.* referred to?—Yes, it is.

5204. (*Mr. Price.*) Therefore there is a sum of 20*l.* which, as you said before, I think it must have stuck somewhere?—Yes.

5205. Now I will ask you, it is only fair, whether you will undertake to say positively that 20*l.* did not stick to you?—I will most assuredly.

5206. Is it your belief then that it stuck to Boucher?—It was, at the time, as I said before.

5207. What is your belief now?—The same, that he kept it.

5208. Can you have any hesitation in saying that if he comes and says he only had 70*l.* he is telling that which is untrue?—Not the slightest.

5209. That it is untrue if he says that?—Not the slightest.

5210. That he stuck to it?—That he did.

5211. What more money did you get that day from Allan? Is it true that you got 200*l.* altogether or more?—I cannot tell the amount.

5212. As near as you can?—I cannot tell, unless I saw his list of the names that voted, the exact amount of money that I received from him.

5213. Did you give the names to Allan of the of the persons?—I did.

5214. Have not you the means then of giving them to us?—No, they were destroyed immediately afterwards.

5215. You have no check of that kind?—Not the least.

5216. You made a return to Allan?—I did at the time.

5217. (*Mr. Coleridge.*) Were all these voters priced at the same price?—Those were 10*l.* each.

5218. (*Mr. Anstey.*) Allan says Henry Cornelius White got 20 votes, you must have heard it?—Yes, that he could not account for 20*l.* deficiency in his accounts when he made them up.

5219. That is for 20 votes you see?—I told him at the time I had paid the money through Boucher, and I believe the mistake occurred there.

5220. (*Mr. Price.*) Are we to understand this money you received from Allan had passed through the hands of Boucher before it got to the voters hands?—Certainly not.

5221. How much did you distribute out of your own hand?—I cannot tell.

5222. Was it 20*l.*?—No. I got a voter by the name of Phillip Powell, that was living by the Steam Packet. I went and saw the wife. She required 40*l.* She said she had been offered 35*l.* on the other side.

5223. (*Mr. Coleridge.*) Did she say by whom?—By the Tories. She did not say by whom. I had with me a man of the name of Phillip Gilbert. Powell had not arrived when I first came to the house. He was coming by train. I went over to the train and saw some parties there, and presently I saw Powell. I walked with Powell over towards the public house. I saw the wife, and the wife said he should not vote unless he received 40*l.* I said I had not heard of such a sum. I was astonished, and said "Will you promise me that this man shall remain in "this house until I come back again?" She said

FIFTH DAY.

H. C. White.

27 Aug. 1869.

"Yes." I left there, and I believe Honeyball drove me up as far as Andrew Allan's.

5224–5. (*Mr. Anstey.*) Is that the coachman of Mr. John Brown, the magistrate?—Mr. John Brown, the magistrate. I believe it was Honeyball. I passed up by George Lane, and there I met Mr. Lovibond and Mr. Barham. I told them that Powell wanted 40*l.*, and they both replied he must have it. I then accompanied them upstairs to the inner room at Allan's house.

5226. (*Mr. Coleridge.*) Was this on the polling day?—This was on the polling day, and Allan gave me 40*l.*

5227. (*Mr. Anstey.*) With his own hand?—He did.

5228. In gold?—I believe it was four packets of 10*l.* each, but I will not be certain whether it was gold or notes.

5229. (*Mr. Coleridge.*) Were Lovibond and Barham present?—They had just left.

5230. Did he pay you before they left?—I think they had just left the room.

5231. (*Mr. Anstey.*) The inner room?—The inner room.

5232. They went up to that room with you and Allan?—Not with Allan, with me.

5233. Then they went downstairs and the money was paid?—It was.

5234. Did they speak to Allan before they paid the money?—I knew at once.——

5235. Will you answer the question; did these two persons Lovibond and Barham speak to Allan on entering the room where you found him?—I believe they did.

5236. Did they whisper?—They did certainly speak to him.

5237. Did you hear what they said?—I do not remember.

5238. But they certainly spoke, and then left the room, and Allan without saying anything more paid you the money?—Yes.

5239. (*Mr. Price.*) Now go on with your account?—I then took the 40*l.* down for Powell, and gave it to Phillip Gilbert.

5240. Who is Phillip Gilbert?—He is a carpenter who lives in the Bath Road.

5241. (*Mr. Anstey.*) Was Mr. Brown's coachman, Honeyball, waiting at Allan's door all this time?—The flys were driving to and fro in the street.

5242. Was Honeyball waiting while you were receiving this bribe money?—I believe he was, or in the street.

5243. Did he drive you to where you saw Gilbert?—He did.

5244. Did you give money to him?—I did.

5245. Why did you not give it to Powell himself?—Why, I had an objection to deal with the money myself.

5246. Where did your conscience prick you about dealing with this money; at what period of the transaction? You got it and knew it was to bribe this man, and had agreed with the man beforehand, what had you an objection to?—I had an objection to personally giving the money himself.

5247. You had no objection to promise it to him, and no objection to go and get it for him?—I did not promise it to him, but went and tried to see if I could get it.

5248. But having bargained to see what he wanted you gave him to understand that if he would wait there you would go and see if you could not get the amount for him?—I did.

5249. Then you say your conscience stuck at the notion of handing the money over?—That is all.

5250. You gave it to Gilbert. Do you know whether it reached Powell's hands or not?—I believe it did.

5251. Did he vote?—Yes; I went up in the carriage with him and Gilbert.

5252. And he voted?—Yes.

5253. Did you see Gilbert give him the money?—No, I did not. I rather think he gave it to the woman, because they told him it was all right.

5254. (*Mr. Anstey.*) Was Honeyball present when this money passed from one to the other?—He was not.

5255. But was Honeyball there in honour of the occasion in his master's carriage?—I do not know whether it was his master's carriage, there was a few flys, and he was one of the drivers.

5256. Are you aware that Honeyball was one of those who, though not examined before Mr. Justice Blackburn, were subpœnaed as witnesses to prove a direct case of bribery against Vanderbyl and Kinglake's party at this last election?—Yes.

5257. And you are aware that the answer to it was that Honeyball's character stood too high for that?—I can only say he was driving about during the day, whether he used Mr. Brown's carriage or a private carriage I cannot tell.

5258. (*Mr. Price.*) Is that all you have to tell us about the 40*l.*?—That is all.

5259. Now what other sum did you deal with yourself on that day, you do not give us the sum you received that day?—I can mention to you the names of those parties who were paid.

5260. (*Mr. Coleridge.*) The 20 names?—Not 20, I can mention a good many of them.

5261. But there were 20, were not there?—I believe not.

5262. Have you any recollection what the gross sum you received, including the 90*l.* you received the night before, was it over or under 200*l.*?—I should say it was under 200*l.*

5263. Because Allen has told us that you were put down for 20 voters, and one you say you gave 40*l.* to?—I did.

5264. Then there ought to be 230*l.* if the others had 10*l.* a piece. What did Boucher have himself?—10*l.*

5265. Did you give the 10*l.* to Boucher?—I did.

5266. You did not object to give it direct to him, but did to Powell?—I did.

5267. What did you give to Honyball?—Nothing.

5268. (*Mr. Price.*) Was it the largeness of the sum?—No, not at all.

5269. What other act did you do yourself in bribing that day directly?—I passed money to Gilbert for several men that he polled that day. I cannot tell you the amount.

5270. (*Mr. Coleridge.*) You have used the words "passed money for the people who polled." Do not you mean that you gave money to bribe people?—Yes.

5271. (*Mr. Price.*) Which Gilbert is this you are speaking of?—Philip Gilbert.

5272. There are two are not there?—I only know one, he lives in the Bath Road close by the Bath Bridge.

5273. (*Mr. Anstey.*) Is that the same Phillip Gilbert who was driven with you in the carriage by Mr. Brown's coachman, when you were all engaged in bribing Mr. Powell?—Yes.

5274. How many other elections have you been concerned in?—One.

5275. Before this second election of 1866?—That is, I am speaking with regard to bribery.

Adjourned to to-morrow at half-past 9 o'clock.

SIXTH DAY.

Saturday, 28th August 1689.

PRESENT :

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
DE TRACEY GOULD, Esq., Acting Secretary.

ANDREW ALLAN recalled.

5276. (*Mr. Coleridge.*) You have an explanation to make?—Yes, I want to make an explanation as to something in which I was in error yesterday, as respects William Hurman's bill for 34*l.* I said that was paid by me, and I believed when I said so that it was on the election day, and it was subsequent to the payment of that bill that he voted. I found after I left this Court and went to Mr. Lovibond's office, where I saw the receipt for the amount, the same account which I said I had received, I had not paid it, and never paid it, it was paid two weeks after the election by Mr. Henry Lovibond, and not by me.

5277. That is what you said you paid at the "Punch Bowl?"—Along with the bills that came from the "Punch Bowl," there was the "Punch Bowl" bill, and other bills came up. Henry Jarman brought them to me, and said they must be paid before the poll, I gave my belief that his bill was among them, but it was not.

5278. Had Hurman said anything to you about not voting until his bill was paid?—He had not made it compulsory.

5279. But had he said anything about it?—Yes, I said in evidence that he had spoken to me about the payment of his bill, and I say so now.

5280. (*Mr. Anstey.*) In connection with his proposed vote?—No, I retract that.

5281. (*Mr. Coleridge.*) You retract that entirely?—I do entirely.

5282. Or only the question of paying?—I do entirely, and apologize to Mr. William Hurman for the pain I have given him.

5283. (*Mr. Anstey.*) But before you say "entirely" had you acted as money agent for your party for any purpose but corrupt practices?—For none other.

5284. Had Hurman any reason to believe that you were the general money agent of your party?—They had no reason to believe it.

5285. But was he fully aware that you were entrusted with money for certain specific purposes? I do not believe he did.

5286. Now why did he apply to you, this is very important, and you must take care what you answer? I do.

5287. If you were not known as general money agent, and were not; and if he applied to you for payment of that very large sum on the evening of giving his vote, how did it happen?—He lives directly opposite my door, and it was a circumstance that I knew.

5288. (*Mr. Coleridge.*) You knew his bill had not been paid from common report?—I knew from common report that it had not been paid.

5289. (*Mr. Anstey.*) What did he say to you when he made this application to you, what were the words?—I was in the shop and he named it to me one day.

5290. What did he say?—He had a bill as against Sir John Shelley, which ought to have been paid before now, at the other election, and he wanted his bill paid.

5291. Wanted what?—That his bill ought to be paid.

5292. Wanted his bill?—Yes.

5293. He said that to you?—Yes, he said that to me.

5294. What did you say when he said, "I want that bill paid"? He said to you, "here has been a "bill standing over unpaid, due to me ever since "Shelley's election, I want that bill paid." What was your reply to that, in your own words, as nearly as you can give them?—If you will ask the question again, it will give me a little time to think.

5295. What did you say when he said, "I want "my bill paid"?—I cannot remember.

5296. (*Mr. Price.*) Did you say, "I will see to it"?—No.

5297. (*Mr. Anstey.*) Did you say, "I will not see to it?"—No.

5298. Did you say, "I have nothing to do with it"?—Nothing to do with it.

5299. Did you tell him you had nothing to do with it?—I did tell him I had nothing to do with it, in substance. That was the only answer I could make him.

5300. (*Mr. Coleridge.*) Is Mr. Hurman in Court at this moment?—He is in court.

5301. (*Mr. Price.*) Is that what you said to him, did you say, "I have nothing to do with it"?—That is all.

5302. Did you say that?—I did say, "I have "nothing to do with it."

5303. (*Mr. Anstey.*) I want to satisfy myself that you are keeping back nothing—I am warning you not to do so—out of favour to any particular person, or for any other reason. Now I put it to you as a man of common sense (and you have shewn a good deal of common sense in this matter)—whether you mean us to believe that this is the real state of the case, that you, a person not known to Hurman, and having neither authority to say yes or no, when an application for payment of an election bill for 34*l.*, or whatever the amount may be, from Shelley's time was made, were spoken to by Hurman about it in these terms, "That bill has been standing ever since; I want it "paid,"—that thereupon you said to him, "I have "nothing to do with it," that nevertheless you paid him the money?—I never paid him the money.

5304. Or got him paid?—Or got him paid

5305. You retract the statement that you paid it?—I retract the statement that I paid it.

5306. What would you state that you had paid him?—There was a handfull of bills came to me in the heat of the election day, and I believed that William Hurman's bill was amongst them, and it was not.

5307. I have here the shorthand notes: "Something "was paid to William Glanville for flags and decora-"tions; there was a bill of 34*l.* paid to William "Hurman, draper, Fore Street"?—I was in error as far as William Hurman's bill was concerned.

5308. How were you in error, you do not say that you paid it, you say something was paid to Mr. Glanville for decorations, and to William Hurman?—I said I paid it, it was in the same sentence.

SIXTH DAY.

Mr. A. Allan.

28 Aug. 1869.

5309. Then will you retract that you paid it?—I did not pay it.

5310. That is all you retract?—I retract everything connected with it. I retract the fact.

5311. I thought you said it was paid after all?—It was paid two weeks after the election by Mr. Lovibond.

5312. Then it is true it is paid?—It is true it is paid.

5313. Then in truth it is not entirely retracted, but only as far as you are concerned?—It was paid.

5314. (*Mr. Coleridge.*) The object of your retraction is that, whereas yesterday you said the people would not vote until they had their bills paid, and you included Hurman's among them, now you say that Hurman could not have been in that class, because he was not paid until a fortnight after?—Exactly, that is what I said in substance.

5315. There appears in the Bristol paper of to-day an intimation which must have been sent last night by telegram, that they understand that Andrew Allan is going to retract what he said as to Hurman, can you account for that?—As soon as I left this hall in the afternoon of yesterday I was at once told my error and was taken and shown the receipt. I went straight to Hurman, and apologized to Hurman and told him that the first thing I did would be to retract that statement.

5316. Did you telegraph to the Bristol paper?—I did not.

5317. (*Mr. Anstey.*) I am looking at my own note, which I dare say is not an ample one, but which entirely agrees with the "Mercury" which does not say anything about yonr having said that you paid him. What I have is, there was money claimed indirectly for supplies in Sir John Shelley's time by gentlemen who did not claim directly for their votes. William Hurman's bill was 34*l.*, for the "Punch Bowl," the sum I forget. That agrees in substancc with the report in the "Mercury," and does not state that yours was the hand who paid it.

5318. (*Mr. Coleridge.*) My note is, "I paid William "Hurman 34*l.* At Sir John Shelley's election the "Liberals paid no money away. I paid Herman 34*l.* "at Mr. Vanderbyl's election." What made you send the telegram?—I did not.

5319. Who did?—I apologised to Hurman, and I have no doubt he can explain why, as soon as I saw the receipt.

5320. In the course of your retraction you say undoubtedly before he voted he did talk to you about his unpaid bill?—I knew there was a bill standing.

5321. But did he talk to you about it?—I knew there was a bill standing from his own lips.

5322. On the day of the election?—No.

5323. How soon before?—It may have been a week.

5324. Did he say anything about he should not vote if his bill was not paid?—No.

5325. (*Mr. Price.*) I do not understand what he came to you for?—I was in his shop, he did not come to me at all.

5326. What were you in his shop for?—He is a draper, and I am in the glass and china trade directly opposite, we are neighbours.

5327.—You must have been talking about electioneering matters?—It was electioneering times.

5328. Tell us what passed?—I have told you everything that passed.

5329. You say that he said he wanted his bill paid?—He said he had a bill.

5330. You say you cannot recollect what you said in answer?—

(*Mr. Price.*) Now repeat your conversation?—Hurman told me in as few words as he could possibly tell it that he had an account standing against Sir John Shelley's election that ought to be paid.

5331. (*Mr. Anstey.*) How did it begin, what made him allnde to it?—I cannot tell.

5332. (*Mr. Coleridge.*) Were you talking of electioneering matters when he stated it?—We were.

5333. About a week before the election?—About a week before the election.

5334. (*Mr. Anstey.*) Had you any reason to believe if that money had not been paid he would have voted after having stood over intermediate contested elections where it was not paid?—If he had voted on the Tory side I do not believe the money would have been paid.

5335. (*Mr. Price.*) Do you mean to tell us that he did not know you to be a person entrusted with money for election matters?—I swear he did not; it was only as a matter of gossip as neighbours.

5336. (*Mr. Anstey.*) There is a large sum of 34*l.* paid by Mr. Vanderbyl, who it is not in evidence was in any way connected in any matter with Sir John Shelley, or by blood, or in any other way, he pays this 34*l.* at the suspicious period you mention, a fortnight after the election, and you after communication made to you previous to the election by the claimant that he would not vote until that account was disposed of, do you wish us to believe that the payment under those circumstances, the application to you and the other matters you have told us of, had nothing whatever to do with the question of how Hurman was to have voted, or how he had voted?—I would have you believe that it was.

5337. (*Mr. Coleridge.*) Did you report this conversation with Herman to Mr. Lovibond? How came Mr. Lovibond to pay it?—I did not know until last night that he had paid it.

5338. (*Mr. Price*) What authority had you for saying yesterday either that you paid it or that it was paid?—It is a matter of two years and six months ago. I was speaking without notes, from memory, and that his bill was included among other bills that I had passed in to Mr. Lovibond and paid.

5339. Then you passed the others to Mr. Lovibond?—I did.

5340. But you cannot account for his being paid in any way or by whom he was paid?—I did not know until I saw the receipt last night.

5341. Now you know?—Now I know.

5342. Who?—Mr. Henry Lovibond.

5343. How soon after?—About two weeks, the date was the 8th of December, as far as my memory serves me.

5344. And you were in constant communication with Mr. Henry Lovibond at that time?—I never knew.

5345. Were you in constant communication with Mr. Henry Lovibond?—Oh yes.

4346. Do you mean that having had this conversation with Hurman, and knowing that there were others in the same predicament, and knowing that they all intended to get paid when they could when there was another contest, that you never mentioned a word of that?—Not to my knowledge.

5347. You must know whether you said it or not. Will you undertake to say deliberately, did you talk over the whole question of these unpaid bills to Mr. Lovibond or Mr. Barham before the contest was over for that election. Did you talk over with any of the legal agents the question of these unpaid bills in Shelley's time?—We had talked over all the unpaid bills for Shelley's election at Vanderbyl's election, because they were notorious.

5348. Then you had discussed with Mr. Barham and Mr. Lovibond and Mr. Cook?—Shelley's bills as a whole.

5349. Then do you mean to say that when Herman came to you and mentioned this to you, you did not tell Mr. Lovibond about it?—I did not tell Mr. Lovibond about Hurman's bill more than any other bills.

5350. But if you told him about the others, have you any doubt that you mentioned Hurman's?—Not the slightest.

5351. (*Mr. Anstey.*) I have the shorthand notes here, and I find that my note is correct, and the Bridgwater Mercury's note is correct, that is your entire answer. "There was a bill of William Hur-

man's of 34*l.*, a draper in Fore street. There was a bill to Merson at the Punch Bowl public-house.—How much ?—I could not say." The Chairman then asks you, "Did you render an account of this matter ?—I did, and it is in the list." And Mr. Coleridge says then, "Go on." Now you see what you said then is exactly what you said to day, that there was a bill of William Hurman's, and you knew of it ?—And I swore, I believed when giving evidence yesterday that I paid it.

5352. (*Mr. Coleridge.*) When examining you yesterday, with a view to your own credit to try and account for all these sums of money, a great many of them you could not particularize ; but 34*l.* is an unusual sum, not like 35*l.* even, but a particular sum. How came you, unless you had specific information to fix his bill at 34*l*?—Because I thought it was enormously large.

5353. You mean a week before the election he told you, and mentioned that it was 34*l.*?—Yes.

5354. You carried that in your memory ?—Yes.

5355. And that is the reason you gave the statement yesterday, that it was 34*l.* ?—Yes, that is the reason, because it was a large sum, and it has been in my mind ever since, and I believed I had paid it.

5356. What was it for ?—I do not know.

5357. Ribbons or what ?—Ribbons and favors.

5358. The Act of Parliament is totally disregarded here about colours ?—There used to be no end of colours in the election before last year.

5359. (*Mr. Price.*) Now you answer further on yesterday to this question ; when they got a rich man down they thought it was worth their while to press for money ? this is your answer ; they thought they ought to have been paid their money, and they said, "We will not vote unless we are paid." Do you mean to retract that ?—That is what I say of the bills given to me and paid by me on the next day.

5360. Do you mean to retract that ?—No, not on part of the bills I paid.

5361. Have you the slightest doubt that Hurman stood out in the same way as the others did ?—I do not believe he did, I will swear on my oath that he did not as far as I remember.

5362. Why not ?—Because he went and voted and his bill was paid on consideration.

5363. How do you know ?—As far as I know, it was not paid by me.

5364. (*Mr. Anstey.*) You said, "I have no doubt "he did not," and yet you say it had remained with you as bribery agent before the election, and he got payment after the election, from the greatest bribery agent of all according to you, Mr. Henry Lovibond ?—He had no knowledge of me in connexion with money matters at the time.

5365. (*Mr. Price.*) My question is, "Do you know "whether or not these men had refused to vote at this "election for Mr. Vanderbyl until they had their bills "paid. William Hurman told me he would not vote "until his bill was paid." Now what do you say to that ?—That is not true ; I retract that.

5366. Yesterday you perjured yourself, then ?—Well, I did.

5367. Then I put to you, "any other ?—Babbage. "Any other ?—No." So that you fixed on Hurman and Babbage, who told you they would not vote until they were paid, and now you say nothing of the kind passed ?—I said that on the belief that I did that.

5368. (*Mr. Anstey.*) Your positive statement that that did not take place, and that neither you nor anybody else bribed Hurman on that occasion is founded on something which passed since yesterday ?—Nothing more than the receipt. The moment I saw it, it paralysed me.

5369. Have you seen Hurman since your examination yesterday ?—Last night.

5370. And in consequence of something which passed between you and him, you are now here to retract what you said with regard to him ?—The first time I saw him was in his own shop.

5371. Is it in consequence of something which passed between you and him yesterday since your examination, that you have come here to retract the statement as to him ?—It is not.

5372. (*Mr. Price.*) Let me read a little further, and you will see how particular you were about Hurman, because it is not in one answer. Another question is : "You entrusted some person to go and "pay them. I do not understand, when you gave "up this money, that all of them had refused to vote "until they were paid these bills ?—Not all of them. "I had a conversation with Mr. Hurman a day or "two before" ?—I had a conversation ; he told me he had a bill standing.

5373. You said they would not vote unless their bills were paid. You say it was not the case of all, but then you again drag in Hurman as one who had refused.

5374. (*Mr. Anstey.*) This, as in the Bristol paper, looks as if some arrangement had been come to last night as to what you should say this morning ; therefore it is very necessary we should know all about it ?—When I came down on the floor, Mr. Lovibond came to me and said, "You are mistaken about "Hurman's bill ; it was me who paid it ; I will show "you the receipt." I went to his office and he opened a parcel of papers connected with this election, and amongst others was Hurman's receipt. I went to Hurman the first time I have seen him these four months, took my hat off, and said, "I beg to apologize "for the injury I have done you."

5375. That is all Mr. Lovibond told you ?—That is all Mr. Lovibond told me last night, and the first word I had with Hurman for months was to beg his pardon for the injury I had done him.

5376. (*Mr. Price.*) You were very deliberate about it. You say further on, "You mean you paid these "bills on the very day of the election ?—They would "not vote until they got the money" ?—Yes, exactly, Henry Jarman brought the bills to me to get the money, and I believed he brought Hurman's bill.

5377. (*Mr. Anstey.*) I want to call your attention to each of these points which the Chairman has put to you.—First, my learned colleague, Mr. Coleridge, put a question which, according to your unfortunate custom, you did not answer categorically as to the payment : instead of saying that you had paid, your answer was in the words of the three reports I have read.—"There was a bill of Hurman." Then the Chairman, at a subsequent stage of the examination, in the passage which had escaped my memory, refers you again to those points ; and you say specifically, not only that you paid it yourself, but you paid it in consequence of his stating or giving you to understand before the election that unless it was paid he would not vote. Then the Chairman returns to the subject further on, and asks you with reference to the voters, the creditors in general whom you paid, a certain question, and you again repeat your statement in such a way as to point directly to Hurman, recapitulating all you said, therefore that is not, as one of your predecessors in the box said, in the heat of the moment, but deliberately and thrice over stated to us. You will not say now that you believe that your master in this business, according to you, Mr. Henry Lovibond, paid the money and not you, which would be quite consistent with the rest of your statement, but you come not only to retract the immaterial part that yours was the hand that paid it, but also the material part, that you had a previous conversation with Mr. Hurman, that unless so paid he would not vote ?—I do not retract the previous conversation ; he told me he had a bill.

5378. (*Mr. Price.*) I will put it to you once again. Do you mean to swear now that in that conversation you had with Hurman he did not give you to understand he would not vote unless he was paid ?—I do not swear that he did not.

5379. Then what induced you to swear so over and over again ?—I said it on the faith and belief that I had paid that bill.

5380. (*Mr Coleridge.*) Did you gather from the conversation you had with him that he might be doubtful

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about voting unless some one settled?—No, I did not.

5381. (*Mr. Price.*) You said so over and over again yesterday and a man named Babbage?—Babbage's bill I paid.

5382. Did he say he would not vote also?—Not personally to me. Then Jarman brought the bill to me and said, "Here are the bills, they will not go "until they get the money."

5383. (*Mr Coleridge.*) Was Hurman's bill amongst them?—It was not. I believed when I gave evidence yesterday that it was.

5384. Do you mean to say that, because you were wrong yesterday in the immaterial part that Mr. Lovibond's was the hand that paid them, not yours, that therefore you are wrong as to the entirely different facts stated by you three times yesterday that Hurman distinctly told you before the election that unless he were paid he would not vote?—I recollect that statement.

5385. Merely because you were wrong as to the hand that paid him—that is the only reason you have for altering it. You retract the whole statement, because you were wrong in part. Do answer the question?—I answer everything according as I know.

5386. Listen to me, Mr. Lovibond has corrected you in a very small and immaterial particular, namely, that he, the bribery agent, No. 1, paid the money and not you, who are bribery agent No. 2, therefore you retract that part. What is the reason now for retracting all the rest, the only material part, namely, that you had a conversation before the election, when he told you he did not mean to vote unless he was paid by some one?—The receipt, when I saw I had not paid the money showed me that I was disconnected with the whole transaction, that I spoke from memory when I said I spoke to Mr. Hurman about the matter. I knew he had a bill, and wanted his bill paid, but that he made that stipulation that he would not vote for the party unless paid I do not believe.

5387. How could the mere fact of the receipt showing you to be in error as to paying money show you to be in error as to the fact of having a conversation with Hurman?—I admit now I had a conversation.

5388. How could it show you you were in error as to what Mr. Hurman said in that conversation?—Well, the receipt could not show I was in error.

5389. Then there was something else that Mr. Lovibond told you, promised you, or threatened you last night, which is the reason you come to retract the whole story?—No, it is not.

5390. Then what was it he said that induced the telegram to be sent to Bristol, and you to come here to day to perform the promise of the telegram?—In the absence of my paying that bill, it entirely paralyzed me. I was dumb in a moment because that was the strength on which I put the evidence.

5391. (*Mr. Price.*) That is not the important part of it. The question is, not as to whose hand paid it, but the really important part of the transaction is, whether it was done in consequence of a contract about the vote that you said that, and I will read what you said more about it. You said, "they would not vote "until they got the money." Then I ask you, "the "men would not really go and vote until they had "these bills paid. I did not see them go.—No doubt "it was so. It came to this, it was bribing in another "form.—It looked like it, it was very strong?"—Yes.

5392. Do you mean to say you knowing perfectly well that you had this conservation with Mr. Hurman and although you may be wrong as to yours being the hand that paid it, that Hurman did not give you to understand when he had this conservation whether long or short, that he would not vote unless he had his bill paid?—I had the conversation with Hurman in his own shop about his bill, but he did not put it so strong to me that he should not vote.

5393. How then?—He said his bill ought to be paid.

5394. Did you gather from him that it was like the other men of whom Jarman told you that they would not vote unless they were paid?—I did not.

5395. Why did you not tell us so yesterday?—I made the same remark.

5396. (*Mr. Anstey.*) You will remember this—in reply to the Chairman, you answer, "I did not "then gather from his conversation that he was like "the other men." If so, and you did not gather it from his conversation, what made you come and state to us positively three times that he did?—Believing that his bill came through Jarman.

5397. Here is what you say he told you:—"William Hurman told me that he would not vote "unless his bill were paid," you say; then the next question is, "Was there any other person told you," and you say "Babbage"?—I made that statement from the fact that I believed I had paid his bill, knowing that he had a bill due and wanted it paid.

5398. (*Mr. Coleridge.*) How should that lead to a conversation upon that. You might say every single person whose bill you paid had told you he would not vote until you paid it. Do you go as far as that, that every single person told you in terms?—No, I do not.

5399. Then I cannot understand you when you say Hurman immediately told you that he would not vote until he had his bill paid, unless you go so far as to say that everybody's bill I paid I paid in consequence of their saying, I would not vote unless paid. How do you single out Hurman?—I made that statement from the fact of the conversation between us in his own shop supported by the fact that he sent me the bill.

5400. Did he send you the bill?—He did I believed at the time.

5401. But if he did it would not alter the conversation, I have no doubt you are perfectly truthful and correct in saying that Mr. Lovibond paid and not you, but does that alter the conversation?—It strengthens the fact.

5402. Did you in fact have this conversation with him, though it be perfectly truthful as you say that you did not pay but Henry Lovibond did?—I had a conversation with him.

5403. Was not the conversation the same as you repeated yesterday?—Mr. Hurman did not make that statement.

5404. All you come to withdraw is the fact of having paid him. Then either yesterday when you thought you paid him you invented the conversation with him, or to day you are denying what you gave truthfully yesterday?—Yesterday when I gave the conversation I believe from what passed between us the conversation connected with paying the bill, that his was one of them that came through Jarman, therefore I spoke of them collectively.

5405. Do you mean to say that the words you used "William Hurman told me he would not vote unless "his bill was paid," were only a *résumé* of the conversation you had with all the people whose bills were not paid?—Exactly.

5406. (*Mr Price.*) It is a very serious matter for you; but now, as you have altered the most material portions of your evidence, and confessed that you said that yesterday deliberately in repeated answers which is untrue, it becomes you to consider seriously the position in which you stand as to getting an indemnity at our hands for having made a full and truthful disclosure, or for having answered our questions satisfactorily to our minds, now I ask you what passed between you and Mr. Lovibond yesterday?—When I went down on the floor he came to me and said, "My dear fellow you have made a mistake about "Hurman."

5407. What then, did you go to his office?—I did.

5408. How long were you with him then?—I went straight to his office, I was there not ten minutes.

5409. He told you that you had made a mistake, that is to say you had not paid him, but that he, Lovibond, had?—He said he had paid him and nothing else.

5410. Did he tell you that you had made a mistake when you said he would not vote until his bill was paid?—He did not know anything about it.

5411. He heard it yesterday; did he tell you that you had made a mistake in saying that William Hurman would not vote until paid?—No, he did not; he said, "You are in error about William Hurman."

5412. As to who paid him?—As to who paid him.

5413. Is that all?—That is all the conversation.

5414. And then you went straight to William Hurman?—Then I went straight to William Hurman's shop and apologised to him.

5415. For what?—Having made a statement about him that was incorrect.

6416. What was the statement?—That he would not vote until he got his bill paid.

5417. What induced you to say that was a mistake at that time?—Because I had been to the office, and found the receipt.

5418. (*Mr. Price.*) It simply comes to this, that you found yourself wrong in saying that yours was the hand which paid the money, and you now say you deliberately swore to that which was untrue yesterday about the conversation?—If I swore to the conversation which would criminate Mr. Hurman apart from paying the bill, I did it unintentionally, and it is wrong if I did it.

5419. You say you were there ten minutes, this conservation would take place about a minute, what else did you talk about yesterday?—He went to his box, and showed me some electioneering papers, some I had seen three years ago in connexion with them, and untied the string, and among them took out this bill.

5420. Did he show you anything to enable you to tell us to day what you did not yesterday?—He showed me the agents.

6421. I want to know whether he showed you anything that brought anything to your mind that you have not told us?—The list of sub-agents under me.

5422. The list of what had been paid?—Yes, the lists of the men, and what paid, and amongts these lists was Hurman's receipt.

5423. Amongst them did he show you a list which would account for the 4,000*l.* you received?—I am in error about that, that is what I want to speak about.

5424. (*Mr. Price.*) Where is your error as to the 4,000*l.*?—The 4,000*l.* to my mind was more prominent than any other thing, I considered the election cost us 4,000*l.*, I consider now the election cost us 4,000*l.* gross.

5425. You told us actually and specifically that you received 1,400*l.* from the stranger, and 2,000*l.* in bank notes and those country notes, and you particularised the country notes from Mr. Barham?—I will leave Mr. Barham to explain that.

5426. What do you want to correct about that?—Mr. Barham said I had made a statement, a glaring mistake.

5427. Has he been talking to you about your evidence?—When I came down from the box last night, Mr. Barham was there (in the court) and he said, "You have made a grand mistake, you have charged yourself with more money than you have had."

5428. He had heard your statement and deficit?—He had heard my statement.

5429. (*Mr. Price.*) All that I can say is that it is an extremely improper thing to discuss a witness' evidence with him after he has given it before the examination is closed for the purpose of enabling him to try and screen or exculpate, or lessen the amount of crime which he has given his oath upon, and it is a great contempt of court to do it.

(*Mr. Anstey.*) And more so, when one of the persons named, Eustace Barham, is himself a member of the legal profession, and ought to know something of the law which he undertakes to practice, and is an officer of a court which has the power to strike him off the rolls for such conduct as this.

(*Mr. Price.*) Because it is perfectly open to the person whose character is impugned by one witness to come here and clear it, he can claim to be heard, and be sworn, and that is the proper mode of correcting any mistake, and then we must judge of the conflict of testimony, which of the two is to be believed. Where, after a person has come and deliberately told us a long story with great accuracy of detail and memory, and in the two most important parts he comes next morning to say that he has had conversations with two legal agents about his evidence and wishes to correct them, I say that that is conduct which is highly discreditable, and of course the first evidence which has been taken would in our minds be quite conclusive against any after-statement made under such circumstances, now you may state your correction?—Mr. Barham said to me you have made a great mistake in your financial statement; you have charged yourself with receiving 700*l.* which you did not have.

5430. What do you say now to that, which is right, you or he?—I said I did not know, the money came to me so unexpectedley and in such large sums, and I had no check of the money as it came in and gave no receipt for it, that I did not know.

5432. Then what do you say now is correct, that you had not so much or that you had?—I cannot say he is correct.

5433. Are you?—As far as I know I was correct at the time.

5434. What do you say now, having had the con versation with Mr. Barham. Do you mean to say you did not have the 4,000*l.*?—I have no account of it, and only spoke from memory at the time.

5435. (*Mr. Coleridge.*) I put it to you again as the 34*l.* bill was an odd sum so is the 2,600*l.* How do you get at that particular sum if it was entirely an illusion of your brain?—It was always prominent to my mind that 4,000*l.* was the cost of the election, and I got the money at the Globe and the rest from Mr. Barham, that is the honest truth.

5436. (*Mr. Price.*) The first is the man you got the money from, you gave a description of him?—I did, and told you my introduction.

5437. You say, "He opened a bag and gave me some, it was more than I could carry, and I took it home at three times. Then I put it to you." "Eventually you got 1,400*l.* in sovereigns from him?—All in sovereigns." "(*Mr. Coleridge.*) Did you get any money from anybody else at that election?—I did." "Who from?—Mr. Barham." "When was that?—On the polling day after the money was done." "(*Mr Price.*) After you had disbursed your 1.400*l.* on the following day you wanted more?—Yes." "How much more did you circulate that you wanted?—I do not know that I calculated anything, but I will tell you how much more I got." "Well do?—2,600*l.*" "From Mr. Barham?—Yes." "(*Mr. Coleridge.*) In sovereigns?—No." "In paper?—In paper." "In Bank of England notes?—Well, they were in bank notes. (*Mr. Price.*) Were they provincial notes or what?—They were local notes." "Of what bank?—A bank here." "Does this bank issue its own notes?—There were some Bank of England notes amongst them; but the most of them were the West of England and South Wales District Bank." "(*Mr. Coleridge.*) Were they 5*l.* or 10*l.*, or what?—Mostly." "In twenties?—No, mostly in fives or tens." "What time of the day was this?—That was about the meridian blaze." "About one o'clock?—Yes." "And where did you receive it from him?—At my own house." "Did he come to you, or did you send to him?—He came down to me." "(*Mr. Anstey.*) Is this the name of the bank whose notes you received, the West of England and South Wales District Bank?—Exactly so." "(*Mr. Price.*) And that bank has a branch office here in Bridgwater?—Yes." "(*Mr. Anstey.*) Who is the manager?—Mr. John Ford, Captain Ford." "And who is the cashier?—I do not know." "Do you know anybody connected with it, whose surname begins with C.?—No, I do not know anybody connected with it. I do not bank with it.

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They are my next door neighbours." "(*Mr. Coleridge.*) When Mr. Barham came down to you, did you tell him that you had had 1,400*l.* from a stranger, and had spent it?—No, I do not think I did." "(*Mr. Price.*) Tell us what passed between you and him. You had sent up to him, to say you wanted more money?—Yes." "Did you send up word to him that you wanted more money, or how, before he came with more money that was wanted by you?—I stayed in my own house, and all the election agents whenever they wanted money, came to me, or sent to me, and had it, and the fund got exhausted, and Mr. Barham supplied me with more." "But how did Mr. Barham know you wanted more?—He was in and out of my house every quarter of an hour throughout the day." "So that he knew from time to time, that the money was exhausted, and you wanted more?—I had the money from 200*l.* to 300*l.* at a time till it was exhausted, and he knew where it was going." "(*Mr Coleridge.*) It was not in one lump?—No." "(*Mr. Price.*) As he came down to your house from time to time, you told him more money was wanted, and he came down with more sovereigns?—Yes." "And altogether you got 2,600*l.* from him?—Yes." Everything connected with that is as true as can be if the money is correct. I was young at electioneering—only six weeks.

5438. You were not too young to understand the meaning of language and the meaning of an oath; all I can say is, it is a very sad thing to see a person in your position coming here deliberately swearing to such facts as those, and then coming the next morning after the conversation with these gentlemen who are deeply implicated by you, and eat your words, and diminish the effect of your evidence?—I spoke purely from memory.

5439. Is there anything else you want to correct?—That is the only thing.

5440. Now I tell you again, because you seem now to place yourself in a very awkward position, that we are not satisfied that you have made a full and free disclosure, whatever we may have thought of you yesterday. There cannot be a doubt that our opinion of the value of evidence, and the truth and honesty of the witness must be materially altered by what has taken place this morning.

(*Mr. Anstey.*) Certainly?—It is pure mistake.

5441. (*Mr. Price.*) And we have been informed there is an attempt on the part of you and Mr. Bussell and others to screen certain individuals, to let out as much as they can, saving the mention of some particular individuals with whom they are connected, or of whom they are afraid?—If you will ask me any questions with reference to that, stating the individual, I will tell you.

5442. (*Mr. Anstey.*) So you said yesterday, and see your practice to day. You have allowed yourself to be tampered with by two persons, one of whom at least ought to know better. You appear before us as a tampered witness, and you know best what inducement or terror has actuated you?—There has been no inducement.

5443. (*Mr. Coleridge.*) Quite accepting the truth of every word you have said as you will no doubt be supported by Mr. Hurman and Mr. Lovibond as to when he was paid, I cannot get out of my mind the fact that you have spoken to a particular conversation, I care nothing for the payment, with Hurman that was either invented yesterday or suppressed to-day. Now which was it?—I made the statement yesterday because I believed it supported by the bill. The conversation supported by the bill would have satisfied my mind that what I have said was quite correct.

5444. Then do you mean you invented that conversation because you believed you had paid a bill, and if you had paid, a conversation must have taken place which did not if you had not?—No.

5445. Would that account for your distinctly saying, Mr. Hurman told me that he would not vote until the bill was paid?—I believed that he had told me so.

5446. You did believe that he had told you that, and if Hurman had not said last night that he never told you that, would not you then at this moment believe that he said he would not vote until his bill was paid. If you had not seen Hurman or Mr. Lovibond last night, and from circumstances that occurred then you were told that what you had said was untrue, would not you to this moment have believed that that conversation took place?—No answer.

5447. Surely it is a very simple question?—I do not believe, and I am confident to this moment, that William Hurman did not make that stipulation.

5448. My question is, if you had gone straight away to Bristol last night and seen nobody, and were called here this morning, would not you have told us the same story as last night?—I would have told the same story.

5449. And also, if you had simply gone to Mr. Lovibond's office and never seen Hurman to speak to yesterday, simply seeing that you did not pay but Mr. Lovibond, would not you in some way have deposed to the conversation you deposed to yesterday, the sole altered condition of things being that Lovibond paid and not you; would not you have still said you had had the conversation with him about his being paid?—I should have thought so.

5450. (*Mr. Price.*) And do you doubt it now?—I do.

5451. Merely because Hurman says you did not?—From the facts you have stated.

5452. How many more persons are there who may come to you in the course of this inquiry and tell you that something you have said is untrue, and you may be ready to retract? You had better consider that.

5453. (*Mr. Anstey.*) And do you say that your opinion of Hurman is such, that if he tells you a thing you believe he speaks the truth?—I have always held that opinion of Hurman.

5454. But nevertheless, if he does not tell you anything to the contrary, you quite believe him to be a person capable of being bribed by a payment made in an indirect fashion?—No, I do not believe that.

5455. You did that, and said he was a person capable of being bribed indirectly; you say now that your opinion of him is such that when he says he was not bribed you will surrender your own judgment?—I have a list of bills that came to me, and among them was Hurman's, and I said these people will not vote until they were paid. I had a conversation with William Hurman about his bill and from the fact that the bill was sent to me and paid; I believe that was why I said it.

5456. You have said that over and over again; however, you are warned.

(*Mr. Price.*) Depend upon it that there is no doubt we shall hear something about this and other things which you could have told us, and have not?—I say if there is any name that you want——

5457. You must know.

Henry Chapman Bussell recalled.

Mr. H C. Bussell.

5458. (*Mr. Price.*) We have come to a resolution, and we think it right to call you up, as you are a very important witness, to tell you the resolution we have come to, but before doing that I wish to ask you a question or two. We have now seen something of an attempt made by persons here, if not to keep back evidence, to alter the effect of it after it has been given; now I ask you whether there is any person in this borough, either the mayor, or ex-mayor, or alderman, or justice of the peace, or in any other position or rank in this town whom you know to be mixed up in Parliamentary corruption whose names you have not given to us?—Not to my knowledge.

5459. Or belief?—Nor to my belief.

5460. In your knowledge or belief?—No.

5461. Is there no person with whom you are

connected in this borough in any way to whom you are under pecuniary obligation to?—No.

5462. None; is there no person?—(*No answer*).

5463. Is there no person in this borough who has taken an active part, I will not say an improper part, in electioneering matters in this town to whom you are under pecuniary obligations?—There is until the end of next month.

5464. Who is it?—It is not regarding the election. I had some property in the town, and have a mortgage on it.

5465. Who is it?—Messrs. Reed and Cook, but the property is sold, and I pay it off this next month.

5466. That is the only one?—That is the only one.

5467. You are receiving no salary?—Yes.

5468. No sum of money from anybody in the borough who is a political partisan?—I am not.

5469. Nor any money in any sense whatever?—I am under the mayor.

5470. The present mayor?—Yes.

5471. What do you do?—Superintend his vessels, and look after the repairs.

5472. How long have you done that?—Four or five years.

5473. You receive a salary for that?—I do.

5474. How much?—30*l.* a year.

5475. (*Mr. Coleridge.*) And anything on the amount of bricks shipped?—That is a matter of allowance; if a vessel comes here to unload bricks they have to give an allowance to the labourers.

5476. But was not there at one time a system of allowing three halfpence or whatever it might be a thousand for drink money to the captains for unloading bricks?—Never; I have been connected with it for 32 years, and never heard of it in my life.

5477. Do you know of three halfpence a thousand being allowed to anybody?—Yes, we have to pay it; I myself have paid it.

5478. To whom?—To the labourers, not to the captains.

5479. But you pay them in drink, do not you?—I do.

5480. And did not the present mayor at one time very strongly object to this drink money?—He did.

5481. And is not the 30*l.* you received in lieu of the benefit you used to get out of drink money to the labourers?—No, not a bit.

5482. Did you get the 30*l.* a year at the time you used to give three halfpence a thousand to the labourers?—He had not my services then.

5483. Do you now still, since you have a salary from the mayor who objects to this drinking system, get it?—No, there are only two yards in the town, and a very little there is.

5484. Do you still get paid?—Not at all times.

5485. Do you ever?—No.

5486. On behalf of the mayor?—No.

5487. Then your 30*l.* is in lieu of the advantage you got out of the three halfpence paid to the labourers?—No.

5488. Then what is it?—For services rendered in looking after the vessel.

5489. What are those services; are you a ship's husband?—You may call it that. Yes.

5490. How many ships have you to look after?—Eight or nine I think it is. I have some of my own.

5491. You do not get paid by the mayor for looking after your own?—I know that.

5492. How many have you to look after for which you get this 30*l.* a year?—I will give the names; the "Peregrine," "the "Roseville," the "Tow," the "Grace," the "Anna," the "William and Martha," the "Onward," the "Queen," and if there are any others I will furnish you with the names.

5493. Are those all the matters?—They are.

5494. Did you ever receive 50*l.* instead of 30*l.* from the mayor?—I had 40*l.* once. Then I took an active part in looking out for work for the steamer.

5495. What is the name of the steamer?—the "Petrel."

5496. How long have you given up looking after that?—There were two companies, and they are amalgamated, and my work was not so heavy.

5497. When were you reduced?—Three or four years ago.

5498. How long have you received any sums from the mayor?—About five years I think.

5499. (*Mr. Price.*) Have you any control at all over the vessels?—If any repairs are wanted I go and see to them, and consult the mayor upon them; that is exactly the position I am in.

5500. (*Mr. Anstey.*) I understood the mayor to say that you had nothing whatever to do with these ships?—I did not understand so.

5501. You were in court when he was examined?—Yes.

5502. Do you remember my asking the mayor, "Had you allowed Mr. Bussell to send telegrams to your Captains to bring them here to vote"?—I never did.

5503. Did you hear me ask him that question?—I did.

5504. Did you hear then his answer that you had nothing to do with his ships?—I did not understand him that way. I will give an explanation of what I understood he meant.

5505. Did you hear him say that you had nothing whatever to do with his ships?—With the vessels I telegraphed to.

5506. I asked him whether you had any control over his ships, and the answer was no?—No, I did not hear that.

5507. You heard me ask this question and follow it up by saying, "Did not Bussell send a telegram to Cardiff?" and the answer was, "It was one of his captains and not mine?"—No, the answer was, "It was J. W. Sully's captains, and not mine."

5508. Then it was not one of your captains?—Not a bit.

5509. But to one of J. W. Sully's?—Yes.

5510. A relation of the mayor?—Yes.

5511. Do you also remember his saying you had nothing to do with vessels of his?—I did not understand the question was put to him.

5512. Did you hear him say so?—No.

5513. (*Mr. Coleridge.*) You have handed us in a list of men who polled for Mr. Patton at the first election of 1866, and the second for Mr. Vanderbyl of the same year. They are John Baker, John Alfred Buttle, Edward Phillip Crump, John Dyer, Abraham Frost, William Gatter, Henry Harris, Charles Haste, William Hensley, Charles Hobbs, John Hole, Charles Hook, Richard Hooper, John Jobson, George Kerle, William Reece, John Spencer, John Squires, John Stone, John Turner, and John Webber; 21 in all?—Yes, that is correct.

5514. Those are the persons you found from your examination?—From the list I had.

5515. Who polled in the first instance on the Conservative side in 1866, and the second time on the Liberal side in 1866 also?—Yes.

5516. From that do you collect first of all that they were bribed to vote for the Conservatives in 1866 at the first election?—Well, I believe that they would be.

5517. Do not say "would be?"—Yes, I think so.

5518. And if they had not been bribed to vote for the Conservatives they would have voted in the first instance for the Liberals?—I cannot answer for that.

5519. They are, in fact, of the class you call balance men?—They are.

5520. From that and your knowledge, and what you have heard, do you believe that the reason that they went over to Mr. Vanderbyl in the succeeding election in 1866 was that they were bribed by your party?—I believe so, I cannot tell you further than that, that the present mayor has always discouraged men from voting who were in the command of vessels.

SIXTH DAY.

Mr. H. C. Bussell.

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5521. And always discouraged beer drinking, did he not?—Yes.

5522. (*Mr. Anstey.*) I see he says in answer to the question, "Did not you know at the last election "a certain Henry C. Bussell was taking an active "part in the election on the Liberal side?—Most certainly not." Is that true; did he know that you were taking an active part at the last election?—I do not know whether he knew it or no.

5323. Did not all the world know it?—I believe they did.

5524. Did you conceal it from him?—I did as far as I could.

5525. That you were taking an active part?—I did as far as I could.

5526. Did you conceal it from him?—I did.

5527. Then he did not know it?—He did not by my letting people know it.

5528. (*Mr. Coleridge.*) Why did you conceal it from him?—Because I knew he would object to the practices, that is why.

(*Mr. Price.*) Now, not merely to you, but we wish it to be known, that in pursuance of the powers given us by the Act of Parliament, which I think I stated on the opening day, we have power from time to time to report to Her Majesty the evidence taken by us, and having reference to the disclosures that have been made already in this inquiry by Mr. Bussell and Mr. Allan, we have come to the following resolution; that Henry Chapman Bussell having informed us that he has made us a full disclosure of all matters within his knowledge, remembrance, or belief, touching the elections for Bridgwater, as to which we have examined him, and the names of all persons implicated therein, we are now disposed to make our first report to Her Majesty, in order that Her Majesty's Attorney-General may have time and opportunity to consider the question whether or not he will prosecute any person or persons named by that witness or by any other person already examined before the Commissioners; but the question of granting to you, Bussell, or any other witness a certificate of indemnity must continue to be reserved until after the termination of the whole inquiry, when the question will have to be considered as to all the witnesses in general.

HENRY CORNELIUS WHITE recalled.

Mr. H. C. White.

5529. (*Mr. Anstey.*) Were you one of the signataries to the petition of 80 in 1866 praying a suspension of the writ?—I think not, I wish to correct one statement that I made yesterday.

5530. (*Mr. Price.*) Have you been in communication with any person since you gave evidence yesterday?—I have been to get the list which I spoke to you of.

5531. Have you been in communication with any person about your evidence since you came here yesterday?—I have.

5532. With whom?—Gilbert, at the Bath Bridge.

5533. The man to whom you gave the money to pay Powell?—Yes, to pay several people, I went to Boucher, but we have not been on good terms for a very long time.

5534. Did you go to him?—I did.

5535. Did you go to Honeyball?—I did not go to him, but I saw Honeyball last night.

5536. Have you seen Mr. Barham?—I have not seen Mr. Barham.

5537. (*Mr. Anstey.*) Did you see Honeyball at his master's?—No.

5538. (*Mr. Coleridge.*) Have you seen Mr. Lovibond?—I saw him this morning.

5339. (*Mr. Price.*) On the subject of your evidence?—Yes, on the subject of the list which I sent in at the time.

5540. Have you seen Allan?—Last night.

5541. Bussell?—Last night.

5542. And who else?—John Smith.

5543. Did you have a meeting then all together?—No, I called individually on them.

5544. (*Mr. Anstey.*) Have you seen Mr. Eustace Barham?—No.

5545. (*Mr. Coleridge*). Have you seen Mr. Cook?—I met Mr. Cook last night in the street.

5546. Did you have any conversation about this?—There was some conversation.

5547. Have you seen Mr. Reed?—No, I did not speak to him.

5548. What did you say to Mr. Cook?—Mr. Cook merely said no doubt my intentions were good, but he thought I had answered rather flippantly, or something of that kind.

5549. What did you understand by that?—I thought he meant in my replies, I was much excited at the time, whether I had answered you too readily, or not, either of you. It was merely a little private conversation, nothing else that passed between us.

5550. (*Mr. Coleridge.*) Had you any conversation about the substance of your evidence, and not about the shadow?—Not the slightest.

5551. (*Mr. Price.*) Are you living upon your own independent means now?—I am.

5552. Are you thoroughly independent?—I am independent, sufficient for me to live upon, and in addition to that I have an income from the secretaryship of a Building Society, and several other little sources.

5553. I call that your own income. From money saved and offices you fill you have an ample income of your own?—I have an ample income of my own.

5554. Were you engaged at any time as collector of excise or taxes?—Never; I was appointed here to collect the taxes.

5555. When?—I cannot tell you the year without referring.

5556. How long have you held the office?—I think for three years.

5557. Were you collector of Queen's taxes?—I was. In those days it was made a political appointment.

5558. Who got you the appointment?—Why unfortunately, I think, in the first place, Mr. John Morris clapped me into that office.

5559. Why do you say unfortunately?—Because it is a very disagreeable office, and I did not wish to perform it

5560. Then why did you continue to hold it?—I gave it up.

5561. But you held it for three years?—No, I gave it up.

5562. You had it for three years but you gave it up, is that so?—I was not regularly appointed myself for three years, but I did the work for three years.

5563. (*Mr. Coleridge.*) How many years were you paid for?—Three years.

5564. (*Mr. Price.*) You did the work, and were paid for it, but you were not regularly appointed?—I was not regularly appointed; other people were appointed, and requested me to do the work for them, which I did.

5565. (*Mr. Coleridge.*) Then you never were regularly appointed?—I was once put in.

5566. Did you give surety?—Never a penny.

5567. Who did, the collector does here, does not he?—No, nothing of the kind; I never gave surety for a penny.

5568. Does not anybody in this borough?—I am not aware; I never gave sureties, and I have never heard that others have done so.

5569. Was there any special privilege granted to you in that respect?—Not the slightest; no special favour; I do not think it is the custom.

5570. (*Mr. Price.*) You say you had this appointment unfortunately thrust upon you, why?—Because it was a disagreeable office.

5571. I cannot understand why, as you had no regular appointment, you took what you considered a disagreeable office for some one else. Who was the person you were working for?—Unless I had the papers before me I could not say; there were two or three persons appointed, but I could not tell you who; I shall be glad to get the information for you; I think Mr. Henry Baker did it.

5572. That was the person you acted for?—Yes, one year.

5573. You gave it up of your own accord?—Undoubtedly so.

5574. Now, to go to your electioneering experience, the last thing was that you took the 40*l.* and gave it to Philip Gilbert, carpenter, living in the Bath Road, and then came that history of the compunction of conscience which you had as to giving it to him personally?—If you will be kind enough I want to connect that statement about tho 40*l.*, looking at the list this morning.

5575. What list was it?—A list in possession of Mr. Lovibond.

5576. Is it made by yourself?—This is merely notes which I have.

5577. You have a copy here of something which Mr. Cook showed you?—No.

5778. Who?—Mr. Henry Lovibond this morning, he told me he had the list of the money I was credited with, of course all my papers were destroyed, and I had none whatever, he said last night; and I said, "Very well, I will call this morning and see the "amount put down;" I cannot make out what Bussell has stated that I am charged with receiving, I think he said, for 20 men.

5779. Is Mr. Henry Lovibond here?—(*Mr. Lovibond.*) Yes.

5780. (*Mr. Price.*) Will you produce that document which the witness copied at your office?—(*Mr. Lovibond.*) I will [*It was produced*].

5781. (*Mr. Price.*) But this is the document you were shown?—That is the document. In that document I am charged with receiving at one time 100*l.* I think I mentioned Allan's name last night, did not I?

5582. You did; Are you "White of John Street"?—I was at that time.

5583. There are two 30*l.*, White 30*l.* and ditto underneath. Does that mean you?—Two 30*l.*; that is right.

5584. Then that is 160*l.*?—160*l.* and 45*l.*

5585. 10*l.* I find, if you are "White John Street"?—Yes, 10*l.* and 45*l.*

5586. High Street is not you?—No.

5587. I do not see your name down for any other sum, this is the list of the bribers, is it not?—Yes.

5588. (*Mr. Coleridge.*) For which election?—For Vanderbyl's, in 1866.

5589. You had nothing to do with the 1868, I think you said?—Nothing, whatever, I was poll clerk. There is another; White Eastover charged to me, 45*l.*

5590. That makes how much altogether?—That makes it come to 215*l.*

5591. What did you say yesterday from Allan; 90*l.* and 40*l.*,—130*l.* that is all you have told us of yet?—He has charged to me 45*l.* that was paid by Bussell to Turner, Haste, and Squires.

5592. What is wrong in your evidence, what you said yesterday was simply this that you got from Allan. Then came a question between you and Boucher of 20*l.* which you say you believed Boucher stuck to?—That was my impression at the time.

5593. Do you wish to correct that?—No, only I wish that Boucher would sit down with me.

5594. Now, did you get 90*l.* from Allan, is that correct?—I spoke yesterday without having any list or papers.

5595. Did you get it?—I gave to Allan after the election an account of every penny I received from him, and he added it.

5596. Did you get 90*l.* from him?—I did get 90*l.*

5597. (*Mr. Coleridge.*) I do not quite understand this document produced by Mr. Lovibond, is this entirely sums given to people to give to others, or does it include sums you have given to people for their votes, is it all given to intermediate people, or are they only the sums away the money went?—Yes, they are given to intermediate persons, all the others.

5598. Every one of them?—All, at least when you say every one, that is a question I really cannot answer.

5599. Whose handwriting is that in?—I do not know, I cannot give an opinion, if I knew this handwriting, I have only seen it this morning for half a minute while Mr. Lovibond was copying it.

5600. Is it Mr. Lovibond's?—I am not aware.

5601. Do you know his handwriting?—No.

5602.—Are those all sums given to intermediate persons?—I cannot answer, I want to state everything I possibly can truly, and if you will kindly help me out of the difficulty I am in for I have no list.

5603. We want you to help us because we do not know the facts, I believe you were correct in saying yesterday that you got 90*l.* from Allan; is that true?—It is true.

5604. What do you want to add to that in explanation, I see that the first charge in that list is 100*l.*?—I believe that is the sum I had from him, and I believe that the 90*l.* instead of being 90*l.* in one sum, Allan is right, and it was 100*l.* at one time.

5605. (*Mr. Price.*) It is not correct that you got 90*l.* only, because you got 90*l.* and 10*l.* making 100*l.*?—Yes.

5606. (*Mr. Coleridge.*) Was it in gold or notes?—I believe he left with me, I thought the night before, 9 packets; but I believe now 10 packets since I have seen that paper, I had no evidence to go by.

5607. What did you do with that 100*l.* Yesterday you gave an account of how you went through it with Boucher, how much of that went to Boucher?—I can tell you the list of names amounting to the whole of the money that I received.

5608. Do you mean the list of the names of those that received the 100*l.*?—Those who received the whole of the money I am charged with, with the exception of 20*l.*

5609.—Where did you get that list from?—I have made it out from memory, I wish I had my own paper.

5610. (*Mr. Coleridge.*) Where are your papers?—They were burnt at the time, I did not keep them, it is three years ago, and the only thing I can do is to get at it.

5611. Now the names?—Boucher 10*l.*, I should tell you this is the sum he had for himself; also, Boucher, Mr. Tour, 10*l.*; also Mr. Scott, a dissenting minister, I think he was.

5612. (*Mr. Coleridge.*) What christian name?—I do not know.

5613. (*Mr. Price.*) Is he living here now?—I do not know.

5614. (*Mr. Anstey.*) You know where he is to be found?—I do not.

5615. (*Mr. Price.*) Was he then a minister of a dissenting place of worship here?—They told me he was a dissenting minister.

5616. Who told you?—Boucher told me.

5617. How much to him?—10*l.*; Dabinett and Virgin, 10*l.*; now I am of opinion I paid Culverwell myself.

5618. All those you have given us were paid through Boucher?—I cannot exactly tell without he would go through with me, I cannot remember three years ago. All I can get is the names of parties who had the money either from him or from me, Culverwell 10*l.*, Sutcliffe 10*l.*, George Heal, 10*l.*, Combs, 10*l.*, Headford, for a man of the name of Kerle, not for himself, 10*l.*

5619. Do you mean that he is a man who would not take anything for himself?—I never gave him any.

5620. (*Mr. Anstey.*) Are you sure that Kerle was not bought by Allan or by Bussell?—I do not know Headford will have that; I should also tell you that I saw Headford last night, I omitted to tell you that just now.

5621. What did Headford tell you?—He told me that I did not give it him directly, but that I put the

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money down just outside the place, and he took it up and paid the man with it.

5622. (*Mr. Price.*) You did not tell us anything about that yesterday, for all you represented was that you gave this large sum to Boucher to distribute, now it seems that Headford was employed. You said yesterday that the whole 90*l.* was given to Boucher?—I was very much excited and spoke to the best of my recollection.

5623. (*Mr. Coleridge.*) You have given us up to 100*l.* already?—I can bring it up considerably more than that, Gilbert three 10*l.* to give to others.

5624. To whom?—I do not know.

5625. (*Mr. Price.*) You do not know whether he gave it to them or not?—I believe he did.

5626. (*Mr. Coleridge.*) Which Gilbert?—Philip.

5627. Which Philip Gilbert was it?—The younger, I expect. I do not believe the father, Philip Gilbert, lives in the town. If you will allow me, I will ask.

5628. Bussell can tell us, I daresay?—Gilbert himself is here.

5629. (*Mr. Price.*) If you know him point him out?—There he is. [*Pointing.*]

5630. (*Mr. Coleridge.*) Are you Philip Gilbert, the younger?—(*Mr. Gilbert.*) Yes.

5631. (*Mr. Coleridge.*) That is the man?—That is the man. Did I tell you about the steam packet? I believe that that sum, now I am refreshed by that list, was not 40*l.*, but 30*l.*

5632. To whom?—Philip Gilbert, as I stated yesterday.

5633 (*Mr. Price.*) I rather gathered from last night that Mr. Lovibond said to you, that you credited yourself with more money than you had last night. Is that what you said?—(*Mr. Anstey.*) It is the other man who said that.

5634. (*Mr. Price.*) Mr. Lovibond said merely that you had been flippant or something of that sort. I do not know that he said I had been flippant.

5635. I do not know whether he spoke with reference to your evidence generally, or only as to the money. How did you know about this money?—I asked Mr. Lovibond when I was going out of Court, and seeing that I gave the account of the money to Allan immediately after the election, and the account was passed in, I asked him if he had got my account. He said "I have the list," and on going this morning I find he has merely a list of sums, but he has not got my account that I sent in, or at all events I have not seen it.

5636. (*Mr. Coleridge.*) He has not got the names?—The names.

5637. (*Mr. Anstey.*) This is a list of the people for whom you are accounting in the election of 1866, is it not, the second election, Vanderbyl's?—That is the one.

5638. Now I find here, speaking of that second election, Mr. Allan says, "I myself bribed with 10*l.* "a schoolmaster named Bottomley who has left "Bridgwater and had gone to Tiverton, and James "Kerle, who is now at Chard, connected with the "Chard Railway." Is that the Kerle you were speaking of just now?—I do not know.

5639. Not your Kerle?—I do not know.

5640. Then will you undertake to say, not knowing what Kerle it is, that that name which you have given in is not a fictitious name?—Certainly.

5641. You have heard that Allan says, that he himself bribed Kerle?—Headford, I think, pointed out the name.

3642. You had better give us a more satisfactory answer than, "I do not know," or else I shall be obliged to suppose it is a fictitious name. Allan says, he positively bribed Kerle. If you say he was bribed twice I shall believe you?—What name is it. This is George Kerle.

5643. You said just now you did not know it?—I did not know till Headford told me.

(*Mr. Anstey.*) Then please answer the questions. It takes five minutes to get out the simplest fact from you.

5644. (*Mr. Coleridge.*) Then this is a different Kerle This is George Kerle of whom you are speaking?—I do not know. My desire is to give you every full and accurate information that I possibly can.

6645. (*Mr. Price.*) Then you must give it us?—I came here yesterday quite unprepared, I never had any list. I was here the whole of the day and was quite exhausted.

5646. You knew you were going to be examined on the part you took in the election, and I daresay you were served with a summons about a fortnight ago?—Ten days ago.

5647. (*Mr. Anstey.*) And you have been here every day?—Every day since my name has been stuck up.

5648. (*Mr. Price.*) During those ten days you must have had time to look up all the matters in which you have been concerned?—I never attempted it. I have never been in communication with any one, I never attempted it.

5649. Then you ought to have done so?—So it seems.

5650. Does this exhaust that 100*l.* which you yesterday described as 90*l.*, and of which you say you have rendered an account to Mr. Lovibond, all but a 20*l.*, which 20*l.* is the subject of dispute between you and Boucher, is that the state of things?—It makes more than the 90*l.*

5651. I want to know whether there is still a disputed item between you and Boucher out of the first sum you got from Andrew Allan; Allan has stated, that he gave you 100*l.* and you now acknowledge that it was 100*l.* and you account for 100*l.* and still Allan said, there was 20*l.* which was not accounted for.

(*Mr. Anstey.*) And which you said yesterday you believed stuck to Boucher's fingers.

5652. (*Mr. Price.*) You said there was some mistake about 20*l.* between Boucher and Allan which Boucher alleged he had not received, but which you say you believe he had, and you said, if Boucher had come here and said he only had 70*l.*, it was false. Now I ask you how much Boucher had.

[*A pause.*]

(*Mr. Anstey.*) Do go on. Time is passing away?—I cannot tell exactly.

5653. (*Mr. Price.*) Is there, or is there not, any sum of 20*l.* which is unaccounted for between you and Boucher, according to Allan's statement?—There was.

5654. (*Mr. Anstey.*) Is there now?—There is.

5655. (*Mr. Price.*) What do you say about that 20*l.*, where is the mistake, and who is the person who has made the mistake?—I have not found it out yet. I am quite willing to sit down with Boucher, and try to make it right.

5656. Was it ever mentioned to you at the time that there was 20*l.* unaccounted for?—I mentioned it to them. I was the first to find it out.

5657. Then why did you not follow it up at that time?—I did all I could in the matter, but it was such an exciting day. I had never meddled with money before that day.

5658. The excitement was over after the election. Could you not at any time when the accounts were gone into, have cleared up this matter of the 20*l.* It was easy enough to have done so, when your recollection was fresh. Why did you not clear it up for your own credit's sake. Here was a question as to whose fingers this 20*l.* had stuck to, and you say, according to your own account, that you never attempted to clear it up with Boucher at the time, which you might and ought to have done, and that after an interval of three years, you could sit down now with Boucher, and make it all right?—I said I will try to do it, not that I could do it.

5659. Why did you not try to do it then? Was it not an accusation of embezzlement against one or the other. Did you not understand that if you did not account for money that you had had to bribe with, it was equivalent to embezzlement?—Certainly not.

5660. Not if you stuck to it?—Certainly.

5661. That being the accusation, why did you think it worth your while to clear it up while the

thing was fresh in your mind ?—It was an accusation.

5662. It was an accusation against you or Boucher one or the other, of embezzlement, and at the time this accusation was made, you did not think worth while to clear it up. Is that what you mean to say ?—I did, but Boucher was a tenant of mine at the time, and we were not on very good terms. I was thoroughly disgusted with what he had done.

5663. Not being on good terms with him, is that the reason you had entrusted him with money to bribe ?—I was on good terms with him when I entrusted him with the money.

5664. When did get on bad terms with him ?—Soon afterwards.

5665. How soon ?—I may say it was about this 20*l.*

5666. (*Mr. Coleridge.*) Were you aware that Boucher could have convicted you, and sent you to prison by the evidence he could give against you at that time ? Were you not aware that you were putting yourself totally in his power ?—I was.

5667. (*Mr. Price.*) You were aware of it ?—I was.

5668. And yet you did not insist upon having the matter cleared up. You never insisted upon having your character cleared ?—Nobody ever knew anything about it but us.

5669 (*Mr. Anstey.*) Did not Allan know it ?—Allan did.

5670. (*Mr. Price.*) Were you not aware that Allan knew you had embezzled 20*l.*, and that although Lovibond did not know it, yet he suspected you, and also Mr. Cook, and Mr. Barham ?—I do not believe that either of them ever thought so.

5671. But did they suppose that either you had embezzled that sum, or your man Boucher ?—I cannot tell what they might think. It might have been lost, I cannot tell.

5672. (*Mr. Coleridge.*) You are in this dilemma, it must be either the one or the other. Are you prepared to say it was Boucher.? [*A pause.*] Assuming it was unaccounted for, are you prepared to say it was Boucher.

(*Mr. Anstey.*) Will you answer the question.

(*Mr. Coleridge.*) Assuming it was unaccounted for, are you prepared to say it was Boucher ?—It is so long ago.

5673. Do give an answer, yes or no ; if you cannot say it say no ; if you can say it, say yes. Now assuming the money is unaccounted for, are you certain that Boucher embezzled it ?—Yes.

5674. (*Mr. Price.*) Then do you mean to tell us, that if you and Boucher sat down together for a short time, you could satisfy Boucher that he had had that money ?—Certainly not. He might have explained two other names to whom he paid the whole money, and that would have explained the whole matter.

5675. Why has he not done it ?—Because we have not been friendly.

5676. (*Mr. Coleridge.*) Was it not worth your while to clear your character, and Boucher's too ?—I do not know anything about it.

5677. (*Mr. Anstey.*) You knew it was talked about all these years ?—Certainly not.

5678. Do you mean to say you are not pointed out as the man who was 20*l.* behind in the money he received ?—I never heard it.

5679. You never heard that ?—No.

5680. You swear that ?—Yes.

5681. And you never heard it tili you heard it in court ?—I explained it to Andrew Allan at the time, that there was 20*l.* short.

5682. Do you know that Andrew Allan had to render an account to his master, Lovibond, or the man he received the money from ?—Yes.

5683. And he did render accounts of the money he received ?—Yes.

5684. And he spoke of you as a defaulter, and you must have known that ?—Yes.

5685. Was your character so high in this town, with respect to dealings of other kinds, that you could afford to rest upon it with respect to this particular money transaction ?—It was.

5686. You swear that ?—I do.

5687. (*Mr. Price.*) Do you not know that it has been stated over and over again by the humbler class of voters in this town, that the persons who had had the distribution of the candidates' money had stuck to it. Do not you know that that has been said ?—I do not know that I was ever accused.

(*Mr. Price.*) Never mind that.

(*Mr. Coleridge.*) You are not asked that.

5688. (*Mr. Price.*) Do not you know that the humbler class of voters in this town, has made it a matter of accusation, that the money was stuck to by those who had to pass it from the candidates to them ?—I have heard so.

5689. Now knowing that that was the report, and, that you had omitted to account for a sum of 20*l.*, knowing that there was that kind of rumour, did not you think it worth while to have your character cleared from the stain at the time ?—I mentioned it to Boucher at the time.

5690. Did not you think it worth your while to have a searching investigation made into it, and have Boucher called into Mr. Lovibond's office, and get from him the name of the person to whom he gave the 20*l.* ?—No, because they passed it short in the account.

5691. 20*l.* short ?—Yes.

5692. (*Mr. Coleridge.*) You knew it was an illegal transaction from begining to end, and that if you had embezzled 1,000*l.*, you would not be indicted ?—Yes.

5693. Were not you aware it was not a legal transaction from begining to end ?—Oh, yes.

5694. And therefore passing the account was a perfect farce. You were perfectly aware of that. You were perfectly aware, that if you had embezzled 100*l.*, or whatever it might be, that the party who had the account would not have said a word to you ?—Quite so.

5695. So that as far as your character is concerned, passing the account has nothing whatever to do with your character ?—No.

5696. Is that so ? it has no legal effect whatever ?—No.

5697. Was there not at the time, some squabble between you and the Income Tax Commissioners ?—Never.

5698. (*Mr. Price.*) Do you mean to swear that about that time, you had not been in some kind of quarrel, I do not know who was right or wrong, but in some kind of dispute with the Commissioners of Income Tax ?—They used to make, if this is a dispute ——

5699. Answer the question. Was there a dispute between you and the Commissioners of Income Tax ?—Only as to payments, as to when the payments were to be made.

5700. (*Mr. Anstey.*) With the Inland Revenue ?—Only as to when the payments were to be made.

5701. (*Mr. Price.*) Nothing else ?—No.

5702. Did they complain about your keeping back the money ?—Certainly not.

5703. What was the complaint about, the payments ?—That the payments were not collected fast enough to pay it in.

5704. (*Mr. Coleridge.*) Were you a collector ?—I was a collector.

5705. (*Mr. Anstey.*) Therefore the complaint was, that you did not pay them in fast enough ?—Certainly not.

5706. (*Mr. Coleridge.*) Was the accusation that the payments were not collected fast enough, or that you did not pay them in fast enough ?—Certainly not. I proved to the contrary.

5707. (*Mr. Price.*) What was the accusation, If you proved to the contrary, there must have been an accusation, was not the complaint made by the Commissioners of Income Tax that you had had the money from the tax payer, and had not paid it in as fast as

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you ought; now consider the question before you answer it; was not that the complaint, that you had had the money from the payer of the tax, and did not pay it in as fast as you ought?—Will you kindly put that question again.

5708. Was not the complaint of the Commissioners against you, that you, having received the money from the tax payer, had not paid it in as soon as you ought to do; now then, was that the complaint?—I do remember a complaint.

5709. Now answer the question, yes or no; was the complaint made by them, that you had received the money of the tax payers, and had not paid it over as soon as you ought, now do you understand that question?—I think not.

5710. Will you swear it was not?—If you will allow me to refer back to the papers, I will tell you.

(*Mr. Coleridge.*) Oh, you know, a man is not accused of a fraud, without knowing something about it.

5711. (*Mr. Price.*) Do you mean to say here, before the people of Bridgwater, that you cannot tell us now without reference to papers, that the complaint was not whether you had paid over the money soon enough? Do you mean to state that?—I mean to state that I have never been accused of anything.

5712. Never mind being accused; was that the cause of complaint against you?—Will you allow me to explain.

5713. Will you answer the question?—I cannot answer the question in the way you put it.

5714. You wish it to go forward, that you cannot answer the question whether you kept too long in your hands, the money you received?—

[*No Answer.*]

5715. (*Mr. Coleridge.*) As you cannot answer that question, can you answer this one:—Who were the Income Tax Commissioners at the time of this squabble with you?—I do not know their names.

5716–17. There are only two, Bridgwater is not such a very large place, there were two Income Tax Commissioners, who were they; is Veysey one?—I do not know.

5718. Is Mr. Hammill one?—I do not know.

5719. (*Mr. Price.*) There was a Mr. Hammill who was the mayor and alderman of the borough, and a justice of the peace. Was he one of the Commissioners?—I do not remember.

5720. You do not remember?—I do not remember the Commissioners without I refer to the book.

5721. (*Mr. Coleridge.*) Have you got your book here?—You are going into a question I have not thought of for years.

(*Mr. Price.*) Why it arises is this:—it arises in this way, that here is a sum of 20*l.* which you have deliberately accused Boucher of embezzling, that you have said on your oath. Then comes the question whether you are to be believed. It becomes material as to this question of 20*l.*, for the purpose of seeing if you have had a quarrel before about money. That is the reason.

5722. (*Mr. Anstey.*) You say you are an accountant and make money by that profession. Do you mean to say that in all your business transactions you labour under such a frightful loss of memory as that which you appear to exhibit with respect to the most important and most painful facts which we put to you?—I try to answer your questions as well as I possibly can.

(*Mr. Anstey.*) Very well, sir, you know under what peril you are answering.

5723. (*Mr. Price.*) You do not at present, as I understand, say more than this, that you cannot recollect that the cause of complaint against you was, that you stuck to some of the tax money in the same way that you stuck to some of the bribery money?—Nothing of the kind.

5724. What was the complaint then?—Complaints as to the payments not being collected fast enough.

5725. That was the complaint?—Yes, that the taxes were not collected fast enough.

5726. That is what you say it was?—Certainly.

5727. It was not that you stuck to the money?—Certainly not.

5728. Then why could you not answer the question at first. Why keep us a quarter of an hour talking about that, through your saying you could not answer the question. You make it a much more serious question?—My dear sir, you see it is three to one; it makes it very difficult.

5729. Do you mean still to say, after that exhibition, that you charge Boucher with embezzling that 20*l.*?—I mean to say that I never from first to last ever received a single shilling for myself in the shape of bribery at any election.

5730. (*Mr. Anstey.*) That is not the question. Do you mean now to say, having had that discussion about this complaint of the Commissioners about the missing money, which everybody has heard, do you mean still to say that Boucher embezzled the 20*l.*?—That was my impression at the time; I cannot get over that.

5731. And is it your impression now, Mr. White?—It is.

5732. I want to know, if it is your impression now that Boucher embezzled the money, how, if you and Boucher went into a room together, you could clear up the matter? I should have thought it would have resulted in something different, if you told him he embezzled the money?—It seems to me you are quibbling about the meaning of a word.

5733. Do not talk about quibbling; if there is quibbling, it is on your part. How is Boucher to clear it up in five minutes' conversation with you in a room, if you say he embezzled the money?—I do not mean to say that he might not have given me the names of two other parties.

5734. (*Mr. Coleridge.*) For your own sake, ought you not to have done that ages ago?—He might have done that. If he did so, I should not consider he embezzled it.

5735. (*Mr. Price.*) Then why was not that done at the time the accusation was first made? Did you think it was a matter of such unimportance that it was not worth your while to inquire into it? Did you think that because it was candidates' money paid for bribery that it mattered very little whether it was embezzled or not?—It was always my intention to make it up.

5736. Boucher was employed by you?—Yes, I employed him.

5737. He was trusted by you?—He was.

5738. You believe Boucher did not account for it properly somehow or other?—Somehow or other.

5739. Did it not occur to you as an honest man, that as you had trusted Boucher, that you should have repaid that money which was unaccounted for back to the candidates?—If they had asked me to have done so I would have done it.

5740. It never suggested itself to your mind that that was the right thing to do?—Certainly not.

5741. (*Mr. Coleridge.*) Were there ever any words between you and Allan about it?—Certainly not.

5742. Are you the person whom Allan said was not able to account for the 20*l.*?—I told him so. I told him so at the time when I sent in the account.

5743. You never made any attempt to clear it up?—I made the attempt at the time. You will hear more evidence about the same thing presently.

(*Mr. Price.*) Well, I daresay we shall.

5744. (*Mr. Anstey.*) You have mentioned a man called Sutcliffe. In making up your accounts of the 100*l.* or 200*l.* which you have charged yourself with, you have mentioned a man named Sutcliffe, whom you bribed with some of this money?—Sutcliffe.

5745. What is his christian name?—I do not know.

5746. You said just now when you were talking all about that man at Chard, that you did know it. Give me his christian name without any more ado.

5747. (*Mr. Coleridge.*) Look at the poll list you have got?—John Sutcliffe.

5748. (*Mr. Anstey.*) Then it is not the same man.

Before you pass on to the Chairman's question, I must call back your attention to the answer you gave to the very first question put to you to day by me. I asked you whether you were one of the signatories to the petition of 1866, praying for the suspension of the writ, and you said you were not. Were you not one of the purists that signed that petition for a further inquiry into the alleged corrupt practices in 1866? You told me, when I asked you that question, that you did not sign it?—I cannot tell.

5749. Is your name and description as follows: "Henry C. White, Accountant"?—It is.

5750. And if that name and that description appears to that petition, is your answer to-day incorrect?—It was.

5751. Can you tell me why it was that in the short space of time between May 1866 and this month of which you are speaking, July, you had been converted from a reformer of corrupt practices to an active promoter of corrupt practices, and an accountant for monies received for the promotion of those practices? How was it you became converted in that short space of time, in the course of two months? What was it? Who was your seducer? Vanderbyl, or Lovibond, or who was it? Tell us now?—Mr. Lovibond was the first.

5752. (*Mr. Price.*) Did he suggest to you that you should take this duty upon yourself of being a financial agent? Did he ask you?—He did, and I declined it.

5753. Why did you yield afterwards?—I will tell you if you will allow me.

5754. Yes, do?—It was in Bagehot's election, there was a meeting on the nomination night at Mr. Lovibond's office; I, John Smith, and Andrew Allan, after the meeting, remained behind in conversation with, I believe, Mr. Barham and Mr. Henry Lovibond.

5755. (*Mr. Price.*) This was at Bagehot's election?—This was at Bagehot's election. A discussion ensued upon a list which was produced, a list of names, and the question was asked, "How much "money will it take to win the election?"—John Smith replied "I believe 1,000*l.*" "Could you not "do with 500*l.*?"

5756. (*Mr. Anstey.*) Who said that?—Either Mr. Barham or Mr. Lovibond.

5757. (*Mr. Price.*) Well, go on?—"Could not you "do with 500*l*?"—We said, I and the other two, "We'll try."

5758. I understood you to say, that in 1866, that first election, you had nothing to do with the bribery at all. You began bribery in 1866, at the first election?—Allow me to explain. That was the first election. On the other, there was no money spent that I ever heard of, at Sir John Shelley's, I believe.

5759. Never mind that, go on with your account.

(*Mr. Anstey.*) You said, "We'll try?"—"We'll try." We then left Mr Lovibond's office, and went to John Smith's office. When we got to John Smith's house, we sat down, and names were suggested as likely to receive money. I sat there some considerable time.

5760. (*Mr. Coleridge.*) Who suggested it?—The names were suggested principally by John Smith.

5761. Supplemented by you?—And supplemented by me. Of course he had the knowledge of it. I had not.

5762. How could you have supplemented it, if you had had no knowledge?—Because I was acquainted with the name of almost every man in Bridgwater, and I was therefore able to do so.

5763. Do you mean to say yours were mere guesses, and his were ascertained facts?—Mine were guesses, and his were ascertained facts. Soon after that, some time about 10 o'clock it might be, or 11, Andrew Allan came into the room, and said, "It is all right." He called John Smith. They went into the next room, and they called me to help pack up the money. I declined, and said I would not do it.

5764. (*Mr. Coleridge.*) Where did the money come from?—I did not know. I have heard since where it came from.

5765. (*Mr. Anstey.*) How much money was it?—500*l.*

5766. (*Mr. Coleridge.*) How did you know it was there?—I never saw it.

5767. (*Mr. Anstey.*) Then the question which had been put in the earlier part of the conversation, as to whether 1,000*l.* would do, or whether 500*l.* was required to win the election, had reference, not to the general expenses of the election, but had reference to the particular purpose of corruption at the election?—Of corruption.

5768. (*Mr. Price.*) Go on. You say you declined to pack up the money?—I declined to pack up the money.

5769. To pack the accursed thing?—To touch it. I stayed there till rather late. I then went home, and the next morning I went round to a few parties that I knew, and told them if there was any money going they should have their share. During that morning I went to Phelp's houses. He is in Eastover.

5770. (*Mr. Anstey.*) The publican?—The publican. And there Andrew Allan paid away some of the money.

5771. (*Mr. Price.*) I do not see what all this has to do with the question that was put to you?—Some portion of it was paid away to different people.

5772. (*Mr. Anstey.*) In your presence?—I never saw the money.

5773. What has all this to do with my question?—Who seduced you to turn from a purist into an unpurist?—That is the question. Who persuaded you to take up this shameful trade?—I was telling you the commencement. From the commencement I never touched the money.

5774. (*Mr. Price.*) You consider the great crime to consist in touching the money?—I never did.

5775. You think that that is the great crime, and that it is not such a great crime to go to a man, and promise him the money?——

5776. (*Mr. Anstey.*) Or to talk about what it will cost in bribery to win the election; you think that is all innocence and godliness.—(*A pause.*)

(*Mr. Price.*) Is that the distinction you draw?—Certainly not.

5777. You were going to tell us that Mr. Henry Lovibond seduced you into this line of life?—Yes.

5778. (*Mr. Coleridge.*) Were you under any pecuniary obligation to Mr. Lovibond, that he persuaded you to do this thing?—No.

5779. (*Mr. Price.*) How was it that Mr. Lovibond persuaded you to this thing? What obligation were you under to him? You say you were acquainted with Mr. Lovibond, and that he induced you to do it?—I think I must admit that I was as guilty as he was in the matter.

5780. But you have said that Mr. Lovibond persuaded you to take upon you this office?—This was the first time I took this money.

5781. It seems to me that there was nothing done by Mr. Lovibond at his office, to induce you to take a part in this bribery. You seem to have gone to his office and talked to him about it as if you were an old hand?—Yes.

5782. Did he induce you?—Yes, he did.

5783. When?—That night.

5784. What did he say?—He asked me how much money it would take to bribe.

5785. Do you mean to say that that was what induced you to take a part, his asking you how much money it would take to bribe?—(*No answer.*)

5786. (*Mr. Coleridge.*) How was it that Lovibond entrusted you with these mysteries, if he did not know something about you before this conversation?—I cannot tell.

5787. Had you been doing any bribery at municipal elections before?—Never.

5788. Then how did he know that you were a fitting agent to his hands?—I do not know.

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5789. Who had recommended you?—I do not know.

5790. Had Smith?—I do not know.

5791. How came you to be at the meeting on that night at all,—I mean, how came you, after the general public had gone, to stay behind, and be present at that meeting?—I was requested to stay.

5792. (*Mr. Price.*) You will not deceive us. You are keeping something back that took place between you and Lovibond?—Indeed, I am not. I am telling you with all my heart and honesty.

(*Mr. Price.*) Do not talk to me about your heart.

5793. (*Mr. Coleridge.*) Did you drift into it of your own accord, or did Mr. Lovibond speak of it to you?—It seems to me that I drifted into it of my own accord.

5794. (*Mr. Price.*) Who asked you to stay behind? Did Mr. Lovibond ask you to stay behind?—I believe he did. It is many years ago.

5795. (*Mr. Coleridge.*) When you stayed behind, you and the other two, did he lock the door?—I think the door was closed.

5796. Was it locked?—I think he closed it.

5797. Did he lock it?—There are two doors there.

5798. (*Mr. Price.*) Answer the question. Did he lock the door?—I cannot remember.

5799. (*Mr. Anstey.*) Did you understand when you were asked to stay behind, that it was to talk over matters that it was unsafe to talk over before the public?—I did. I thought—

5800. (*Mr. Price.*) You thought it was bribery?—I thought it was bribery.

5801. (*Mr. Anstey.*) You thought it had reference to bribery?—I did; I thought so.

5802. So that when you were asked to stay behind, you anticipated that it was with reference to matters connected with bribery, and you had made up your mind at that moment to bribe, and were prepared to bribe?—I say I never touched the money.

5803. But with that qualification you were prepared to bribe?—Not to pay the money.

5804. But with that qualification. When you were asked to stay behind you were quite prepared to bribe, with the qualification that you would not touch the money?—I was prepared to assist.

5805. Had you seen anybody a day or two before, and talked it over with him?—Certainly I had.

5806. I mean as to whether there should be bribery or not?—I had.

5807. With whom?—John Smith.

5808. When?—I do not know.

5809. Some days before?—I have no doubt.

5810. And you had determined that something must be done in the way of bribery to return Mr. Bagehot?—He told me so.

5811. And you dissented from it. You said, "It cannot be done?"—(*A pause.*)

5812. (*Mr. Price.*) Did you express any dissent to his propositions?—I did. I always said I would never touch it.

5813. (*Mr. Anstey.*) Did you finally agree to talk it over with him and Mr. Lovibond, at Mr. Lovibond's place?—It was not mentioned till that night.

5814. You say you mentioned it to Smith some days before. Did you concur with him when you spoke to him about that, and tell him that you would confer with him further on the subject?—I do not remember.

5815. You are not doing yourself any good by the manner in which you are answering the questions?—I will pay the penalty, whatever it may be.

5816. (*Mr. Coleridge.*) Before this meeting at Mr. Lovibond's, were you at all prepared for this sort of business you talk about?—Certainly not.

5817. You were one of three who stayed behind, the others being entirely old hands at this sort of business. When you stayed behind at Lovibond's, did you know that the other two, Smith and Allan, had been engaged in this bribery business before?—I did not know that Andrew Allan had.

5818. (*Mr. Price.*) You knew Smith had?—I did not.

5819. You had seen Smith at it?—I did not.

5820. (*Mr. Coleridge.*) You had not seen him at it, but you knew him by repute?—I did not.

5821. If you did not know that Smith had been so engaged, did you suspect Andrew Allan?—I did not.

5822. Did you suspect Mr. Allan and Mr. Lovibond were the two guilty ones, who were going to seduce you, the two innocent ones? You have told us you knew it was something about bribery?—I thought it was about bribery.

5823. Had you not had conversations with Smith, and had you not come to such an understanding with Smith, that Smith had felt justified in recommending you as a fitting agent to Mr. Lovibond?—I think it arose with reference to my connexion with the petition for purity before that.

5824. (*Mr. Price.*) Do you mean to say because you had signed the petition reprehending corrupt practices, and praying the House to put a stop to them, and suspend the writ, that therefore Lovibond and Smith thought you were a fitting agent to bribe?—I am not alluding to that at all.

5825. What petition then?—I had been engaged prior to that on the petition for Mr. Lovibond. A subscription had been got up here, to which parties subscribed.

5826. (*Mr. Price.*) What for; what petition?—(*Mr. Coleridge.*) When Westropp was unseated?—Yes.

5827. (*Mr. Anstey.*) To whom was the petition addressed; the House of Commons?—Yes; the House of Commons.

5828. What! asking for subscriptions?—Oh, no; subscriptions got up for the petition. I did not get up the subscriptions.

5829. (*Mr. Coleridge.*) What had you to do with getting up that petition?—All I had to do was, I was employed by Mr. Benjamin Lovibond before, merely to get up some evidence in connexion with it.

5830. You were merely doing some attorney's clerk work in connexion with the petition;—Quite so.

5831. (*Mr. Price.*) And, therefore, they thought you a fitting object to be employed in bribing?—Yes.

5832. (*Mr. Coleridge.*) Were you employed as a lawyer, or did they merely think that you were a fitting object?—I had been in an attorney's office.

5833. Did they give you instructions, or leave you to take your own course in the matter?—No. They gave instructions to Mr. Lovibond's clerk, I think.

5834. What is his name?—(*A pause.*)

5835. (*Mr. Anstey.*) Boyse?—No, Fletcher.

5836. Did you get up any evidence?—I assisted him.

5837. Did you get up any evidence?—I did.

5838. What did you get up?—I do not know.

5839. Have you any rough drafts at home, or memoranda?—Not the slightest.

5840. The end of that was, that Mr. Westropp was unseated?—He was.

5841. Was it because you had shown yourself so diligent a man in the part you took in getting up the evidence for that petition, that you were thought to be a fitting agent for bribery?—I think so.

5842. (*Mr. Anstey.*) You say you were employed in getting up evidence against Mr. Westropp. Was it not that you were employed in getting up evidence for Mr. Kinglake in the counter petition against him or softening down the evidence against him?—I was employed on various things, I went to London.

5843. Were you not employed particularly with reference to Mr. Kinglake's defence?—I do not think I was employed with reference to any particular thing.

5844. I am asking you with reference to your previous answers. You say your demeanour had been

such when employed in this clerk's duty, that your name suggested itself to their minds when they wanted bribery agents. Now, although there may be no sort of connexion between a person getting up evidence against bribery and bribery agency, yet, as there might be some connexion between bribery agency and getting up evidence in their favour, was it not that circumstance that recommended you to the agents as a fitting person to be employed in bribery?—It might have been.

5845. Therefore, I may take it, that you were cognizant of a good many cases of bribery or of corrupt practices which Mr. Kinglake had been guilty of in that election which you softened down and kept out of view?—Certainly not.

5846. You did not succeed then, did you? I thought Mr. Kinglake succeeded on that occasion and was declared the sitting member?—He was.

5847. Then you did succeed. Was it through your exertions that he succeeded?—I merely assisted Mr. Benjamin Lovibond.

5848. You have been in diligent attendance here, and have heard the questions that have been put and the evidence that has been given with reference to the corrupt practices at that election. Now, I ask you, how was it, that in the face of this abominable corruption, that Mr. Kinglake found so little difficulty in keeping his seat? I ask you, was it not through the fact that you employed in keeping away the evidence or in softening down the evidence against him?—No.

5849. (*Mr. Price.*) Now go on with your history?—That is all.

5850. That is the way you were introduced into the business?—That is the way.

5851. Now we come back to the sums of money. We have got over this 100*l.* Have you given us all the names of those who received the 100*l.*? Was Powell paid out of that 40*l.*?—I have found out that the sum paid to Powell was 30*l.*, and not 40*l.*

5852. How have you found out that?—By going to Gilbert.

5853. That it is 30*l.* you gave to Powell?—Allow me to explain. When I got out from Andrew Allan's house, this 30*l.* I gave to Gilbert. Gilbert went back and gave it to this man's daughter. His daughter and his wife were living in the house.

5854. Is that what you want to say about it?—He then came out of the house, and Honeyball drove me to the polling-booth, and I polled.

5855. Is this true or not which you said last night, that you got a party of the name of Powell, at the "Steam Packet," whose wife wanted 40*l.*, she saying they had been offered 35*l.* by the Tories?—Do you mean to say, if he could get 35*l.* from the Tories, that he went and voted for you for 30*l.*?—No. I always thought that man was a Liberal.

5856. Do answer the question. Is it true that that man's wife told you that her husband had been offered 35*l.* by the Tories?—It might have been.

5857. You swore to it last night?

(*Mr. Coleridge.*) You were not asked whether he has been offered the money by the Tories, but whether it is true that his wife told you that he had?—(*A pause.*)

5858. (*Mr. Price*) Do give an answer at once. You are really wasting time by the way you are deliberating before every question we ask you?—I cannot help it. I scarcely slept five minutes last night.

5859. We cannot help that. Answer the question. Did Mrs. Powell tell you she had been offered 35*l.* by the Tories?—Some conversation of the kind took place.

5860. Did she tell you that she had been offered a bribe by the Tories, and did she name the sum of 35*l.*?—I believe she did.

5861. Now, having that recollection of it, do you now say, though you have been told that the Tories offered him 35*l.*, and that you afterwards met Mr. Barham and Mr. Lovibond, as you told us last night, and told them of it, and that they said, "We must have him," do you mean to say you got him by a payment of 30*l.*?—I believe I did, after seeing the list.

5862. What list?—Why, the accounts. I can account for it by the amount of money. The amount of money proves it.

5863. Now we have got the 30*l.* Who else did you pay besides?—I am charged in that account with 45*l.*, which was paid.

5864. I find you are charged here with two thirties?—These two thirties I have accounted for.

5865. "White, Eastover?"—Quite right. That 45*l.* were three 15*l.* sent downstairs by Allan, and paid by Mr. Bussell to Turner, of Polden Street 15*l.*, to Haste, of Silver Street 15*l.*, and to John Squire 15*l.*

5866. Very well, that exhausts that sum. Now there is some sum that you had to account for, is there not? There is a 10*l.* I see besides?—I should tell you that I spoke to Andrew Allan about these three sums, and he says those are the three sums that he sent down.

5867. Now, as to another 10*l.*, you are down for that?—I think that 10*l.* refers to Bottomley. That is the only account I can give of it.

5868. Did you get it in a single sum?—You perfectly understand I did not give this sum to Bottomley.

5869. But did you get it in a single sum, 10*l.*?—Is it mentioned there.

5870. Yes, "John White, 10*l.*;" and you must have got it in that form, 10*l.*?—Yes, I believe so.

5871. How much do you make that altogether?—I make it altogether come to 215*l.*

5872. (*Mr. Anstey.*) Do you say you think it must relate to Bottomley?—I believe so.

5873. Well, but Andrew Allan says himself, that he himself, with his own hand bribed Bottomley, and he gave in the particulars of what he was, that he was a schoolmaster, and that he said he would not vote?—But I went up, and Bottomley polled with me.

5874. Did you give him 10*l.*?—I did not.

5875. But you said just now that you did?—I did not say that I gave it. I merely wish to state that it was a mistake. I am wrongly charged with that 10*l.*

5876. (*Mr. Price.*) You say you are wrongly charged with that 10*l.*?—I do.

5877. (*Mr. Anstey.*) You received 10*l.*?—Andrew Allan admitted with regard to those three payments. Will you be kind enough to call him now?

5878. (*Mr. Anstey.*) You are charged with that 10*l.* What do you say with respect to it? Will you say that you have paid it to Bottomley?

(*Mr. Price.*) You say now you did not receive it?—Yes.

5879. (*Mr. Anstey.*) Do you mean to say that it refers to Bottomley?—I say that Andrew Allan has made a mistake, that it refers to Bottomley.

5880. If he has not made a mistake in what he has told us, that he paid the money to Bottomley, and if it refers to something else which he cannot explain, then it follows that you are in a deficiency as regards that 10*l.*?—No, it does not.

5881. (*Mr. Price.*) It does indeed. You say you have not received this 10*l.*, and he says you have. Is there no difficulty about it? Mr. Lovibond charges you with the receipt of this 10*l.*, and you say you have not paid it. Is there no difficulty about it? I should think there was a considerable difficulty?—It was all settled at the time. I cannot tell you about it.

5882. Which is right or wrong? Are you aware that Mr. Lovibond charges you with that money?—I do not know whether he charges it to me.

5883. It is charged here?—I have not seen that.

5884. (*Mr. Price.*) Let Mr. Allan come here.

SIXTH DAY.

Mr. ANDREW ALLAN recalled.

Mr. A. Allan.

28 Aug. 1869.

5885. (*Mr. Price.*) Whose handwriting is that in; do you know it (*handing the list to the witness*)?—I believe it is Mr. Lovibond's. These are my disbursements. The items I put down myself in my account, and he made it out from my account.

5886. Did you give this 10*l.* to Mr. White?—I did.

5887. And has he had it?—Yes, he has.

Mr. H. C. White.

Mr. H. C. WHITE recalled.

5888. (*Mr. Price.*) Now you know what that list is, that it was made out by Mr. Lovibond from Mr. Allan's account, and he says you had that 10*l.* Now, do you deny it?—I cannot tell. If you will allow me time to make up the various amounts I will endeavour to do it.

5889. (*Mr. Anstey.*) There are two deficiencies which have to be accounted for by you, and you have allowed three years to pass without doing so?—Oh! nothing of the kind. It is a mistake.

5890. Are there any more deficiences in your account, any more money that has stuck to anybody's fingers?—I say there is nothing of the kind; and I think you will find I paid the money, and if you will call the men, the men will come forward and admit it.

5891. (*Mr. Price.*) You say you believe that 10*l.* has been wrongly put down to you, and that it could only refer to Bottomley. That is your explanation. It is now perfectly clear from Mr. Allan's explanations that it is not the money given to Bottomley, but it is a distinct 10*l.* given to you. That does also make another 10*l.*, as to which there is a dispute?—There has never been a dispute about it.

5892. (*Mr. Anstey.*) It has stuck to somebody's fingers?—No, not a bit of it.

5893. (*Mr. Price.*) What has become of it?—I never saw this account till this morning.

5894. (*Mr. Coleridge.*) You said, in answer to me, that you accused yourself of being short of that 20*l.*?—Yes, I was short of 20*l.*

5895. You said there was 20*l.* short?—Yes.

5896. And you also made use of this expression, "It may have been lost." After having made use of those two expressions, do you mean still to say there was nothing wrong about those money matters? I do not say whether you or anybody else are wrong about it. You have already admitted that you accused yourself of being short of this 20*l.*, and you say it might have been lost?—If you will give me sufficient time, and Boucher will come and help me.

5897. (*Mr. Price.*) Do you mean to represent that you having publicly in this Court accused Boucher of taking this money, or that he stuck to this money, and that you are on bad terms with him, that it will facilitate this inquiry, if we allow you and Boucher to retire into another room, to inquire into and discuss this matter; do you think that would facilitate this inquiry?—I could give a better explanation of it, perhaps.

(*Mr. Coleridge.*) Boucher would not know more about it than you do.

5898. (*Mr. Anstey.*) How much more time do you require to make up your accounts than the three years and two months which you have already had and not used?—I could not render a better account than I did at the time with regard to that election.

5899. (*Mr. Price.*) Well, then, what is the whole amount which you say you have had. I believe you say that there is 10*l.* too much charged to you?—I have not reckoned up the amount to see. I cannot tell.

5900. You said 215*l.* just now?—That makes it 215*l.* according to that list. I have not reckoned up how much I have got here.

5901. (*Mr. Anstey.*) I forget, Mr. White, whether you have stated in your list of persons who received bribes from you or from your subordinates that there was a single voter who got more for his vote than the sum total of these two sums for which you appear to be a defaulter, namely 30*l.* Can you name a single voter who got more out of that fund of yours than you yourself or Boucher must have got if this 30*l.* actually stuck to the fingers of one of them?—I never received a shilling in my life.

5902. Is there a single voter bribed on that occasion who you consider got more than 30*l.*?—No.

5902. Then these two sums, 10*l.* and 20*l.*, actually represent the maximum received by any single voter, represent as much or more than any one voter received?—I cannot explain the matter without referring to the date of the time when it was paid.

5904. Does not that list throw some light upon the matter, that a sum representing the largest amount payable to any single voter was kept back by somebody (not saying by you, certainly not saying by Boucher). Is not that so?—If these men come up and admit that they have received the money, which I believe they will to clear me, I do not believe there is one of them——

(*Mr. Coleridge.*) Don't you talk to them to-night about it. That is all.

5905. (*Mr. Price.*) If you are going to see these men—— ?—I am not going to see them.

5906. (*Mr. Price.*) If anybody is going to see these men to make up a square account with you, depend upon it we shall find it out.

(*Witness.*) I should be sorry to do anything of the kind. Everything that I possibly can do to help you, I will.

(*Mr. Price.*) Let Mr. Allan come forward and explain this.

Mr. A. Allan.

Mr. ANDREW ALLAN recalled.

5907. (*Mr. Price.*) I find, Mr. Allan, that this amount has been totalled up by Mr. Lovibond or somebody in pencil, and that the total of money paid away upon these sheets represented by these payments is 3,776*l.*; but this does not show any of the 1,400*l.* that was disposed of?—It was all together in one sum.

5908. These represent payments, do they not, of sums of money paid to persons like Mr. White to go and do bribery with?—Yes.

5909. Therefore they are exclusive; are they exclusive or not, of the 1,400*l.* pounds that you first got?—The 1,400*l.* is included in there.

5910. Then where is it; because you ought to know. Did you give the materials of this document to Mr. Lovibond?—Yes, I did.

5911. It was from your hands that Mr. White got these different payments?—Not from my hands. He had them from Mr. Lovibond this morning and copied them.

5912. But he got the money from you?—Yes.

5913. The 3,776*l.* down here includes the 1,400*l.*?—Yes, the money had by Smith and Bulpin is all entered in that.

5914. There must be some other account, because you made out a much larger sum, as I understand, than 3,776*l.*?—But when I spoke yesterday, I spoke without any notes, and I told you (if you look to my evidence at the beginning) that I only gave from memory the probable amount.

5915. Does that include all?—That includes all.

5916. (*Mr. Coleridge.*) Are there not a great many names here which are simply people bribed, and not the names of people to whom money was given to bribe with?—Oh, yes.

5917. I see little sums like 2*l.*—There are names there of people who had the money.

5918. (*Mr. Price.*) There is no distinction drawn there?—No distinction.

5919. Between persons who got money to pay away to others, and those who got it for themselves?—No.

5920. (*Mr. Coleridge.*) And are the bills which were paid for Shelley's election also included in this account?—No. If there is one I could name it.

5921. Then you see the account has got more confounded than ever?—(*After referring*) Yes, there is "Allan, paid to Nicholls for powder."

5922. Gunpowder?—Yes, for firing the guns.

5923. That may have been for Shelley?—I do not know.

5924. Is there any other bill included in that?—Thompson, Brothers, 1*l.* 4*s.* 5*d.* That would be a powder bill.

5925. See what else there is?—Glanville and Sons, 3*l.* 15*s.* 9*d.*, one of the bills that were sent to me that I spoke of. That is all the bills.

5926. That is only a few pounds. Then, in fact, that what was spent in paying bills, which as you gave us to understand you thought would amount to something like 500*l.*, bills that were paid owing from one election to another for treating and what not?—Oh, public-house bills are not there.

5927. Then this expenditure of 3,776*l.* is plus the expenditure on those?—It is. That is hard dry money paid for bribery.

5928. And all the treating and the bills of Shelley's election have got to be added to this?—It would make up the other sum that I was in error of.

5929. It would make up a great deal more.

(*Mr. Price.*) Yes, it would make it much more.

Henry Cornelius White, recalled.

5930. (*Mr. Price.*) Now then, Mr. White, give us any other amounts?—This amounts to 205*l.*

5931. Have you given us all the names of persons?—I believe I have given you all that I remember.

5932. Then that leaves this 10*l.* exactly in dispute. It is represented here as 215*l.*?—It leaves the 20*l.*, of course, and the 10*l.* I think, that that would amount to 205*l.*

5933. That leaves out the 10*l.*?—That clears up the 20*l.* If these names are all right this will clear up the 20*l.* with regard to Boucher.

5934. Exactly. Are you prepared to assert that that is a correct list, and those are the correct sums?—I have made it from my memory. At the present time I cannot do more than that.

5935. Then we must test it by having the persons before us?—That is it.

5936. If it is not?—I will do my best to make it one.

5937. If it is not a correct account, you will have to consider the question, how you will make up the deficiency; how you will account for that deficiency. That is a serious matter for you to turn over in your mind. If it is not correct, you know, and you go and see these people and make them square with you, then we shall discover it, and it will be no voucher at all. But if it should not be correct you must be prepared to show where has the balance gone?—But if these people admit that they have had the money?

(*Mr. Anstey.*) Then we shall ask them under what influence they admit it.

5938. (*Mr. Price.*) If they admit it in consequence of your going to these unfortunate men (and they are unfortunate men in one respect), and if they have done so under your advice, or under the advice of anybody connected with the party, we shall certainly not believe it, and we shall consider you then as responsible for the deficiency, and as having received it in the shape of bribery?—I never had a single shilling in my life.

(*Mr. Anstey.*) You have said so so often; but, Mr. White, you are an accountant, I believe. You said so. You were before that a pastrycook; you were a lawyer's clerk again before that. Do you mean to tell the Commissioners that, being an accountant and having been a lawyer's clerk, you made these advances to your men, Boucher and others, without making any entry in any pocket-book, or taking any voucher from them, or keeping any paper which would enable you afterwards to make up your own account to render to Allan?—I did not keep any paper at all. I destroyed it. It was a guilty thing to be connected with.

5940. Then they did exist, did they?—Yes.

5941. Very well. The quarrel or dispute with Boucher was almost instantaneous upon his receipt of the money. I understand you had a dispute with him almost immediately afterwards about it?—Yes.

5942. (*Mr. Price.*) You said so, you know?—Yes.

5943. (*Mr. Anstey.*) Do you mean to swear, in that short interval of time you destroyed the accounts, which, if they had existed, would have enabled you to convict Boucher most effectually?—I do not think so. We could not make up the amount.

5944. Then you had not got vouchers showing the application of the 20*l.* at that time? You had not kept any vouchers of this particular 20*l.*?—I did not. I could not account for it.

5945. I am not asking you about making up the account. You have been making up an account to-day about which I have my own opinion. But I am asking you about the original payment. Do you say you kept vouchers of your payments, but you kept no voucher of this particular 20*l.*, therefore, when you came to make up your account with Boucher, or with Allan, you were 20*l.* short? Why did you not keep a voucher of this particular 20*l.*?—I never kept any vouchers, but from my own memory, I merely had a little slip of paper, and put down the names upon that paper.

5946. Why did not you from your memory, and upon that little slip of paper, put down the 20*l.*?—I put down the names of the people that had the money.

5947. Answer my question. Having put down the names of the people who had the money upon a little slip of paper with regard to all the other items, why did you omit that prudent precaution with regard to that particular 20*l.*?—I found that the account was 20*l.* short.

5948. Will you answer my question. As far as you made the payments you put them down on a little slip of paper. Did you or did you not include upon that little slip of paper this 20*l.*?—I did not put them down as fast as I paid them. After I had paid these sums, when called upon the next day, or a day or two after,—when called upon to make the list of the names, I found I was 20*l.* short.

5949. Then it is not true what you stated just now, that you kept some vouchers of the payments which you made?—I did not keep any vouchers.

5950. Then you, an accountant, kept no vouchers, made no entries of amounts, or preserved no contemporaneous evidence of the payments which you were making, but you put your amounts from memory afterwards upon little slips of paper?—Quite so.

5951. And you call yourself an accountant, and you say you have been a lawyer's clerk?—Yes.

5952. And you expect the Commissioners to believe that. Do you really expect us to believe that?—I am only anxious and willing to tell the truth, the whole of it, from beginning to end. It is my desire to do that.

5953. (*Mr. Price.*) Is that all you have to tell us regarding the second election of 1866—the part you took in it?—That is all.

SIXTH DAY.

Mr. H. C. White.

28 Aug. 1869.

5954. Now then, if you please, we will go to the first election of 1866. Just tell us what part you took in that. That was the time when you gave us the account of your first introduction to this business, your staying behind in consultation—in general consultation—with Mr. Andrew and Mr. Lovibond when Bagehot was coming forward, and requested to know how much money was required?—I have given the particulars of it.

5955. Is that all the part you took?—That is all the part.

5956. You expressed your opinion at that consultation as to what number of persons were likely to take bribes; and you went to some of the persons whom you thought were likely to take bribes, and told them if money was going they would have their share?—Yes.

5957. That is the whole part you took in that election?—That is the whole part I took in that election.

5958. What month was that?—I cannot remember the month.

5959. It would be early in 1866?

5960. (*Mr. Anstey.*) The debate in the House of Commons upon the motion not to issue the writ was in June; therefore it must have been in the month of June, just one month before the July election?—That followed hard upon.

5961. You see, Mr. Patton, vacated his seat in July in becoming Lord Advocate. Then came the election soon after that, did not it? or how was that? When was the election?

5962. (*Mr. Price.*) The second election must have been at the end of the year.

(*The Mayor.*) It was in July.

5963. (*Mr. Anstey to witness.*) Therefore, I did you injustice when I suggested that a month would elapse between your conversion from purity to gross impurity. It seems it was only a few days. The petition was presented the last of May, and you were superintending the bribery business of Bagehot's election in the month of June; is not that so?—If I signed that petition it must be so.

5964. You have no doubt you signed it, I hope. I will put it into your hands if you have any doubt about signing this petition, where you pledged yourself to the House of Commons that if they would only at the expense of the country, not of the borough then, issue a Commission, you would put them up to all sorts of wicked corruptions, such as would influence them in suspending the issue of the writ. A few days after that you were superintending bribery yourself in Bagehot's election. Is not that so? (*A pause.*) Yes, or no? Come, sir!—Yes.

5965. Can you tell me any other person in the same condition as yourself, who having signed that petition, took part in bribing for Bagehot in June or Vanderbyl in July or August?—I cannot tell you at all. I do not remember the list of those names.

5966. You are the only man that did that?—(*No answer.*)

(*Mr. Price.*) That resolution which we read this morning is a resolution come to by the Commissioners with regard to reporting to Her Majesty's Government. A copy of that resolution will be affixed to the door of this Court, so that all persons who may not have heard it, or may not have had an opportunity of reading it in the paper, may have an opportunity of informing themselves of it by reading it on the door of the Court.

5967. (*Mr. Coleridge.*) You were first of all appointed an income tax collector, were you not, in 1858?—I cannot tell without reference.

5968. How long ago? Was it ten years ago?—It might have been.

5969. Then did you cease to be the income tax collector?—I was appointed for one year. The appointments are always made for one year.

5970. How long did you hold it? After your first appointment, how long did you hold it?—I believe I held it for one year.

5971. Were you again re-appointed in 1862?—I really cannot answer those questions without I refer.

5972. Can you recollect whether you were appointed at a time when Mr. Hammill, a magistrate of this place, was one of the Income Tax Commissioners?—I remember Mr. Hammill being present.

5973. Do you recollect having some disagreement with Mr. Hammill about this very nonpayment over of the sums of money you collected?—I did not. I can remember having a disagreement with Mr. Hammill. He disagreed with me because I called upon him for the payment of those taxes, and he said I had called upon him sooner than I had called upon some of the others.

5974. Then you mean to say that his disagreement with you was as to his nonpayment of taxes, and not about your nonpayment of the taxes you had already received? Was the disagreement because Mr. Hammill did not pay his taxes or because you did not pay over the taxes that you received?—I produced the books and showed the payment.

5975. Will you answer the question?—

(*Mr. Price.*) Was that the cause of any disagreement, that he——?—That was the first cause of any disagreement that I had with Mr. Hammill.

5976. That he did not pay his taxes. That you came to him too soon?—That I came to him sooner than I came to the others.

5977. (*Mr. Coleridge.*) Did you go to him sooner than you went to others?—Well, we used always in those days,——

5978. Did you go to him sooner than you went to others?—No.

5979. How did the disagreement arise?—There are some large payers——

5980. I suppose he is a large payer?—Well, moderately so, not particularly.

5981. Whom did you go to first the large payers or the little payers?—Generally the larger. It would depend——

5982. Did you go to him sooner than you did to others?—I went to the larger payments first of all, and then to him.

5983. Whom did you go to first, Mr. Brown or Mr. Hammill?—I cannot tell now without I had reference to my books.

5984. I suppose they were both of them large payers?—There are a dozen large payers in Bridgwater.

5985. But are they not large payers?—Very likely.

5986. Did you go to Mr. Brown or to Mr. Hammill first?—I cannot remember now. I did not take one man in particular. I remember his complaining to me at one time that I had called upon him earlier than I had called upon some others.

5987. And was not your disagreement with Mr. Hammill that, after he had accused you of not paying over the taxes you had received in proper time, he said, "Depend upon it you get them in time, "because you always come to me very early?"—I never remember his saying that. I have had one or two disputes with Mr. Hammill; I consider he is a very passionate man.

5988. Let us hear what those disputes are. All about taxes, were not they?—No, certainly not; private things.

5989. Then I don't want that. Did he not, as an Income Tax Commissioner, accuse you of not paying over the money you had received as soon as you ought to?—I do not say whether he was right or not, but did he not accuse you?—Not in the way you say.

5990. Tell us in what way?—

(*Mr. Price.*) Tell us what way, according to your view of it?—It happened like this: with regard to the payment of taxes they make an order upon you, we will say for so much money.

5991. (*Mr. Coleridge.*) Who make the order?—They appoint a day.

5992. Who make the order? You say *they*?—They send you a notice.

5993. Who are "*they*"?—The receiving officer at Taunton comes round regularly every six ——

5994. I say, whom do you mean by "*they*"? You say "*they* make the order." "They" do this.—I mean the Government.

5995. (*Mr. Price.*) Do the Government call upon you to make the payment of taxes?—To make a payment at a certain time.

5996. Well, go on; you have that money in hand, have not you?—Certainly not. Very often they make the charge before you have got a halfpenny.

5997. What was the cause of complaint, according to your view of it, as to taxes?—No more cause than there had been with others, as far as I understood.

5998. What was it; that you called upon him too soon?—That occurred at one time.

5999. (*Mr. Coleridge.*) Take Mr. Hammill in his corporate capacity as an Income Tax Commissioner, not as Mr. Hammill simply. Had he not a disagreement with you, and did he not make some charge against you while you were holding office?—He made no charge against me that I ever heard. I remember this perfectly well; it is a custom here, if the whole of the money is not collected before a certain time, for them to call you before the commissioners. I came before the commissioners with my books, and there is the amount of money in the books. Those books were produced to Mr. Hammill. Mr. Hammill saw them himself, and he was satisfied with them. I have never heard anything more from that time to this, and to me this is perfectly new.

6000. Then there was no squabble?—Not that I recollect.

6001. (*Mr. Anstey.*) You say this is perfectly new to you?—Perfectly new.

6002. That there was a quarrel upon that subject?—I produced those books to Mr. Hammill and the commissioners, or those that were present. They were satisfied that the thing was perfectly right. I went on collecting, and collected in the balance of the money, and paid it. In that year, I believe, there were some charges made upon parties. There was a charge made upon Henry Baker and various others, which charges were not true, and I was compelled so far as I may say to distrain upon several parties in order to get this money, which I did. They positively put distraint upon these parties to raise the money to pay off those taxes, which I did do, and settle the matter at once.

6003. (*Mr. Price.*) I hope that is intelligible to those who hear it in this court. It is not in the least degree intelligible to me. We shall adjourn now We may probably want you again.

(*Witness.*) At any time I shall very happy.

6004. (*Mr. Price.*) We shall adjourn to 12 o'clock on Monday, and you will have plenty of time to reflect. Sunday is a day of reflection, and I advise you to take the opportunity of that day of reflection to consider over whether you have really bonâ fide made a full disclosure. You will best know whether you have made a full disclosure to us of the part you have taken in the two elections of 1866. If you have not, and anything transpires in the course of this inquiry, as I have told other witnesses, it will then place you in a very awkward position with regard to the indemnity.

(*Witness.*) I shall be very happy to render you any assistance I possibly can.

6005. (*Mr. Anstey.*) Has William Heal come into town to-day?

(*Mr. Heal.*) I am here.

6006. (*Mr. Anstey.*) You must be here on Monday if you please.

(*Mr. Heal.*) I came here on Monday, and gave Mr. Purcell my address, and he told me that I should be sent for, and that is why I bided away, not because I would not come.

(*Mr. Price.*) There is no imputation upon you, but we were very anxious to have you at that particular time.

Adjourned to Monday at 12 o'clock.

SEVENTH DAY.

Monday, 30th August 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
DE TRACY GOULD, Esq., Acting Secretary.

ANDREW ALLAN recalled.

6007. You want to make a further explanation?—Yes, Mr. Henry Lovibond has in his possession certain documents which in my interest ought to be handed in to the court; the lists given me by men who bribed the voters as to where the money went.

6008. (*Mr. Anstey.*) No doubt Mr. Lovibond will produce those when he is called, but you wish to have them at once?—I do; suppose they were never produced.

6009. (*Mr. Price.*) You wish to have them produced?—I wish to have them tendered to the court now and impounded.

6010. For the purpose of making any remark on them?—For the purpose of defending myself so far as so many who had their money from me.

6011. (*Mr. Coleridge.*) At present he has put in an account which accounts for almost more money than you said you had yourself, and which goes to your credit. That list makes up some 300*l.* or 400*l.* more than you say you received, assuming you received 3,700*l.*?—These accounts are in my own handwriting to show that I had a connexion, and was cognizant of them.

6012. You mean that he made up that account from your memoranda?—Yes, he did. I had them, from which he made it up at the time, and my handwriting is on these identical notes.

6013. You want the list so made out of the notes handed in?—I do.

(*Mr. Lovibond.*) It is right for me to state that I have no such lists; it was taken from the lips of Mr. Allan.

(*Mr. Price.*) We cannot hear your evidence, because you are not on oath.

(*Mr. Coleridge.*) You have not them?

(*Mr. Lovibond.*) I have not I will produce all the papers.

SEVENTH DAY.

A. Allan.

30 Aug. 1869.

(*The witness.*) I mean the bills; Babbage's bill.

6014. (*Mr. Price.*) Sir John Shelley's unpaid bills?—John Smith's list of voters that were paid, and Harry Bussell's list of voters that were paid.

(*Mr. Price.*) Mr. Lovibond says he has produced all papers he has in his possession.

(*Mr. Lovibond.*) No; I have only produced the documents I was asked for. I have some I have not been asked to produce.

(*Mr. Price.*) If Mr. Allan wishes to have them produced in the course of his further examination you will produce them?

(*Mr. Coleridge.*) It is possible that Mr. Lovibond will be examined to-day or to-morrow; is there any reason for interfering at this stage?

(*Mr. Anstey.*) Excepting this, that I understand that Mr. Lovibond has had a summons, with a *duces tecum* clause in it, and he knows well that he can obey the exigency of that part without being on oath. Why should not he produce all the papers according to the exigencies of that clause, and then we shall see what he has.

(*Mr. Price.*) Can you do that?

(*Mr. Lovibond.*) Certainly.

(*Mr. Price.*) Have you your subpœna here?

(*Mr. Lovibond.*) I have it, but not here. I have got all the documents if you wish.

6015. (*Mr. Price.*) Then you must go and do that. Mr. Allan wishes, and as a witness who is clearing himself he has a right to have that if he thinks it material at the present stage of the inquiry. (*To the witness.*) I understand that you do say you think it material?—I do.

6016. Then I think it fair that you should have it, and Mr. Lovibond will produce the account of any payments made by you to them, and by them to voters?—Yes.

6017. Everything in fact which you gave up to Mr. Lovibond in connexion with the election?—Yes. The next thing I wish to put in is that I was accused on Saturday of being tampered with as a witness, and I want to clear myself as far as I possibly can (*handing in a document.*)

6018. What is this?—A copy of the particulars.

6019. Handed in by Mr. Lovibond on Saturday?—Yes, Mr. Lovibond gave me that copy on that Saturday. I wish you to know that I am in possession of that document.

6020. (*Mr. Coleridge.*) Have you any observation to make on that copy?—None further than if called into the box to give evidence, and speaking from memory or belief, having that copy in my pocket unknown to you it might affect me.

6021. Having that copy, does it enable you to tell us anything but what you told us before?—It would enable me.

6022. Does it enable you now to furnish us with any information which you were unable to do before you had it?—It enables me to furnish you with the information of three years ago if that is a correct copy of the original.

6023. We will assume that, putting the original in your hands, will it enable you to supplement your evidence with anything you have not already told us?—It would not.

6024. (*Mr. Anstey.*) Did you receive it on Saturday after the Commission arose?—No, before the Commission rose.

6025. Before the Commission met?—Before the Commission met.

6026. (*Mr. Price.*) This is what you got on Saturday morning?—Yes, and having had so sharp a reprimand I do not feel it right to hold that document in my pocket.

6027. The reprimand was not so much addressed to you as to what we thought an improper course to take, because it is so much better and more straightforward for every person who thinks that an inaccuracy has been stated before us to come forward and ask to be examined before us himself, than to seek to set it right through a conversation with the witness.

(*Mr. Coleridge.*) You may now, looking at that, be able to let us know.

6028. (*Mr. Price.*) That is all you wish to say?—At present that is all.

H. C. White.

HENRY CORNELIUS WHITE recalled.

(*The witness.*) I want also to make an application for a list which I gave Allan in my own handwriting which I am informed is in the possession of Mr. Henry Lovibond.

(*Mr. Price.*) He has gone away, but has a subpœna of *duces tecum*, which will compel him to bring every document he has, or to give a reason for not producing it.

(*The witness.*) I will give my evidence provided I have any documents to guide me by; it is three years ago.

6029. (*Mr. Price.*) We were asking you a good deal about your connexion with Boucher. Before leaving that subject and going to another election, the one we were upon on Saturday with regard to Boucher was the second election of 1866?—It was.

6030. Mr. Vanderbyl's election?—It was.

6031. You have said you were not on good terms with Boucher, and had not been from a very short period after the election of 1866, and therefore gave it as a reason that you had no opportunity of going into the accounts with Boucher, so as to satisfy yourself that he was right as to this 20*l.*, and that you were wrong; is that what you stated to us?—I complained to Boucher——

6032. Was not it said by you that there had been this coolness or quarrel which had existed from a short period after the 1866 election down to the present time?—Yes.

6033. Now, have you been in the habit of going to Boucher's house daily down to the last week?—Occasionally.

6034. Not daily?—Not daily.

6035. When you say "occasionally" how many times have you been in communication with him from time to time up to the last week?—I went to speak to him a day or two since.

6036. That is not the question. I ask you have you been in the constant habit of going to Boucher's house almost daily down to the last week?—I have to the shop.

6037. To the shop?—I have.

6038. Almost daily down to the last week?—For some——

6039. Give your explanation afterwards. Have you been in the habit of going into Boucher's shop almost daily?—No.

6040. What visits had you been making to him; how often during the week?—For a very considerable time after he had given up my house in St. John Street I did not go to him, but during the past six months I have as I passed (things have blown over) spoken to him.

6041. And been in the constant habit of going to see him?—No, not going to see him personally, but as I passed, perhaps, on matters of business I have spoken to him.

6042. Have you gone into his shop and had conversations?—I have been into his shop and had conversations.

6043. Do you mean then to represent that you were on bad terms with him ever since 1866, as you told us on Saturday?—I mean to represent——

6044. Now answer the question. You gave us as a reason why you did not clear up this 20*l.*, that you had been on bad terms ever since the election of 1866, and that if you could only have been with him in a room for a short time you could have cleared it up?—Yes, because I thought that he might have given me the names and we should have settled it perhaps.

6045. Have you on those occasions on which you

have been to his shop and talked matters over with him, discussed the subject of the deficiency of this 20*l.*?—At the time, repeatedly, and since.

6046. (*Mr. Coleridge.*) When did you last?—I cannot speak to what definite time.

6047. (*Mr. Price.*) A week ago?—No.

6048. A fortnight ago?—No, certainly not; I have had no electioneering conversation with him for, I should say, 12 months at least.

6049. What have you been going to his shop for if you are on bad terms?—Merely as I passed. He sells articles of furniture.

6050. Were you on bad terms with him?—Prior to that I was.

6051. After you made it up what did you go there for?—Not about political matters; I never discussed the question, but always strenuously avoided it.

6052. You knew of this inquiry and would be certain to be called as a witness; you knew there was this dispute about this 20*l.* which was not cleared up since the election, and you told us on Saturday that if you only had an opportunity of talking it over with Boucher, you could clear it up, and that you believed he had embezzled that money. Now, do you mean to say that you have been in the constant habit of going to his shop and talking matters over with him and never discussed that 20*l.*?—Yes; because it had blown over and there was an end of it.

6053. (*Mr. Coleridge.*) When did you speak to Boucher at all?—When I told you.

6054. When was the last day?—A day or two ago.

6055. Was it Saturday, before you gave your evidence here to us, was that the last time you saw him to speak to?—It was.

6056. What time was it on Saturday?—It was after I had given a part of my evidence, I went down St. John Street.

6057. Do you mean when the court adjourned?—When the court adjourned, I suppose.

6058. And then you went down to see Boucher?—Yes, I went down to see Boucher at the shop door.

6059. What took place then?—He began to abuse me, and I passed on.

6060. What did he say to you? Did he say you had been telling lies, or not?—He did.

6061. Did he tell you what the lies were about?—No, I did not stay a minute.

6062. You went down to him in order to be told by him you had been telling lies?—Certainly not.

6063. What did you go for?—At the instigation—the court asked me to go and see him.

6064. (*Mr. Price.*) The court did not ask any such thing of you at all?—To make up the accounts.

6065. No?—Did not you express a desire that I should go and see Boucher?

6066. No?——

6067. (*Mr. Coleridge.*) Do you mean the whole conversation that took place was his telling you that you told lies? Who spoke first when you went into the shop; who was present?—Chant was outside.

6068. Was he within hearing?—Yes.

6069. Who was present besides Chant; was anyone in the shop when you spoke to Boucher, and he called you a liar?—It was not in the shop, it was at the shop door.

6070. But was anybody else within hearing?—If I could remember I would tell you in a minute.

6071. Was anybody within hearing at the shop door except Chant?—There was another person there standing talking.

6072. Who was that, a stranger?—No.

6073. Who was it?—I cannot tell.

6074. Do you mean you cannot tell us anything about what happened on Saturday afternoon?—I cannot.

6075. Do you recollect being examined here on Saturday?—Yes.

6076. Then try and recollect whether you cannot tell us what happened after you left this court?—It was not Saturday; it was the day before. I never went on Saturday. I obeyed your instructions. I have not spoken to a single witness at all.

6077. Do you mean to say now it was on Friday and not on Saturday?—It was on Friday.

6078. Is that the last time you saw him to speak to?—That was the last time.

6079. Chant being present, and some other person, can you recollect that Chant was present?—He was.

6080. Who else?—I do not remember the other person. I did not stay half a minute. I passed on.

6081. Two persons being present, who can corroborate or disprove your statement, what was the first thing you said to him which induced him to tell you you had been telling a pack of lies? Did he address you and tell you you had been telling the lies first of all, or did you say something that caused him to say that to you?—I really am very sorry ——

6082. You say it was on Friday last that you, in the presence of two other persons, were called a liar by this man. What led to your being called a liar? Was it that you said something first, or he met you in the street, and said "You are a liar"?—I spoke to him as he was standing at the door, and he began to abuse me.

6083. What did you say?—I said, "I have come down about the names of these persons."

6084. Why not tell us 10 minutes ago?—He began abusing me, and on I went.

(*Mr. Price.*) We have power, if we think you are not giving us truthful answers, and off at once, as you ought to do if you wish to speak the truth, of dealing with you as would make it a very unpleasant predicament for you to stand in.

(*Mr. Coleridge.*) At last, after this cross-examination, we have it that you told him you had come down about the names of these persons.

6085. What persons?—The names of persons he had paid.

6086. Is that what you said to him?—That is all I said.

6087. Is not what you said, "I have come down to "know from you the names of the persons whom you "paid at the election." Is that what you said?—Yes.

6088. You will swear those were your words. Is that as far as you can recollect on last Friday, what you said to him?—I cannot recollect the exact words; it was something about the money he had paid.

6089. To that, what answer did he make?—He began to abuse me.

6090. What did he say to you?—I scarcely caught the words he said; I walked as fast as I could on to Gilberts, and two or three other places.

6091. Do you mean that he threatened you with personal violence?—I am not afraid of him or anybody else.

6092. What did he say then?—I could hardly catch the sound of his voice, because I walked on as fast as I could.

6093. You know he abused you; what did he accuse you of?—He said I had been telling lies.

6094. Did you make any answer to that; did you say you had not?—I said I had not.

6095. And when you said you had not been telling lies, what did he say then? You know that Chant was present, and another person whom we shall have here, and Boucher himself; what did he say then?—He said I had.

6096. What did you say then? Did you ask him what you told lies about?—That is all that passed.

6097. You mean, that is the abuse, and you walked away as fast as you could, having been called a liar?—Of course I walked away, because I could not understand it.

6098. So you were so taken aback that you had to leave him, he having put you under the imputation of telling lies before two people. You accepted the position and went away; is that so?—Certainly, I did not accept any position whatever; it seems to me I am all at sea in this matter.

SEVENTH DAY.

H. C. White.

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6099. Do you mean really to tell me that conversation is all that took place, that he said you had been telling lies, you said you had not, and he said that you had, and then you walked away as fast as you could. Is that really what took place? I warn you that all these persons will be before us, and it will be a question of credibility. Is that as far as you know; consider your answer, and tell us exactly what took place?—I have suffered two or three years from loss of memory.

6100. Is it or not what took place to the best of your belief?—I do not believe five words took place.

(*Mr. Price.*) Do you mean that you, employed as an accountant in this town, have been suffering from loss of memory for two years?

(*Mr. Coleridge.*) To the best of your belief is what you have told us now what took place between you and him on this occasion? (*The witness hesitated.*)

6101. Recollect, I am only asking you to the best of your belief, and you can say yes or no?—Yes.

6102. And you will swear to that?—Yes.

6103. (*Mr. Anstey.*) I think you understand after the warning you have had from the learned Chief Commissioner, that you will not be allowed to waste any more the time of the court in the same way you have done, but I will ask you which of these statements you had made to-day you mean to persist in, and you have contradicted yourself at almost every point; "I have been in the habit, not daily, but occa- "sionally, of going to Boucher's shop almost daily "down to the last week, not almost daily, for a very "considerable time I did not speak to him; since "the last six months only I have gone into his shop, "not to see him, but in passing, and not into his shop. "I saw him last week. My object was to get the "names of persons who had money at the time of "the deficit; I repeatedly spoke to him about it, but "not lately. I have not spoken to him about elec- "tion matters for the last 12 months, but I have "about other things. The deficit business had blown "over. The last time I spoke to him was a day or "or two ago on Saturday after I had given a por- "tion of my evidence after the court adjourned. It "was at the shop door that he called me a liar. "Chant was there, and another person within hear- "ing, not a stranger, but I cannot recollect his "name. It was not on Saturday but on the day "before, it was Friday. I do not recollect the other "man's name. I was only there half a minute. I "spoke to him; I said, 'I have come down about the "'names of these persons you paid at the elec- "'tion,' I cannot be positive as to the words. I "could hardly catch the sound of his voice. He "said I had been telling lies. I said I had not. "He said I had; that is all that passed, and I walked "away because I could not understand him. I have "suffered two or three years from loss of memory, but "I can say that what I have told you is, to the best "of my belief, all that then passed." To which of those contradictory statements do you mean to adhere? Tell the truth now for once. Remember bribery and perjury are two sister vices, they are classified as crimes against public justice, and we have had too much reason to see in the course of this inquiry that one invariably involves the other; bear that in mind, and say which statement is true, for they cannot all be true?—I did speak to him, and Chant was one of the men who was present.

6104. (*Mr. Price.*) Is that all you pledge yourself to?—(*No answer.*)

6105. (*Mr. Coleridge.*) Did you mention anybody's name to him in that conversation?—No.

6106. Not a soul?—No.

6107. (*Mr. Price.*) Was the question referred to by Boucher that you had accused him of embezzlement that you said he had kept the money, because you told us over and over again on Friday that your present belief was that Boucher had stuck to the 20*l.*, your then present belief. You said on Saturday that Boucher had stuck to the money. Was anything said by Boucher as to that to you. (*The witness referred to a paper.*)

6108. (*Mr. Coleridge.*) Did you make a note of this on Friday?—No, I did not.

6109. Then what are you looking at now? You must put up that book.

6110. (*Mr. Price.*) The question is you had said on Saturday up to that time, and on that day your belief was Boucher had stuck to the 20*l.* You had said it on the Friday if I mistake not; was it with reference to that statement of yours that Boucher had called you a liar?—It was.

6111. What did he say—"You told a lie in saying "I stuck to the money"?—Yes, you told a lie or something. I hardly caught it just as I have given you the words.

6112. (*Mr. Coleridge.*) Did he tell you what you told the lie about?—Something about his sticking to the money.

6113. Why did not you tell us this morning?—Because you did not put it to me.

6114. (*Mr. Price.*) Consider whether you intend to stick to this statement, having told us that you have been in the constant habit, though not daily, of going to his shop during the last six months at least, is it true or not?—Yes.

6115. What did you mean by telling us on Friday when I asked you the question; did you mean to tell us that if you and Boucher sat down together a short time you could satisfy Boucher that he had that money?—Certainly not; he might have explained two other names to me, and that would have explained the whole matter.

6116. Now attend; this is the question—"Why "has he not done it?—Because we have not been "friendly?"—We had not been friendly.

6117. You said because we have not. Do you mean to say that is the reason because you have not been friendly with him that you have not gone into this question of the 20*l.*?—I mean to say that is the reason I have not gone into the question with him.

6118. Although you have been in the habit of going almost daily to his shop to talk about other matters?—I had not.

6119. You said this morning that you had for six months?—Yes, I had been into the shop.

6120. We have information about your movements?—It is very true that I have passed and gone into the shop; you seem to misunderstand me.

6121. Clear it up then if you can?—As I have passed, I may have spoken to him about other matters, but not on electioneering matters. I have had nothing to say to him upon electioneering matters.

6122. Then you have not been on unfriendly terms with him?—Yes, I was after the election, but not lately; after the election of 1866 for a very considerable time.

6123. How long?—I should say during the years 1866 and 1867.

6124. During that time you had no intercourse with him?—No.

6125. Then you resumed your friendly terms with him about six months ago?—It died off and I spoke to him.

6126. A great number of these matters were inquired into by the learned judge who was here in February; do you mean to say that all these matters of bribery were raked up at the election of 1868, and you knew an inquiry was going to be made by the Commissioners, and that you never talked over these matters with Boucher to see whether the 20*l.* could be cleared up?—I made up my mind never; I was so disgusted.

6127. Did you go into the question with him?—No, I have not the last six months.

6128. Now, I put it to you again, do you mean to pledge your oath that you have not at any time within the last six months, during which you say you have been in the habit of going to him almost daily, broached

the subject of the bribery of 1866 ?—I do; to the best of my belief I do.

6129. Have you a sufficiently clear recollection to say one way or the other that you have had, or that you have not had, a conversation about bribery with him during the last six months ?—I have not.

6130. You swear it ?—I do.

6131. (*Mr. Anstey.*) What is your reason when you were called back on Saturday for not informing the Commissioners, but concealing from the Commissioners the conversation that had taken place in the interval between your previous examination and your then present examination, though you were asked repeatedly what you thought would be the result of the interview with Boucher; why did you conceal the fact that you had been, and he called you a liar ?—I mentioned the names of the parties.

6132. Why did you conceal that from us ? If you go on making these evasive answers I shall ask my colleagues to adjourn, and consider whether we shall fine you or not for contempt. Why did you deliberately on Saturday conceal from us this important conversation which you, in the interval, had with this man, whom you pretended to believe would come round if you and he once joined in a conversation together ?—No; I cannot remember anything about this list; that is the thing that has puzzled me.

6133. (*Mr. Price.*) Do you mean now to tell me after what has taken place between you and Boucher when he has accused you of telling a lie, when you said he stuck to the 20*l.*, that if you and he could get into a room together you could settle this matter ?—I mean to refuse to go into any room with him.

6134. Then why did you tell us on Saturday that if you were to go into a room, you could clear the matter up ?—Since then I have found out the whole of this money, it seems to me, and therefore I wish to produce this statement.

6135. (*Mr. Coleridge.*) Have you seen Boucher today ?—Not to speak to him.

6136. Did you see him on Saturday ?—No.

6137. Did you see him on Saturday to speak to ?—He was here.

6138. Did you see him to speak to ?—No.

6139. How came you on Saturday, having been called on Friday a liar, to say that if you went into a room together you could settle it with him ?—Because I was not aware until after I left here on Saturday. I found another 10*l.* which it seems to me would make up this amount.

6140. How was it after you had been called a liar, and left him in anger on Friday, that you came to tell us on Saturday that if you went into a room you would be able to settle it and explain it; that is a falsehood on the face of it. Now how do you explain that evidence given on Saturday having had this quarrel, and this complimentary language passed on you on the Friday. Is it capable of explanation at all ?—Oh, yes.

6141. A quarrel on Friday, examination here on Saturday, and an explanation if you could go and talk to the man you could clear up this disputed matter ?—I was asked on Saturday whom I had spoken to.

(*Mr. Anstey.*) You need not tell us what you were asked.

6142. (*Mr. Coleridge.*) Is it capable of any explanation at all, that you having quarrelled with this man on Friday, told us here on the Saturday that by going into a room with him alone you could settle the whole matter, can you give any explanation how you came to make that statement on Saturday; I suppose by your hesitation that you cannot give any explanation ?—Yes, I can.

6143. (*Mr. Anstey.*) Then out with it, the time is more valuable than your evidence ?—I merely wanted just to explain these statements.

6144. (*Mr. Coleridge.*) But you had quarrelled with him on Friday; you were asked for an explanation of your saying that if you went into a room alone with the man you had quarrelled with you could make it all right ?—What I meant was that I thought that he and I together would be enabled to do so.

6145. After he had called you a liar ?—I believe now if I heard his evidence we could put it straight; if I could only hear his evidence first.

6146. (*Mr. Price.*) Boucher having told you you were a liar on Friday in saying that he had embezzled the money, do you still stick to it as your impression that he did embezzle the money ?—I do.

6147. You do think so ?—I do think so, that is until these things are cleared up, then I am right in making up this statement 215*l.* I am charged with, provided that is the amount Allan swears to. There is the statement for it.

6148. What is that document ?—Merely a memorandum I have made of these amounts.

6149. When did you make it ?—This morning.

6150. Where did you take it from, this memory of yours which had been so bad for two years ?—No, there was 10*l.*——

6151. Where did you make it from, your memory ?—From my memory except the one 10*l.* When I left here on Saturday night you asked me to try and find out the other 10*l.* I found, going over my bank book for 1866, that I paid Gilbert 9*l.* 15*s.* by a cheque.

6152. How did you happen to draw on your banker, did you pay this bribe money into your own banker's account ?—I gave him that from my banker.

6153. Did you pay the bribe money into your own banker's account ?—I did.

6154. And then you drew upon it ?—I did, I suppose.

6155. How long was it lying at your banker's, this 215*l.* ?—I did not pay the 215*l.* in.

6156. Do attend to this; you say you paid Gilbert by a cheque for his vote, here it is put down "For his vote, Philip Gilbert." (*Referring to the bank book.*) Do you mean you drew on your account ?—Yes, it was on my own account that I gave him a cheque.

6157. But you had received 215*l.* ?—Yes, but then it was out of that amount.

6158. How did you happen to have it in your banker's hand if you had not paid the money into your own account at the banker's, how came you to draw a cheque for Gilbert for 10*l.* if you had not received the 215*l.* already from Allan ?—I do not deny having received the 215*l.* I cannot tell what I received unless Allan will swear to that amount. He has not produced the list which he gave me at the time; that bewilders me altogether.

6159. How came you to draw a cheque on your own account to bribe an elector ?—I account for it to make up this 215*l.*

6160. Do you mean to represent that you drew this out of your own money, this 9*l.* 15*s.* ?—I mean to say that I paid it out of the bribe money I had received.

6161. What did you draw a cheque for ? You had received 215*l.* You have told us all the money was paid in local notes and sovereigns. Allan, I believe, said he paid a great number of local notes to you. Why did you draw a cheque on your bankers for any portion of that money ?—Because the balance of the money that was left that was not paid away I paid a month or six weeks afterwards to his bankers. I found those two names, one of the names was Philip Gilbert.

6162. (*Mr. Coleridge.*) What did you give him ?—9*l.* 15*s.* and 5*s.*

6163. (*Mr. Price.*) Is this a correct thing ?—It is only correct from my memory; it is not unless I saw my own list.

6164. "Philip Gilbert for his own vote, 10*l.*; for three votes 30*l.* ?"—That is right.

6165. Then you say you drew the cheque ?—No, that is one of them; the 10*l.* for his own vote was the cheque.

6166. (*Mr. Coleridge.*) What made you draw 9*l.* 15*s.* instead of 10*l.* ?—Because I believe he owed me 5*s.* for something; it is three years ago.

6167. (*Mr. Price.*) Do you mean to say now that, besides the 215*l.* which Allan says he paid to you you

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also drew a cheque for 9*l.* 15*s.* on your own account?—No.

6168. On your banking account?—No; I mean to say that it was out of the 215*l.*

6169. Then why was it done in the form of a cheque on your own account; why was it paid in the way of a cheque drawn on your own banking account; you had the money you know, do explain that. You had 215*l.* you say; now try and account for this 20*l.* and with regard to a sum of 10*l.* which you paid Gilbert by a cheque drawn on your bankers for 9*l.* 15*s.* he owing you 5*s.* You are an accountant, tell us why there was any occasion to draw a cheque for that sum if you had already the money, 215*l.*?—I did it at the time evidently, but I thought if anything should occur, if there was any petition or anything of that kind I should have to suffer from what I had done, and these men, Boucher and Gilbert, had been about with me during the day of this election, and I felt that the better way would be not to pay this money until a month or six weeks afterwards.

6170. That is your explanation?—That is my explanation.

6171. The cheque you say therefore, which you gave to Gilbert is dated a month or six weeks after the election?—About six weeks after the election I believe.

6172. (*Mr. Coleridge.*) What day was the election?—It was the second election, it was not Bagehot's election, but the other.

6173. (*Mr. Price.*) It was Mr. Vanderbyl's election?—It was.

(*Mr. Anstey.*) The nomination took place on Wednesday, this is the "Bridgwater Mercury," July 11th, and the poll was on the following day, then the 12th of July was the election.

6174. (*Mr. Price.*) You say, in consequence of your thinking there might be a petition; this is your own account of it, and as Gilbert and Boucher had been mixed up with you in paying money, it was better not to pay until six weeks after the election, and then you paid by cheque?—I did.

6175. But you had the 215*l.*?—I had according to that statement, but when I see my own list——

6176. (*Mr. Coleridge.*) You paid Boucher before the election 10*l.* himself, and 10*l.* for three other men?—No, not for himself.

6177. When for himself?—About the same time that I paid Gilbert.

6178. Before or after?—I think before.

6179. How much?—10*l.*

6180. How much before?—In a cheque of 10*l.*

6181. Then that is what you mean by a cheque to Boucher 10*l.*?—I do.

6182. Did you also bribe a man named Babbage?—No; that is an account between me and Babbage, the auctioneer, when I went to a sale perhaps and bought anything.

6183. Did you pay a man called Morris?—No; that is an account for goods.

6184. Dibble?—That is also an account for stock or something of that kind.

6185. (*Mr. Price.*) There being 9*l.* 15*s.* paid to Philip Gilbert for his own vote, less 5*s.* owing you, and also a sum of 10*l.* paid in a cheque to Boucher; does that clear up the 20*l.* difference, or is there 30*l.* altogether?—If those two names at the bottom here are right he gave me according to the list I sent in, that clears up that matter.

6186. If so, you could have cleared it up at any time?—I never found out about it until I left here. I had not the slightest idea I had paid the cheque; it had gone out of my mind entirely, and I went through the cheque book and found these two cheques.

6187. What is the meaning of 5*l.* 4*s.* 4*d.* paid before the election day to Plowman?—My taxes I suppose.

6188. (*Mr. Anstey.*) Was that a bribe?—No.

6189. (*Mr. Price.*) Are you quite sure that the reason you paid this cheque on your account was not because you had been charged by Allan with keeping 20*l.*?—I was not charged by Allan; I made a voluntary statement to Allan at the time.

6190. Allan says there was a sum of 20*l.* unaccounted for by you?—I told him so.

6191. How soon after the election did you tell him that?—I gave this money and sent in an account to Allan.

6192. How soon after the election?—I should think six weeks.

6193. Was that before you had drawn the cheque or not?—After I had drawn the cheque.

6194. Why did not you at once say to Allan, "I "have drawn two cheques on my bankers; I can "show them to you"?—I did not know at all. I went away on the Saturday night.

6195. But you must have known at that time that you had drawn the cheques almost simultaneously?—It does not refer to that. The difficulty is with the names Boucher paid. Boucher I can swear gave me those names.

6196. You see that Allan says at the election, when the account came to be squared, there was a question of 20*l.*, and you say you did not pay these men until about six weeks after the election, which is just about the time that Allan began to complain about this amount. Why did you not say to Allan, "I can account for the 20*l.* by showing the two cheques," when it was fresh in your mind?—I cannot unless he tells me the two names are right.

6197. What two names?—Allow me to read that.

6198. (*Mr. Coleridge.*) One of these two was drawn to Boucher and one to Gilbert?—That is it. I paid to George Coombes, in Barclay Street, 10*l.*, that I can swear to. Phillip Gilbert, for his own vote, I paid 10*l.*

6199. 9*l.* 15*s.*?—9*l.* 15*s.*

6200. What did he owe you 5*s.* for?—He will explain that.

6201. No, you explain. What was it for? Is that a per-centage you took out of this money?—Not the slightest.

6202. What did you deduct it for?—Something that was between us at the time.

6203. Tell us what it was?—I cannot tell; he bought something or other. He will tell you when he comes.

6204. You are the person to tell us, because you paid a debt of your own with this money?—I can explain if I go back.

6205. It amounts to this, that you paid with Mr. Vanderbyl's money a debt this man owed you. Now read on?—For three votes, 30*l.*

6206. Was that paid in cash?—In cash.

6207. Did you take any per-centage off that?—Certainly not. George Heal, Bath Bridge, that I paid.

6208. In cash?—I do not know how it was paid. It was paid. I know he will tell you what it was paid in. I cannot remember.

6209. You are the person to tell us?—In cash; I suppose it was paid in cash. George Kerle.

6210. That was 10*l.* in cash?—Yes, one of these packets, Powell, "Steam Packet Inn," which I handed to Philip Gilbert, 30*l.*

6211. Was that in notes or gold?—Two packets, and ten sovereigns open, I believe.

6212. (*Mr. Anstey.*) Your memory is not very bad, then, as to these facts?—It is bad.

6213. You do not suffer from that lamentable loss of memory here?—Yes, I suffer just the same as to this.

6214. (*Mr. Price.*) You remember two packets, and one open?—I did not remember until I asked Gilbert at that time, a day or two since, when I told you that I went out and spoke to him, and asked him what money it was this man had.

6215. (*Mr. Anstey.*) Do you mean that you are only stating at second-hand what Gilbert told you a day or two ago, and not stating from your own recollection or belief?—I am stating what Mr. Gilbert told me a day or two ago.

6216. And that is all you can remember about it?—I cannot remember about that.

6217. (*Mr. Price.*) Who else did you pay?—Sutcliffe, Polden Street, 10*l.* I do not know whether I paid that, or whether Boucher paid it.

6218. Why have you put it down on that paper, and on what information?—Having the name on my mind as being on the list supplied me by Boucher, or on the list of names that I had. Now the list of names was looked at by both of us, and he paid one lot, and I handed over the money to him to pay whatever he did; and this is to H. C. Bussell, for Squires, and Haste, and Turner, 15*l.* each. That was paid in Allan's house, and then the cheque to Boucher for his own vote, that was paid by cheque, 10*l.*

6219. That was paid long after the election. I want to know, while you had this memorandum in your pocket, what was the scruple in paying Boucher down on the nail?—It was a good deal better not to pay the men who were running about with me all day long; a great deal better to pay them after six weeks.

6220. Why?—Because it was a guilty act to do.

6221. Was not paying the other men equally guilty?—It was.

6222. Then why draw the distinction between Boucher and Gilbert?—Because they went about with me in the day.

6223. It is not true, Mr. White, but go on?—These names given by Boucher for the 40*l.*, are Scott, Torr, Dabinet, and Virgin.

6224. (*Mr. Anstey.*) Have you tried, what you were told to do the other day, to find out where Scott, the dissenting minister, is now to be found?—I cannot tell; I never saw him.

6225. Give us some information; what denomination does he belong to?—I always had an impression that he was a dissenting minister.

6226. What denomination does he belong to?—I do not know him.

6227. (*Mr. Price.*) On whose information did you put him down as a dissenting minister on that list?—My own memory; two men of the name of Scott and Torr.

6228. (*Mr. Anstey.*) You put him down as a dissenting minister from memory, you not knowing him?—Yes, I knew Torr.

6229. We are asking about Scott the minister. Was he a Roman Catholic priest?—No.

6230. Was he of the Church established?—No.

6231. What denomination then?—I thought he was a dissenting minister. I see I am confounding the two names.

6232. But what chapel did you understand him to be a minister of. He must have had a place to preach in?—I thought he was one of those local preachers.

6233. What was his locality then?—He lives somewhere down——

6234. At what place did people sit under him or listen to his preaching?—I do not know.

6235. How did you know he was a local preacher?—I thought from the name supplied me, and more especially because the name of Torr was supplied me.

6236. Was Torr a dissenting minister also?—He was, and a tailor.

6237. There were two dissenting ministers bribed then?—Yes, I understood those were the names supplied me by Boucher.

6238. Will you answer my question? Do you mean to represent there were two dissenting ministers bribed in your list, which you are now handing in, making up your deficiency?—I mean to represent that they were supplied to me by Boucher.

6239. Do you mean they were supplied as dissenting ministers?—Yes, one was.

6240. Which?—Torr.

6241. Why did you say Scott was?—Because I thought it was the same Scott that lived down Polden Street.

6242. Where is Torr to be found?—In Bridgwater.

6243. Where?—Down Eastover, somewhere. I do not know where.

6244. (*Mr. Anstey.*) What is his christian name?—I can tell you by the polling list, Charles. It is the old one, not the young one.

6245. Is he called the Reverend Charles Torr, or what is he called?—I do not call these men reverend.

6246. (*Mr. Price.*) Where does he preach?—I do not know; he is a local preacher.

6247. You mean he goes about the country to different villages?—Yes, the local villages.

6248. Does he preach in the town of Bridgwater itself?—I do not know.

6249. Is he any relation of John Torr?—I do not know that he has any relations, except he has one son. I know he is a tall young man.

6250. The old man, you understood, was the person bribed?—The person given me on Boucher's list.

6251. And where is he now?—Living in Bridgwater, in Eastover.

6252. What part of Eastover?—I know where the young man is, but not the old one.

6253. You said the old man was something else besides a minister?—He was a tailor originally.

6254. Are those all the names you can give us?—I cannot give you any more explanation until I get my list I have applied for from Mr. Henry Lovibond.

6255. Does that make up the sum of 215*l.*?—It does.

6256. Then that is all your list?—Yes, the only difference is in these two names.

(*Mr. Anstey.*) Is Mr. Bussell in court?

(*Bussell.*) Yes.

(*Mr. Anstey.*) Has any name occurred to you in the course of this rambling statement of the present witness, which you recognize as the name of a person bribed, not by Henry Cornelius White, but by somebody else?

(*Bussell.*) I know White brought me the 45*l.* that I bribed the parties named with.

(*Mr. Anstey.*) Can you give us the names of any who were not bribed to your belief by White, but by some one else?

(*Bussell.*) No, I cannot. The names he mentions, Haste, Squires, and Turner, White brought us the money for. I do not recollect anything else.

(*Mr. Anstey.*) Is Andrew Allan here?

(*Allan.*) Yes.

(*Mr. Anstey.*) Has any name occurred to you which you recognize as a name of one who was not bribed by White, but by some one else?

(*Allan.*) No.

6257. (*Mr. Price to the witness.*) Are all the names you returned to us names of persons now living?—George Coombe is alive, Culverwell is; Gilbert, George Heal, George Kerle, I do not know him.

6258. Who furnished you with these names?—Headford.

6259. Who is Headford?—A foreman in the brickyard.

6260. He gave you Kerle's names?—He did, George Kerle.

6261. Did you give him the money for Kerle?—I did.

6262. Headford is alive?—Headford is alive. Powell, of the "Steam Packet Inn," I gave that to Gilbert.

6263. That is what you told us about the first day?—Yes.

6264. You first said 40*l.*, and now 30*l.*?—That was 30*l.*

6265. Powell is alive, I suppose?—Yes, and Gilbert. Sutcliffe is alive, and Mr. Bussell has explained those three.

6266. Were there any names of persons there since dead?—There is one.

6267. Who is it?—John Virgin.

6268. What did he get?—10*l.*

6269. Who paid it to him?—I speak from memory. I believe it was in Boucher's list, and the reason I believe that is this: he lived in my house years ago; he voted for the Tories, and I objected to have anything to do with him.

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6270. And then you went and bribed him over to your side, and objected to have anything to do with him whilst he voted for the Tories, and then went and bribed him?—I did through another.

6271. (*Mr. Anstey.*) I have not the name Bottomley in the list you have made out to-day, though you gave us that name in the list of Saturday?—I can explain that circumstance.

6272. You abandon Bottomley, and admit that your statement of having bribed him is false?—I said that I thought that Andrew Allan had included.

6273. Do you mean to admit that you had not bribed Bottomley because you were contradicted by Allan, and though you did not retract that false statement do you now?—I do. I did not get him; he went up with me.

6274. That 10*l.* is accounted for?—That is accounted for by Allan. He did not give it to Bottomley.

6275. To whom did you give the 10*l.*, in order to discharge yourself of that amount which you falsely stated on Saturday you paid to Bottomley?—I did not falsely state that I believed the 10*l.* was paid to Bottomley, but Allan said he paid it to Bottomley himself. That caused me to turn over my bank book, and there I found 10*l.*, in addition to the 30*l.* paid to Gilbert, which made 40*l.*, in addition to the 10*l.* for himself.

6276. Then you say you gave this 10*l.* to Gilbert, not to Bottomley; is that your statement?—That is the amount.

6277. I am asking you for this specific 10*l.* You are an accountant, and know what I mean. You try to get rid of the 10*l.* liability, by stating falsely that you paid it to Bottomley. To whom did you pay it, as you find you did not pay it to Bottomley?—To Gilbert.

6278. Along with his own?—Along with his own. No, this 30*l.* I paid him; I do not know who that is for.

(*Mr. Price.*) This is what you said in answer to the learned Commissioner who is examining you. The Commissioner said that Allan made out his own hand bribed Bottomley, and you answer to the court Allan has made a mistake as to that 10*l.*

6279. (*Mr. Anstey.*) You heard Allan's evidence, and admitted that Allan was right, and that you did not pay it, and now you pretend or allege that you paid that 10*l.* to a man who, according to your statement, received another sum of 30*l.* How do you expect us believe that?—That 30*l.* I paid him was for three votes, which, unless I have the list, or some means of finding out, I cannot tell.

6280. Then do you mean that you paid him 10*l.*, besides his own?—No, for his own.

6281. I asked you just now distinctly the question, whether it was given with his own, and you said, "Yes." Now you say it was for his own?—I mean to say 30*l.* paid him was for three votes he paid out of the money when I gave it to him, and the other 10*l.* was for his own vote.

6282. And the other 10*l.* is the same you stated you paid Bottomley?—Which was the sum in dispute with Bottomley.

6283. Assuming that to be true, you got rid of 10*l.* out of the 30*l.* deficiency; but I will tell you that inasmuch as I shall consider every person who has been named in that list as having taken any money, and as to whom your evidence is corroborated, has been bribed, and, having done that, ought to be reported or scheduled accordingly, so I tell you, unless you discharge yourself of the 20*l.* not accounted for at all, I shall recommend you to be reported or scheduled as having actually detained that money under aggravated circumstances, in reward of your own vote, and therefore as a bribed person.

6284. (*Mr. Price.*) Have you any further explanation to give of that part of your evidence?—No, I have nothing further.

6285. That is the way you account for that 10*l.*?—If these names are right, I have accounted for all.

6286. (*Mr. Coleridge.*) Have you any houses at Highbridge?—No, I have some at Taunton, that were left me by my father, and one at Dulverton that my wife had, and an annuity she has. I will tell you all, if you wish to know, with the greatest pleasure. I never kept a shilling of the money.

6286. (*Mr. Anstey.*) Do you know whether Symmons, Heal, and Cook, are all members of one family; that is, related in blood?—They are.

6288. I believe that is the common case in Bridgwater that all the bribing families are related in blood?—I do not know what you mean by that. I am not related in blood with any of them.

6289. Are you not?—Certainly not. I was born at Taunton, and am not a Bridgwater man.

6290. Therefore you are no exception. I ask you whether all the Bridgwater bribing people are not connected by blood, be it by descent or extending lineally or collaterally. For instance, is not Bussell a brother-in-law of Temblett, and are there not two Bussells who are brothers who bribe on both sides, and father and son taking different lines of politics, or brothers taking different lines, or the same lines of politics?—I have never taken any bribes myself.

6291. You have heard what I have said about the 20*l.*?—But these two names will make that clear in my opinion.

6292. This Symmons is stated to us as having influence over 130 workmen?—I know nothing about that.

6293. This person named to us as having influence over 130 workmen, and having received and not accounted for 100*l.* odd, is related you say to the two other people I have named, Heal and Cook?—Yes.

6294. (*Mr. Coleridge.*) Have you anything to tell us about Mr. Bagehot's election?—I have told you about Mr. Bagehot's election.

6295. Have you anything more to tell us?—I have nothing to remember now.

6296. How much money did you distribute at Mr. Bagehot's election?—No money.

6297. What did you do then?—I went and got a list of names, and gave the names to Allan and he paid them.

6298. You never paid any money yourself?—I did not.

6299. Or any treating bills?—No, they never asked me.

6300. Did you treat anybody at that election?—I did not.

6301. Did you promise money to anybody?—I do not remember the names.

6302. I do not ask you the names, but having yet that list which you have told us of, having got those names of persons whom you thought would take bribes, did you tell those men when you asked them for their votes that you would get them money from Andrew Allan. (*A pause.*) You say you got a list of names of people whom you thought would take bribes, and you gave the list to Andrew Allan, and he paid them. That is so; you told us that?—I did not see him pay them, but I believe he did.

6303. How were you able to make out that list which you gave to Andrew Allan?—I suggested names.

6304. I know that; you have already told us so. How were you able to do that?—I went to John Smith, and I and John Smith sat down together. I told John Smith I would not touch the money if they brought it into the place; but, however, I do not mean to say——

6305. Will you answer the question. I suppose you and John Smith made out the list together. I suppose you suggested some names, and he suggested other names?—If I suggested a name, he would tell me if it was one.

6306. When you suggested the name to John Smith where did you get your information of the bribability of that name?—He suggested some.

6307. But you say you suggested some also. Now where did you get your information from? How did you know that you were not doing these people an injury

in putting them down as being likely to take bribes ?—These people kept teasing me.

6308. That is exactly what I want to know. Did you get those names by those people having come to you and asked you to get them money ?—They would say to me, knowing I was a Liberal, that they would not vote without they had the money.

6309. It was from the voters themselves you acquired the information that you afterwards gave to Andrew Allan, was it not ?—Yes, but the names I first got from John Smith.

6310. But do you mean to say that in the first place you got a list, and then went and canvassed the voters, and they then said, "We will not vote without money." Is that what you mean, or did you tell John Smith that so and so has been to me, and has said he will not vote without money; put him down on the list ? Which is it ?—When this list was gone through I knew the names of pretty nearly all these people, and if I suggested a name John Smith would say, "He will do," or, "Do not say anything to him," and so on.

6311. Was the reason for their being put down because you suggested the names, from their having been to you, or you having been to them, and wanted money ?—They kept teasing me.

6312. That is exactly what I want to know. You supplied the information by which Andrew Allan paid the money ?—Yes.

6313. In fact you were an agent who furnished information as to persons who were bribable, and to whom money would have to be paid afterwards, were you not ?—Yes.

6314. And you were perfectly cognizant of the fact that every one of those names that you gave in to Andrew Allan would get the money ?—Yes, I believe they would.

6315. And did any one of those men complain to you afterwards that you had promised to get them money from Andrew Allan, and they had not been paid ?—No, I do not think so.

6316. Then every person you named were bribed by you or Andrew Allan ?—Yes, I think so.

6317. (*Mr. Anstey.*) You have not given us the names of two persons who came from Taunton ?—What names ?

6318. It is suggested to me that you have not named two other Taunton men ?—Taunton men ?

6319. Yes, who have done a good deal of business in the way of bribery at this election and previous elections ? You are a Taunton man, are you not ?—I came here in 1846.

6320. I ask you whether you are not a Taunton man ?—I was born in Taunton.

6321. Are you not aware that there are two men at Taunton who have been engaged a good deal in bribery as well as yourself, and as actively ?—I do not know that there are.

6322. I will name them to you, Joseph Pitman and Joseph Robbins ?—I do not know such names. Joseph Robbins ?

6323. You have not heard of such names ?—I do not know their names.

6324. On your oath have you not heard those names ?—On my oath I do not know their names.

6325. On your oath do you not know those names, and are they not the names of persons living at Taunton who have been concerned in bribery ?—Will you tell me the names again ?

6326. Joseph Pitman and Joseph Robbins ?—I have not heard of them. I do not know the names at all.

6327. Now about this banker's account of yours. How much of the 215*l.* did you pay into that banker's account on which you six weeks afterwards drew the cheque you pretend to have drawn ?—20*l.*

6328. Only 20*l.*?—Only 20*l.*

6329. That was mixed up there with your other monies ?—It was.

6330. (*Mr. Price.*) Give us your banker's account again. We want to see the credit side of your book (*the witness handed the banker's book to the chairman*).

6331. (*Mr. Anstey.*) How much did you draw upon that 20*l.*?—Those two.

6332. You have told us the name of one, and one only ?—I have told you the name of two; Boucher one, and Gilbert the other.

6333. Is there an entry of a cheque drawn by you in favour of Boucher ?—There is.

6334. Upon that sum ?—Upon that sum.

6335. Then I am to understand that that sum is not the 20*l.* in dispute between you and Boucher ?—Oh, no.

6336. Therefore Boucher was paid by you. You admit yourself to have paid Boucher 10*l.*?—Certainly I do.

6337. And Boucher does not remember that: he denies it ?—I do not know what he denies. I cannot tell what he denies until I hear what he says.

6338. But did he deny that he got 10*l.* from you for his own vote ?—Certainly not.

6339. Then the 20*l.* in dispute which you say he embezzled and which he says you embezzled, is a different sum altogether from that 20*l.* in your banker's account ?—No, it forms a part of this account.

6340. I am talking of your banker's account. That 20*l.* about which there is a dispute between you and Boucher, did you ever pay that into your banking account ?—Certainly not.

6341. (*Mr. Price.*) The account here says that you drew the cheque for Boucher on the 3rd of August ?—It was about six weeks——

6342. Do attend. Here it is, in black and white ?—All right.

6343. 10*l.* you drew for Boucher on the 3rd of August. When do you say you paid in the 20*l.* balance of the 215*l.* into your account ?—I cannot tell. It was paid in with other monies. I cannot tell when.

6344. It was paid in with other money ?—Yes; I cannot tell when. Every person is open to see my books——

(*Mr. Price.*) That is not the question.

6345. (*Mr. Coleridge.*) You mean to say that you paid it in with your own monies, so that it could not be recognized as a distinct sum; is that it ?—Yes.

6346. (*Mr. Anstey.*) Do not you to this day hold a bill of sale over the furniture of this man Boucher ?—No. I do not know anything about a bill of sale.

6347. Speak to me, and not to the mob. Do not you to this present time hold a bill of sale over the furniture of this man Boucher ?—I do not.

6348. Not over any part of his furniture ?—I do not.

6349. Nor over any part of his property ?—I do not.

6350. Then what are your relations with this man Boucher ?—None whatever.

6351. You are not his creditor ?—Not the slightest, nor his debtor.

6352. (*Mr. Coleridge.*) Was there a bill of sale at one time held by you over Boucher's furniture ?—Never.

6353. (*Mr. Anstey.*) Then what was the meaning of your turning round and speaking to somebody there, instead of answering the question ?—I do not know that I spoke to anybody.

6354. I heard you, sir: I did not hear what you said, but I heard the murmur of something you said to somebody behind you.

6355. (*Mr. Coleridge.*) Do not you know anything about a bill of sale held over Boucher's furniture ?—Certainly not, to the best of my belief.

6356. (*Mr. Price.*) You say to the best of your belief; do not you know ?—No; I never had a bill of sale on his furniture. I lent him some money, and he paid me back honestly.

6357. (*Mr. Anstey.*) When did you lend him money last ?—I cannot tell; give me the book and I will tell you in a minute. I will mention the sums that I have entered in this book.

6358. When did you lend him money last ?—February 15th he asked me for a cheque.

6359. (*Mr. Price.*) What year ? — 1866; but whether he had all that money lent him, or asked me to make up the cheque, I do not know. He was in

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the habit of coming to me sometimes, and he would pay me the greater portion of a sum of money.

6360. How much did you advance him?—I cannot tell how much out of it, 22*l.* 11*s.* 6*d.*; but he has paid me, and he does not owe me a shilling.

6361. (*Mr. Anstey.*) Is that the last occasion on which you advanced him money?—That is the last; I received a cheque of him.

6362. That is not the question, and you know it perfectly well, therefore I must request you to answer me, and without any mental reservation. Is that the last occasion on which you advanced him money? (*The witness referred to the banker's book.*) I want you to answer my question without reference to the book?—That was the last occasion.

6362*a*. That you swear?—That I do swear.

6363. Then when did he pay you back that money?—I cannot tell.

6364. Since the second election of 1866; yes or no?—I think not; I think before.

6365. (*Mr. Price.*) That is in February 1866?—That is in February 1866.

6366. (*Mr. Anstey.*) I ask you, when was it repaid to you?—I cannot tell, and I have no means of knowing. I cannot tell.

6367. (*Mr. Price.*) Would not the other side of the account show it, if he paid it into account?—I cannot tell; there are thousands of pounds I pay in. I cannot tell anything about the money.

6368. (*Mr. Coleridge.*) Was not that 10*l.* of August 3rd a loan to Boucher?—That it was not; that I swear.

6369. You say immediately after the election you became on bad terms with Boucher?—Well, I meant by that immediately after the account had been made up with Andrew Allan, and sent in to him.

6370. When was the account delivered to Andrew Allan?—About six weeks after the election.

6371. Then were you perfectly good friends with Boucher between the time of the election, which was on the 15th July, and the 3rd of August, when you paid him that cheque?—No; that is when the dispute was.

6372. It is a very short time; it is only 15 or 16 days. Were you on good or bad terms with him between the 15th July and the 3rd of August, the time when you paid him that cheque?—I was on bad terms with him. He said he had not had his 10*l.*, or something to that effect, and I gave him the cheque.

6373. Do you mean to say that you gave him a cheque which would appear in that banker's book when you were on bad terms with him?—I do.

6374. (*Mr. Price.*) You told us there was a dispute as to that 20*l.*?—I mean to say yes; it was stuck to.

6375. (*Mr. Coleridge.*) Let me understand you. Your first answer to me only a minute ago was that you were on good terms with him until the accounts were sent to Andrew Allan six weeks after the election; and then you said that you were on bad terms with him immediately after the election. Were you on bad terms with him immediately after the election, or was it six weeks afterwards?—You have given both answers. You have said it was six weeks after the election that you were on bad terms with him, and also immediately after the election. Which of those answers is true?—Six weeks after.

6376. Six weeks after the time that you gave him that cheque. I ask you whether in the week succeeding the election you were on good terms with him?—It was not prior to the election.

6377. I do not say it was. You have made two different statements within a few minutes of each other. You say you got on bad terms with him after you sent in the account to Andrew Allan six weeks afterwards, and you also say you got on bad terms with him when you gave him the cheque. Which do you mean?—I believe I was on bad terms with him when I gave him the cheque.

6378. Then it had nothing to do with the list you sent in to Andrew Allan?—I did not send in the list six weeks after; it was not so much as that.

6379. Within two minutes you have sworn that you sent in the list to Andrew Allan within six weeks after the election. When did you send in the list?—I believe about three weeks after the election.

6380. You gave him that cheque on the 3rd August, and you have sworn you were on bad terms with him then; and you have also sworn that you were on bad terms with him when you sent in the list to Andrew Allan within six weeks after the election. You have sworn to both of those statements. Now I ask you, could the sending of that list to Andrew Allan have had anything to do with your being on bad terms with him? Which of those statements do you mean to say is the correct one?—The sending in the list was about three weeks after.

6381. That is no answer to my question. You said you were on bad terms with him about the sending in the list, and that was about six weeks after the election?—I was on bad terms with Boucher because we could not find out the money.

6382. Then it was not true that the reason you were on bad terms with him was about the sending in the list to Andrew Allan?—You see I was trying to make up my list. I had lost my papers, and I was trying to suggest the names.

6383. (*Mr. Price.*) Had you lost your papers?—Yes, the little bits of paper that Boucher had the names of me from.

6384. Did you pay the cheque of 10*l.* for Boucher's vote?—I did.

6385. You told him so?—I did

6386. Why did you not tell Mr. Allan so when he made up the accounts?—Why should I tell him so?

6387. You were to render him an account of the 215*l.*?—I did so.

6388. Then why did you not tell him so?—There is nothing in the world but those two names, and that you will find.

6389. (*Mr. Anstey.*) It is really a very simple case. You had a dispute with a man called Boucher, the result of which was that you accused Boucher of embezzling a sum of 20*l.* which you said you had paid him, and which he said you had not paid him. A few weeks after this do you mean to say that you drew a cheque in his favour for the sum of 10*l.* Is that true or not?—Oh, yes. I drew the cheque for 10*l.*

6390. Then, sir, is not this the fact, that you drew the cheque on your own account, after this unpleasant disclosure about the alleged embezzlement, in order to get rid of the business and hush it up?—No, I did not.

We shall form our own conclusions upon it.

6391. (*Mr. Price.*) It is the most extraordinary story. You are on bad terms with the man. There is a dispute between you as to who stuck to the 20*l.*, and you say you gave him the 20*l.*?—If you speak to him he will be able perhaps to give the names. Mr. Lovibond I do not think has acted right towards me in the matter.

6392. (*Mr. Price.*) Tell us how many 10*l.* you paid to Boucher?—If he has the list he can tell you. I cannot tell.

6393. How many 10*l.* did you pay to Boucher?—Never but that one 10*l.*

6394. You also said you gave him 10*l.* for Dabinett, Torr, Scott, and Virgin?—Yes; Dabinett, Torr, Scott, and Virgin.

6395. Then you did give him more than one 10*l.*?—I never gave him more than one 10*l.* for himself.

6396. How many 10*l.* do you reckon you gave him?—I gave him four 10*l.*

6397. What did he say to you on Saturday, with respect to your statement as to his having stuck to this money?—Never a word about it.

6398. You told us he did, and that he called you a liar?—He passed on. The conversation did not last two minutes.

6399. Then do you mean to swear he did not say

that with reference to your charging him with embezzling this 20*l.*?—This 20*l.*?

6400. You said just now you did not know what he said?—I am very anxious to give you every particular I can. You made a statement about my banking account and the taxes, and you see I was over and above the amount. I offered him a cheque at the time for the taxes, and I was compelled to enter it at the time; I was very busy building, and I mentioned it to John Stone, and two or three others else.

6401. You stated that though you were engaged as bribing agent you held the money itself in such abhorrence that you would not touch it?—Bagehot's election?

6402. Well, at any election besides?—No, I did not at Vanderbyl's election. I paid the men.

6403. Yourself?—Yes.

6404. You come to that conclusion at last?—Of course I must do so as to this 10*l.*

6405. (*Mr. Price.*) You have spoken about the taxes. Are you aware when you were asked on Saturday, in as plain terms as anybody could be asked this question, that you gave no answer to it? This is the question, "You wish it to go forward that you cannot "answer the question whether you kept too long in "your hands the money you received?" and you gave no answer to that question?—I was summoned before the Commissioners.

6406. You were asked this distinct question?—I explained the matter and showed the assessment.

6407. You had the opportunity of putting yourself straight on Saturday, and you now complain that this question was put to you about the taxes. You cannot be surprised when this question was put to you, and you gave no answer to it. "You wish it to go for-"ward that you cannot answer the question, whether "you kept too long in your hands the money you "received?" You gave no answer to that at all.

6408. (*Mr. Anstey.*) Is that true or not?—I do not understand the form of the question.

6409. (*Mr. Price.*) Well, the form of the question is this: Do you wish it now to go forward to the public of Bridgwater that there was a complaint made against you that you kept back the money of the taxpayers longer than you ought to have done?—I cannot tell that now. There was a complaint, and I went and carried up my assessment.

6410. Was the complaint that you kept the money you had received too long in your hands?—That was the complaint, but I disproved it.

6411. On Saturday you went round, and round, and round, and we put that question to you over and over again and now, at last it comes out that the complaint made against you was, not that you called upon the people too often or too soon, but that you kept back the money you received?—Well, I shall call Mr. John Trevor.

6412. Never mind who you shall call, but that was the complaint?—It was a complaint.

6413. (*Mr. Anstey.*) There was a question which I put to you, and in the first instance got to it a decided answer "No." But I put it to you again the next day, and showed you the document, with an official copy of your signature to it, and you said you "did not know." Now, you have had plenty of time for recollection, and I ask you again, is it true, or is it not true, that you were, notwithstanding your denial in answer to the first question put to you by me on Friday last—— ?—Will you show me the document?

6414. Is it true, or is it not true, that you, who have done all these things, were nevertheless one of the persons promoting and signing the petition of the 80 purists of this borough to the House of Commons, praying for the suspension of the parliamentary writ, as late as the 29th of May 1866?—I did sign it.

6415. Then what did you mean by telling me in answer to the first question I had the honour to put to you on this inquiry, if it be an honour, that you did not sign it?—Because I forgot it.

6416. (*Mr. Price.*) Mr. White, if you wish to make any further disclosure with reference to anything you know, or anything in which you took a part in the election of 1866, now is your time to do it. Of course, I do not mean to say you will be shut out from giving an explanation on another day, but it will not come with the same effect if in the meantime we find out from other witnesses that you have not made a full disclosure of the part you took. If you now recollect anything else tell us so. You have had all Sunday in which to refresh your memory, and you have now an opportunity of saying whether there is anything else on your mind that you have to disclose, if you wish to be considered a witness worthy of belief and credit?—I do not remember anything at present, but if anything should occur I will come and tell you, but at present I do not remember.

6417. (*Mr. Anstey.*) You cannot remember anything more about any election?—I went about canvassing for Sir John Shelley.

6418. Any bribery?—No.

6419. (*Mr. Price.*) Nor corrupt practices of any sort?—No; and I do not believe a halfpenny was spent.

6420. (*Mr. Coleridge.*) When you canvassed for Sir John Shelley was there no treating going on at any of the houses?—I stopped with him and I had lunch with him down at——

6421. (*Mr. Coleridge.*) Do you know whether there was treating? We were told that there was treating, and that there was a sum of 500*l.* spent, and that treating was going on at Vanderbyl's election in 1866. Did you know about it?—No.

6422. Did you see it yourself?—There was one bill sent——

6423. Did you see treating going on at Sir John Shelley's election?—No. I saw lunching going on at different houses.

6424. Did men come to you and ask you for money?—Yes. The men asked me, and I would not have anything to do with it.

6425. In 1865 you say the men came to you about money?—They have in every election, and I would have nothing to do with them.

6426. Can you give us the names of those who came and asked you for money?—No.

6427. What did you tell them?—I told them I would not have anything to do with them.

6428. Will you say you had nothing to do with money?—No.

6429. Neither at Sir John's Shelley's election nor at any previous election?—Neither at Sir John Shelley's election nor at any previous election. I defy any man to prove it.

6430. You say men asked you for money at Sir John Shelley's election. What did you say?—I told them I would have nothing to do with them.

6431. Did you say there was "nothing going"?—I told them nothing about it.

6432. I do not suppose that they asked Sir John Shelley about it. You say you went canvassing with him?—Yes.

6433. You went canvassing with Sir John Shelley and you were asked about money by the men. Did they call you on one side when Sir John Shelley went on, or when did you give them the opportunity of speaking to you on the subject?—No.

6434. When did they ask you about money?—I never gave them any money.

6435. You say that they asked you for money?—That is a very common thing.

6436. I daresay it is. But if you say you went canvassing with Sir John Shelley, and they did not ask Sir John Shelley nor you when you were so engaged, when did they come to you? Did they come to your house?—Perhaps when I asked them for a vote and Sir John Shelley passed on they might say something about "Mr. Most," or something of that kind; but I told them up to that time I had nothing to do with bribery, and I do not think there was a single shilling spent in bribery.

6437. Who was it that spoke to you about "Mr. Most"?—I do not know.

6438. Just refresh your defective memory, and tell

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us the name of any single person who spoke of "Mr. Most" at that election?—I cannot remember.

6439. Not a single soul?—No.

6440. Had you nothing to do with Boucher then?—No.

6441. Nothing to do with Boucher at that election?—No.

6442. I think you said he was in your employ?—He is a tenant of mine.

6443. In your house?—Yes.

6444. A lodger?—A lodger! What do you mean?

6445. I want to know what you mean?—He is a tenant, and a tenant is not a lodger.

6446. (*Mr. Price.*) In your house or in your shop?—Not in my shop. I do not keep a shop. In my house.

6447. (*Mr. Coleridge.*) Did he rent the whole of a house and shop belonging to you, or only a part?—He rented the whole of a house and shop of me in St. John's Street.

6448. Then all he had to do with you was to occupy a house and shop of you as your tenant?—Yes.

6449. Did you ever distrain on him for rent?—No.

6450. What was the quarrel between you?—Was it about rent?—When he did not pay I used to wait.

6451. Something more than that. Had you not a quarrel with him at one time, and distrained upon him for rent?—It might be something about the payment of money; I cannot tell what it was about. Nothing about voting whatever.

6452. You will put that forward. I am not asking you that. I ask you whether you had not had a quarrel in consequence of your threatening to distrain upon him for rent?—I never had a threat with him for rent.

6453. Had you not some quarrel about rent at the time he was your tenant, during Sir John Shelley's election?—I do not think he was my tenant at Sir John Shelley's election. I cannot tell you. If you will allow me to go home and look——

6454. I do not ask you for the exact date. Was he your tenant in 1865, or did he become your tenant in 1865?—He had nothing to do with me in Sir John Shelley's election.

6455. Is Boucher one of the persons who spoke to you about Mr. Most at Sir John Shelley's election?—Certainly not; he never did. I never spent a shilling, and I never knew that there was a penny forthcoming.

6456. I am not asking you about that. You said people would talk to you about "Mr. Most" at that election, and I ask you whether Mr. Boucher was one of the persons who talked about it?—No.

6457. (*Mr. Anstey.*) Who were the persons who talked about "Mr. Most"?—I do not know.

6458. Was Aldridge one?—I do not know the name.

6459. Was Cooksley one?—I do not know at all.

6460. Do not hesitate, but tell me yes or no?—It is very likely it was that class of men.

6461. Do you remember that Mr. Cook, the attorney, was present on one of those occasions; now, be careful?—I do not.

6462. Do you remember anybody bursting out into a laugh in Sir John Shelley's presence?—I do not.

6463. You do not remember anybody bursting out into a laugh when the expression "I shall vote for Mr. Most" was used at that election?—I do not.

6464. And saying, "I am for the man who will give the most?"—I do not.

6465. Were you the man who burst out laughing when it was said?—No, certainly not; I knew nothing at all about it.

6466. (*Mr. Price.*) You knew what it meant?—Oh, certainly.

6467. (*Mr. Anstey.*) You said nothing about it?—I was not there at the time.

6468. Will you listen to my question. When these people told you that they would vote for "Mr. Most," what did you say to them?—That I had nothing whatever to do with money.

6469. That you had nothing whatever to do with money?—That I had nothing whatever to do with money, and I never knew a halfpenny to be spent.

6470. And that is what you told them?—And I did not know that there would be a halfpenny spent. Sir John Shelley said——

6471. And that is what you told them?—That is all I have to say.

6472. You were going on to say what Sir John Shelley told them. All you told them was, "I have no money, and I do not believe there will be any money"?—I said that.

6473. Nothing more?—I cannot recollect anything more that I said at that time.

6474. As a fact, Mr. Cook, the lawyer, did canvass along with you and Sir John Shelley. Now, be careful?—I never knew about Mr. Cook at all in the matter; not in the slightest. If I did I would tell in a minute.

6475. Did Mr. Cook canvass along with Sir John Shelley when you were present?—Did Cook canvass?

6476. Yes?—It is very likely he did.

6477. Very likely he did, or very likely he did not?—Very likely he did.

6478. Do you believe that he did or did not?—I do not think he did.

Having previously said you believe he did, I shall not ask you any more questions, and I really do not wish to have any more information from you. You contradict the answer you gave before. You had better take care of yourself; you are not by any means out of the wood.

J. Boucher.

JOHN BOUCHER called and sworn.

6479. (*Mr. Price.*) What are you?—A boot and shoe maker.

6480. Where do you carry on business?—In Eastover now.

6481. Where were you carrying on business in the year 1868, at the last election?—In Eastover.

6482. Whose house was it; was it your own house, or was it rented by you?—Mr. Saunders.

6483. How long had you been there in 1868, in Mr. Saunders's house?—I should think about 12 months.

6484. Did you take any part in the election in 1868?—I did not.

6485. None at all?—No.

6486. Nothing to do with it?—No.

6487. How was that; you had been an active politician before, we have heard. Why did you take no part in 1868?—I had made up my mind in previous elections, that I would have no more to do actively in the elections.

6488. (*Mr. Coleridge.*) Did you vote in 1868?—I did.

6489. (*Mr. Price.*) On which side?—Liberal.

6490. For both the Liberal candidates?—Yes.

6491. Vanderbyl and Kinglake?—Yes.

6492. Did you get anything for it?—Yes.

6493. How much?—10*l.*

6494. Who from?—Stacey was the man who paid me.

6495. (*Mr. Coleridge.*) What is his christian name?—George.

6496. (*Mr. Price.*) You call it taking no part in the election, when you voted and took 10*l.* for your vote?—I mean in getting others to vote.

6497. Oh! you made up your mind you would take no part in bribing others, but you would get money for yourself if you could. That is it, is it?—That was it.

6498. What time in the day was it that you got your 10*l.*?—It must have been very near 4 o'clock.

6499. Had you seen anybody on that day on the Liberal side and said anything about money to them?—No.

6500. Then how did you hear that there was "something going on?"—I did not know there was money going.

6501. How did you happen to get it from Stacey?—I will tell you.

6502. Do so, please?—I left my house, I think, about half-past 3, with the intention of going to poll. I had previously made up my mind not to poll that day.

6503. Why? — On account of previous rumours raised against me. I said I would never more have to do with electioneering, nor never poll again, except in a case of emergency and it was a very near run.

6504. And there was 10*l.* about?—No.

6505. At half-past 3 o'clock you went out to poll?—I did.

6506. Do you mean to say you made up your mind, in consequence of what had been said before, that you would not vote except in cases of emergency, and that you had not heard before half-past 3 o'clock, when you went out to poll, that there was money about?—I had not.

6507. Had you had anybody in your shop on that day, before you went out to poll, who asked you about voting?—Yes.

6508. Give us the names of any persons on the Liberal side, who called on you and asked you about voting?—I cannot.

6509. Had any of the lawyers called upon you?—I think not.

6510. Think again. Will you swear that none of the lawyers had been to you about voting?—I will not swear they had not. I am inclined to think, but I am not positive, I am inclined to think Mr. Reed called and asked me if I had been to poll.

6511. What did you say?—I said no.

6512. I thought we should refresh your memory. What did he say to you when you said "no."?—He said I had better go.

6513. Did he say why?—I think the answer he made was, "Every man is a man. It was getting to a near run."

6514. What time was it?—That I could not be certain of.

6515. How long before you went to vote?—I think it must have been about half an hour after dinner.

6516. (*Mr. Coleridge.*) After your dinner hour?—Yes.

6517. (*Mr. Price.*) He said, "Every man was a man, and it was getting a near run"?—To the best of my knowledge it was Mr. Reed.

6518. To the best of your knowledge? you said it was just now?—I believe it was now.

6519. You have no doubt about it?—I have a shadow of a doubt.

6520. Who are you doubting about?—I will not be certain whether it was Mr. Reed or Mr. Lovibond, but I think it was Mr. Reed.

6521. Whoever it was said to you, "Every man is a man." Did you know that Mr. Lovibond and Mr. Reed had been mixed up in bribery matters in the election of 1866?—Well, I cannot say that I did.

6522. Do you mean to say that in 1868, you did not know that money had come through Mr. Lovibond's hands to voters to pay them for their votes, and Mr. Reed's also?—I did not know that.

6523. Had you never heard it?—I never heard that it came from their hands until I heard it in this court.

6524. You never had the least idea then that they had anything to do with the matter?—No.

6525. Not the least?—No.

6526. You never heard the thing mentioned?—I never heard that it came through Mr. Reed's hands, not the least. I was surprised when I heard it in this court.

6527. What did you understand Mr. Lovibond or Mr. Reed, whoever it was, to mean, when he said this, "Every man was a man?"—I understood him to mean it was getting to a near run.

6528. And then you thought money would be going?—I did not.

6529. Then tell us how it was, that you, wishing never to have anything to do with elections, was tempted to do so. Did you mean, when you went out of your house, not to be tempted?—Quite so. I will tell you how it was. I was going up the town, and on passing the "Globe" by I thought I would run in and see how they were getting on in the large room, and I went in with that intention. When I got, I think, nearly to the top of the stairs, I met a gentleman of the name of Jarman. He was coming out of the room, and he caught me by the arm, and he said, "Have you been to poll," and I said, "No, but I have come thus far to go." He did not say anything more, but he took me by the arm and led me over the stairs. I did not know where he was going to lead me, and when we got down the stairs he led me through the street the same way I had come. He walked fast and I followed him.

6530. Did you not inquire of him where you was going?—No.

6531. You were led innocently away, and had no idea where you were going?—No, I had not. I thought he was going in search of a voter, and when we got down to the "New Inn" I went in there with him.

6532. Did he say anything to you as you walked along?—I do not think he did.

6533. Just think. Did you and he walk along in dumb silence together. Did you not want to know what you were going to do?—He walked a little faster than I did.

6534. I thought you said he had hold of your arm?—That was going down the stairs.

6535. You and he went on. Did not he tell you to follow him?—That was down the stairs.

6536. What did he say?—I do not think he said anything. I think he said, "Come along with me," or something of that sort.

6537. (*Mr. Anstey.*) He walked very fast, and what happened?—He walked down the street, and I walked down by the side of him, and I do not think anything passed; and when we got to the "New Inn" we turned in there; and I forget where it was, but I think it was somewhere down the passage that he went over a pair of stairs to a room behind.

6538. (*Mr. Price.*) You went in?—Yes.

6539. Did he go in?—Yes, and he asked me to come in.

6540. And you followed him in?—Yes; and went upstairs.

6541. That was not the polling booth?—No.

6542. Go on?—When I got to the top of the stairs he said something to the people in the room, I do not know what; he was a little in advance of me. Andrew Allan and George Stacey were in the room. He said something, I do not know what, and he turned round and went out of the room; and George Stacey handed me 10 sovereigns, and I do not think a word passed, and then I left.

6543. Was Andrew Allan there?—Yes, and George Stacey.

6544. Do you mean to say after you left the "Globe" nothing was said to you about your vote?—Not a word.

6545. Not a single word?—No.

6546. Then they did not know that you would go and vote, nor anything?—If I had not met Mr. Jarman I should have gone to poll.

6547. That is not the question. Do you mean to say that neither of those two men, Reed or Lovibond, whichever it was who saw you in the morning, or that Jarman, or Allan, or Stacey, never asked you about your vote?—No. There was not a word said about a vote; I do not think so. I will not swear whether Mr. Jarman said, when he accosted me first, "Have you been to poll?" and I said, "No."

6548. (*Mr. Price.*) You knew perfectly well, when you saw Jarman, and were walking along with him in this way, that he was going to take you to the "New Inn" to give you money?—I did not know it till I got to the "New Inn."

6549. Have the Conservatives canvassed you in this election?—Yes.

6550. I mean have they offered you money?—No.

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6551. Have they spoken to you about money?—No.

6552. Or promised you money?—They said if I would vote for them it would be all right.

6553. Who said that?—I think Mr. Herbert.

6554. Who is he?—Mr. William Herbert.

6555. (*Mr. Price.*) Was it not after Mr. Herbert had told you if you would vote for the Conservatives it would be right you made up your mind to go and vote?—After that?

6556. Yes?—Oh, it was hours before Mr. Herbert said so.

6557. When did he ask you?—Many times. During the day I had been in conversation with him.

6558. (*Mr. Coleridge.*) When was the last time before you voted?—I could not say.

6559. Was it before or after your dinner?—I think after dinner.

6560. Two o'clock?—Yes. He said that they were not spending any money. If any men would go and vote for Mr. Westropp they would be all right afterwards.

6561. What did you say to him? Did you say that you would not think of taking a bribe for your vote?—I do not know that I did.

6562. Having got this 10*l.* did you go and vote?—I did.

6563. (*Mr. Price.*) Mr. Jarman you say you followed in this blind confidence without saying a word. What part had Mr. Jarman taken in former elections that led you to follow him wherever he went?—I do not recollect having anything to do with him.

6564. When he called you out and said, "Follow me," what did you imagine he was going to do? Had not you the curiosity to ask him?—I had not.

6565. What did you think he was going to do?—I did not know what he was going to do.

6566. Had you any doubt whatever that he was going to take you down somewhere where you would get money for your vote?—I had no doubt when I came to the door.

6567. But when you left the inn had you any doubt?—I thought it was most likely.

6568. Had he ever done so at any previous election?—No.

6569. Had he given you money?—No.

6570. Had he ever spoken to you about it, or put you in the way of getting it?—No.

6571. What made you think when Mr. Jarman beckoned you down the street that you were going to get money?—When we came to the inn door——

6572. No, no. I ask you whether you had the slightest doubt when you were following down the street without a word being said on either side, before you got to the "New Inn," had you the slightest doubt that you were going to get money somewhere?—I do not think I had any doubt.

6573. What made you feel so confident about it? What was there about Mr. Jarman that made you have this confidence that you would get money if you went with him?—I knew that he was a liberal man.

6574. (*Mr. Coleridge.*) Did not he say it would be all right if you came and polled?—No, I do not recollect anything of the kind.

6575. Did you know that he had bribed at former elections?—I had not knowledge of anything of the kind.

6576. Had you heard it?—I think I might have heard it.

6577. (*Mr. Price.*) You had heard that he was one of the persons who would take care to see a person paid if he went and voted?—Something to that effect. I would not say precisely.

6578. You went and voted?—Yes.

6579. Was that all you got on that occasion?—Yes.

6580. Are you quite sure?—Yes.

6581. Did you go and have some drink?—No, I never drink.

6582. You went nowhere with anybody else?—No.

6583. Was that all the part you took in the 1868 election?—That was all.

6584. Do you know of anybody who received 10*l.* in the same way as yourself?—I do not know.

6585. Not one?—I do not recollect.

6586. (*Mr. Coleridge.*) Had any voter shown you any money he received?—No.

6587. Did nothing whatever, except what you have told us, take place at the "Globe;" that you went upstairs, then Mr. Jarman beckoned you down, and you went away and got 10*l.*?—That was all.

6588. Not a word spoken?—No.

6589. Did you see where Mr. Jarman was coming from in the "Globe" when you first met him?—I met him at the top of the stairs.

6590. Coming from a room?—I think he was.

6591. Did you see into the room?—I do not remember.

6592. Did you see into the room, try and recollect?—I do not recollect.

6593. Did you see Mr. Lovibond there?—No.

6594. Mr. Reed?—No.

6595. Mr. Cook?—No.

6596. You cannot tell us anybody else?—No.

6597. And the only two persons you say at the "New Inn" were Mr. Allan and Mr. Stacey, and Mr. Stacey handed you the money?—Yes.

6598. (*Mr. Anstey.*) Has anybody told you not to recollect the name of any person who was in that respectable committee-room where all the gentry were—the lawyers and all the great men of the Liberal party? Has anybody told you not to recollect the names?—No.

6599. How is it that you recollect the humble names of Allan and Stacey and Jarman, but do not recollect whether you saw Lovibond or Barham, or Reed or Cook, or even Vanderbyl, at the "Globe," which was his own house, you know, that day?—Allan and Stacey, sir, please to observe, were at the "New Inn" where I had the money.

6600. I want to ask you how is it you did not manage to see these persons if they were there?—I did not go into the room.

6601. But the door was opened, or else Mr. Jarman, without performing a miracle, could not have come out?—Yes, the door was opened, but I met him on the stairs. I did not go into the room.

6602. The same motion that let him out of the room would let in your eyesight upon the people there. Now, tell us whom you saw?—I could not mention one.

6603. Do you mean by you "could not mention" you have given a promise not to mention?—I have not. Nobody has ever asked me.

6604. Did you not see any of the persons?—I saw lots of people there.

6605. Do you mean to say that you did not recognize the face of anyone of the lots of people there?—No.

6606. Did you look away not to see?—No.

6607. You are doing no sort of good by not mentioning the names?—I would state it, whether I recognized one or ten.

6608. Did both Mr. Lovibond and Mr. Reed come to you that day?—It was but one of them.

6609. At first you said nobody came. Are you quite sure that all the Liberal lawyers in the place did not come to you that day?—Quite sure.

6610. Did Reed come?—I think Mr. Reed.

6611. Did Lovibond?—No.

6612. Did Cook?—No.

6613. Did Barham?—No.

6614. Did Boys?—No.

6615. You are quite certain it was Reed?—I swear as nearly as possibly I can recollect it was Mr. Reed.

6616. Give us Mr. Reed's words as nearly as you can recollect. What was the first thing he said to you when he came in?—He said, "Have you been and polled?" I said, "No." He said "Why don't you go? Every man is a man. We are getting near driven," or something to that effect—"Every man is a man."

6617. What did you say to that?—I told him that

I had almost made up my mind not to poll any more. He said, "Nonsense! make haste and go and poll."

6618. Did he wink at you when he said that?—He did not.

6619. Did he give you any hint that if you made up your mind to go and poll you would find your account in it?—No.

6620. What made you merely, upon his saying "Nonsense," which is not a very promising word, take up your hat and go and poll?—I did not go then.

6621. What did you tell him?—I told him if I polled at all I should poll for the two Liberals, as I always had done.

6622. What did he say?—He said that the sooner I went the better.

6623. (*Mr. Price.*) The better for you?—No, he did not say that.

6624. (*Mr. Anstey.*) What more did you say?—Up to the present time I had made up my mind that I would not poll, because it was not a near run.

6625. When he went away was he under the impression produced by you that you were going to poll?—Well, I cannot say; I did not say I would or would not.

6626. You left it doubtful?—I did.

6627. Then did he say anything to you about the "Globe"?—He did not.

6628. How did you know the "Globe" was [the place where you were to find out what was going on? You told us just now that you went into the "Globe" to see how things were going on?—Yes.

6629. What made you go there on your way down to the poll, if he had not told you the "Globe" was the place?—I knew that the "Globe" had been at previous elections.

6630. Then this business of the bribery done at the "Globe" and the "New Inn" in this instance was quite conformable with what had been done at other elections?—I never heard anything about it.

6631. Was it quite conformable with what was done at former elections?—Not in the shape of bribing.

6632. You went into the "Globe" to see how things were going on. What did you go to see?—The state of the poll.

6633. You could have found out that at the very polling booth at which you were going to poll?—I did not know that I could.

6634. If your only object was to know the state of the poll, you could learn it at the same time that you were recording your vote?—I was not sure of that.

6635. Did not you go to the "Globe" for the purpose of finding out how other things were going on besides the state of the poll?—No.

6636. (*Mr. Price.*) Was the "Globe" in the way to the polling booth?—It was.

6637. (*Mr. Anstey.*) It was nearly 4 before you polled?—Yes.

6638. You lost time at the "Globe" and the "New Inn"?—No, not much time.

6639. You do not consider it lost time, for you gained 10*l.* by it, but it was within a minute or two of 4 o'clock when you voted?—I should think about 20 minutes.

6640. They had no choice but to bribe you? You would not have given your vote without?—Yes.

6641. (*Mr. Price.*) Why did not you go straight to the poll? It was half-past three, every vote was of consequence. Why did not you go straight to the poll?—It was only curiosity to see how the poll stood that I went to the "Globe."

6642. (*Mr. Anstey.*) If you really meant to go to the poll and vote whether you got the money or not, would you have lost time in running about the streets of Bridgwater at that late hour?—I had to pass before the "Globe" door.

6643. You had not to pass before the "New Inn" door?—Yes, I had.

6644. (*Mr. Price.*) Was not the list of the poll stuck up outside the "Globe," so that you could have seen it in the street without going inside?—I do not know.

6645. Did you look?—I did not.

6646. Did you ask anybody?—I did not.

6647. (*Mr. Anstey.*) Do you suppose that if you could keep back the things which you appear to be keeping back it would make us regard the transaction as any less black than it deserves to be regarded?—I do not want to keep back anything.

6648. (*Mr. Price.*) Do you say that you went in, and never looked to see whether the list with the state of the poll was stuck up outside, and never asked, but that on going in you turned round towards Jarman, came down the stairs with him, and were carried off to the "New Inn" and receive your 10*l.* Do you mean us to believe that you would have voted without that 10*l.*?—I should.

6649. Now, that being the state of things at the 1868 election, let us know what you did in 1866, Vanderbyl's election. You were employed, we understand, by Mr. White to bribe. How much money did you get from Mr. White?—60*l.*

6650. All in cash?—In 10*l.* packages.

6651. Tell us whom you paid that to, what you did with that 60*l.*?

(*Mr. Price, to Mr. White.*) Mr. White, give him that account of yours that you had in your hand this morning, that list. (*Paper handed by Mr. White to the witness.*)

(*Witness.*) Benjamin Hatch, 10*l.*

6652. (*Mr. Coleridge.*) The next?—I think it is James Dabinet.

6653. How much?—10*l.*

6654. Yes?—Scott.

6655. His christian name?—I do not know.

6656. 10*l.*?—Yes.

6657. (*Mr. Anstey.*) Is he a dissenting minister or not?—Not that ever I heard.

6658. (*Mr. Coleridge.*) Well?—Virgin.

6659. (*Mr. Price.*) At the "Forester's Arms"?—Yes.

6660. (*Mr. Coleridge.*) 10*l.*?—Yes.

6661. What is his christian name?—I do not know.

6662. Yes?—James Turner.

6663. How much?—10*l.*

6664. And 10*l.* for yourself?—No.

6665. (*Mr. Price.*) Is Turner the same man who received 15*l.* from Mr. Bussell?—No, I should think not.

6666. What is his christian name?—James Turner, carpenter, Polden Street.

6667. Is that the same Turner?—I do not know; I understand there are two on the list.

(*Mr. Price, to Mr. Bussell.*) According to your account, Mr. Bussell, you gave a man of the name of Turner 15*l.*?

(*Mr. Bussell.*) He is a draper.

(*Mr. Price, to witness.*) Then go on.

(*Witness.*) Joseph Reed, 10*l.*

6668. What did Mr. White tell you you were to have for yourself?—Nothing at all.

6669. Did not he promise you anything?—Yes, I was to poll on trust.

6670. You did not get, then, two forties from him?—No.

6671. How many men do you say you bribed?—Six men.

(*Mr. Coleridge.*) Six men 10*l.* each?

6672. (*Mr. Price.*) Did you bribe Torr?—No.

6673. Dabinet you did?—Yes.

6674. Virgin you did?—Yes.

6675. Turner you did?—Yes.

6676. (*Mr. Coleridge.*) Was this all on the polling day?—Yes.

6677. Did you pay them before you polled them?—I paid Scott before he went to poll.

6678. Did you poll them yourself?—I did not poll Scott. I polled all the rest.

6679. Did you give Torr's name to Mr. White as one of these?—I am quite sure I did not.

6680. You did give him Scott?—I did.

6681. Is Torr a dissenting minister?—Yes.

6682. A local preacher and a tailor?—Yes.

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6683. You are sure you did not pay him any money?—Yes.

6684. Did you get 10*l.* for yourself?—I did, a long time after.

6685. In what form did you get the 10*l.* for yourself?—I think that was the 10*l.*—— (*A pause.*)

(*Mr. Coleridge.*) Come!

(*Witness.*) I was endeavouring to distinguish between two. There is 10*l.* which Mr. White says he gave me a cheque for, but I could not recollect in my mind that he did give me a cheque for 10*l.*

6686. 9*l.* 15*s.* do you recollect his giving you a cheque for?—No, it was not me.

6687. Oh no, it was Gilbert; quite right?—Some time after the election he paid me. I kept on asking Mr. White. I said, "You promised that I should have 10*l.* for my vote, but I have not had it." "Well," he says, "you must wait a bit; you shall have it by-and-by."

6688. How long after the election was it that you got it?—I should think, as far as my recollection serves me, that it must have been quite three months.

6689. Not so early as the 3rd of August?—No.

6690. Have you any recollection of cashing a cheque of Mr. White?—No. I asked Mr. White many times for the 10*l.* He kept on putting me off. He said he was hard driven for money. I said, "You cannot be hard driven for that money because you have had it." He said, "I have not had it, but I will try to get it for you."

6691. (*Mr. Price.*) Had you heard what amount of money Mr. White had had entrusted to him for bribing purposes?—No, I did not.

6692. How did you know he had had that money?—I supposed so because he said that he should be paid.

6693. You challenged him with having it, and he said that he had not received it?—Yes.

6694. (*Mr. Coleridge.*) If you were not paid by him till three months after the election, what would the cheque which appears in his book as having been paid you for 10*l.* a fortnight after the election be? Had you two 10*l.* from him?—No, it must have been much longer than that.

6695. It appears in his banker's book as the 3rd of August, 10*l.* to you?—I did not get the money so soon,

6696. How long after that did you get the money?—Quite three months after the election.

6697. (*Mr. Price.*) About October or November?—Yes.

6698. Was it in a cheque?—I have told you the nearest I can bring to mind.

6699. (*Mr. Coleridge.*) Where did you receive it?—I think he brought it to me.

6700. To your house?—I think so.

6701. Do you think he brought it in gold?—I think he brought it in gold, because I recollect asking so many times for the money. I threatened that if he did not pay me I would go and acquaint the lawyers, and he was very insulting, and I did go to the lawyers.

6702. Whom did you go to?—I told Mr. Cook that I had heard that Mr. White had 10*l.* for me at the last election, and I had not had it. He said, "I know nothing about money matters; if Mr. White promised you 10*l.* you had better go to Mr. White." I said, "Will you allow me to make use of your name?" and I think he said, "You can if you like."

6703. What did you do next?—From Cook's office I went to White's office.

6704. (*Mr. Price.*) When was this, three months after the election?—I should think quite three months.

6705. You went from Mr. Cook's to Mr. White's?—Yes.

6706. Now tell us what passed?—I went to Mr. White's office. He was there alone. I said, "I want my 10*l.* that you promised me." I said, "I have seen Mr. Cook; he told me I was to come to you for it." I think he put his hand in his breast pocket and took out his cheque book, and he was about to draw a cheque for the money, and then he put down the book again, and sat back in his chair and said, "I won't give you a cheque for it now." I said, "Why not?" "Because I won't," he said. I said, "Why not give me a cheque for it? You have had the money." And he faltered and hesitated a long time about it.

6707. He did not deny having had the money?—He did not.

6708. Never?—No.

6709. Very well. Now go on?—I beg to correct that. He said to me once or twice, when I asked him, he had not had it. He would try to get it.

6710. That was in the first instance, but when you went to him this day after going to Mr. Cook, and challenged him with having received it, did he then say he had not had it?—No; after hesitating some time he closed the cheque book again, and he said he would see me with the money; so he brought it to my house either the same evening or the next day; but I am under the impression it was in gold.

6711. By whom was it brought?—I believe he brought it himself.

6712. Was anybody present when it was brought to you?—I have not the slightest recollection.

6713. To the best of your belief it was three months after the election, and in the shape of coin?—Yes.

6714. Does that enable you to say you remember the transaction about the cheque, and he said he would not give it to you?—Yes, he said he could not.

6715. Have you a clear recollection of that?—Yes, I have.

6716. (*Mr. Anstey.*) He said he could not what?—He said he could not give a cheque for it. I asked his reason why. He said perhaps it would be regarded as having to do with the election, bribe money, if I got it at the bank.

6717. Had he given you any cheque early in August?—I do not remember.

6718. (*Mr. Coleridge.*) Had you received any money from him besides this 60*l.* between the election and the time of receiving the 10*l.* three months after?—I received the money for another voter.

6719. (*Mr. Anstey.*) Who brought you the 10*l.* in gold?—I think it was Mr. White himself.

6720. (*Mr. Price.*) Did he say anything when he brought it to you?—I do not recollect any other conversation.

6721. Who was this other voter that you say you had some money from White to pay?—A man of the name of John Sutcliffe.

6722. When did you get that money?—I polled Sutcliffe without money. Mr. White told me that I was to poll as many as I could without money; he did not know what money he might want, consequently John Sutcliffe went without his money; but I told him that Mr. White had told me that the money would be forthcoming for certain.

6723. When did you pay him?—I asked Mr. White several times after the polling day for Sutcliffe's money.

6724. Did you give him the name of Sutcliffe?—I did.

6725. As a man to whom you had promised money and had polled?—Yes.

6726. When you rendered your account?—Yes.

6727. When did he pay you for that?—Something like a week after. After my asking him a great many times he gave me five sovereigns, and he said, "You "take that to Sutcliffe and give it to him, and I will "make the rest right with him myself. He owes me "an account for hay. I shall make myself right with "him. I must make myself right whilst I have the "chance."

6728. (*Mr. Coleridge.*) Then he did not give you that in the form of a 10*l.* cheque?—No.

6729. We are told there was that 20*l.* which is said to be unaccounted for as between the money received from Andrew Allan by White, and the money accounted for by White. When did you hear of this money being missing?—The day after the polling day.

6730. Whom did you first hear it from?—From White himself.

6731. At that time you had not had your own 10*l.*, and you had only had the 5*l.* for Sutcliffe?—I had not had the 5*l.* for Sutcliffe then.

6732. Tell us what he said about it?—He said, "I am 20*l.* short in my account."

6733. Had you given your account to him then?—No. He asked me for the list, and I gave him the same list as I had polled the men from; and he said he would take it home, and he did. I saw him again afterwards. I says, "Is it all right?" He says, "No, I cannot make it come right." "Well," I said, "you know very well there is no mistake about what I had," and I refreshed his memory as to how I had the money. I fetched the money. Mr. White says he brought me the money. It is no such thing, I fetched the money at his house. First he gave me two packets of 10*l.* each, with them I paid the first two men. I went again to his house, and then I had four packets.

6734. Was anybody present?—I think not.

6735. (*Mr. Price.*) You called it to his mind?—I said, "You know I came over first and you gave me two packets."

6736. This was the next day?—The very next morning. And then I had, secondly, four packets, which made 60*l.* That was all the money I had, and the only times I went to his house for money.

6737. The first time you told him of this what did he say?—He said, "I do not know how it is, I am 20*l.* too short." I said, "You know very well that I can-" "not have had it; there cannot be very much mistake "about six packages of money."

6738. Did you decline to furnish him with any of the names to whom you said you had given money?—I gave him all the names correctly.

6739. You kept back no names?—No.

6740. Did you give away these 10*l.* packets of gold without opening them?—Yes.

6741. Every one of them?—There was one opened by accident. I think I said I paid them all the same day, but I did not. I carried in Virgin's the next day.

6742. Virgin is dead?—That I believe was open. I would not be sure.

6743. That happened to open, and you saw it was 10*l.*?—His wife is living, and she took the money.

6744. What further occurred when you gave Mr. White the names? Having given him the names, he said, "Well, then, I cannot make it out." He was 20*l.* short. What else passed?—Then he left again. He left my house. Whether it was the same day or the next I do not know; I think it was the next day; he came down again, and he still said he was 20*l.* minus.

6745. Did he tell you on either of these occasions how much he had received?—He did not.

6746. (*Mr. Coleridge.*) The second day after the poll he came again. Did you have a row then?—We did.

6747. Tell us about that?—He said he was 20*l.* minus. I got very much annoyed with him. I thought whether he had an idea or was insinuating that I had the money. I told him he must be satisfied in his own mind that I had not had the money. He said he could not recollect whether I had or not; he could not recollect how many packages I had, and so on. I told him he must recollect clearly what he gave me.

6748. Who was present? Was your wife there?—I would not be sure as to that.

6749. Was anybody present?—I do not think there was.

6750. Was your wife within hearing?—She would be in the next room.

6751. You say there was a row. If there had been loud voices would she have heard them?—Yes, I think she would. It was in the shop.

6752. (*Mr. Price.*) How did it end, then? Was that all that took place that day, this dispute?—Yes, it was. I told him positively and decidedly that he knew I had not got the money; and he saw I was very much annoyed and very much insulted.

6753. Were you his tenant?—I was.

6754. Were you owing him any money then?—Well, I think not. I do not think there was any rent due then.

6755. He said he had advanced money to you from time to time. Had he done so?—Not then.

6756. Did you see Andrew Allan about the matter?—I did not.

6757. You never took any further steps?—I will speak positively about that point, that we never spoke to one another about the matter from that day to this; and I never knew but what the 20*l.* had been accounted for till I heard Andrew Allan say he was 20*l.* minus.

6758. Were you on bad terms with him after this matter?—I did not speak to him for some time.

6759. When did you make up the difference? When did he begin to visit you again and come to your house?—It might have been some three or four or four or five months before we got on speaking terms.

6760. (*Mr. Coleridge.*) He had paid you in the meantime?—Oh, yes; he paid me the 10*l.*

6761. But that did not heal the quarrel at once?—Oh, I think——

6762. (*Mr. Price.*) Was nothing whatever said about the 20*l.* then?—Not a word.

6763. Not a word about keeping it back and your being wrong in that 20*l.*?—No.

6764. He never mentioned this deficiency?—No.

6765. (*Mr. Coleridge.*) Can you swear distinctly and positively that he did not give you a cheque for 10*l.* some time in the first week in August?—I could not swear to that.

6766. If he did it would be another 10*l.*, because the 10*l.* you got from him for voting you say was paid three months after the election?—Yes.

6767. On the 3d August he says he paid you a cheque for 10*l.* Is that true or is it not?—I am under the impression that the 10*l.* paid me for the vote was not in a cheque.

6768. You have told us that. Can you distinctly swear that you did not in less than three weeks after the election receive a cheque for 10*l.* from him? Can you swear that distinctly?—I cannot swear.

6769. (*Mr. Price.*) But if you did, what would it be for?—I was going to say that if I did receive a cheque for 10*l.* from him, it was in this way. I had been in the habit, when making up an amount, if I was a few pounds deficient I would ask him to lend me a few pounds. If I had 6*l.* or 8*l.* and wanted 10*l.*, I would give him what I had and ask him for a cheque for 10*l.*, and he would do it.

6770. You were in the habit of cashing cheques of Mr. White?—Yes.

6771. You are quite sure that cheque was not for your vote?—It could not have been for my vote.

6772. But was it for your vote? This is a serious matter. Here is a payment to your name, by cheque on the 3d of August, of 10*l.* Are you perfectly certain that what you have told us is correct, that you did not get the 10*l.* for your vote till three months after?—I am sure I did not get it within three weeks of the time.

(*Mr. Coleridge.*) Did you get it in the month of August?

6773. (*Mr. Price.*) Did you get it in August?—I could not say.

6774. The end of August would only bring it to six weeks. If you got it then, you got it within six weeks of the election. Would you swear you did not get it in August?—I cannot swear positively.

6775. You told us distinctly that you are certain that the money which was paid for your vote was paid you in sovereigns and brought to your house by Mr. White, and that what makes you recollect it is, that he pulled out his cheque book and was about drawing out a cheque, and then said, "Oh, I won't give you a cheque, because it would appear like bribe money"?—Yes; I believe that the cheque was not for the vote. I believe he brought it in gold. That cheque must have been had in the way I speak of.

SEVENTH DAY.

J. Boucher.

30 Aug. 1869.

6776. To the best of your belief you have stated the truth when you say that the 10*l.* which you got for your bribe was paid in cash by Mr. White himself?—I did.

6777. And that when you asked him for it he was about to draw a cheque, and then said no, he would not, because it might appear like bribery?—Yes.

6778. You are clear about that?—To the best of my belief.

6779. (*Mr. Coleridge.*) Is there any other Boucher?—No.

6780. (*Mr. Anstey.*) Do you remember his filling up a cheque when he was hesitating whether he should give you a cheque or not? You know he took the book out of his bosom. May it not have been that he filled up a cheque payable to somebody or other, and did not give it to you?—No; he did not fill up a cheque, I think, because he put it into his pocket again, and I felt very much disappointed. I thought I was going to have the money.

6781. (*Mr. Price.*) Should you think that was as late as October?—I think it must have been very near that time.

6782. (*Mr. Anstey.*) Do you know his handwriting?—Well, I do not think I could swear to his handwriting.

6783. I do not want you to look at any other part of this book. Just look at that one leaf there, the first. I do not want you to open all the counterfoils. Look at that one. Is that White's handwriting? (*The counterfoil end of an old cheque book was passed to the witness.*) Well, I could not say, sir. I could not say for certain.

6784. What bank was this on which he was going to give you a cheque? Do you know?—I really do not recollect.

(*Mr. Anstey.*) I must ask you, Mr. White; you speak of having paid people in cheques. Who is your banker?

(*Mr. White.*) Captain Ford, West of England bank.

(*Mr. Anstey.*) You name the manager of the bank, and you call him your banker, instead of naming the bank.

6785. (*Mr. Price, to witness.*) Well, that is your recollection, is it, of the matter?—Yes.

6786. As clear as you can bring your mind to bear upon it?—Yes.

6787. Well, that being so, you say that you never heard of any dispute about this 20*l.*, as between Allan and Mr. White, with the single exception of the day when Mr. White spoke to you about it on two occasions?—That is all.

6788. And you believed it had been all settled until you heard it stated in the box?—Yes.

6789. It is due for me now to put this question to you. Will you solemnly swear that you did not take any 20*l.* that you received for bribery at that election and put into your own pocket?—I do.

6790. That you swear solemnly?—I do.

6791. Nor have you kept back any name of any person to whom you gave money?—No.

6792. And the account you have given of the disposition of this 60*l.* is true?—Yes.

6793. And the people can be got at to vouch for your statement?—Yes.

6794. With the exception of Virgin, whose widow saw the money paid the day after?—Yes.

6795. Do you know whether or not any of those different persons whom you have mentioned had received money from anybody else at that election?—During that same election?

6796. Yes?—I heard, I do not know whether it is true.

6797. Tell us what you heard?—I heard that Scott drew another 5*l.*

6798. Whom from?—Allow me to say I paid Scott before he went to the poll.

6799. You gave him 10*l.*?—I gave him 10*l.* in his own house in the morning.

6800. I think you said he was not a dissenting minister?—No.

6801. What is he?—He is a brickyard labourer.

6802. (*Mr. Anstey.*) Is he in Bridgwater now?—Yes.

6803. What is his christian name?—I not know. He lives in Wellington Road. I was going to say that he promised me for certain that he would go and poll in his dinner hour; he did not want to lose any time, consequently I paid him the 10*l.* His wife had said he should not go to poll until she had the money; and I paid him early in the morning with the understanding that he should go to poll at dinner time, in his dinner hour. I heard in the after part of the same day that he would not go to poll before he had another 5*l.*, and if I recollect rightly the man's name was given to me who paid him another 5*l.* It was Mr. Bulpin.

6804. Charles Bulpin?—I do not know his christian name. I never taxed Scott with it. It was only reported to me.

6805. Is that the only instance that you know of these men that you gave money to where they have been said to have received their money again?—That is the only instance.

6806. Are there any of those that you have mentioned who you have heard received money from the other side at that election?—No.

6807. Were these men persons who you knew would take bribes?—Yes.

6808. What is Mr. Dabinet?—He is a boot and shoe maker.

6809. A master shoemaker?—No.

6810. A working shoemaker?—Yes.

6811. What was Virgin? The keeper of the "Foresters' Arms?"—Yes.

6812. Was he a shoemaker as well?—No.

6813. Scott you have told us was a brickyard labourer?—Yes.

6814. What was Turner?—A carpenter.

6815. A working man or master?—A working man.

6816. What were the others?—Hatch was a shoemaker.

6817. A working shoemaker?—Yes.

6818. You are a master?—Yes.

6819. Do any of these men work for you?—No; they have made an occasional pair for me, but never work for me regularly.

6820. How many men do you generally keep in your employ as a master shoemaker?—At that time I suppose I had seven or eight.

6821. In constant employment?—Yes.

6822. Then we may take it you were doing a very good trade?—I do not know about "very good." I was getting a living.

6823. Do you mean to say you were only getting a living?—Yes, that was all. I have a very long family. I have eight children.

6824. Do you know of anything that took place on the other side with regard to money paid that day?—No, I do not know that I knew anything.

6825. You cannot tell us anything of the kind?—No, I am sure I cannot.

6826. Had you been ever employed before at any other election to do the bribing business?—No.

6827. How was it that you came to be selected on this occasion?—I suppose it arose from the fact of my living under Mr. White, and he had a good deal to do with it.

6828. A good deal to do with what?—Bribery.

6829. Because you lived under Mr. White therefore Mr. White had a right to suppose you would go and do bribing for the party?—First of all Mr. White asked me if I would canvass the men for him. He came and showed me the list.

6830. Are you quite sure you were not under any money obligation to Mr. White, in the way you have told us?—No, not the least. I do not believe I was.

6831. You have told us that on the 3d August you might have had this 10*l.* cheque for the purpose of making up a sum of money to 10*l.* Are you quite sure that nothing of that kind was the state of things

between you when he proposed for you to become a briber?—I am sure I have no recollection of the matter at all.

6832. Had he dealt with you in the way of your business?—Yes.

6833. And you were his tenant. Perhaps you owed him rent?—I do not think I did.

6834. Has he forgiven you any rent?—No.

6835. Has he ever forgiven you any?—No, he is the wrong man.

6836. Had you voted at previous elections?—At Bagehot's.

6837. Had you taken any money at Bagehot's election?—Yes.

6838. Did he know that?—Yes.

6839. Who gave it to you?—Mr. White.

6840. He has sworn that he had nothing to do with giving money at Bagehot's election. How much did he give you?—10*l.*

6841. Where?—It was allowed out in rent some three or four months after the election.

6842. Did he allow it out of his own pocket?—Not likely.

6843. Why do you say "not likely"?—Because I am sure he would not do it; I am sure he had the money.

6844. Did you hear at that time that he had money entrusted to him to bribe with?—I did.

6845. How much in that election?—Not in that particular election. I heard that he was a man who was always in the habit of having money for the purpose.

6846. Was it early, or in what part of Bagehot's election did he allow it out in rent?

6847. (*Mr. Coleridge.*) Who canvassed for your vote?—I was living in his house.

6848. (*Mr. Price.*) You were his tenant?—Yes.

6849. (*Mr. Coleridge.*) What was the rent?—20*l.* a year.

6850. (*Mr. Price.*) How came you to have this bargain with him for your vote that you were to have 10*l.* allowed?—He had the list of names whom he polled, and I was down on that list, and as I was on his list I was put down for a payment for which of course he got the money.

6851. What was put down to your name?—10*l.*

6852. How did you know that?—He promised it.

6853. Was that before the elcction?—Well, I think it was polling day.

6854. And did not he tell you to go to Andrew Allan?—No.

6855. Well now, go on?—I went to poll on the faith of having 10*l.* of him.

6856. What time did you poll?—I do not recollect.

6857. Late or early?—I think somewhere about 10 o'clock in the morning.

6858. You polled on the faith of the 10*l.* When did you next ask him for it?—The week after the election.

6859. What did he say?—He said he could not pay me.

6860. Why?—He said he had not had it.

6861. How often did you ask him for it after that?—I might have asked him for it ten or a dozen times, perhaps more.

6862. Did he always say the same?—He said he had not had it.

6863. Eventually you did get it?—I asked him once or twice. I said, "If you have not had it, as I want money perhaps you will advance it for me. You say you are quite sure to get it;" and he said he could not do that. I told him I wanted money. I had bills to pay occasionally, and I wanted money. He promised me the 10*l.*, and I was depending upon that to help me.

6864. What time of the year was it that you owed him 10*l.* rent?—It would be coming due next quarter.

6865. When it became due did he allow you for it as rent?—Yes.

6866. Did he give you a receipt?—Yes.

6867. Have you got it?—Yes, I have got it.

6868. (*Mr. Anstey.*) Which of you proposed the allowing it out of the rent?—When rent day came I reminded him again of the 10*l.*, and I told him I should stop it out of the rent.

6869. What did he say?—He allowed me to do so.

6870. (*Mr. Price.*) You said, "I will stop it out of the rent," and he said, "Very well, you shall"?—Yes. He gave me the receipt.

6871. (*Mr. Coleridge.*) Did you know of his having received money to pay away at that election of Bagehot?—I did not.

6872. Did you know anybody that he paid besides you?—No, I did not.

6873. (*Mr. Price.*) You have not heard of it?—I have not heard of it.

6874. That was the way in which you say he came to you or asked you in the second election of 1866 to undertake to bribe?—Yes.

6875. At Vanderbyl's election you became a briber. At Bagehot's election you were only bribed. At Vanderbyl's you became a briber as well as a bribed man. You took it both ways. Was it in consequence of his finding that you would take money for your vote at a former election that he asked you if you would go and give other people money?—It might have been; I will give you the conversation. He asked me if I would help him bring these men up to the poll.

6876. Did he mention the names? Did he show you the list?—Yes.

6877. Those names which you have given us?—Yes, and some others. I told him I would. Then afterward, after I promised that I would canvass the men and try to bring them to poll, then he said, "You might as well pay them too." I told him I did not mind doing that.

6878. That was the way you were employed on that occasion?—It was.

6879. Well now, then is that all. You have made some very important statements, you know. Is that all that you can tell us with regard to the part that was taken by you in Vanderbyl's election of 1866 in conjunction with Mr. White, or is there anything more about it, because you are bound to tell us everything?—All that I did at that election was to try and bring men up to the poll.

6880. At Vanderbyl's election, when you were a briber, have you told us all that took place on money matters?—I was going to remark on the name of Torr.

6881. Torr is one of the names that Mr. White has returned as one that you gave to him. Now, I understood you to say you did not give him Torr's name?—Mr. Torr was one of the men in the list which I was to get to poll. I went to Mr. Torr and asked him if he would come to poll for us. I believe he always had been upon the Liberal side before. Mr. Torr said that he always understood that everybody else, or nearly everybody else, had had money.

6882. In Bridgwater?—Yes. It was a general report, and he did not see why he should not have money too. He said that he never had had any, but he did not see why he should not. I told him that I had no hands with the money myself, but I was only acting for Mr. White.

6883. Is Torr a master tailor?—Him and his son together.

6884. He is a master tailor?—Yes.

6885. And a local preacher?—Yes. I told him that I would tell Mr. White; I should give in his name as one who expected money. I reported so to Mr. White. Mr. White said, "He did not have money before." I said, "He tells me so, but he expects some; he does not see why he should not have some as well as other people." He said, "Try and get him to poll without, and we will pay him afterwards." I said, "Shall I poll him on the faith of your word?" and he said, "Yes. He shall have 10*l.* if you will poll him." And I went and told Mr. Torr that Mr. White had promised that he should have 10*l.* after the election, and the old gentleman went to poll on that promise. After the election was over I asked Mr. White for the 10*l.* I returned his name as one that had not been paid. Mr.

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J. Boucher.

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White said, "I have not got the money." I said, "You can get the money. He expects the money from me." "Besides," Mr. White said, "he did not ought to have the money. He never has had money." I said, "That "has nothing to do with you. I shall expect you to "get it. I promised the man, and he expects me to "get the money." Mr. Torr came to me ten or a dozen times, and asked me if I had heard from Mr. White. I knew what he meant. I held out a hope to Mr. Torr for weeks or months that Mr. White was promising me to get the money for him; and I had asked Mr. White for the money times without number, till finally I met Mr. White in Edward Street. When I saw him coming I thought I would ask him again for Torr's money.

6886. When was that?—I should think that must have been two or three months after the election. I met Mr. White in Edward Street, and I said, "Now, "Mr. White, are you going to let me have the money "for Mr. Torr?" and he said, "No." I said, "You did "not mean to pay him, for you certainly must have had "the money." He said, "I have not, for I cannot get "it." I said, "Why did you promise the man?" I said "We cannot get men to go to the poll again on "promise. Be decided with the men. Tell them "either that you mean to pay them or you don't mean "to pay them." I said, "What shall I tell Mr. Torr?" He said, "Tell him to go to hell and be damned." I said, "Is that your answer?" He said, "Yes." I never asked him for the money afterwards.

6887. Have you had any conversation with Torr about it?—I have told Torr time after time, time after time, that I had asked Mr. White for the money, but I have never told Mr. Torr, I believe, the last message that was sent.

6888. (*Mr. Coleridge.*) Not that civil message?—No.

6889. (*Mr. Anstey.*) Has Torr never had the money?—No.

6890. Not only never had the money, but has been positively and peremptorily and rudely refused the money?—He has.

6891. Therefore it is impossible that White can have made any mistake about this if what you are stating is true?—He cannot have made any mistake.

6892. You say you never did give him Torr's name as having been paid 10*l.*?—Never.

6893. Then if that 10*l.* is to be added to the other 30*l.* this makes 40*l.* Did you know anything about the 10*l.* that he had paid to Bottomley?—I never heard anything about it till I heard it in court.

6894. Suppose Mr. White has kept back 40*l.* of the money which he had, has he or has he not received something like 10*l.* more than the highest bribed voter out of that lot, which is Mr. Powell, who received 30*l.* If he has kept back this 40*l.* he has received 10*l.* to himself more than the highest bribed voter on that occasion?—I should think it is very likely.

6895. (*Mr. Price.*) You think it is likely he has?—I should think so. That is his general character.

6896. (*Mr. Anstey.*) Is there any room for a mistake? Is it possible that Mr. White can have made an honest mistake in this matter; or do you mean to swear that he has falsely sworn to what he has deposed to-day?—I mean to say that he has deliberately sworn false.

6897. (*Mr. Coleridge.*) When did you last see Mr. White to speak to him?—He has been coming to and fro to my house for some time.

6898. Was the last time Friday or Saturday?—That he called on me?

6899. Yes?—On Friday evening.

6900. Who was present?—Mr. Chant was standing at the door.

6901. Were you at the door?—I was.

6902. Who first spoke, you or White?—I think Mr. White spoke. I saw him coming by the window. He came up looking very smiling and good-tempered, and he said, "I have come down to speak to you." I said, "If you come inside my shop door I will kick your backside." He did not take that as an answer, but he still smiled and said, "We had better see about putting those two accounts together." I said, "You "vagabond, how did you dare to go up before the Com-"missioners and before the public, and say that I had "stuck to 20*l.*?"

6903. Did he hear you out?—Yes.

6904. Then did he make any answer?—No, he began to walk off.

6905. You are sure he heard all that complimentary language first?—Yes, I am sure he did.

6906. Is Chant in court to-day?—No.

6907. (*Mr. Anstey.*) What is the name of the other man who was there?—I do not recollect the second man.

6908. He said there was another man there, not a stranger, but a man whose name he does not recollect. He has forgotten in the interval between Friday night and to-day?—I do not recollect any other man.

6909. (*Mr. Price.*) Where does Chant live?—The very next shop to mine.

6910. (*Mr. Anstey.*) Can you tell us any other tens of pounds which Mr. White has taken credit for paying, but which he has pocketed?—I do not remember any other.

6911. (*Mr. Price.*) Is it not true that there is a strong feeling amongst the humbler class of voters in this town that those who have had the distribution of the money have stuck to it in many instances?—It is.

6912. It is the impression?—It is.

6913. Has that grown up from any accounts that have come out either at the last election inquiry or at any previous election inquiry, the accounts that have been given of the sums spent. They have seen, you know, the account of the sums spent, and they know what they have received, and therefore they have found that all the money has not gone in bribery?—I think it might have arisen from that.

6914. (*Mr. Coleridge.*) When was the next time before this time that you told him you would kick him out of the shop; when had you seen him before in the shop to speak to him. During the last week had you seen him?—Yes.

6915. Had you had any conversation with him about these matters?—Not a word.

6916. When was the first time you had any conversation with him about this inquiry?—I do not think that ever we have mentioned it.

6917. How long since you got upon good terms again since that election when you fell out?—We were not bad friends not about two or three months.

6918. After he paid you the money you were pretty good friends?—We have been.

6919. From that time to the present you have been on good terms?—No, we fell out after that, after I left his house.

6920. Why did you leave his house?—The reason I left his house was because the wet came in the shop window and spoilt the goods.

6921. Did you pay him his rent?—I paid him his rent. What we fell out finally about was he had told some people that I owed him 20*l.* for rent.

6922. Then you had a quarrel with him. How long had you been on good terms with him up to the time of your threatening to kick him out of your shop?—From a few weeks after the election up to the time I left his house. Then from what he said about me then we were not friends for eight or ten months.

6923. For the last half year have you been on good terms?—Yes.

6924. Was the first time you mentioned this inquiry to him that day when he came up to your shop and asked you to go through the accounts?—Yes.

6925. During the last week have you been on sufficiently good terms to make up the accounts if he liked?—Oh, yes, I have bought goods from him and done business with him.

6926. He has told us that the reason he could not do it was that he was not on good terms with you?—It is a lie. He came in only the week before last.

Why I bought some cabbages of him, and I had bought them before.

6927. You had not any political conversation then?—No.

6928. Have you ever received anything for voting at a municipal election?—No.

6929. Not a farthing?—No.

6930. No beer?—No, I never drink it.

6931. Do you know whether it is the system to pay voters at municipal elections?—I do not know, I never mix up in them.

6932. You are a voter?—Yes.

6933. You never take any part in them?—No.

6934. There is no money going?—Not that I ever heard.

6935. Did you vote in 1865?—No.

6936. Why?—I had not got a vote.

6937. Did you have anything to do at that election as a messenger or runner?—No.

6938. In 1859 had you a vote?—No.

6939. The first time you ever voted was the first election of 1866?—Bagehot's.

6940. Then you got 10*l.* in coin; the next election you got 10*l.* in coin; and at the last election you got 10*l.* again?—Yes.

6941. (*Mr. Price.*) Were any payments made with regard to your rent or rates? Is there any system of paying a voter's rates for him to keep him on the register?—Not that I am aware of.

6942. Has there ever been?—No.

6943. (*Mr. Coleridge.*) You know the time the revising barrister generally comes to revise the lists here, Mr. Slade?—I do not.

6944. You never attend the revising court?—No.

6945. Have you given us a full disclosure of all the part you took in the election of 1868, and the two of 1866?—I have.

6946. Is there any other information respecting the part you took or the part taken by others, of which you know nothing, that you can give us any history of?—Nothing that occurs to me now.

6947. (*Mr. Anstey.*) Take care and bring us the receipt you have for your rent on the occasion of which you spoke, namely, when the amount of your bribe was allowed you by Mr. White in your rent?—I will bring it to-morrow.

6948. (*Mr. Coleridge.*) Was that receipt of the usual form, or was there any memorandum of the circumstance?—The usual form.

6949. (*Mr. Price.*) When you say that you think with regard to this 10*l.* cheque it must have been that you took 6*l.* or 8*l.*, that he added the difference and gave you a cheque; did he take any memorandum or I O U, or anything of that kind?—Always; he never lent money without.

6950. According to that, if that was a transaction of this kind, this 10*l.* is the 3rd August; he would have a memorandum of it, that he would make you sign if there was one?—He would always enter it in a pocket book he kept.

6951. Did he make you sign it so as to show you had the money?—Yes, always.

6952. Can you say whether you have ever paid him back any sum, any balance at any time?—I could not speak of any particular time.

6953. Were you often having these money transactions with him?—No, not very often.

6954. When you paid back anything did you see him scratch out of his book your name?—No.

6955. What then?—He would take an I O U, and I would sign it, and then he would give it up to me.

6956. (*Mr. Coleridge.*) Have you any of those I O U's?—No, I have not. I used to tear it up at once.

6957. Are you aware that with all these transactions you have spoken of this is the only time that your name appears in this book, which extends from 1864 to 1868? Do you think there was any other time that he gave you a cheque except this time, if he did give you one then?—Yes, I think so. I have had two or three in that way of him.

6958. (*Mr. Price.*) Would they be filled up in your name, or "self," or "bearer," or what?—"Pay to the bearer."

6959. Would your name be filled in?—No, it would not be filled in.

6960. (*Mr. Anstey.*) That is what I asked just now?—I did not understand that.

6961. (*Mr. Coleridge.*) Did he make it payable to order or to bearer, generally had you to sign your name?—I did not get it cashed. If I got a cheque it was to send away somewhere.

6962. (*Mr. Anstey.*) Used you before you sent it to endorse it?—Without endorsing it.

6963. (*Mr. Price.*) You sent it in the way of payment of goods?—Yes.

6964. (*Mr. Coleridge.*) It is only fair to state that I am under a misunderstanding here, that Boucher's name does appear more than once. There is, "October, 10*l.*," and "November, 5*l.*" Those are the only two?—I fancy I have a recollection of a larger sum than that.

6965. (*Mr. Coleridge.*) I cannot find it. Is there a man of the name of Bowditch in the town?—There might have been.

6966. (*Mr. Price.*) October, 10*l.*, and November, 5*l.*; do you think there is still a larger sum?—I fancied there was.

6967. How much do you think?—I fancied I had a cheque of his once of something like 21*l.* on which I paid him 15*l.* or 16*l.* down, and he gave me the balance for the cheque. I am not very clear on that point, but I should have said so if anybody had asked me.

6968. Did he ever do such a thing as pay you a cheque of someone else's which he had received in any way?—No.

6969. (*Mr. Anstey.*) Do you remember the occurrence which White was speaking about, the complaint made against him with respect to his receipts of money as collector of Inland Revenue or income tax?—I do not.

HENRY CHAPMAN BUSSELL recalled. *H. C. Bussell.*

6970. (*Mr. Anstey.*) Can you tell me on whose recommendation your father was appointed to the highly responsible office which he held in the gaol in 1836; he having distinguished himself in 1832 and 1835 as a practised briber at parliamentary elections?—I do not know.

6971. Do you remember what influence was then paramount, the Liberals or Conservatives?—I believe there was a change, and a new municipal corporation came in, but I have no knowledge of the matter.

6972. Was it after, and in consequence of the transfer of power from the close corporation of Bridgwater to the municipal corporation of Bridgwater under the new Act that he obtained the post in the gaol?—I should think there was a vacancy and he got the appointment.

6973. After that change?—Yes.

6974. (*Mr. Price.*) Whilst you are there I should like you to tell me, in consequence of information which we have received, what truth or what foundation you think there was for your statement the other day that Colonel Tynte had received 1,000*l.* from Brighton, which he had spent in gambling?—You asked me to say all I had heard, all hearsay, and I gave it to you as hearsay. It was reported at the time, that is all the foundation I had for it. I should not have named it if you had not asked that from me.

6975. Colonel Tynte has written to us, and so it is due to him that we should state it that he indignantly denies those imputations, and says that there is not the slightest foundation for them; and no doubt if he has seen the report he would have seen that it was

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H. C. Bussell.

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stated only as what you had heard?—There is no doubt that a large number of parties I named would say it is untrue, but then they must go into the box.

6976. I think you said the same thing to the same extent with regard to some money being supplied by Lady Cooper, his sister?—That was a report, the same as the 1,000*l.* was. I do not know anything of my own knowledge.

W. Heal.

WILLIAM HEAL sworn.

6977. (*Mr. Price.*) What are you?—A manager of a brickyard.

6978. In Bridgwater?—No, at Durston Station.

6979. Have you lived in Bridgwater any time?—Yes, I lived some years prior to my going away.

6980. What were you then?—A brewer.

6981. A master brewer?—Yes.

6982. Employing a good number of men?—One or two.

6983. Had you any what are called public-houses of your own?—Two or three.

6984. When did you cease to be a brewer?—About three or four years ago.

6985. That would be 1866?—About 1866 I should think.

6986. Dtd you then leave the town and go and live where you are now?—No, I went to live at the "Bath Bridge Inn," on the Bath Road.

6987. Leading into Bridgwater?—I did.

6988. When did you leave that?—One or two years ago, not so long as that.

6989. Was your house open at the last election?—Last April twelvemonth.

6990. Was it open for treating at the last election?—I was not here.

6991. Was the inn open; was it your house?—It was not my house.

6992. Who was the occupier of it at the last election?—I do not know.

6993. When did you part with it?—I became bankrupt, and it was taken from me. I was not here at the last election at all.

6994. Now, the election before that, Mr. Vanderbyl's election in 1866; were you then living at the "Bath Bridge Inn"?—No.

6995. You were then a master brewer?—Yes.

6996. Did the "Bath Bridge Inn" belong to you?—Yes, the "Bath Bridge Inn" did belong to me then.

6997. What other house had you of your own then?—We had a house on the Wemdon Road, out by the "North Pole," the "Compass."

6998. Now, what had been your politics up to that time?—I always was a Liberal.

6999. All your life?—Yes.

7000. Had you always voted for the Liberals?—No, I voted in one case for the Conservatives.

7001. When was that?—At Westropp's election.

7002. That was in 1865, when he was unseated?—Yes.

7003. Did you get any money for it?—I went to London.

7004. Did you get any money for voting for him? I cannot answer that question now at once, but I will come to that by-and-by.

7005. Why cannot you answer that?—Yes, I did get money; I do not want to keep anything back.

7006. Then you did get money at Mr. Westropp's election in 1865, for voting for the Conservatives?—I did.

7007. How much did you get?—200*l.*

7008. Do you mean to say that you got 200*l.* for your vote;—I did, I kept it.

7009. Did you get that 200*l.* for your own vote?—Yes, I kept it for my own vote.

7010. Did you get it for your own vote?—It was given to me to give to others, but I kept it.

7011. Given to you to bribe other people with?—Exactly.

7012. How much was it arranged that you yourself should have?—Nothing at all was ever offered me for that.

7013. Did you ask for anything?—I did not.

7014. What on earth induced you to take 200*l.*; did you promise to distribute it away in bribery?—I did; it was given me for that purpose.

7015. Who gave it you?—I do not know.

7016. Where did you get it?—I got it the night before the election, in Queen Street, in this town.

7017. Where at?—In the part of the street up by the Methodist chapel.

7018. At what house?—No house; it was in the street.

7019. Who gave it you?—I do not know.

7020. A perfect stranger?—A perfect stranger.

7021. What was said?—The money was given to us, and that was all.

7022. Who was with you?—Mr. Jarman.

7023. It was given you to bribe other people, you say?—Yes.

7024. Who made that bargain, that you were to have the money to bribe other people?—I attended a meeting.

7025. Where?—At Mr. Harden's, the baker, who is now keeping the "Golden Ball."

7026. Was that a meeting of Westropp's supporters?—Yes.

7027. How came you to attend that meeting if you are a Liberal?—Because I was promised on a former occasion 40*l.* by a man named Foster.

7028. To do what; what were you bribed for?—For working an election.

7029. Was it for your vote?—No, it was for bribing.

7030. You were promised 40*l.* to go and bribe with?—Yes.

7031. Did you get it then?—I never did get it.

7032. Were you to have nothing for yourself?—Never.

7033. Had you promised men to give them the money?—I gave it them.

7034. Out of your own pocket?—No.

7035. Now, you went to attend this meeting, you say, of Mr. Westropp's supporters, at Frederick Harden's?—Me and Harden, Frederick Temblett, and then a man in the moon, I suppose he was called.

7036. A stranger?—He was an utter stranger to me.

7037. (*Mr. Coleridge.*) And Jarman?—Yes.

7038. What sort of looking man was this man in the moon?—Well, he was another such a gentleman as you, but was stouter.

7039. Was he dark or fair?—He was a fairish man, as well as I can remember, but in stature he was about your height.

7040. You are sure he was a fair man?—I would not swear it.

7041. Was he disguised?—Not the slightest.

7042. How was he dressed?—Gentlemanly like.

7043. Dark clothes?—Well, I believe he had on dark clothes. I would not be positive, but in every respect he appeared to be a gentleman.

7044. (*Mr. Price.*) Had you any conversation with him?—Very little.

7045. What did he say?—He wanted in the first place to give me and Jarman about 70*l.* or 80*l.* I believe was the amount, but we told him it was no use; then it was afterwards decided that we should have 500*l.* After a little the gentleman went, and I and Jarman went down into King Street, and I believe that he came from a house—there are two little houses there, where Mr. Reed the missionary lived—and my impression is that he came from one of the houses, not from Mr. Reed's, but my impression is from the neighbourhood there in King Street, and he brought

out five packets, and gave me two and Frederick Jarman three packets; then he left us, and never said anything to my knowledge more than that there were two for me and three for Jarman. Then I and Jarman went down along the Quay and walked up as far as the brewery, and Jarman opened one of the packets there and gave me 50*l.* out of it, and I had 250*l.* and Fred Jarman had the same. Then in the morning I went down, and of course you will know I daresay that if a person has done a thing wrong and afterwards repents I think there is forgiveness for it.

7046. Tell us what you did?—I then went home and took 200*l.* from it; in the morning I went down with 50*l.*, and into the "Golden Lion," and it was about 10 minutes or a quarter after eight, and I distributed that 50*l.*, and Jarman brought me his 250*l.*

7047. To whom did you give the 50*l.*? — To parties I did not know. I do not know their names, only two out of the lot, Philip Gilbert was the one came and asked me.

7048. The same one as spoken of by White?—Yes, that is the one, but he had no money.

7049. Who did you give it to? — Philip Gilbert came, and I put 10*l.* into his hand, he wanted 15*l.*; I would not give him 15*l.*, but he returned the money back to me again, and I believe there was a man named Stoodley, an utter stranger to me, all of them.

7050. Do you mean to say that intending to bribe these people with this money you gave it to utter strangers without inquiring who they were, or whether they were voters or not?—Yes, and I will tell you how it was.

7051. (*Mr. Anstey.*) We may come back to that, or we may not, by-and-by. You have never seen that man since?—Never.

7052. Would you know him again if you saw him? —No.

7053. You mentioned just now 40*l.* that had been promised you by Foster if you would undertake to bribe voters at an election?—I did do it.

7054. Is that the election of 1857?—It was the election that Colonel Tynte and Mr. Follett were returned at I believe.

7055. But there were several where they were returned in the election of 1857, which came two years before the election of 1859, and Mr. Kinglake was first returned?—I had nothing whatever to do with it.

7056. With which had you nothing to do?—The one you are speaking of. I am speaking now of Colonel Tynte's and Follett's election, that is the election I was promised 40*l.*

7057. In 1852 you were promised 40*l.* by Foster? —That was by Foster at Tynte and Follett's election.

7058. That money was never paid to you?—Never.

7059. Another election came in 1857, when Mr. Kinglake was returned?—I had nothing to do with that.

7060. Mr. Kinglake lost in 1852, and was elected in 1857. I want to know whether you asked anybody for the payment of the 40*l.* which had been standing over for five years unpaid?—I did.

7061. Who?—Foster.

7062. What did he say?—He refused paying me.

7063. On what ground, did he give you any ground? —Yes, he did.

7064. Tell me what he said?—He told me that he never had the money to pay me.

7065. He did not deny the promise? — Certainly not.

7066. He is now dead?—He is dead.

7067. And have you had that promised to you since by anybody?—No.

7068. From nobody?—No. With regard to being promised the money I have never had a direct promise for it.

7069. (*Mr. Price.*) In 1857 you say you asked for this money of Foster?—Yes.

7070. Did you vote?—I believe I did.

7071. In 1857 were you not at Gloucester, and had no vote for this place at all?—Not that I am aware of.

7072. When were you at Gloucester; were you ever residing at Gloucester, and had you lost your vote? —Yes, I was in Gloucester two years ago, when I am not sure.

7073. Are you sure it was not 1857?—I am not certain of it.

7074. (*Mr. Coleridge.*) Had you a vote for Gloucester?—Certainly not.

7075. In 1852 did you receive any money of Forster at all?—I really do not know.

7076. Yes, you do?—I really cannot tell you.

7077. Try and recollect?—The only money I received of Foster was at the election when Colonel Tynte and Mr. Follett was returned, let it be whatever time it was.

7078. Who were the candidates? — Tynte and Follett, I think, and Kinglake and Lord Henley.

7079. You are right, Colonel Tynte and Mr. Follett were the two members returned?—Yes.

7080. In 1852, did you get any money from Forster at that election when Tynte and Follett were returned?—Certainly I did.

7081. How much?—Different sums.

7082. How much?—It may be from 100*l.* to 200*l.* I am not certain what it was because it was given me in about 10*l.* and 20*l.*, and as it was given to me so I gave it to the voters.

7083. Did you render an account of that?—Never in my life.

7084. You never rendered any account?—No.

7085. Were you ever accused of being short of 100*l.* by Foster?—No.

7086. Is not that the reason you were refused the 40*l.*?—No, it was the 40*l.*

7087. You were 40*l.* short?—Yes.

7088. And you put that in your own pocket?—No, I was never any money short.

7089. What was it, then?—I was accused of 40*l.* I was told I kept the money, but I did not. There were 10 voters down at Captain Crocker's at the "Fountain," and the 10*l.* were promised if they would bide, and would not go to the poll on the Conservative side, they should be paid each of them 10*l.* after the election was over. I had 60*l.* left, and I applied for 40*l.* to Hasland, who used to work with me, and he put his hand in his pocket and gave me 40*l.*, and I went down to Crocker's and gave 10*l.* each, and that is the way I disposed of it.

7090. (*Mr. Coleridge.*) They were promised the money not to poll for whom?—Not to poll against the Liberals.

7091. (*Mr. Price.*) Not to poll for Follett?—Yes.

7092. (*Mr. Coleridge.*) Then you were on the Liberal side then?—I was; but the fact was they did not want to poll at all.

7093. (*Mr. Price.*) You wanted to bribe them with this money not to vote for Follett?—I did.

7094. We were told that you could give us information of several elections from 1835, to that of 1847, when Colonel Tynte and Mr. Broadwood were the two members?—I never had anything to do with it. I never had a farthing of money at that election.

7095. (*Mr. Coleridge.*) Did you vote?—No, I think not.

7096. Was your bill paid for treating?—No, I never had any bills for treating.

7097. (*Mr. Price.*) You took no part in the 1847 election?—I believe I did.

7098. We have been told, and have information about you, therefore you may as well try and clear yourself, that you had to do with several elections from 1835 down to the very last of all. Now about 1847?—I never had anything to do with giving money only on three elections in my life; that was when Colonel Tynte and Mr. Follett were returned, when

SEVENTH DAY.

W. Heal.

30 Aug. 1869.

Mr. Westropp was returned, and the last member, Mr. Vanderbyl, was returned.

7099. Did you receive money for your vote?—Never in my life.

7100. Except what you told us?—That is it, except what I kept.

7101. Then you had no money when Colonel Tynte came out with Mr. Broadwood?—No.

7102. You are sure of it?—I am sure of it.

7103. Did you receive money to bribe the others?—I did not.

7104. Was your house opened for treating?—I did not keep a public-house then.

7105. (*Mr. Coleridge.*) Which side were you at Vanderbyl's election?—On the Liberal side; in fact I did not poll, I was ill and never went out of the room.

7106. At Mr. Vanderbyl's first election in 1866 tell us what you did?—Then I received some money.

7107. How much?—60*l.*

7108. Who from?—Andrew Allan.

7109. What did you receive that for?—For bribing.

7110. Whom did you bribe?—I bribed two or three; in fact I gave the money to three.

7111. Give us the names?—I gave William Stone 10*l.*; and I gave Abraham Frost I would not be positive whether 9*l.* or 10*l.*, because my memory I fancy strikes me it was 9*l.* I gave him; and 10*l.* I gave a person named Richard Thomas, and he gave that to a man named Richards, in fact he told me so, and I have no doubt he did.

7112. That is 30*l.*?—That is the 30*l.*; then Symmons brought me 130*l.*

7113. What did you do with the rest of the money?—I could not dispose of it then because I had been ill, and unless I tell you the circumstance I could not bring round the other; I met with a misfortune in falling down, and was ill for three weeks or a month.

7114. (*Mr. Coleridge.*) What day was it that you paid this away?—The day of the polling.

7115. (*Mr. Price.*) Was that all?—No, I paid more because I received the money; you must hear how I received the money to pay away.

7116. (*Mr. Coleridge.*) You told us that Andrew Allan gave you the money?—So he did 60*l.*

7117. (*Mr. Price.*) What did you do with it?—I could not pay it away until I had more money.

7118. Why?—Because Halliday was in the room, and he was a Conservative.

7119. What room?—My private room where I was ill; Symmons brought me 130*l.* after that.

7120. When you were ill in your own room?—Yes, he brought me 130*l.*, and 60*l.* made 190*l.*, and out of that I had paid 30*l.* first, and then I was in the habit of paying or bribing some of the men, and Foster will tell you that Halliday wanted me to go out and get the voters up, and I told him I was unable to do so; then Halliday would bide and Foster was obliged to go; I gave him the tip like, and Halliday told me he was coming again; I then got Charles Kirk.

7121. What was Halliday in your house for?—Because he was agent of an association that I belonged to.

7122. What association was that?—Where they paid the money to the Accidental.

7123. You said just now that you could not pay the money because Halliday was a Conservative and was at your house?—It was in my house.

7124. Was Halliday a Conservative?—Halliday was a Conservative.

7125. Then what association was he secretary of which you belonged to?—The Accidental; he was one of the agents, and I had had an accident and was unable to go out; then I sent for Charles Kirk and he came in to me, and I let Charles Kirk have 100*l.* to go and distribute, because if I had bided I should have kept the money then, and I could not, because I was afraid that Halliday would come there.

7126. You were obliged to stay in because you wanted the Accidental money?—I could not go out.

7127. Had you made a claim on the Accidental?—Of course I had, or I should not have been there.

7128. What was the accident?—I fell down and hurt my side.

7129. Were the voters to come to you?—Yes, they would have been brought to me, and I should have paid.

7130. You paid three or four?—I paid three.

7131. At your house?—Yes.

7132. (*Mr. Anstey.*) You paid Stoodley?—Down at the other house.

7133. Did you pay him or not?—That was on another election.

7134. (*Mr. Price.*) Go on with your story about this 130*l.*?—That was 130*l.* I paid.

7135. (*Mr. Coleridge.*) 30*l.* you paid, and 100*l.* to Kirk?—Yes.

7136. What did you do with the other 60*l.*?—There were 10*l.* for expenses.

7137. What expenses?—We gave a lot of beer away.

7138. 10*l.* in treating?—Yes, and then there was 50*l.* left.

7139. (*Mr. Price.*) How much did you put in your pocket? Let us get at it as shortly as we can?—The remainder of it I fancy I paid another man.

7140. (*Mr. Coleridge.*) Who else?—I do not know. I cannot say whether I did or not.

7141. Then you kept 50*l.* at that election, and 200*l.* at the election before?—I did.

7142. (*Mr. Price.*) How much during your life have you kept altogether of the money you received to bribe with?—Nothing more than that.

7143. 250*l.*?—That is all.

7144. And the 40*l.* the dispute with Forster was about?—I never had it.

7145. You never disputed it?—Forster did not.

7146. He claimed it of you?—He never claimed it, because I never had it.

7147. (*Mr. Anstey.*) Have not you told a different story about these transactions?—Yes, I am coming to that.

7148. Have not you told a different story about these different circumstances?—Yes, I have told it.

7149. (*Mr. Price.*) You knew you were on oath?—I did.

7150. And know now?—Yes; I told it wrong in London.

7151. (*Mr. Anstey.*) For instance, did not you inform the election committee which tried the petition against the return—— ?—That is what——

(*Mr. Price.*) If you do not listen to the question most undoubtedly you will be sent to prison for the night.

7152. (*Mr. Anstey.*) You are reported as telling the committee which tried the election petition against Mr. Westropp and Mr. Kinglake's return in 1865, the committee sitting in 1866, in answer to this question: "Was there any sum of money mentioned?—I mentioned 40*l.* that I had been promised on a former "election which they cheated me out of. I do not mean "to say that Mr. Lovibond did, and I am not speaking "of Sir John Shelley. Then you are asked, "Tell "us the history of that;" and you say: "I have told "you that I have in my time, and I am not ashamed to "own it, taken much interest in electioneering matters, "and in the election in the year 1857 I was promised "40*l.* if I would get the members into parliament. I "worked hard, and we returned them, and I did not "get the 40*l.*" Then again, "I told them at Lovi-"bond's about the 40*l.* that was promised me." Upon which you are asked this question: "You told "Lovibond and Barham?" and you tell them "Yes." And to "What did they say when you told them that "the 40*l.* which had been promised in 1857 had never "been paid?" you answer, "Mr. Lovibond said he "did not know it, and I told him that Mr. Foster, a "clerk of his, who is dead, had promised it, and that "he had not paid the 40*l.*" Now you stated the election at which you were promised this was the one of 1857. Do you mean to tell us you took no part in

that election, and were promised no money and got none?—I believe it was the election that Follett and Tynte were returned.

7153. Now attend. Did not you represent, and I believe most truthfully to the committee, that you had been bribed at every election that had taken place for 30 years immediately preceding 1866; that would bring it to 1836?—I have no remembrance of doing that.

7154. (*Mr. Price.*) You have told us to-day that you took no part in any election till the one in which Tynte and Follett were first elected?—In giving money.

7155-6. Nor taking money; we put it to you both ways. This is what you are reported to have said at the commencement of your examination: "Are you a "brewer, carrying on your business in High Street, "Bridgwater?—I am." Then the next question is: "Were you at the last election, and have you been for "many years a registered elector in the borough?— "30 years. Have you voted on all occasions at which "you had an opportunity during that period?—Yes." Then a little further on you are reported thus: "Did you offer bribes to anybody for purposes of "voting for the best candidate?—Not the last "election; I do not say anything about the previous "ones." You have told us to-day you did offer bribes to people at the last election, that is 1865, Stoodley and others, and they objected that the money was not enough?—That was at the "Golden Lion."

7157. Here you told the committee that you had not, but that you had offered bribes at some others. Then, to make it more specific in cross-examination by Mr. Powell, who says, "I believe this is the first time you "ever voted for the Conservative party?" you say, "Yes." And a little further on you tell your counsel, "This was the first time at the Bridgwater election "that you had not been guilty of bribery?—Yes." Having told us to-day you were guilty of bribery at that election, I will ask you, with all these answers before you and the answers you have made to-day, is it not a fact that having voted at every election, there is not one of them at which you have not been guilty of bribery, either giving or receiving bribes, or both?—Yes, I think I have.

7158. Here is your own statement.—Very well, sir.

7159. You have told us to-day that you were guilty of bribery at that last election referred to?—So I was.

7160. You told the committee in 1866 that you were guilty of bribery at every one except that?—I deny that.

7161. (*Mr. Price.*) What do you deny?—What I told in London was not correct.

7162. You swear deliberately that that was false?—I do, and I will tell you why I did do it.

(*Mr. Price.*) We will hear the rest of your discreditable story to-morrow. You must be here at 11 o'clock, or you will be brought here.

JAMES CHANT sworn. *J. Chant.*

7163. (*Mr. Coleridge.*) On Friday last were you down at Boucher's shop?—Yes.

7164. In the afternoon?—Yes, outside the door.

7165. Do you recollect seeing White come down?—Yes.

7166. Did you hear him say anything to Boucher?—No.

7167. Did you hear Boucher say anything to him?—Yes.

7168. What was that?—White was about to enter Boucher's door, and Boucher said to him, "You "scoundrel, will you dare to enter my house, you "know what lies you have been telling at the hall "about me."

7169. Did Boucher say anything about what he would do with him if he did?—I never heard that.

7170. What did White say?—I do not know the reply he made at all; I went into my own shop and left them.

7171. You heard that said by Boucher about White?—Yes.

7172. Did you hear White at all?—No, I do not know what he said; he attempted to say something, but what I cannot say.

7173. Afterwards, did you see him go away rather quickly?—I saw him cross the street towards Monmouth Street.

7174. (*Mr. Price.*) Directly after Boucher said this?—Yes, that is all I heard.

7175. (*Mr. Coleridge.*) Was there another man standing by within hearing?—I do not know of anybody else.

7176. Had you a vote at the last election?—Yes.

7177. How did you vote?—For Kinglake and Vanderbyl.

7178. What did you get?—Nothing.

7179. Nothing at all?—Nothing at all.

7180. Was nothing offered you?—No.

7181. Did you vote at the election before the last?—Yes.

7182. Mr. Vanderbyl's election?—Yes.

7183. Whom did you vote for?—Mr. Vanderbyl.

7184. Did you get anything at that election?—No.

7185. Were you offered anything?—No.

7186. Have you ever got anything?—No.

7187. Never a farthing for voting in Bridgwater?—Never a fraction, nor offered me.

7188. How long have you had a vote?—About 30 years.

7189. (*Mr. Price.*) Have you always voted one way?—I have always voted in the Liberal interest.

7190. (*Mr. Coleridge.*) Never anything offered?—Never anything offered nor asked.

7191. Have you distributed any to anyone else?—No.

7192. Ever given a bribe?—No, nor heard of anyone.

Adjourned till to-morrow at 11 o'clock.

EIGHTH DAY.

Tuesday, 31st August 1869.

PRESENT :

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
DE TRACY GOULD, Esq., Acting Secretary.

EIGHTH DAY.

H. C. Bussell.

31 Aug. 1869.

HENRY CHAPMAN BUSSELL recalled.

7193. (*Mr. Coleridge.*) According to our request you have supplied us with a list of persons who polled in 1865 for Mr. Westropp, and in 1866 for Mr. Bagehot? —With the voters that plumped for Mr. Westropp in 1865, and voted for Mr. Bagehot in 1866.

7194. Job Cavill?—Yes.

7195. John Cooze?—Yes.

7196. William Francis?—Yes.

7197. Thomas Gane?—Yes.

7198. Richard Glanville?—Yes.

7199. Frederick Hodge?—Yes.

7200. John Hodge?—Yes.

7201. Joseph Reed?—Yes.

7202. Joseph Stoodley?—Yes.

7203. John Staples?—Yes.

7204. John Thomas?—Yes.

7205. John Brawley?—Yes.

7206. Did you, or some one on behalf of the Liberal party, pay them in 1866 for coming round to Mr. Bagehot?—I am under the impression that I paid five of them.

7207. Are you under the impression that the whole of them were paid by some one or other?—Yes, I believe.

7208. Do you believe in 1865, at Mr. Westropp's election, any were paid by the Conservative side?—I do.

Mr. W. L. Winterbotham.

HENRY CORNELIUS WHITE was called, and not answering, Mr. WASHINGTON LAFAYETTE WINTERBOTHAM sworn.

7209. (*Mr. Price.*) What are you?—A surgeon.

7210. Practising here?—Practising here.

7211. What do you say as to the state of White's health?—By my advice he remains at home. He has almost a threatening of brain fever, and is in a highly nervous and excited state. I saw him last night, and he was rambling in his talk, and very excited, occasionally breaking down and crying. He had not slept every evening, he told me, for a week; and I quite fancied he had not.

7212. (*Mr. Coleridge.*) Are you White's regular attendant?—No.

7213. Who is?—I cannot tell.

7214. (*Mr. Anstey.*) I will take the opportunity, while you are in the box, of asking, are you one of those who with White signed the petition of 80 to the House of Commons which we have heard so much about?—Certainly.

7215. And have you any evidence, not now, perhaps, but at any future stage, to give this Commission in support of the very grave allegation which that petition contains, and to which your name appears as the third signatory, and on which you must have been understood to wish that the two Houses of Parliament should act?—No more than Mr. Benjamin Lovibond communicated to me a statement he had 101 cases of which he had notes in his office, and which he and his clerks were occupied three months in taking down.

7216. That was all?—That was all.

7217. Have you stated to anybody since this Commission was first appointed, but before it opened, that your only object in signing that petition, and you believe the object of the other signatories, was to prevent a new election taking place, lest a Tory should be returned?—Certainly not.

7218. You have not stated that to our secretary, for instance?—Certainly not, so far as my memory goes.

7219. (*Mr. Coleridge.*) You cannot have forgotten it since our secretary could have asked you?—No. In that I believe he certainly clearly quite misunderstood me if I used such an expression to him.

7220. (*Mr. Anstey.*) I am not asking as to the expression, but the fact; words may vary but the substance remains the same. Did you say anything in substance bearing out that expression?—I did not.

7221. What did you tell him then?—I have not the least recollection.

7222. Though it is only two months or six weeks ago?—Certainly not; I cannot remember the words that occurred.

7223. Do you remember his asking you the question?—I do not.

7224. Whether you were offered in evidence in support of that petition?—Not in those words.

7225. We are not speaking about words; nor did you ask him anything to that effect?—The meaning a man wishes to convey is——

7226. Will you answer the question? In effect did our secretary ask you any question which led you to suppose that you were to be examined here touching the allegation in the petition of which you were a promoter?—To this extent he said I was subpœnaed: because I was one of the petitioners.

7227. But what did you tell him?—That I was one of the petitioners, and that was because it appeared to me from what I had heard, that the state of the town was such that it would be far better that it should be disfranchised than that things should continue in the state they were.

7228. You swear that is all you said?—Certainly.

7229. (*Mr. Coleridge.*) What did you say that Mr. Lovibond had been preparing in his office?—I was attending him at the time, and had been for some years, and I knew from being constantly, almost daily, in attendance upon him, that there was a great deal of work going on in his office; that for some months he was getting up evidence against Mr. Westropp. He told me they had evidence to the amount of 101 cases, or some such number; and it was upon hearing his opinion as an old electioneerer, on the state of the borough, that I felt strongly the necessity of some interference.

7230. Was Mr. Henry Lovibond present when Mr. Benjamin Lovibond told you this?—No.

7231. Was anybody present?—I think probably that Fletcher was, but they are both dead.

7232. (*Mr. Price.*) You came to the conclusion,

crediting Mr. Lovibond's statement as to the number of cases he could prove, that it would be better for the town to be disfranchised than that such a state of things should continue?—Certainly, if nothing better could be done. My object in signing was that some interference might take place, where the writ, as at Gloucester, would be suspended for a certain time; and if that could not be done I thought it better to get rid of the electoral franchise altogether than to let it remain as it was.

7233. You will probably be able to tell us the state of Mr. White's health to-morrow, if we want to see you?—Certainly. I should think White, when he has recovered the effects of all this excitement, will be able in a very short period to give his evidence.

EDGAR WILLIAM NICHOLLS sworn. *E. W. Nicholls.*

7234. (*Mr. Anstey.*) Are you an elector of this town?—I am.

7235. What are you?—An ironmonger.

7236. Were you an elector in 1866?—I was.

7237. Did you sign the petition which we have called the petition of 80, praying the House of Commons in that year "that no writ be issued until the House had had "an opportunity of considering the same, and that the "House will address Her Majesty for the appointment "of a commission to inquire into the practices above "referred to, those practices being a much larger "number of cases of bribery capable of being dis-"closed than is apparent from the evidence taken "before the committee appointed by the House on "hearing that petition, inasmuch as the case of the "petitioners was stopped by the committee when a "few cases only had been heard, and the petitioners "were induced to abandon their proceeding to a "scrutiny on account of the expense thereof." Do you recollect signing that petition?—I do not recollect doing so.

7238. (*Mr. Price.*) Are you so constantly in the habit of signing documents without knowing what they contain?—No, I sign very few documents.

7239. Why did you ask to be examined?—Because I have been subpœnaed. I asked for a week's leave of absence last night.

7240. Had you been summoned as a witness?—Yes, I had.

7241. (*Mr. Coleridge.*) Whilst you are here I will ask you did you vote at the last election?—I did, for Vanderbyl and Kinglake; I voted very late.

7242. Did you get anything for your vote?—No.

7243. Were you offered anything?—No, certainly not.

7244. Did you offer anything to anybody?—No, certainly not.

7245. Did you vote at the election before?—I did.

7246. How did you vote?—For the Liberals. I have always voted for the Liberals.

7247. Did you receive anything then?—No.

7248. Were you offered anything?—No, never.

7249. Did you give anything to anybody?—Never.

7250. Did you vote at the election before that?—I believe I did. There was one election, I forget which it was, at which I did not vote.

7251. Have you always voted for the Liberals, and always without any reward or promise of reward of any shape or kind?—I have; I swear it.

7252. And have you, at any election at this place, at any time promised anything to anyone, either in meat, drink, or money, for voting or refusing to vote at all?—Never in my life.

7253. (*Mr. Price.*) Is there any other person of your name a voter?—I have two brothers, Alfred Nicholls and Henry Frederick Nicholls.

(*Mr. Coleridge.*) I take it it was your brother Alfred who signed the petition.

7254. (*Mr. Price.*) Is he of the same business as you?—No, he is a draper.

7255. (*Mr. Anstey.*) Have you been paid money for supplies at elections, such as gunpowder and things of that sort?—I supplied gunpowder, I think, at the election of 1866.

7256. Which one?—I cannot say for certain.

7257. There was one in June and the other in July?—I think it must have been the July one.

7258. (*Mr. Coleridge.*) What amount?—I think there were four quarter barrels; that is 100 lbs.

7259. What is the amount of your bill?—I think it was about 16*s.* 6*d.* a barrel; four times that would be 3*l.* 6*s.*

7260. The most material thing is, did you charge the fair and ordinary price which you would have charged anybody at that time?—My regular price.

7261. Or did you get an extra price because it was election time?—I did not.

7262. (*Mr. Price.*) Were you paid at that election, or at some subsequent election?—I think about a week afterwards, to the best of my recollection.

7263. (*Mr. Anstey.*) I have two sums here in the list of sums paid for flags, colours, powder, &c., under your name, both for powder, 5*l.* 15*s.* and 4*l.* 16*s.* 8*d.* That comes to upwards of 10*l.*?—What year was that in?

7264. 1866?—I never supplied 11*l.* worth of powder in my life at any election.

7265. If this account states that these two amounts were paid you on this occasion it is untrue, is it?—I believe that it is false.

7266. You had better look at your book?—I will.

7267. It is, "Account delivered 4*l.* 16*s.* 8*d.* Duddridge and John Smith; account delivered 4*l.* 16*s.* 8*d.*?" —John Duddridge is the only one, I think, I supplied powder to.

7268. The other is John Smith, six barrels of powder, 5*l.* 11*s.*?—I think that was not 1866.

7269. Yes, both of them; look at it, and explain it?—That is my handwriting; one of them is.

7270. (*Mr. Price.*) Do you mean to say that all that powder was required at that one election?—They had it undoubtedly; what they did with it I do not know.

7271. Is not it an extravagant quantity to fire away?—I believe at some elections they have fired away very much more than that.

7272. (*Mr. Anstey.*) Was it your brother who supplied at the same election colours, &c. to the amount of 2*l.* 11*s.* 1½*d.*?—That I do not know.

7273. It was not you?—No.

7274. (*Mr. Coleridge.*) Were you aware at the time of that election that colours were illegal?—Well, I think I did hear something about colours.

7275. Because there seems to be some misconception on that subject, and it may be as well that what the Act of Parliament says upon that should be known: "No candidate before, during, or after any election, "shall, in regard to such election, by himself or agent, "directly or indirectly, give or provide to or for any "person having a vote at such election, or to or for "any inhabitant of the county, city, borough, or "place for which such election is had, any cockade, "ribbon, or other mark of distinction." Do you know of that?—No.

7276. What is the reason why your bill is for that large amount, and Thompson Brothers, who also supplied gunpowder, yours apparently not being sufficient, figure in Mr. Lovibond's account for 2*l.* 5*s.* 6*d.* only at the same election?—I do not know what quantity they had.

7277. Had you not supplied more than enough for any purpose for which gunpowder could lawfully be required?—I do not know what quantity they fired away. I know guns were fired almost all day and night.

7278. What guns?—Some cannon they have on the eastern side of the river.

7279. Supposing you had not been favoured with these two orders, to a high amount, would you have felt aggrieved?—No, not at all.

7280. Would you have voted all the same?—Yes, certainly; I did not supply any powder at the last election that I am aware of.

EIGHTH DAY.

W. Heal.

31 Aug. 1869.

WILLIAM HEAL recalled.

7281. (*Mr Price.*) I think the last thing we got to yesterday was your admission of having committed perjury before the election committee in London?—Quite right.

7282. You were going to give us your explanation why you had committed such a crime?—Yes.

7283. What have you there which you are looking at?—Some notes of my own.

7284. When were they made?—Since last evening, to refresh my memory as to anything you should ask me.

7285. Let us see it. (*The witness handed it.*) Have you refreshed your memory by talking with anybody else since last night?—No.

7286. Since you were examined yesterday have you been talking about your evidence with anybody?—Not about my evidence. I have been asking about some of the dates.

7287. Who from?—Thomas Hill.

7288. These are the dates of the election?—Those are the dates of the election, to refresh my memory.

7289. (*Mr. Anstey.*) That paper can have nothing to do with the question which the Chief Commissioner has asked; which is, why you went to London to commit deliberate perjury on that occasion?—I was going on to tell you.

7290. (*Mr. Price.*) Now tell us the reason why you committed perjury before the House of Commons?—There was a petition about to be presented against Mr. Westropp, and I was called one evening to Mr. Joseph Richard Smith's, in this town, to a private house, and after some conversation there they got me to sign the document.

7291. Who got you?—Mr. Temblett was there, and Tom Boys.

7292. Who asked you to sign this document?—When I came over there we got talking about the election, and then they made out a document.

7293. Who are they?—Tom Boys made it out.

7294. Did you read it over?—It was read over to me.

7295. What did it contain?—The purport of it was that I knew nothing of the election, and I, in an unguarded moment, signed it; then I went to London, fearing that document would be put before me or against me, and I said I had not been there. That was the whole and sole reason that I had in going to London to speak what I did. On the one hand, if I had gone and said one thing, they would have that document before me, and what was I to have done?

7296. (*Mr. Coleridge.*) Who were you going for?—I voted for the Tories then.

7297. Then was it the Liberals who persuaded you to say that you knew nothing about it?—No, the Tories.

7298. Whereas you knew a great deal?—I knew all about it. I was the very one who knew all about it.

7299. (*Mr. Price.*) You are a Liberal, you say?—I am.

7300. You have received a great deal of election money in your time?—Yes, some hundreds, I think.

7301. Then what influence was brought to bear on you that you should go and tell the Conservatives you knew nothing about the election?—Because they asked me to do it.

7302. You did it because they asked you?—Yes, I did.

7303. You agreed to tell a lie because the Conservatives asked you?—That was the whole and sole reason.

7304. Because he asked you?—Well, I did do it, which I repent of.

7305. Did you get any money for signing it?—Not a farthing.

7306. Will you swear it?—I do; not a farthing.

7307. Did you get any money afterwards?—Not a farthing.

7308. After you had been to London?—No, I had my expenses in London,

7309. Had you a promise of anything?—Not a farthing; nothing more than my bare expenses in going like the others.

7310. You mean to tell us, that being a Liberal in politics you deliberately went to the Conservative side and offered to keep back the evidence you could give?—I had voted for them; for Mr. Westropp.

7311. Then you received a great deal of money for voting for them?—I had; that is how it was I had voted for Westropp.

7312. And you had bribed for Westropp?—That is the time I went to the "Golden Lion."

7313. Then they wanted to call you as a witness against Westropp?—No, they wanted me to go in his favour, and say that I had not received or paid any money.

7314. You had not bribed for Westropp?—I had bribed for him.

7315. And received money?—And received money.

7316. And you were to go and say you had done nothing, and knew nothing?—Yes; it was on the document.

7317. (*Mr. Anstey.*) Was that all that was in the document that you signed?—Yes.

7318. If that was all that was in the document which you signed, can that be any reason, I do not say any excuse, for it or not for your not only telling the election committee in 1866 that you knew nothing of the particular election of 1865, at which you had taken that part, but going on to tell the committee a great many things which you yesterday told me were also false? for instance, that you had been an elector for 30 years, and had taken an active part at every election, and had bribed at every election, except that one only of Westropp, and that you had corruptly voted in 1857, on the promise of 40*l.* from one Foster, Mr. Lovibond's managing clerk. I asked you yesterday whether you made those statements which I read to you from the blue book, and you said you had made them all, and they were all false; and now, as there was nothing about them in that document of Thomas Boys, why did you make those false statements?—The document that I signed, I cannot exactly tell you the expression I used on it; but, as I told you before, the purport of the document was, I was to know nothing about the election.

7319. About any election?—About that particular election.

7320. I ask you any election? I want to know why did you tell the Committee of the House of Commons one story, which you now state to be false, about every other election preceding the one of 1865 during the long period of 30 years; whereas you told us yesterday that those stories were false, and you told us other stories which, if the first were true, must be false. Why did you do it?—I did tell them it.

7321. Why did you?—Because it was on the face of that document.

7322. Did the document contain any reference to those former elections?—The whole of that I told them in London was untrue.

7323. Did that document contain any reference to other elections?—Nothing, only Westropp's.

7324. Why did you go up and tell the committee—I will tell you one by one what you said—you were not bribed by a promise of 40*l.*, that is what you say now; but you told the House of Commons over and over again, in the passages which I have read, that you were bribed in 1857; why did you tell them that if untrue?—I had no vote in 1857.

7325. Why did you tell them that if you had no vote in 1857?—I may have made a mistake in the elections, they were too close on one another.

7326. But you were asked particularly whether it was not in 1859, and you said no?—Well, I worked for the Liberals in 1857 although I had no vote.

7327. (*Mr. Coleridge.*) Did you get paid for working for them?—That is the election of the 40*l.*

7328. (*Mr. Anstey.*) You also told the committee

in the passages I have read, first upon your examination in chief, and then in cross-examination, and finally in reexamination, that until you had turned Conservative you had been a corrupt man, and that you had voted and had taken a part in every election for 30 years past, that is, from 1836, and at every one of those elections you had personally bribed ?—I do not know. I never said that.

7329. If that story be false, why did you tell them that ?—It is false ; I never told it in London.

7330. I read the passages yesterday to you, and you admitted their accuracy, and even interrupted me to say, "Yes, I know that is all false, and I will explain why I did it." Now, explain why you did it. I do not want the detail, but explain why you told them what was all false?

(*Mr. Coleridge.*) Under what inducement you were led ?

7331. (*Mr. Anstey.*) Who told you ?—No one.

7332. Why did you do it ?—When there was any money going in Bridgwater I have had it.

7333. Why did you tell the House of Commons that ?—I do not know why I told them that.

7334. Is it true or false ?—Some part is true and some false.

7335. Is it true that you took part at every election from 1836 down to 1866 ?—I was away at two elections out of it.

7336. Then is it untrue ?—Of course it is.

7337. Which is the election you say you took no part in ?—I was not here in 1841, but in Taunton.

7338. Were you in gaol in Taunton ?—I was not in gaol.

7339. Where were you ?—In a situation, where I can get a character for 40 years.

7340. What was the other election you took no part in?—In 1835 I voted for Tynte and Leader ; I had 50*l.* for my vote. In 1841 Drew and Robinson and Broadwood put up here, and a little after 1855, I do not know exactly the month——

7341. (*Mr. Coleridge.*) You are on 1841 ; now you are skipping to 1855 ?—I was not here in 1841 ; I was away at Taunton five years.

7342. In 1847 were you bribed ?—That was the time I had the money from Foster. I had no vote because I had gone to live at Gloucester in 1857. In 1847 I took no part in bribing at all.

7343. (*Mr. Price.*) When did you first have a vote ?—I had a vote in 1835 ; I voted for Colonel Tynte and Mr. Leader, and I had 50*l.* for my vote.

7344. (*Mr. Coleridge.*) Had you anything for bribing other people ?—No, never had a farthing.

7345. Who gave you that ?—My brother.

7346. What was his name ?—James Heal.

7347. Is he alive ?—No, dead.

7348. Did he give anything to anybody else at the same time ?—Yes, a great many.

7349. Did you see him give it to those persons ?—No, he told me so.

7350. How much altogether ?—He bribed 20. I have no doubt he did do it.

7351. Was 50*l.* the ruling price ?—Yes, it was.

7352. (*Mr. Anstey.*) There was an election in 1836 ?—1835.

7353. (*Mr. Coleridge.*) And you voted for Leader and Tynte, and got 50*l.* ?—I did.

7354. And then you went to Taunton. Do you know how much Leader spent at that election ?—Some thousands of pounds.

7355. How many ?—Some say 10,000*l.*

7356. And that was all spent between Friday and Monday morning ?—I believe it was.

7357. (*Mr. Anstey.*) Then the election of 1837, when Leader and Broadwood resigned ?—I was not here in 1837, but at Taunton.

7358. (*Mr. Coleridge.*) How long were you at Taunton altogether ?—Between five and six years.

7359. It is only ten miles off ?—But I had no vote.

7360. (*Mr. Price.*) You had lost your vote ?—Yes, I had lost my vote.

7361. Then there was another election in 1837 ?—I was not here for six years.

7362. Then in 1841 ?—I know nothing about that either.

7363. 1847 ?—I took no part at all in it.

7364. How was that ?—I do not know.

7365. How much money had you at that time ?—Nothing at all ; I had not been entrusted before.

7366. Did you get money for your vote ?—Not a halfpenny.

7367. (*Mr. Coleridge.*) Who did you vote for ?—I believe Tynte and Gazelee ; Tynte however.

7368. (*Mr. Price.*) Is that the time Gazelee stood ?—It was.

7369. Did you get any money then ?—I did not, and never had in my hands a farthing.

7370. (*Mr. Coleridge.*) Had you a public-house at that time ?—No.

7371. In 1852 ?—I believe that was a pure election.

7372. When Mr. Follett was returned ?—I believe it was. I believe there was a coalition between them.

7373. Between Tynte and Follett ?—Yes, I do.

7374. Tynte was a Liberal and Follett a Conservative ?—Well, they were returned.

7375. What do you mean by a coalition ?—I believe they coalesced together.

7376. To keep Kinglake out ?—I believe so. I do not believe there was a farthing of money, and I did not see a farthing, and did not hear of anyone who had a penny.

7377. (*Mr. Anstey.*) In 1857, did you take part in that election ?—Yes.

7378. Did you receive a promise of 40*l.* for voting by Foster ?—I did.

7379. Yesterday you denied again and again that you had anything of the sort ?—I do not know that I did.

7380. You said 1859 and not 1857 ; you would persist in it ; and I had to confront you with your evidence of the House of Commons, which agrees with the evidence to-day ?—Well, I believe you allow witnesses to correct themselves if they possibly can.

7381. (*Mr. Price.*) Have you not said this morning that you were at Gloucester in 1857 ?—Yes.

7382. Had you a vote then or not ?—I tell you that I came from Gloucester at the latter end of January or beginning of February, and I believe the election took place in March.

7383. What did you get ?—40*l.* for bribing voters for Foster ; I was to have it.

7384. (*Mr. Anstey.*) Whom did you bribe ?—I do not know.

7385. Give us a name or two.

7386. (*Mr. Price.*) Let me caution you, because we have information about you. Will you solemnly swear that you did not get money in 1852 from Foster, and that you were short 100*l.* in your account ?—That was not the time ; that was 1857.

7387. You must answer deliberately, because you have committed perjury once, and we shall see whether you do again ?—To the best of my belief it was so.

7388. In 1852, I have it here in black and white, a witness, who will be called to speak to this matter, says you received money of Foster, and were 100*l.* short of your account ?—I believe that was 1857.

7389. Will you swear it was not 1852 ?—I will not swear it.

7390. (*Mr. Coleridge.*) Consider this, and let everybody in court consider it, that our certificate does not free you from any charge that may be brought against you for perjury. Perjury is different from everything else.—I cannot answer.

7391. (*Mr. Price.*) What did you say a minute or two ago, that in 1852 you got nothing ; you said it was a pure election, that they coalesced to get out Mr. Kinglake, and you got nothing ; and now you will not undertake to say you did not get money from Foster, and were short in your account ?—No. I still believe there was a coalition between the two.

7392. The question is, did you get any money from Foster ?—I do not know that I did.

EIGHTH DAY.

W. Heal.

31 Aug. 1869.

7393. Will you swear that you did not?—I will not swear it. I do not know which election.

7394. Will you swear that you were not short 100*l.* in your account in 1852?—I was never accused.

7395. Will you swear you were not short that amount?—I will swear it.

7396. You do swear it?—I do. I was never accused of it.

7397. (*Mr. Coleridge.*) You were 200*l.* short in your account on one occasion?—Yes, I own that.

7398. (*Mr. Price.*) Now, in 1857 you were at Gloucester?—Yes.

7399. And came over here about election time?—Yes; and that I consider was the election I had the 40*l.* that Foster promised me, the 40*l.* I considered it was. If I have made an error of course I retract. I am not positive or certain, neither will I be certain which of the two elections it was. I cannot recollect which it was.

7400. In 1857 you got, you believe, you say, a promise of 40*l.* from Foster?—Yes.

7401. To go and bribe with?—Yes.

7402. (*Mr. Anstey.*) Was he Mr. Benjamin Lovibond's clerk at that time?—Yes.

7403. Was that all the money you had?—I had not the 40*l.*

7404. How did you have the money?—It was given me in 10*l.*, 20*l.*, and 30*l.*

7405. How much?—I cannot tell; it was ever so much money, some hundreds.

7406. Some hundreds?—Yes, there is no doubt about it.

7407. Give us some of the names?—I cannot really give you any of the names of the persons; it is so long ago, and I never kept any of the books.

7408. If you cannot give all the names, give some or one of the names of the persons you bribed personally in 1857 out of those monies you received from Foster—several hundreds?—I do not know that I can give you the names of them.

7409. Could you if you had the poll sheet before you?—No, I do not think I could.

7410. (*Mr. Coleridge.*) Who did you get the money from?—I got the money from Foster.

7411. (*Mr. Price.*) You cannot give us the name of any one single voter?—I cannot. I never kept a scrap of paper in my life.

7412. You do not remember the name of one person whom you bribed at that election?—I do not.

7413. If you saw any of them now, should you know them?—Not that I know of.

7414. Did you know them at the time?—Probably I may have known some, but it was done darkly, not openly; but I put out my hand, and gave them the money. I did not see one voter in ten; it is quite impossible to give the names.

7415. (*Mr. Anstey.*) You do not mean to tell the Commission that you gave money to persons you did not believe were electors?—Yes, and hundreds of pounds.

7416. To persons you did not believe to be electors?—The electors were all put to me.

7417. Who put them?—Foster.

7418. Anybody else?—I do not know.

7419. Give the name of some one living?—At one of the two elections, I cannot refresh my memory which it was, Edwin Gooding. He was one of the attorneys. That is the only one.

7420. (*Mr. Price.*) He is dead, I suppose?—He is dead.

7421. (*Mr. Anstey.*) You say that Foster put them to you, and it was in the dark. Do I understand you to mean that you were sitting in the room with the money doing the business of stranger, and that Foster, Mr. Benjamin Lovibond's managing and confidential clerk, was doing the business of pointing out to you as they came in the persons to whom you gave the money?—Referring them to me.

7422. What house was that?—Down at the "Golden Ball."

7423. Who was the landlord at that time?—James Leaker, I believe.

7424. Is he dead?—No.

7425. (*Mr. Coleridge.*) Is he the landlord of the "Clarence"?—Yes, he is now.

7426. (*Mr. Anstey.*) And how many persons did you bribe at James Leaker's house?—A few; I do not know how many.

7427. 20 or 30?—I cannot tell, because I do not know which of these elections it was. I carried the money down, as I told you, to the 10 voters to Captain Crocker's on the quay, at the "Fountain."

7428. Are you sure that James Leaker was not at that time keeping the "Globe"?—No, I never knew James Leaker keeping the "Globe"; he never kept the "Globe."

7429. Now you say some hundreds of money altogether?—There may be two or three hundreds.

7430. You said some hundreds?—Two or three would be some hundreds.

7431. That is all you got?—Yes.

7432. Did anybody else bribe besides you?—Yes, Hasland.

7433. Is he alive?—No, but it is a well-known fact to the gentlemen; every one around here, I suppose, knows that it is facts I am speaking of. They know that Hasland was one of that kind of men.

7434. If you were doing this part, merely the paymaster, what was the object of taking you, whose face must have been very well known from 1835 down to that time in 1857 in this borough? You were no stranger, were you?—No.

7435. Why were you put there? Why did not Foster do the business himself?—I cannot tell you why.

7436. Are you sure you are telling the truth about that?—I am sure of it.

7437. I do not understand why you were chosen for that purpose?—I was chosen for it.

7438. (*Mr. Coleridge.*) What room of the "Golden Ball;" did you go upstairs?—Upstairs.

7439. Was it darkened?—No.

7440. What time of the day—the polling day?—Yes; morning.

7441. And then kept by Mr. Leaker, the present landlord of the "Clarence." Is that so?—Yes.

7442. Did you see Mr. Leaker at that house, besides the persons you bribed, and Foster, and Hasland?—No; I do not know anything of him, Mr. Leaker, in my life.

7443. Who showed you into the room?—Foster took me upstairs.

7444. No waiter?—No one at all.

7445. (*Mr. Price.*) You were a well-known man at Bridgwater?—Yes.

7446. As well known as anybody?—Yes.

7447. There could not be a single person in Bridgwater, an elector, who did not know you?—I suppose they did, most of them.

7448. Do you mean to say you did not know them?—I did not. There are scores of voters I do not know.

7449. I daresay there have been since the last Reform Bill; but do you mean to tell us that you took the part you did in the elections before 1867, yet did not recognize any of the men you paid the money to?—I did not.

7450. (*Mr. Coleridge.*) What was the amount given to each voter at that election?—10*l.*

7451. How much did you keep back out of each 10*l.* yourself?—Not a farthing.

7452. What did you get yourself?—Not a farthing.

7453. What were you promised for yourself?—40*l.*

7454. At the ensuing election of 1859, although you had not been paid that 40*l.*, you voted for the Liberals again?—I did.

7455. (*Mr. Price.*) And kept back the 40*l.* for yourself?—No, I did not. It was never paid me.

7456. In 1859 you voted?—Yes.

7457. For Tynte and Kinglake, I suppose?—I believe I did.

7458. You did not vote on both sides?—No.

7459. The next election you were bribed?—No, I was not.

7460. Well, you bribed others?—No, I did not.

7461. You swear that?—Yes. I never had a farthing from Foster.

7462. You know Foster is dead. Then it is not true that Foster charged you with having kept back 40*l.* at that election?—No; I never had the money.

7463. Did Foster then retain 40*l.* on account of the 100*l.* which he said you had had in 1852, and had not accounted for?—But he told me he had paid me.

7464. Then there was something between you and Foster?—He told Colonel Tynte he had paid me, the old gentleman.

7465. Paid you what?—I asked Colonel Tynte whether he had paid him 40*l.*, and the old gentleman told me he had.

7466. Had done what?—Paid him the 40*l.* When Foster refused me the 40*l.* I said I would speak to Colonel Tynte about him; and I went to Colonel Tynte, the old gentleman, and told him I had not received, and he told me I should be put right. Hasland went with me.

7467. (*Mr. Coleridge.*) He is dead?—Yes, he is dead; but still there are many people who are living.

7468. (*Mr. Anstey.*) What did Colonel Tynte say to you?—He said he had given Foster the 40*l.* for me, and I said I never had it, and he said I should be put right.

7469. That was in 1859?—I believe it was in 1859.

7470. Did not you in 1865 revert to this 40*l.* again in a conversation with Benjamin Lovibond?—I did.

7471. How did you go to Mr. Benjamin Lovibond's office?—Mr. Barham fetched me.

7472. Mr. Eustace Barham brought you up to Mr. Lovibond's office, and did you mention to them there the alleged grievance of 40*l.*?—I did.

7473. And what did those two lawyers tell you?—They told me it would be right.

7474. Then what did you mean yesterday, when I asked you the question in a general way, whether anybody, since 1859, had promised to pay you the sum of 40*l.* which Foster had promised to pay you but had not paid you; what did you mean by saying, "Nothing of the sort"?—I did not consider——

7475. Do you mean to say you did not say so?—No, I did not say that.

7476. I understood you so; I stopped explaining to you as soon as I heard you give the answer?—I do not say so.

7477. (*Mr. Price.*) What was your reason for saying that yesterday?—I did not understand the way the question was put to me.

7478. (*Mr. Anstey.*) Then I understand you that both Colonel Tynte and Colonel Tynte's father in 1862, and Benjamin Lovibond and other lawyers in 1865, recognized Foster's promise, and undertook to settle your claim?—Colonel Tynte.

7479. Colonel Tynte's father since 1859?—No.

7480. You told us so just now?—That was the first election.

7481. (*Mr. Price.*) You had better take care what you say?—It was before that election of Colonel Tynte.

7482. Was it in 1859?—No, it was prior to that election.

7483. Was it between 1857 and 1859; was it between the two elections?—It was between 1857 and 1859; no doubt in the world about it.

7484. And it was Colonel Tynte's father, between 1857 and 1859, who made you that statement?—No doubt of it.

7485. And Mr. Barham and Mr. Lovibond made the same statement when you went to Mr. Lovibond's office in 1865?—Yes.

7486. Have they paid you the money yet?—Certainly not.

7487. Did you vote in 1859 in consideration of the statement made to you by Colonel Tynte's father?—He never promised me anything.

7488. Well, he stated something to you; did you vote for them in 1859 in consideration of that statement?—Colonel Tynte told me——

7489. Did you vote in 1859 in consequence of that statement or not?—Of course I voted.

7490. In consequence of what Colonel Tynte said; in consequence of his having told you that he had paid the 40*l.* for you?—Yes.

7491. In consequence of that statement that he had paid the 40*l.* for you?—Yes.

7492. Did you vote for the Liberals in 1859 upon that statement?—Certainly not.

7493. Had you any money?—No, I had not a farthing.

7494. Then what did you mean by telling the House of Commons that 1865 was the first time at a Bridgwater election in which you had not been guilty of bribery?—Well, I may have told them so.

7495. But was that true?—No, it could not have been, because I did not vote for them at that election.

7496. Here it is in black and white; it is question 2780 here in the blue book?—I do not deny it.

7497. It is perfectly false that you were not guilty of bribery in 1865; you have admitted that. I want to know, is it true that you had been guilty of bribery at every preceding election, including 1859?—I had not a vote.

7498. Never mind about your vote; I ask you whether you had been guilty of bribery?

7499. (*Mr. Anstey.*) You might be guilty of impersonation?—I have got the notes——

7500. Do you consider a promise bribery?—Yes, a promise is bribery.

7501. Do you consider payment bribery?—Yes.

7502. Do you consider that payment and receiving are bribery?—Yes.

7503. Then do you mean to say in 1859 you were not in some way or other connected with bribery?—I never had a farthing.

7504. (*Mr. Price.*) Then why did you say so to the House of Commons?—I never referred only to that election.

7505. (*Mr. Anstey.*) But at another period when your own counsel was examining you, in your own examination in chief—I am quoting from number 2671—you are asked this question, "Did you offer "bribes to anybody for the purpose of voting for the "best candidate?" That is in 1865, and then your answer is, "Not the last election. I do not say about the previous one," meaning that you did offer bribes in 1859, which was the last election?—I never offered anything then.

7506. But you did say that to the House of Commons?—I did.

7507. (*Mr. Price.*) You certainly deserve to be indicted for perjury if anybody does in the world. You told us that the paper you signed at the office of the Conservative solicitors was as to the election of 1865, and all these statements you volunteered because you would not say so much about the election before.

7508. (*Mr. Anstey.*) Who is this Tom Boys who put his name to this paper pledging you to perjure yourself?—Who was he?

7509. Yes?—A clerk in Mr. Smith's office.

7510. That is the Tory attorney?—Yes.

7511. Is he now the managing clerk in the office of a Liberal attorney?—Yes.

7512. Who is that?—Reed and Cook.

7513. (*Mr. Coleridge.*) Do you attend any place of worship at all?—Sometimes.

7514. And have you ever considered at all whether there is any value in an oath?—Yes, I consider I went to London and did wrong.

7515. Then you consider when you went to London you had done wrong?—I do consider I have done so now.

7516. And do you consider that if you perjure yourself to-day you do wrong?—Certainly. I came here to-day to speak the truth, although for what I said in London I am very sorry, and repent it.

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7517. (*Mr. Anstey.*) You have committed perjury to-day; you have already contradicted the evidence you gave yesterday over and over again?—I cannot tell.

7518. (*Mr. Price.*) You say you came here to speak the truth?—Yes, so I will.

7519. You have said in 1852 you did get nothing; now you say you will not swear whether you did not get money from Foster?—I will not swear whether it was 1852 or 1857.

7520. Now, having sworn that, I will just call your attention again to 1859, and ask you whether in 1859 you did not pay away 40*l.* more than you had received, and whether Foster did not refuse to repay you, and say that he retained it upon account of the 100*l.* you were short of in 1852?—I never saw Foster during the whole of the day.

7521. Anybody else?—No, nobody else. I never had a fraction or a farthing from anybody else. Looking at my list——

7522. Never mind your list; I neither believe what you write nor what you say. Then there is no truth in the fact that you paid 40*l.* away more than you received?—No, I never saw an attorney.

7523. Never mind seeing an attorney, that is not the question; but it is not true, when you asked Foster for that 40*l.* that he said he retained it in consequence of the 100*l.* which you were wrong about in your account of 1852?—I never stated I was wrong.

7524. Never mind what you stated; is it true, or is it not true?—It is not true.

7525. You had better take care. Now we have got to the election of 1865, I want to ask you this: you say Colonel Tynte, the old gentleman, told you that Foster had charged the 40*l.* as against you?—Yes.

7525*a*. Why it was not the old gentleman who was the candidate?—I cannot help that; but I have no doubt he had to pay the money.

7526. He had to pay the money?—No doubt about that.

7527. (*Mr. Anstey.*) Also besides what you said about Colonel Tynte making that statement, you said that money was promised you by Mr. Lovibond and Mr. Barham. Before passing on give us the details of that conversation in Mr. Benjamin Lovibond's office. First of all, who fetched you there?—Mr. Barham.

7528. What did he say to you?—He asked me if I would go down and see the candidates there.

7529. Did he know at that time you had gone over to the side of the Tories?—I daresay he did.

7530. You went on with him to Mr. Benjamin Lovibond's office?—No, I went on afterwards.

7531. To Mr. Lovibond's office?—Yes.

7532. Did you meet Mr. Barham there?—Yes.

7533. Who spoke first?—I daresay Mr. Lovibond spoke first. I do not know who spoke first.

7534. What was said?—I think it was about voting.

7535. Did you say anything about what they were going to give you?—No.

7536. Take care. Was nothing said about shutting up the shutters?—No, you will not find that out.

7537. Do you mean to say you did not tell the House of Commons that you told Mr. Lovibond you were not going to support them because you had been ill-used, and then when the question is, What did Mr. Lovibond say to that, you told the House of Commons he said, If I was going to vote for them, he'd be d——d if he would not put up his electioneering shutters?—He did say so. Lovibond said so.

7538. Well, I will ask you that; is that true?—That is true.

7539. Did you say you were not going to vote for them?—That is true.

7540. You said that was not true just now; did you tell them that the reason you were not going to vote was in consequence of your not having got the 40*l.*?—Yes.

7541. Tell us first what Mr. Lovibond said?—He said it would be put right.

7542. What did Barham say?—I believe those were the words, the one or the other of them; I will not be positive which one it was.

7543. Did the other say anything against it?—Not a word.

7544. Were the candidates there?—No.

7545. I thought you said you were going down to see the candidates?—They were in another room.

7546. In another room there?—Yes; and I saw them in another room.

7547. (*Mr. Price.*) That was the election of 1865?—1865.

7548. Now we come to 1866. Did you know Mr. Temblett, the pawnbroker?—Yes.

7549. How much money did you get at that election?—In 1866?

7550. Yes, the first election of the two; Mr. Bagehot's?—When Bagehot was beaten?

7551. Yes?—Nothing.

7552. How did you vote?—I am not certain how I did vote; probably the poll-book will tell you.

7553. Probably you did not vote at all, as you got nothing?—Oh yes; I have voted before without anything.

7554. You say you paid yourself well on that second election; you say you got 200*l.*?—Yes; that was Vanderbyl's election.

7555. You got that from the Conservative?—Yes.

7556. And you put every sou of it into your pocket?—That is in 1865.

7557. No, it is not, indeed; take care what you are about. We have got rid of 1865; we have been just discussing 1866. Did you get any Conservative money in 1865?—In 1865 was the time when Westropp put up, that was the time I got the money.

7558. (*Mr. Coleridge.*) In 1865 I understand you got 200*l.*?—That is correct.

7559. And after that there were five packets of 100*l.* each, of which Jarman had three, and you had two?—Yes.

7560. And he divided his money with you, and gave you 50*l.*?—Yes.

7561. And who did you bribe with it?—I bribed 30 voters.

7562. Thirty voters with 50*l.*?—No, the gentleman, the "man in the moon," whoever he was, met us down in King Street, and there he gave us about five packages of 100*l.* each; he gave Jarman three packages, and he gave me two packages, that was 500*l.* altogether.

7563. I understood you to say that yesterday. And then Jarman divided that with you, and made what you received amount to 250*l.*?—Yes.

7564. You spent 50*l.* in bribing others, and put 200*l.* into your own pocket?—Yes.

7565. And you subsequently got some more from somebody?—Yes, from Jarman.

7566. (*Mr. Price.*) What did you do with that last 250*l.*?—Gave it to the men.

7567. How many men?—30.

7568. What are their names?—I cannot remember their names. I told you two other men yesterday, and I have got two other to-day; that is all I can tell you.

7569. (*Mr. Coleridge.*) Who did you give us yesterday—William Stone?—No, that was not that election.

7570. No, it was not; you are quite right. These are the three men you can recollect?—I did not tell you three men. I did not give it to three men; I offered it to Gilbert, and he refused it because it was not enough. There was a man of the name of Stoodley, I believe I gave it to him.

7571. How much did you give to him?—10*l.*

7572. (*Mr. Anstey.*) You were asked that question before the House of Commons, and denied it?—Yes.

7573. Who else besides Stoodley?—I gave it to a man named Southwood.

7574. Is that all you recollect?—Yes; all the rest were strangers.

7575. Is that all you can recollect ?—Yes.

7576. Is the Jarman you now speak of a relation of Jarman who bribed on the Liberal side ?—I cannot tell you.

7577. This Jarman you mention is on the Conservative side ?—Yes.

7578. (*Mr. Coleridge.*) What is this Jarman ?—A baker.

7579. Is there Jarman a hatter ?—I cannot tell you.

7580. Are they brothers ?—They may be relatives.

7581. (*Mr. Price.*) How much did you put in your own pocket at that election in 1865 ?—200*l.*

7582. But you have not accounted for this other money ?—Which other money ? Yes, I have.

7583. Is this Southwood James or William ?—James Southwood.

7584. What is he ?—A carpenter.

7585. In Dunwear Street ?—No. I believe he lives in a place called Salmon Lane.

7586. Did he vote for Mr. Westropp and Mr. Gray at the last election ?—I do not know.

7587. You are sure he is a carpenter, and his name is James ?—Yes, I believe his name is James. He is a little short man.

7588. (*Mr. Price.*) The embezzling of 200*l.*, is that all the part you took in that election of 1865 ?—Yes.

7589. You were never asked for that 200*l.* ?—No ; nobody ever asked me for a penny.

7590. You knew that 200*l.* was given you to distribute in bribery ?—Yes.

7591. (*Mr. Anstey.*) Then what on earth made you put it in your own pocket ?—Because I thought I might as well put it in my pocket as put it in anybody else's.

7592. (*Mr. Price.*) Did you go to Mr. Leaker on the occasion for money ?—No.

7593. You told us you went to the "Golden Lion" ?—No, the "Golden Ball."

7594. You said you never went to the "Golden Ball" in your life ?—Pym's was the "Golden Lion ;" James Leaker's was the "Golden Ball."

7595. (*Mr. Coleridge.*) I ask you whether Mr. Leaker, who now keeps the "Clarence," once kept the "Golden Ball" ?—Yes.

7596. And you went to that house in 1852 ?—I am not positive whether I went to the "Golden Lion" or to the "Golden Ball."

7597. It may have been both ?—Yes.

7598. (*Mr. Anstey.*) Did you go to Leaker's house in 1865 ?—Never.

7599. (*Mr. Price.*) Who gave you these two sums of money that you got in 1865, Mr. Temblett ?—It was the strange man ; he gave me 200*l.*, and Mr. Jarman gave me 50*l.*

7600. (*Mr. Coleridge.*) Now we come down to the election of 1868. In 1868, did you not try to get hold of 300*l.* from the Conservatives, and because they would not let you have it did you not go over to the Liberals ?—When was that ?

(*Mr. Price.*) 1868.

7601. (*Mr. Coleridge.*) The last election ?—I was not here.

7602. (*Mr. Price.*) Never mind that ; will you answer the question ?—I was not here.

7603. In 1866, did you try to get hold of 300*l.* ?—I did not ; nobody ever asked me for a fraction, and I never had none.

7604. In the first election of 1866, did you not try to get hold of 300*l.* ?—Certainly not, and I never had a penny piece.

7605. You swear that ?—I do ; I never had a fraction.

7606. It is not whether you had it. Just attend to me ; they would not trust you, it is not likely that you would get it. The question is, whether you would not try to get it ?—I never asked for it ; I never asked one single soul, and I swear I never had any.

7607. Is that as true as what you said before ?—That is a fact, I never had a farthing. I would tell you the truth if you would allow me now. I have come here on purpose.

7608. Would it be a fact that you bribed for the Conservatives or not ? Having bribed in 1865, and having put this money into your pocket, did you on the next election go over to Bagehot, and vote for the Liberals ?—I may have done so.

7609. What did you do that for ?—Because I did that on principle.

7610. Do not speak of principle, sir ; it is disgusting to hear you making use of the expression. In the second election of 1866, whom did you vote for when Mr. Vanderbyl came ?—When who came ?

7611. Vanderbyl ?—I did not vote at all.

7612. You got no money, I suppose ?—Yes, I had money.

7613. Who from ?—From Mr. Allan.

7614. How much ?—60*l.*

7615. (*Mr. Coleridge.*) What for ?—For bribery.

7616. Whom did you pay ?—Three or four of the parties who were there ; I told you Stone and Frost.

7617. And Thomas ?—Yes, Thomas had not the money himself ; he gave it to Roberts.

7618. What did you get for yourself ?—50*l.*

7619. (*Mr. Price.*) And you did not vote ?—I could not vote, I could not go out of the house.

7620. Why ?—Because I was too ill.

7621. And you got 50*l.* to vote, although you were too ill to go out and vote ?—Yes. I will tell you the truth.

7622. (*Mr. Coleridge.*) Who brought you that ?—Allan brought me 60*l.*, and Mr. Symons gave me 130*l.*

7623. 190*l.* in all ?—Yes.

7624. (*Mr. Anstey.*) I will mention to you another name which you may recollect in connexion with the election of 1865, a voter named Staples ?—I do not recollect him at all.

7625. Do you mean to say Staples never made a statement to you on that occasion about his vote ?—No.

7626. About how he was going to give it ?—No.

7627. Did Staples tell you anything about getting money ?—He told me he could get money.

7628. From whom ?—From the other party.

7629. From the Liberals ?—Yes.

7630. Did you ask him anything about his having got money from Mr. Westropp ?—Well, there may have been a conversation about it.

7631. Did you ask him that question ?—I may have done so. I am not positive whether I asked him or not.

7632. What did he tell you ?—I am not positive what he did tell me. I do not know what he did say ; I cannot tell. I know we had a conversation about it.

7633. You did speak to him about whether he voted for Mr. Westropp, and whether he had had money from Mr. Westropp ?—I cannot remember it at all.

7634. I will just give you the very words. Is it true, as you stated to the committee of the House of Commons, that on the day after the election, at your own office, you said to Staples, "Well, Jack, you "have had your money of Mr. Westropp, and gave it "up ?" Did you say that to him ?—I may have done so.

7635. Did you say that ?—I cannot recollect. I cannot refresh my memory as to whether I did or not.

7636. What was his answer to that ?—I cannot tell. I cannot answer it.

7637. Did you tell the House of Commons that he told you it was for freight ?—If it is there I may have told them so.

7638. If it is there you must have said so ?—Yes.

7639. Was it true or false what you said in the House of Commons, that Staples told you it was for freight ?—I have no doubt of it.

7640. That he told you it was for freight ?—I believe so. I believe I can refresh my memory, now you have told me of it.

7641. Then how did you learn that he could have

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money from the other side?—Because he said he could have had it from the other side.

7642. Why did you not tell the House of Commons that?—I do not know why I did not tell them so.

7643. (*Mr. Price.*) I warn you again, because having once committed perjury, according to your own confession, it requires a great deal for us to believe you now. If Mr. Temblett, the pawnbroker, says that you tried at the election of 1866 to get 300*l.* from the Conservatives and did not succeed, and then that you went over to the Liberals, he will tell us that which is false, you say?—Yes. I never did do it.

7644. Never did do what?—Never asked for the 300*l.* at all.

7645. Did you know anything about the 300*l.*?—Mr. Westropp came to me when I was at the "Clarence" hotel, and he said that if 300*l.* could be procured he would pay it over again. They were talking about matters——

7646. If it could be procured he would do what with it?—If 300*l.* could be procured to carry over the election it would be paid over again.

7647. What should be paid over again?—Why, the money.

7648. Why should he come and tell you that for?—There was a conversation——

(*Mr. Price.*) You had better let us have it all out.

7649. (*Mr. Coleridge.*) Let us have all about the "Clarence" hotel?—At the "Clarence" hotel I was there with Mr. Westropp, and we were talking over matters about the former elections, and it was thought Mr. Patton would not win.

7650. (*Mr. Price.*) Who said so?—Mr. Westropp.

7651. Was Mr. Westropp down at Mr. Patton's election?—Yes.

7652. (*Mr. Price.*) Then it was thought Mr. Patton would not win?—Yes. Mr. Westropp said Mr. Patton would not put out any money, and then they asked me what sum I thought would win the election, and I said 200*l.* or 300*l.*, if they would try to get it.

7653. (*Mr. Coleridge.*) You told us that at this election you did not vote because you were too ill in bed?—No, I did not. That was the prior election.

7654. (*Mr. Price.*) I asked you that question before, and until I mentioned Temblett you never denied anything of the kind. I asked you if you did not try to get 300*l.*, and, not succeeding, whether you then went over to the Liberals, and you denied having tried to get 300*l.*?—No. I did not try to get it.

7655. You asked Mr. Westropp what would do?—I did.

7656. What did you say?—He asked me if 300*l.* would do. Mr. Westropp told me himself if there could be 300*l.* or 400*l.*—300*l.* is the amount—procured, that it would be paid again.

7657. Did he think you could procure 300*l.*?—I do not know, Perhaps he thought I had a friend from whom I could get it.

7658. As soon as you had had this conversation and you had heard there was no money going, you went and voted for Mr. Bagehot?—Probably I did.

7659. Is that all you have to tell us of yourself?—I think it is.

7660. (*Mr. Anstey.*) One thing more. In the election of 1865, after taking Mr. Westropp's money, and pledging yourself in the way you say you did to vote for him, did you not promise also Sir John Shelley and Mr. Kinglake to vote for them?—No, I never did promise them.

7661. If Sir John Shelley stated that on oath before the committee of the House of Commons, was that statement true or false?—Yes, false; and I told him so in the House of Commons.

7662. And Sir John Shelley is also dead?—Yes. I told him in the House of Commons that it was false, and you will find that is so in that report.

(*Mr. Anstey.*) I do not see that at all. I do not see that you had any opportunity of doing so.

7663. (*Mr. Price.*) Where were you in 1868?—I was not here.

7664. Where were you?—At Durston.

7665. (*Mr. Coleridge.*) Had you no vote?—No.

7666. And had you lost your vote?—I had been away two years nearly.

7667. (*Mr. Anstey.*) Where do you live?—I live at Durston.

7668. What is your occupation?—I manage for Messrs. Colthurst and Symons.

7669. (*Mr. Price.*) What are they?—In the brickyard.

7670. Have you the payment of any money for them?—I do not know what you mean.

7671. Have you the payment of their men's wages?—Yes.

(*Mr. Price.*) They had better look out then.

7672. (*Mr. Anstey.*) Are there 140 men in Mr. Symons' employ?—They have got more than that, probably.

7673. Is that the gentleman who spells his name with a "y"—Symons?—Yes.

7674. Do you know of his having had 100*l.* which he obtained on a promise to use it in bribing, and kept?—Mr. Symons!

7675. Did you know anything about that at a previous election?—I do not think he could be capable of that.

7676. I am not asking you for your opinion as to what he is capable of. It is not a question of your opinion, which no doubt must have great weight, but the question is, did you know anything of that kind occur?—No. I do not believe it did.

7677. Or did he ever give you a sum of money at any election, and tell you to go and bribe with that?—I told you he gave me 130*l.*

7678. Who did?—Mr. Symons.

7679. When? What election?—Vanderbyl's election.

7680. Which of Vanderbyl's election, 1866 or 1868?—1866. That is how he disposed of that 130*l.* by giving it to me.

7681. And what did you do with it?—Gave it away.

7682. But you have not given us the names?—Yes, I have.

7683. Not all the names?—Yes, I have.

7684. I thought you had no recollection?—Mr. Symons would not keep a penny. He would sooner give it away.

A. Allan.

ANDREW ALLAN recalled.

7685. (*Mr. Price.*) Is that the 130*l.* you talked about the other day? I think you said Mr. Symons had not accounted for 130*l.*?—When I spoke in my preliminary evidence about the money Mr. Symons had from me, you will find a proviso.

7686. I know. Is that the sum that you said Mr. Symons had not accounted for?—Mr. Symons had 140*l.*

7687. He had only one sum of 140*l.*?—Yes.

7688. And this man says—if you could believe anything he says—that Mr. Symons handed it over to him for bribery. That would account for it so far as you are concerned. You have not heard that it had been disposed of in this manner before?—No.

7689. (*Mr. Anstey.*) Then it was 140*l.* it seems?—That would account for it all but 10*l.*

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WILLIAM HEAL recalled.

7690. (*Mr. Anstey.*) Then what have you done with the other 10*l.*?—The other 10*l.*?

7691. Yes. You have heard what Mr. Allan has just said?

7692. (*Mr. Price.*) That he gave Mr. Symons 140*l.* You say he is too respectable to take the money himself. We will suppose that he gave you the whole amount?—No doubt of it. I have no doubt he gave me every penny piece he received.

7693. Then how do you account for it?—I have accounted for 190*l.*

7694. Then you got 140*l.* from Mr. Symons?—Yes, no doubt in the world.

7695. You told us you accounted for 130*l.*?—No doubt, if Mr. Allan gave Mr. Symons 140*l.*; he came straight to me, and gave me the whole of the money.

7696. (*Mr. Anstey.*) How many of the men that you bribed with the 130*l.* on that occasion were persons in the employ of Mr. Symons?—Not one of them.

7697. Not one?—Not one of them. The only man who was with Mr. Symons was Mr. Thomas. I do not know whether he was with Mr. Symons; he was some time ago; but Mr. Symons took that money, and gave it to Mr. Roberts.

7698. What relation are you to Mr. Symons?—I was a brother-in-law once.

7699. What relation are you to Mr. Cook?—A brother-in-law to Mr. James Cook.

7700. And what relation are you to Mr. George Heal, and one or two other Heals, I believe, but to Mr. George Heal in particular?—A brother.

7701. Is Mr. George Heal on the Conservative side, and you on the Liberal?—He was before this election. I believe he voted Liberal two or three times.

7702. And two or three times Conservative?—I believe so.

7703. The same as you have done?—Some two or three years he voted on the Liberal, and he has voted on the Conservative.

7704. That is like the Bridgwater cases. The two brothers spread their nets, and one brother gets the Liberal money and the other the Conservative money?—I do not doubt it.

7705. Do not you know that a good many small tenements have been built here for the purpose of giving votes, before the passing of the Reform Act, 10*l.* houses?—Well, 10*l.* houses; Bridgwater is a flourishing place.

7706. There has been one general election since '32 nearly every two years and six months, and at each election the quantity of money spent in corruption has been 10,000*l.* I ask you, do you know of any cases of builders or other persons having run up 10*l.* tenements for the purpose of enabling people in their employ to come in for a share of this enormous revenue?—Never.

7707. You never heard of that?—Never in my life.

7708. (*Mr. Price.*) You have given us an account of the part you took in this election. Mr. Bussell told us that his mantle fell upon your shoulders, and you took up the bribing?—Mr. Bussell took up mine.

7709. Mr. Bussell told us you were the man who took up his. Who did your business before you went to Taunton?—I do not know.

7710. You do not know?—I do not know that. I did not come to Bridgwater during the three years I was away more than two or three times.

7711. (*Mr. Anstey.*) You came on one occasion all the way from Gloucester to bribe?—I came here to reside.

7712. (*Mr. Price.*) I suppose you could get no money at Gloucester for your vote?—No, I suppose not.

7713. (*Mr. Coleridge.*) Were you at Gloucester in 1857?—I left Gloucester the latter end of January or the beginning of February. I cannot tell you which month, neither can I tell you to a week.

(*Mr. Price.*) You stand in a very different position to any other witness who has been called before us, because you stand self-convicted of as gross a crime as it is possible to be committed, a crime which is of more evil consequence than any other except the taking away of life, the crime of perjury; for no man's life or property is safe if a man like you wilfully and deliberately swears to that which is false, for his own interests and motives, and declaring that he did so. If you have not made a full disclosure you not only will not get a certificate from us, but I will tell you further, that it is strongly our opinion that you should be prosecuted by Her Majesty's Attorney General; and the consideration of course whether we shall recommend that or not will be considerably increased if we discover in the course of this inquiry that you have done before us as you did before the committee of the House of Commons, that is to say, committed perjury.

7714. (*Mr. Anstey.*) Before you leave, I have to ask you a question which bears on your position towards those who are what is called the respectable people in this borough. Have you in consequence of the revelations of your guilt during the last 30 years, and more especially during the late elections, have you lost employment, or friendship, or reputation, or suffered in any way amongst your patrons and friends in this borough?—No.

(*Mr. Anstey.*) I thought not.

7715. (*Mr. Price.*) You were thought equally well of on both sides?—Oh, yes; I could have got credit to any amount.

7716. And how long have you been in Mr. Symons' employment?—I suppose 16 or 17 months.

7717. And those 16 or 17 months are all subsequent to the frightful disclosures which came out in this blue book of 1866?—Well, I do not know that.

(*Mr. Price.*) That is all.

(*The witness.*) I do not know that.

(*Mr. Price.*) You leave the box, Mr. Heal, a thoroughly discredited and disgraced man. Now you may go. (*The witness then left the box.*)

(*Mr. Price.*) That man must not go out of court. If we keep him here to-day it will be a punishment to him. He must not go out of court. Keep him here.

(*The witness.*) I do not want to go out of court.

(*Mr. Price.*) Mr. Heal, will you step into the box again? (*Mr. Heal then returned into the box.*)

7718. (*Mr. Price.*) You told us yesterday that you paid 100*l.* out of the 190*l.* which you received at Vanderbyl's first election to a man named Charles Kirk, who is now dead?—I did.

7719. What time did you pay him, what time of the day?—In the middle of the day. I had met with an accident, and it was just after Mr. Halliday went away from my room.

7720. Who was Mr. Halliday?—He was the agent of the insurance office. He came there, and I could not dispose of the money.

7721. Was he one of the men who came to your bedside, or to your room?—Halliday was.

7722. And Kirk came there while Halliday was there?—No, not while Halliday was there.

7723. Well, just after he had gone?—Yes.

7724. When about was that?—Some time in the morning.

7725. About what time?—It was the middle of the day.

7726. Was it before one o'clock?—My impression is it was before one, but I would not swear it was before one.

7727. (*Mr. Anstey.*) Kirk left a widow?—Yes.

7728. Where does she live?—Well, I really and truly do not know.

(*Mr. Price.*) Well, we will find out.

7729. (*Mr. Anstey.*) What is she?—A widow—nothing; she is in no business, I believe.

7730. (*Mr. Price.*) Where did Kirk live?—He lived at "Tynte's Arms."

7731. (*Mr. Coleridge.*) Does his widow keep it on?—No.

7732. (*Mr. Price.*) Was anybody present when you paid it to Kirk?—No, nobody at all.

7733. (*Mr. Coleridge.*) And you are quite sure that

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100*l.* did not stick to you?—I am quite sure it did not.

7734. (*Mr. Anstey.*) If you did not pay it to Kirk, did it stick to you?—I did pay it.

7735. But supposing you did not pay it to Kirk, I suppose you will admit you did stick to it. You have no other explanation to give of it, except that you gave it to him. Is that so?—Yes.

C. Torr.

CHARLES TORR called and sworn.

7736. (*Mr. Price.*) What are you?—A tailor.

7737. Anything else?—No.

7738. Are you what is called a local preacher?—Well, sir, yes, I am.

7739. What denomination of dissenters do you belong to?—The Wesleyans.

7740. You are a local preacher of the Wesleyans?—Yes.

7741. And you are a voter of this borough?—Yes.

7742. May I ask you how old you are?—Why, in my 78th year.

7743. Now, did you vote at the election of 1868, the last election?—No.

7744. You did not vote at all?—I did not vote at all. The reason I did not vote was this: I met with an accident, and I told Mr. Kinglake and Mr. Vanderbyl that they must excuse me, for I did not want to be for them or against them. That is why I did not vote.

7745. (*Mr. Price.*) What had been your political opinions up to that time?—For the last 20 years I have always voted for the Liberals.

7746. For 20 years?—For 20 years.

7747. And what did you do before the last 20 years; how did you vote then?—I had no vote.

7748. You have always voted Liberal?—I have always voted Liberal.

7749. And have you received any money for it at any time?—No, not a farthing.

7750. Never in your life?—Never in my life, and I never gave nor received anything. I never had a farthing; I always went up.

7751. Do you know that your name had been returned? It may be your son. We were told it was the "old gentleman;" the man yesterday said so.

7752. (*Mr. Anstey.*) Bouchier. Do you know a man named Bouchier?—I do.

7753. Do you remember him coming and asking you for your vote on behalf of the Liberal candidates, either at the last election or the one before that, or at any election?—(*The witness hesitated.*)

7754. (*Mr. Price.*) Listen to this. Is it true or not that he promised you 10*l.*?—Who?

7755. Bouchier?—Yes; but that was after the election was over.

7756. (*Mr. Anstey.*) What election was that; the last election?—No.

7757. When Vanderbyl was first returned?—Yes.

7758. The second election of 1866, then?—Yes.

7759. Bouchier promised you how much?—He said that he tried to get for me 10*l.*

7760. Had you asked him; had you told him this, that "other voters were to have 10*l.*, why should not I have it"?—Yes.

7761. And then he said he would try and get it for you?—Yes.

7762. Have you ever had it?—I have never had it.

7763. You have asked for it?—I have passed the compliment when I have been there. Mr. Bouchier and I were always very intimate.

7764. But have you ever asked him for the money since?—I think——

7765. Have you asked him to pay the money?—I believe I have.

7766. But you never got it?—I never got it.

7767. (*Mr. Price.*) Then you never did get a farthing?—I never got the worth of a penny.

7768. But you told him that you had heard that nearly everybody at Bridgwater had money for his vote, and you must have some also?—I thought it was due to me, because I always went honestly to the poll soon after breakfast; always when I voted.

7769. So you thought, as you had always gone honestly to the poll at previous elections, you would for once go dishonestly. You thought you ought to get something at 78. Better late than never. Had you asked for money on that occasion?—Yes.

7770. Had you heard that anybody at Bridgwater had got money for their votes?—I had heard that a great many had; but I never asked any person for a halfpenny, nor have I ever received anything. I never had so much as a glass of beer.

7771. You did ask Bouchier?—Yes.

(*Mr. Price.*) Then that confirms Mr. Bouchier's story. That is all.

C. Faun.

CHARLES FAUN called and sworn.

7772. (*Mr. Price.*) Have you received a summons this morning?—This morning, at 11 o'clock.

7773. Where do you live?—Ball's Lane.

7774. Have you a brother of the name of Henry?—He is dead.

7775. What are you?—I am a printer.

7776. A master printer?—A master printer.

7777. How many men do you employ?—Two.

7778. How long have you been a master printer?—36 years.

7779. Have you had the printing for the Liberal party at the elections?—Yes.

7780. Always?—Yes, I have.

7781. The whole of it?—Since I have been in Bridgwater; not the whole. The printing has been divided between three.

7782. Did you vote at the last election?—I did.

7783. For whom did you vote?—Kinglake and Vanderbyl.

7784. Did you get any money for it?—Certainly not.

7785. Were you promised any?—No, certainly not, never in my life.

7786. Did you receive any money for the purpose of bribing other people?—No, never in my life. I am speaking for the first time in 1831.

7787. We are going by steps. In 1868, did you receive any money?—1868?

7788. Yes, the last election, in 1868. Did you receive any money to bribe other people with?—Never in my life.

7789. Had you ever been employed by the Liberal party to bribe others?—Never.

7790. Then what that man has told us is untrue?—About me, sir?

7791. Yes?—Certainly not.

7792. Then we understood from him that you were one of the persons who were with him, Mr. Charles Fawn?—It must be Henry Fawn.

7793. Did your brother take an active part in that work then?—I believe he did. I do not know of my own knowledge. He had a nephew, Foster.

7794. Who was clerk to Mr. Lovibond?—Who was clerk to Mr. Lovibond.

7795. He probably was the one; it was a mistake. I thought you were the person he spoke of. You were going to speak a minute or two ago about the election of 1831?—That was the first election I polled.

7796. And you have voted at every election since?—Yes.

7797. And you never received anything?—No, I never received anything.

7798. Have you ever asked for anything?—Never in my life.

7799. (*Mr. Coleridge.*) What sort or character of

election was that in 1831?—That was Mr. Astell and Colonel Tynte, and Mr. Shirley.

7800. Was much money spent at that election?—I heard so, on Mr. Astell's side.

7801. Was there any petition?—I do not know.

7802. You voted in 1831, and you heard that money was spent in bribery?—I heard so.

7803. I mean you heard it at the time?—Yes.

7804. In 1832, were the candidates Tynte and Tayleur?—Yes.

7805. Was any money spent at that election?—No.

7806. Then in 1835, Tynte and Temple Leader's election; there was a lot of money spent then?—I believe there was.

7807. What was the report as to the money spent by Mr. Temple Leader?—I believe 10,000*l.*

7808. Then in the next election, in 1837, Mr. Broadwood was returned in the place of Mr. Sheridan resigned?—Yes.

7809. Was there any money spent then?—I believe so; it was said that Mr. Broadwood spent a good deal of money then.

7810. Was there a petition then?—Yes; and I believe it would have been carried out if it had not been for the death of King William IV.

7811. (*Mr. Anstey.*) Are you not making a mistake?—I believe not.

7812. There was a petition against Mr. Broadwood for gross bribery by himself and his agents?—Yes.

7813. You are aware that William IV. did not die till the end of June?—I do not know whether he died in June or July.

7814. Well, he did not die till the end of June. There were petitions by Sheridan and Lethbridge, and by a number of electors. There were two or three petitions against that return of Broadwood?—I believe there were.

7815. And one of them was tried; one of them was what was called "struck"?—Yes, I believe it was.

7816. Now listen to this: after this petition had been received, do you remember Mr. Broadwood, before William IV. died, writing a letter to the Speaker published in the journal, informing the Speaker that it was not his intention to defend his return?—I never heard of the letter.

7817. You never heard that he retired from the representation, and said he was not going to defend the return?—I never did know.

7818. After William IV. died, but before the day appointed for adjudicating upon the petition against Mr. Broadwood's return, do you remember a second petition being presented, a sham petition from this borough, from persons praying to be allowed to defend in the stead of Mr. Broadwood?—I do not recollect it.

7819. You have no distinct recollection on the subject?—I have not.

7820. (*Mr. Coleridge.*) At which of Mr. Leader's elections was it that he said, if Mr. Broadwood came here with his piano-fortes he would come with his piano-fifties?—Mr. Leader only got in at one election.

7821. Do you remember his saying that?—No, I do not.

7822. There was another election at King William's death, when Mr. Broadwood and Mr. Courtenay were returned?—Yes.

7823. And was there any money spent then?—No, I believe not.

7824. In 1847, we had Tynte and Broadwood; was that a pure election?—I cannot tell. In the year 1832 there were 37 of us prosecuted for riot and assault, at the time when there was so much emotion in the country. I was one of them, and I made up my mind I never would mix in the elections again.

7825. (*Mr. Anstey.*) Do you mean that you were tried at the Wells assizes?—There were 37 of us. I was tried at Wells sessions.

7826. And you made up your mind you never would mix yourself up actively in the electioneering again?—Yes.

7827. But simply vote?—But simply vote.

7828. You remember this year of 1837. Now try to recollect something about that which took place in the following year. Do you recollect in 1838 the trial of an action brought by a common informer of the name of Webb against Mr. Smith, then an articled clerk, for 500*l.* penalty for having bribed at the election of 1837?—I remember it well.

7829. You remember it well?—Yes.

7830. It was tried before a special jury at Taunton assizes?—It was.

7831. Were you present?—I was not.

7832. Is that Mr. Smith still alive?—He is.

7833. What is his present condition?—I believe he is retired. He is paralytic.

7834. What is he called? Is he the alderman?—No, Richard Smith. The alderman is Joseph Richard Smith.

7835. Is he the son then?—The brother.

7836. The brother of Mr. Joseph Richard Smith?—He is.

7837. Where is he living, this Mr. Richard Smith?—At Binford Place. It is called Binford House. It is only two doors from me.

7838. Has he any other name besides Richard?—Not that I am aware of.

7839. Because it has been stated by some of the other witnesses that he is the Richard Joseph Smith?—He is not.

7840. He is not?—He is not, I am quite certain.

7841. When you say he is paralytic, do you mean that he is utterly incapable of being moved?—I should say so; not of being moved, but I should say incapable of great exercise.

7842. Is he, to your knowledge, a person of sound mind and memory?—Well, I cannot say.

7843. (*Mr. Coleridge.*) When did you last see him?—About a couple of months ago.

7844. (*Mr. Anstey.*) Did he speak to you?—Oh yes.

7845. That is what I mean. He can understand questions, and give intelligible answers to them; two months ago he could?—Oh yes, he could.

7846. Why did you hesitate just now?—I did not understand you.

7847. (*Mr. Price.*) Do you mean, that if we went down to his house, as we have the power of doing, that he would be able to understand our questions and give us intelligible answers?—I cannot give any opinion upon it.

7848. (*Mr. Coleridge.*) Do you know who his medical attendant is?—Dr. Farmer, I think.

7849. (*Mr. Anstey.*) Are you aware that the particular feature in the case against him was, that he could, if he had liked, have informed the House of Commons who the "man in the moon" of that year was, because he was the person who indicated to the "man in the moon" the voters who were to receive the money?—I never heard a word about the "man in the moon."

7850. You never heard about it at his house?—No, never.

7851. You never heard that on this election people were bribed in a darkened room, at the house of a man called Murlis, by a stranger to the borough, to whom the voters were pointed out and introduced by this Richard Smith?—What year is that?

7852. Why, in 1837. I am only talking about one election?—Well, I have heard so.

7853. Then do be careful, sir, what answers you make?—I have only been just subpœnaed about it; I had no idea of the questions that would be asked.

7854. I ask you again, do you remember that that was the nature of the case which was made against Mr. Richard Smith?—I remember it perfectly well.

7855. Have you ever heard that that man who is called the "stranger," or the "man in the moon," or whatever you like, in 1838, has ever been seen in Bridgwater since—the man who acted on that occasion for the Tories?—I never heard him called the "man in the moon;" I heard him called the stranger.

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7856. Well, the stranger; you know the man I mean, the person who paid the money to the people indicated by Smith. Have you ever heard who he was?—No.

7857. Are you aware that in 1838 there was the most remarkable petition that ever proceeded from Bridgwater, signed by almost all the respectable people at that time in the place, praying for the disfranchisement of the borough, and referring to these practices as reasons why the place should be disfranchised?—I remember nothing of the kind.

7858. Do you remember that Mr. Ward presented that petition, and that there was a conversation with the House of Commons for two hours and a half?—I recollect nothing of the kind.

7859. In which Mr. Courtenay and his colleague, Mr. Broadwood, took part?—I recollect nothing about it.

7860. Signed by 156 out of 568 registered voters; and their names comprising some of the most influential and respectable persons in the borough, namely, 2 yeomen, 13 gentlemen and esquires, 6 merchants, 2 dissenting ministers, 3 surgeons, 1 solicitor, 1 conveyancer, 7 innkeepers, 1 lieutenant, and 119 shopkeepers. You never recollect that petition?—I never recollect anything of the kind.

7861. Your memory is a most convenient one?—I beg to say I am telling you nothing but what is the truth.

7862. (*Mr. Price.*) You did not sign such a petition?—Never.

7863. (*Mr. Anstey.*) Presented in December 1837, and made the subject of debate in 1838?—I have never heard of it.

(*Mr. Price.*) It was a mistake about your name. It was no doubt your brother who was mentioned, and you were mistaken for him, or otherwise you would not have been summoned.

J. Bouchier.

JOHN BOUCHIER recalled.

7864. (*Mr. Price.*) You were asked yesterday some questions, and it appeared only fair to you that you should have an opportunity of refreshing your recollection. You were asked several questions yesterday about the cheques which you had received from Mr. White?—Yes.

7865. And you were under an impression that all the cheques you had received from him, as far as we understood it, were cheques which were payable to you, and you had nothing to do but to present the cheque to the banker and get the money for it. You were particularly asked by my learned friend, Mr. Coleridge, whether you had ever had to put your name to a cheque being payable to order, and you had nothing to do but to present the cheque and get the cash for it, and you said, "No, you thought not." That is so, was it not?—That is what I thought.

7866. It was fair that you should have an opportunity of re-considering that question, and having had that opportunity I ask you, are you very clear about it, or not?—I was not clear at the time.

7867. Now I will put into your hands that cheque, and Mr. White, unfortunately not being able to be present, will not be prejudiced by anything that I am doing now, because he will have every opportunity we hope, at some time or other, if we require it, of giving any explanation. But this is a cheque which I am going to put into your hands dated July 30th, 1866. Now, in his banking book we observe there was a cheque of the 3rd of August, that there was put to his debit, "3d August, Bouchier, 10*l.*" The probability is therefore, of course, that though the cheque might be dated July 30th that you did not pay it into the bank until the 3rd August; because we know perfectly well that bankers would not put down the date of the cheque, but would put down the date on which it is paid in. I believe that is the custom. Now, if you will look at that cheque (*handing the document to the witness*), and will look at the back of it, you will see a signature. I ask you whether that is your signature at the back of it?—Yes.

7868. Turn to the back first. Is that your handwriting at the back?—Yes.

7869. That is your signature. There, you see, that is a cheque payable to order, which, of course, the bankers would not cash without having your indorsement upon it. Now, does that refresh your recollection? This is dated, you see, the 30th July 1866, and no doubt it is the cheque which is entered to the debit of Mr. White in his book as of the 3rd August. Therefore, you probably paid it in on the 3rd August, or somebody paid it in for you. Do you remember anything about that? You know yesterday you stated that you thought that that 10*l.* cheque, which was on the 3rd August, and which was a very short time after the election, was not a cheque given with respect to the bribe, but was given with respect to a sum of money which he gave you to make up a sum which you wished to have?—Yes, that was my impression.

7870. Does the fact of your seeing this indorsement of yours refresh your recollection at all as to what the transaction was?—It does not, not for the minute. I have no recollection that that 10*l.* was the 10*l.* that was promised me for my vote; I do not think so. I have a clear recollection now, as I said before, that Mr. White drew out his cheque book.

7871. It was much later than that. You say still that you, being still unpaid the 10*l.* that you had been promised, then went to him and asked him for it, and he drew out his cheque book, and drew a cheque, and said, "No, I will not give you a cheque, because it may appear against me;" and then eventually he paid you in cash?—Yes, that was my impression, and is still.

7872. Does the fact of this indorsement of yours, cheque payable to your order, alter your view at all about the matter, as to whether it was given to you for your vote or in the way of an advance, as you stated yesterday?—I do not think it was given to me for the vote. I will turn it over in my mind, but I cannot now remember.

(*Mr. Price.*) Do so.

7873. (*Mr. Anstey.*) Have you brought the receipt you were asked about?—I cannot find it; I have searched for it.

7874. You have given the effect of it correctly?—Oh yes, I am certain of it.

7875. (*Mr. Price.*) It has been just suggested to me that there are two others. I think we had better have the banker, because the banker will tell us. Can you remember how you disposed of this cheque?—Will you kindly give me the cheque, and I will endeavour to find something at home bearing upon it?

7876. Did you send it away; I understood you to say, when you wanted these advances you wanted them generally for payment of goods in the way of your trade?—Yes.

7877. And you say you might have sent it away to London?—Yes, that is what I thought.

7878. Was that the general rule, that when you got advances you always wanted them in the way of your trade?—To the best of my recollection always.

7879. And having indorsed it, you would send it away to whoever wanted money from you?—Yes.

7880. That being the fact (and the fact you ought to know), you will find that there are two other names down here, at the bottom of this cheque in the corner, which shows that it passed through some other hands; does that enable you to say positively whether that was for your vote, because it was for your vote we would assume you would go and get it cashed for 10*l.* at once?—Will you allow me to take this home?

(*Mr. Price.*) No, you cannot do that. I think we had better call the banker as to that.

7881. (*Mr. Coleridge.*) Were you sued on one cheque, on the back of which you had put your name?—What! a note of this kind?

7882. Yes?—No, never.

7883. Because if you look at the corner you will find it is endorsed somewhere, something versus Boucher, as if it were ear-marked in that way, and paid in that way by the bank; can you at all explain that?—No. I can hardly understand that question. Will you kindly repeat it?

7884. You will see at the corner of that cheque some name, Tuckem, or something of that sort, versus Boucher. Just look at it. My object was to see if you might not have been sued, or some action brought on that occasion, and that that was some mark made by the banker's clerk?—No.

(*Mr. Price.*) Was there ever any demand made upon you for a debt by a court of law, in an action in which you were defendant, and in which you paid that cheque in to satisfy the demand; were you ever sued by anybody for anything supplied to you in the way of your trade, and have you gone to get an advance of money from Mr. White, and then paid the cheque in that way, so that it would be endorsed; do you recollect anything about that?

7885. (*Mr. Price.*) In July 1866, were you at that time being sued?—I was just recollecting the date. There was a time I was sued by one of my creditors at Leicester.

7886. (*Mr. Coleridge.*) What is his name?—Garner.

7887. Do you know a person with whom you dealt, and with whom you might have sent this cheque, whose name was something like Tuckem?—No.

7888. What is the name of your leather merchant in London?—I do not deal with any leather merchant in London.

7889. With whom then do you deal?—At Bristol.

7890. With whom there?—Nicholls.

7891. Anybody else?—No.

7892. Anybody at Leicester besides Garner?—Yes. I must have been doing with a man of the name of Creek.

7893. Anyone of this name?—Nothing near that name. In fact, there is no other person who has sued me or attempted to do so at that time.

7894. There is one other question which this question gives rise to. Supposing this cheque was drawn on the 30th July, and you had to make up an account, and you sent away the cheque in the way you have told us. You say you took 6*l.* or 7*l.* of Mr. White, and you say you wanted a few more pounds, and he gave you a cheque and you took the money. Have you any books to show that he did pay you 10*l.* about the 30th July 1866; that would be just 15 days after the election?—The only thing I would be likely to have would be I took up a bill of the bank.

7895. It seems very desirable you should clear this up as well as you can?—I will try to.

7896. (*Mr. Price.*) Are you quite sure that the transaction with regard to the money you received was not in the way of a direct bribe, but that it was understood you were to have assistance from Mr. White if you wanted it at a particular moment?—What! the 10*l.*?

7897. Yes?—The 10*l.* was for my vote. That was the 3rd August 1866.

Mr. William John Ford sworn.

Mr. W. J. Ford.

7898. (*Mr. Price.*) You are the manager of the South Wales and West of England District Bank, at the Bridgwater branch?—I am.

7899. Will you take this cheque, drawn in favour of Bouchier by Henry White on your bank, endorsed "John Bouchier," and explain it to us if you can by anything you see on that?—It came to us from the Bank of England through the clearing house and our London agents, Messrs. Glyn and Co.

7900. What are those names on them?—I could hardly decipher them this morning.

7901. It looks like "Bouchier," the bottom name?—Yes, no doubt about it.

7902. Your London agents are Messrs. Glyn and Co.?—They are. If you like I will send the cheque to them and ask them to inquire at the Bank of England of whom they received this cheque; that appears to me to be the best way of obtaining the information.

7903. It must have gone to London, clearly?—No doubt, and came to us through our agents.

7904. It had been paid away through the Bank of England?—No doubt about it, because the Bank of England stamp is upon it.

7905. And they cashed it?—Yes, or took it perhaps from some customer of theirs; it has no doubt gone through the Bank of England in London, because it is stamped with the stamp.

7906. Then, of course, the bank in changing the cheques at the clearing house with your agents have handed that in as against you at Glyn's, and Glyn's have transferred it to you and charged you with it?—Yes, that is it. I will get some information from them as to how the Bank of England obtained the cheque, if you like.

7907. (*Mr. Coleridge.*) I think the course you suggest is the best one, because that would enable us probably to trace where the cheque came from?—Yes, we can trace it, no doubt.

7908. (*Mr. Price.*) I think perhaps it would be as well that you should?—I will.

7909. It is a long time ago?—That would make no difference. I will tell you on Thursday morning I have no doubt.

7910. It is only fair in justice to Bouchier and White that it should be cleared up?—That is why I handed it in. It occurred to me yesterday that I could produce the cheque. I did not mention the subject to anyone, but simply handed the cheque to your secretary, and I will get all the information I can on Thursday morning, if you will allow me.

7911. Because it is fair to both the men that the thing should be cleared up?—That is merely why I thought I would hand it in.

7912. If it is a business transaction you will probably be able to trace it?—No doubt.

7913. There seem to have been other cheques passed to Bouchier which it would be of advantage to know something about; there are two other items debited to White's account with you?—Yes.

7914. We should like to know whether the previous accounts were in the same form—similar transactions?—I will get them for you.

7915. Because Bouchier says he had two similar transactions?—Yes.

7916. And the book shows you there were two?—Yes, certainly; I could find the cheques. I do not know whether it is worth while mentioning it, but White spoke of a cheque he had given Gilbert for 9*l.* 15*s.* I also have that cheque; and it appears to have been paid over our counter in nine sovereigns and 15 shillings silver.

7917. (*Mr. Anstey.*) Just look at the counterfoil here; that is one of your cheque books (*handing a cheque book*)?—It is.

7918. In whose handwriting is the counterfoil?—Well, it appears to me to be the handwriting of Mr. Cooke.

7919. The lawyer?—I think it is. I would not swear to it; to the best of my knowledge at the present moment I believe it is.

7920. That is the only book, I think, which has blank cheques?—May I turn to the notes on the counterfoil?

7921. Yes; but that is the only book that has blank cheques; therefore I do not know whether these others have been issued by your bank. Look at them, and see whether they have?—They have all been issued by our bank.

7922. All these books?—All those cheques, certainly.

EIGHTH DAY.

Mr. W. J. Ford.

31 Aug. 1869.

7923. None of them from Sealy's?—No, none of them.

7924. Do you see the same handwriting?—I do not think that is Mr. Cook's handwriting.

7925. Whose?—I should think it is Mr. Barham's; it is very like Mr. Carslake's. I would not positively swear.

7926. You mean Mr. Eustace Barham, his partner; it is either Barham or Carslake, is that it?—There appears to be a different handwriting on this counterfoil, certainly.

7927. How is that marked on the book, is it No. 5 or No. 4 in Roman numerals?—It is No. 1.

7928. Take that one first, then, and give me the different handwritings if you can; for instance, No. 1?—Really I should hardly like to say. It appears very much like Mr. Eustace Barham's handwriting the first counterfoil, but I would not swear that it was.

7929. Then there is a minute, which is illegible to me, of the cashier, I suppose; some initials at the foot. Whose is that?—I should think it was "Jas. T.;" James Trevor. I am only speaking from guess, I do not know.

7930. What had he to do with the bank?—He is a solicitor; perhaps it was something to do with electioneering.

7931. Mr. Barham would be on one side and Mr. Trevor probably on the other; how would that be?—I cannot say. It occurs to me it is very like James Trevor.

7932. Is that a cashier's mark?—No, nothing to do with a cashier.

7933. (*Mr. Coleridge.*) What does it denote?—I do not know; I cannot tell; it is made by our customers; we never see them again.

7934. (*Mr. Price.*) It is a note made by the drawer of the cheque?—Certainly.

7935. (*Mr. Anstey.*) You think the first counterfoil is in Mr. Barham's handwriting?—I think very likely.

7936. If not Mr. Carslake's?—I think it is more like Mr. Barham's than Mr. Carslake's.

7937. I do not want to waste your time by asking you to go over and tell me the handwriting of all the counterfoils that appear to be the same, but pass on to the first that is different from that?—The next is different, No. 2 counterfoil.

7938. Whose writing?—I have no doubt it is Mr. Cook's handwriting.

7939. The lawyer?—The present lawyer; he was then either a clerk or an articled clerk at Carslake and Barham's.

7940. The next?—The same; Mr. Cook.

7941. (*Mr. Price.*) That is a cheque book in all probability which has been in the custody of Messrs. Carslake and Barham?—No doubt about that.

7942. That has been a cheque book of Carslake and Barham's office?—No doubt about it. I have no doubt in my mind it is.

7943. (*Mr. Anstey.*) Will you go on until you find some that are different?—No. 23, I do not think that is Mr. Cook's handwriting, and I am entirely unable to say whose it is; the word "John" resembles it, and also the "1857," but the name does not, in my idea, resemble Cooke's handwriting.

7944. Go to No. 2 book and look through it in the same way?—Yes, the first cheque I have no doubt is Cooke's handwriting.

7945. They appear to be all in Cooke's handwriting?—I believe they are, to the best of my belief.

7946. No. 3, if you please?—They appear to be in Mr. Cooke's handwriting.

7947. No. 4, particularly at No. 1 cheque?—Yes, I believe that to be Mr. Cooke's.

7948. In whose handwriting is the red ink across—I do not want it read out—on number 1 of book No. 4?—There is no red ink crossing.

7949. Then you have not looked at No. 4?—I have not got No. 4, this is No. 6.

7950. Do not read out what it is, but just look at it?—I do not think that is Mr. Cooke's handwriting.

7951. Whose is it?—I could not say; I do not know it.

7952. But the counterfoil is, you think; the rest of it?—In this cheque book; no, I do not think any of it is.

7953. Then whose handwriting, do you think you can recognize this by going through it?—This is not my cheque book.

7954. Is No. 5 one of yours also?—No. 5 is.

7955. Whose cheque book is No. 4; this one you have given back?—Messrs. Sealy and Prior; the first of No. 5 are Mr. Cook's, I have no doubt.

7956. And the red ink?—Yes, the same handwriting.

7957. On the crossing?—Yes.

7958. Go on until you find any in a different handwriting, and then tell me whose that is until you come to the end of the particular year of which it begins with?—Well, I think No. 16 is the last of Cook's handwriting.

7959. Look at that, or if it is not there look back, and see what I call a minute, "E. B." does not appear?—Yes.

7960. Is that Eustace Barham's handwriting?—I do not think it is.

7961. Whose is it, do you know?—No; I could not charge myself.

7962. Is it that of any officer in your bank?—Certainly not; we do not have these cheques after they are returned to the customers. I could not tell you in whose handwriting.

7963. You do not think Mr. Barham's?—No, I do not think it is.

7964. In the same cheque book there are dates following on, a year afterwards or nearly a year afterwards, with a peculiarity connected with them which you will see consists in the crossing of some of them; one name is crossed over the other?—Yes.

7965. Do you know in whose handwriting the different counterfoils for that year are; particularly those entries which run across. They are not Mr. Cook's?—No, certainly not. I do not know whose they are.

7966. And all those have "E. B." too, have they not?—At the bottom?

7967. Yes; what I call a minute?—Yes, but I do not think they are Mr. Barham's handwriting.

7968. Now the last book of all, No. 6?—The first one I have no doubt is Mr. Cook's handwriting.

7969. I think you have gone through that, have you not; that is the first I showed you?—No, I only looked through the first counterfoil (*referring*). I have no doubt they are Mr. Cook's.

7970. All of them?—Yes, all of them.

7971. And there are some blank cheques not used?—Yes, a great many.

7972. (*Mr. Price.*) Then you will be good enough to do that for us?—I will; and I shall be able to give you the information on Thursday morning I have no doubt.

J. Bouchier.

JOHN BOUCHIER recalled.

7973. (*Mr. Price.*) You have heard these particulars; it may refresh your recollection?—It has. I think it is more likely to be a Norwich house that the money was paid to, where there was a man of the name of Lulham. I recollect a person there with whom I did business.

7974. (*Mr. Price.*) Does that look like the name of "Lulham"?

(*Mr. Ford.*) Yes, it does. I think it may be "Lulham."

7975. (*Mr. Price.*) Has the Bank of England a branch at Norwich?

(*Mr. Ford.*) I could not tell you from memory.

7976. (*Mr. Price.*) If so, this would have been stamped with the name of the branch, would not it?—

I think it would have been stamped by the Bank of England at Norwich.

(*Mr. Price.*) It looks very like "Lulham."

(*Mr. Ford.*) Yes.

(*The witness.*) I will try and find a bill.

7977. (*Mr. Price.*) You had a man named Lulham with whom you had business transactions?—Yes, in Norwich.

Mrs. Emma Collins sworn.

7978. (*Mr. Price.*) You are now the wife of Mr. Collins?—Yes.

7979. And were formerly the wife of Kirk?—Yes.

7980. Who kept some inn?—The "Kent Arms."

7980*a*. Do you remember the election of Mr. Vanderbyl, the first time when he came down, in 1866?—I do.

7981. To stand against Mr. Patten?—Yes.

7982. Was your then husband, Charles Kirk, a voter for the borough?—Yes, I believe so.

7983. Do you know the man who has been examined here, Heal?—Perfectly well.

7984. Was that the time that Heal was ill at his own house?—I do not remember it; he might have been, but not to the best of my knowledge.

7985. You do not remember whether that is so or not?—No.

7986. Did you see Heal at all at your house about that time?—He frequently came in and out.

7987. But just about the time of the first election of Vanderbyl?—He might have been.

7988. You cannot say?—No.

7989. Did you talk over election matters with your husband at all?—No.

7990. About his vote?—No.

7991. About which way he was going to vote?—No.

7992. Did you know from him which way he was going to vote?—No, I did not.

7993. Did you hear him say at any time that he had got anything for his vote?—No.

7994. Now Heal says he gave your husband 100*l.* at that election to distribute?—I do not believe anything of the kind.

7995. What?—I do not believe it.

7996. Why?—Because most probably I should have known something of it if he had.

7997. You would have known if he had 100*l.*?—Most probably I should have known something of it. I should have heard something or other of it.

7998. (*Mr. Coleridge.*) Did you take care of the money?—Yes, generally.

7999. Was your husband an active man in election matters?—No.

8000. Was he a likely person to have 100*l.* given to him to go and bribe other people with?—Not likely, I think.

8001. From what you know of him, had he done anything of that kind of thing before?—No, he did not.

8002. You are quite sure of that?—I am quite sure of that.

8003. You think you would probably have known if he had got into bribing other people?—Yes.

8004. Was he Vanderbyl's man?—He was that side, I think.

8005. Do you think he was a man that would take money for his own vote?—No.

8006. Had you ever heard of his doing so at former elections?—No, I never did.

8007. Heal says he gave him 100*l.* when nobody was present. Do you think if your husband had received 100*l.* you would have known it?—I should have known something of it, most probably.

8008. Why do you say so?—Because I think I should.

8009. Because he might keep such a thing from you, and not tell you?—I certainly think I should have known it.

8010. Used most of the electors to come to your house at election times?—No, not many.

8011. Not any?—I do not say not any.

8012. Was there any treating going on?—No.

8013. Any bill against Mr. Vanderbyl?—No.

8014. Have you never sent in any bill for treating?—Never.

8015. You had customers of your house of course?—Yes.

8016. Was it a Liberal house?—No; it belonged to Colonel Tynte.

8017. You are sure you had no drinking or treating going on?—Nothing of the kind.

8018. (*Mr. Coleridge.*) No treating or drinking of electors without its being paid for?—No.

8019. Or any bill being sent in to Mr. Vanderbyl, or Mr. Barham, or Mr. Kinglake, or anybody?—No.

8020. (*Mr. Price.*) Did you see anybody in the habit of taking part at elections come down and talk at your house to your husband, Mr. Lovibond, Mr. Barham, Bussell, or any of them?——

8021. You have heard the persons mentioned here, and you know them?—Yes.

8022. Do you remember any of them coming to your husband and asking for his vote, or to do anything for the election?—Never.

8023. Was he at all a friend of Heal's?—Not particularly, that I am aware of.

8024. Was Mr. Heal a customer of your house?—No.

8025. Did he supply beer to your house?—No.

8026. Never?—Well, I do not know; we might have had a cask, or anything of that kind.

8027. (*Mr. Coleridge.*) Was this a free house, or a brewer's house?—A free house.

8028. You could buy your beer where you liked?—Yes.

8029. (*Mr. Price.*) And you may have had a cask of beer, or something of that kind, but not bound to take it all from Heal?—No, not at all.

8030. Did you ever know your husband was on such terms with Heal that he would be likely to entrust him with 100*l.* to bribe voters with?—No, I do not believe he would.

8031. You know nothing of any intimacy between them which would induce Heal to let your husband have 100*l.* to bribe voters with?—No.

8032. Was your husband busy about the election on the day of the election, or where was he the greater part of the day; was he amongst the voters?—I really cannot tell you. I do not remember where he was that day.

8033. You cannot say whether there were many voters about your house?—There were not many at that time, that I know of.

8034. The reason you were sent for was because we understood that you are quite sure that your husband did not get that 100*l.*?—I do not believe he ever had; because it is most probable I should have known something about it.

8035. That is what makes you think so?—Yes.

8036. Did he never speak to you about it?—Never.

8037. When did he die?—Two years ago, the 13th of May last.

8038. He lived one year after the election?—Yes.

8039. And never said a word about this?—Never in his life.

8040. Did he ever render an account to Heal of the way he had spent the 100*l.*?—No.

8041. And you never heard him breathe a word of it?—No, nothing of the kind.

8042. (*Mr. Coleridge.*) Do you recollect at any other election your husband getting a sudden accession of wealth?—No.

8043. I mean any election during the years you were married, his receiving any money at any election?—No, I do not.

EIGHTH DAY.

Mrs. E. Collins.

31 Aug. 1869.

8044. Do you believe he ever did ?—No.

8045. (*Mr. Price.*) Do you know whether your husband had promised his vote ?—No.

8046. You say he voted Liberal ?—Yes.

8047. Do you know whether your husband went up to the "Clarence" to see the gentlemen on the other side about the middle of the day ?—No.

8048. Did you ever hear him say he was going up to the "Clarence" to see the Conservative side ?—No, never.

8049. Did he ever tell you about a lot of voters being bottled up at the "Clarence" ?—No, never.

8050. (*Mr. Price.*) All you can say is that you do not believe your husband got it, because you think if he had he would have talked to you about it ?—I should most probably have heard something of it.

8051. He never kept a secret from you in your life, do you mean ?—That I cannot say, I am sure.

8052. You never heard of his going to the "Clarence" that day ?—Not at all.

8053. Do you think it likely—you know what his politics were—that he went to the "Clarence" that day, about the middle of the day, and offered to take money, asked them to give him money for his vote, or promised to vote for the Conservatives if they would give him money ?—No, I do not think he ever did.

8054. (*Mr. Anstey.*) Do you say he had always voted for the Liberals ?—Yes, to the best of my knowledge; I never knew him vote any other.

8055. How many elections do you remember ?—I am sure I do not know.

8056. (*Mr. Price.*) Did you take an interest in elections yourself ?—No.

8057. Not at all ?—No.

8058. Did you wear the colours of either party ?—No.

8059. You never got any ribbons or anything ?—No.

8060. (*Mr. Anstey.*) Did you ever hear of his voting for the Conservatives on any occasion ?—No, I never did.

W. Heal.

WILLIAM HEAL recalled.

8061. (*Mr. Price.*) Did you get any return from Kirk of the way he had spent this 100*l.* ?—Not a farthing; I never got any.

8062. Did you ask him for it ?—I did repeatedly.

8063. Did you go to his house for it ?—I did repeatedly.

8064. You went immediately to his house; I thought you were ill in bed ?—It was after Mr. Allan called on me to make an account.

8065. How long after the election ?—It may be a few days after; I am not prepared to say the day.

8066. You got all right directly after the election and were able to go out ?—I went out soon afterwards.

8067. The insurance man had gone. Had you got your money out of the Accidental Insurance Company ?—Not a farthing.

8068. They would not pay you ?—They would not.

8069. You made a claim upon them ?—I made a claim upon them.

8070. And they would not pay you ?—And they would not pay me.

8071. They investigated the case and would not pay ?—Yes.

8072. Did any medical man attend you ?—Dr. Symes.

8073. (*Mr. Coleridge.*) Is he alive ?—Yes.

8074. (*Mr. Price.*) How long did he attend you ?—Three weeks or a month, more than probable.

8075. (*Mr. Coleridge.*) Why would not the office pay you ?—I considered it because I did not vote for the Tories.

8076. Did you bring an action against them ?—No.

8077. Why not ?—Because I did not.

8078. Why, if you thought you ought to be paid and had insured your life and limbs, did you not bring an action against them ?—Because there was some doubt about whether I could get the insurance or not.

8079. (*Mr. Price.*) Why was there any doubt if you had a real accident, and were insured in the office ?—The accident was this, that I went to get on a pole and fell down; I threw my legs on a pole.

8080. What were you doing ?—Merely a little fun, that was all.

8081. Do you mean to say, you choosing to go at your time of life and play the fool on a pole, then, because the accident happened, you brought a claim against the office ?—Yes, I did, and I oftentimes have such games as that.

8082. When was it you went down to Kirk's house and saw him about making a return of this money ?—I saw him two or three times.

8083. In the daytime ?—Well, I saw him at night.

8084. At his own house ?—Yes.

8085. Did you see his wife ?—Yes.

8086. There is Mrs. Collins (in court) ?—Yes.

8087. Have you made a demand from him in her presence ?—Never.

8088. What have you done when you have been down there ?—Spoken to him about it.

8089. Nobody present ?—No. I have spoken to him personally two or three times.

8090. What did he say ?—He told me he had laid it out.

8091. Did he give you the names of anybody ?—He did not.

8092. When you gave an account to those who entrusted you with the money, did you tell them that Kirk had never accounted for this 100*l.* ?—I did not give any account at all.

8093. Did not he never ask you for it ?—Allan came to me afterwards.

8094. Did he ask you to give an account of how the money had gone ?—He did.

8095. What did you say about Kirk ?—I did not say a word about Kirk.

8096. Did not you tell him that you entrusted Kirk with 100*l.* ?—I did not ever.

8097. Why ?—I do not know why. I did not do it.

8098. Did you pretend you had the distributing of 60*l.* yourself ?—Yes.

8099. How did you account for it ?—To whom ?

8100. To the man who gave you it ?—He will tell you. I never accounted at all.

8101. Did he ask you to account ?—He did.

8102. Did you refuse to give an account ?—I did.

8103. Then there is no doubt that you put it into your own pocket. You may go from the witness box. —I wanted to correct myself. On the 7th June I voted for Patten instead of Bagehot.

8104. (*Mr. Anstey.*) You did vote for the Conservatives again ?—Yes.

8105. That you call a correction ?—Yes.

8106. I call it a downright falsehood if your first statement was true, and I call your first statement a downright falsehood if this statement is true. I do not call it a correction at all.

(*Mr. Price.*) There cannot be the slightest doubt that the impression left on our minds will be that you received that money and put it in your own pocket, and what you have told us about Kirk is untrue, and you will be inserted as a person who has received bribes.

(*Mr. Anstey.*) And will most probably be prosecuted for perjury.

PHILIP GILBERT, jun., sworn.

8107. (*Mr. Price.*) What are you?—A carpenter.

8108. You are a voter for the borough?—Yes.

8109. How long have you been a voter?—Lord Henley's election was the first I voted at.

8110. Was that in 1852, when Colonel Tynte and Mr. Follett were returned?—Yes.

8111. Have you voted at every election since?—No; at one election I had no vote.

8112. Which was that?—Well, I think it was when Colonel Tynte was returned the first time.

8113. That would be 1847. Did you vote in 1859 and 1865, the two elections in 1866, and the last election in 1868?—Well, I believe I have ever since.

8114. At the last election whom did you vote for?—Kinglake and Vanderbyl.

8115. Did you get anything for voting for them?—No.

8116. Nothing?—No.

8117. Were you promised nothing?—No.

8118. Did you ask for nothing?—No.

8119. Did you get any money from them to go and bribe other persons?—No.

8120. None at all?—No, none at all.

8121. Was the only part you took in the election going to vote?—No, not exactly that.

8122. Then tell us what you did?—I merely got people to go to the poll as fast as I could.

8123. Did you promise them money?—No, I did not.

8124. What time of the day did you poll?—9 o'clock.

8125. What time did you go about getting other people up to the poll?—About the middle of the day; 2 o'clock or so.

8126. What did you find, that they were keeping back?—I found that they would not come to the poll.

8127. Why did they not come to the poll?—I cannot say.

8128. They did not tell you?—No.

8129. Did you hear of any money going at all on the part of Kinglake and Vanderbyl?—No.

8130. Not after Mr. Kinglake left the town?—No.

8131. You had nothing to do with money matters at the last election?—No, not the least.

8132. (*Mr. Coleridge.*) Who gave you a list to get the people up to the poll there?—Well, I had a list from John Smith's.

8133. Not that list. Did he not give you an account of how much you were to have?—No.

8134. Did he not say anything about "all right," or something of that sort?—No; I did not hear any money mentioned.

8135. Have you that list?—No.

8136. How many names were on it?—I think some 70 or 90.

8137. How many of the names can you recollect?—I can recollect a great number; at least I could pick out the names.

8138. Then give them to us?—James Hunt, William King, Isaac Lovell, Charles Burton, Henry Morrish, John Bidgood, George Hart, Henry Baker, William Bird, John Dunn, James Prescott, William Baker——

8139. Never mind more. When you had this list of 90 voters——?—I do not know whether it was 90.

8140. And as we have heard, there are hardly 90 on either side who vote without money in this place, do you mean to tell me you had nothing to do with promising or giving money to those 90?—Never one of them.

8141. When was it Mr. Smith gave you the list?—Mr. Smith did not give me the list.

8142. Who did then?—Parties in the room; I do not know.

8143. You told me that John Smith gave you the list?—I had it at Mr. Smith's I said.

8144. When that list was given you did anybody say anything to you about how these people were to be paid?—No.

8145. You did not expect they were going to vote without?—I knew if the Tories did not give any our voters would not have any.

8146. At the former election you had been paid yourself?—Afterwards, a long time after.

8147. 9*l.* 15*s.* by White you had been paid?—That is right.

8148. Having been paid at the former election, why did not you expect it at this?—I never expected to be paid then.

8149. Do you mean that was altogether a boon at the former election which you had not expected?—I did not expect it; they never asked me, and never promised it.

8150. How came you to get it?—White asked me to render an account of what I had done before, and he said, "Would you like to accept of anything?" I told him yes, I certainly should, for I had had a good deal of trouble.

8151. Why did not you get some one to ask you to accept something at this last election?—Well, I did not, and nobody said anything to me about it.

8152. Did you not know that money was going?—No, I did not. I did not think there was until I got to the hustings.

8153. (*Mr. Price.*) If you had none would you have asked?—No, I should not.

8154. Not for your share?—No.

8155. Why did you take it before?—I never asked at any time.

8156. But why did you take it? If you are a man desiring to vote and independent enough to vote without money, why did you take this 9*l.* 15*s.* on the former occasion?—White told me if I interested myself and got all the voters to the poll I could, he would reward me afterwards.

8157. (*Mr. Coleridge.*) That was before the election?—At Mr. Bagehot's election.

8158. And before you voted he told you that?—Yes.

8159. When he said if you would vote, you would be paid for it?—No, I did not know I should get anything.

8160. You knew the first time he told you you would get something if you voted for the Liberals?—He would try and do something for me.

8161. And you knew that meant to get some money?—I did not know, I thought I should get my day's work.

8162. (*Mr. Price.*) What would be your day's work, 9*l.* 15*s.*?—No.

8163. Did not you fall down on your knees and thank Mr. White for his generosity then?—I was very thankful for it, certainly.

8164. How was it that it was 9*l.* 15*s.*?—I believe White passed my door several times before that, and he said, "I will call in a day or two," or something of that sort. When he did he found he had not got money enough to pay me.

8165. Not for your day's work?—No.

8166. You accepted your day's work. What would you have charged for a day?—He told me he had got 12*l.* for me.

8167. (*Mr. Coleridge.*) When did he tell you that?—Some time before.

8168. Before the election?—No; weeks after the election. He had not enough to give me without giving me a cheque. He said, "I have not got "enough now unless I give you a cheque for the "whole amount," because, he said, "I have some 5*s.* "or 6*s.* loose in my pocket, and I will give you a "cheque for 9*l.* 15*s.*"

8169. Did you ever hear of that until he told that to you here yesterday?—Yes, I certainly did.

8170. (*Mr. Price.*) You mean to tell us now that the transaction was that he drew a cheque for 9*l.* 15*s.* rather than draw it for 10*l.*, because he had 5*s.* in his pocket?—I know nothing; not that I am aware of.

8171. How came it to be 9*l.* 15*s.*; he said there

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was some account between you and him ?—I think that is a mistake on his part.

8172. Your account is that he had 5*s.* in his pocket and gave you the 5*s.*, and drew a cheque for 9*l.* 15*s.* ?—I believe he said that would look better at the bank. I believe those were the words.

8173. Did you receive from him, besides that 10*l.* after the election, 30*l.* before the election to pay away to get other votes ?—Yes.

8174. How much did you get from him ?—30*l.*, but not all at once. I had two thirties ; the 30*l.* was only once to one.

8175. You paid that; you paid 30*l.* to a man named Powell ?—Yes, I did, to the daughter.

8176. Are you sure it was not 40*l.* ?—No, it was not 40*l.*

8177. What ?—No, I know it was not.

8178. Are you sure you did not get 40*l.* from White ?—Quite certain ; that is I am not quite certain, because——

8179. He said he gave you 40*l.* to pay Powell with. Powell's wife had said he would not vote for less than 40*l.*, and the Tories had offered him 35*l.* Do you remember that ?—White never told me that.

8180. Did you know from Mrs. Powell ?—No, I know nothing about that.

8181. How came you to be at Powell's to pay this money ?—I was not. I had been engaged with White in the distribution of that money in the morning.

8182. Then he took you to Powell ?—Yes.

8183. And asked you to pay Powell ?—Yes.

8184. And you paid the daughter ?—She might have been. I did not know it was the daughter.

8185. Whom did you pay—Mrs. Powell ?—It was not Mrs. Powell.

8186. Who was it ?—The daughter, because she said, "Now father will go to poll."

8187. Is she alive ?—I do not know. I am not acquainted with the parties at all, and should not know them again.

8188. Then you paid this 30*l.* you say ?—Yes.

8189. Are you quite sure it was only 30*l.* ?—It was two packets.

8190. What was in the packets ?—I cannot say.

8191. You said just now 30*l.* ?—Two packets. White told me it was 30*l.* I understood so.

8192. You never saw the money yourself ?—Ten sovereigns, in sovereigns loose.

8193. You saw them ?—Yes.

8194. What was the other — notes ? — No, in packets ; two 10*l.* packets.

8195. That is only 20*l.* ?—Then I had the 10*l.* loose in sovereigns. That made the 30*l.*

8196. You received 30*l.* from him to pay for three votes ?—Yes, that is right.

8197. And you had paid them away ?—I had paid them away before.

8198. And then he gave you some loose sovereigns ?—Yes, and two packets.

8199. Ten loose sovereigns and two packets ?—Yes.

8200. After you had paid the other 30*l.* away ?—After I had paid the other 30*l.* away.

8201. Then you went down to Mr. Powell ?—Then I went down to Mr. Powell.

8202. (*Mr. Coleridge.*) Does this man Powell keep an inn ?—Yes.

8203. Is his wife named Jane ?—I do not know. It was his daughter that I paid.

8204. (*Mr. Price.*) Should you know her again ?—I do not think I should. She told me it was her father ; that is all I know.

8205. That was the election of 1866 ?—Vanderbyl's first election.

8206. (*Mr. Anstey.*) You have told us quite enough to show that you have been guilty of these practices. Do reconsider the evidence you have given about the election of 1868. You do not wish us to suppose that you became pure all at once in 1868, after having done what you now confess in 1866 ?—I tell you the truth.

8207. Do you know the place called the "Bath Bridge" inn ?—Yes.

8208. You say that you did not do anything wrong at the election ?—I did not say that. I did not say that I did not do anything wrong—about the money.

(*Mr. Coleridge.*) You said you did nothing at all except voting and taking up voters.

8209. (*Mr. Anstey.*) At the "Bath Bridge" inn before the election, did you do anything wrong ?—We were there just two or three days.

8210. A few days or weeks before the election, did you do anything wrong with reference to the coming election ?—I had something to drink there.

8211. You were in the chair there ?—Well, we had no drink that night.

8212. Were you in the habit of taking the chair at meetings at the "Bath Bridge" inn with reference to the coming election ?—No.

8213. You never did ?—Only that once, that is all.

8214. What ?—That was on the Thursday, I think.

8215. Was that on that one occasion; was there treating or not ?—There was not.

8216. Do you swear there was not ?—I swear there was not on my part, and I never saw any.

8217. But was treating going on that night when you were in the chair ?—No, I believe not.

8218. (*Mr. Coleridge.*) Did you pay your own score ?—I never had any.

8219. (*Mr. Anstey.*) I am not asking about your actions. You said you were in the chair, and said you were guilty of treating on other occasions, but on this occasion, when not yourself guilty of treating, was treating going on ?—Not that I am aware of. They had something to drink for which they paid for between themselves, the men.

8220. Who was at the door to prevent your being disturbed on that occasion ?—I do not know. I was in the chair and did not go to the door ; I do not know who was.

8221. Do you know William Baker ?—Yes.

8222. Was he there ?—I saw him in and out there.

8223. Was he not keeping the door ?—Not that I am aware of.

8224. Did he keep the door on the nomination night ?—Not that I know. I was not there then.

8225. Did you ever order drink yourself for the voters ?—Yes.

8226. How many times ?—Twice.

8227. That is double what you have stated just now ; when were those occasions ?—I think on the Friday, the night before the election.

8228. And the other ?—After the polling was over, the same evening.

8229. How many men did you debauch on the first occasion ? — I do not know that I debauched them at all.

8230. Well, treating ; how many hundred ?—About 30 or 40 there. I do not know.

8231. Tell us as nearly as you can ?—It might be 30 or 40.

8232. Electors ?—I do not believe they were all electors.

8233. Who trusted you with the money to treat ?—I had no money at all.

8234. Did it come out of your own pocket ?—I never paid for it.

8235. Who authorized you to order the drink ?—No one at all.

8236. Then how have those people been paid ?—Well, that is a mystery to me.

8237. It was no mystery to you. You knew perfectly well that you would not dare to order drink unless you had authority from some one ; give me the name of that person who employed you to debauch these persons ?—No person living.

8238. You, a common carpenter, taking the chair at the place described, and ordering drink for electors and others—for your munificence was not confined to electors—do you mean to tell us that you had no authority from Mr. Lovibond, or Mr. Barham, or

some person?—No, I never spoke to them on the subject.

8239. (*Mr. Price.*) How came you to order drink on your own account?—I did not intend.

8240. But did you?—I did. I expected to be paid for it some time or other.

8241. Who did you tell them to put it down to?—I told her not to draw it.

8242. Did she draw it?—There was a person of the name of Bowden began to spend money for drink there, and after they had tasted the drink they would not stop, and ordered 30*s.* worth more.

8243. For how many people?—I think 30 or 40; something like that.

8244. Who did you tell the landlord to put it down to?—It was not a landlord at all, it was a woman.

8245. Who did you tell her to score it to?—I told her to put down to me that I ordered.

8246. What is the name of the person?—I think it is Pitman now.

8247. What is the name of the inn?—The "Bath Inn."

8248. (*Mr. Coleridge.*) Have you paid that?—No.

8249. (*Mr. Anstey.*) And I hope she will sue you if she has not done it. Has she?—No.

8250. (*Mr. Coleridge.*) Has she been paid?—No.

8251. (*Mr. Anstey.*) Have you been told by any lawyer if you are sued for it it will be all right?—No.

8252. (*Mr. Price.*) Do you mean to say that you ordered that intending to pay for it out of your own pocket?—No.

8253. Then what right had you?—I thought it would be paid out of the election expenses.

8254. By whom?—Well, the candidates I expected would pay it.

8255. (*Mr. Anstey.*) You still expect it?—I do not know what to say about it now.

8256. You would have expected it but for these inquiries; you think you would have been paid but for the trial before Mr. Justice Blackburn and the present inquiry?—I did believe it.

8257. By whom?—I expected it would come from some one or other; I did not know whom.

8258. You are a practised briber and election agent, you must have known from whom you expected it would come?—I never did wonder at that.

8259. Tell us on your oath whom you expected it to come from immediately?—I do not know; I had no knowledge.

8260. Are you in the habit of conducting your ordinary business in that way, making yourself liable for heavy demands, not knowing how you are ultimately to meet them?—I took the room of the woman, and offered to give her so much for the room. That is how it commenced.

8261. Who told you to take the room?—No one. I spoke to Mr. Cook about it.

8262. (*Mr. Price.*) Did you take it for the candidate?—No.

8263. What do you mean by taking the room?—We had a Liberal Association, and the room at the "Globe" was too small, and we intended to divide the association into two sections.

8264. Was this an association formed for the purpose of drinking?—I told the woman when we took the room that I had nothing to do with the drinking whatever.

8265. (*Mr. Anstey.*) Was that for the purpose of promoting the interest of Vanderbyl and Kinglake?—Yes.

8266. Was it called the "Shepherds?"—No, it was the Liberal Association.

8267. Then it is nothing more than a meeting of voters and others calling itself an association?—Yes.

(*Mr. Price.*) Meeting at a public-house and consuming beer to the amount of 30*s.* a night.

8268. (*Mr. Anstey.*) Supplied by a carpenter out of funds which he knows not of. Do you mean us to believe such stuff as that?—That is right.

8269. (*Mr. Price.*) This association was founded by men like yourself, who were to take the room and order drink, and charge the candidate for that?—I thought it was a great sum, *2l.*

8270. That is a Liberal Association formed for the purpose of taking the room and drinking as much as you could at the expense of the candidate?—No.

8271. What else did you do but drink?—Talk, nothing else.

8272. What did you talk about?—About the election.

8273. And how much money would be going?—I never said anything about it; there was a general talk there.

8274. (*Mr. Anstey.*) Now I will take you to the nomination night. Was not there a good deal said on the nomination night about what sums were going or likely to go to voters?—I believe there was.

8275. (*Mr. Price.*) At these Liberal Association meetings?—Yes.

8276. (*Mr. Anstey.*) Were not you present at the "Bath Bridge Inn" on that very night with several voters till very late?—I was.

8277. Then what you meant to deny was that you were in the chair?—I was not in the chair.

8278. And the discussion was about money?—What I heard.

8279. I have it all down here; tell me yes or no; were you there with several voters?—Yes.

8280. But you say yourself it was very late that night?—No.

8281. You said just now you were there very late?—About 11 o'clock I think.

8282. Were you treating them there that night?—The nomination night?

8283. Yes?—I never had any drink that night.

8284. I did not ask you whether you had into your own mouth any drink, but were you treating these voters?—I told the woman——

8285. Will you answer the question; were you treating these voters?—No, I was not, because I did not order drink.

8286. Do you know a man called Samuel Bowden?—Yes, I do; Samuel Bowden.

8287. Did you see him there that night?—Well, I might.

8288. Did you see him; yes or no?—I do not know.

8289. Did you see Samuel Bowden on any of the nights when you were at his place?—Yes.

8290. And you saw him there when you yourself were in the chair?—I do not know that I did. I do not think he was there that night.

8291. Did you treat Samuel Bowden on any of these nights?—Yes, on one night; I believe a Friday night.

8292. And on the nomination night did you again treat him?—I do not know that he was there. I never saw him.

8293. If he swears he was there and you treated him, that is that you allowed him to drink free of expense, will you contradict him, for he may be called?—I cannot say; he may have been there.

8294. Did you ask Samuel Bowden on that occasion to poll early?—No, I did not.

8295. Did you on any occasion ask him to poll early?—No, I did not.

8296. Or to poll at all?—No, I did not.

8297. You will swear that?—I will swear I never asked any man to poll early.

8298. Did you say anything to Samuel Bowden about polling?—No.

8299. Or about voting?—No. I do not believe I spoke to him on the subject.

8300. At any time?—I do not believe I did.

8301. Did you ever tell him that he should have what was going, or words to that effect?—I never told him so personally, and I do not believe I ever told anybody else so.

8302. If Bowden swears positively that you said to him; "Poll early, and you shall have what is going,"

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will you contradict him?—I swear; I might have said so in his hearing.

8303. (*Mr. Price.*) You told us a short time ago that you took no part in the election of 1868 except just to ask the voters to vote?—I did not know what you meant.

8304. What you are asked now is whether you said to this man, "Poll early, and if there is anything going you shall have it?"—Not to that particular man.

8305. But you told us never to anybody?—I believe the words I made use of were these, they were talking about money, and just as if buying pigs, I said, "You go to the poll, and in 12 months time you will "be just as well off as they." I believe I said that.

8306. (*Mr. Anstey.*) That means "Vote, and you will have your bribe paid you in 12 months?"—Yes.

8307. Now, which of the lawyers or gentlemen in the place told you that?—None of them.

8308. Who authorized you to make that statement?—No lawyer at all.

8309. No gentleman?—No.

8310. No candidate?—No.

8311. Nobody at all?—No.

8312. You invented it out of your own head?—Yes.

8313. That you wish us to believe. Did you when you made that statement to them believe it was a false statement; did you believe that you were then stating what was false?—I did not know what to say to them.

8314. Did you believe it was untrue that they would have it in 12 months time, or before?—No, that was only by way of putting them off. I did not know what to say.

8315. Did you believe you were putting them off by making a false statement; did you believe you were making a false statement to them?—No, I did not believe I was making a false statement at all.

8316. Why did you not believe it was a false statement; what ground had you for it?—Because I believe if there was any bribery on the other side ours would do the same.

8317. You believed that?—Yes.

8318. From your experience?—Yes.

8319. And who would have found the money out of which your people would bribe?—I believe it would come through John Smith, Allan, and Bussell, and so on.

8320. Now, with reference to this very election, do you, remember a man called Phillips, or a man called William Pollard?—William Pollard I knew well.

8321. Did you and William Pollard, or either of you, visit Samuel Bowden during the morning, either of the nomination day or the polling day?—I did not. Pollard told me he did.

8322. Do you swear you did not go there with Pollard?—I did not.

8323. Or by yourself?—I was not in his company during the day.

8324. Will you swear you were not several times during that morning at Bowden's place?—Never in his house during the election. Pollard told me he had.

8325. Did you tell Bowden on that day that there was then nothing doing, but there would be by-and-bye, and if he would go to the poll for Kinglake and Vanderbyl he should have whatever figure was going?—I did not.

8326. Nothing of that kind?—Nothing of the kind. I never saw the man.

8327. Did Pollard tell you he had made that representation himself to Bowden?—He did.

8328. What did you say to him?—I told him that Bowden made a mistake. I did not say anything at all to him.

8329. What did you say to Pollard when he told you what he had said to Bowden? You told me that Pollard informed you he had made this statement to Bowden; what did you say to him when he told you this?—I told Pollard that Samuel Bowden had charged me with promising him he should have as much as anybody else.

8330. I am asking you what took place at this election, and the answer was that Pollard told you this communication he made to Bowden?—Yes, he did.

8331. And when he said to you "I have told Bowden" so and so, what did you say to him?—I told him that Bowden made a mistake, because I never spoke to the man.

8332. I am talking about the election; you have said that Pollard told you "I have been to Bowden and promised him?"—No.

8333. That is what I asked you?—That is after.

8334. Did Pollard tell you that?—Not that day. I never saw Pollard that day, that I am aware of.

8335. Do not you know that Bowden, who was previously a Conservative, voted for Kinglake and Vanderbyl that day through the promise that had been held out to him by you and others at the "Bath Inn"?—He never had a vote before in his life.

8336. Do you know whether he had a vote before? I thought he voted for Kinglake and Vanderbyl through the promises you made to him?—I know he had not.

8337. He did not vote?—He did not vote before.

8338. Do you know that he voted for Kinglake and Vanderbyl through the promises you made him?—I do not, because I did not know which way he voted.

8339. Did you go to the "New Inn" that day?—Yes.

8340–1. Was there treating going on there?—I do not know; I did not stop there a minute.

8342. You know William Marels?—Yes. I did not know him at the time, but I know him now.

8343. Was he at the meeting at the "Bath Bridge Inn" when you were in the chair?—He came into the room.

8344. Was James Hunt there?—Yes.

8345. John Dyer?—Yes.

8346. George Dymond?—Yes, the carpenter.

8347. And others?—Yes.

8348. Did you hear anybody say, "Well, if there is "anything to do we ought to have it early, and not "let the stragglers stop till late and walk off with 40*l.* "or 50*l.*?" There was much talk about money at the last election. Did you hear anything of that kind?—Nothing of the kind; I never heard such words.

8349. Did you hear of this, "You will know what "we want, we are all poor working men?" They were men who had votes for the first time?—Yes.

8350. And they were all bribed, were not they?—No, not one of them, to my knowledge.

8351. You say you promised those that were there. You said, "Those who vote shall have the same as they," meaning if they would wait a twelvemonth for it?—That is a general promise I made, if you call it a promise.

8352. Amongst others this general promise was made to these poor working men. Did all those men vote for Kinglake and Vanderbyl?—No, not half of them.

8353. Not half of them did?—I do not know whether half of them did or not.

8354. Did you hear Dymond say, "This is not the place to discuss money matters, we must have that alone here?"—He did.

8355. And did they accordingly leave off election matters?—No, you could not stop them.

8356. Did you and he?—I was not talking to him.

8357. Did Dymond leave off talking money matters, as he himself said, "This is not the place for it?"—That is the only remark he made about it.

8358. Are you determined to force me to come to the conclusion by-and-bye that you have not answered my questions. If you do I warn you that you shall have no certificate as far as my signature goes, and I

ask you again and again questions which the meanest capacity could take in, and you do not answer. You said Dymond said, "This is not the place to discuss "money matters;" accordingly, did Dymond then leave off discussing money matters?—I did not hear anything more about it.

8359. But the others went on talking about it?—Just that way.

8360. Was Abraham Baldwin there?—Yes.

8361. Did you hear Baldwin say to Marels, "You "are not one of our party, and I wonder at your "impudence in coming here; you have no business "here, it is a private meeting?"—No, I never heard anything of the kind. I believe I was down at the bar afterwards, and I heard that he had said so.

8362. Was not John Hunt the man who said that at the bar, and not this man?—Both of them went down.

8363. Was not James Hunt the man who said to the landlady, "Marels ought not to come in; it was "very unfortunate, and would cause a good deal of "ill-feeling. I have been tossing for a gallon of beer, "and lost," he added on the same occasion?—He came and said the conversation he had with the landlady, but I do not know any more.

8364. Do you remember his getting a gallon of beer on his telling the landlady that he tossed for and lost it?—I saw them tossing there; I did not take much account of it.

8365. Do you remember the landlady saying, "All right, Mr. Hunt, you may have it?"—I did not hear that, because I was not there.

8366. You are aware that no portion of the beer consumed that night was paid for?—I do not know about it.

8367. How much beer did you have?—About three gallons I believe.

8368. Four; was not it?—I do not know, it might have been three or four gallons.

8369. There was spirits also on the Friday, were not there, as well as beer?—Yes; they found that Mr. Bowden sent down the man to send up some beer, and he took it all out in brandy and water.

8370. Did not you give the order to the landlady for what drinking and spirits were taken up by the party there?—No, I did not; that out of the kitchen I had nothing to do with—our room.

8371. Did you give any orders to the landlady for taking up spirits and beer to your room?—Yes.

8372. And what you did order was actually taken up by the landlady?—Yes, I believe I took it up myself.

8373. Did you also order drink—you—for people who were downstairs?—Not that I am aware of.

8374. The landlady will be called?—It was altogether.

8375. You did order some for those downstairs?—It was altogether; they drank what they was minded to.

8376. If it was altogether it was divided amongst those upstairs and down?—Not those in the bar.

8377. But were there any downstairs for whom you ordered drink?—Yes.

8378. Did not the score that night amount to very nearly 4*l.*?—I believe it did, and I got an account for it.

8379. Did not Marels himself keep the account in chalk?—I never saw him do it.

8380. If he was with the landlady you could not see him do it?—I never saw him there. I saw the landlady chalk it down.

8381. Did you pay her 1*l.* that night?—No.

8382. Had you paid her 1*l.* on a previous occasion?—No.

8383. Did she give you credit for 1*l.* she said she got from you?—No; she never said she got it from me.

8384. Did she give you credit then, whether or not?—A Mr. Bowden paid her 1*l.*, that is how the drinking began.

8385. Did she give credit in that account for 1*l.* said to have been paid by you?—I believe she did.

8386. On the nomination night I believe you people were remaining there until 3 in the morning, were not you, at the "Bath Bridge"?—I do not know; I was not there.

8387. You came as late as 10 or 11 yourself?—Yes.

8388. There were a great many people there that night?—Yes.

8389. And all drinking?—Yes.

8390. Were not there at one time as many as 100?—No, the house would not hold them.

8391. Were there as many there as the house would hold?—Nearly.

8392. (*Mr. Price.*) How many would it hold?—There are only two rooms they could get that I know anything about.

8393. Fifty or sixty?—Yes, I suppose so.

8394. (*Mr. Anstey.*) Was there a man standing at the door of that inn that night?—Not that I am aware of; I never saw anyone in particular.

8395. To keep anyone from going in who was not right?—No, nothing of the kind.

8396. Were you there the next day, the polling day?—I went about 7 in the morning.

8397. During the whole of that day was there not plenty of drink of all kinds, including spirits, tobacco, and cigars, for anybody who liked to have it?—I do not know; I was not there.

8398. You were there at 7 in the morning?—Not five minutes the whole day.

8399. But whilst you were there did you see anything of the kind?—No.

8400. Were there not lists of voters in that house both upstairs and down on that day?—Not that I know of; I did not see anything of the kind.

8401. Did not you yourself give or agree to give Mrs. Cape 10*s.* a day for the use of that room?—No.

8402. What did you agree?—2*l.* for the time we wanted it.

8403. At all events, what rent was paid was agreed to be paid by you?—Yes.

8404. Do you mean to say you were not in that room that day for which you had paid or agreed to pay the rent?—Not the whole day.

8405. Do you mean to tell me you did not see the lists of voters there?—No; I simply went to look for a person there. I could not see him and went out again.

8406. That we may see how much truth and falsehood is in your statement, tell me whether these persons can throw any light upon it if called. Bond, at Symon's brickyard, was he there any of these days?—Yes, some days, but not that day. I never saw any person there.

8407. Popham?—I never saw him in the house.

8408. Hunt?—Never.

8409. Dymond you have spoken of. Parson; Henry Baker?—They were in the house previously.

8410. The man Burton we have heard of, was he there?—Yes.

8411. Hart?—Yes.

8412. Bird?—Yes.

8413. And Manley?—I never saw Manley there.

8414. Now has not Mrs. Cape made out a bill of no less than 18*l.* for treating done under your auspices on these occasions?—Yes, the bill made out some 17*l.* altogether, reckoning the rent at 2*l.*

8415. (*Mr. Price.*) Has it been paid?—No.

8416. You have not paid it?—No.

8517. And do not intend?—I never intended to.

8418. You do not intend?—I suppose I shall have to.

8419. You have ordered it, and you consider, if nobody else does, that the landlady may sue and make you?—Yes.

8420. (*Mr. Anstey.*) Have you not told her then to distinguish between so much of the bill as relates to things you ordered and so much as relates to things which what you call the blue party ordered?—No, I never distinguished anything between the parties.

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8421. Do you mean you never told her this, "I "won't pay for what the blue parties have had, but "only for what I myself have ordered"?—I never said a word about any parties at all.

8422. Did you say anything to that effect, that you would not pay for more than what you yourself had ordered?—Yes, I did.

8423. Then what you dispute is not the amount of her bill, but you say for the whole of what is in her bill you had not given orders. Is that what you mean?—Yes.

8424. Who was the person who gave the orders that you did not?—It was drawn on her own account.

8425. Is her name Mrs. Pitman now?—Yes. I cautioned her not to do more drink.

8426. I believe her bill was made out by a certain Mrs. Harris, the wife of a butcher?—I do not know who made it out.

8427. That is all about the election of 1868, in which you truthfully told us you took no part beyond giving your vote?—I did not understand that.

8428. It appears you both treated and held out promises of bribes payable in a twelvemonth.

8429. (*Mr. Price.*) Did you take any part at the first election of 1866, Mr. Bagehot's election?—Vanderbyl's election?

8430. No; you have told us about Vanderbyl's election. Did you get anything more besides the 60*l.* you told us of at Vanderbyl's election?—No.

8431. (*Mr. Coleridge.*) You got 9*l.* 15*s.* paid you afterwards?—Yes.

8432. (*Mr. Price.*) Anything more besides that?—No.

8433. Did you do anything at Bagehot's?—Yes.

8434. What?—I bribed, I think, four or five.

8435. How much did you give them?—10*l.* apiece.

8436. Where did you get the money from?—Allan let us have the money, I believe.

8437. Give us the names?—Joseph Turner. I believe I am correct; I do not know; it is so long ago, and I never expected to be called on, and may make a mistake. John Bouchier, George Coombes, George Falkner, and John Davies.

8438. White had nothing to do with that election?—No money that I know of.

8439. What had he to do with it?—He came where I was at work and asked me to do all I could.

8440. The first election of 1866?—Yes.

8441. He asked you to do all you could?—Yes.

8442. Did he tell you what you were wanted to do?—He told me to get voters to the poll if I could.

8443. To get voters bribed?—No.

8444. How was it he wanted you to do it?—I was up at the "Commercial Inn," at Eastover, and he said, "Gilbert, I want you by-and-bye, do not go away;" and I bided there. I did not know what he wanted because I did not do anything of the kind before, and knew nothing about it, and in a large room up over, I believe, he gave me the money.

8445. And you agreed to do it at once without any scruple at all?—Yes.

8446. Having never done anything of the kind before?—Never.

8447. Did he tell you then that you were to have any money for your own vote?—No.

8448. How came you then to get that 10*l.* after the election?—I met Allan down at the "Queen's Head," and he called me in and said, "Gilbert, I have some-"thing for you at home." He said, "I am going away "now, but if you call in any other time you will have "it." But how I got the money I do not know; whether it was sent, or whether I called at Allan's house.

8449. But you did get the 10*l.*?—I did, but how I do not know.

8450. Is that all you did at that election?—That is all.

8451. Was there any treating?—That was all.

8452. What were you trying to recollect?—Anything else, but not at that election that I am aware of at present.

8453. What did you do at the election before that?—I had nothing to do with that; that was Sir John Shelley's election.

8454. Mr. Westropp had?—Yes.

8455. Did you do anything at that election?—No.

8456. Nothing at all?—No.

8457. Did you vote?—Yes.

8458. Did you get anything for your vote?—No.

8459. Did you ask for anything?—No. I was told there would be nothing at all.

8460. Did you ask?—No.

8461. How did you happen to be told that there would be nothing?—Because you hear plenty such tales about.

8462. Is it always the talk at a Bridgwater election, is the first thing, not about a candidate but what money is going?—Yes.

8463. The first thing is not about the candidates, or their politics, but whether there will be money?—I believe that is generally so.

8464. You were examined in 1866 on oath before the committee of the House of Commons?—I was.

8465. There you distinctly swore that you were offered a bribe in these words: "that if you voted as "you were asked to do you should be better off than "you would be if you voted for the other side?"—That is on the other side you know. I did not know that you were referring to that.

(*Mr. Price.*) We asked you what was done about the election. We did not ask you who offered you the money.

8466. (*Mr. Anstey.*) Let me ask you whether in the long and painful examination we have been making into former elections you have been practising the same mental reservation as now? My reference to you had reference to bribes from any quarter. Do you mean us to understand that at the election of 1868, and the two elections of 1866, you have understood our questions as merely referring to the bribes you have received or paid on one side only?—Yes.

8467. Our questions relate to all, both sides?—I never had anything to do with others.

8468. In 1865 did you bribe on the Tory side?—No.

8469. Did you take any bribe on the Tory side?—No.

8470. Did you have an offer of a bribe on the Tory side?—I did.

8471. Tell us what it was?—I was offered 10*l.* by Mr. Heal.

8472. (*Mr. Price.*) Thomas Hill?—No, Mr. William Heal.

8473. The man we have had here?—Yes.

8474. On the Tory side?—Yes.

8475. (*Mr. Anstey.*) You told the House of Commons it was a lawyer of the name of Veysey?—He got me to go there. He got me to go to the House.

8476. Do stick to the truth and the fact. Who said to you, "I will get you 10*l.* if you vote for the Tories"?—Mr. Veysey did.

8477. (*Mr. Price.*) You said it was Heal a minute ago?—He did offer it to me.

8477*a*. (*Mr. Anstey.*) As well?—Yes.

8478. (*Mr. Coleridge.*) Did not you tell Heal it was not enough?—No. I told Mr. Heal that I should not vote for Westropp for 10*l.*

8479. How much would you have voted for him for?—I did not tell.

8480. (*Mr. Price.*) Did you give him to understand that you would not vote for 10*l.*, but you would if the figure was raised?—No, I did not intend to vote for him at all.

8481. (*Mr. Anstey.*) Had not you asked him what the figure was?—Yes.

8482. Veysey told you to wait in the Tory house; Pimm's, "Golden Anchor," was not it?—The "Golden Lion," I think.

8483. Very well. You went there upon an invitation worded as I have expressed it: "If you vote "for Mr. Westropp you shall be better off than you

will be if you vote for the other side"?—I believe that was it.

8484. Then having been so invited you went to Westropp's inn, or committee room, or whatever it is called; the "Golden Lion," kept by the notorious Pimm, and there you waited until Veysey came?—No, he took me up into the room at once.

8485. There was a number of voters there?—Some three or four, I think.

8486. And you waited half an hour?—Quite that.

8487. And you submitted to be treated on that occasion to drink?—I had just ——

8488. You said, "We had something to drink," and we know what that means in your mouth. It means gross and horrible treating?—They put it on the table, but I did not take much.

8489. After you waited for half an hour did you say anything to Veysey?—I told him I was not going to be kept there all day, I wanted to go home.

8490. What did he say to you?—He told me to wait a minute.

8491. When he told you that did you, becoming impatient at length, open the question of money to him yourself, and say, "What about the money?"—I never said anything about the money. I said, "Mr. "Veysey, I am not going to stop here all day. I shall "go home and go to poll."

8492. But you told the House of Commons, when you were asked, "Did you at length say anything to "Mr. Veysey on the subject of money?" You told them pregnantly and concisely "Yes"?—Whatever I said there is correct.

8493. (*Mr. Price.*) Did you say anything about money?—It was so long since that I do not remember.

8494. Now recollect. Do you pledge your oath to say that you did not, whilst you were waiting there, say something to Vesey about money?—He talked about money, and so did I.

8495. (*Mr. Anstey.*) You were asked at the House of Commons whether you opened the question of money to him yourself; and you said you did?—If I said so then it is the truth.

8496. Recollect what did take place?—It is so long since I do not bear it in my mind.

8497. You have already said that you asked him what the figure was?—He told me the figure was 10*l.*

8498. What did you say?—I said, "I shall not vote "for Mr. Westropp for 10*l.*"

8499. What more?—He whispered in my ear and said, "You shall have 5*l.* more to make it up 15*l.*

8500. Was it he or Lock who said that?—Mr. Veysey said that.

8501. Was it Mr. Veysey who said to you, "We will "make it 15*l.*"?—It was Vesey. I believe so.

8502. You told the House of Commons, "There "was some one I believe of the name of Lock told me "if I had not spoken so loud they would have made it "up to 15*l.* They told me they were doing 10*l.* I "said, 'I shall not vote for 10*l.* for Mr. Westropp'"?—Yes.

8503. Then Lock told you that if you had not spoken so loud you would have had 15*l.*?—No, I believe Lock told me not to speak so loud. Mr. Veysey said, "Well, make it up to 15*l.* We will give another five."

8504. What did you say to that?—I said, "Where "is it to? I do not see anything at all. I do not see "nothing moving here." We were locked in a club room there behind, and I thought they intended to keep us there.

8505. (*Mr. Price.*) You thought he intended to keep you there?—I thought so.

8506. (*Mr. Anstey.*) To bottle you?—Yes, I said, "Where is it? I don't see any sign of it."

8507. "Where is the money," you meant?—Yes. He told me I should go into another room, and I told him I did not see any sign of it. He said, "You shall "go in the very next. You must wait till the other "parties are gone." Then I went over the stairs and went up a long passage somewhere.

8508. What did you do?—Waited at the bottom of the stairs. Mr. Heal came to the bottom of the stairs and asked what I wanted.

8509. That man that was examined to-day?—Yes. I did not make any reply, but Veysey said something to me. I do not know exactly what it was. I think Mr. Veysey asked me whether I wanted to see the stallion, or something. I do not know what he meant by it.

8510. When you went into the room where Heal was, did you say to Mr. Veysey, You will recollect, Mr. Veysey, I shall not vote for 10*l.*?—That was before I got inside the room.

8511. You did say that again?—I did.

8512. What did Veysey say to you in Heal's presence?—It was not in Heal's presence.

8513. What did Veysey say to you when you said, "You recollect I shall not vote for 10*l.*"?—He said, "You go in. That will be all right."

8514. Did he say, "You go in Philip; that will be all right?"—Yes.

8515. Did you go in?—I did.

8516. Did Veysey go in with you?—No.

8517. But when you got in you saw Heal there?—Yes.

8518. Did you tell Heal again that you would not vote for 10*l.*?—Mr. Heal knew me. He looked at me, and said, "Well, young fellow, what do you want?" I said, "I hardly know what I want."

8519. Did you tell him again you would not vote for 10*l.*?—Yes.

8520. Did you tell him, "I have told Mr. Veysey the same thing?"—Yes.

8521. What did Heal say to you?—He said Mr. Veysey ought to know better before he sent me in here. Then, he said, "Go about your business." I said, "That is what I want to do."

8522. What you split upon was 5*l.* If you had 15*l.* offered you, you would have voted for Westropp, or promised to vote for Westropp; probably broken your promise?—I would not.

8523. But you would not do that for 10*l.*; that was it?—Yes.

8524. You split for 5*l.*?—I thought it the best way. I thought that was the best way not to get it. I did not intend to get it.

8525. All this came out, you know, before the Committee of the House of Commons in 1866?—Yes.

8526. And nevertheless I believe your position has been such since that time in Bridgwater that it has not diminished; that the confidence of the Liberals in you has not been diminished by this revelation; but, on the contrary, you have been employed to make objections—to take objections—at the annual revision of voters, to do the general legal business of the party, and finally to do your best to bribe; their confidence not having been diminished in you by these revelations before the Committee in 1866. Is not that so?—That is right, I believe.

(*Mr. Anstey.*) That speaks for the borough again.

8527. (*Mr. Price.*) But when you were taken up to London to give this evidence (I want just to understand), had you gone to the Conservatives for the purpose of betraying them; or had you gone there intending to sell your vote if you could get your price for it?—I did not intend to go there at all. Mr. Veysey dragged me very nearly.

8528. Do you mean to say you were dragged by Mr. Veysey?—I went out of curiosity.

8529. Curiosity?—Just to see what they were doing.

8530. Did you go there for the purpose of betraying to your own party what you had seen or heard?—No.

8531. Then how did you happen to get to London to tell them all this story, and to be examined?—It was done accidentally.

8532. Where was it done accidentally? Whom did you tell so that they had got you up to London. Whom did you tell what passed between Mr. Veysey and Mr. Heal?—In a conversation between Mr. Cook and me afterwards.

8533. (*Mr Anstey.*) Is there any doubt that if you

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had got the 15*l.* into your hand you would have gone and voted for Westropp?—I think I should.

8534. (*Mr. Price.*) Are you a master or workman?—I do a little myself.

8535. Do you employ men under you?—No; perhaps a man for a job, or something of that sort.

8536. Have you got a warehouse or shop?—A shop where I work in.

8537. And a house?—Yes.

8538. What rent do you pay?—Not anything at all; I own it.

8539. Oh, it is your own house. You are a freeholder?—Yes; not freehold to me, you know.

8540. Is it mortgaged?—Yes.

8541. (*Mr. Anstey.*) To whom, to Cook?—Yes, they were the agents, I believe.

8542, (*Mr. Coleridge.*) Just tell me what position do you hold in the revision court? Do you sign the notices of objection?—Yes.

8543. And you attend the court itself to support those notices before the barrister?—Yes, I did on the last occasion.

8544. Does not any lawyer attend too?—Yes, several lawyers.

8545. You do not do the talking?—Oh no, sir.

8546. Who does that on the Liberal side?—The lawyers.

8547. Well, who are they?—I think Mr. Reed was last time, and Mr. Lovibond.

8548. Who on the Conservative side?—Mr. Trevor and Mr. Brice.

8549. (*Mr. Anstey.*) Who did it on the Conservative side before Mr. Brice was a Conservative?—I do not know. I did not have anything to do with it then.

8550. (*Mr. Price.*) Is it your judgment as well as that of Mr. Bussell and others that there are not above 80 voters on the one side and 150 on the other side who would not take bribes?—I could pick out of those who would not take bribes at all about 200 or 250 voters.

8551. On both sides?—Yes.

8552. (*Mr. Coleridge.*) Do you include in this number all the lawyers who are paid for their services?—Yes, certainly.

8553. And all the agents who are paid in different ways?—Yes.

8554. And all the beerhouse keepers and other people who have treating bills? Do you consider those people who won't take bribes?—I did not count them.

8555. (*Mr. Anstey.*) You did not include amongst the bribable persons the tradesmen who make pressing demands at an election for bad debts that have been standing over since former elections?—Some I passed over and some I did not.

8556. (*Mr. Price.*) We have got to the election of 1866, you know, the first election. Did you take any part in 1859. You took a part in 1865 you have told us. You have given us that. Now did you have anything to do with 1859?—Who was the candidate?

8557. I will tell you; Mr. Tynte and Mr. Kinglake and Mr. Westropp?

8558. (*Mr. Anstey.*) Only one Conservative candidate?—That is the election we have been speaking of.

(*Mr. Price.*) No, this is 1859.

(*Mr. Coleridge.*) We have been talking of 1865.

8559. (*Mr. Price.*) The last time Mr. Tynte stood, the last time Mr. Tynte was returned, when Mr. Tynte and Mr. Kinglake came in?—I know nothing about that election I do not believe.

(*Mr. Price.*) Mr. Bussell will tell us the candidates I daresay.

(*Mr. Bussell.*) Padwick and Westropp the two Conservatives.

(*Mr. Price.*) Padwick and Westropp the two Conservatives, and Tynte and Kinglake the two Liberals.

(*Witness.*) I had no vote then.

8560. Did you take any part in the election?—No.

8561. Did you go about from curiosity anywhere?—No.

8562. You had no curiosity at all then?—No, I took no part at all, except that I went and held up my hand in favour of the Liberals.

8563. There was money going?—I attended the hall here when there was a public meeting or anything of that sort.

8564. (*Mr. Coleridge.*) Were you a messenger? Were you paid?—No, I never was.

8565. In 1857 had you any business to do?—No, at no former election.

8566. (*Mr. Price.*) Nothing beyond 1865?—No.

8567. Now then, is there anything else you know? You were under a misapprehension that we were going to ask you as to the misdeeds of your own side only. We equally want to know anything of the misdeeds of the other side. Is there anything with regard to the manner in which elections have been conducted since 1865, that you know that you have not told us?—Not that I am aware. It might occur to me afterwards, but if I know anything more I will tell it with all my heart.

8568. (*Mr. Anstey.*) Can you tell me what relationship there is, if any, between Henry Jarman the briber on one side, and Frederick Jarman the briber on the other?—I fancy I have heard they were cousins or something of that sort; I do not know anything positive.

(*Mr. Price.*) Very well, that will do, Mr. Gilbert, for the present.

Mr. W. Symons.

Mr. William Symons sworn.

8569. (*Mr. Price.*) Do you live here in Bridgwater?—Yes.

8570. What are you, Mr. Symons?—A merchant.

8571. And a brickmaker, are you not?—Yes.

8572. And a large employer of labour, as we hear?—Yes.

8573. Well, you take an active part in politics, I suppose?—I have, a little, in my time.

8574. In the election of 1868 did you take an active part?—If you can give me the names; I have no dates.

8575. (*Mr. Coleridge.*) The last election?—Oh, no, nothing.

8576. (*Mr. Price.*) How was that?—Because I had no desire, that is all.

8577. (*Mr. Coleridge.*) What is your reason?—Well, there were other elections that I have not taken part in, any active part.

8578. Why not at the last?—The last I did not.

8579. (*Mr Price.*) But why?—Because I did not feel inclined.

8580. Have you any particular reason?—Well, yes.

8581. Well, tell us?—Certainly I have particular reasons for not doing it.

8582. Well, tell us, unless it is anything of a private nature. Was there any reason for it with regard to the manner in which the elections have been conducted, or anything of that kind?—Well, there was something in that. I never did like exactly the way elections were conducted. That is about the nearest I can give you.

8583. (*Mr. Coleridge.*) Have you assisted in the conduct of them for all that?—I did not assist at all in the last.

8584. In the former ones?—Yes.

8585. Only you objected?—To some I did, and some I did not.

8586. At the last election, are we to understand, you really took no part whatever?—I did not.

8587. Did you attend any meetings—the working men's meetings?—I did not.

8588. Did you vote at all?—I did.

8589. For Kinglake and Vanderbyl?—For Kinglake and Vanderbyl.

8590. Did not I understand you to say you took no active part? Did you understand that it was intended on the part of Mr. Kinglake and Mr. Vanderbyl that it was to be a pure election, or that it was to be conducted on the old principle of Bridgwater elections?—Yes, I understood it was to be.

8591. Upon the old principle?—Well, I thought it was very likely it would be.

8592. (*Mr. Coleridge.*) Were you told it would be?—No, because I did not go to the meetings.

8593. (*Mr. Price.*) What made you shrink from taking an active part?—Because I took an active part in the election before, and I did not feel inclined to do that again.

8594. Did you never go near the candidates, or their committee rooms, or to the "Globe Hotel"?—Oh yes, I went to the "Globe Hotel," I think.

8595. Did you know what was going on during the day?—No, nor did not inquire.

8596. Did you know of Mr. Kinglake going away in the middle of the day?—That I did not know.

8597. You did not hear that?—No, I was home at my house with friends, and did not know anything of it.

8598. How did your men vote?—I do not know.

8599. Did you never interfere with them in any way?—No.

8600. Did you canvass them?—No.

8601. How many men do you employ?—Perhaps two or three hundred men and boys.

8602. Most of your men I suppose are under the new franchise?—Some are, and some are not. I really cannot tell you how many, I have not the least idea.

8603. That is all you did at the last election. We will go if you please to the election of 1866, the second election, when Mr. Vanderbyl first came out?—Yes.

8604. Did you take an active part in that election?—Well, I did.

8605. Did you know of Mr. Vanderbyl being brought down here?—Yes, I heard he was coming down.

8606. Were you consulted at all, or in consultation at all, with the legal gentlemen who brought Mr. Vanderbyl down?—No.

8607. When did you first hear he was coming?—I cannot answer that question. I did not take interest enough to know. I made up my mind to support him.

8608. You promised your support to him. Were you introduced to him?—No. He never asked me for my vote.

8609. You were never brought into personal contact with him at all?—No.

8610. You knew who he was?—No, I did not.

8611. Did you know that he was a rich gentleman who contested Yarmouth?—No, I did not know anything of that till afterwards.

8612. After what? Did you know when you heard Mr. Vanderbyl had come down, or was it told you, that he was a man who had plenty of money, and that he had contested Yarmouth, and he came down with Mr. Brogdon who had also done the same?—No, I never heard anything at all about it.

8613. What induced you to take an active part?—That I can easily tell.

8614. Well, tell us?—The election before I did not take any active part in. I was in company one day with a few gentlemen after Mr. Patton's election.

8615. Who are they? We must know?—One is Captain Brydges; William Brice, Esquire; Frank Brice, Esquire. Dr. Hurman I believe was there. I was an officer in the Volunteers (the 26th), at that time; and we went to have a glass of wine.

8616. Doctor who?—Dr. Hurman I believe was there. I am not sure.

8617. You were talking this matter over. How did that make you take an active part?—Well, I was inquiring.

8618. Were these gentlemen all of your views in politics?—No, all opposed except one. The others were opposed.

8619. Who is the exception?—Why, Dr. Hurman.

8620. He was not a Conservative?—He always voted for the same interest as myself.

8621. The others were Conservatives?—Yes.

8622. You were in conversation you say?—At the election previous I must tell you I had nothing at all to do with it then any more than I did last time. Then as we were talking one said, "Last time we got "in one of our candidates, Mr. Patton, and at the next "general election I will lay ten to one we will get in "both."

8623. Who said that?—Captain Bridges.

8624. Did you take his bet?—I offered to take it even ten times over.

8625. Did you make a bet?—No, I could not get it. (*Mr. Coleridge.*) It would have been a very good bet.

8626. (*Mr. Price.*) Well, go on?—That caused me to take an interest in it.

8627. I can understand that if you had got this heavy bet upon it?—I had no bet, I could not get it.

8628. If you had the bet on I could understand it then?—I took an interest in it.

8629. I do not see why this made you take an interest in it?—I had a little English blood in me, you know. I had got that.

8630. You determined to do your best or your worst?—I did.

8631. Tell me, what was your best?—I did not make any bet. I asked whether he intended simply to go on as at the election before.

8632. You asked Captain Brydges?—No; I asked Mr. Allan and he said no, he was determined to win it if possible.

8633. How did you know anything of Allan?—I had seen him about at previous elections.

8634. What did you mean?—I was aware it was going to be pretty much as before.

8635. What did he tell you?—He said it was; I was pretty sure how it was with almost all the elections, I do not mean all, most of them were managed so.

8636. Allan told you this?—Yes; I said there were several parties who must be looked after, or it would go the same as the election before.

8637. You told him parties must be looked after or they would go as they had done the election before, vote for Patton?—I had no bet. In the morning at about 11 or half-past I found our party was 37 behind, I thought they were going. Feeling as I did then I made up my mind almost to do anything rather than be beaten. I went to Mr. Heal and he was dissatisfied with the way he was handling them, because he did not get money enough. I went down and spoke to him.

8638. Do not turn away?—I was looking to see whether he was here.

8639. Who?—Mr. Allan.

8640. Never mind whether Mr. Allan is here or not?—That is the one that I spoke to about it.

8641. You told him you were not satisfied with how things were going?—That was the case. Well, then after a few words conversation he gave me some money to take up to Mr. Heal.

8642. How much?—He saw that I was in a bit of a pet seeing the way it was going on, and in my pet I took it.

8643. How much did you take up?—I could not be positive at the time; as I took it I gave it to Heal.

8644. You got some money from Mr. Allan, how much you do not know?—The money was put into my hand and I took and gave it to Heal. The best thing I can answer that by is what I have in my pocket, there it is (*producing a slip of paper*). There is the receipt given at the time, it is not in his name.

8645. Did you take that from Heal?—Yes; he does not know anything about it himself I am sure, but I do not know it would be possible for any man to deny his own handwriting.

EIGHTH DAY.

Mr. W. Symons.

31 Aug. 1869.

8646. (*Mr. Coleridge.*) Whose handwriting is that?—Mr. Heal's.

8647. 135*l.*, and is that the whole of what you received from Mr. Allan?—That is the whole of the money.

8648. (*Mr. Anstey.*) Not 140*l.*?—That is the amount (*referring to the receipt*). That is the amount that he gave me the receipt for; I never counted it.

8649. (*Mr. Coleridge.*) Did you give all the money you received from Allan to Heal?—Yes.

8650. (*Mr. Anstey.*) Did Heal ever account to you afterwards for his application of that money for which he gave that receipt?—No; I never asked him anything at all. That was all I had to do with it, I only like any errand boy carried it to him.

8651. That was not all given at one time by Mr. Allan?—No, the 15*l.* was given first.

8652. Did not Mr. Allan pay you 30*l.* in three sums?—Certainly not.

8653. Are there two Mr. Symonses who go about bribing in the borough?—I cannot tell you, I can only answer for myself.

8654. Are you quite sure you were not paid 30*l.* in three sums?—I am quite sure I was not.

8655. And that you did not tell him what you had done with it, and were rather indignant when he asked you and refused to let you have more money?—That is a wrong impression altogether, I gave it all to Heal.

8656. Did you have high words about it, and did Mr. Barham, who was in the passage, come to the door and tell Mr. Allan to let you have 100*l.*?—I do not remember Mr. Barham speaking a word.

8657. It is a very serious contradiction between you; just let me read it over to you again?—I have not seen the evidence; I have not read it.

8658. I did not say you have, just attend. "I paid Mr. Symons 30*l.* in three sums," now is that true?—That is wrong.

8659. It is not true?—That is not true.

8660. I will just ask you, did you see Mr. Allen more than once that day about money?—I did. I saw him a second time.

8661. Did you get money from him more than once that day?—Twice.

8662. You did?—I got 15*l.* the first time.

8663. This is the 15*l.* put down here?—That is it.

8664. That is all. On the next occasion you got 120*l.*?—120*l.*

8665. You are quite sure about that?—Yes.

8666. Did you count it?—No; because I saw Mr. Heal count it. As it was put into my hand I gave it to him. I never put it out of my hand till I gave it to him.

8667. Did you see Heal count it?—I did.

8668. Then it is not true that you were paid 30*l.* in three sums; and it is not true that you did not tell Mr. Allan what you had done with it, and that you were rather indignant when he asked you, and that he refused to let you have any more money? that is not true?—It is not.

8669. And it is not true that you had high words about it?—Oh yes, we had high words.

8670. What about?—About the money. I said to him, "You are just going on as you did last time." I told him it appeared to me they were going to do as they did last, spend money and make themselves fools, and lose the election. I thought they were better while they were about it to win it, to let them have a little more, because I was almost sure there was money going on both sides.

8671. Did Mr. Barham, who was in the passage, come to the door and tell Mr. Allan to let you have 100*l.*?—I do not remember Mr. Barham speaking to him. I do not remember.

8672. Did you see Mr. Barham there?—I was a little bit annoyed. I am not sure that he was there.

8673. If you were a little bit excited, and a little bit annoyed?—I said I was a little annoyed. To show you that he came in the course of the day and begged my pardon, and was sorry that he should behave in such a manner to me.

8674. Did you never let him have an account of how you had disposed of the money?—No, I only took it to the man he told me to. He gave me the money for the express purpose of giving it to Heal.

8675. (*Mr. Anstey.*) Consider the question. You had some money originally from Mr. Allan, then you had high words about that money?—Because——

8676. I am reminding you. You had some payments made to you first of all by Mr. Allan; then you had high words about not accounting for that money?—No, not about that. It was because Heal complained that he could do nothing with it.

8677. You had some high words about the first sum of money which he paid you. Then after you had those high words you received 100*l.* from him; and you think it is very likely that that hundred pounds was paid to you through the interference of Mr. Eustace Barham?—I do not remember whether it was Eustace Barham or who.

8678. You say you think it probable it was done. I am repeating your own evidence. Well now, that being so, you were indebted for the 100*l.* to Mr. Barham's interference. Where does it appear that you received the 130*l.* or 135*l.* for the specific purpose of being paid over in one sum to your brother-in-law Mr. Heal? Where does that appear? How does that appear? You say you received it for the specific purpose of its being paid over to Heal, and "it was put "into my hand, and I carried it to him, and never "opened it till I gave it him." You have already said that the reason why it was paid to you, was because you had suggested to him that at this time the money had better be effectually applied, and not spent like fools?—Not sparingly, not to spend a lot of money and lose the election.

8679. Therefore you intended, did you not, to see that this money was spent?—Well, I was in hopes it would be well managed.

8680. Had you confidence in Heal?—I had then. I thought he was the best in the town to manage it.

8681. Had you any confidence in his pecuniary accuracy?—No, I did not know anything of that.

8682. Had you any confidence in him?—I had confidence in him then.

8683. But now you have not?—It is a different thing altogether. I have heard things said in this hall to-day that I had never heard then.

8684. Do I understand you that when you received this money it was your purpose to pay it all over to Heal, and let Heal apply it according to his wisdom or cunning, and not to interfere with it in any way?—I had no meaning to do it. He had been an active man in that way for years. I had every confidence that he would do it right.

8685. Did you intend to pay over the money to him, and leave him to deal with it as he liked?—I did.

8686. Did you communicate that purpose of yours to Mr. Andrew Allan, if you gave him the 135*l.*?—I did not ask for that.

8687. Will you allow me to put the question, sir?—If you please, and I will answer it.

8688. Did you tell Mr. Andrew Allan that you would give him the 135*l.*?—I did not say any such thing to him. There!

8689. Will you please to let me put the question to you. Lay aside that manner at once, or, I warn you, you stand the chance of going to gaol?—You send me there if you like. I will be treated as an Englishman.

8690. But listen to my question.

(*Mr. Price.*) Listen to the question, and then answer it.

(*Witness.*) I will endeavour to do so.

8691. (*Mr. Anstey.*) Pray listen to the question. Let it be put to you. Did you tell Andrew Allan that you were going to hand this money over to your brother-in-law Heal, and leave the application of it to Heal's unfettered discretion?—The very thing was that and that alone; that it was to be carried there,

and he knew it. It was given to me to take to him, and I did it.

8692. You told him so?—Yes, he knew it.

8693. Then you did give him an account of it?—Who?

8694. Allan?—It was not counted. It was given to me in the hurry, and I did not know how much it was, whether it was 100*l.* or 120*l.*, or what.

8695. Did you tell him that you gave it to Heal?—I did not tell him that; I never saw him afterwards.

8696. Did you tell him that you were going to do it?—I do not quite understand that.

8697. When you asked him for the money?—I did not ask him for the money at all. He asked me to take it to him.

8698. Did you tell him you were going to pay it over to Heal?—It was Heal that I was speaking of. With respect to Heal, that he was dissatisfied, and he gave me this money, and I took it to him, and I took it to him and never counted it. I do not know whether he knew what money was there. I did not till Heal counted it over and gave me that piece of paper.

8699. If you have any further explanation to offer I am willing to hear it, but down to this moment I cannot understand your story at all about your previous payment?—I had no previous payment.

8700. Yes, the 100*l.* What were the high words about, if this was the first payment?—That was that I had been and seen Heal, and Heal was not satisfied that he had means to carry things on in a proper manner. Allan had the management of it. I told him Heal was dissatisfied, and he said he should not do anything more. I said, "You are just going to do as you did last," and then there were a few warm words in that respect, and he said. "Take that and carry it up," and I did it.

(*Mr. Anstey.*) I do not understand your story.

8701. (*Mr. Price.*) You are quite sure that the high words were not because you had refused to give Mr. Allan an account of what you had done with the other sums of money?—Yes.

8702. And you are quite sure you did not have three sums of money paid you?—I am quite sure.

Mr. Andrew Allan recalled.

Mr. A. Allan.

8703. (*Mr. Price.*) Mr. Allan, you told us, you know, that you paid Mr. Symons 30*l.* in three sums. This is what you said, "He did not tell me what he "had done with it, and was rather indignant when "I asked him, and I refused to let him have more "money. We had rather high words about it, and Mr. "Barham, who was in the passage, came to the door "and told me to let him have 100*l.*, which I did. He "never let me have any account of the manner in "which he disposed of this money." Now, do you adhere to that as an account of what took place?—That was my examination in chief.

(*Mr. Anstey.*) There is no "examination in chief" here.

(*Mr. Price.*) That was your examination, you know, on Friday.

(*Witness.*) I wish to ask the Court if the document you hold in your possession, which I was bound to bring, whether that would be the original document that I gave Henry Lovibond or not. If the papers I gave Mr. Lovibond prove it then I will believe it.

8704. If you find Symons down for three tens?—No, if my handwriting is on the document, then I am bound by it of course. The documents handed in yesterday by Mr. Lovibond, the items and receipts, then I am.

8705. Is "W. Symons" the man. Is that the witness in the box?—"W. Symons" is the witness in the box.

8706. I find there is one 10*l.* put down to him?—What I wish is the Court to satisfy me that that is the original document. I have not the slightest doubt of it.

(*Mr. Price, to Mr. Symons.*) There is put down here 30*l.* given to you in three different sums, Mr. Symons.

(*Mr. Symons.*) It was given to me in one.

(*Mr. Andrew Allan.*) I have endorsed the papers on the back.

Examination of Mr. Symons continued.

Mr. W. Symons.

8707. (*Mr. Price.*) Did you get the sum of 20*l.* for a Mr. Webb?—I do not remember the name at all.

8708. Try and recollect. You are put down in Mr. Lovibond's account which we understand, as far as we know, was an account to Lovibond by Mr. Allan. You are put down for three sums, two sums of 10*l.* and one of 20*l.*, and the one of 20*l.* is put down, "Symons W., for Jer. Webb, 20*l.*" I suppose that is Jeremiah?—I know nothing about it.

8709. You never heard of it?—No, I never heard the name.

8710. You never had such sum?—No, the money I mentioned I received, and that is all.

(*Mr. Anstey.*) Here is a voucher to support Allan's statement. Have you any voucher to support your own?

(*Mr. A. Allan.*) I wish to ask the Court whether you will accept this as the original statement.

(*Mr. Price.*) As far as we understand at present Mr. Lovibond made this out at the time from you.

(*Mr. A. Allan.*) Then I will give evidence from it.

(*Mr. Price.*) What does that mean, "W. Symons for Jer. Webb?"

(*Mr. A. Allan.*) James Webb. I will give the whole detail.

(*Mr. Price.*) We understand this to be the document which Mr. Lovibond took down from your dictation or from your papers; and he gave it up to us the other day, or to you rather, when you went to his office the other morning, as the one he had taken down in your presence.

(*Mr. A. Allan.*) Now that I understand it I can describe the whole method by which Mr. Symons had the money.

(*Mr. Price.*) Now I point out to you, Mr. Symons, that this purports to be an account rendered by Allan to Mr. Lovibond of the various sums he had paid away; and he told us in his evidence that he had given you 30*l.* in three sums; and he is supported in that by the fact that your name occurs three times on that paper; once for 10*l.* a second time for 10*l.*, and a third time under your name is put, "ditto," which means you again, 20*l.*; and then a little lower down is 100*l.*, which makes 140*l.*, which is the original sum in point of fact with which you were debited; and then there is Heal's receipt for 135*l.*; first in a sum of 15*l.*, and secondly in a sum of 120*l.*

(*Witness.*) That is how I gave it to him.

8711. Then you wish to stand upon that, that you never did get the sum of 20*l.*, and that you never got two separate sums of 10*l.*, and a separate sum of 100*l.*?—No other name was mentioned. Neither did I mention any other name.

8712. Do attend. One does not wish to do anything that would be offensive to you. Do we understand from you that you deny that you got two separate sums of 10*l.*, and then a separate sum of 20*l.*, and then a separate sum of 100*l.*?—I do deny it.

8713. Then you represent that you got two sums, one a sum of 15*l.*, and the other a sum of 120*l.*?—That is it. No other name was mentioned.

8714. Never mind about the name. The question is more important to us whether your memory is sufficiently accurate that you can place your recollection in conflict with Mr. Allan. Mr. Allan is vouched,

EIGHTH DAY.

Mr. W. Symons.

31 Aug. 1869.

This is a voucher, you see. You rendered him no account. Mr. Allan vouches this as a document which he gave to his own prejudice, against his own interest. He renders this account of moneys to Mr. Lovibond, and you are debited with the receipt of those sums. Now, have you a sufficiently clear recollection to swear positively that you did not receive separate sums, three separate sums of 10*l.*, 10*l.*, and 20*l.*, and one of 100*l.*?—I will positively swear that I had nothing at all to do with anyone but Mr. Heal and Mr. Allan in the matter.

8715. That is one way of answering it. Can you undertake to say that you did not have these sums, never mind whom they were to go to; that you did not have these sums which are put down here?—I did not.

8716. (*Mr. Anstey.*) And you also say that the sum total was 135*l.* and not 140*l.*?—135*l.*

8717. And you also say that this was in the year 1866, was not it?—I think it was

8718. In 1866, after your brother-in-law's conduct at former elections in stopping money, all which he himself has deposed to, must have been notorious, not only to all the rest of the community, but also to you; you place such unlimited confidence in him that on receiving this money, which was intended to bribe other men, and not to bribe your brother-in-law, you passed it all over into his hands, and left the disposal of it entirely to himself?—I did.

8719. On your oath, was not that done for the purpose of enabling him to put the whole into his own pocket?—On my oath, I never thought of such a thing; and I never heard about that money, the 200*l.*, till I heard it in this hall.

8720. It was not to enrich your brother-in-law?—I did not nor would not, for anyone in the world.

8721. I shall form my own opinion?—You can form what opinion you like; and if you do not know me there is enough in this room to know very well that what I say is true, and who believe me.

8722. (*Mr. Price.*) You have disposed, you know, of that 135*l.* in the way you tell us, and it certainly is a very strange story. I cannot make it out in any way. However, was that the only sum that you received. I do not mean from Mr. Allan. Was that the only sum you received at this election for bribing purposes?—That was all the money I received at that election.

8723. For bribing purposes?—For bribing purposes; or any other election since I can remember.

8724. Was there any treating that you did on that day; on the day of election; any treating at any public-houses?—No; I don't go to them.

8725. Therefore you took no part whatever in that?—No; no part whatever in that.

8726. Although you say you were determined to do your best in the matter, and stop at nothing to win the election for your favourite candidate, all you did was merely to get this sum of 135*l.*?—I did not ask for any sum.

8727. But all that you did was that?—I wanted Heal to be satisfied, for I felt that he could win the election; and I knew it was no go to do anything else but fight the enemy with the same weapons he fights with. If there is anything further that you wish to ask me I should be quite willing to come. I came now from Devonshire, and did not stop to drive.

8728. (*Mr. Coleridge.*) Have you been engaged at former elections also?—Never.

8729. Is this the only election in which you have ever had to deal with money at all?—The only election in which I have dealt with money in my life.

8730. Did not you know the transactions of Mr. Heal, who I understand is some connexion of you?—I never had anything to do with them.

8731. (*Mr. Anstey.*) He has been in your employment how long?—Some months.

8732. How many years?—Not years at all; about 18 months; 16 or 17 months perhaps. I cannot tell.

8733. At this time he was in your employment?—No.

8734. When you gave him the 135*l.*?—No, he was a brewer then.

8735. You have heard, I presume, what he himself has stated?—I have not.

8736. Of his having kept back money which has been given to him before for the purpose of bribing?—No; I never heard it till to-day in this hall.

8737. Is not it notorious in this borough?—It may have been notorious, but I never heard it at all.

8738. (*Mr. Price.*) What is the meaning of that cross against the 120*l.*?—I do not know. There it is as he gave it to me.

8739. Heal made these figures?—He made it as a memorandum of what I gave him. He counted it himself.

(*Mr. Price.*) We had better have Mr. Heal up.

Mr. W. Heal.

Mr. William Heal recalled.

8740. (*Mr. Price.*) Mr. Heal, you told us, or, rather, there has been so much confusion about this matter, that I understood you to say that you got 130*l.*?—I did not know it was any more until Mr. Allan made it 140*l.*

8741. Is it 120*l.*, 135*l.*, or 140*l.*?—I do not know which it was. I have no doubt that that is the correct amount.

8742. Did you after you had counted it put down at the time on a paper how much it was?—This is the bill of it, I presume.

8743. How many times did you receive it in?—I cannot tell you whether it was once or twice.

8744. Or three times?—No, I do not think it was three times. I believe it was not. I am not prepared to say whether it was once or twice.

8745. How did you receive it?—In notes. I believe the whole of it was in notes, or pretty well the whole of it.

8746. (*Mr. Anstey.*) What bank?—That I cannot tell.

8747. (*Mr. Price.*) Tell us whose handwriting that is in. Look at that envelope, and tell us whose handwriting those figures are in. (*Envelope handed to the witness*)?—That is mine.

8748. Well now, you see it is 135*l.* there?—Yes.

8749. What is the cross put against the 120*l.* for?—No doubt I might have received the 15*l.* first, and then the 120*l.* afterwards?—I cannot account for anything else.

8750. (*Mr. Anstey.*) The whole of it you received from Mr. Symons?—I did.

8751. Therefore did you receive 15*l.* first; then 20*l.*; then 100*l.*? You must have received it in three times from Mr. Symons?—It does not say there three times.

8752. But if you did it must have been from Mr. Symons?—I received it in two payments.

8753. (*Mr. Price.*) Do you know a person named Webb—Jeremiah Webb?—I do not.

8754. James Webb, a voter?—I do not know such a man at all.

8755. (*Mr. Anstey.*) Did you bribe him?—No.

(*Mr. Price.*) You may go now, Mr. Heal. I should like to ask you a question or two, Mr. Allan, about that.

(*Mr. Heal.*) Will you require my services any more? I have a situation. If I lose my time——

(*Mr. Price.*) Where do you wish to go to?

(*Mr. Heal.*) To Durston.

(*Mr. Price.*) You can be brought here again if you are wanted.

(*Mr. Heal.*) Shall I wait until you send for me?

(*Mr. Price.*) Are you expecting to leave home?

(*Mr. Heal.*) No, sir.

(*Mr. Price.*) A letter would reach you I suppose.

(*Mr. Heal.*) Yes, about half-past 10 in the morning. Then I shall wait until I am sent for ?

(*Mr. Price.*) Yes, you may go home to Durston to-night.

EIGHTH DAY.

Mr. W. Heal.

31 Aug. 1869.

Mr. A. Allan.

Mr. Andrew Allan recalled.

8756. (*Mr. Price.*) Now, Mr. Allan, take this list, just look at that. Symons appears for two tens, and then a twenty, and then one hundred ?—That is exactly as my copy.

8757. Your copy is made from this ?—My copy was made from that.

8758. I want to know whether, looking at this which is supposed to be made at the very time you rendered the account to Mr. Lovibond, you can tell us at all what is the meaning of this, "ditto for Webb" ?—I can. I can give you a full explanation of the whole matter.

(*Mr. Price.*) Well, then, we will have that to-morrow morning. Come here to-morrow morning. Do not speak to anybody else about it to-night. Come here to-morrow morning and explain it to us at 11 o'clock.

Adjourned to 11 o'clock to-morrow.

NINTH DAY.

Wednesday, 1st September 1869.

Present :

Edwin Plumer Price, Esq., Q.C.
Thomas Chisholm Anstey, Esq.
Charles Edward Coleridge, Esq.
Henry F. Purcell, Esq., Secretary.

Andrew Allan recalled.

NINTH DAY.

A. Allan.

1 Sept. 1869.

8759. (*Mr. Price.*) You said you would go through the thing very carefully again and give us some explanation about these four items of monies paid to Mr. Symons ?—The first time I saw Symons about money matters was on the morning of the election, and before the poll was up, it was at John Smith's house, and in John Smith's presence. I was standing talking to Smith when Symons came running upstairs, he was in a very angry and excited mood, and addressed me in this style. He says, "Do you know what you have "done, sir ? You have insulted Mr. Heal. Do you "know who Mr. Heal is ? Do you believe him to be "a pauper ? What is he to do with the sum you have "given him this morning for election matters ?"

8760. You said that ?—Symons said so to me. He said, "What do you expect him to do with the sum of "money you have given him this morning for elec-"tioneering purposes ?" I said, "I have given him "all I had in my possession at the time, and I will go "and give him more." I went straight up and gave Heal 50*l.* That was the second sum he had that morning.

8761. What was the first ?—60*l.* I went back and gave him 50*l.*

8762. Therefore Symons must have known at the time he came to you that Heal had already received some money ?—Certainly, that Heal was in direct communication with me for electioneering purposes. Symons was cognizant of the fact before the poll was open. I did not see Symons before half-past 10. That was at my own house, in the room upstairs ; no one was present but myself. That was the second time.

8763. The first was at Smith's ?—The second time I saw him was in the room upstairs at my own house, when I was alone ; he came and took a chair and sat down. I know it was past 10 for this reason, he had 10*l.* in paper currency, which was money I had received at the second issue, but not at the "Globe."

8764. Was it the second time he made use of this expression about what Heal should do with the money ?—In Smith's presence.

8765. What, the second time ?—He came and took a chair and sat by the side of me. I was in the room there, and he said, "I want some money."

8766. (*Mr. Price.*) This was the second time ?—The second interview I had with him ; the first it was at my own house.

8767. This was the second money ?—No, the first. I gave him 10*l.* If he liked to take 10*l.* he was as welcome as anybody.

8768. (*Mr. Coleridge.*) Was it for himself ?—He did not say for what purpose he wanted it.

8769. He gave you no name ?—No ; I gave him the 10*l.* because he asked me for it.

8770. You returned that to Mr. Lovibond as 10*l.* to Symons ?—I did, three or four days after the election. About half an hour afterwards it would be, he came into the room again, and in the same way said, "I want some more money, give me another 10*l.*"

8771. (*Mr. Anstey.*) Who did, Symons ?—"Symons," I said, "who do you want it for, because I have a "duplicate list of every list of men who are paying "money in the town. If you want any money for "men on John Smith's or Bussell's lists, I will not "issue it, because the money is already out."

8772. You only wanted to check the lists ?—I only wanted to check the lists. I said, "Tell me who for, "because it is possible the men for whom you want "the money may be paid twice."

8773. Did you say that ?—I did, and he got angry with me being so particular, and I gave him the second 10*l.* to get rid of him.

8774. When did you see him again ?—Very shortly after that he came a third time. He brought me the name. He says, "Give me 20*l.* for George Webb." I advanced the money without comment or remark.

8775. Did you know George Webb ?—I did not know the man personally, but I knew he was the landlord of the "Devonshire Arms" at Eastover.

8776. (*Mr. Coleridge.*) Why did you give 20*l.* instead of 10*l.* ?—I had an interview with Mr. Barham, and he told me not to stick to the list of prices.

NINTH DAY.
A. Allan.
1 Sept. 1869.

8777. (*Mr. Anstey.*) Who said that ?—Mr. Barham.

8778. Eustace Barham ?—Eustace Barham, and for that reason I paid 20*l.* instead of 10*l.*

8779. (*Mr. Coleridge.*) He told you not to stick to the list of prices ?—He did, and not to miss a vote, and I sent the same message to every one who had lists in the town, at least I did to the important ones, Smith and Bussell. I sent the same message to them as came to me.

8780. (*Mr. Price.*) Where do you say Webb lives ?—At the "Devonshire Arms," at Eastover.

8781. (*Mr. Coleridge.*) After this 20*l.* did you see him after that day ?—Yes, it was a longer period of time after he had the 20*l.* for Webb than it was before.

8782. Where should you put that 20*l.* down about ?—About near to 12 o'clock I should put that 20*l.*

8783. What time was it you saw him at Smith's ?—It was before the poll was opened in the morning.

8784. At Smith's before eight ?—Before eight.

8785. And the first time at your house 9 o'clock ?—No, after the bank was opened, because he was paid in paper currency.

8786. Then after 10 ?—After 10.

8787. And again the second 10*l.* ?—The second 10*l.*, well it might be a quarter of an hour or 20 minutes after.

8788. And the third ?—Very shortly after.

8789. About 12 o'clock the 20*l.* ?—Yes, that was about the time we altered the list of prices. I would not have advanced 20*l.* at half-past 10 to Webb, but after being told by Mr. Barham not to stick to the list I did not.

8790. Did Mr. Barham come to you or you go to him ?—He came to me; I never left the room.

8791. What instructions did Mr. Barham give you on this occasion before altering the price, besides saying what you have told us, "Do not stick to the list of prices, and do not miss a vote." There must have been some conversation which led to that, can you recollect what ?—No, he came into the room bringing me money, he brought me money every quarter of an hour or 20 minutes all day, 200*l.* at a time, and he came in and said, "Do not miss a vote, "do not miss a vote; do not be particular as to the "list of prices."

8792. And you acted accordingly, and he went away ?—I acted on his instructions.

(*Mr. Price.*) I cannot find such a man on the list of voters as George Webb.

8793. (*Mr. Anstey.*) Was he an old man ?—I did not know him personally.

8794. (*Mr. Coleridge.*) You are speaking of the 1866 election ?—It was the election on the old constituency.

8795. Mr. Vanderbyl's election ?—Mr. Vanderbyl's election.

(*Mr. Price.*) I see it is George Webb, Eastover.

8796. (*Mr. Coleridge.*) How came he to have lost his vote ?—I believe the man is dead.

8797. (*Mr. Price.*) Then there is the 100*l.* ?—The 100*l.* was further on in the day.

8798. (*Mr. Coleridge.*) We have got to about 12. Did he come in again ?—That was only the 20*l.* for Webb.

8799. Then the next time ?—It was some little time after that.

8800. Tell us about that ?—He came in and was in an ecstacy of excitement. He said, "We shall win "the election, we shall win; give me 100*l.*"

8801. (*Mr. Anstey.*) Symons did ?—Symons did.

8802. And did you give it to him ?—I said, "No, I "will not," and I felt indignant at his asking.

8803. Why ?—It was unreasonable. I had no orders to give 100*l.*

8804. Did you take the 100*l.* to be for himself ?—I understood it to be for himself; he had no list.

8805. You did not understand that he was going to carry it down to Heal who had a list ?—I did not know.

8806. Do you believe he ever did carry it to Heal ?—Is that a fair question to ask me.

8807. (*Mr. Coleridge.*) Yes, but I will not press it if you object ?—Well, I do not believe he did.

8808. You do not believe he took it to Heal at all ?—I do not believe he did.

8809. Do you believe he took these other sums to anybody ?—I never had any power to know that he did.

8810. You never met anybody who said he had got the money ?—No.

8811. Did Webb ever complain that he had not got his money ?—Not to me.

8812. Did Heal ever say anything about having got all he expected ?—He never said anything to me about it.

8813. Heal and Symons are brothers-in-law, are not they ?—I believe they are.

8814. Is not Cook a relation ?—Cook is son-in-law to Symons.

8815. (*Mr. Anstey.*) Which Cook ?—The solicitor.

8816. Therefore Heal is uncle-in-law of Cook ?—Not being a native of the town I cannot give the family connexions so well as some people.

8817. Did you give him that 100*l.* ?—Not then, we simply quarrelled, I let him out of the room, and he went downstairs making a good deal of noise.

8818. What state was he in ?—Excited with political excitement, nothing else.

8819. He had not been drinking ?—Oh dear no.

(*Mr. Price.*) You re-affirmed yesterday what you had told us before, that you complained to him he had not given any account of what he had done.

8820. When I get through the fact of his having all the money, I will tell you that.

8821. (*Mr. Coleridge.*) Then he came back again to you, and you gave him the 100*l.* ?—He went away, and I would not give him it; then Mr. Eustace Barham and he came back together, and I advanced him the money.

1822. From what Mr. Barham said, you gave him the money ?—Mr. Barham walked in where I was, and Symons was in the doorway. I saw them both. Mr. Barham, in his natural mode of expression, winked to me, and said, "Let Symons have 100*l.*"

8823. And you did ?—I did.

8824. (*Mr. Anstey.*) He winked at you and said, "Symons must have 100*l.*" ?—Yes; Mr. Barham left that moment and Symons came into the room, when Barham had gone, and I gave him the money.

8825. (*Mr. Coleridge.*) What in ?—Notes, because the gold was all gone at 10 o'clock.

8826. (*Mr. Price.*) Therefore he had, as you say, 140*l.* ?—That is right.

8827. (*Mr. Coleridge.*) Did he try to get out any more of you that day ?—No, he did not.

8828. (*Mr. Anstey.*) What o'clock was this ?—It must have been after 12.

8829. How much after, do you recollect ?—Near the end of the day. It was at the time our position was decisive, that we had won, because he was in an ecstacy; he said, "We have won, we have won."

8830. (*Mr Anstey.*) Who does Symons bank with ?—I do not know I am sure.

8831. Did you hear of his making any payments that day to anybody, or about that time ?—Not to my knowledge.

8832. Do you recollect what notes they were in ?—Most of them were notes belonging to the West of England and South Wales District Bank. I did see some Bank of England notes pass through my hands that day.

8833. (*Mr. Coleridge.*) Do all the banks here issue their own notes ?—Yes.

8834. They do not use Bank of England notes ?—They issue their own. I do not know whether the others as well.

8835. (*Mr. Anstey.*) Is not the Bridgwater bank a branch of the Bank of England ?—No, it is a private bank.

8836. (*Mr. Price.*) Do you know a man of the name of Joseph Reed?—No, I do not.

8837. You do not know any Joseph Reed?—No, unless you describe him more fully.

8838. Joseph Reed, Polden Street, and Edward Street?—I do not know him.

(Joseph Reed was called and did not answer.)

8839. Did you ask anybody at all since you have been examined here what money he had received?—Me?

8840. Yes, since this inquiry has been going on, and you had to give an account of the way in which the money was spent. Have you been to anybody to see what money he had received, so as to square your account?—I have not. I asked Henry Bussell the last time I saw him. I have not spoken to a voter since last night to know how much money he had of me, and he said he did not know, and that is the only time I have spoken to him on money matters since the case has been going on.

8841. You never offered any money to any one to say that you had given him so much, in order to square your account?—No, I will swear I have not, I would rather bear the responsibility of it.

8842. (*Mr. Anstey.*) You have stated in the course of one of your examinations that a good deal of this corruption was imitated, that is to say was owing to example: people said, "Why should we not have bribes as well as other people?" I may ask you have you found that that sort of contagion, the contagion of example, has spread into the neighbouring districts, within the west division of the county, that they have asked for bribes too, because the Bridgwater people got bribes?—They have never got any contested election since I have been in the county.

8843. Therefore it would not arise?—No.

8844. Your elections do not go back to the time when Mr. Sanford stated in the House of Commons that he found he was met in that way?—No, it does not.

8845. Can you name any people who can give me any information on that subject? There was a petition presented by the late Mr. Perratt of Middlezoy, by Mr. Sanford, and Mr. Sanford backed it with his own statement to that effect?—I was not in the county.

8846. You have stated that the corruption has spread as the constituency has increased; the constituency increased before the late Reform Act by the simple growth of tenements in Eastover, have you any reason to believe, and you heard the question I put to witnesses yesterday, that any of these tenements have been run up on spec with a view of qualifying people to get their share of the plunder of rich strangers?—I have no proof of knowing it.

8847. Is that your belief; many of these are very small tenements you know?—Well, I have no proof. I cannot support it, I do not know.

8848. Do you know of a joint purchase, it may have been a purchase in common, or a purchase in joint tenancy, of property in the neighbourhood of this town effected some time ago for the purpose of erecting tenements?—I have no personal knowledge.

8849. (*Mr. Coleridge.*) Somewhere about the country did not you and Mr. Barham and some one else purchase a property jointly?—No, not me.

8850. (*Mr. Anstey.*) Is there another Allan here?—There is the Allan of Bunham.

8851. Did you ever hear of such a practice of the lawyers joining in a purchase in joint tenancy, or in common?—No, I have no knowledge of it.

8852. (*Mr. Price.*) At Wembdon?—I have not.

8853. Are you the owner of any property?—Yes, I have a four-acre field; I own it myself, and have no connexion with anybody else.

8854. (*Mr. Coleridge.*) Has Mr. Barham an adjoining property?—I don't know that he has, Mr. Danger has.

8855. (*Mr. Price.*) Have you built upon it?—No, it is a field.

8856. How far from Bridgwater?—A mile, or a mile and a half out of the town.

8857. (*Mr. Coleridge.*) In the borough?—No, in the parish of Wembdon.

8858. (*Mr. Price.*) When did you buy that?—Three or four years ago.

Mr. William Symons recalled.

Mr. W. Symons.

8859. (*Mr. Price.*) Have you heard the whole of what Allan said?—No, I could not.

8860. He has said you came to him in the morning before the poll, and that then you asked for money, and did not get any. He saw you before the poll at Smith's, and then you said, "Do you know what you "have done?" and afterwards he saw you again at his own house, and you had 10*l.* from him; that he says he believes was for yourself, you did not say what you had it for, nor had you any list?—No.

8861. I do not think you have said you had any list, is it true or not that you got that 10*l.* from him?—It is not true.

8862. You mean to swear that?—I do swear that.

8863. You swear you did not get that 10*l.* from him?—Yes, I took two amounts as I told you afterwards.

8864. Then he says you had another 10*l.* from him?—Somewhere about 12 o'clock or before. I did not see Allan until just after 11, not until the evening; he came and begged my pardon for what he had said to me.

8865. Then you did not get that 10*l.*?—No.

8866. Then he says very shortly after that again you got 20*l.* for a man named George Webb who appears to have lived at Eastover, and who was a voter at that time, but since dead?—I never heard his name mentioned.

8867. Therefore you never got that 20*l*?—I did not.

8868. Then he says that you came again, and in a very excited state, saying you were winning the election and asked for 100*l.*?—I did not.

8869. And that he refused you, and you went away thinking it an unreasonable thing as you had no list, and that they thought they had won the election, and that you came back again with Eustace Barham, and that Mr. Barham gave some intimation to Allan which he understood to mean something, and that he said he must have the 100*l.*, and then he gave you the 100*l.*, and that he gave it to you in notes, some of them he believes of the West of England Bank, and some of the Bank of England?—That proved to be 120*l.* I heard nothing of what was said; a parcel was put into my hands.

8870. Did you go back with Mr. Barham?—I did not.

8871. Did you meet Mr. Barham after you left him?—I do not remember seeing Mr. Barham the whole time.

8872. Do you mean to say you did not meet Barham, and tell him you had not got the 100*l.*, or the money you asked for, and that you did not go back to Allen with Mr. Barham.

8873. That you say distinctly?—I swear distinctly it is not true.

(*Mr. Price.*) Write your name and the word "Received" on two envelopes, first with a quill, and then with a steel pen; write the word "Received," and then your name, "W. Symons." You may go down for the present, and write it on a table below where you can do it in your ordinary way.

(*Mr. Allan.*) Will you allow me to add to the evidence last Friday night; when I saw Mr. Barham in his own office he told me that it was Mr. Cook, the lawer, who influenced him, and that it was for that reason he came to me to get Symons the money.

(*Mr. Price.*) Last Friday?

(*Mr. Allan.*) Yes, last Friday.

NINTH DAY.

Mr. E. Barham.

1 Sept. 1869.

Mr. Eustace Barham sworn.

8874. (*Mr. Price.*) We are only going to examine you on this one point now. You have heard the statement made by Allan to-day about getting this 100*l.* for Symons, and you have heard Allan give an account of it. You were in the room I suppose, and heard it?—Yes, I have heard it.

8875. Saying that Mr. Symons came back together with you, whether both went into the room with Allan does not matter; is it true that you saw Symons that day, and he mentioned to you that he had not got the 100*l.* the money he asked for, and that you went to Allan, and said to Allan that he must give him the 100*l.*?—I saw Symons on that day in George Lane; he did not tell me he had not got the 100*l.*, but Mr. Cook, the solicitor came to me and told me that such was the case, that Mr. Symons had applied to Mr. Allan for the 100*l.* and had been refused, and Mr. Cook said he thought it was a very great pity, and upon that I went upstairs to Allan, and told Allan to let Mr. Symons have the 100*l.*, whether Symons was then near upon the stairs or not, I am not quite certain; my impression is that Symons followed me upstairs—that is my impression.

8876. (*Mr. Anstey.*) Had you seen Mr. Symons after Mr Cook told you this?—No, I did not speak to Mr. Symons at all.

8877. But had you seen him. Was he within your sight at all during the short interval which elapsed between Mr. Cook's statement to you and your visit to Allan?—I believe he was close to me all the time, but I did not speak to him.

8878. (*Mr. Coleridge.*) Did you believe that 100*l.* to be for Symons yourself or to distribute to others?—I believed it was for Symons to distribute to others.

8879. Did Mr. Cook tell you who those others were?—No, he did not.

8880. Because it would make a material difference whether it was to influence one vote or to influence 10 votes?—He did not tell me who it was. I did it on Mr. Cook's request. He was the solicitor acting in the election, and I thought when he made that request it was due to him to comply with it.

8881. (*Mr. Coleridge.*) On what was your belief founded? You saw no list and did not speak to Symons. What was your belief founded upon that Symons did not mean to keep it himself?—Because I did not think that Symons was a man who would keep it himself.

Mr. J. Cook.

Mr. James Cook sworn.

8882. (*Mr. Price.*) Are you the Mr. Cook who is related to Mr. Symons?—I am.

8883. And to Heal?—And Heal.

8884. Tell us about this 100*l.* Did Symons come and complain to you that Allan had refused to give him it?—To the best of my recollection I believe that I did see Mr. Symons in George Street upon that occasion, and that he told me. I saw him in some degree agitated. I saw he was not pleased about something, and I believe he communicated that he had seen Mr. Allan about money matters, and that he had refused him, and I think then upon that I saw Barham, whom I regarded as acting in the matter, and communicated to him what I have no doubt was Symons's statement.

8885. Did you understand that Symons wanted the money himself?—Certainly not.

8886. Did he tell you what it was for?—He did not, as far as I can remember.

8887. He was not a list man?—Certainly not. You must remember this, the conversation between Mr. Symons and myself took place in George Street. I saw no list.

8888. (*Mr. Coleridge.*) But did he say, "I have a "certain number of voters whom I can manage if I "can get money, and Allan will not give me the "money"?—I do not think that could have been the conversation that he had a list or anything of that sort.

8889. Did he say, "I have voters I could influence, and Allan will not give me the money"?—I know this from the surrounding circumstances of Mr. Symons. First of all, I have no doubt whatever the money was not required for himself.

8890. (*Mr. Price.*) Why do you say it was not required for himself?—From his position, and from the fact I have never known him, as far as I can carry my recollection, associating himself at any previous election.

8891. (*Mr. Anstey.*) And that is all?—That is all.

8892. (*Mr. Coleridge.*) You knew that Heal, his brother-in-law, had associated himself very strongly?—I knew that.

8893. You knew he was his brother-in-law?—Certainly.

8894. And your own?—No.

8895. How is Heal related to you?—Heal is an uncle by marriage.

8896. (*Mr. Price.*) Do you know that Heal had stuck to 40*l.*; there had been a dispute about 40*l.* at the previous election?—I heard that in the committee room.

8897. That was before this transaction?—Clearly.

8898. Did you know that Heal was bribing for the party on this occasion we are speaking of, Heal, who had stuck to 40*l.*, and was ready to stick to anything, I should say, in the way of money, that he could get, did you know that he was employed under Symons to go and distribute money?—I heard so that morning.

8899. From whom?—From members of the family.

8900. (*Mr. Anstey.*) Had Mr. Symons mentioned Heal to you that morning or before?—I should not like to say one way or the other. He was excited unquestionably at the moment. Whether he mentioned he wanted the money for Heal I do not know.

8901. Do you remember the words you used?—No, I cannot.

8902. He came to you in the street?—No, I think rather I saw him standing still in the street, and I saw by his manner that something had not pleased him, and I think very likely I interrogated him, and I think, as far as I can charge my memory, he said he had been to Allan about some money. and had been refused, or something of that sort. Whether Heal's name was mentioned I cannot say.

8903. Did he tell you how much money?—I think not, as far as I can judge.

8904. Did he tell you that he had got money, and had been refused more?—No, he said nothing about having any. The effect of it was that he had been there and Allan had refused him money.

8905. And that is all you can recollect that he told you—he had been refused money, not saying for what purpose, by Allan, and then, from your personal knowledge of the man, you thought it was not likely that he wanted it for himself?—I have no doubt whatever in my own mind that he did not require it for himself.

8906. I did not ask you whether you have any doubt, because that is for us to consider, and not for you, but when he made this statement to you you had no doubt then, from the character of the man, from the knowledge of his circumstances, his wealth, that he wanted it for someone else, and not for himself?—Certainly.

8907. Did it cross your mind at the time that he might have wanted it for his brother-in-law, Heal?—I should say, if I had any impression at all, that must have been it.

8908. Would you from your knowledge of Heal and his circumstances pecuniarily have had the same confidence that Heal wanted it for others, and not for himself?—Would you repeat that question?

8909. You say from your knowledge and personal opinion of Symons and his wealth he did not want it himself?—Certainly.

NINTH DAY.

Mr. J. Cook.

1 Sept. 1869.

8910. Then from your personal opinion of Heal, founded on all his antecedents at all previous elections, and your knowledge of Heal's circumstances at that time, had you the same confidence, that Heal wanted that money for others, and not for himself?—I am sure I have the greatest willingness to answer, but it is very long, and whether the question has reference to Mr. Symons or to Mr. Heal I do not know.

8911. To Heal. You are a lawyer and must understand?—Yes, I am, but the question is a long one.

8912. You have answered as to Symons; now as to Heal?—Do you ask me whether I would have trusted him in the same way as Mr. Symons?

8913. Yes?—Certainly not.

8914. (*Mr. Price.*) If you had known Symons was going to pay that over, would you have asked Mr. Barham to persuade Allan to let Symons have the 100*l.*?—What I might have done, perhaps; I cannot state.

8915. But with your knowledge of Heal at the time?—I say I should not have done it personally.

8916. Mr. Symons kept concealed from you and everyone, so far as you knew, what he was going to do with this 100*l.*?—Certainly, as to the appropriation of it, but I had no doubt in my own mind whatever.

8917. (*Mr. Anstey.*) Was he the only person at that election to whom so large a sum of money—I speak of bribe agents— as 100*l.* and more—(140*l.* and 135*l.*, it is indifferently stated at—) was entrusted without a list, without vouchers of any kind, and without knowledge on the part of the payer as to what persons the money was to be given?—I had no control over money matters, and therefore, until the disclosures in this court, was not aware whether there was larger or smaller.

8918. But you cannot recollect a single person intrusted to that degree as bribe agent which Mr. Symons represents himself?—I cannot.

Andrew Allan recalled.

A. Allan.

8919. (*Mr. Price.*) Did you go to Symons the night of this election and beg his pardon for what you had said to him?—I remember some time afterwards it was for a political matter altogether; political diplomacy.

8920. What did you beg his pardon for?—We were almost fighting over that 100*l.* when I would not give it to him.

8921. But he says he only saw you once that day, and when he the next time saw you it was when you came to beg his pardon. What is that story?—About this quarrelling with me at the "Globe" tavern.

8922. He had got his 100*l.*?—He got it afterwards.

8923. When did you give it to him?—I never spoke to him.

8924. You gave it by Mr. Barham's instructions?—Yes.

8925. He says the next time was when you begged his pardon?—The only time there was anything said about reconciliation in the matter was six months afterwards; it may be six or seven, at the "Globe" in the presence of George Trevelyan and Robert Hart, two commercial travellers. Mr. Symons was there. I went down to meet these travellers at the hotel. We did not speak, and the travellers noticed it, and they asked what was the matter. How it was that we did not know one another, and looked different ways, and I said, "Since the last election we have not known one another." I did not explain the reason, but it was the 100*l.* They proposed that we should shake hands in the matter and stand a bottle of champagne, which I did, and Mr. Symons stood two.

(*Mr. Price.*) Now tell me, because it is a serious matter, and I should like to know exactly how you made out this list to Mr. Lovibond, which I hold in my hand, so as to be able to vouch for it. There are two tens, and then "ditto to George Webb, 20*l.*"

8926. How did you make out that account with this particularity?—I had a pocket book, and noted down at the time everything that went up, the name it went to, where it went, and up to 12 o'clock there was not an item that was not as correct as could possibly be, and if the persons had worked slowly and businesslike there would be no deficiency shown at the bottom, but after 12 o'clock they altered the list of prices. The agents came to me, and wanted some money. They would not go for the money on the list, but wanted 10*l.* more, and up to 12 o'clock I was as clear as could be as to that item.

8927. Had you any document that would have enabled you to put down, in rendering your account to Mr. Lovibond, Mr. Symons for these two tens, and ditto to George Webb for 20*l.*?—I had the book written in "Symons" and copied in that list at the time I told Mr. Lovibond.

8928. What became of that book?—It was destroyed.

8929. Did you hand it to Mr. Lovibond?—Mr. Lovibond saw it.

8930. Then you had the book with you when you and he made out this account?—I had.

8931. Did Mr. Lovibond see, for instance, such an item as this. When you were making it out would he see, "Ditto for George Webb, 20*l.*?"—I showed it to him; I concealed nothing.

Mr. Henry Lovibond sworn.

Mr. H. Lovibond.

8932. (*Mr. Price.*) It is only on this matter, as to the correctness of this account that we shall examine you now. You have heard Mr. Allan's description of the way he made it to you, the kind of vouchers he showed you; do you remember the way it was made out?—He read from his book, and I took down that from what he stated.

8933. From his lips?—From his lips.

8934. Did he also point out to you the items in the books, so that you could see them?—I believe some of them I did.

8935. Have you any recollection of his giving you "Symons, William, 10*l.*" and "Ditto," "for George "Webb, 20*l.*"?—I have a recollection about the name George Webb, and Allan stated that he believed that was the only man that Symons paid. I have a distinct recollection about George Webb, and he also added he would have voted without being paid.

8936. (*Mr. Coleridge.*) Do you mean paid at the time this list was made out. He stated Symons only paid George Webb?—I do.

8937. And stuck to all the money himself?—That is what I inferred.

8938. (*Mr. Anstey.*) The only person said to be paid by Symons was Webb, and Webb was a man who would have voted without being paid?—Yes.

8939. When did Webb die?—I do not know.

8940. What was he?—I believe he kept a beerhouse called "The Devonshire Arms."

8941. If Webb was a man whom Allan is correct in saying would have voted without being paid, is there any evidence beyond Symons' assertion that he paid this to George Webb?—None that I am aware of.

8942. And he is dead?—I have heard in this court that he is dead.

8943. (*Mr. Price.*) Therefore we may clearly take this to be a perfectly accurate list if Allan's was accurate?—Most certainly it was an account rendered by him to me, and Mr. Barham accounting for the money received.

NINTH DAY.

A. Allan.

1 Sept. 1869.

ANDREW ALLAN recalled.

8944. (*Mr. Anstey.*) Have you any reason to believe that even George Webb was paid by Symons beyond Symons' mere statement that it was so?—I have no knowledge that he was paid beyond Symons' statement with reference to that list. There is not an item in that list but what is *bonâ fide* the fact—that I declare. You will find omissions, things not charged.

8945. (*Mr. Price.*) Do you know when Webb died?—No.

8946. What made you think he would vote without being paid?—John Smith can give you every information about Webb.

8947. But what made you think he would vote without being paid?—I did not say he would. Mr. Lovibond said it.

(*Mr. Anstey.*) Who was it, Mr. Lovibond?

(*Mr. Lovibond.*) Mr. Allan at the time; it was his remark.

8948. (*Mr. Anstey to the witness.*) You pointed out the name of George Webb to Mr. Lovibond observing "That is the only man whom Symons has "paid, and he would have voted without being paid"?—I could not have supplemented "without being paid," because I did not know him personally.

W. Symons.

WILLIAM SYMONS recalled.

(*The shorthand writer was requested to read his note of Mr. Symons' evidence this morning, which he did as follows:* "(*Mr. Price.*) Have you heard the "whole of what Allan said?—No, I could not. He "has said you came to him in the morning before the "poll, and that then you asked for money, and did not "get any at that time. He saw you before the "poll at Smith's, and then you said, 'Do you know "'what you have done?' and afterwards he saw you "again at his own house, and you had 10*l.* from him. "That he says he believes was for yourself; you did "not say what you had it for, nor had you any list?—"No. I do not think you have said you had any list, "is it true or not that you got that 10*l.* from him?—"It is not true. You mean to swear that?—I do "swear that. You swear you did not get that 10*l.* "from him?—Yes, I took two amounts as I told you "afterwards. Then he says you had another 10*l.* "from him?—Somewhere about two o'clock or before. "I did not see Allan until just after 11, not until the "evening; he came and begged my pardon for what "he had said to me. Then you did not get that 10*l.*? "—No. Then he says very shortly after that again "you got 20*l.* for a man named George Webb, who "appears to have lived at Eastover, and who was a "voter at that time, but since dead?—I never heard "his name mentioned. Therefore you never got that "20*l.*?—I did not. Then he says that you came "again, and in a very excited state, saying you were "winning the election, and asked for 100*l.*?—I did "not. And that he refused you"?

8949. (*Mr. Price.*) Stopping there. You have heard what Mr. Cook has stated, that you made a complaint to Mr. Cook that you could not get the 100*l.* Do not shake your head, but hear the question, and do not smile about it, because someone must be committing perjury in this matter. You said you did not go for 100*l.*, and that you did not get refused. Now, Mr. Cook has said that he met you in George Lane, that you complained of not having got this 100*l.*, that he communicated with Mr. Barham; and you have heard that Mr. Barham went down to Mr. Allan's, that although you may not have gone with him, yet that you went close together, and that you were on the stairs, if not in the room, and that he told Allan to let you have the 100*l.* and he gave it to you. Do you mean to say again that you were never refused that 100*l.* that you did not complain about it, and that you did not go back and get the 100*l.*?—The difference is this. I did not mention any amount. I said Heal wanted to be attended to for more money. That is what I said.

8950. You merely want to deny the 100*l.*?—Yes.

(*Mr. Price.*) My impression is that I put "or any sum of money."

8951. (*Mr. Coleridge.*) Mr. Cook has denied your mentioning any name, now you say you mentioned Heal's name?—I am speaking of mentioning to Allan.

8952. (*Mr. Price.*) Then you did not mention to Mr. Cook any name?—I do not remember about that. I mentioned to Allan who it was for.

8953. (*Mr. Anstey.*) You hear that Mr. Barham who derived his information exclusively from Mr. Cook not having spoken to you at all that morning confirms Allan's statement as to this specific sum of 100*l.* being mentioned. Allan says Mr. Barham came with you; Mr. Barham said, winking at Allan, "Give him 100*l.*" Now Mr. Barham's only informant he says that morning was Mr. Cook and Mr. Cook's only informant was you. If you did not mention to Mr. Cook this specific sum of 100*l.*, pray how did Mr. Barham ask for that identical sum about which Allan says there had been a previous dispute that morning between him and you?—I do not remember mentioning any sum.

8954. (*Mr. Price.*) Then Mr. Barham must have imagined the sum you wanted to meet. You mean that?—It is possible.

8955. You mean us to believe that Mr. Barham mentioned this very large sum of 100*l.* without any comment or suggestion on your part, he mentioned that that was what you wanted?—I do not remember mentioning any sum.

8956. Do not remember?—Well, I did not to the best of my belief mention any sum.

8957. Do you mean us to understand that Mr. Barham mentioned this very large sum of 100*l.* without any suggestion on your part to Mr. Cook that that was the sum you wanted?—I do not remember mentioning any sum.

8958. Will you pledge your oath that you did not?—I will not go so far as that.

8959. Who are your bankers?—Stuckeys.

8960. Has Heal any banker?—I do not know.

8961. You must know whether he had any banking account, had he at that time?—I really do not know anything about him.

8962. He is your relation?—Very well, so he may be, but I may not have seen him for a long time.

8963. (*Mr. Anstey.*) You told me yesterday that Heal was at that time enjoying good credit, he was a brewer, and not as he is now, a poor man, and was in nobody's employment?—Yes.

8964. How came you to speak to his credit, and about his being able to pay his way, and being in a good position, when you are not able to tell us even who his bankers are?—I said he was in business at the time.

8965. (*Mr. Price.*) But is it a fact, or not, that for the last two or three years, Mr. Heal's pecuniary position is very different from what it was formerly?—Yes.

8966. Was it so in 1866 when you gave him this 100*l.*?—He was in business. Nothing of the kind had happened then.

8967. Nothing of what kind?—Nothing of his reverse of circumstances.

(*Mr. Anstey.*) He had taken bribes before that in former elections.

8968. (*Mr. Price.*) He stuck to 100*l.*?—I had nothing to do with him in former elections. I had heard him complain that he had been promised 40*l.*, and had not had it.

8969. (*Mr. Anstey.*) Surely you knew of the inquiry which had taken place only that very year, 1866, before the House of Commons, which had been reported in all the newspapers, which had also been published in a blue book, and in which it appeared

that Heal was not only a briber, but a person who withheld money which had been given to him to bribe with from the persons to whom it was to be conveyed by him in the shape of bribes ; that is to say, he was so needy a man, and so rapacious a man, that he stuck to money which was entrusted to him to distribute in bribes ?—No.

8970. Have you not read the blue book ?—No.

8971. Then have you not read the newspapers ?—No.

8972. (*Mr. Price.*) You knew that he had expected 40*l.* for his vote. Is that consistent with what you say as to his high position, that he should want to be paid money for his vote ?—I knew he had complained of not having got 40*l.*

8973. Is that consistent with your statement of his being a large brewer, his requiring 40*l.* as a bribe for his vote ?—He has not been a brewer for many years. At that time he was receiving from 12*s.* to a pound a week.

8974. Then it was after he got bribery money in his hands that he managed to start in business ?—Well, he went into business. Who found the money I cannot tell you.

8975. (*Mr. Anstey.*) If you know anything about it at all, you must know that he was a brewer in 1865. He, in 1865, asked for that identical 40*l.* over again, as the price of his next vote, the vote for that election, it having, as he said been dishonestly withholden from him since the previous elections 1857 and 1859 ?—I never heard of it till yesterday.

8976. But it was in the newspapers ?—So it may be, but I did not see it.

8977. (*Mr. Coleridge.*) He was your own brother-in-law ?—So it may be. I may not be on the best of terms with him as with the rest of people.

8978. (*Mr. Anstey.*) Do you mean to say that you would give 100*l.* to a man without a voucher if you were not on the best of terms with him ? if you had been on bad terms with him, would you have given him that 100*l.*, as you say you did ?—I was not on bad terms with him.

8979. You have said so. Do take care of your answers ?—I do take care, and I will take care if you do.

8980. (*Mr. Price.*) To clear up that amount, we insist upon having your banking account of that date ?—You are welcome to have it. Will you allow me to ask a question of Allan.

(*Mr. Price.*) Certainly not.

(*Mr. Coleridge.*) You can make a statement of what you want to ask him, and we will put the question to him.

8981. (*Mr. Price.*) You say now you were not on bad terms with him ?—I shook hands with him.

8982. When was that ?—On the evening when the commercial travellers asked us to make it up.

8983. What is this story about the three bottles of champagne ?—We met together at the "Globe."

8984. Had you a quarrel again after you had had the champagne ?—Never.

8985. You say you shook hands with him ?—Yes.

8986. Had you got on bad terms with him from the time you shook hands, until the time you drank the three bottles of champagne together ?—No.

8987. Then what is the meaning of the two commercial travellers saying, "Let us have some champagne, and make it up" ?—I do not remember that.

8988. What are the names of those travellers ?—I do not know.

8989. (*Mr. Anstey.*) You do not remember shaking hands with him in the presence of some commercial travellers, and asking him to make it up ?—I do not remember it.

8990. Do you remember ; yes or no ?—I think we had some champagne together. It is very likely I did.

8991. And did the commercial travellers on that occasion persuade you to make it up ?—I do not remember that.

8992. You swear that ?—I do not remember their saying anything about making it up. I am an Englishman, and do not like to bear ill will, and I asked him to shake hands.

8993. (*Mr. Price.*) Never mind about your being an Englishman. You have referred to that before. We shall have to make up our minds as to whether you or Allen have perjured yourself as to the money you received that day. Now you have heard the account which Allan gave of it. He said that on the day when he made up this account with Mr. Lovibond, that he vouched the payments put down here by entries in his book, made at the time, that he was on no unfriendly terms with you, because it was after you had shaken hands, and after the election, and Mr. Lovibond distinctly remembers the item of 20*l.* for George Webb. Now, that being the state of things, I ask you to be cautious. Try and recollect yourself. It may be it is a slip of the memory, but if you are going to pledge your oath that you did not receive that money, it may be a very serious matter for you. Now I do not want to trap you into giving an erroneous answer, but as there are some things which are very important, that you do not remember, which one would suppose you would, I ask you, having heard of that, and having heard what Lovibond said about the way in which Allan vouched his payments, do you positively say you did not receive these two sums of 20*l.* and 100*l.* ?—I positively swear I did not.

8994. (*Mr. Anstey.*) Then you not only contradict Mr. Allan, and his documents, but also, to a very considerable extent, Mr. Barham and Mr. Cook, whose evidence you have heard this day. Do you mean to do that, to contradict them on your oath ?—The only thing——

8995. Do you, or do you not contradict Mr. Barham or Mr. Cook's evidence ?—I have nothing to do with Mr. Barham's evidence.

8996. You have heard his evidence to-day ?—I did not go upstairs with Mr. Barham, to the best of my recollection. In fact he was not there with Mr. Allan at all.

8997. You were there ?—It was 120*l.* It was not 100*l.* at all.

8998. (*Mr. Price.*) That is what Mr. Allan disputes ?—It is 120*l.* I gave to Heal.

8999. (*Mr. Anstey.*) It could not be so, because Mr. Barham says, "I asked for 100*l.*" ?—Is not that possible ?

9000. I do not care whether it is possible. It is inconsistent with your story. You heard what Barham said, that he repeated Cook's information to Allan, and that it was 100*l.* which was mentioned ?—I positively say that that 120*l.* was put into my hands, and I counted it before his face. I did not ask for any sum at all.

9001. Did you not hear Barham say that he repeated Cook's information to Allan, and that he asked you for 100*l.* ?—I did not ask for the money.

9002. It will take a good deal of new evidence, not corroborative evidence, to make us believe that ?—I am right, you may depend upon it.

9003. If I am induced to believe that your statement is true, I must have, not corroborative evidence, but entirely new evidence, for I do not think there is anything in your evidence which is worthy of belief ?—I tell you now as I told you yesterday, I care very little for what you say or think of me.

9004. (*Mr. Coleridge.*) It will be our duty to consider whether we shall exercise the power we have of committing you to prison.—You will find that I am right and the others are wrong.

9005. Unless you withdraw what you have said to my friend, Mr. Anstey, I for one shall recommend my brother Commissioners to send you to prison ?—What for ?

9006. For the way in which you spoke to Mr. Anstey.—Well, I do not care. As long as I have the good feeling of my fellow-townsmen in Bridgwater,

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where I have carried on business for so many years, I care very little for what other people who are strangers think.

(*Mr. Price.*) Then we will just adjourn for a moment to consider what we shall do with you.

(The Commissioners then withdrew, and after a short time they returned into court, when)

Mr. Price said: We have considered your conduct in the witness box, both yesterday and this morning, and your conduct this morning we are all of opinion has been excessively insolent and contemptuous to the court, and in exercising the powers which we have to punish for contempt of court, we have made up our minds to fine you the sum of 50*l.* for your conduct towards one of the Commissioners this morning. That sum of money will be recovered from you by the Court of Exchequer, and we trust that will be a warning to you and to others, that proper respect is to be paid to Her Majesty's Commissioners.

J. Smith.

JOHN SMITH called and sworn.

9007. (*Mr. Price.*) What are you?—A grocer.

9008. (*Mr. Anstey.*) Is your shop called "York House"?—Yes.

9009. (*Mr. Price.*) And you have taken an active part in electioneering matters for some time?—A very active part.

9010. Now, with regard to the last election, when Mr. Kinglake and Mr. Vanderbyl stood, did you take an active part in that election?—In no way whatever.

9011. How was that?—Well, I made up my mind some eight or nine months before not to do it, for two or three reasons.

9012. Give us the reasons?—First of all I had been very ill for some 12 months, and, as a speculation, I always lost money by elections, that is, so far as my personal position was concerned; and I considered up to that time, if I had had nothing to do with elections, all the business I had lost by making ill friends with my customers, and all the money I had lost, I should have had then, and I should not have lost anything. As it was I lost 500*l.* or 600*l.*

9013. (*Mr. Coleridge.*) You say you had nothing to do with the last election?—Very little.

9014. How was it then that you gave two sums of 15*l.* each to Mr. Bussell?—I did not remember that.

9015. You must guard yourself. You said you had nothing to do with the last election?—I mean the nomination day and the polling day.

9016. (*Mr. Price.*) You mean to say you had nothing to do with the last election on the nomination day and the polling day?—I was in the committee room at the "Globe."

9017. Can you tell me at what time in the day your party made up their minds to spend money?—About a quarter after 3.

9018. Before that time did you know money had been spent?—Not a farthing.

9019. Would you have known it if it had been?—I think I should.

9020. Now, then, at a quarter past 3, what was done to your knowledge?—I met Andrew Allan coming over the bridge, and he tapped his coat on the left-hand side. I knew what that meant. He said, "Come down to the 'New Inn'." I did not go; I went home, and there I stopped till after 4 o'clock.

9021. (*Mr. Price.*) I believe that you said you knew that money had begun to be spent?—Yes, by the indication that Allan made on his coat.

9022. You knew by that that money was going?—Yes. I knew by the way he did it.

9023. (*Mr. Coleridge.*) Did he send for you after that to come to the "New Inn"?—He did not.

9024. You did not go?—No.

9025. You voted, I suppose?—Yes, at half-past 8 in the morning. The reason I went home was, I thought it was foolish to spend money at a quarter past 3 in the day. We had no right to spend a shilling that day. The election was ours at a quarter past 3.

9026. (*Mr. Price.*) In the morning Mr. Kinglake had gone away in despair?—I did not know that.

9027. You knew he was so very far behind at 12 o'clock in the day, or 1 o'clock?—Yes, at 1 o'clock he was 248 behind.

9028. At 1 o'clock, when he was 248 behind, do you mean to say the election could have been won without money by Kinglake and Vanderbyl?—That was a quarter past 3.

9029. (*Mr. Coleridge.*) At a quarter past 1, or 1, could you have got that large minority into a majority without the use of money?—I contend that the old constituency kept back the new constituency.

9030. That is no answer to my question. At 1 o'clock, being in a large minority, do you say, of your own knowledge, that it could have been cut down to a very small minority by 3 o'clock except by the using of money?—I do not think it could.

9031. (*Mr. Anstey.*) Did you not hear on that morning what had been alleged to have been stated by the lawyers and others at the "Globe," namely, that "We have lost the election unless money is going"?—I heard that.

9032. And did you not hear that 3,000*l.* was thought by competent persons quite insufficient to save the election then?—That is not true.

9033. Did you hear it?—Yes.

9034. (*Mr. Price.*) Why did you say it was not true?—Because I heard Allan make that statement, and I told him it was not true.

9035. Why was it not true?—It is not so. It was never made in my hearing on that occasion.

9036. You were there, and Allan said you made it?—Yes, and Mr. Allan made that statement to me three weeks ago, and I stoutly deny it.

9037. (*Mr. Anstey.*) Did he make the statement himself that the 3,000*l.* would not be sufficient?—No.

9038. Nor anybody else?—No.

9039. (*Mr. Price.*) What was the discussion about? It was 12 o'clock. There was myself there, Mr. Bulpin, Captain Bussell, Mr. Reed, Mr. Cook, Mr. Henry Lovibond, Mr. Allan, and myself.

9040. (*Mr. Anstey.*) Who do you call Captain Bussell?—Mr. Henry Bussell. We call everybody captain here.

8041. What was the discussion about?—The discussion was about the majority that Mr. Westropp then had over Mr. Kinglake, and also over Mr. Vanderbyl. I believe, as I said before, that was about 248. We had been in the small room about three or four times in the course of the morning, and we came out. Nothing was said, and we came away. I said, "It is no use. If you had money, "mind you, it is not a bit of use to attempt to catch "Westropp now, for this reason, if you reckon these "men up, it will cost between 2,000*l.* and 2,300*l.* "to get alongside of Mr. Westropp; whereas, if I "had anything to do with the election, I would never "have anything to do with the money now, if I were "you, for this reason, that immediately after, or half "an hour after, your money will go to the 'Clarence.'" I reckoned up the majority which Mr. Westropp had over Mr. Kinglake, and I reckoned each of those men would have to be paid 10*l.*, that is, if they polled the old constituency, and I knew they would not go without it. Then there was an end of it, and I came out.

9042. (*Mr Price.*) Do you mean to say there was no further discussion that took place at all, as to what money would do?—I mean to say there was not a word said about the 3000*l.*

9043. Was nothing further said?—No, I went home and had my dinner.

9044. They took what you said as to the real state of things, and there was no argument or discussion about it?—Oh, yes; I could tell better than Andrew Allan could.

9045. Why?—Because I have been longer at it.

9046. (*Mr. Coleridge.*) You could know no more about the new electors than they did?—I know; but I found that the large majority of the new electors were stopping back with the old electors. The old electors were keeping the new ones back. I could see them outside my door hour after hour.

9047. What do you mean by the old electors keeping the new ones back?—Well, they said, "Do not poll; "there is sure to be money by-and-by; do not poll." You would see an old elector standing about amongst four or five of the new electors.

9048. (*Mr. Price.*) And that kept them back?—Yes.

9049. So that the new electors would very soon be as corrupt as the old, if the borough of Bridgwater should continue to be represented in Parliament?—I am afraid so.

9050. You say you went home after this discussion. When this inquiry took place, how came you to advise Mr. Bussell to go away, if you knew nothing of any money being spent. You say you knew nothing of any money being spent?—I did not.

9051. When you heard about this election inquiry being about to take place before the learned judge, you knew of no money having been spent. Did you believe any money had been spent?—I believed it.

9052. What made you persuade Mr. Bussell to be so ill-advised as to go away?—I took that upon myself. I went over to Bussell three or four times.

9053. Who asked you to go to him?—I went myself, voluntarily. I went to him personally. I am connected with him in shipping matters ,and I go to him two or three times in shipping matters, and I go to him two or three times in a day.

9054. You are no relation to him?—No.

9055. You are no relation to the other Smiths in this town?—No.

9056. Are you any relation to anybody in this town?—No. I am a London man. I do not belong to Bridgwater.

9057. Go on. You went down to Bussell?—I went down to Bussell two or three times, and he was in an awful state.

9058. Pray do not laugh.—And he wanted to get away, and I thought myself the best plan was that he should go away.

9059. Why did you think that?—I cannot assign a reason what for. He was very anxious to go away, and I did not think it was doing wrong to advise him to go away.

9060. (*Mr. Price.*) Do you mean to say you did not know, that if he had appeared and given his evidence before the learned judge, and had spoken the truth, that he would have got a certificate to protect him?—No.

9061. Do you mean to say you did not know that?—No.

9062. Did you pay him the money to go away with?—I paid him the money.

9063. Did you see anybody about his going away?—Yes, Mr. Reed.

9064. Had you been in communication with Mr. Reed before you advised him to go?—I went up to Reed's after I had been to Bussell, and told him Bussell wanted to go away.

9065. (*Mr. Anstey.*) Had you ever been to Reed before with respect to Bussell's going away?—No.

9066. Had you ever told Reed that it was worth while to get Bussell away?—No.

9067. Did you ever hear it mentioned by anybody that it would be as well to get Bussell away?—No, not by any solicitor.

9068. By anybody?—It was talked over the town that he had gone away.

9069. That is not an answer. Before you advised Bussell to go away, had you heard the question of his going away mentioned in Bridgwater?—Nobody but his wife.

9070. When was that?—Oh, it was a matter of general conversation.

9071. I mean before you advised him to go?—Oh, no.

9072. You were the first person to advise him?—I think it is very likely.

9073. (*Mr. Price.*) Now, go on. When you went to Mr. Reed to tell him this, did not Mr. Reed say, "Nonsense! let him stay here; if he speaks the truth the judge will protect him by his certificate"?—No; He said I was a fool for coming there the first time I went.

9074. He said you were a fool for coming there?—Yes; and thought I was.

9075. Why?—Because I thought I had no right to go and ask him a question like that; and then Bussell said, "What did you want to go for?"

9076. Did you tell him that Bussell wanted to go away, knowing that if he stayed he would be called as a witness?—Yes.

9077. Did not Mr. Reed tell you, as a lawyer, that the learned judge would protect him by his certificate if he appeared and told the truth?—No.

9078. Did he pay you any money for him then?—No.

9079. Did he make any remonstrance? Did he say it was no use Bussell's going away?—No.

9080. Was it with Mr. Reed's full concurrence that Bussell went away?—Yes.

9081. The second time you went you got some money from him?—Yes.

9082. How much?—15*l.*

9083. Did you send him some more money afterwards?—Yes, after he came back.

9084. He came back?—Yes. He had another 15*l.*

9085. And you sent him away again?—Yes.

9086. And you gave him 15*l.* again, which you obtained from Mr. Reed?—I did.

9087. (*Mr Coleridge.*) What did you send him away again for?—It was in consequence of the Taunton assizes I believe.

9088. (*Mr. Price.*) It was in consequence of what the learned judge said, that if he did not come back he would remain an outlaw, and would be prosecuted whenever he did come back?—I think so.

9089. You sent him another 15*l.*?—Yes.

9090. You do not know, I suppose, where Mr. Reed got the money from for the pure love of party?—I do not know.

9091. He did not pay it out of his own pocket?—I could not tell.

9092. That was all that you gave Bussell?—That was all.

9093. Have you told us all the part which you took in the election of 1868, before or after the election?—No. There was a man named Garratt. Mr. Reed gave me 5*l.* to send to Garratt.

9094. To get him out of the way?—He was gone.

9095. To send to him?—He was gone. Garratt wrote me a letter.

9096. He was an inspector of railways?—That is the man.

9097. (*Mr. Anstey.*) Did you advise him to go?—No; I never knew he was gone from Bridgwater till I had a letter from him; until I received a letter to say he was at Teignmouth.

9008. (*Mr. Coleridge.*) Had you known him before?—Yes, I had known him as a voter.

9099. (*Mr. Anstey.*) You knew he was a person who had been employed to bribe?—No; I never heard of it till I came here. I was amazed when I heard it. I never knew he took a part in it.

9100. Was it in consequence of your house being so well known to fame in connexion with bribery for so many elections that the term "sugar" arose?—Very likely.

9101. (*Mr. Price.*) I should like you to explain why it was, when they began bribing, that they did not entrust you, you being their accredited agent for the town, with the knowledge of the fact that they were bribing?—They knew I would have nothing to do with it.

9102. (*Mr. Coleridge.*) Had they asked you?—Yes; they knew 12 months before that I would have nothing to do with it.

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9103. (*Mr. Price.*) You had a virtuous fit, and, therefore, would not have anything to do with it?—They knew it.

9104. You told them that you had been convinced of the impropriety of the whole thing, and you would have nothing else to do with it?—I did not tell them that.

9105. Can you tell us why you broke off with the party, and gave up this electioneering business? Did they distrust you?—Oh no. As I told you before, I had lost by the electioneering, and had been ill for a long period before that.

9106. That is the reason, because you had lost your business and had been ill?—Yes.

9107. (*Mr. Anstey.*) Had you not, or had not your house been so much associated with these corrupt practices, that the very terms by which bribery is known down here on both sides, that is to say, the term "sugar," and so forth, are supposed to have allusion to your trade of grocer? Do not you recollect that that was mentioned by a witness before the election committee, as long back as 1866, with reference to the election of 1865?—I think the first reference to "sugar," in connexion with money was in Sir John Shelley's election. Some days previous to Sir John Shelley's election some sugar casks were turned out of our warehouse on to the quay, and they were left there by the man, and there was a large mob rolling them up and down the quay; and as they rolled them up and down they kept crying "Sugar;" and from that day it has been known as "sugar." It was a new name from that day.

9108. Do you know Fenner?—Very well.

9109. This is what Fenner says, after speaking of the use of the word "sugar" in the election of 1865, as applied to the bribery of voters: he is asked, "In "your experience in Bridgwater have you acquired a "knowledge of what 'sugar' means politically?—"Yes. What does it mean politically?—It means "money." And he says further down, that might have reference to your business of a grocer?—It might be. I never heard of it before.

9110. (*Mr. Price.*) Is there anything else you have to tell us with regard to that election of 1868?—I do not remember.

9112. Have you learnt since from any communication you have had with Mr. Reed or Mr. Cook, or any of those gentlemen, how much money was spent at that election in bribery?—No. There was one thing I should like to mention, which happened that day in the committee room. I was there smoking a cigar. It was just about 12 o'clock, just before I went home.

9112. (*Mr. Anstey.*) At what hotel?—At the "Globe."

9113. (*Mr. Coleridge.*) 12 o'clock at mid-day?—Yes; and there I saw Mr. Henry Lovibond, and I there complained to him of this very stupid management of his, and he said, "I assure you Smith, it has "nothing to do with me; we were prepared for any "emergency in the morning, and if any fault is to be "found, it is with Messrs. Reed and Cook."

9114. (*Mr. Price.*) You told Mr. Henry Lovibond, you very much regretted that bribery had not been started earlier in the morning?—No; I referred to his mismanagement as I call it.

9115. You told him your opinion of his mismanagement in not commencing bribery earlier?—Yes. He said he was prepared, but Reed and Cook were not prepared.

9116. When he said he was prepared I suppose he meant with money?—Just so.

9117. (*Mr. Anstey.*) Did not you understand him to say, that "we," speaking for Mr. Kinglake, for whom he acted, were prepared, in case of an emergency, and that Reed and Cook, who acted for Vanderbyl, who was a rich man, ought to have come forward prepared too?—Yes; they were not prepared, that is what he said.

9118. Did you see Mr. Vanderbyl or Mr. Kinglake at any time during that election, or before or after?—I saw Mr. Vanderbyl.

9119. Personally to speak to him?—Yes; on the Sunday.

9120. From your recollection of your conversation with Mr. Vanderbyl, have you any doubt that he was aware that money was spent in order to procure his return at that election?—That was on the Sunday before the election; the nomination was on the Monday.

9121. Have you seen him since the election?—Passing in his carriage.

9122. Have you spoken to him since the election?—Yes.

9123. From your communication with him before or since the election, have you any doubt in your mind that he was perfectly aware of the bribery that took place at his election?—He told me on the Sunday before the election, when I met him on the back quay; he said, that if 1*s.* spent in bribery would procure him the seat, he would not spend it; and I said I was very glad to hear it.

9124. Were you not one of the deputation who went up to Mr. Vanderbyl after the Lundy Island Granite Company's disclosures, to convey to him the assurance that you felt he had done nothing in connection with that company to disqualify him from being a member, and an elected candidate?—No.

9125. You were not one of the deputation?—I was not.

9126. Were you at the meeting when that conclusion was come to?—No; they were discussing it when I went away.

9127. But, as a matter of fact, you did concur with them in your vote?—I never voted.

9128. But you did at the election?—Yes.

9129. Therefore, as far as your vote was concerned, you concurred in the fact of Mr. Vanderbyl's being a fit person to represent Bridgewater?—Yes.

9130. Did you not know that that meeting was called because it was found inconvenient to put Mr. Vanderbyl forward, so long as that declaration of his against bribery was unretracted, and therefore they wanted to get rid of him on the pretext of the Lundy Island Granite Company's disclosures, and other disclosures?—From what I had heard of it a day or two before in the London papers, it was something with respect to the Lundy Island Granite Company.

9131. Do not you know that it was in consequence of his being against bribery that they abandoned him, and therefore they tried to get rid of him on that pretext?—Not on that pretext.

9132. (*Mr. Price.*) On what pretext then?—Why the pretext connected with the disclosures in the London papers, with reference to the Lundy Island Granite Company.

9133. (*Mr. Anstey.*) That is the very thing. And was not that because of his imprudent declaration against bribery, as they thought it, that they endeavoured to get rid of him?—I never heard of it.

9134. I will put it to you as a matter of common sense, whether Vanderbyl was not intriguing against Kinglake, and Kinglake intriguing against Vanderbyl down to the election, in order to get returned with Westropp without any expense?—I never knew it until I was in this hall.

9135. (*Mr. Price.*) They kept a good deal from you until you got into this hall?—Yes. I never went to a public or a private meeting.

9136. I want to know how it happened you were at this consultation, when you talked about this 2,500*l.*, if you had given up all idea of engaging actively in the election?—They asked me what was my opinion; what was the best course to pursue, and how they stood. That was my only reason, and my only motive.

9137. You have said that Vanderbyl told you this about the 1*s.*?—Yes.

9138. Did you ever hear that Kinglake had ever said anything of the same sort?—I never heard Mr. Kinglake say that.

9139. Which of the two would you more especially patronize, or give preference to, Mr. Kinglake or

Mr. Vanderbyl?—I would pawn my coat for Mr. Kinglake.

9140. Then Mr. Kinglake is your man?—Mr. Kinglake is my man.

9141. Had you any idea that money was spent at that election?—Not the slightest, until I heard it in court.

9142. (*Mr. Anstey.*) Do I understand you to say that it is your belief, or that it is not your belief, that immediately after their election and before the trial of the petition, Mr. Vanderbyl and Mr. Kinglake were fully aware that there had been gross and corrupt bribery practised in order to effect their return to this borough?—I cannot answer this question.

9143. Is there, to your belief, a single person in Bridgwater who was ignorant of it, or had any doubt of it, the day after the election?—No.

9144. Is there anybody you know who doubts it?—No, not the slightest.

9145. Then do you believe that Mr. Kinglake, who lives in the neighbourhood, and Mr. Vanderbyl, too, and who were both back here the day following the election, or the same day, could not have heard by possibility what was notorious to everybody in the place, namely, that their election had been procured by gross bribery?—I do not know; I do not think Mr. Kinglake knew anything about it.

9146. (*Mr. Price.*) I understand Mr. Lovibond to have been Mr. Kinglake's own especial agent for bribing?—I believe so.

9147. And you say Mr. Lovibond said to you that "we," that is, he and Mr. Kinglake?—I understood him so.

9148. "Were perfectly prepared for any emergency this morning?"—Yes.

9149. And you understood by that that they were prepared to spend money early in the morning?—Yes.

9150. Then if they were prepared early in the morning, he and Mr. Kinglake, do you mean to say that when he had gone away in despair, and afterwards found himself elected, that he was ignorant that any bribery had been practised on his behalf to turn the scale?—I should think he was cognizant of it.

9151. You know what he said before the learned judge here?—No.

9152. You are not aware that he was perfectly astonished at the statements made before the learned judge?

9153. (*Mr. Anstey.*) Does this astonish you, after your answers and what you have known on the subject? Mr. Kinglake was sworn and examined before the learned judge, and is asked this question, "Had you "taken every step, by directions to everyone about "you, to secure a pure election here, whatever might "be the result?—*A.* I think I must do the justice to "Mr. Lovibond." On which his counsel wisely interrupted him with this remark, "Just take it generally, please." On which Mr. Kinglake says, "The determination to conduct the election within "the strict bounds of legality originated I must say "with Mr. Henry Lovibond, my head agent." Does that astonish you? Can you reconcile that with Mr. Henry Lovibond's statement to you at 12 o'clock on the morning of the election?—No, I cannot.

9154. (*Mr. Price.*) That they were perfectly prepared, but Reed and Cook were not?—No.

9155. It is quite irreconcileable?—Quite.

9156. (*Mr. Anstey.*) Then this question is put to him, "This evidence has brought facts to your know-"ledge of which you were perfectly ignorant?—*A.* "Entirely." Does not that surprise you after what you have said?—Yes.

(*Mr. Anstey.*) The date of this statement is the 26th of February 1869, many months after.

9157. (*Mr. Coleridge.*) Did you pay anybody else to keep out of the way besides Bussell?—No.

9158. You did not pay any money to Allan at any time?—No.

9159. Is that all you have to tell us with regard to 1868?—Yes; I am trying to remember.

9160. We do not want to hurry you; you must make a full disclosure of everything within your knowledge?—There is one thing I omitted to state just now with reference to my staying here at this time, at the 1868 election. I had given notice to a friend of mine, a Mr. Heard of Shepton Mallet, that I intended to go to Shepton Mallet on the Monday.

9161. Before the election?—Yes; previously to then I saw Mr. Cook. He says, "Smith, I hear you are going away." I says, "Yes, I am not going to stop at this election." He said, "I wish you would not go away." "Why," he said, "we are all behind in this "work; you have made out the lists for so many "years——"

9162. The lists of those who were going to be bribed?—No; I was going to explain. In heretofore elections I took the eastern ward, or rather the eastern side, for the making out of the list; I took the whole of the eastern side. Heretofore we had a class of men who were called together by a circular, and they generally came to my house for a list, each man. For instance, each man would go through the names. He would take the letter A first, and every man he knew under A, he would try to poll him. He would perhaps take 20 or 30, and we would go through the register in that way. Mr. Brown would try to poll Mr. Jones, and if he could not poll him by persuasion, he would endeavour to do so by money. In that case I told Mr. Cook I would stop, that I would not go until after the election.

9163. Will you just explain this a little more. Do you mean that they were general lists of voters in a district, quite irrespective of their politics, or their chance of voting without money; or were they lists of men whom you looked to be dealt with in the way of bribery?—Lists of men whom we looked to be dealt with.

9164. (*Mr. Coleridge.*) Were they all "balance" men in these lists?—No, there were some of the new constituency.

9165. (*Mr. Price.*) Go on?—I promised him I would stay behind and prepare those lists for him. I asked him when he would let me have the books so that I might copy off the lists, because I was not aware of their previous business at all at the meetings they had had, for the reason that I had never been to one.

9166. Do you mean to say you were not aware of the business they were engaged in? Do you mean you were not aware of the way they were going to conduct the election?—Just so. Before I went out I said, "Look here, Cook, before I go to these men in "this eastern ward, am I to understand there will be "any money or no?" and he said, "Smith, there will not be a shilling." I had previously given him to understand if there was a shilling I would not undertake it, and he said, "Smith, there will not be a shilling."

9167. (*Mr. Anstey.*) Do I understand you to say that if there were bribeable voters to be bribed you would not make out the lists of bribeable voters?—No. I told him I would prepare the lists.

9168. These lists must be lists of bribeable voters, *cui bono.* What good were these lists if not a shilling was to be spent?—I told him that they expected to be bribed if there was money.

9169. (*Mr. Anstey.*) Now about this 1*s.* Was it not the decent hypocrisy which cloaks the vice?—It is rather a difficult question to answer.

9170. (*Mr. Price.*) You were to prepare a list of bribable men?—Yes.

9171. So that they might be prepared to bribe them if there was money?—There were the old and new constituency.

9172. I know. Could there be any other reason for asking you to stay and assist them, except from your experience you could make out lists of men who were comeatable, who could be dealt with in the way of bribery?—They showed an anxiety, no doubt, about it.

9173. Something strikes me that it is only a matter of reasoning, that when he said there was no money

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going it was useless for you to be in the town. If there was not a shilling there were no lists wanted?—Oh yes.

9174. (*Mr. Coleridge.*) Was there ever an election before without a shilling being spent?—I think there was.

9175. When?—Sir John Shelley's.

9176. (*Mr. Anstey.*) You have not heard the evidence probably which has been given before us?—There might have been treating.

9177. (*Mr. Price.*) You draw a distinction?—Yes. I mean not by money.

9178. (*Mr. Anstey.*) Have you heard the evidence which has been given before us, as to promises of money having been made at that election?—Yes.

9179. I suppose what you mean to say is, that it was comparatively pure, more pure than any other?—I do not think there was any money tendered at that election.

9180. On neither side?—I do not know anything about the other side.

9181. But you know Sir John Shelley, who did announce to the voters, not to his agents, that he was not going to bribe, did not pay the treating and other bills, and did not bribe, and lost his election; and that, I believe, is the only instance of any candidate having taken the course of warning the electors here that they were not to expect money; and the moral is, that such a candidate must expect to lose. Is not that the case?—I do not know that Sir John Sheiley did warn the inhabitants.

9182. Well, it is sworn on oath, and it is uncontradicted, as I understand, by those who are interested in contradicting it?—It might be, but I do not believe it.

9183. (*Mr. Price.*) You were finishing your story about Mr. Cook begging you not to go away, but to stay to make up these lists?—Yes.

9184. You said that if you knew there was going to be a shilling spent you would not make them out?—I did.

9185. Did you make them out?—I did.

9186. And did they make use of them when the time came for spending money?—They took the lists away with them.

9187. And were they, in point of fact, lists of men whom you knew on former occasions had taken or were promised bribes?—The whole constituency of Bridgwater, the whole of them.

9188. Every voter?—No; every voter whom we thought could be treated.

9189. (*Mr. Coleridge.*) Did you price them?—No.

9190. (*Mr. Anstey.*) Did you, in preparing these lists, take into consideration that there was what is called "balance club" men, or "balance" men's club in this place, having its president and secretary?—No, I never knew there was.

9191. Did you never hear of such a club?—Never.

9192. (*Mr. Price.*) Who helped you to make out these lists; any of the men whom you had employed on former occasions?—Yes.

9193. Who helped you?—It was Sunday evening, November 15th.

(*The witness then produced a memorandum.*)

9194. Is that a memorandum made at the time?—Yes.

9195. Then you may read it off from that?—James Bennett, James Jordan, Phillip Headford, William Francis, Joseph Glanvill, jun., Francis Westlake, Thomas Parminter, John Dyer; a man of the name of Pearce, whose christian name I do not know; Charles Bowden, John Peach, Stephen Collin Jones, Thomas Hill, William King, Henry Vearncombe, W. Robinson, Charles Hydon, James Honeyball, George Kidner, Philip Gilbert, George Pollard, James Alway Garratt, Thomas Skinner, and Going Murray. I think that is all.

9196. (*Mr. Coleridge.*) Are those all bribeable men you put down?—No. Those are the men who took the lists on the eastern side of the bridge. We marked out a certain number of men each, and with men to look after them.

9197. (*Mr. Anstey.*) Some of the names of these persons are the names of persons whom you know to be bribeable persons?—Some of them are.

9198. Was Garratt one of them?—No.

9199. (*Mr. Price.*) You did not know Garratt before?—No.

9200. It is the same man who has been mentioned here?—Yes.

9201. (*Mr. Anstey.*) Point out the names of those persons whom you know to be regular bribery agents?—James Alway, my ownself, George Pollard, and Phillip Gilbert. I think that is all.

9202. (*Mr. Price.*) That was all that you did in respect of what Mr. Cook asked you about?—We had the list finished by Sunday night.

9203. And then you sent them in on the Monday or Sunday night. Did you see Mr. Cook at all afterwards?—No.

9204. (*Mr. Anstey.*) What did you do with the lists?—Gave one to each man, so that on the following day they should poll the voters they knew. After the nomination day it was the duty of everyone who had that list to look after the men, and to poll them the following morning.

9205. Did you or did you not tell them, "Mind, tell all the voters that there is no money going?"—Yes.

9206. You did tell them that?—Yes, I did. I think we had finished the lists about half-past 12 o'clock.

9207. On Sunday night?—Yes; and we were all going away when Pollard stood up and said, "Look here, Mr. Smith." I said, "Well, we have got the lists, all of us?" I said, "Yes." He said, "It is "not a bit of use our taking these lists to see all the "men without you can tell us how much you are "going to give them." I said, "Pollard, I am sur-"prised you should make an observation of that sort; "I tell you once for all, there is not a single shilling "going to be spent, and if you cannot induce these "men to vote without promising them money, put "down your papers and go home."

(*Mr. Price.*) Pollard seems to have been a very practical man.

(*Mr. Anstey.*) What did the others say when they heard that?—Nothing.

9208. Do you mean to say that some of them did not say, "Then you will lose the election?"—No. I told them there was to be no money.

9209. Did anybody tell you that evening that if there was to be no money the Tories would come in?—No.

9210. When did you first learn that there was that impression in your ranks, that you were losing the election because you were not going to spend money?—I think that impression was certainly in the commencement of the morning.

9211. What morning?—The morning of the poll.

9212. Do you mean to say that until the morning of the poll you had no idea that those who took an active part in the election were not apprehensive that if there was no money they would lose the election?—The rule is, they never know whether there is to be any money or not till the morning of the poll.

9213. That is the time for knowing it?—That is usually the time.

9214. Then if you told these bribery agents, amongst others, some days before that there was no money coming, it is not of much consequence. The question is, what was told them on the morning of the poll?—Yes; that is considered the proper time as the rule.

9215. Who told them on the morning of the poll?—I do not know.

9216. Who gave them their instructions on the morning of the poll?—I do not know.

9217. Probably some of these people will be able to tell us?—Yes.

9218. Some of them did not vote until money was going. Now, is it not the custom in Bridgwater, even when money is intended to be used on the morning of the poll, to put forth an expression of purity before the poll, just to blind the public?—I do not know. The

agents themselves do not know there is to be bribery till the morning of the poll.

9219. (*Mr. Price.*) Then it is not known till the morning of the poll?—Not as a rule.

9220. (*Mr. Coleridge.*) Who did you say is the person who decides that there is to be money or not? Is that left to the members themselves till the last moment?—I do not know for the moment.

9221. (*Mr. Price.*) The attorneys?—The attorneys.

9222. Do they meet on both sides and say, "We will have money?"—What the Liberal and Conservative sides?

9223. Yes?—No, I do not think so.

9224. They did not on that election meet together and say, "We will have money?"—No.

9225. (*Mr. Anstey.*) Is not this borough entirely in the hands of the two knots of attorneys, Liberal and Conservative?—It looks very much like it.

9226. At this very election, for instance, did the two knots of attorneys agree to what is called an armistice?—I have not heard of it.

9227. I did not ask you that. Do not you know that?—I heard it yesterday.

9228. Did they come together and agree upon an armistice; that there was no bribing, I suppose, but certainly no canvassing until the 26th October; was not that the agreement?—I do not know. I had nothing to do with it.

9229. Did not both knots of attorneys coalesce into one large knot the very day after the election, and try and bring about a quiet compromise of the thing without an election petition?—That I do not know.

9230. Therefore, you are not sure whether the attorneys, who have the borough entirely in their own hands, do not meet from time to time, and settle those questions entirely amongst themselves?—I do not know.

9231. (*Mr. Coleridge.*) Will you give me Pollard's christian name?—George.

9232. (*Mr. Price.*) Are there any other names that you have not mentioned?—There are one or two other names I have not mentioned that I am not certain about.

9233. Is there anything more with regard to 1868 you can tell us about?—Yes.

9234. Then tell us about it?—On the Sunday evening when I had the meeting with those men at my house, amongst them was James Alway, a grocer here, and a person named Robinson, a brewer, of Wembdon. After the other men were gone they stopped behind. It had been arranged by some one that Alway should have charge of the color men; we fly colours here at elections; and also to engage a band of music, that they have here as a rule.

9235. You knowing that both were irregular and illegal?—Yes. And, at the last moment, Alway told me that he had ordered the band; he had some band coming from near Burnham, and he should have nothing to do with it, and the men were coming the following morning. On the following morning the men were in the town, on that Monday morning. I said, "It will look a good deal like a funeral, no colours and no band;" and I went up to his house, and I said, "Are you going to pay these men?" and he said, "I shall not pay them until I have the money." I said, "You will have to pay the band as you engaged them," and he said, "I shall do nothing of the sort;" and I paid him the money for the band, or rather, I paid it, but it was to come from somebody else.

9236. (*Mr. Coleridge.*) Have you ever had the money repaid to you?—No.

9237. Do you expect to get it back?—I do not know.

9238. (*Mr. Price.*) What does it come to?—60*l.* or 70*l.*

9239. To whom do you look for the money?—As a rule, for that sort of thing, I have had it paid through Mr. Lovibond, and I should look to Mr. Lovibond for this to be paid.

9240. And you will have to look for a very long time?—Yes.

9241. (*Mr. Anstey.*) Is it not the practice in all those cases to look to the lawyers, whoever they are, for payment, either immediately or at the next contested election, when the new candidate has to pay the bad debts of the old?—Just so.

9242. (*Mr. Price.*) Therefore, if there ever is another election for this borough, your claims, and those we heard of yesterday, Mrs. Cape's claim on Gilbert, and so on, will all be paid by the fortunate "stranger" which the Liberal attorneys will bring down here?—I think so; I am not sure.

JOHN BOUCHIER recalled. *J. Bouchier.*

(*Witness.*) Allow me to hand in these papers. This is the first for which I was asked, and here is the other (*papers produced*).

(*Mr. Coleridge.*) I do not quite understand—

"Lulham v. Bouchier.

"Received this 31st day of July 1866 of Messrs. "Reed and Cook, by cheque, ten pounds, of debt "and cost herein.

"£10. LUMLEY & LUMLEY.
"W. C. L."

9243. You were sued upon this bill?—Yes.

9244. And what appears in the corner of that cheque that has been put in was "Lulham v. Bouchier"?—It was.

9245. I see. Then "July 30th, 1866. On demand, "I promise to pay Mr. Henry C. White, or order, the "sum of ten pounds nine shillings for value received. "—JOHN BOUCHIER." What was the 10*l.* 9*s.*? Was the 9*s.* interest?—It was.

(*Mr. Price.*) That is quite cleared up then?

(*Witness.*) It must be so, sir.

9246. (*Mr. Price.*) This makes it quite clear that that 10*l.* which you say was debited in Mr. White's banking book to him on the 3rd of August is, in point of fact, the cheque which he drew on the 30th July, which you must have sent away on that very day?—Yes.

9247. (*Mr. Coleridge.*) There is this difficulty. You said that you were in the habit from time to time of taking perhaps 6*l.* or 7*l.* to Mr. White, wanting 2*l.* or 3*l.* more to make up the amount with, and he gave you a cheque for 10*l.*?—It was not always so.

9248. On this occasion there is 9*s.* on the bill. This is a bill at sight, and 9*s.* interest is charged upon 10*l.*?—Yes.

9249. How do you account for that 9*s.* being charged for 10*l.*; at sight, you know. That, you know, is one hundred per cent?—I am quite aware of that.

9250. Was Mr. White in the habit of dealing with you generally on those terms of one hundred per cent.?—He would expect me, if I borrowed 2*l.* or 3*l.* of him, to pay 6*d.* a week in the pound.

9251. Sixpence a week?—That is what he expected; consequently I never kept the money more than three or four days.

9252. Is he a regular money lender?—No.

9253. Do you know other people to whom he lends money on those terms?—No. When I went to him about the money I asked him for the money for my vote which he promised me, and he said he had not yet received it, but he would try and get it. I said, "If you have not got it you must lend me 10*l.*, for I "must have 10*l.*"

9254. (*Mr. Price.*) Then you paid him the 10*l.* back before you got the money for your vote?—Oh yes, for certain I did.

9255. He might have allowed the money for your vote out of that?—I do not think it is likely. I am not clear upon that point.

9256. (*Mr. Coleridge.*) But your recollection is that you received that money in gold from him?—Yes, that is what my fancy led me to.

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9257. (*Mr. Price.*) Do you mean to say that you paid him this money, and did he take 9*s.* besides the 10*l.* ?—The 9*s.* was for interest.

9258. I understood you gave him 6*l.* or 8*l.* ?—Not in this case I did not, because I was expecting the 10*l.* from him ; money that he owed me, as I considered.

9259. Did you pay him that 10*l.* back that you owed him, when he owed you 10*l.* for your vote ?—I am not clear upon that point. I think it must have been so, or I should not have had that paper. I got that back again.

9260. That might have been given back to you ?—That is the difficulty in my mind.

9261. (*Mr. Coleridge.*) Have you any recollection, if he allowed you 10*l.* for your vote to settle this claim, of your giving him 9*s.* besides, to pay the interest ?—I knew that 9*s.* was for interest.

9262. But supposing he had allowed you his instead of your paying it back, he would have allowed you 10*l.* for your vote, and would he have exacted the 9*s.* from you ?—Yes, he would.

9263. (*Mr. Price.*) Did you pay the sum of 9*s.* only, and nothing more ?—I am not sure on that point.

9264. Cannot you recollect whether you paid him the mere sum of 9*s.* ?—I have been trying to tax my memory with it, and my wife's too, but I cannot recollect.

9265. That is all consistent with Mr. White's story, because, if he paid this cheque to you, he might say it was, in point of fact, for your vote ; because he could say, "When I came to consider the money for his vote "I allowed him to go free of 10*l.* which I lent him, "which he might otherwise have had to pay me ?"—Possibly ; but I do not recollect. I will try and recollect. I did not find these papers till last evening.

Mr. J. Smith.

Mr. JOHN SMITH recalled.

(*Mr. Price.*) We will now go on with you.

(*Witness.*) Will you be kind enough to take 1868 again ?

(*Mr. Price.*) Yes, we have not finished with 1868.

(*Witness.*) After I told you that I saw Mr. Lovibond, and he told me that it was not his fault with reference to the money, in the morning, I then called Mr. Henry Lovibond, or rather I walked over to Mr. Reed and said, "Do you know what Mr. Henry Lovibond is saying to me ?" and he said, "No, I do not." I then called Mr. Henry Lovibond over to Mr. Reed, and then I told Mr. Reed *verbatim* what Mr. Henry Lovibond had told me.

9266. (*Mr. Coleridge.*) About the mismanagement ?—About the mismanagement. And Mr. Reed and Mr. Cook were both together, and they said it was not so ; they were prepared equally with Mr. Lovibond, but at that hour of the day they were not going to flood the streets of Bridgwater with money.

(*Mr. Coleridge.*) What time was that ?

9267. (*Mr. Price.*) That was the early part, you mean ?—That would have been about a quarter to 12. After Mr. Lovibond had made that statement to me I took him over to Reed and Cook.

9268. I was going to put a question to you which would have brought out that. It has been proved to us that by a remonstrance made by Allan to Reed and Cook, they said, "We have been all waiting. D——n that Lovibond ! Where is Lovibond ?" I was going to ask whether that was at all consistent with Mr. Lovibond's remark to you. You have explained it. One retorted on the other, that one was waiting for the other.

9269. (*Mr. Anstey.*) What is the meaning of Reed and Cook being prepared and Lovibond not ? Does that mean that Kinglake was prepared and Vanderbyl not ?—No, I should take it from the retort that Mr. Reed gave to Mr. Lovibond that he was prepared.

9270. Mr. Lovibond said to you, "I am prepared. "We are prepared, but the others are mismanaging "it." Does that mean to say that they were prepared on Kinglake's side to bribe, but they were not prepared on Vanderbyl's side ?—That was the inference, no doubt.

9271. (*Mr. Price.*) Is there anything else, Mr. Smith ?—I think not. Things may crop up.

9272. What we say to others we say to you. In every point of view it is much better to make a full disclosure, whatever happens. As far as you are personally concerned of course it is an advantage, but as far as the whole interests of the borough are concerned it is better that the whole truth should come out, that we may decide upon it. Well, now, I think we asked you whether you knew at all during that day of money going on the other side, or not. I ask you now ?—I did not. The only reason that I was in the room was that the poll sheet was kept there, and a return brought every half hour, I believe, of the persons who voted. Well, I watched that poll list carefully, and I think that I know the principal men who poll in Bridgwater, and I could see nothing at all that looked suspicious until half-past 10, and then I saw the names of two men that I knew very well had either been promised or been paid.

9273. (*Mr. Anstey.*) Why ?—Because they never polled in their lives without being paid.

9274. (*Mr. Price.*) Give us those names that you saw had polled ?—One was a new voter ; at least he had been a voter, but he had left his house, and he was not in the ten pounds then, but he was an old voter. The first man that I saw that aroused my suspicion, and that would never go to the poll without being paid, was a man named Abraham Frost, of West Street. He never polled in his life without.

9275. (*Mr. Coleridge.*) Who was the other ?—A man of the name of Hooper, who lived then in Bath Road.

9276. (*Mr. Anstey.*) What is his christian name ?—I believe it is William. He works at Spiller and Brown's mills. Then about 12 o'clock another man polled, and I felt convinced there must either have been a promise or money.

9277. Who is that man ?—John Squires.

9278. Is he a relation of the man of whom we have heard so much, Benjamin Lovibond's old clerk Foster ?—I think not.

9279. Nor any relation to the clerk of Mr. Bates of the same name ?—I do not know ; I think he is some relation.

9280. John Squires, what is he ?—A wheelwright.

9281. Where does he live ?—I believe in Polden Street.

9282. These three names represent men who, in your experience, never vote without a payment, or the promise of it ?—Yes.

9283. How did they vote ?—On the Conservative side.

9284. That was the first intimation you had of money going on that side ?—Yes.

9285. Did they vote for the Conservatives ?—Yes.

9286. (*Mr. Coleridge.*) Had either of these men ever voted Liberal for money ?—Yes, I believe all three of them. I know they have.

9287. (*Mr. Anstey.*) At what election ?—I believe in 1859, and I believe that Squire had at Bagehot's election—Bagehot's or Vanderbyl's, I won't be sure which.

9288. In one of the elections of 1866 ?—Yes.

9289. You are sure it is William Hooper, of Bath Road ?—William Hooper previously lived in Bath Road. Yes, I think he is in Bath Road now.

9290. There are two William Hoopers in Bath Road. There are a great many on the register, and two in Bath Road, and there are two in St. John Street ?—There are two in St. John Street, but I think only one in Bath Road.

9291. "Hooper, William, Bath Road," voted for Westropp and Gray ; and again, "Hooper, William, Bath Road," voted for Westropp and Gray. Is that

father and son?—That I do not know, but the William Hooper I know is a corn meter here.

9292. (*Mr. Price.*) Now, Mr. Smith, we will go to the second election of 1866, Vanderbyl's election. Just tell us, if you please, what part you took in that election of 1866?—Oh, a very active one.

9293. And when did you first know that Mr. Vanderbyl was coming down; when did you first hear of it?—I think about a couple of days before the nomination.

9294. Whom did you hear it from?—I saw a placard posted in the town or in a shop, I believe.

9295. Did you put yourself in communication at all with the legal gentlemen on the Liberal side then?—No.

9296. (*Mr. Coleridge.*) Did they put themselves in communication with you?—Yes, they did.

9297. (*Mr. Price.*) Just tell us about it?—On the nomination day Andrew Allan came to me.

9298. What did he say?—He said Mr. Vanderbyl was a candidate for Bridgwater, and bound to win. I had complained to him even at that election that I would have nothing to do with it.

9299. 1866?—1866, the last one.

9300. Before he came to you had you had any communication with him then about the election?—Which one?

9301. 1866?—No.

9302. I understood you to say so?—At Bagehot's I complained.

9303. At the previous election of 1866 you complained to him that you would have nothing more to do with elections?—That I would not again.

9304. He came to you?—He did.

9305. What passed?—He said Mr. Vanderbyl had come down. Of course I had seen his address. He said, "Now, look here, you have made a complaint to "us that you won't have anything to do with this elec- "tion." I said, "Yes; I have nearly the whole work "to do—the writing part, and to prepare all the lists "for the whole of Bridgwater." Then I had; and I said, "I shall have nothing to do with your election at all." He says, "Look here, there are four of us; we are determined to win this election." Five, I believe; that was myself, Bulpin, James Alway, and Captain Bussell. And he said, "Now, if you win this election you will have 25*l.* apiece."

9306. He said that to you?—He said that to me, "The five of you shall have 25*l.* apiece."

9307. (*Mr. Coleridge.*) Bussell, Alway; who was the other?—Myself, Bussell, Alway, and Bulpin.

9308. And Allan?—I suppose he meant himself, too.

9309. (*Mr. Price.*) Did he say, "*We* shall have"? Just give us his words.—"*You.*" "*You* shall have 25*l.* apiece."

9310. But he was addressing you?—Yes; I say he said "you." He did not say "*we.*"

9311. Did he mention the other names?—Oh, yes.

9312. And said, "You will have 25*l.* apiece"?—Yes, and he told White also.

9313. (*Mr. Coleridge.*) White is another. You have not mentioned him?—I forgot him at the moment.

9314. (*Mr. Price.*) He said Bulpin, White, and these other men, and then he said, "and you," "You will have 25*l.* apiece"?—Just so.

9315. If you win?—Yes.

9316. What did you say?—I made no particular remark about it.

9317. Did you seem to assent to the proposition, or did you say you did not want 25*l.*?—I did not.

9318. (*Mr. Coleridge.*) Did it cure your disinclination for electioneering, this promise of 25*l.*?—No.

9319. It did cure it so far that you were very active?—I was.

9320. Was it not the 25*l.* that cured your disinclination? You say you had complained that you would have nothing to do with the election. After that you tell us you were very active. Was it the promise of 25*l.* that made you so?—It might have been.

9321. (*Mr. Anstey.*) What Bulpin was that?—Charles Bulpin.

9322. (*Mr. Price.*) Did you assent, and say, "Very well;" or what did you say to him?—Yes, I did.

9323. What did you say to him?—"Very well."

9324. Well, what then?—Well, nothing occurred then till the nomination day.

9325. (*Mr. Coleridge.*) How long before the nomination was this?—Oh, two or three days.

9326. (*Mr. Price.*) Well, then, what next did you say, or whom did you see, or what next did you do?—He brought the money to me on the nomination day; I believe it was, I won't be sure.

9327. Did you in the meantime see anyone else connected with the party?—No.

9328. No one?—No.

9329. (*Mr. Coleridge.*) What did he bring you?—I do not remember.

9330. Gold?—Gold; yes.

9331. What amount?—My impression is about 400*l.*

9332. (*Mr. Price.*) On the nomination day?—On the nomination night.

9333. To your house?—To my house.

9334. Did anything pass between you when he brought it?—No more than he said, "Smith, there is the money."

9335. What did you do the next day?—I paid some voters.

9336. How many did you pay?—I hardly know.

9337. How much did you pay them?—Well, I remember that I went after my money was expended, and I gave to Mr. Allan a statement of my account; the money I had received, and the money I had paid.

9338. Had you spent the whole 400*l.*?—Yes.

9339. By what time in the day?—By 4 o'clock.

9340. Then you had no more money from him?—Yes, I had some more money. I believe I went for a hundred pounds, and he could only let me have sixty. That I am not clear of.

9341. (*Mr. Coleridge.*) He has given you in as 500*l.* at that election?—I won't say that he is right or wrong, but the whole of the money that I received I gave him in a voucher for; the number of men, and what I had paid.

9342. (*Mr. Price.*) How much per man did you pay; different sums?—Yes.

9343. They varied?—Yes.

9344. Have you got any record?—Yes, I have got a record.

9345. Did you pay some 10*l.*?—I went into the Conservative ranks, but I cannot remember till I see the particular lists. I polled every man that I had polled at Bagehot's election, and I went into the Conservative ranks, and I polled 11 or 13 men, I do not know which, but it was one or the other.

9346. (*Mr. Coleridge.*) Where did you find the Conservative voters?—In the streets.

9347. (*Mr. Price.*) How did you know they were Conservative voters?—Because I know them all by heart.

9348. Men who polled late?

9349. (*Mr. Coleridge.*) Balance men?—Balance men. The number I am hardly sure of. I cannot tell till I have seen that list.

9350. (*Mr. Price.*) Mr. Lovibond's list?—I do not mean his list, I mean my own statement.

(*Mr. Coleridge.*) Did you hand it in?

(*Mr. Price.*) No, he read it out.

(*Witness.*) I have not read it out yet.

9351. What do you mean by saying you saw him?—After Vanderbyl's election of that day I gave Mr. Allan an account—a voucher of the money that I had received from him, and also of the way in which I had expended that money. For instance, we will say it was 500*l.*

9352. (*Mr. Coleridge.*) Did you keep any copy of it?—I never kept a copy of it.

(*Mr. Coleridge to Mr. Andrew Allan.*) Have you got that account, Allan?

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(*Mr. Allan.*) I passed it to Mr. Henry Lovibond at the same time. It was one of the slips that I wanted.

9353. (*Mr. Price, referring to list.*) I see you are put down here for two hundred and forty at one time?—Pounds.

9354. Yes, "John Smith, 240*l.*" "Same," (I suppose it is the same) "a hundred." That is 340*l.* "Smith 96*l.*" That is all you are put down for here, 340*l.* and 96*l.*—436*l.* These are the three different sums. Do you remember?—I cannot remember; but I put it on the statement that I gave to Mr. Andrew Allan. I believe that I received the money, and I accounted for it.

(*Mr. Price.*) Mr. Allan, did you put down these payments to Mr. Smith from his document, his return to you? Did you put down the different sums?

(*Mr. Allan.*) I sent his voucher in in his own handwriting, just as he gave it to me.

(*Mr. Price.*) Are you sure you paid it in these separate sums?

(*Mr. Allan.*) The first 240*l.* I believe I gave him myself at his own house.

(*Mr. Coleridge.*) This is the sum which he seems to think to be 400*l.*

(*Mr. Allan.*) He thinks that I gave him 400*l.*?

(*Mr. Coleridge.*) Yes.

(*Mr. Allan.*) How much is it?

(*Mr. Price.*) 240*l.* is the first sum he is debited with, and then 100*l.*, and then 96*l.*

(*Mr. Allan.*) Every farthing of that he had, every shilling.

(*Mr. Coleridge.*) The question is in what manner it was given.

(*Mr. Price.*) Are you quite sure about that, Mr. Smith?

(*Witness.*) The 400*l.*?

9355. Was it in a lump sum?—I believe I had the 400*l.* in a lump sum; but I do know this, that as the money was received by me from Mr. Allan I put it in my cash statement.

(*Mr. Price.*) The only importance of what I am asking now is, that this is a document of considerable importance with regard to other matters we have had before us. I wanted you, therefore, to be good enough to try and recollect (this being a great question of the exact correctness of these sums, and the mode in which they are put down here) whether you can still say that you received it all in a lump sum, or whether you received it as put down here, in a sum of 240*l.*, 100*l.*, and 96*l.*

(*Witness.*) I won't be sure of that.

(*Mr. Allan.*) It was received by everyone just in the manner that it is put down here.

(*Mr. Price.*) So you said. I wanted that there should not be a greater contradiction than is absolutely necessary, and I wished to see whether Mr. Smith is sufficiently clear to say whether it was in one sum.

(*Witness.*) I am not clear.

9356. (*Mr. Coleridge.*) Did you deduct your own 25*l.* from these sums, or did you get that separately?—Oh, I never had that.

9357. Never got it?—Never.

9358. Did you never ask for it?—No.

9359. (*Mr. Anstey.*) Did the others get it?—No.

9360. (*Mr. Coleridge.*) Do you mean to say that you did not say to Allan, "You have taken us in?"—No. He said he did not get it, and there was an end of it.

9361. Did you ask him for it?—No, he volunteered that.

9362. (*Mr. Anstey.*) You say he volunteered it. Did not you mention it to him?—I never mentioned it to him from the time he promised it to me till he spoke of it.

9363. Do you know if Bulpin and the others all got theirs?—I do not know.

9364. (*Mr. Price.*) You say the whole of the money you expended, and you made a return to Allan of the way in which you expended it?—I did; and at the end of the day, when I made my cash-sheet out, I found I was 20*l.* short of the money that appeared to be received from Allan, and because I would not be short of the money I received from him I took 20*l.* from my own cash-box to make it up.

9365. How do you account for the 20*l.* short?—I cannot tell. I must have paid a voter that I did not put down; but I was 20*l.* short. I will swear that.

9366. (*Mr. Price.*) You may have paid away in notes a higher note than you thought you paid?—Mine was gold.

9367. All gold; and you paid the men yourself?—Yes.

9368. Did not you jot it down as you paid them?—I put down the names on slips of paper as I paid them.

9369. If you had done that correctly every time you ought to have been able to account for the 20*l.*?—Yes, I know, but I could not have done so, by the reason that I must have missed one name, perhaps two. I tried that very day to find it out, but I could not.

9370. Was that all the money that you got at that election?—I believe it was; I cannot remember.

9371. But did you get money from anybody else?—Oh, no; from Andrew Allan, from no other person.

(*Mr. Coleridge.*) This is the only paper I find. You asked for something that Mr. Lovibond has handed in to us. That is the only thing that we can find. It is the payment of different bills and things, 100*l.* (*The paper was passed to the witness.*)

(*Witness.*) That is not the document, sir, but those were paid by me.

(*Mr. Coleridge.*) That is the only one that Mr. Lovibond has handed in.

9372. What kind of document was it that you handed to Allan?—It was a large sheet of blue folio paper, a little larger than that.

9373. You put down the names of the men you had bribed?—Yes; it was on a double sheet. I put down the names of the men I had polled, the 10*l.* men and the 20*l.* men, and the amount of money I had received from Mr. Allan.

(*Mr. Price.*) Mr. Lovibond, have you got it?

(*Mr. Lovibond.*) I have put in another document with a number of names upon it, on a half sheet of foolscap. That is the only document I recollect, and the wrapper. I think you will find some names upon that in Mr. Smith's handwriting.

(*Mr. Coleridge, producing a paper.*) Is this it?

(*Mr. Lovibond.*) Yes, this I recollect. There was a wrapper. This is another document.

(*Mr. Price.*) Did you ever see a document like that described, two sheets of foolscap paper?

(*Mr. Lovibond.*) Never. There was a wrapper of some bill paper.

(*Mr. Price.*) This has been torn.

(*Mr. Lovibond.*) It has been torn considerably. I think that is the one.

(*Mr. Coleridge to witness.*) Just look at this lot, and see if what you refer to is amongst them (*papers passed*).

(*Witness, after looking.*) No, sir.

9374. (*Mr. Price.*) Then your recollection of it is a piece of paper very much like that (*exhibiting a sheet of foolscap*)?—Similar to that; hardly so large. White paper, drawn lines.

9375. Lines?—Lines.

9376. And containing names on all sides of it; all three sides, or two sides?—Oh no; I think only on one side.

9377. That would be a half sheet?—I believe it was two half sheets. One half sheet would not take it in columns.

9378. It would be written on both sides of one half sheet?—No, I think on one side only on the double sheet, so that if it was opened similar to what you are opening that both accounts would be shown.

9379. Do you mean in this way?—No, up and down; only the cash received would be one side, and the men that I paid on the other side.

9380. That you furnished to Allan?—Yes; and it was passed by him as being correct with the money I received from him.

9381. That was all the money you received that day?—Yes.

9382. From anyone?—I received from nobody but Mr. Allan.

9383. You could not state the names?—I could not do that, for this reason, the men that I polled at Vanderbyl's election I possibly did not poll at Bagehot's. They would not be similar in Bagehot's election to Vanderbyl's, and *vice versâ*.

9384. (*Mr. Côleridge.*) Because the Conservatives got hold of your men?—No, I got hold of the Conservatives.

9385. (*Mr. Price.*) The mass of the men whom you polled and bribed at Vanderbyl's election were Conservative men?—Yes.

9386. A great number were?—Yes.

9387. There were about 10 or 11 of your own?—I think I polled 11 or 13 of the Conservatives.

9388. (*Mr. Coleridge.*) Had the Conservative fellows whose ranks you went into got nobody looking after them, and trying to keep them together?—Really I do not know.

9389. You got them in the street?—In the street, as a rule.

9390. (*Mr. Anstey.*) Have you got the names?—I have got the names of a few. I cannot remember them all. I remember at the time showing Mr. Henry Lovibond the "Mercury" paper where the names of the men were, and I put an asterisk in the margin against the men I polled.

9391. Was that the "Bridgwater Mercury"?—Yes, I will try to get it.

9392. Can you get that sheet of the "Mercury"?—I went to the office, and the very paper is lost. I went to the office for it.

9393. What date would that be?—July 19th or 20th I believe.

(*Mr. Anstey.*) Here is the "Bridgwater Mercury" of the 18th July.

(*Mr. Price.*) It is the 13th.

(*Witness.*) It was the Wednesday after the election.

(*Mr. Anstey.*) The election was on the 11th. The "Bridgwater Mercury" is always published on the Wednesday. Therefore it is the 18th.

(*Mr. Price.*) What was the list which you saw in the "Mercury"?

(*Mr. Anstey.*) The returns hour by hour?

(*Witness.*) It was with regard to a certain class of men. A letter was sent to the "Mercury," and also to the "Standard," and they wanted to know the reason why the men whose names were given who polled for Patton at his election, why it was that in a month or six weeks they polled for Mr. Vanderbyl.

9394. (*Mr. Price.*) Can you tell us the names by looking at the hours?—No. I saw the names of the men mentioned.

9395. Is it the 13th of July?

(*Mr. Anstey.*) That could not be. That would be on a Friday.

(*Witness.*) It was the Wednesday following Vanderbyl's election.

(*Mr. Price.*) Here is the "Mercury."

(*Witness.*) It was the 18th or 25th I think. However, I have hunted over the record, the file at the "Mercury" office, and they had not got it.

9396. (*Mr. Anstey.*) Well, you said you would give some of the names. Can you give them?—Yes.

9397. Let us have them, then; the Conservatives whom you bought?—Yes, the Conservatives. There was a man named John Stone of Chippenham, living at Chippenham at that time.

9398. Go on. You need not wait. The shorthand writer will take them?—A man named Baker, Polden Street.

9399. What is his christian name?—John Baker.

9400. What is he?—A cheese merchant, a cheese dealer. Philip Crump; he used to be a printer here. Richard Cooper.

9401. Where?—Eastover. William Hensley. John Dyer.

9402. What is John Dyer?—He is on the line; I believe a packer, or something of that sort; George Harwood; I think I told you him before. That is all I can remember.

9403. Do you know, conversely, any cases of Liberal voters bought by the Conservatives in that election?—We polled every man we had polled before. We polled every man at Vanderbyl's election.

9404. (*Mr. Price.*) I see Mr. Smith at the end of that election talked about the election being won by Dutch metal. Is that because Mr. Vanderbyl is supposed to be of Dutch extraction?—Very likely that was the reference.

9405. (*Mr. Anstey.*) Did you know when Mr. Vanderbyl came down here to fight that battle with Dutch metal; did you know his previous reputation?—Oh yes, I knew of him being at Yarmouth.

9406. Was it, or was it not, because of that reputation, and not in spite of it, that the Liberals of Bridgwater—I mean the attorneys, of course—the Liberal attorneys of Bridgwater, chose that rich man to come down here on that occasion?—I cannot tell.

9407. Was it on that account that you supported him, because he had money, and was said to have a conscience in the disposal of it?—No.

9408. Not on that account?—No.

9409. Then, pray, why did you support him, an utter stranger to you and your borough, and only known by those favourable antecedents?—He was a Liberal. We could not help ourselves.

9410. And also because you had 25*l.* promised you for your vote?—I never asked Mr. Allan for that.

9411. (*Mr. Price.*) You have told us very candidly that you had made up your mind not to interfere in elections again, and that Mr. Allan induced you, you know, to give up that resolution by the promise of the 25*l.* Do you mean to say that you never took any steps to get that 25*l.*, and did not get it back out of the money you have had?—I did not; I have never taken any steps about it.

9412. Did not you consider yourself, after what Mr. Allan had said, entitled to keep the 25*l.* out of any money you got?—No.

9413. Then how did you intend to make Mr. Allan perform his promise, if it was not by getting money from him out of which you were to pay yourself; how did you intend to keep him up to the mark?—He said that we should be paid that 25*l.* after the election.

9414. After the election?—After the election.

9415. Then you won the election, you know?—I know.

9416. And you paid this money honestly away; at least distributed it amongst the voters, and did not you then consider you were perfectly entitled to 25*l.*?—No; he kept on telling me that he had not the money. He mentioned the subject first to me by saying, "It is a bad job, I have not got that money for you." I said, "Very well, I cannot help it."

9417. Did you make any claim at all?—No.

9418. (*Mr. Coleridge.*) Were you paid anything at the last election for making out those lists?—No.

9419. Were you promised anything?—No.

9420. (*Mr. Price.*) You are 60*l.* out of pocket for what you did in 1868 in the way of bands and colours?—Yes.

9421. You also received no remuneration for making out the lists; you are also 20*l.* out of pocket because you could not make out the expenditure of this 430*l.*; you could not vouch for it all to Allan?—I vouched for it.

9422. You said you took 20*l.* out of your own money, therefore that makes 80*l.* actually out of pocket, and 25*l.* promised you, which you never got?—Yes.

9423. Therefore you are 105*l.* to the bad in connexion with the second election of 1866?—Yes.

9424. (*Mr. Coleridge.*) When you say that you were 20*l.* short, do you mean that you had paid 20*l.* out of your own pocket, or that you could not account for it?—I paid 20*l.* to somebody, I could not tell who, from the money I received from Allan, and when I made up my cash account at the end of the day I then

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found myself 20*l.* short of the money that Allan had given me.

9425. Did you keep all this money together till you wanted it?—Yes.

9426. How did you get 20*l.* of your own money mixed with it; as I understand you were only expending Andrew Allan's money?—Yes.

9427. Then having that cash, as you told us, from Andrew Allan, how came you to go to your own cash box for money?—When I made my cash up at the end of the day I found I was 20*l.* minus.

9428. Do you mean you had received 20*l.* too little, or expended 20*l.* too much?—I do not know.

9429. (*Mr. Price.*) Did you hand 20*l.* over to Allan?—No.

9430. What did you do with the 20*l.* you took from the cash box?—I put it in my accounts because I would not be wrong in my cash account with Allan.

9431. All you had to do was to show Allan you had expended the money he gave you, and in making up that list you found there was 20*l.* to which you could not attach any names?—Yes.

9432. Then, instead of telling him that you omitted to put down these names, you say you went to your cash box, and took 20*l.* out; if you handed that over to Allan I can understand then that you made the amount correct?—I put that amongst the other cash.

(*Mr. Coleridge.*) This was at the end of the day.

9433. (*Mr. Price.*) You say you had paid everything away, expended the whole 430*l.*, or whatever it was. When you were going to make up your account with your vouchers you then found that you could not account for a certain 20*l.* Then I can understand that if you had to return the balance you might have gone to your cash box, and say to Allan, "I found I did not want this 20*l.*" Instead of that you say that you went to your cash box after you made up your account?—Yes. I do not think that account was made up for two or three days. I had some cash left in the house, and at the end of the day of the poll I made up my cash, but I had got some cash left in the house. It was not all paid away then; if I said it was all paid away I was wrong.

9434. That accounts for the whole thing. If you had had to make a return of what you had expended, and that return would make a balance in hand which you would have to give back to Allan, then I quite understand that you went to your cash box and took that balance out of your own money?—I did.

9435. (*Mr. Coleridge.*) How came you to have money unexpended at the end of the day?—I had so. I had made a mistake; there are some men we do not pay for two or three days.

9436. The day after, or at the close of the poll, how much money had you in hand of Allan's?—It might have been 70*l.*

9437. Then instead of seven you had to pay nine voters 10*l.* apiece, and so you added 20*l.* to make it come right?—That is so.

9438. That is intelligible?—I thought I had spent all the money.

9439. (*Mr. Price.*) You are therefore, as I said before, 80*l.* out of pocket by the party, besides the 25*l.* that you were promised for your own vote by Allan?—It was not for my vote. It was for my trouble.

9440. It is no good refining about such a thing. You said you would not have taken part in the election without that; and that is so?—Yes.

9441. And from that hour to this you never said a single word, nor did you in 1868, when they asked you to make out the lists, say that you had not been paid for your trouble before?—They knew it.

9442. Who knew it?—Allan.

9443. Mr. Cook was the gentleman who came to you in 1868 to ask you to make out the lists?—Yes.

9444. He could not expect that you would stay away from your pleasure, or whatever it was, for nothing. Did you not then say to him, "I have not been paid for the trouble I took at the last election?"—I did not say that.

9445. Are you positive of it?—Positive.

9446. Did you never mention the last election?—No.

9447. Nor that you had not been paid for the band and colours?—That was 1868.

9448. You are in this position. Mr. Cook begs you not to leave the town, but to assist them in making out the list. At that time you had not received your 25*l.* for your trouble at the election of 1866, and you say that you never mentioned that to Mr. Cook and never claimed anything for your services, and there was more spent. You spent 60*l.* in bands and colours?—I did.

(*Mr. Coleridge.*) I should just like to ask Mr. Allan a question. (*To Mr. Allan.*) You never told us anything about this 25*l.* that each of these paid agents was to have?

(*Mr. Allan.*) They did not have it.

(*Mr. Coleridge.*) I asked you generally, "Was it the habit to pay the bribers as well as the bribed?" and you said, "No, it was always done for the love of the cause."

(*Mr. Allan.*) It was, as far as I know.

9449. Did you promise Smith and Bussell and Alway and Bulpin 25*l.* apiece at this election?—They say before the election.

(*Mr. Allan.*) I had no power to promise.

(*Mr. Price.*) Never mind the power. Did you have this conversation with Smith?

(*Mr. Allan.*) Never heard anything about the 25*l.* till the accounts were closed, and then they made claims upon me.

9450. You never said a word about it?

(*Mr. Allan.*) Not till after the election; and then 25*l.* apiece was claimed by White and Smith.

9451. Did you promise it previous to the election, on the nomination morning as I understand, before the nomination?

(*Witness.*) Before the nomination.

(*Mr. Price.*) On the nomination day?

(*Witness.*) No, when Allan came to me and told me that Mr. Vanderbyl was coming he said it.

(*Mr. Price, to Mr. Allan.*) Then you said to him, "We are determined to win the election," and then, mentioning the names of the other men, "You shall have 25*l.* apiece."

(*Mr. Allan.*) I positively deny it.

(*Mr. Coleridge.*) At present it stands that Mr. Smith has acknowledged himself to be bribed with 25*l.* to act at that election. You say you never did bribe him with 25*l.*

(*Mr. Allan.*) I do.

(*Mr. Coleridge.*) Well, Mr. Bussell is in court. I should like to have him. (*To Bussell.*) Did Mr. Allan previously to Vanderbyl's election, a day or two before, promise you 25*l.* for what you were going to do at that election?

(*Mr. Bussell.*) A day or two before, I rather fancy it was Tuesday, Mr. Allan came down and asked me if I intended to take an active part. I said I did, the same as usual; and Mr. Allan said, "Now, go in and win, and if you go in and win you shall have 25*l.*"

9452. He said that to you?

(*Mr. Bussell.*) Yes.

(*Mr. Coleridge.*) Now, Mr. Allan, after hearing that may you not be under a misapprehension when you say you did not offer that sum to Smith which Bussell corroborates Smith in saying you offered to him?

(*Mr. Allan.*) I say they wanted the money, and after the election they made a claim.

(*Mr. Price.*) Was there no previous bargain?

(*Mr. Allan.*) There was no previous bargain, to the best of my belief. I never heard of 25*l.* till after the election and the accounts were closed.

(*Mr. Coleridge.*) In reality they are acknowledging more against themselves than you are acknowledging against them, therefore they have no interest in doing it. Did not you go over to Mr. Smith and say, "We "must go in and win, win at any hazard; there will "be 25*l.* apiece for us five," including yourself, and the others being White, Bulpin, Bussell, and Smith; "25*l.* each for us five." Have you any recollection of that?

(*Mr. Allan.*) I have not the slightest recollection of any such circumstance.

9453. There is nothing you can suggest that can account for the impression both on the mind of Mr. Smith and Mr. Bussell that something of the sort did take place?

(*Mr. Allan.*) No more than that claim after the election.

(*Mr. Price.*) When they made that claim did they allude to the fact that you had promised before, or that they supposed you had promised it before?

(*Mr. Allan.*) No; they said, "We worked at the "last election and lost it; we have worked at this one "and won it, and we want 25*l.* apiece." That is, to the best of my recollection, the way in which the matter stands.

(*Mr. Price.*) Well, then, Mr. Smith, do you still say there was this previous bargain?

(*Witness.*) I still maintain that Mr. Allan told me we should have it. Mr. Bulpin is in court.

(*Mr. Price.*) Where is Mr. Bulpin?

(*Witness.*) He is here (*pointing*).

(*Mr. Coleridge.*) The names were Bulpin, Bussell, Alway, yourself——

(*Witness.*) And White.

CHARLES BULPIN called and sworn. *C. Bulpin.*

9454. (*Mr. Price.*) Now you have heard what has been said by Mr. Smith. Had you any promise made to you by Mr. Allan previously to the second election of 1866 as to any sum of 25*l.* that you were to be paid if you would exert yourselves?—I understood we were to have 25*l.*

(*Mr. Coleridge.*) Who told you?

9455. (*Mr. Price.*) Did Mr. Allan say so to you?—Yes, he did.

9456. You had it from Mr. Allan's own lips. Tell us what he said, and when?—I cannot recollect now clearly whether it was before the day of the election, or in the afternoon afterwards; I am not clear.

9457. You see the whole question is, before you took any part in the election of 1866, the second election, had Mr. Allan promised you that you should have 25*l.* for what you did?—I do not remember.

9458. (*Mr. Coleridge.*) Or any other sum?—I do not remember any before.

9459. (*Mr. Price.*) Your impression is that it was said to you, but it might be after?—I distinctly recollect that there was a promise of 25*l.*, but I won't say whether it was before the morning of the election, or in the afternoon.

9460. (*Mr. Coleridge.*) Mr. Smith has given his reason for acting at that election as a promise of 25*l.*, therefore if Mr. Smith is correct it must have been before the election?—I am not clear about it.

9461. (*Mr. Anstey.*) Either the morning or afternoon you say?—I am not sure whether it was the morning or afternoon of the poll day.

9462. It was either one or the other?—Yes.

9463. (*Mr. Coleridge.*) Can you recollect the words that Allan said to you, or the way in which he said it?—No.

9464. (*Mr. Anstey.*) You are an accountant also?—I am a commercial traveller.

9465. Did you receive any money for your vote in the previous election of 1866?—No.

9466. Or did you bribe anybody in 1866?—Yes.

9467. Well, then, are you the Mr. Charles Bulpin who in the May of 1866 signed the petition of the 80 to the House of Commons, praying a suspension of the writ, describing yourself as "Charles Bulpin, accountant"?—I do not remember doing it.

9468. The 25th signature down?—I do not remember doing it.

9469. Is there any other Charles Bulpin?—I do not know.

9470. (*Mr. Price.*) You are a commercial traveller?—Yes.

9471. Do you ever describe yourself as an accountant?—Very likely.

9472. Have you told anybody that it was after the election that the 25*l.* was promised?—No.

9473. Never mentioned that to anybody?—Not that I remember. I mentioned it to Allan. I have brought it to his recollection that such a thing was promised. I never expected it till I heard the promise.

9474. Have you said to anybody besides Allan that a promise was made after the election?—I have talked to Mr. Bussell and Mr. Smith. It has been mentioned together between us.

9475. Have you ever said so to Mr. Barham?—I do not remember. I think I have to Mr. Lovibond, though; I think I saw him after.

9476. Then you have made a claim upon Mr. Lovibond?—I have not made a claim at all.

9477. How did you come to mention it to Mr. Lovibond?—Because it was promised by Mr. Allan. I never asked him for it.

9478. (*Mr. Anstey.*) Then you, on the whole, agree with Allan in his statement, namely, that it was not a promise made before you undertook the work of bribery agent, but it was a promise made at the end of the election, or just when the election was coming to an end?—I am not clear whether it was promised before or after the election, that is, whether in the morning or afternoon.

9479. You know the distinction between promising two or three days beforehand, and saying, "Will you do the work?" and promising whilst the work is being done, or when it is ended. You think it was promised either in the morning or afternoon of the polling day, and therefore when your business was nearly concluded?—It was either in the morning or afternoon.

9480. Then at that time your business was nearly concluded?—It would be nearly concluded in the afternoon, but I am not clear whether it was morning or afternoon.

(*Mr. Allan.*) I beg to call the attention of the bench to the fact that this promise, if it was made, was made only five weeks after I was initiated into the mysteries of the Bridgwater elections. Is it likely that a young man of only five weeks standing would make such a promise?

(*Mr. Price.*) That is argument, Mr. Allan; we cannot enter into that.

Examination of Mr. SMITH resumed. *Mr. J. Smith.*

9481. I understand you to say, Mr. Smith, that but for that promise you would not have acted?—Yes.

9482. Allan says you would not have acted in the election but for that promise?—That is right.

9483. But for that promise you would not have acted?—No.

(*Mr. Coleridge.*) So Bussell says.

9484. (*Mr. Price.*) Is that all you have to relate to us with regard to the second election in 1866?—I think so, with the exception of this: I paid a bill of Thompson's for powder owing from the last election of 8*l.* or 9*l.*

9485. You paid a bill of Thompson's which had been incurred at the previous election?—Just so.

9486. (*Mr. Coleridge.*) The previous election, or a previous one before that time?—Bagehot's election.

9487. (*Mr. Price.*) There was no firing at Bagehot's election, because he was defeated?—There was.

9488. (*Mr. Coleridge.*) Although beaten?—The early part of the morning, or before.

9489. (*Mr. Price.*) It is not a celebration of triumph, but a signal of the coming fight?—The signals.

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9490. It is not a signal that there would be money going ?—Not that I ever knew.

9491. (*Mr. Coleridge.*) What was the object of firing these cannons ?—It is an old custom with the Liberal party here; they fire gunpowder, and the Conservatives claim the church bells.

9492. (*Mr. Coleridge.*) The Conservatives claim the bells and pay the ringers, and the Liberals pay the powder dealers and the firing of the powder ?—Yes.

9493. So that they are only different ways of expending money ?—That is all.

9494. (*Mr. Price.*) It is not a signal that money is going ?—No, they soon leave off if they are going astern.

9495. (*Mr. Anstey.*) There is nothing more as to that election ?—No.

9496. (*Mr. Price.*) You know the election of 1866, when Mr. Westropp had been unseated ?—Yes.

9497. What part did you take in Mr. Bagehot's election then ?—Rather an active part.

9498. Give us the history of it ?—I had some money from Allan then, but what it was I do not know.

9499. (*Mr. Coleridge.*) How long before the election ?—I cannot tell whether that was the evening or the morning of the election; I am not sure.

9500. If the evening it would have been when the election was over ?—The nomination evening.

9501. (*Mr. Anstey.*) What were you to do with it ?—Give it to the voters.

9502. What voters ?—To vote for Bagehot.

9503. A list of voters ?—No, I had my own list.

9504. Were they the same persons as in the other list ?—No, there was a difference.

9505. Have you the list here ?—I have both lists here as far as I can judge. I have Mr. Vanderbyl's election, No. 1, July 12th; some of these names might be wrong; they might be at another election. This is Vanderbyl's first election. John Peach ——

9506. Are these the men you bribed ?—Yes. John Peach, Henry Osborne, John Tucker, Frank Westlake, William Hooper, William Francis, St. Johns's, William Fisher, stationer, Dabinett, Henry Harris, George Webb, John Hawkes, Going Murray, William Sendall, Charles Collins, John Hodge, Frederick Hodge, Robert Wilkins, Nathaniel Wilkins, Stephen Crocker, Champion, John Dyer, Joseph Reed at the station, and Pollard.

9507. That was at Vanderbyl's election ?—Yes, so for as I can remember.

9508. How many names have you given us, for it would not account for the whole 436*l.* ?

9509. (*Mr. Coleridge.*) It was not always 10*l.*; the price was altered ?—Oh, no.

9510. What was the highest price given them ?—I should it averaged 20*l.* to 25*l.* each.

9511. Those that you bribed at Bagehot's election in 1866 ?—There might be a mistake in the names.

9512. Now, whom did you bribe at Bagehot's contest ?—The first is a man I polled on one election, but which I do not know, — Coombes, of Barclay Street, John Peach, Henry Osborne, Faulkner, John Tucker, Frank Westlake, William Hooper, William Hooper, William Francis, Stephen Colin Jones, William Fisher, John Hawkes, Going Murray, William Sendall, Charles Collins, John Hodge, Frederick Hodge, Nathaniel Wilkins, Robert Wilkins, Gilbert, George Harwood, Philip Powell, and I think I polled a man named Dennis.

9513. (*Mr. Coleridge.*) What did they get ?—Averaged about 10*l.*, I think.

9514. (*Mr. Anstey.*) Were both of these William Hoopers there of Bath Street ?—No, both of Saint John Street; one a sawyer, and the other a painter.

9515. Different from the Hooper we had before ?—Yes.

9516. (*Mr. Price.*) There are four Hoopers altogether ?—I believe there are.

(*Mr. Anstey.*) And those two Williams are of Saint John Street.

9517. Living in the same house ?—No.

9518. Give me a description ?—William Hooper is a painter, and the other a sawyer.

9519. And the other William Hooper ?—He is a corn meter.

9520. (*Mr. Price.*) How much did you get at that election ?—I cannot remember the amount.

9521. Give some idea ?—I believe it was about 200*l.*

9522. It would hardly go 10*l.* for all those names ?—Twenty names. There is a mistake here in two names. Philip Gilbert told me another day that I did not pay him. I would not be sure, but I paid him once.

9523. Is that all you got at that election ?—I cannot say.

9524. Did you get anything from Allan ?—No.

9525. Anything for yourself ?—No.

9526. Not for your own vote ?—No.

9527. (*Mr. Coleridge.*) Were you promised any ?—No.

9528. Did you ask for any ?—No.

9529. (*Mr. Price.*) Was that the first election you had acted at ?—No.

9530. Then they knew you before ?—Yes.

9531. Do you know how much was spent altogether at that election ?—I never heard till I heard the other day, and I thought the amount more than it really was.

9532. Do you know anybody employed besides yourself at that election ?—I think the same as now.

9533. Is that all the information you have to give us with regard to that ?—I think so.

9534. Was there a great deal of money spent on the other side ? Mr. Patton got in by a majority of seven; did you hear anything said about the amount spent ?—No, I did not, not more than this—they said not very much.

9535. The bribes could not be very high, though the majority was a narrow one ?—Yes.

9536. That is what you believe ?—Yes.

9537. The constituency was polled out at the same time we hear; how do you account for the very small majority, with a constituency polled out, and yet less money spent than you expected ?—I believe we had virtually won the election in the morning; of course it was done by paying voters money, and I consider from my experience they left off about 20 minutes before they ought to have left off.

9538. That is what the mismanagement was as to which Bussell or Allan said the men were disgusted with the way the election was lost, and therefore were hanging back at the next election very much ?—Vanderbyl's No. 1 election ?

9539. Yes ?—They were, no doubt.

9540. (*Mr. Anstey.*) One witness says the word went forth from Mr. Lovibond's office, I think, "No more money is to be spent;" and from that time Mr. Bagehot's election declined ?—Yes, Mr. Lovibond told me that his ownself.

9541. (*Mr. Coleridge.*) Is that the occasion when the voters were bottled at the "Clarence" ?—Yes.

9542. (*Mr. Anstey.*) Did you see them there ?—No, I do not go to the "Clarence."

9543. Did you see them bundled out ?—No, I took no part until half-past 11 or 12.

9544. Who kept the "Clarence" at that time ?—I think it was a man named Longhurst; if it was, he is now living at Penzance.

9545. Did the present landlord have nothing to do with it ?—I do not know whether it was the present landlord.

9546. There were two different cases of bottling at the "Clarence" at two different elections, one at the second election of 1866, or at the last election ?—That would be Mr. Vanderbyl's election; there was no bottling there then.

9547. Any at the last, Kinglake and Vanderbyl's ?—I do not know. I was not over the bridge.

9548. (*Mr. Price.*) Is there any system, so far as you know, of paying at tradesmen's shops large prices for articles of small value ?—I never heard of it.

9549. It is not done, then ?—I think not.

9550. Used it to be done in former days, though not now?—I never heard of it in my life.

9551. You never heard of anything being bought for 100*l.* which was worth only 5*s.*?—I never heard of it.

9552. (*Mr. Coleridge.*) You never got 100*l.* for a ham?—No.

9553. (*Mr. Anstey.*) Did you vote in 1865?—Yes.

9554. I believe you had the honesty not to sign the petition of 80 presented to the House of Commons a few days before the contest between Bagehot and Patton?—I did not.

9555. Was it because you were conscious that it was not exactly fit that persons who engaged themselves in such practices should sign a petition of that purist nature?—I thought it was bad taste.

9556. (*Mr. Price.*) You were asked to sign?—Yes.

9557. Who asked you?—I cannot remember.

9558. (*Mr. Anstey.*) Is it not the fact that some of the money, if not the whole of the money, used at the two elections of 1866 passed through the hands of Sealy and Prior?—I have no knowledge where it came from.

9559. Did you ever hear of old or young Mr. Prior bringing 500*l.* in one sum for bribing purposes?—Not until in this court.

9560. You are aware that the first name in this petition is that of Mr. Sealy the banker?—I am.

9561. Now we go to 1865, when Mr. Westropp was elected with Mr. Kinglake, and Sir John Shelley stood?—Yes.

9562. What part did you take at that election?—Previous to the election day I had acted as before.

9563. What did you do previous to the election day?—Similar to what I have done.

9564. What money did you get?—No money.

9565. But "similar;" what did you get to bribe with?—None whatever.

9566. Did not you bribe at all then?—No.

9567. But you said "similar"?—I said before the nomination day, up to the poll.

9568. On the nomination day what did you do; when did you get any money to go and bribe with?—I got none at all; no money.

9569. (*Mr. Anstey.*) Promised money?—Very likely.

9570. (*Mr. Price.*) You said you took an active part; "similar"?—Yes.

9571. (*Mr. Coleridge.*) You knew there was money got at a quarter past three in the afternoon?—What for—Sir John Shelley's election?

9572. Yes?—I do not believe it.

9573. (*Mr. Price.*) You do not believe any was spent at all?—No.

9574. At either Mr. Kinglake's or Sir John Shelley's?—I never saw a farthing. I should have known it.

9575. (*Mr. Coleridge.*) Only treating?—There was treating.

9576. (*Mr. Anstey.*) Did you get any promise to settle bills, bad debts, bribery monies at former elections, or anything of the kind?—Emanating from Sir John Shelly's election?

9577. I do not know what you mean by "emanating"?—Coming from.

9578. Do you know of any payment being made, either payment or promise of payment made at that contest in respect of demands, legal or illegal, arising out of the former election, such as unpaid bribes, unpaid drapers' bills, unpaid treating bills, and the like?—No.

9579. But there may have been for aught you know?—There might have been.

9580. (*Mr. Price.*) It has been said over and over again that this borough is a Liberal borough; how do you account for the fact that Sir John Shelley, who was a Liberal of Liberals, was rejected if there was no bribery?—I have no idea.

9581. Does not that rather go to show that the opinion that it is purely a Liberal borough is wrong, because Mr. Westropp, a Conservative, came in?—It occurred to me when you put that question that you meant money spent on our side.

9582. On both sides?—There was money spent on the Conservative side no doubt, but not on ours.

9583. Therefore you say with other witnesses that if it had not been for money the two Liberals would have come in?—No doubt of it. My impression is that if Mr. Edwards had come from Barnstaple at that time he would have got in too.

9584. He came here for an hour or two and went away?—Yes.

9585. Do you know whether he came attended by any other gentleman?—I think not.

9586. (*Mr. Coleridge.*) Did you see a Mr. Wellington Guernsey with him?—No, I never heard of him.

9587. Four or five days before to see how the ground lay?—No.

9588. Can you tell us the circumstances of Mr. Edwards coming up from Barnstaple?—No, not the slightest.

9589. Did you hear anything about him, or who he was?—No, not more than he was up at Barnstaple, and these was not much chance of success there, and he came here.

9590. (*Mr. Anstey.*) Do you attribute Sir John Shelley's rejection on that occasion to Mr. Westropp bribing, or to the fact that Sir John Shelley, before coming down, exacted a public promise from Mr. Lovibond, his agent, that upon his word of honour as a man and a gentleman nothing had occurred or should occur that could in any way implicate him with improper practices, and secondly during his canvass Sir John Shelley repeated that statement to Messrs. Reed and Cook, who were bursting out laughing at the idea of voting for Mr. Most, and saying to them, "I will not have anything of the kind, and if 5*l.* "given improperly will win me the election I will "not give it." Now which was it, Mr. Westropp's bribery or Sir John Shelley's honesty?—Sir John Shelley's honesty, I believe.

9591. Was there a single instance to your knowledge at Bridgwater before of any candidate telling the voters openly, not through agents, that there should be no bribery?—I think not.

9592. And therefore the more remarkable that in that case there was a signal defeat?—It was so.

9593. (*Mr. Price.*) Is that all you can tell us about the election of 1865?—I think that is all; I know nothing else.

9594. Now at the election of 1859 did you take any part?—I was intended to have taken the same part in 1859 as I have all through.

9595. The bribing part?—Yes; a circumstance happened there; I believe only three of us knew it.

9596. (*Mr. Coleridge.*) When did you first begin these practices, at what election?—Well, I became acquainted with a person named Foster. I came in 1851, and between 1851 and 1865 made his acquaintance. He was then a clerk of Mr. Benjamin Lovibond.

9597. Was it at the 1852 election?—No, not at all.

9598. 1857?—I had a sprained ankle, but intended to have gone in then. I commenced in 1859. I believe those three I mentioned were myself, Mr. Henry Faun, Mr. Benjamin Lovibond, and nobody else.

9599. Faun is dead?—Yes.

9600. That was 1859?—Foster died in May 1861. Previous to the election of 1859 I undertook the same part as now. I knew the voters then, a good many of them, and about half-past nine in the morning, Foster lived at what we call Castle Field, alongside the river, he sent his little boy to me, and I went down directly. He was lying in the front room on the sofa, and said to me, "Smith!" "Well." "What do you think I have done?" "I do not know," I said. "Why," he says, "I have lost every shilling of money." I said, "You have?" "Yes." "How much is it?" "Well," he says, "it is about 950*l.* or 960*l.*" I asked him where he had lost it, and he said he did not know. He then reclined

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on the sofa. I said, "Never mind." He said, "What you had better do is to go and tell Mr. Lovibond." So I went up.

9601. (*Mr. Coleridge.*) Did you believe he had lost it?—Yes. I went up to Mr. Lovibond and told him that Foster had lost this money. The remark he made to me was, "The devil he has." I stopped there some little time, I suppose about 10 minutes, and he said, "Smith, you must meet me on the south side of the market house."

9602. Mr. Lovibond said so?—Yes, "Meet me on "the south side of the market house in 15 minutes, "and Faun will meet you in Fore Street in 20 "minutes." That was on the morning of the poll. I went there, and saw him going into the church gates, and I followed him, and he went into the porch of the old church, and then he gave me some money in a bag.

9603. How much?—I should think it was about 200*l.*

9604. (*Mr. Price.*) Was that the only time you saw Mr. Benjamin Lovibond in the church porch?—I think it was. Then he said, "Meet me in 20 minutes in the fish market." I met him in the fish market in 20 minutes, and 20 minutes later than that I met him in Castle Street, and each time he gave me some money.

9605. How much in the fish market?—One bag similar to the first.

9606. About 200*l.*?—I should say so.

9607. And the third?—Similar. I had to go to Faun, in Fore Street.

9608. Who was the Liberal candidate at that election?—It was Kinglake and Tynte.

9609. Who was Mr. Lovibond acting for then?—I do not believe that Mr. Lovibond at that time had anything to do with it. Mr. Benjamin Lovibond was the man then.

9610. (*Mr. Price.*) We are speaking of the man who came to the church porch?—Benjamin Lovibond.

9611. Who was acting for Colonel Tynte?—I will not be sure he was not acting for both.

9612. Who acted for Kinglake?—Mr. Lovibond was a sort of general here then; he acted for the Liberal party.

9613. What did Mr. Bate do?—I never knew him mixed up in electioneering in my life.

9614. Was not Mr. Brice concerned for Mr. Kinglake then?—No.

9615. He had not turned Tory then?—No. I think when Mr. Brice was connected with the Liberal party was 1865.

9616. (*Mr. Coleridge.*) Was not Mr. Bate at that time Mr. Kinglake's regular agent?—He was.

9617. How was he his agent if he did not act for him politically? What do you mean? What sort of agent was he?—He used to canvass with him. I never knew Mr. Bate in any other way than just walking about. It was understood here he was his confidential friend, or something like that.

9618. If Mr. Bate had been paid 1,100*l.* for legal expenses after the election you would be very much surprised?—I should be.

9619. You would also assume that part of that was what he paid to Mr. Benjamin Lovibond?—It is just possible.

9620. (*Mr. Price.*) Then you took this, and was that all the money you took at that time?—No.

9621. Have you anything more to say about that?—No; but Faun took the money. I do not know where, down Fore Street.

9622. Foster was clerk to Mr. Lovibond?—Yes, at that time; I believe an articled clerk.

9623. And therefore entrusted, I have no doubt, with large sums of money?—No.

9624. Do you think it really was a loss?—That election was virtually over by a quarter to 12, I should think.

9625. How much was spent altogether?—I have no idea.

9626. On your side?—I have no idea.

9627. How much was spent by yourself?—I do not think I polled more than three men, it was 11 before I left off. I went to Foster again; he walked with me to Henry Faun's. He had been there the evening before it appeared, and had laid on the sofa, and the moment he got into the room he said, "I remember what I did with my money, I put it under the mattrass;" and he lifted up the mattrass, and there was the money.

9628. At Faun's?—Yes.

9629. (*Mr. Coleridge.*) What was done with that?—That was taken back to Mr. Lovibond. Foster walked up to the house with it.

9630. In gold?—Partly in gold, and partly in notes. I only polled three men there, for the reason that the election business was over.

9631. You had won the election?—Yes, before I could get back.

9632. What did you give those three you polled?—10*l.* each.

9633. Did you take that out of the three bags you received?—No; Foster gave me the money.

9634. What did Foster give you?—I believe he paid me for two men 20*l.*

9635. Is that all you had from him?—That is all.

9636. Nothing for yourself?—No, nothing.

9637. Not for your work?—No, I never had a shilling in my life.

9638. Do you know that it is the general opinion we have heard, it is a rumour or impression rather in the town amongst the humbler class of voters, that nothing like the amount of money gets down to them, but it is all stopped midway?—That never applied to me; I never received a shilling.

9639. Does it apply to anybody?—Not that I have heard.

9640. Do you really believe that the money gets into the hands of the voters who are bribeable, and who are expecting their money?—There is no doubt about it.

9641. Or stop on the way?—There is no doubt they get it.

9642. (*Mr. Anstey.*) As a general rule?—Yes, always, I should think.

9643. But after the experience you have had in these inquiries you think probably there are one or two exceptions to the general rule?—I should think not.

9644. (*Mr. Price.*) How can you account for this rumour being so strongly impressed on the minds of bribeable voters, that they really do not get the plunder, but some one else does?—They have always said that here. All I can say is, that I never had a shilling in my life.

9645. (*Mr. Anstey.*) You have heard of cases of persons less punctual than yourself?—I have.

9646. Now you have mentioned this man Foster, whose acquaintance with you led you into this sort of connexion?—Yes.

9647. Was he an old hand at it before you made his acquaintance?—I believe he was.

9648. But he was only an articled clerk in 1859?—He was with Mr. Lovibond from a boy I believe.

9649. A paid clerk first, and afterwards I suppose Mr. Lovibond gave him his articles; was that it?—I believe it was.

9650. Do you recollect what salary he had as a paid clerk from Mr. Lovibond?—No; he never told me.

9651. Did it vary, do you know? One quarter it appears by Mr. Lovibond's books it was 13*l.* Can you state any reason why the next quarter it should amount to 20*l.* or 30*l.*?—No, I cannot.

9652. Can you tell me how it happened that Foster, being in the employment of and also under articles to Mr. Lovibond, was allowed to charge for professional services rendered by himself?—No, I cannot.

9653. Assuming that you cannot tell me that, then can you tell me how it happens that his name appears for professional services for the same fee twice or three times in the same election in the same month, and on the same day of the month?—No, I cannot.

9654. From your knowledge of the man should you suppose that those extra payments were in the nature

of gratifications or bribes to himself, or made to him for the purpose of enabling him to bribe others, or honest payments; which of the three?—I do not know, I am sure.

9655. Did he bribe largely?—No, he did not himself; not very largely. He had a staff always about him. He was generally the centre.

9656. Can you tell me in whose handwriting these counterfoils are (*handing a cheque book*)?—It is not Lovibond's.

9657. I know it is not, but whose is it—Mr. Cook's or Mr. Reed's?—I should think it was Mr. Cook's. I will not be sure.

9658. Was Foster in embarrassed circumstances when he died?—No.

9659. Was he accurate or not—accurate in his money accounts?—Very accurate I should think.

9660. Do you recollect anything about that circumstance occurring either at the election of 1859 or at the previous election of 1857, and which was revived in 1859, about Heal's 40*l.*?—No more than he told me.

9661. Who?—Foster.

9662. When did he tell you about this?—Eight or nine times in his lifetime.

9663. Since the election of 1857?—Decidedly.

9664. He told you what?—That in 1852 he had entrusted Heal with a sum of money, and that when he brought in his report he was 100*l.* short. In 1865 Heal was at Gloucester and had no vote here, and in 1859 he was down here. In 1852 he was described as an accountant, and in 1859 as a brewer. In 1859 he came down here, and then, as Foster told me, he overpaid 40*l.* more than Foster let him have. When Heal went to Foister for the 40*l.* he had overpaid, Foster made this remark to him, as he told me, "Bill, you "have done me in 1852, now I shall do you in 1859; "you shall not have the money."

9665. Foster told you that himself?—Yes.

9666. (*Mr. Price.*) How much short was he in 1852?—100*l.*

9667. (*Mr. Anstey.*) Do I understand you to say that Foster in effect had admitted to you that there was 40*l.* coming to Heal for bribing services in the election of 1859?—Yes.

9668. And that he, Foster, instead of paying that money, said, "I shall do you out of that as you did me out of the 100*l.* in 1852"?—That is right.

9669. Therefore he did not deny the claim, but said he would not pay it?—No.

9670. Are you sure the money was claimed in respect of the election of 1859 and not of 1857?—Oh yes; Heal was not here 1857.

9671. He was in 1859?—He was in 1859, described as a brewer.

9672. Foster, as I understand, was the nephew of Faun?—Yes.

9673. Also a nephew of the other Charles Faun who was examined yesterday?—Yes.

9674. May I ask you how far your recollection of the elections goes back; I do not mean as voting or taking part, but as to the fact?—I can just remember 1852.

9675. That is all you have to say?—Yes.

9676. (*Mr. Coleridge.*) Now 1857?—I know very little of 1857; I merely recorded my vote.

9677. (*Mr. Price.*) Is that all?—That is all.

9678. You had not been introduced to this bribing business in 1857?—No; I was going to, but could not act.

9679. (*Mr. Coleridge.*) You had a sprained ankle?—Yes.

9680. And Foster had asked you to bribe in 1857?—Yes, before 1857.

9681. In 1857 you were prepared to have gone on, and were not able to get about?—Just so.

9682. Had you any money brought you?—No.

9683. Who were you to have got your money from?—Foster.

9684. And what amount?—Not a very large amount then.

9685. Then in 1852 was it that Foster first seduced you?—I took very little part as regards electioneering.

9686. You have said it was first of all in 1857; when was it he prepared you for the place you took afterwards?—That was between 1852 and 1857.

9687. There was no election?—No.

9688. What was it that induced him to fix on you?—We got friendly in that time.

9689. And then Foster said, "When the election comes on I shall have some work for you"?—Very likely.

9690. Did not it occur to you to ask what you would get for it?—No.

9691. Do you mean that when he proposed to you a position of labour and danger you never asked him what you were to get for it?—Never.

9692. And he never offered you?—Never.

9693. In any shape or way?—No.

9694. (*Mr. Price.*) When did you first come to Bridgwater?—I believe Christmas 1850.

9695. We understand you have not only been this money out of pocket which you have told us at one or two elections, but you have never received a farthing but suffered considerably in our business in addition?—Oh, yes, there is no doubt of it.

9696. You have made a clean breast of it, have you Mr. Smith?—All that I can think of.

9697. You have told us everything?—Yes. I should be very glad if these statements could be found relative to cash.

(*Mr. Anstey.*) If you recollect anything more we shall be glad to hear it.

Henry Chapman Bussell recalled.

H. C. Bussell.

9698. (*Mr. Anstey.*) About this election in 1859, you know there was a petition against Tynte?—And Mr. Kinglake.

9699. Do you recollect going to Mr. Benjamin Lovibond's office, or people coming to you from the office to get you to put down in writing or to dictate to them the evidence you were going to give if the election petition went on before the Committee of the House of Commons in defence of the seat?—I do not recollect it.

9700. I have here a brief and a draft of a brief, and the draft of the brief professes to have been drawn from your instructions, and the brief professes to be a copy of the draft of the brief. Can you recollect, from what you told us about the large amount to which you yourself bribed at that election, and were cognizant of other people bribing, whether Mr. Benjamin Lovibond invented this story for you to swear to it,—whether you told him you were prepared to swear to it: "Bussell, Henry Chapman, served with warrant on "the blank day of blank. He is a respectable inn-"keeper and shipowner. The inn he keeps is called "'The Anchor,' and is situate on the West Quay in "Bridgwater. The petitioners have selected him as "a witness, expecting that he paid money to voters to "vote on behalf of the two sitting members. Mr. "Bussell will prove that he paid no money to any "voter whatever, and is not aware that any money "was paid to any of the Liberal voters for their "votes"?—I never gave any such instructions.

9701. (*Mr. Price.*) This must have been an invention of Mr. Lovibond's?—Or Foster's, I suppose.

9702. Of Foster?—Yes, Foster was there then; because if I had I should have had to admit when I went into court I had paid voters.

9703. (*Mr. Anstey.*) I thought it right to give you an opportunity of hearing in public what was recorded against you in private, that you might give it either confirmation or contradiction?—I distinctly deny ever giving such instructions at all. I never knew that they got a brief up.

NINTH DAY.

Mr. JOHN PRIOR sworn.

Mr. J. Prior.

1 Sept. 1869.

9704. (*Mr. Price.*) Are you in a banking firm here?—I am.

9705. As a partner?—Yes.

9706. What firm?—Sealy and Prior.

9707. Now, at the election of 1868, was there any money deposited at your bank to the credit of Mr. Vanderbyl?—No.

9708. Of Mr. Kinglake?—No.

9709. Was there any credit opened at your bank a short time before the election in any person's name?—No; at least the evening after the nomination Dr. Kinglake, the brother of the late member, sent for me, and said he wanted 1,000*l.* to assist his brother's election.

9710. (*Mr. Coleridge.*) At the last election?—This is the last election.

9711. (*Mr. Price.*) Where does Dr. Kinglake live?—At Taunton, and he asked me what he had better give me for the 1,000*l.* I told him that he had better give me his cheque, which he did. He gave me a cheque on Stuckey's Banking Company, Taunton. This was the evening after the nomination.

9712. The evening of the nomination?—Of the nomination, the next morning, just before 12, he called on me at the bank, and said, "Have you made use of that cheque?" I said, "I have not." He said, "Please give it to me." And I returned it to him, and he put it in the fire, and he said, "Now this is just as if nothing had happened."

9713. As if what?—Nothing had taken place between us.

9714. (*Mr. Coleridge.*) Where was the money all the time?—It was a cheque on us, and I was to have disposed of the 1,000*l.* as Mr. Lovibond should direct.

9715. (*Mr. Price.*) That is what he told you?—That is what he told me.

9716. (*Mr. Coleridge.*) Then he had no money?—Then he had no money. He kept his account at Stuckey's, at Taunton.

9717. You would, on the face of his cheque on the bankers at Taunton, have allowed Mr. Lovibond to draw to the extent of 1,000*l.* on you?—Yes.

9718. He told you that was so, that Mr. Lovibond was to draw against that 1,000*l.* cheque of his?—Yes.

9719. (*Mr. Anstey.*) Was it to be drawn by cheques, or did you authorize him to authorize Mr. Lovibond to come for the money without cheque?—There was nothing about his drawing cheques.

9720. That would not have been necessary, perhaps?—No, it would not.

9721. (*Mr. Price.*) Would you have handed it over to Mr. Lovibond without drawing a cheque?—I should.

9722. (*Mr. Coleridge.*) Was Mr. Lovibond keeping an account at your bank?—Yes.

9723. (*Mr. Price.*) We should like to see Mr. Lovibond's account at that time. Do Mr. Reed and Mr. Cook bank with you?—They did at that time.

9724. At the last election?—At the last election.

9725. We shall want their account also?—They are at the bank; I will send for them.

9726. I suppose it would be more convenient for you to have them here in the morning?—Yes.

9727. Then we shall want your son in the morning, and will have them then. Was any money drawn out of your bank in any way whatever; large sums on the day of the election?—About a quarter before three on the day of the election, Mr. Mogg rushed into the bank.

9728. Who is Mr. Mogg?—He is a friend of Mr. Lovibond's.

9729. A resident in Bridgwater?—Yes.

9730. Where does he live?—In the square. He rushed in, and wrote on a piece of paper that I was to send 500*l.* directly to Allan's.

9731. To Andrew Allan?—Yes.

9732. You knew who Andrew Allan, was then?—He is a customer of ours.

9733. You knew pretty well what it was for?—Well I guessed what it was for; of course I asked no questions.

9734. Did you send the 500*l.*?—I did.

9735. By your son?—By my son.

9736. Whom did you debit with that money?—I have not debited anyone, because I did not know who to debit it with; I put a memorandum.

9737. It remains unpaid?—Yes. I put a memorandum in my cash book to balance our accounts.

9738. To balance your account you put a memorandum to show that that sum had gone under Mr. Mogg's name?—Well, of course I expected Mr. Mogg to make an explanation to me.

9739. You have not that memorandum here?—I have.

9740. (*Mr. Anstey.*) What o'clock was that as Mogg came rushing in?—As well as I remember it was a quarter before three.

9741. Had you seen him earlier in the day?—No, I had not seen Mr. Mogg to have any communication with him earlier in the day, or anyone else during the day upon the matter.

9742. (*Mr. Coleridge.*) Was Mr. Mogg a customer of yours?—No.

9743. Then on what authority did you give 500*l.* for that bit of paper he signed? Upon what authority did you give this to Mr. Mogg; an unusual transaction for a banker, was it not?—Well, I relied entirely upon his seeing me right of course, and for an explanation.

9744. What did you know of Mr. Mogg?—I know him well; he lives next door to me.

9745. You knew him to be a friend of Lovibond's?—I knew him to be a friend of Lovibond's.

9746. Should you give any customer money if he ran into the bank for 20*l.* and said, "I have no time to write a cheque"?—Well, I was led astray.

9747. (*Mr. Price.*) But should you?—No, I should not.

9748. If so, it would be a nice bank to go to?—However, I was led entirely astray by that communication of Dr. Kinglake's.

9749. How do you mean you were led astray?—Because he told me that Mr. Lovibond would give me instructions what to do.

(*Mr. Coleridge.*) But then that transaction was at an end.

9750. (*Mr. Price.*) He had taken his cheque away?—I know, but I have heard since that Dr. Kinglake never told Mr. Lovibond it was closed.

9751. (*Mr. Coleridge.*) You were in the bank yourself at the time Mr. Mogg came in?—Yes.

9752. Have you not already told our secretary that you do not remember any of these circumstances?—No, I have not; I have had no communication with your secretary.

9753. Then it is your son, I suppose?—No, I believe it is Mr. Sealy, and he is ignorant of this.

9754. Do you mean this was kept from Mr. Sealy?—Yes; when I came to think of it the next day I thought, "Well, I have not consulted Mr. Sealy upon "this, for he was not in the bank, and therefore I must "get this money back again in the best way I can."

9755. Mr. Sealy was your senior partner?—Yes.

9756. (*Mr. Anstey.*) What money was this you were prepared to give out in this way without cheque; was it your own, or your depositors?—It is my own, because I make it good if it is never forthcoming.

9757. (*Mr. Price.*) It was your own you advanced?—I am responsible for it.

9758. It was not any depositor's money?—It was not.

9759. What I want particularly to know is, is there any understanding or practice at your bank with regard to elections, by which there shall be a certain fund considered to be guaranteed or answered for by certain persons, and then for anybody who is understood to be an agent to go and get the money out of it?—No, nothing of the kind.

9760. Did you pay this 500*l.*, and would you have

paid the 1,000*l.* at the personal risk of you, Mr. Prior?—No, I should not, the 1,000*l.*

9761. But you would have paid the 500*l.* at your own personal risk?—I should.

9762. (*Mr. Coleridge.*) And not have charged it to the bank?—I should not have charged it to the bank.

9763. (*Mr. Price.*) If you had had an opportunity of consulting your partner, and he had consented to the thing, then it would have been mutual?—A bank transaction.

9764. (*Mr. Anstey.*) Was there ever any transaction of that kind to which your partner was privy with yourself?—Certainly not.

9765. Neither at this election nor the former one?—Well, I do not know whether in the election when——

9766. For instance, look at this with reference to the election of 1865, and tell me whose handwriting is that in the first counterfoil?—I do not know whose writing that is.

9767. Is not that Mr. Reed's or Mr. Cook's?—I think not. I am not certain. I could not swear to the writing. If I saw the signatures I could.

9768. (*Mr. Price.*) Was there any other money drawn out of your bank on that day?—No.

9769. The day of the election?—No.

9770. No other sum?—No.

9771. (*Mr. Anstey.*) That day you have stated this was somewhere about a quarter before three?—Somewhere about that.

9772. About two hours before that, when Mr. Mogg came in about the money, and you gave him the money; you went home to dinner, I believe, at 1 o'clock, did not you?—I did.

9773. Do you know Mr. John Brown the magistrate?—I do.

9774. Did you see his coachman, Honyball, as you were going home that day to dine?—I did.

9775. I suppose you know that Honyball's connexion with the bribers in the Liberal interest has been stated in the course of this inquiry to be that he went driving them about, and so forth. Did he say anything to you about the election not yet being lost?—Not to me individually.

9776. What did he say?—There were three or four persons talking. I think young Mr. Carslake and two or three others, and we were speaking of the state of the poll, and he passed on at the time, waving his handkerchief, and saying "We have not lost yet." That is all I know about that.

9777. Did he make any allusion to money?—No, he did not stop; he was running on.

9778. You had not seen Mr. Mogg at that time?—No.

9779. (*Mr. Coleridge.*) How did you give Allan this money; in gold or notes?—It was in gold.

9780. I suppose that made it rather more suspicious, did not it?—Well, I do not know.

9781. (*Mr. Price.*) Did he ask for it in gold?—No, he did not say whether gold or anything else.

9782. (*Mr. Coleridge.*) But you knew pretty well what was going on, so you gave it in gold?—Well, I expected so.

9783. (*Mr. Anstey.*) The night before, when Dr. Kinglake deposited the cheque, did he tell you the money was to be asked for over the counter?—No, he did not.

9784. How did you arrive at that understanding that you were to honour any demand, though not made in writing?—He did not say a word about writing. He said Mr. Lovibond will order the disposition of it.

9785. Does not that generally mean order in the sense of drawing a cheque or endorsing one?—No, because I had his cheque, and it is just as if he brought a cheque of our bank to get it cashed, or lodged it there for me to cash it. When that cheque was cashed, that cheque would then be entered in our books.

9786. But supposing it was cashed in small sums of 100*l.*, 200*l.*, 250*l.*, and so on?—Then I should have entered it.

9787. But you would have given up those sums to Mr. Lovibond without a cheque?—Yes, I should have done so.

9788. Therefore there must have been some understanding between you and Dr. Kinglake as to that?—He told me when Mr. Lovibond ordered the disposition of it, whether he did it personally himself or not, I was to supply that money.

9789. (*Mr. Price.*) Was not it an understood thing that there should be no record of that kind in your books, which there would have been if the money had been drawn from time to time, by cheques? Was not it arranged that there should be no record of that kind in your books, and therefore simply Mr. Lovibond was to send down and say 50*l.* or 60*l.* or 150*l.*, and you would have shovelled the sovereigns over the counter?—Well, that is how I understood it.

9790. There was to be nothing to show for it afterwards, if possible, in your books?—Yes, at the close of the day I should have sent on his cheque to Stuckey's at Taunton.

9791. (*Mr. Anstey.*) That was deposited with you?—Yes.

9792. (*Mr. Price.*) But no record in your book?—No.

9793. It would be only a question of balancing your account at the end of the day; any clerk of yours paying the money over the counter to Mr. Lovibond's order would have to account, so that the books might be balanced?—Yes.

9794. (*Mr. Anstey.*) Can you suggest any reason for Dr. Kinglake going to make that arrangement except this, that those thousand pounds were intended to be spent for an illegal purpose, which it was desirable therefore to keep secret?—Well, it certainly was intended, you know, for the purchase of his brother's seat.

9795. Votes?—No doubt.

9796. You have no doubt of that?—No.

9797. (*Mr. Price.*) Is Dr. Kinglake a man of large fortune?—Yes.

9798. Is he likely to advance a thousand pounds for his nephew?—Yes, if he had given me a cheque for three or four thousand I should have been content.

9799. (*Mr. Coleridge.*) Is he an uncle or brother?—A brother.

9800. Elder brother or younger?—That I cannot say.

9801. (*Mr. Price.*) Is that all that took place, so far as you are concerned, in the election of 1868?—That is all.

9802. Are you the bankers for the Liberals generally here?—No, we are not.

9803. Have you any money deposited on the other side; any Conservative money?—Certainly not.

9804. (*Mr. Coleridge.*) What bank does that sort of business for the Conservatives at elections?—I do not know; I cannot say.

9805. Do any of the Conservative gentlemen keep their accounts at your house; I mean Mr. Trevor or Mr. Brice?—No, none of them.

9806. There was no money drawn out of your bank on the election day in a large sum except the one you have told us of, 500*l.*?—That is all.

9807. (*Mr. Coleridge.*) Nothing the day before in a large sum?—No.

9808. Can you recollect when Mr. Lovibond before the election drew a large cheque?—I cannot now. He is in a very extensive business, and therefore I should not notice anything.

9809. (*Mr. Price.*) After the election, within a day or two, had you any large sums drawn out to Mr. Lovibond's order, or to Messrs. Reed and Cook's?—I am not aware of any.

9810. Do you know anything of any money being taken out of your bank in 1866 under similar or

NINTH DAY.

Mr. J. Prior.

1 Sept. 1869.

analogous circumstances; Vanderbyl's second election in 1866?—Yes.

9811. What?—I cashed two cheques, one for 100*l.* and the other for 300*l.*

9812. What day?—On the morning of the election.

9813. At the polling?—Yes, at the polling.

9814. Who were they drawn by?—Mr. Brogden.

9815. Mr. Vanderbyl's friend who came down?—Yes.

9816. Was there any credit to Mr. Brogden arranged with your bank before the election?—No.

9817. He merely came and drew a cheque and you trusted his name?—No; those cheques were brought us by Mr. Barham. The first cheque was given us by Mr. Barham, and the second was sent from Mr. Barham.

9818. Sent by your son?—Yes; the fact is Mr. Barham gave me the cheque for 100*l.* Just before the bank was opened I sent my son over to Mr. Barham with it. On my son's return he brought a cheque for 300*l.*, which was cashed in the same way.

9819. You say it was drawn in Mr. Brogden's name, and having come from Mr. Barham you cashed them?—Yes, that is it.

9820. What bank were they drawn on?—A Manchester bank.

9821. (*Mr. Coleridge.* Does Mr. Barham bank with you?—No.

9822. Where?—At the West of England.

9823. Then I suppose you sent your son to Mr. Barham to inquire about it?—No; I sent my son with 100*l.* for the first cheque, and Mr. Barham then gave him this for 300*l.*, and asked him if he would cash it.

9824. Why did you send your son about the 100*l.*?—Because Mr. Barham asked me to do so.

9825. To do what?—To send the cash for the cheque.

9826. You said the cheque. The cheque came down in the regular way?—Yes, in the regular way.

9827. Who presented the cheque?—Mr. Barham presented the first, and the second he sent by my son.

9828. The first cheque you cashed to Mr. Barham himself?—I sent the cash to him just before the bank was opened.

9829. Was that all the money drawn at that election?—It is.

9830. That day 300*l.* and 100*l.*?—Yes.

9831. Any more at any time afterwards at that election?—Not that I am aware of.

9832. (*Mr. Coleridge.*) Any large payments made to Mr. Barham shortly after the election?—No, Mr. Barham does not keep his account with us.

9833. Were there for Mr. Lovibond?—Not that I am aware of. Mr. Lovibond is in the habit of bringing large sums of money into our bank.

(*Mr. Coleridge.*) We must have the books to-morrow.

9834. (*Mr. Price.*) Do you know anything of the other election of 1866, Patten and Bagehot?—Nothing at all to do with it.

9835. (*Mr. Anstey.*) Nor the election of 1865?—Nor the election before that.

9836. 1865?—No, 1859, Kinglake and Tynte. On that occasion I think Mr. Bate came to me and asked me for either 350*l.* or 400*l.*; I cannot speak now for which. He gave me notice and asked me if I would give that to Foster.

9837. (*Mr. Coleridge.*) He gave you notes for gold?—He gave me notes for gold.

9838. And then asked you to give the gold to Foster?—If I would give the gold to Foster, which I did.

9839. How long after he was there did Foster come for the gold?—It was the morning of the election.

9840. (*Mr. Anstey.*) That was Mr. Bate?—Mr. Bate, who was Mr. Kinglake's friend.

9841. (*Mr. Price.*) Mr. Bate was merely to get change in fact?—Yes, it was that.

9842. No money drawn out?—No money drawn out.

9843. (*Mr. Anstey.*) Do you mean Foster the managing clerk of Mr. Lovibond?—Yes.

9844. Is that all you know about the election?—That is all I know about that.

9845. (*Mr. Coleridge.*) In 1857?—I had nothing at all to do with it.

9846. In 1852?—No.

9847. (*Mr. Anstey.*) 1847?—That was before I was in the bank.

9848. (*Mr. Price.*) We have exhausted your personal knowledge as to banking transactions with respect to elections?—Yes.

Mr. E. Prior.

Mr. Edward Prior, jun., sworn.

9849. Are you clerk at your father's bank?—I am.

9850. We understand that you took this 500*l.* to Allan?—To Allan.

9851. Was the instruction merely from your father?—Merely from my father; he showed me a paper.

9852. This paper (*handing it*)?—Yes, that is it.

9853. He having shown you that paper you took the 500*l.* to Allan?—I took the 500*l.* to Allan.

9854. Is that all you had to do with it?—That is all I had to do with it.

9855. You had heard nothing about it before or afterwards?—No.

9856. Nothing afterwards?—Well, I guessed it was used for bribery, but that was all; I was not told anything.

9857. Do you know Mr. Mogg at all?—Yes, I am acquainted with him.

9858. Have you never had any conversation with him about it?—Never.

9859. Did he go to Allan with you?—I did not see Mr. Mogg.

9860. You merely went alone to Allan's?—I merely went alone to Allan's.

9861. And saw Allan, and handed it over?—And saw Allan, and handed it over.

9862. Did you take any acknowledgment from Allan?—No, none whatever, or said anything to him.

9863. (*Mr. Coleridge.*) Is this the only transaction you have been concerned in which on a bit of unsigned paper you gave some money up?—Yes, it was the first.

9864. And I suppose it will be the last; I mean it is not your usual practice at the bank?—I did it all by the instruction of my father.

9865. If any customer of the bank comes in with a bit of paper like that, however good an account his might be, would you cash his cheque?—I should not take the responsibility on myself.

A. Allan.

Andrew Allan recalled.

9866. (*Mr. Price.*) You have heard the whole of Mr. Smith's evidence; do you wish in any way whatever to correct or qualify any statement you have made with regard to the part you took as to these sums of money?—No.

9867. As to the 25*l.* promised?—I do not remember that; that is the only qualification I make.

9868. (*Mr. Coleridge.*) You do not recollect that promise to any one of the four men?—I do not recollect it.

9869. (*Mr. Price.*) The claim was made to you, and you say you did not recognize the claim, or did you, by saying it should be paid?—I do not recollect making the promise.

9870. Had you any authority whatever to offer them anything?—No.

NINTH DAY.

A. Allan.

1 Sept. 1869.

9871. Or say that they should be paid?—I had no authority.

9872. Smith and Bussell were men who would take or expect to have something for their services?—I have not the slightest doubt they would expect it.

9873. (*Mr. Coleridge.*) We have heard that they both took it and expected it?—In fact they made the claim after the election.

9874. Did you know whether any other election they made their claim or got it?—No, I had only been electioneering six weeks at that present time. I had no prior experience.

9875. (*Mr. Anstey.*) You have heard Bulpin's evidence. He fixes in his own mind the time when you made him a promise on the day of election, only he is uncertain whether it was the morning or afternoon part of the day, is he correct?—I can only repeat what I have already said, that I have no recollection.

Adjourned to to-morrow at 11 o'clock.

TENTH DAY.

Thursday, 2nd September 1869.

PRESENT:

EDWIN PLUMER PRICE, Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
HENRY FRANCIS PURCELL, Esq., Secretary.

ANDREW ALLAN recalled.

TENTH DAY.

A. Allan.

2 Sept. 1869.

9876. (*Mr. Price.*) We want to say to you that we have been given to understand that we have not had a full disclosure of the expenses at Mr. Bagehot's election. As you have been mixed up a great deal in these money matters, we wish to tell you, however truthful your evidence may be as to the part you yourself have taken in elections, yet, if you have not made a full disclosure as to the amount of money which was spent as far as you know at that election, and if we should discover afterwards that there was a much larger amount, and that you must have known it either by its passing through your hands or otherwise, we shall not then consider that you have within the meaning of the Act of Parliament made a full disclosure of all the facts to your knowledge. Having told you that, and that we have been informed that the sum of money which I think you mentioned as the amount spent at Mr. Bagehot's election does not anything like represent the expenditure on behalf of that gentleman, we want to ask you whether you have given us the fullest information on that head that you can?—I said the amount of money spent according to my opinion and recollection of what passed—I have no document—was 1,100*l.* or thereabouts. I have no knowledge that it exceeded that one farthing.

9877. That is to say all of which you have any personal cognizance?—Every farthing. I accept all responsibility if anything can be shown that I have any knowledge beyond that.

9878. Because it is a matter, not only for you, but other witnesses to consider, that although you may be protected by certificate as to all matters which you have answered, tending to criminate yourself, if we think you are entitled to it, yet at the same time there are other matters in the Act of Parliament which would entitle us to withhold a certificate from you if you have not made a full disclosure which may not criminate you, but which may throw light on the conduct of the elections at Bridgwater, because after all, that is the important matter which we have to consider?—I have told you everything I know of Mr. Bagehot's election. I know nothing more than I have told you. As to the matter of Mr. Bagehot's election, the money I named was the amount I reckoned for when we closed up the matters for the election so far as the polling of votes went, but after Mr. Vanderbyl's election, in making up the accounts for that election, we had an account which was subdivided between Mr. Vanderbyl, Mr. Bagehot, and Mr. Kinglake. Those were Sir John Shelley's expenses and Mr. Kinglake's expenses, at the same time as Sir John Shelley was here, beerhouse and other accounts connected with Mr. Bagehot's own election, and the expenses which are outside the direct bribery at Mr. Vanderbyl's election. The sums coming in after the election of Mr. Vanderbyl was over were subdivided between the three.

9879. (*Mr. Coleridge.*) What was the whole?—I cannot say.

9880. About?—I cannot say.

9881. Mr. Kinglake paid one third, Mr. Vanderbyl paid one third, and Mr. Bagehot one third?—It was not divided equally. I think Mr. Vanderbyl paid more than either, according to the best of my recollection.

9882. (*Mr. Anstey.*) When was the payment made?—The account was made up after Mr. Vanderbyl's election.

9883. The first or second election?—The first election.

9884. (*Mr. Coleridge.* Who can give us the account?—Mr. Henry Lovibond and Mr. Barham are the only two I know.

9885. You have no idea what the amount was?—I have no idea. If I knew I would tell you.

Mr. JOHN PRIOR recalled.

Mr. J. Prior.

9886. (*Mr. Price.*) I want to state to you in the first instance, as you are bound in duty to make the fullest possible disclosure, not only as to matters which may in any way criminate you, I do not say it offensively, but incidentally as to any witness, you ought to make the fullest disclosures as to anything you know respecting money matters at the elections. Now we wish to ask you this question, do you mean to say, really that Mr. Sealey, your partner, had no cognizance of the transaction you related yesterday, with regard to this cheque deposited by Dr. Kinglake the memorandum for 500*l.* which passed across the counter?—I am quite sure of this, that he knew nothing about it until it came out in court about the 500*l.*

TENTH DAY.

Mr. J. Prior.

2 Sept. 1869.

9887. But about the 1,000*l.* cheque?—I never mentioned it to him.

9888. Would not it in the course of business become known to him as your senior partner?—It was lodged with me in case it should be wanted.

9889. You did not put it in your pocket?—I put it in the drawer.

9890. (*Mr. Coleridge.*) Did not it pass through the books that night?—No, because nothing passed for it.

9891. (*Mr. Anstey.*) I understood you to say the next day, after business hours began I suppose, Mr. Kinglake called again and asked for the cheque?—Yes.

9892. Destroyed it and said, "This must be as if it had never happened"?—He did.

9893. Surely, in the interval, business hours having commenced at 9 or 10 o'clock, you had done something with the cheque?—No, I had not.

9894. Then do I understand you to say from the time Dr. Kinglake gave it to you until the time you gave it to him it remained in your drawer?—It remained in my drawer.

9895. What time did you give it up?—About 12.

9896. And what time do you open the bank?—At 10.

9897. As that is a remarkable circumstance, especially as the amount is very large, I must ask you, did you keep it in your drawer, that is to say, did you hold it from passing in the usual way through the bank and into the bank books in consequence of any arrangement or understanding between you and Dr. Kinglake?—Of course I should not make any use of the cheque.

9898. Will you kindly answer the question as put? Was the manner in which you disposed of that cheque, keeping it in your drawer, and not allowing it to go through the banking account into the books, in consequence of any arrangement between you and Dr. Kinglake to that effect?—The fact is this——

9899. Will you answer the question, yes or no?—The fact is——

9900. Will you kindly answer the question. Was there an understanding or arrangement between you and Dr. Kinglake to that effect?—Dr. Kinglake never told me——

9901. Will you have the kindness to tell me that?—But if you will allow me to explain that.

9902. Say yes or no, and then you can explain afterwards?—There was no understanding to that effect.

9903. He called after business hours and give you this cheque. Was it part of the understanding or arrangement then come to between you that you were to keep that cheque out of the bank books, not to deal with it?—Yes.

9904. Did he tell you why he wished that to be done?—No, he did not.

9905. But you inferred it?—I inferred it.

9906. What did you infer?—That I was not to make use of that cheque unless I was asked for the money.

9907. Did you infer the reason why it was not to be made use of was that the transaction was to be kept secret from all the world?—Well, it would not have been secret if the money had been demanded.

9908. But in the meantime?—Well, it would, of course.

9909. Did he further tell you when he gave you the cheque, anything to this effect: "The money may not "be wanted, therefore I do not want it to go into the "bank books until it will be wanted?"—Well, he did not make any remark of that kind to me.

9910. Nothing to that effect?—Nothing to that effect.

9911. Did you understand that was so?—Well, I understood that it was provisional in case the money should be wanted, that is it.

9912. Then instead of 1,000*l.* the next day, 500*l.* were wanted?—Yes.

9913. With regard to that 500*l.*, you say you advanced that on your own responsibility. Has that 500*l.* which you certainly paid out of the bank from your monies been made good to you to this day?—It has not.

9914. (*Mr. Price.*) I suppose it appears in your books that 500*l.* was paid out on that day?—No, it does not. I put a memorandum in the cash—balanced the cash.

9914*a*. A memorandum to the effect that you owed the bank 500*l.*?

9915. (*Mr. Coleridge.*) Mr. Sealey knows all about that, of course?—No, he did not at the time.

9916. (*Mr. Anstey.*) When did he first know of it?—About two or three days since.

9917. (*Mr. Price.*) This memorandum of yours is a kind of I.O.U. to the bank?—Yes it was.

9918. That would appear amongst the securities of the bank?—Yes, it would in our cash.

9919. Would it not be entered in the day book, waste book, or ledger?—No.

9920. There would be 500*l.* amongst your other cash at the close of the day less?—This memorandum made up our statement of account.

9921. Surely there would be a book somewhere kept by some clerk, or else the clerk who had cashed cheques at the counter that day would have to account for the deficiency of 500*l.*, or some one would?—I placed my memorandum in the cash account.

9922. (*Mr. Coleridge.*) Was that memorandum as if you had drawn out that money for your own uses?—It was not stated.

9923. Supposing you had wanted 500*l.* for your own purposes, is that the way you would have taken the money, and then put a memorandum to balance it?—Exactly so.

9924. (*Mr. Price.*) Have you that memorandum?—I destroyed it. I debited myself yesterday when I went from here with the 500*l.*

9925. (*Mr. Anstey.*) Yesterday for the first time?—Of course—in our books.

9926. For the first time?—For the first time in our books.

9927. Have you not a book of your own not connected with the bank?—I do not keep any cash account.

9928. But do you keep any book in which you enter sums that are owing to you?—No, nothing more than our ledger.

9929. Do you mean to say that when you sent your son with this large sum of money on the day of the election, you did not put down in any memorandum book, or account book, or book of any kind the fact, and the name of the person to whom you were to look for repayment?—No, I did not.

9930. (*Mr. Coleridge.*) To whom do you look for repayment first of all?—Through Mr. Mogg and Mr. Lovibond?—

9931. Which should you sue if it was not paid?—That I should be advised by a solicitor.

9932. Have not you been already advised?—No.

9933. Not at all?—I have not.

9934. (*Mr. Anstey.*) Have you any doubt that you will be repaid that money?—I have no doubt.

9935. Who will repay it to you?—That I do not know.

9936. Recollect this is a serious thing?—I know it is.

9937. Do you mean to say that a year nearly having elapsed, you do not know which of those two persons, if either of them, is to pay you the money when it will be safe to pay it?—Mr. Lovibond has told me he should get it from Mr. Kinglake, Dr. Kinglake.

9938. You said Mr. Kinglake just now?—Dr. Kinglake. Mr. Kinglake does not know anything about it.

9939. Speak for yourself: we shall have to determine whether he knows anything about it?—Of course.

9940. Then in point of fact it is to Dr. Kinglake that you look, not immediately, but ultimately through Mr. Lovibond?—I expect so.

9941. Supposing (a great supposition) that Dr. Kinglake were to refuse authority to Mr. Lovibond or Mr. Mogg, for the repayment of this money, you would address yourself to Dr. Kinglake, I suppose, direct on the subject; supposing Mr. Mogg and Mr. Lovibond were to tell you that Dr. Kinglake absolutely refused to pay you the 500*l.*, would not you look to Dr. Kinglake ?—Well, I should apply to him for it.

9942. (*Mr. Price.*) It seems incomprehensible to me. The 500*l.* is gone that day out of the bank; you say you deposited a memorandum in your cash book, that is to say, "Memorandum D.," or whatever it may be, "500*l.* self" ?—Yes.

9943. Is that the way you entered it ?—Yes.

9944. "Memorandum D, self 500*l.*" ?—Yes.

9945. The cash book will show us that ?—No, the cash book would not.

9946. How would your partner, if he had been informed, or knew, as he might well, at the end of the day that 500*l.* had gone out of the bank for which no cheque was drawn, and which did not appear in the books—he would have made an investigation, I suppose; would he be satisfied as to that 500*l.* ?—That 500*l.* was coupled in with the gold for the day, and there did not appear to be any alteration in our cash.

9947. You must have had less by 500*l.* than in the morning ?—But then the memorandum stood in the place of the gold.

9948. Would not Mr. Sealey, if he had seen that, known? Supposing he had gone and balanced the books himself that night, he must have discovered it ?—Then he would not; he was not in the way.

9949. Then has it never been discovered or talked of from that time to this ?—Never, till yesterday.

9950. (*Mr. Coleridge.*) Have you your cash book at the bank ?—Yes.

9951. I think the most satisfactory thing would be for you to bring us that here, and show us from that book how it is made out ?—The cash book would not show it.

9952. The cash book would show it negatively; it would show what you had not done which ought to have been done ?—It would.

9953. (*Mr. Price.*) If done in the ordinary way of business ?—It was not.

9954. But if it had, what would you have done? If a customer had come in, and you had given him 500*l.* over the counter, what would be the first thing ?—I ought to have debited him with it.

9955. In the day book ?—In our journal.

9956. But it would have gone through two or three, would not it ?—Yes.

9957. First, the book you keep on the counter ?—A journal, cash book, and ledger.

9958. And then at the end of the day they would balance each other ?—They would balance each other.

9959. With the balance you have in hand it ought to be a clear balance ?—Yes.

9960. And everything correspond ?—Of course.

9961. And if done in that way would [the deficiency of 500*l.* be discovered in any way by a clerk going through the balance ?—Of course it would.

9962. Then the clerk would find out at the end of the day there was a sum of 500*l.* gone ?—Yes.

9963. Would he not call the attention of the head of the bank if he did not find a security or memorandum in the books ?—Yes, but there was a memorandum put in with the gold showing there was 500*l.*

9964. (*Mr. Coleridge.*) Upon a separate bit of paper ?—Upon a separate bit of paper.

9965. (*Mr. Price.*) Then he would enter that memorandum ?—He would do so.

9966. (*Mr. Coleridge.*) Do you mean that it went into the box with the gold ?—Yes; we do not count over our gold every day.

9967. (*Mr. Price.*) He would take it that the gold was not diminished; he would not see the memorandum ?—He would not.

9968. He would take it that the gold was not diminished ?—Yes.

9969. How would you check a clerk who chose to walk off with 500*l.* ?—I should be able to check it.

9970. How ?—Because I should.

9971. Supposing a clerk walked off with 500*l.*, how should you check it ?—We should soon find out that.

9972. By counting ?—Or by weighing.

9973. (*Mr. Coleridge.*) You never count gold; it is all done by weight ?—Chiefly done by weight.

9974. If you paid away 100*l.* over the counter you would weigh it ?—We count and weigh them.

9975. (*Mr. Anstey.*) Do you tell us that this is an isolated transaction ?—It was.

9976. Have you never personally on your own account taken out so large a sum as 500*l.*, and left no voucher for it ?—I have not.

9977. (*Mr. Coleridge.*) Have you taken out any sum and left no voucher for it ?—I have not.

(*Mr. Price.*) You must get us that cash book.

9978. (*Mr. Anstey.*) Was it a regular or an irregular transaction, according to your ordinary way of business ?—Well, it certainly is irregular.

9979. According to your way of doing business ?—Yes.

9980. (*Mr. Coleridge.*) Since that transaction another year has come; did not you at the end of the year balance the accounts of the bank ?—Yes.

9981. The profits and loss, and everything ?—Yes.

9982. When you came to this 500*l.* how did you account for it to Mr. Sealey ?—That memorandum still remained in the gold.

9983. (*Mr. Price.*) Was it seen; a memorandum would not weigh anything ?—No.

9984. It would not weigh 500*l.* ?—No, but we do not weigh over our sovereigns.

9985. When you struck a balance at the end of the year, could 500*l.* have gone out of your sovereigns, supposing there was no paper put in, and never be discovered ?—I should have discovered it.

9986. Why ?—Because I took the most active part.

9987. How would you discover it ?—Because I go to the strong-room every day.

9988. (*Mr. Coleridge.*) Does Mr. Sealey never see the box in which this memorandum with the gold was put ?—He never interferes.

9989. Does he not from one end of the year to the other ?—He sees the books and gold there.

9990. Was this memorandum loose, or in a bag ?—It was put into a bag.

9991. With gold ?—With gold.

9992. How much gold ?—500*l.*

9993. (*Mr. Price.*) Are your bags 500*l.* each ?—We keep it in bags of 500*l.* for convenience.

9994. (*Mr. Anstey.*) Supposing a person went to take a bag of 500*l.* by your direction—your son, I presume ?—Yes.

9995. Supposing he had taken two, and kept one himself on this occasion, how should you have found it out ?—I should have seen it, because he would have passed before me with the gold in his hand.

9996. Supposing he had taken the bags and concealed it ?—The memorandum was not in the bag when he took it.

9997. You were not in the room where the gold is kept when he took the bag ?—No.

9998. Supposing he had gone and taken two or three bags, taken advantage of those irregularities, and concealed one or two, and came to you with one, what was to prevent that ?—I should soon have found that out.

9999. (*Mr. Price.*) Then you would be the only person, as I understand, as between you and Mr. Sealey, who would have detected any such abstraction as that ?—I am.

10,000. The only person ?—The only person.

10,001. (*Mr. Anstey.*) Then why destroy the memorandum ?—Because I debited myself with it.

10,002. That was only yesterday ?—Because I did not wish Mr. Sealey to know.

10,003. When did you destroy this memorandum ?—Yesterday.

TENTH DAY.

Mr. J. Prior.

2 Sept. 1869.

10,004. (*Mr. Coleridge.*) After you had been examined here as a witness ?—Yes.

10,005. (*Mr. Price.*) That was very wrong indeed ?—I was not aware of it.

10,006. (*Mr. Anstey.*) Let us look at your subpœna ? (*The witness handed it.*)—I considered it was a document of my own—private.

10,007. You are not the person to judge of that.

10,008. (*Mr. Coleridge.*) Nothing is private to us.—If I have done wrong I did it in inexperience, I can only say that.

10,009. (*Mr. Anstey.*) What were the words of the memorandum ?—"J. P."

10,010. (*Mr. Price.*) You could not but suppose that this was a document which would come within one or other of these words : "You are to produce "all books, papers, deeds, and writings in your pos- "session or custody, or under your control, which re- "late to any of the matters to be inquired into by us." Were you quite sure that a matter inquired into by us would not be the money which passed into your hands, and this was a paper relating to this matter ?—It was my own paper.

(*Mr. Price.*) That makes no difference.

(*Mr. Anstey.*) Your papers are our papers.

10,011. (*Mr. Coleridge.*) What was written on it ?—"J. P., 500*l.*"

10,012. Is your name John Prior ?—Yes.

10,013. Was there any signature to it ?—Yes.

10,014. (*Mr. Price.*) I do not see your object in destroying it as far as Mr. Sealey is concerned. I suppose he reads the papers, and will read the history of this transaction ; therefore your destroying that, and debiting yourself with it does not seem to make any difference ?—If I have done wrong I have done so ignorantly.

10,015. (*Mr. Anstey.*) Surely. You were told that we could not go on to this part of the case without documentary evidence before us, and you were told to have the books in court to-day ; did not you understand that ?—Yes.

10,016. Did not we tell you distinctly that without the items, entries, and so on, referring to this matter, we could not satisfactorily to ourselves conclude your examination ; and then after being told that, you go and destroy the only voucher of this bribery transaction, namely, the paper which Mr. Mogg gave you when he rushed into the bank ?—Well, I was not aware that that was anything connected with the election.

10,017. It was your own memorandum ?—It was my own memorandum.

10,018. Made at the time ?—Made at the time.

10,019. (*Mr. Coleridge.*) Under what date have you debited yourself with this 500*l.*, yesterday's date ?—Yesterday's date.

10,020. Have you your books here ; we want your journal and cash book for last year ?

10,021. (*Mr. Price.*) Tell us why you debited yourself with this 500*l.* ?—Because from the evidence which I gave here yesterday I stated that Mr. Sealey knew nothing about it. He knew nothing about the transaction. It was a foolish thing for me at the time ; I was taken by surprise, and did it without thinking.

10,022. (*Mr. Anstey.*) Do not you know that other people knew of this transaction if Mr. Sealey did not ?—I was not aware of it.

10,023. Were you not aware it was the talk of the town ?—I was not aware of it.

10,024. You never heard that the people here were fully aware that money had been obtained at your bank over the counter that day by someone on behalf of Mr. Kinglake without a cheque ?—No, I never heard of it.

10,025. I am not a Bridgwater man, but I must say that I have heard of it.—I have not heard of it

Mr. Carey Bailey Mogg sworn.

Mr. C. B. Mogg.

10,026. (*Mr. Price.*) Are you a merchant carrying on business in Bridgwater ?—Yes.

10,027. Are you a member of any firm or in business for yourself ?—I am in business for myself.

10,028. Have you taken an active part in electioneering matters in this town ?—Well, I do not know ; I have taken an interest, not an active part.

10,029. But have you taken a part in the management of elections ?—No.

10,030. Have you been in consultation with anybody about the management of elections ?—Occasionally.

10,031. With whom ?—I am sure I cannot say.

10,032. With any of the lawyers ?—No.

10,033. Never ?—Never.

10,034. (*Mr. Coleridge.*) Always on the Liberal side I suppose ?—On the Liberal side.

10,035. (*Mr. Price.*) But never had any connexion with the lawyers regarding the management of election matters ?—Certainly not.

10,036. In any way whatever ?—In any way whatever.

10,037. Have you ever been entrusted with any secrets of theirs with regard to election matters ?—No.

10,038. None of them ?—No.

10,039. Have you never interfered in any way with regard to money matters at elections ?—Never in my life.

10,040. Did you go down to the bank on the day of the last election ?—I did.

10,041. How came you to go to the bank ?—Mr Lovibond asked me to deliver a message for him.

10,042. Did he not tell you what the message was ?—Yes ; "500*l.* to Allan."

10,043. Do not you call that having confidence reposed in you with regard to election matters ?—The last election ?

10,044. Yes ?—Yes.

10,045. I am asking you about the last election, whether you were in communication with the legal gentleman on election matters ?—The last election I was.

10,046. Then you were in communication with them ?—Mr. Lovibond.

10,047. How often ?—Only that once.

10,048. Had you had any conversation with him before you went down to the bank ?—No.

10,049. Nothing ?—Nothing except what I told you.

10,050. Did he come to you ?—He came to me.

10,051. Why did he select you to go down with a note "500*l.* to Allan" ?—He did not give me a note.

10,052. How came he to come and tell you to go ?—He came up to me in the street and asked me to deliver a message to Mr. Prior for "500*l.* to Allan."

10,053. (*Mr. Coleridge.*) Did he say to Mr. Prior ?—Yes ; and in the excitement of the moment I went and did it.

10,054. (*Mr. Price.*) What excitement were you under ?—Electioneering excitement.

10,055. (*Mr. Coleridge.*) Had you voted at that time ?—Yes.

10,056. (*Mr. Price.*) Then you have taken an active part in the last election ?—At that moment.

10,057. You say you were under excitement about the election ?—Yes.

10,058. You had taken an active part I suppose to excite you ?—Well, I am soon excited in election matters.

10,059. Then in a state of excitement you went down to the bank ?—I did.

10,060. Had you no other conversation with Mr. Lovibond whatever ?—Not any.

10,061. Did you know who Allan was ?—Yes.

10,062. That he was bribe agent ?—Yes.

10,063. And therefore Mr. Lovibond mentioned him as a person you perfectly knew ?—Yes.

10,064. You knew it was bribe money you were going for ?—I had no doubt about it.

10,065. And you did not refuse in the excitement of the moment to do so?—I did not.

10,066. You knew you were to go and get money at the bank to take it to Allan for the purpose of bribing it?—I did not take it, I was only to deliver the message.

10,067. You knew you were to be the means of getting the 500*l.* to be put into Allan's hands to bribe with?—Yes.

10,068. That is what you knew?—I thought so, I was not told it.

10,069. You had no doubt of it?—I had no doubt of it.

10,070. Were you ever asked at any time before in your life to take a message for money to Mr. Prior about money?—No.

10,071. (*Mr. Anstey.*) Therefore you went with the intention to get Allan 500*l.* to bribe with?—No doubt about it.

10,072. (*Mr. Price.*) You had voted you say?—Yes.

10,073. When you went to the bank and got this what did you do?—I saw two persons in the bank, and then I asked for some paper, and wrote down on that paper "500*l.* to Allan."

10,074. Who did you see at the bank?—I think it was Mr. Prior and his son.

10,075. Anybody else?—I did not.

10,076. What did you do after that?—Nothing.

10,077. You were not a customer of the bank?—No.

10,078. How did they know you as a person in authority from Mr. Lovibond?—They did not know it at all. I was very much surprised they did not ask me any question.

10,079. You were not a stranger to them?—Certainly not.

10,080. Your personal appearance was known?—Yes.

10,081. (*Mr. Coleridge.*) Did Mr. Prior or his son give you to understand that he knew perfectly well that he knew someone was coming?—I thought it was made up before.

10,082. (*Mr. Anstey.*) Did you mention Mr. Lovibond's name to him?—I did not; I was in such an excited state that I forgot Mr. Lovibond altogether.

10,083. And all you said was "500*l.* to Allan"?—Yes.

10,084. And that you said on paper?—That I said on paper.

10,085. And you were so excited that you did not mention Mr. Lovibond?—I did not.

10,086. And you were not a customer of the bank, yet Mr. Prior immediately honoured your order?—He did.

10,087. What did he say to you?—Not a word passed more than that.

10,088. Did he say "Yes" or "All right"?—No, he handed it to his son.

10,089. Handed what?—The paper.

10,090. What did the son do?—I do not know.

10,091. You went away?—I went away.

10,092. You were told by Mr. Lovibond to deliver the message and immediately to leave. When he told you to deliver those words "500*l.* to Allan," did he also tell you "As soon as you have delivered the message to come away"?—No, he did not say anything. I did come away.

10,093. Then why did you come away immediately after you had put those words down on paper?—I had delivered my message, and had done with it.

10,094. He did not say "All right"?—No.

10,095. Neither of them?—Neither of them.

10,096. Was it in the bank parlour or the counter?—In the bank.

10097. In the office?—In the bank; in the public room.

10,098. You wrote it on paper for fear that it should be heard by other people?—I did.

10,099. And that is the reason why you did not speak?—Yes.

10,100. What o'clock was it?—I think about a quarter to three.

10,101. When you saw Mr. Lovibond first?—Yes.

10,102. Did you tell him "Our party," that is your party "is beaten"?—Yes.

10,103. Did you tell him also "The brickyard men of Brown's you know will not vote without being paid?—I had heard so.

10,104. You told him you had heard that?—Yes.

10,105. Were you still under the impression that they would not vote without being paid when you received the message from Mr. Lovibond?—Yes.

10,106. And that being so, you say you had never being engaged in a transaction of this kind before?—Never.

10,107. Did it not strike you that you were mixing yourself up in a discreditable transaction?—No, it did not. I was so excited I forgot where I was. That is how it is.

10,108. (*Mr. Anstey.*) You were three hours and a half active?—Yes; but the election was given up, and I went home to dinner.

10,109. (*Mr. Price.*) You had sufficient knowledge of what you were doing to know that you were going to get money to bribe with?—Yes.

10,110. You were sufficiently cool to know that?—No, Mr. Lovibond spoke to me. I was not.

10,111. Not what?—Cool enough.

10,112. Enough to be aware that you were asked to get money to bribe with?—Yes.

10,113. Then as you were cool enough to know that Mr. Lovibond wanted you to go and order this money to bribe with, did not it strike you as a man in your position, that it was a transaction that you ought to have had nothing to do with?—I had no time to think about it, I did not think at all.

10,114. Had not Mr. Lovibond spoken to you about making yourself useful the day before?—No.

10,115. When had you first any conversation as to the part you should take?—Then.

10,116. Did he come into the house?—He met me in the street.

10,117. And merely upon that representation, you having voted and done with your own voting, you went down and asked for this sum of money?—I did.

10,118. You knew perfectly well what the money was for?—No doubt about it.

10,119. Who told you these men would not vote without being paid?—The report was in the town.

10,120. Who told you?—I cannot say now.

10,121. Had Mr. Lovibond told you?—No.

10,122. Any of the lawyers?—Not one of them.

10,123. Was it any official person who told you?—No.

10,124. Any personal friend of yours?—It was generally reported.

10,125. By any personal friend?—No.

10,126. Any member of your family?—No.

10,127. Then I do not understand if there was no teller how you could have heard of it?—It was reported in the town that Brown's people would not vote unless they were paid.

10,128. Then if you did not hear that report the fact of their being such a report would not have informed you?—I did hear.

10,129. Who indicated it to you?—I cannot say. I heard it from hundreds.

10,130. Hundreds of persons told you?—I do not know; a large quantity.

10,131. How many persons did you describe under that name "Brickyard men of Brown & Co."?—I should think 400 or 500.

10,132. Are they all new voters?—I do not know that.

10,133. Are all those men voters?—I cannot say.

10,134. Most of them are?—I should think so.

10,135. Who had never voted before?—I cannot say.

10,136. You say most of them were new voters?—I did not know one in 20 of them.

TENTH DAY.

Mr. C. B. Mogg.

2 Sept. 1869.

10,137. But from your knowledge of their condition in life should you be of opinion that those who were voters would have no vote but for the last reform Act?—I should think whether old or new voters they would all take the money.

10,138. But from your knowledge of the place would you say they were men in that condition who were enfranchised the first time by Mr. Disraeli's Act?—I should think many of them were old voters.

10,139. But the majority of them?—I cannot say; I do not know.

10,140. (*Mr. Price.*) Do you employ men under yourself?—I do.

10,141. How many?—Several.

10,142. How many?—Four or five.

10,143. Voters?—Yes.

10,144. How do they vote?—With me.

10,145. (*Mr. Anstey.*) Whichever way that is; whichever way you go?—I do not know that.

10,146. But always with you?—Two were new voters.

10,147. And they voted with you?—Yes.

10,148. As the old ones had?—Yes.

10,149. Then it strikes me as being an extraordinary thing if you had not taken a more active part at the last election that Mr. Lovibond should have rushed up to you to make you a co-conspirator with him unless you had taken an active part. I cannot understand it; therefore, unless you make some fuller disclosure it will be a very great question whether we shall believe you are giving us the whole truth?—I know nothing else.

(*Mr. Anstey.*) Then it was very extraordinary to make you go, a stranger in bribing matters, if you had not been in their secrets, or taken a more active part than you say.

10,150. (*Mr. Coleridge.*) Mr. Lovibond put him and his party entirely in your power. Was he likely to have done that unless there was some reason for knowing that you should be trusted? Had you done anything at former elections for them to know that you were a fit and proper person to undertake a delicate matter?—I had not done anything with him, or voted with him.

10,151. But had you done anything at all? I do not say anything about money, but shown by your zeal at former elections that you were a person to be trusted?—To be trusted.

10,152. Yes?—No doubt about that.

10,153. Had you business relations with Lovibond?—No.

10,154. Were you a client of his?—Yes.

10,155. (*Mr. Price.*) Under pecuniary obligations to him?—Not the least in the world.

10,156. And never been?—I have never been.

10,157. (*Mr. Anstey.*) Have you had money transactions or business transactions of any kind with him?—Never in my life.

10,158. Then you must give us some reason why in your opinion Mr. Lovibond selected you to become a bribe agent?—I do not think he selected me, first of all. He selected some others first.

10,159. Whom did he select first of all?—I do not know.

10,160. Why do you think he selected others?—Because I have been told so.

10,161. Who told you?—Mr. Ford.

10,162. Mr. Ford told you what?—That he had asked a person before me.

10,163. And who was that person?—I do not know.

10,164. And that person had refused?—I suppose so.

10,165. Mr. Lovibond being refused by that person, whoever it was, came to you and asked you. What reason had Mr. Lovibond for supposing that you would, without a word of explanation, immediately undertake the office of bribery agent, and put yourself on a level with the Bussells and Allans, and those he had previously employed?—I cannot say that.

10,166. (*Mr. Coleridge.*) You say you have four or five men; two are new voters. How many voters altogether have you under you?—Four.

10,167. Are any of them persons who had been bribed on this occasion?—Not to my knowledge. Yes, I beg your pardon, two.

10,168. (*Mr. Price.*) What names?—George Luckes and Frederick Jones.

10,169. Did you tell them where to go and get the money?—I?

10,170. Yes?—Never in my life.

10,171. Did you tell them you had been getting money for Allan, and Allan would pay them?—I did not know they were bribed until I saw Mr. Bussell's evidence.

10,172. (*Mr. Anstey.*) Were they two new voters?—Two old ones.

10,173. Were the other men in your employ old or new?—New.

10,174. Did they get bribed?—I do not know.

10,175. What names?—William Court and John Cuff.

A. Allan.

ANDREW ALLAN recalled.

10,176. (*Mr. Anstey.*) Are either of these names known to you as men who receive bribes?—I do not recollect at that last election.

H. C. Bussell.

HENRY CHAPMAN BUSSELL recalled.

10,177. (*Mr. Anstey.*) Are either of those names known to you?—Luckes has been returned. He did not vote for the last election. He was not here; Cuff was.

10,178. Was he bribed?—Not that I know of.

10,179. Did not Luckes vote?—He was not here.

10,180. Was he bribed?—No.

10,181. We are asking about this election. Were either of the four men bribed at this election?—Three at this election; three voted.

10,182. Were they all three bribed?—I do not know.

10,183. Was the other man bribed, Jones?—Jones had no vote.

10,184. Luckes?—He was not here.

10,185. The other man?—Torr was here.

10,186. (*To the witness.*) Is that a man in your employment?—Yes, he was mate of my vessel.

10,187. You have not told us his name. You say Cuff, and Jones, and Court, and another man. Was he a new voter or an old one?—A new one.

10,188. Any relation of Torr, the Wesleyan preacher?—I cannot say. I think not.

10,189. Did he vote?—Yes.

10,190. Did he get any money for it?—Not to my knowledge.

10,191. (*To Allan.*) Do you know that name?

(*Bussell.*) I do not know him; he is master of a vessel.

(*Mr. Anstey.*) Did he get any money?

(*Bussell.*) No.

(*Mr. Anstey.*) Did he ask for any?

(*Bussell.*) He asked me afterwards for his expenses. I telegraphed for this Torr.

(*Mr. Price.*) That is one of the men you telegraphed for?

(*Bussell.*) Yes, and he asked me for his expenses.

(*Mr. Coleridge.*) Was he one of those you gave 5*l.* to?

(*Bussell.*) No, that was a former election.

(*Mr. Anstey.*) Did you promise Torr?

(*Bussell.*) I told Torr if I could get anything for him I would.

TENTH DAY.

H. C. Bussell.

2 Sept. 1869.

(*Mr. Anstey.*) For his vote?

(*Bussell.*) For his expenses.

10,192. (*Mr. Anstey.*) But for his vote did you promise him anything?—No.

10,193. (*Mr. Coleridge.*) What is Torr's christian name?

(*Bussell.*) George Torr.

10,194. (*Mr. Price, to the witness.*) Have you anything else to tell us, because it is not a satisfactory account which you give of the way you were mixed up in this transaction of the 500*l.*?—Nothing at all.

10,195. You best know whether you wish it to go forth that you, an apparently respectable man, without having done anything of the kind before, consented at once to become bribe agent, because Mr. Lovibond, to whom you were under no obligations, asked you?—The only excuse I can make is that I went in the excitement of the moment, without thinking about it.

10,196. (*Mr. Coleridge.*) What was the first election you voted at?—I cannot tell you now.

10,197. In 1835?—Forty years ago.

10,198. Have you at any election from that time to this received or given anything to any person for a vote at any election?—Never in my life.

10,199. (*Mr. Anstey.*) Is this Luckes' name James?—George.

10,200. What is James Luckes?—I do not know.

HENRY CHAPMAN BUSSELL recalled.

H. C. Bussell.

10,201. (*Mr. Anstey.*) You also telegraphed to James Luckes, did not you?—Yes, I did.

10,202. You brought him from Cardiff?—Yes, he was in another employ.

10,203. Was he anything to George Luckes?—A brother.

10,204. Did he get a bribe?—I never saw him at all, and he has never spoken to me since about the matter. It appears he came over and voted, but I never saw him at all.

10,205. Who saw him?—I do not know who; I never saw him.

10,206. Did you not meet him at a quarter to three, as he was going over the bridge, and say to him, "Luckes, have you polled"?—That is another brother again.

10,207. No, the same one I am asking you about?—No, that is William Luckes.

10,208. I am quoting from the report of the proceedings before Mr. Justice Blackburn. "Did he get "any money for his vote?—I do not know whether he "had it from our opponents; he did not have anything, "not from us." Did you promise him anything?—I did.

10,209. Did he ask for any?—No; he stood on the bridge. A lot of men who stood by said to me, "Here is Luckes up there. Why do not you go and speak to him?" I said, "I do not like to have anything to do with him." I can get witnesses to prove that.

10,210. Why not?—I thought he was rather a dangerous customer to have anything to do with in election matters. I was afraid he would go and tell if I had anything to do with him.

10,211. Had he generally voted in the Conservative interest?—He had, and generally voted without money, and had gone for them, and he wanted it at former elections from us.

10,212. This is another instance of one brother taking bribes on one side, and another the other side?—I believe he is the first who ever did.

10,213. Nevertheless, you sent that telegraphic message to him?—To James, another brother.

10,214. Did you send a telegraphic message to William Luckes?—No, he was here at the time.

10,215. But you are stated on the evidence of James Luckes himself, not William, before Mr. Justice Blackburn, to have sent him a telegram?—That is right.

10,216. To have brought him over by that telegram, and then on the day of the poll to have met him going over the bridge at about 15 minutes to three. The rest I will give you in his own words. "Captain Bussell "said 'Luckes, have you polled?' I said, 'Hours "'ago, sir.' That is all I said to Bussell, and all "Bussell said to me"?—I do not recollect seeing any of the Luckes, only the one, that is William Luckes. I do not recollect seeing any of the others.

10,217. (*Mr. Anstey.*) Before you go, Mr. Mogg, I think it fair to tell you, on this point I, for one, and, I believe the other Commissioners also, at all events I for one, shall require a great deal more information before we consider you have given any answer to our question—the question I put to you, to which the answer I got from you at last was "I can-"not explain it," that is to say, "Was there any "previous communication with Mr. Lovibond, which "could have made him believe that he would find in "you a ready bribery agent?" I do not consider you have answered that. You say you cannot explain it more than you have?—I cannot answer it more than I have just now.

(*Mr. Anstey.*) You had better think over it, and give your explanation at a subsequent hour of the day, if possible, otherwise, I am afraid it will be very hard against you.

10,218. (*Mr. Price.*) Had there been any intimate relations between you and Mr. Lovibond of any kind whatever?—I had been on terms of friendship with him.

10,219. Intimate friendship?—Yes.

10,220. Had there been any communication between you and him as to the mode in which elections had been conducted?—We had a conversation.

10,221. Had you ever had any communication with Mr. Lovibond as to the mode in which elections had been conducted?—No. He never spoke to me on the subject that money had been spent at elections.

10,222. (*Mr. Anstey.*) You must also give some explanation of the facility, with which you, a stranger to the bank were trusted in the way in which you describe yourself to have been by Mr. Prior, without any person being there on Mr. Lovibond's behalf, and without your having told them that you came from Mr. Lovibond?—Perhaps Mr. Prior will explain that to you.

10,223. No, I will have it from you?—I cannot answer more than I have.

(*Mr. Anstey.*) Very well. The same remark applies to that answer.

Mr. W. JOHN FORD recalled.

Mr. W. J. Ford.

10,224. (*Mr. Price.*) Mr. Mogg tells us that you said to him that Mr. Lovibond had applied to somebody else to do this work, and that person was refused?—Yes.

10,225. Who was that person?—That Mr. Lovibond spoke to?

10,226. Yes?—Charles Robert Bate. We happened to meet in last evening, and I told him then.

10,227. I understood from Mr. Mogg that you told him at the time?—Only last night.

Mr. JOHN PRIOR recalled.

Mr. J. Prior.

10,228. (*Mr. Coleridge.*) Have you the books?—Yes. (*The witness produced some banking books.*)

10,229. Which is the journal?—This is it.

10,230. Turn to the entry of the 15th November?—The 17th November it is.

10,231. Is Mr. Andrew Allan a customer of your bank?—He is.

TENTH DAY.
Mr. J. Prior.
2 Sept. 1869.

10,232. Did he on the day before the election, draw out a sum of 42*l.* 10*s.* ?—If it is entered there.

10,233. Is this entry the day before the election (*referring*) ?—This is a credit to Allan.

10,234. It does not show who it was paid in by ?—No, we do not put it. For instance, if John Thomas paid in anything for himself, we should put in John Thomas's name ; but where it is paid in by anybody else, it is concluded.

10,235. Is this the side "drawn out" ?—No ; this is the debit side, and this is the credit side.

10,236. (*Mr. Price.*) Where is the transaction of Dr. Kinglake's cheque paid in on that day, where would it have appeared ?—It would have appeared in this book, had it been cashed.

10,237. On Monday 16th ?—No, on Tuesday.

10,238. Where would it appear here, if you had paid the 1,000*l.* ?—If it had been cashed it would have appeared here. We cashed a cheque of 10*l.* for Dr. Kinglake, and that was sent on to the bank.

10,239. (*Mr. Price.*) It ought to have appeared there, if it had been carried out ?—Yes.

10,240. Show us the book in which the 500*l.* would have appeared, if it had been properly drawn out by cheque that day ?—This is the book (*referring*).

10,241. (*Mr. Coleridge.*) What is that ?—This is the cash book of the 17th.

10,242. Where is the book in which you have debited yourself with that 500*l.* last night ?—When I say "last night," it was done this morning. I did not go to the bank last night.

10,243. (*Mr. Price.*) What is that ? When was that drawn out ?—That is from our London bankers.

10,244. Is that a debit to Mr. Lovibond ?—That is a debit to Mr. Lovibond.

10,245. When was that drawn out ?—I cannot tell the date of the cheque.

10,246. You say it came through the London house ?—From Williams. Williams's is our London bank.

10,247. He must have drawn a cheque which went to London ?—Yes.

10,248. (*Mr. Coleridge.*) That is Williams, Deacon, and Co., I suppose ?—Williams and Deacon.

10,249. Now show us where you have debited it ?—Here (*pointing to the book*).

(*Mr. Coleridge.*) "John Prior. Money 500*l.* Re Kinglake. Lovibond. Per Allan."

10,250. (*Mr. Anstey.*) How much is it ?—500*l.*

10,251. No interest ?—No. I have not charged it.

10,252. No ; but you have not debited yourself with interest ?—I have not.

10,253. (*Mr. Coleridge.*) When Mr. Sealey looks at this book, he must know all about that, just the same as if the memorandum had been kept ?—Oh yes.

10,254. Then what is the object of destroying the memorandum ?—I was not aware that I was doing wrong myself. It did not show any particular transaction connected with the election.

10,255. (*Mr. Anstey.*) What did the memorandum contain which you destroyed ?—"J. P. 500*l.*"

10,256. Nothing else ?—Nothing more.

10,257. What date ?—The 17th November.

10,258. Anything about the election ?—No.

10,259. What was your motive in destroying it ?—I thought it was of no consequence when I had debited myself with it. There was nothing said about election purposes.

10,260. (*Mr. Price.*) I understand you to mean to represent you kept this, so as at any time to be ready to show to Mr. Sealey that you meant to debit yourself with it ?—I did.

10,261. (*Mr. Anstey.*) Where did you keep it ?—In the bag with the gold.

10,262. Always ?—Yes.

10,263. In the bag with what gold ?—In another parcel of gold, another bag of gold.

10,264. I do not understand you. The gold to which that memorandum referred was surely spent and gone ?—No.

10,265. The 500*l.* mentioned in the memorandum, had all been spent and gone ?—Oh no.

10,266. I thought you gave the 500*l.* to your son to take down to Andrew Allan ?—I did that.

10,267. Where did you put that ?—In the adjoining bag.

10,268. For what earthly purpose did you do that, the adjoining bag having nothing to do with the transaction ?—No. It was to show that I had taken the money.

10,269. I do not understand you. How would it show that ? It would show that you had not taken the money with which the memorandum was, that is all it would show. You say there were bags of 500*l.* each ?—Yes.

10,270. When were those bags filled ?—Oh, perhaps a twelvemonth or more before.

10,271. One of those bags is abstracted ?—Yes.

10,272. Then, in lieu of the bag, you left no memorandum in its place, but you put a memorandum in another bag which is not abstracted and which has nothing to do with it. Allow me to ask you this : If any calamity had befallen you or your son, and after your death this matter had been inquired into, how would the memorandum, if it contained nothing more than you say it contained, in a full bag of 500*l.*, show that there had been another bag of 500*l.*, which had been emptied by you on the day named ? Just consider that ?—That memorandum of mine would show I was accountable for 500*l.*

10,273. How would it do that. It did not say, "Debtor to the bag." On the contrary, it might have meant, if it is only what you describe it, and that makes me regret more that I have not got it ; it would rather show that you were the owner, or claimed to be the owner, of 500*l.* in the bag, where you put that memorandum. All that you say in the memorandum is this : "17th Novr. 1868. J. P. 500*l.*" Would not any person finding that memorandum, and counting the money in the bag in which he found it, say, "Oh, this "must mean that this bag of 500*l.* belongs to J. P.—"Mr. Prior" ?—I do not keep any private bag there, you know.

10,274. (*Mr. Price.*) Do you mean to say, in answer to what Mr. Anstey suggests, that if you had died the next day, and your son had not known anything of the transaction, or if he had been absent from England, that by finding that memorandum in that full bag, Mr. Sealy would have judged that you owed the bag 500*l.* ?—Yes, he would.

10,275. (*Mr. Anstey.*) Is it not the case of a book in a library ? When a person takes out a book in a library, he puts a memorandum of his having taken it, and he puts it in the place where the book was ?—Yes.

10,276. But if he put it in the middle of another book which is not taken out, what would it show ?—I put it in the bag so that it might not be lost sight of.

10,277. By whom ?—Yes.

10,278. But you and your son were the only persons in the bank privy to the transaction ?—Yes.

10,279. (*Mr. Coleridge.*) Would it not have been better to have put it into the empty bag to represent the gold ?—It would have been so ; I did not think of that at the time.

10,280. (*Mr. Price.*) If you had done that it would have disclosed to anybody who had gone there that 500*l.* had gone ?—Yes.

10,281. (*Mr. Anstey.*) Are you quite sure that that memorandum did not show, on the face of it, some earmark by which that missing money could have been traced, more than what you have said ?—As I have represented, the memorandum was "J. P. 500*l.*"

10,282. Are you sure it contained nothing more than that ?—Nothing more than that.

10,283. Then it contained nothing at all according to you ? Is that what you mean to say ?—It showed that I was accountable for it.

10,284. (*Mr. Coleridge.*) Just tell me about this. Here is Reed and Cook, the day after the election, 310*l.* ?—Yes.

10,285. What is that ? Is that drawn out or paid in ?—That was paid in.

10,286. By Reed and Cook?—By Reed and Cook.

10,287. And here is another 100*l.* paid in by Reed and Cook?—Paid in to Paul Reed.

10,288. Two days after the election here is 371*l.* paid in by Henry Lovibond?—Yes.

10,289. Is he a regular customer of the bank?—Yes.

10,290. That had nothing to do with the repaying of the 500*l.*?—Oh no, not at all.

10,291. (*Mr. Anstey.*) Who goes to get the gold when more gold is wanted on the counter?—I generally take it.

10,292. Who else?—It is open for the rest.

10,293. And no other clerk was privy to it except your son?—No.

10,294. I ask you this question supposing more gold being wanted on a given day on the counter, some clerk, not your son, went in and took out this bag which contained the memorandum, and emptied the contents on the table, what would become of the memorandum?—He would have seen it.

10,295. But supposing he did not see it. Supposing that in turning it out it was lost, where would have been your voucher then?—We keep sufficient gold in the banking room from day to day for the purposes of the day, we keep a great deal more in our banking room.

10,296. Supposing a run on the bank happened to come one day, that is the meaning of my question, then you would have to go and get the gold out of this room into the public room?—Yes.

10,297. Supposing a person came to ask for 500*l.*, you would give him the bag and gold and all?—No, we would not.

10,298. Did you not give away this bag?—Yes, I did; that is not our ordinary practice.

10,299. You gave the bag as well?—The bag and all went.

10,300. (*Mr. Anstey.*) Then you deviated from your ordinary practice on that occasion?—I did.

(*Mr. Price.*) It is my duty to inform you that we entertain a very strong opinion as to the impropriety of your conduct in destroying that document last night, because although it may be perfectly true, as you profess, that you have given us a true account with regard to what took place as to this 500*l.*, it cannot but strike us as a matter of suspicion, that the document which was a kind of record of the transaction at the time, has been destroyed by you, and cannot be inspected by us. It is the more to be reprehended of course considering your position, and we are convinced that it is a matter which cannot be passed over without rebuke, and we intend to consider during the course of this inquiry what further light we shall consider that conduct in; but I make this announcement to you now on the part of myself and my brother Commissioners, as a warning to all persons who are summoned here as witnesses, that it is their bounden duty, whether it may be supposed their examination has been concluded or not, it is their bounden duty according to the tenor of the summons which they have received, to produce at once when they are called into the witness-box "every "document, paper, and writing which has relation to "the matter" upon which they are called as witnesses. That was a document which had an important relation and bearing upon the matters which you came here to depose to, and the destruction of a document under those circumstances is a very great contempt of the court before which you appear. Now under those circumstances, Mr. Prior, we shall consider whether any other notice ought to be taken of it; but we wish that to go forth to the public and to the persons who will be called here, in order that if we should have occasion to visit with punishment conduct of that kind on the part of any other person, it may not be said that we passed over lightly, and without the gravest censure, conduct of a similar kind pursued by a person in your position in the town.

10,301. (*Mr. Coleridge.*) You say you destroyed it last night?—I did.

10,302. But you also said that you made that entry in the book this morning, and not last night, because you did not go the bank last night?—Yes.

10,303. How could you destroy that document last night if you did not go to the bank?—I only went to the strong room. I merely went to the bag and destroyed it. I did not go into the bank.

10,304. Have you got the pieces?—No, I have not.

10,305. What has become of them?—I dare say they have gone into the fire.

10,306. Is there a fire there?—No; the person who clears our offices, and takes the waste paper away is allowed to burn them.

10,307. (*Mr. Coleridge.*) Could you find them if you were to take the trouble?—I think not. I beg to state that what I did was done ignorantly. I had no idea of any contempt of court at all. I take it as a private memorandum of my own, and not for election purposes.

(*Mr. Price.*) It is with that view that we have not visited upon you a very heavy fine for contempt of court; but still at the same time we could not allow it to pass, particularly as it is in the case of a gentleman in your position in the town, without stating that you committed a gross contempt of court in destroying that paper, and that it was deserving every mark of reprehension on our part.

(*Mr. Anstey.*) And understand we reserve even now our determination as to whether we shall deal further with this contempt or not.

Mr. John Lovell Sealey sworn.

Mr. J. L. Sealey.

10,308. (*Mr. Price.*) You are the head of the firm of Sealey, Prior, & Co., are you not?—Yes, myself and Mr. Prior.

10,309. Yourself and Mr. Prior are the firm—Yes.

10,310. You have no other partner?—No.

10,311. Now we will go at once to the matter we have been examining Mr. Prior to. Is it the fact that you knew nothing at all of this transaction at the last election?—Nothing whatever.

10,312. Then are we to understand that you took so little interest or interfered so little in the matter of balancing up the accounts and seeing what amount there was that an abstraction of 500*l.* from your coffers during the day should be undiscovered for a twelvemonth?—It was done in a way purposely to conceal it from me.

10,313. And do you mean to say that your partner could abstract 500*l.* in a day or any day from your bank without its being discovered by you?—He not only did abstract it, but I was not aware of it till within three or four days ago. I consulted my other clerk about it, and he was not aware of it either.

10,314. (*Mr. Anstey.*) Could he abstract any amount he pleased?—Well, no, I do not say that.

10,315. (*Mr. Price.*) What limit would you give him?—I cannot tell.

10,316. Has he taken out 2,000*l.* or 3,000*l.* at an election?—No.

10,317. (*Mr. Anstey.*) You heard probably there was a little agreement the night before which would have led to the abstraction of 1,000*l.*?—

(*Mr. Price.*) Without a cheque?—What agreement?

10,318. Dr. Kinglake had called the night before, and had paid in a cheque of 1,000*l.*?—I heard Dr. Kinglake's name mentioned for the first time last Sunday.

10,319. This was the state of things represented by Mr. Prior?—I never heard of a cheque of 1,000*l.*

10,320. We want to ask you a question. Mr. Prior said Dr. Kinglake came in the night before and handed

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him a cheque as his bankers for 1,000*l.*, but it was not to be entered in your books to Mr. Kinglake's account, but it was to be held as a kind of security if Mr. Lovibond required 1,000*l.* for Mr. Kinglake's election, and that he was to hear from Mr. Lovibond about it. Now was it possible that the whole of that 1,000*l.* could be abstracted from your coffers any day without its appearing in your books, and without your getting a knowledge of it until a year afterwards?—The 1,000*l.* was a cheque as I understand it.

10,321. Yes?—Lodged with Mr. Prior.

10,322. Not entered in your books in the ordinary way?—No, clearly not.

10,323. (*Mr. Anstey.*) A cheque to be lodged in your bank in his hands or his private house?—I presume he put it in his pocket.

10,324. (*Mr. Anstey.*) No; he kept it in his drawer.

(*Mr. Price.*) Was that a thing which your partner had a right to do?—It is impossible to draw the line. You may take a sovereign more or a sovereign less. It is impossible to say how much he might take without my finding it out, but this money was taken without my detecting it.

10,325. Can you give us any idea of how you account for the fact that Mr. Prior, a partner of yours, should lend himself to a transaction of that kind which he has studiously endeavoured to conceal from you; can you account for that?—Yes, I can account for it. He did not wish me to know it clearly.

10,326. Why?—He knew that I should have been vexed at it.

10,327. Had he mixed himself up so much in political matters or with Mr. Lovibond as to agree to become co-conspirator with him for bribing purposes?—I do not believe there was any agreement whatever.

10,328. Mr. Prior says there was. Dr. Kinglake comes and says to him, "Here is a cheque for 1,000*l.*; "keep it, but do not let your partner know it, and let "us have the 1,000*l.* to-morrow if Mr. Lovibond "wants it."

(*Mr. Anstey.*) On an oral demand?

(*Mr. Price.*) And without a cheque?

10,329. (*Mr. Anstey.*) And the whole or any part if Mr. Lovibond should require it?—What is your question?

10,330. (*Mr. Price.*) Is there anything in Mr. Prior's political life and intimacy with Mr. Lovibond, which can account for such a transaction between him and Mr. Lovibond?—Mr. Lovibond kept an account at our bank, and so far there was an equal relationship between us in the way of business.

10,331. Is that what operated on your mind?—In what way?

10,332. The fact of his keeping an account. One would suppose it ought not to have been kept from you if it was a *bonâ fide* transaction?—It was not a *bonâ fide* transaction.

10,333. Why did he wish to keep it from you?—Because it was a transaction they wished to suppress, and did not wish to appear.

10,334. Why?—Because it was money they wished to spend in corrupt practices.

10,335. Did Mr. Prior wish you to know it?—He says he did.

10,336. Would either of them, according to your opinion, either Dr. Kinglake or Mr. Lovibond, or Mr. Mogg, dare to make to you the same proposal as they did to Mr. Prior?—No.

10,337. (*Mr. Anstey.*) The chairman put this question to you, and I should like to hear it answered. Do you remember anything of any kind in Mr. Prior's antecedents which would lead them to think that he would be more easily dealt with, and induced to take a part in bribery, than you would?—I remember some cheques being cashed in 1866. I think I have communicated it to Mr. Purcell.

10,338. (*Mr. Price.*) Will you be good enough to tell us about it?—That which I remember about it is this——

10,339. Is that Vanderbyl's election?—Vanderbyl's election, 1866. I went into the bank rather earlier than usual; about 20 minutes to nine, and Mr. Prior showed me a cheque of 100*l.* I had the keys; and he said to me, "Mr. Barham wants me to give him gold for this cheque." I made a remark upon that.

10,340. You must tell us what you said?—I said, "What the devil do you come to me on such a transaction as that for." That is all I know.

10,341. (*Mr. Anstey.*) What was the amount of the cheque?—100*l.*

10,342. A cheque on your bank, or some other bank?—No; I have referred to it since Mr. Purcell spoke to me. It was on a bank at Manchester.

10,343. (*Mr. Price.*) Brogden's bank?—Brogden's cheque.

10,344. (*Mr. Coleridge.*) What made you say, "What the devil do you come to me on such a transaction as this for"? What transaction did you allude to?—It spoke for itself. It was Brogden's cheque.

10,345. (*Mr. Price.*) You knew Brogden was down here on the election, and you knew Barham was acting for the party?—I presumed Barham was acting for the party, by bringing the cheque and asking for gold.

10,346. That was a transaction which you became aware of yourself, and which leads you to suppose that that was the reason that Mr. Lovibond induced Mr. Prior to act himself as an agent?—No.

10,347. (*Mr. Anstey.*) That was my question to you just now, and to that question you have made that answer?—Will you kindly repeat it.

10,348. (*Mr. Price.*) You were asked what reason you had for supposing that Mr. Lovibond thought he could deal more easily with Mr. Prior than he could with you, with respect to this transaction?—I suppose he thought he could deal more easily with a clerk than with a principal. Mr. Prior, although he is my partner, was my clerk at one time, and was also clerk to my father for a great many years, and I suppose he thought he could deal with a clerk more easily than with the principal.

10,349. You said you remembered some cheques being cashed in 1866, and that Mr. Prior showed you a cheque for 100*l.*, and said that Barham wanted gold for it, and thereupon you rebuked him, and I thought you were going on to say that that led you to believe in consequence, that they thought your partner could be more easily dealt with than you?—No, nothing of the sort.

10,350. Then why did you give us the anecdote of 1866?—I suppose I misunderstood the question.

10,351. (*Mr. Anstey.*) I will repeat my question to you, to which that statement of yours was certainly an answer. My question is certainly answered, or unanswered. If it is unanswered, you will please to answer it at once. What was there in the antecedents of Mr. Prior, which should have led Dr. Kinglake, the night before the election, and Mr. Lovibond on the day of the election, and Mr. Mogg on the same day, to suppose that a *mala fide* transaction of this kind, could be more easily accomplished through him than through you?—I do not understand the question.

10,352. I understand that you said it was not a *bonâ fide* transaction?—Clearly.

10,353. Then, if it was not *bonâ fide*, it was *mala fide*?—Clearly.

10,354. And you say you suppose the reason they did not come to you was, that they thought you would not approve of such a thing?—I think that was it.

10,355. Now I ask you again, what was there in the antecedents of Mr. Prior, the *mala fides*, if you do not know what that means, I will explain it to you, which should have induced Mr. Mogg, Mr. Lovibond, and Dr. Kinglake, the three agents, to suppose that Mr. Prior could be more dealt with than you?—How can I say what induced Dr. Kinglake to do it, or what induced Mr. Lovibond to do it, or Mr. Mogg, or anybody else.

10,356. What was there in the antecedents of Mr. Prior, that should induce them to think he could be more easily dealt with than you?—I think that why they went to Mr. Prior, and not to me, was because

they thought they would receive a sharp answer from from me, and that from him they would not.

10,357. Why should they think that they would not receive a sharp answer from him?—Because he is a man of a milder temper than I am.

(*Mr. Price.*) In answer to Mr. Anstey's question as to whether you knew anything of Mr. Prior's antecedents, which you supposed would induce them to think that he could be more easily dealt with than you, you volunteered a statement that you remembered that some cheques were cashed in 1866, which I understood you gave as a reason why he could be more easily dealt with. Perhaps it would be better that the short-hand writer should read the answer.

(*Mr. Anstey.*) He had better read both my question and the witness's answer to it.

The short-hand writer then read the question and answer as follows:—"*Mr. Anstey:* Do you remember anything of any kind, in Mr. Prior's antecedents, which would lead them to think that he would be more easily dealt with, and induced to take a part in bribery, than you would?—Answer: I remember some cheques being cashed in 1866. I have communicated it to Mr. Purcell."

10,358. (*Mr. Price.*) You volunteered that as an answer to my friends question as to whether you knew of anything in the antecedents of Mr. Prior, or his relations politically with Mr. Lovibond, which would lead Mr. Lovibond to think that he could be more easily dealt with than yourself. In answer to that question you say there was a transaction with regard to some cheques in 1866, and therefore you gave that as a reason why Mr. Lovibond could more easily deal with him?—I wish to state that as a transaction in 1866.

10,359. You gave that as an answer when you were asked if you knew anything in the antecedent of Mr. Prior, and you then said "I knew of those cheques?"—It is perfectly true.

10,360. (*Mr. Anstey.*) One of those cheques was for 100*l.*?—Yes.

10,361. What were the others?—The other was one of 300. I communicated it to Mr. Purcell.

10,362. Never mind, Mr. Purcell. Who presented that cheque to be cashed?—Mr. Prior told me when I came into the bank, "Mr. Barham wishes me to cash him this cheque in gold." I believe those were his words.

10,363. That is the 300*l.* cheque?—No, the 100*l.*

10,364. I am asking you about the 300*l.* cheque?—My attention was not drawn to the 300*l.* cheque at all.

10,365. I asked you the question just now, what were the other cheques besides the 100*l.*, and then you began, "There was one of 300*l.*" Was that one of the cheques to which you referred as having in 1866 produced a certain impression on your mind with regard to Mr. Prior?—No, I referred to that as having been cashed by Mr. Prior. I do not know that it produced any particular impression.

10,366. Who presented it?—I understood Mr. Barham presented it.

10,367. And upon what bank was that cheque drawn?—It was drawn on a Manchester bank.

10,368. And the 100*l.* cheque the same?—Yes, both.

10,369. Do you remember whether it was on the polling day that these two cheques were presented by Barham?—The first one, the 100*l.* one, was shown to me on the morning of the election day.

10,370. The polling day?—Yes, the polling day.

10,371. When were you told of the 300*l.*?—I do not think I saw the 300*l.*

10,372. When were you told of it?—I do not think I was told of it at all.

10,373. You said just now that Mr. Prior had told you that Mr. Barham wanted the 300*l.* cheque cashed also?—No, nothing of the kind.

10,374. I understood you to refer to the 300*l.*, and not the 100*l.* I wish you would attend to the questions?—I am giving you all the attention I possibly can.

10,375. What was the transaction about the 300*l.*?—All I know about it was, that the cheque of 300*l.* drawn on the bank at Manchester had been cashed.

10,376. (*Mr. Price.*) After it had been cashed?—After it had been cashed.

10,377. (*Mr. Anstey.*) When did you see it?—I believe it was on the evening of the polling day, I am not sure.

10,378. When had it been cashed?—I believe it had been cashed that same day; that is my belief.

10,379. Had you been consulted by Mr. Prior about it, as you had been about the 100*l.*?—As an answer, may I refer to the answer I gave to Mr. Prior when he brought me the first cheque?

10,380. Will you answer the question, yes or no?—I objected to the cashing of the first, and I presume I should have objected to the cashing of the second.

10,381. (*Mr. Coleridge.*) You would not carry your objection so far as not to allow it to be cashed?—No, I only went so far as the strong-room door, and I did not get the money.

10,382. It was cashed?—Yes.

10,383. Is there anything in your books to show it was cashed in gold or notes?—Yes.

10,384. How was it cashed, in notes?—In notes.

10,385. (*Mr. Anstey.*) And the 100*l.*?—Yes.

10,386. Did you speak to Mr. Prior, or remonstrate with him with respect to his coming to you on that morning in that unusual way for the purpose of getting that cheque cashed for Barham, which was drawn on a bank at Manchester?—No.

10,387. Are they both signed by Brogden?—Both signed by Brogden.

10,388. Would there be any entry of the names, dates, and amounts in your books?—I have referred to it, and it is as I have stated. I will refer to it again if you wish it.

10,389. First of all, before you do that, was there any other cheque?—No, not at that time.

10,390. Those were the only two?—That is all.

10,391. (*Mr. Coleridge.*) This was in 1866?—Yes.

10,392. You would have passed them through Williams and Deacon's bank?—Yes.

10,393. It would appear in your account if it appeared anywhere?—Yes. It is not in this book (*referring.*) I can send for the book, if you desire it.

10,394. (*Mr. Anstey.*) Was there any unpleasantness, or did any words pass between you and Mr. Prior on the subject of these two cheques for 100*l.* and 300*l.*?—That expression I referred to, I used when he showed me the cheque for the 100*l.* He did not show me the cheque for the 300*l.* I did not see that at all. I did not know anything about it. I saw the 100*l.* cheque.

10,395. Did you speak to him about the cheque for 300*l.*?—I forget. I did not know of the 300*l.* until it was entered in the book, and I came, I believe, to refer to our account with Williams, Deacon & Co.

10,396. (*Mr. Coleridge.*) When it was too late to object?—That is all.

10,397. (*Mr. Anstey.*) And having objected, and that unsuccessfully, and the 300*l.* having been paid, did you not object the next day, and point out to Mr. Prior the grave consequences that would ensue to your bank if this sort of thing went on?—I forget.

10,398. Had you not signed the petition to the House of Commons in that year; were you not the promoter of it, the first person who signed it?—No, I was not the promoter of it.

10,399. But you signed it?—Yes.

10,400. Here is your name, "J. L. Sealy, banker and justice of the peace for the county of Somerset?"—Yes, I signed it.

10,401. Then, having taken that step only two months before, did you not point out to your partner the serious consequences in which he would involve not only your bank but also yourself personally?—Well, he did not involve me in very serious consequences.

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10,402. Did you speak to him about it?—I do not remember.

10,403. (*Mr. Coleridge.*) Was he clerk or partner in 1866?—He became a partner in 1865.

10,404. Then he was a partner at the time of this transaction?—Yes, the beginning of 1865.

10,405. Then who promoted this petition if you did not?—I believe it originated in this way; I have endeavoured to refresh my memory, as I had forgotten all about it. It was suggested by Sir Harry Verney, and we had a meeting.

10,406. Is Sir Harry Verney connected with this borough?—No, not at all.

10,407. Do you know what constituency he was representing at that time?—No. I believe an application was made to Sir Harry Verney, if possible to delay the issuing of the writ for a time.

10,408. Because the Tory candidate had spent a great deal of money at the election before, and that would diminish the chance of a Liberal getting in?—No. We thought we should have to fight the battle.

10,409. Was it not so; because the Tory candidate had spent a great deal of money at the election previously, and it would tell very much against the chance of a Liberal getting in?—No, I do not think that was much the feeling; but it was because there was much irritation felt with regard to the petition, and we wanted Sir Harry Verney to make an application to the House of Commons to delay the issuing of the writ——

10,410. (*Mr. Anstey.*) Do I understand that the object of Sir Harry Verney and yourself, and the other persons who were concerned in getting up this petition, was not the purification of this borough, but the delay of the issuing of this writ for some time, so that a Tory could not get in?—That is a very ingenious question; but the object was to delay the issuing of the writ because we might enter upon a contest——

10,411. (*Mr. Price.*) At less disadvantage?—At less disadvantage.

10,412. And the Tory would not come in so easily?—Well——

10,413. Is not that it? You put it with a great deal of circumbendibus. Is not the meaning of all this that if you had to fight the battle you would stand in a much worse position if you did not get the writ delayed? You know enough of politics to be aware that there is always a strong feeling against those who petition, if they offer themselves again as candidates?—Exactly.

10,414. (*Mr. Anstey.*) Was it not that you were conscious that there was so much bribery on both sides that the effect of a Royal Commission would be not only the setting aside of the election, but the disfranchisement of the borough?—Well, I do not think we attached very much importance to that.

10,415. I have had the misfortune to put to you a great number of questions to which you have not deigned to give an answer?—I wish to answer as well as I can.

10,416. Was not the real influence operating on your mind that the result would be, if there was an inquiry, the certain disfranchisement of the borough?—Well, I cannot tell.

10,417. Then it was no part of your purpose that there should be an inquiry before a Royal Commission as to the corruption of the borough, with a view to disfranchisement at that time?—I cannot tell. There was some talk, I remember.

10,418. I am speaking of yourself. It was not your wish that there should be a Royal Commission?—Will you allow me to explain?

10,419. I will, as soon as you have answered my question. Was it or was it not your wish at that time that a Royal Commission should not issue to inquire into these practices?—I cannot tell at all.

10,420. You say the motive which operated upon Sir Harry Verney's mind, and the reason you did not wish the writ to issue was, that you should stand in a more advantageous position?—I did not say Sir Harry Verney's mind was operated on by any motive.

10,421. You suggested his name, and I am bound to suppose you row in the same boat. Was the prayer of your petition all sham for the purpose of imposing on the House of Commons, or was it seriously meant? "Your petitioners further pray that your honourable "house will be pleased to direct that a Commission "be appointed to inquire into the practices above "referred to, with the view to the adoption of such "measures as may prevent a recurrence of the same." Those practices being thus described in the second paragraph of the stating part, "That your petitioners "are informed and believe that should an inquiry be "instituted, a much larger number of cases of bribery "would be disclosed than is apparent from the evidence "taken before the committee appointed by your ho-"nourable house to hear the petition against the return "of Henry Westropp, Esq., inasmuch as the case of "the petitioners was stopped by the committee when "a few cases only had been heard. That the peti-"tioners against the return of Henry Westropp, Esq., "were induced to abandon their intention of proceeding "to a scrutiny, on account of the very great expense "which they were advised would be thereby incurred." Was that portion of the stating part of the petition to which your name appears as the first signitary, and the corresponding portion of the prayer, *boná fide* intended by you; or was it only introduced with a view to carry the other object, namely, the suspension of the parliamentary writ, so as to prevent Henry Westropp being returned?—It was an absolute fact there were a great many more cases.

10,422. Did you *boná fide* intend this?—It is impossible to remember what my intention was three or four years ago, and at a particular hour.

10,423. (*Mr. Coleridge.*) Where was Sir Harry Verney representing at this time? Was he representing Buckingham?—I had no communication with him.

10,424. What made him take it up?—I think there was somebody waited upon him from this town, and asked him to take some steps to prevent the writ being issued so speedily.

10,425. He had not been chairman of the committee?—No, he was not chairman.

10,426. Was he on the committee?—No.

10,427. (*Mr. Price.*) How was he put in motion as far as Bridgwater was concerned?—I am inclined to think that Mr. Francis Thompson and Mr. Sully went to London and had a communication with him. That is my impression. And then he asked for some document to strengthen his hand. I believe that was the origin of the petition.

10,428. (*Mr. Anstey.*) What information can you give this Commission, the present Commission, when we come to that election by-and-by, as to the facts which you have declared to be undoubted, namely, the number of cases——?—Oh, that rests on this. At one of our meetings Mr. Benjamin Lovibond produced his brief. He had got up the cases, and he showed a sufficient number of cases to reduce Mr. Westropp's majority over Sir John Shelley.

10,429. Mr. Henry Lovibond?—No, Benjamin. The cases had been got up in his office by him and Mr. Fletcher.

10,430. Taking your own expression, this petition was "got up," not by those who signed it, but by Benjamin Lovibond and Fletcher, neither of whom has signed it? Are you aware of the fact?—You mistook me. I was not speaking at that moment of the petition. I was speaking of the case—the petitioner's case.

10,431. I am talking of the petition. Who first of all, drew up the petition?—I was appointed as one of a committee to draw it up and to embody the views which were propounded at a meeting which was held.

10,432. (*Mr. Price.*) And the information you had got from Mr. Lovibond about the number of cases?—Well, that we had a long time before, there was no doubt.

10,433. You embodied them, you say, in the petition?—Yes.

10,434. (*Mr. Anstey.*) Had you any information on which you proceeded when you took the very grave step of presenting this petition to the House beyond the information you had got from Benjamin Lovibond and Fletcher?—I say he produced his brief in which all the cases were which he had prepared for evidence to lay before the House.

10,435. You have not answered my question, and you told me that before. Had you any information ultra that, beyond that, when you proceeded to draw up this petition for signature?—I do not remember that we had.

10,436. Therefore, in point of fact this petition, like the brief, was got up by Benjamin Lovibond and Fletcher, the clerk?—No it was not, not a bit of it. Mr. Chairman, I must appeal to you whether you understand it so.

(*Mr. Price.*) Well, if you appeal to me I must say that I understand it to be a party manœuvre, if you ask me what I think of it.

(*Witness.*) Well, put it in that way. It may have been so for all I know.

10,437. (*Mr. Coleridge.*) But would you not have been rather disappointed at that time if a Royal Commission really had been issued, the main object being to get the writ delayed, not to get a Commission?—The main object, as I understand it, or as I recollect it I should say, was the delay of the issue of the writ.

10,438. And you really did not wish sincerely in your hearts for a Commission to come down and inquire into the corrupt practices?—I remember it was asked for, but I cannot remember all that was on my mind at that particular time. I forgot all about the petition till it was referred to.

10,439. Carrying your recollection back to that part of the prayer of the petition you must be glad now, Mr. Sealey, that you have an opportunity of inquiring into the practices which the petition refers to?—Well, you see, if they had granted the Commission then these revelations would never have been necessary.

10,440. (*Mr. Anstey.*) Can you explain the fact that neither Benjamin Lovibond nor Fletcher who took such a part in the getting up of the briefs, and in contributing the information at least on which the petition was got up by somebody, can you explain how it was that neither of them signed the petition?—I cannot recollect whether they signed it or not.

10,441. But if they did not, can you explain that important circumstance?—Why did they not?

10,442. Yes.—How can I explain why another man does not do a particular act?

10,443. Well, you cannot explain?—Oh dear, no.

(*Mr. Price.*) There is nothing more Mr. Sealey, there is nothing more to ask you.

(*Witness.*) You sent for a book. It will be here directly.

(*Mr. Price.*) Very well. If it will be an inconvenience to you to stay you may go, Mr. Sealey.

(*Witness.*) Here is the book.

(*An account book was produced by the witness and inspected by the Court.*)

(Short adjournment.)

Mr. Charles Robert Bate sworn.

10,444. (*Mr. Price.*) You are a solicitor, practising in the town?—No, I am a member of Lincoln's Inn. I am practising under the bar.

10,445. As a conveyancer?—Yes.

10,446. You are a son of the Mr. Bate, of whom we have heard in this election inquiry?—Yes.

10,447. The only son?—The only son, by the first marriage.

10,448. Do you practise in Bridgwater as a conveyancer?—I do.

10,449. The first thing we will ask you about is the matter we mentioned this morning. It has been stated to us by Capt. Ford that you had been applied to by Mr. Lovibond, on the morning of the polling day, to go to Sealey's Bank and say, "Five hundred pounds for Allan," or something of that kind. Will you tell us what passed?—It was almost in those words. I had left the committee room to run up the street.

10,450. Had you been acting on the committee for the candidates?—Oh no, I never acted in the election except as a personal friend of Mr. Kinglake. I took no active part. I canvassed with him many times.

10,451. Tell us what happened on the occasion in question?—About half-past 2 I think, I cannot exactly say the time—it was after 2 I believe—I went up the street, to know what was going on at the other polling booths. I met Mr. Lovibond on the bridge. As I passed him he stopped me, and asked me to go to Sealey's with that message; to go to Prior and tell him to send 500*l.* at once.

10,452. Did he tell you to go to Prior?—He told me to go to Prior.

10,453. "Five hundred pounds for Allan, wanted immediately"?—No, nothing more. "500*l.* for Allan."

10,454. What did you say?—I turned with the intention of going, but it suddenly struck me that if I did anything of the sort I should be as much implicated as anybody else in these practices. I turned round to speak to him, and I pulled him by the sleeve as he was going, and said, "I decline to deliver that message. You had better send one of the paid agents," or words to that effect.

10,455. (*Mr. Coleridge.*) Who were the paid agents that you referred to?—I referred to himself.

10,456. And who else? Whom did you consider as paid agents; did you consider Allan a paid agent?—No, I knew nothing about Allan at all.

10,457. Did you consider Bussell a paid agent?—No, I knew nothing about the man.

10,458. (*Mr. Price.*) By the "paid" agents you mean the legal agents?—Yes.

10,459. (*Mr. Anstey.*) It struck you that you would be implicated in these practices?—Yes.

10,460. What practices?—It struck me that if I was sent to ask for 500*l.*——

10,461. I wish you to explain your answer. You said that you turned to go, and then it struck you that you would be "implicated in these practices"?—The bribery, of course.

10,462. Was there anything in what Lovibond said to you which tended that way?—No; I have told you the exact words he said to me.

10,463. What made you think it had reference to these practices?—I concluded it must be so.

10,464. Was it on account of Allan's name being mentioned?—Not in the slightest.

10,465. Was it the 500*l.*?—The 500*l.* being sent out of a bank to a man of that sort I naturally thought had something to do with bribery.

10,466. On account of the largeness of the sum, or the name of the person?—Oh, it is such a sum!

10,467. But what led you to think that; I cannot be myself in your mind?—I cannot give you the idea that passed through my mind at the moment.

10,468. What made you suspect improper practices?—Why, I really cannot give any more information than I have done.

10,469. (*Mr. Coleridge.*) Was it not the nature of the transaction?—Yes, exactly.

10,470. (*Mr. Anstey.*) Had you heard of Allan's name before that in connexion with such practices?—I am not prepared to say I had before.

10,471. Was not it that which made you suspect improper practices?—I did not say "Yes." I said, "No, I am not prepared to say I had before."

10,472. Had you never heard of Allan?—Not in that way—as connected with bribery.

10,473. I cannot understand what made you not only expect corrupt practices, but dread being drawn

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into them yourself?—Mr. Kinglake went away by the express train. I had been down to see Mr. Kinglake go away by the train, for he thought the election was lost. When I came back somebody told me that the election was rallying, I then went to the committee room and saw the state of the poll, and I found everything in full swing. When I had left everything was perfectly dead, but when I came back there was a sudden reaction, and I concluded something had been done.

10,474. In the way of bribery?—Yes.

10,475. You thought that it was for that purpose that Mr. Lovibond made this application to you?—Yes. You asked me why I thought so at the time. I could not tell you what came into my head, but I naturally concluded it was so.

10,476. Now you have answered my question. What time did Mr. Lovibond speak to you?—I went to the station with Mr. Kinglake for the express; that I think, was about half-past 1. I came back then and made up my mind to go home. I should think it was about half-past 2.

10,477. (*Mr. Price.*) At that time the state of the poll had been so changed with respect to Mr. Kinglake's position, that you really thought that there had been money expended, to account for it?—I thought there must have been, to account for such a change as that.

10,478. That was another motive, or another idea rather, which made you shrink from being mixed up with this transaction?—Yes.

10,479. (*Mr. Anstey.*) You had gone with Mr. Kinglake to the station?—Yes.

10,480. On the way to the station had he told you that he believed the election was lost?—No, I went and told him so first of all.

10,481. You were the person that informed him of that?—No, I did not inform him first, but I did mention it. I said that I was sorry to say it was all over. He said, "I am afraid it is." I advised him not to leave.

10,482. Why?—Because on a former occasion he had not; but he said this was a hopeless beating.

10,483. (*Mr. Price.*) He was so hopelessly behind?—He was so hopelessly behind, and he made up his mind to leave the town.

10,484. (*Mr. Anstey.*) You saw him leave?—No, I did not see him leave.

10,485. Were not you at the station with him when he left?—No.

10,486. Did you see his brother Dr. Kinglake leave?—I rode in the carriage with him to the station.

10,487. And they both left you there?—No, I left them there.

10,488. That is to say, you went one way and they went another?—No, I came away and left them in a private room.

10,489. Well, you left one another. Did you hear any conversation pass between Dr. Kinglake and his brother?—No; there was very little conversation for this reason, that I was entirely broken down by the idea of my old friend being turned out, that I could hardly speak, and Mr. Kinglake was standing at the chimney-piece writing his farewell address while I spoke to him; and I went away feeling that I could hardly speak to him at the time. I said to him, "allow "me as the last thing that I can do for you to have "that address published."

10,490. (*Mr. Price.*) Did you telegraph to him?—I did.

10,491. Afterwards?—I did.

10,492. What did you say to him?—"Come back! You are at the head of the poll."

10,493. And it was in consequence of that telegram he came back?—I conclude so.

10,494. When did he arrive?—I am not prepared to say the time. It was the next day. I telegraphed to him on the line, and at his club, I think.

10,495. Did you see him the next day when he came?—I did.

10,496. Did he tell you then that he was afraid his election had been procured by corrupt practices?—He did not say one word about it. He was coming up the town in the carriage, and I was standing with Mr. Sealey at the bank door. It was the market day here. I went and shook hands with him.

10,497. Have you ever been told by Mr. Kinglake that he was afraid that corrupt practices had been used at that election?—I never had any conversation with him about it.

10,498. He never expressed any surprise to you at the wonderful revulsion of feeling in his favour at that hour?—No.

10,499. (*Mr. Anstey.*) He was not the only person that left that day. Mr. Barham left?—I believe so.

10,500. Where did he go?—Home.

10,501. Who else left?—I cannot tell you any other.

10,502. Was or was not the time at which Mr. Barham left the same time or nearly the same time as that at which Mr. Kinglake left?—No, it could not be the same time, because it was after that I came back from the station that I saw him.

10,503. How soon after you came back did Barham leave?—That I cannot say.

10,504. Have you any reason to believe that the departure of these gentlemen, or one of them was in some way so timed as to leave the town in the possession of the bribers?—I do not quite understand.

10,505. Was the departure of either of these gentlemen occasioned by the intention to leave the town in the hands of the bribers without their presence?—Yes, I concluded that it was.

10,506. Which of them?—Mr. Barham's.

10,507. Not Mr. Kinglake's?—No, certainly not.

10,508. (*Mr. Price.*) Then you have no doubt, as I understand Mr. Bate, no doubt in your own mind, that, before you were applied to by Mr. Lovibond, certain proceedings had taken place which had altered the state of the poll, and that they must have been the result of money?—I thought so. He was so hopelessly behind.

10,509. The thing was so hopeless at the time Mr. Kinglake left that it must have been something of that kind which led to the extraordinary diminution of Mr. Kinglake's minority down to seven, which it would be about the time you were asked by Mr. Lovibond to go for the 500*l.*?—I think it would be about half-past two. I cannot tell the time at all. In the excitement of a day like that I cannot tell the time.

10,510. That is all with regard to the conversation which took place between you and Mr. Lovibond. Now is there anything else with regard to that election, the last election, that you know with regard to what took place as to the spending of money, after you had had the conversation with Mr. Lovibond and refused to go, which you can give us—any information as to how the thing was managed?—Oh, not the least. I know nothing about it.

10,511. You know nothing about it?—I know nothing whatever about it.

10,512. Did you interfere at all actively after Mr. Kinglake had left the town, or after Mr. Lovibond asked you to go to the bank and you refused?—No. I asked one man for his vote.

10,513. Do you know at all what sum of money was spent? Can you give us any information?—Not the least. I have no information whatever to give you about it.

10,514. We must go into the previous election in which you did not take part, but in which your father is supposed to have been concerned?—Yes.

10,515. He did at one time act as Mr. Kinglake's confidential agent?—I always considered him Mr. Kinglake's agent. Yes.

10,516. His confidential agent. When I say confidential, I mean the person who more immediately managed?—My father brought him here. He was the means of his coming to Bridgwater.

10,517. Therefore he would be his confidential agent here?—I conclude so.

10,518. (*Mr. Coleridge.*) What was the history of

his coming here? Just tell us how it was?—"What was the history?"

10,519. (*Mr. Price.*) You say your father brought him here?—It is a very long story, that. I believe it goes back from the Gaselee election.

10,520. Was your father a very active political partizan in matters here for several years?—Yes.

10,521. And he had acted so far back as the election in which Mr. Serjeant Gaselee was here?—He and Mr. Ford between them paid the whole expenses of the contest; every farthing.

10,522. What Mr. Ford?—The uncle of him that was here.

10,523. I understand, then, that at that time your father and Mr. Ford paid the expenses of contesting the borough?—Mr. Ford and my father, I believe, were annoyed that the whole control of these matters was out of their hands entirely. They were never consulted about anything.

10,524. In whose hands was it, that it affronted them?—Oh, Benjamin Lovibond's.

10,525. They were affronted that the whole borough was under the control of Benjamin Lovibond?—Yes.

10,526. Therefore they wished to take it into their own hands?—They wished to be represented, to have a voice in the matter.

10,527. They wished to have a voice in the matter? Up to that time how had it been?—That is almost the first I can recollect.

10,528. (*Mr. Coleridge.*) When he brought Kinglake in the first instance, did they also pay his expenses?—I do not think they did. Mr. Kinglake being a native, you know, would be known to the borough.

10,529. (*Mr. Price.*) Are you aware or not whether Mr. Kinglake had to pay a sum of 1,100*l.* to your father which he had advanced for Mr. Kinglake in the contest of 1859?—Well, I heard the first of that when you opened the Commission here the other day.

10,530. That is the first you heard of it; that your father had advanced that to Mr. Kinglake?—I believe it was stated by one of the Commissioners. I am not quite sure.

10,531. Had you never heard of that before?—No, I had not.

10,532. You have no means of telling us whether that is so or not, from your knowledge of your father's papers?—No. I can produce all his papers, and then you can judge for yourselves. I can produce all his books and papers.

10,533. But you have looked through them?—I have looked through them casually. I see nothing that would mark any particular sum for any particular purpose.

10,534. There is no record, so far as you know, in your father's papers, of any sum of 1,100*l.* paid on Mr. Kinglake's behalf, which was afterwards repaid by Mr. Kinglake?—Do you mean his first election?

10,535. No; 1859.—I cannot tell. You shall see the books.

10,536. (*Mr. Anstey.*) Have you looked into the books with reference to that sum?—Since I heard you had mentioned it; since the commencement of the Commission.

10,537. That was in 1859?—There is a sum in 1859 which may possibly be connected with it. That you must judge. It is many months afterwards.

10,538. (*Mr. Coleridge.*) What sum is that?—Nearly the sum you have mentioned. I can give you no other information, not the slightest.

10,539. (*Mr. Anstey.*) What is the amount mentioned?—A thousand and seventy.

(*Mr. Coleridge.*) That is very near it.

10,540. (*Mr. Price.*) In what book does that appear?—In one of my books.

10,541. In one of your father's books?—Yes.

10,542. What book?—A ledger book.

10,543. Will you produce it? Let us have it on the notes?—It is not here. I have ordered my clerk to make a schedule of all the books. I did not know you were going to call me to-day.

10,544. Having heard the question suggested by us to one of the witnesses, that a sum of 1,100*l.* was spent by your father on behalf of Mr. Kinglake, and having reference to what you have discovered yourself, have you any doubt there was just about such a sum so spent?—I cannot say that. Some time afterwards security was given by some one for that sum. You shall see the books yourself. It may not have anything to do with it.

10,545. Tell us who that person was?—Mr. Kinglake's brother.

10,546. Do you know of any business transactions which your father would have had with Mr. Kinglake's brother which might possibly have induced him to give the security?—No, I do not know that. I could show you by the books many transactions that have taken place between the family.

10,547. (*Mr. Anstey.*) Is it Dr. Kinglake that you mean by Mr. Kinglake's brother?—Yes.

10,548. (*Mr. Price.*) You say there are many transactions?—The family have been clients of my father's for many years. You will find a lot of transactions which you must judge of yourself.

10,549. You find a particular transaction for 1,070*l.*?—Yes. It happens to coincide very nearly with that you mention.

10,550. In point of time?—Yes; within about seven months or nine months after.

10,551. Is the security given by Dr. Kinglake apparently for some advance to him?—Yes; the note is.

10,552. (*Mr. Anstey.*) What is the security?—A note and deposit.

10,553. A deposit of deeds?—Yes.

10,554. What deeds?—I do not know. It is all over. I have only got the notes.

10,555. (*Mr. Price.*) You will let us have the books, Mr. Bate?—I will.

10,556. (*Mr. Coleridge.*) You have not told us anything about the election of 1857. Do you know anything about that?—Who were the candidates?

10,557. (*Mr. Price.*) Mr. Kinglake was first returned then?—I can give you no information whatever about that election except this, that I took an active part with Mr. Kinglake in always being ready to go with Mr. Kinglake when he wanted me.

10,558. I will put to you the same question as I put before. Is there anything with regard to this election,—for our inquiry is of a public nature—is there anything which you know with regard to the conduct of the election of 1868 beyond what you have told us of the conversation between you and Mr. Lovibond, or with regard to any previous election, which you have not disclosed?—No, not that I know of.

10,559. Because we expect you to give us the disclosure without putting us to the necessity of cross-examining to test your knowledge. Therefore we trust you will tell us anything you do know about it?—I do not think I can give you any more information.

10,560. Not with regard to 1868?—No.

10,561. Have you any idea as to what sum was spent?—I have been sitting in court, and heard the examinations. I never had the slightest idea before that.

10,562. In Mr. Bagehot's election did you take any part?—I was not in Bridgwater.

10,563. Therefore you did not interest yourself at any time except when Mr. Kinglake was a candidate, and only at the last election?—No.

10,564. Before that you had not been in Bridgwater during the elections?—I had been in Bridgwater at most of the elections except this one of Mr. Bagehot's.

10,565. Did you interest yourself in Vanderbyl's election?—No, nothing whatever except natural curiosity to see how matters were going.

10,566. (*Mr. Coleridge.*) You voted, I suppose?—No; I had no vote.

10,567. (*Mr. Anstey.*) Mr. Bate, I understand that what Mr. Lovibond said to you, when he asked you to take charge of the 500*l.*, or rather of the message about the 500*l.*, was an intelligible sentence which was something to this effect: "Will you go

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and deliver such and such a message"?—As far as I remember it was something like this: "I wish "you would run up and tell Prior to send 500*l.* to "Allan."

10,568. Would not you have been very much astonished if Mr. Lovibond had stopped you in the street and said to you only these words, "Go to Prior and say 500 for Allan"?—I should say that is much the same import.

10,569. What, "500 for Allan." Supposing he had given you the message only in those words "500 for Allan," would not you have thought it very extraordinary?—If he had not told me where to get it, of course I should.

10,570. If he had not told you that he was to give 500*l.*?—Yes, I should not have known what he meant.

10,571. Supposing he had said, "Go to Prior and say, '500*l.* for Allan,'" that is not saying, "Give 500*l.* to Allan." Would not you have thought it very extraordinary if a truncated message like that had been given to you?—I should suppose it was much the same thing; I supposed there was some understanding.

10,572. (*Mr. Price.*) It was done as elliptically as it could possibly be?—Yes. My idea is that he asked me, "Will you run up to Prior's and tell him to send 500*l.* at once." I cannot tell exactly the words. I am not giving you the words, I am only telling you what my notion is.

10,573. Then you will let us have the books?—Shall you want to retain the books, because they are all my ledgers.

(*Mr. Price.*) No.

10,574. (*Mr. Coleridge.*) When did your father die?—In 1867.

10,575. Then he was concerned in the election of 1865?—I think 1865 was not Kinglake's?

10,576. Yes, a general election?—Oh, he would be connected with that.

10,577. Then we shall want the books of that year.

(*Mr. Price.*) It was the election in which Mr. Westropp was successful, and was petitioned against, and Mr. Kinglake was successful.

10,578. (*Mr. Anstey.*) Who was the confidential clerk of your father when he was in practice, from the year 1857 downwards?—The confidential clerk?

10,579. Yes?—Well, in our business we have none. You can hardly say a man is a confidential clerk at all.

10,580. I must explain my question. That question was put to a witness who professed to know all about your father, and his first answer was this, when asked that question: "Well, there was his son, Mr. Charles Bate." Were you ever in that position towards your father, as confidential clerk?—I can hardly tell what you mean by "confidential clerk." We have no business which requires any confidence from a clerk at all.

10,581. The clerk who would know about the money matters?—The money matters are in the books open, and any clerk might know about them if he has brains to understand the books. We never keep a money clerk, a bill clerk, at all.

10,582. That is an answer; you had no clerk?—No confidential clerk.

10,583. Who were the other clerks besides yourself, if I may call you one. Was Mr. Squires?—Squires was at one time; I cannot tell you when.

10,584. Mr. Squibbs?—Squibbs was.

10,585. Any others?—I cannot tell you the others. Squibbs succeeded Plowman as managing or conveyancing clerk.

10,586. (*Mr. Coleridge.*) Was your father a solicitor, or merely a conveyancer as you are?—A conveyancer as I am.

10,587. (*Mr. Price.*) A member of one of the Inns of Court?—Yes.

10,588. Therefore he would not be one of what you would call the legal paid agents in the election?—I have no idea that my father ever received anything.

10,589. I mean he was not a solicitor practising here; and generally those are the persons who are the legal agents. Was your father in that capacity, or merely acting more as a friend to Mr. Kinglake?—I should say he managed anything that Mr. Kinglake consulted him about.

10,590. Did he send any bill of costs to him?—Oh no. I have never seen any entry.

10,591. (*Mr. Coleridge.*) Did he pay his election expenses; his legitimate expenses; for him? I mean, were they paid through your father?—I conclude that he did.

10,592. Then there would be an entry of them?—Yes, I should conclude so. I can show one or two entries about them.

10,593. Being a conveyancer your father was not in a position to act as solicitor to the petition?—No, he merely paid the money.

10,594. (*Mr. Anstey.*) Are there any entries at the date of the election?—I shall be glad to show you. I will show you all.

(*Mr. Price.*) If you will allow our secretary to look at them he will make an arrangement with you to go down to your chambers and go through the books with you. Then he will be able with your assistance, no doubt, to give us the extracts.

(*Witness.*) I will show him every entry.

(*Mr. Price.*) That will do, Mr. Bate. We understand Dr. Kinglake is here, and wishes to come forward.

Dr. Kinglake.

Dr. KINGLAKE entered the witness-box.

(*Mr. Price.*) Now, Dr. Kinglake, since you received a summons from the Commissioners certain disclosures have been made in the evidence here which deeply implicate you in the furtherance of corrupt practices in this borough; and having in view the reasons for our being sent down here, which are twofold; first, that we should inquire into the mode in which elections have been conducted in Bridgwater from time to time; and secondly, with a view to put a stop to these practices by the enforcement of the law against individuals who have contravened the different Acts of Parliament, we have come to the conclusion that in certain cases we shall not examine persons as witnesses who might, by receiving an indemnity at our hands, be protected from further proceedings; and we think it right, therefore, to inform you, and we shall, probably, think it right to inform other witnesses who may have been implicated, that not seeing the necessity for getting further information from those persons on oath as to the part they have taken, and having in view the second consideration for our being sent down here, we will allow them to make any statement they like, which they must make at their own peril; but we shall not give them or assist them in any protection which they might demand at our hands if we had examined them as witnesses, and shall not swear them. Now, therefore, it is my duty to inform you that we have come to the conclusion that you are a person deeply implicated in corrupt practices here on behalf of one of the candidates; that certain disclosures have been made, and evidence has been given which would place you, no doubt, in considerable peril; and that, therefore, we have determined for the present not to examine you as a witness. You may make any statement you like; but the statement you make will be made at your peril as to proceedings being taken against you.

(*Dr. Kinglake.*) I do not exactly understand, sir, what you wish that I should do.

(*Mr. Price.*) Well, you understand now we have no wish at all in the matter; but your name has been mixed up with corrupt practices in so distinct a manner, that there can be no doubt whatever a *primâ facie* case has been made out against you as an accessory to bribing, and that being a misdemeanor, as a principal, therefore, in bribing, and part of our duty being to report from time to time so that the Attorney-General may be in a position to exercise his office as a prosecutor for bribing, we think it right at present not to examine you as a

witness, but leave it to your discretion whether you will make a statement voluntarily, or not. That statement not being under the protection of an oath may be used against you if any proceedings are instituted hereafter against you. Therefore we decline to examine you as a witness, or to give you the protection to which you would be entitled perhaps if you had been examined as a witness and made a true disclosure. We decline to put you in that position, because we think that your position with regard to this matter is a very grave one; a much more grave one than the case of those in a very different position in life, who have been tempted from time to time to take bribes by persons who have provided money for the purposes. The words of one of the witnesses were, "If the gentlemen would not bring the money we would not do the dirty work for them." Now, you being in that position, we tell you that we shall not examine you as a witness. You may take full time to consider whether, under those circumstances, you choose to make a statement having reference to the evidence which has been given implicating you, or not. We do not ask you to do so; we do not press you to do so at present. You may make a statement whenever you like, after full consideration of the position in which you will then be placed, and after fully considering the evidence which has been alleged against you. We have no wish in the matter. We have simply a public duty to perform; and we cannot forget it has been told us that unless the gentlemen brought the money the bribing would not take place.

(*Dr. Kinglake.*) Are you alluding to the evidence of Mr. Prior?

(*Mr. Price.*) I cannot tell you what I am alluding to. It is not my business to tell you any more than that; the evidence at present implicates you very deeply in the assistance in bribery in this borough.

(*Dr. Kinglake.*) Well, I should wish to state, sir, everything that I know respecting this.

(*Mr. Price.*) You must state it upon your own responsibility, Dr. Kinglake, entirely. You will stand in the position now, if you make a statement, of a person not entitled to ask at our hands any certificate of indemnity against any proceedings which the Attorney General may think it right to take against such person.

(*Mr. Coleridge.*) You had better take time to consider.

(*Mr. Price.*) It is a serious thing, and under those circumstances we have thought it right to announce it to you, as being the first person in your position, we have an opportunity of telling. Therefore we do not wish to hurry you into any conclusion; and if you like to take time for any days, or weeks if you like, to consider whether you will make a statement or not, you are perfectly at liberty to do so.

The witness withdrew.

Mr. Henry Lovibond recalled.

Mr. H. Lovibond.

(*Mr. Price.*) You are sworn, I think?

(*Witness.*) I think—— Yes, I am.

10,595. (*Mr. Coleridge.*) You are sure?—Yes; I was sworn the other day.

(*Mr. Price.*) Now, Mr. Lovibond, before I begin to examine you, I wish to tell you and also those of your profession who are here present representing both sides, both parties in this borough, that we consider it due from the position in which you stand to the town, and from the position which you hold in the profession, we think it is due to us, you knowing who we are and under what powers we sit, that we should not be put to the trouble of "cross-examining," as it is called, or of testing, or going into very great detail for getting at the truth from you professional gentlemen. We expect, whatever part you may have taken in the proceedings in this town, that now the time has come when you will give us the frankest and the fullest and the freest disclosure, and not put us to the trouble, as I said before, of cross-examining for the purpose of getting at those facts which are notorious to everybody.

(*Witness.*) I will bear your observations in my mind, and I came with the fullest intention of doing as you say.

10,596. (*Mr. Price.*) I am not addressing you personally, but I trust that you and the other professional gentlemen will bear it in mind. Now we shall first proceed to examine you with regard to the election of 1868. When did you first have any communication with Mr. Kinglake with reference to the mode in which the contest was to be conducted at the last election?—Immediately after the address of Mr. Westropp, which I think was in the month of October. I then said to him that Mr. Westropp was a candidate, and, knowing his antecedents, I was afraid he would spend a great deal of money in the election. I also stated to him that I would have nothing to do with money matters; and his answer was, "You are perfectly right, "Mr. Lovibond. I am glad to hear you say so; and "it is my wish, and I will have nothing to do with "money matters," or, "I will not spend any money."

10,597. That was in October?—That was in October.

10,598. Was Mr. Vanderbyl then announced as a candidate?—I am not certain whether he was announced, but I was perfectly aware he was a candidate. I am not aware whether his address was written; I think not.

10,599. We may take it, I suppose, that you more peculiarly acted as legal agent for Mr. Kinglake?—Well, I was acting for both.

10,600. For both?—Yes; but I believe I was in greater confidence with Mr. Kinglake than any other professional man, because it was I who introduced him into this town with Mr. Bate.

10,601. And you had acted for him in every election in which he had been a candidate?—In every election.

10,602. Did you know at all, at that time, what were Mr. Vanderbyl's views with regard to spending money at the election?—I did not.

10,603. When you spoke to Mr. Kinglake?—I did not. I may say that I never had any communication at all with Mr. Vanderbyl in reference to money matters.

10,604. Never?—Never.

10,605. (*Mr. Coleridge.*) Did not you know what he had spent in the election of 1866?—I did.

10,606. (*Mr. Price.*) Going for a moment to that election, and only for that question, did you act at all in the election of 1866, when Mr. Vanderbyl was elected?—I did.

10,607. As legal agent or as one of the agents?—As one of the agents.

10,608. Retained as agent for Mr. Vanderbyl?—Certainly.

10,609. Well, that being the conversation between you and Mr. Kinglake, tell us when next you had any communication with him with regard to electioneering matters. Was there any compact entered into, in the first place, with the agents on the other side as to when active proceedings should be commenced?—There was.

10,610. What was that?—That was as to the time for canvassing. We thought it would be to the advantage of both parties that we should not commence canvassing so soon as was talked of, because of the excitement it would cause in the town, and we were anxious to delay it as long as we possibly could before the election.

10,611. Well, that being so, when did Mr. Kinglake come down—come into the town, and begin active proceedings?—In the month of October.

10,612. How long after you had had this conversation with him?—My own impression is he was down for that purpose at the time.

10,613. I understood you to say you had agreed that

proceedings should be suspended?—Oh, yes; you are quite right. That was so. Then I think he left the town, and came down again for the canvass.

10,614. When about was that?—I think he came the second time about the latter end of October or the beginning of November.

10,615. (*Mr. Coleridge.*) What day was arranged to begin canvassing?—My own impression is that it was about a fortnight before the election.

10,616. To save expense?—To save excitement in the town.

10,617. (*Mr. Price.*) You know there had been a new element introduced into the constituency. Had not any canvass been made between the time you saw Mr. Kinglake and the time he came finally to canvass?—No; we had not made any.

10,618. You made no canvass of the new constituency?—No.

10,619. Did you give Mr. Kinglake any idea at all as to which way the new constituency was likely to go, when you spoke to him about spending money?—I did. I gave him this idea, that the new constituency, most of them, were working for the Liberal employers, such as the brickyard men, and for some other large employers of labour, and that I thought they would, in all probability, go with their employers without money.

10,620. (*Mr. Anstey.*) But Mr. Lovibond, are you sure that they had not all, or the greater part of these new voters, been canvassed by Mr. Kinglake and Mr. Vanderbyl?—Quite certain, before the time we fixed for canvassing.

10,621. The canvass was completed on the 12th of November, was not it?—I think it was somewhere about that time. I said we commenced somewhere about the 1st of November.

10,622. Wait a moment. Are you not wrong in your dates? Was not it completed about the 12th of November?—I should think it was.

10,623. And the armistice was commenced before that time?—About that time.

10,624. That you may not think we are without dates, I have before me an address of Kinglake and Vanderbyl, beginning, "Having completed our canvass, "and called upon the very large number of consti- "tuents," and stating that if there were any whom they had omitted they would rectify it before the day of the poll. Had not that canvass been going on before that?—I said so. I said we commenced about the beginning of November or the end of October; about the 26th.

10,625. Was not the canvass a joint canvass?—It was.

10,626. And did not Mr. Kinglake pay Mr. Vanderbyl compliments, and make complimentary speeches in his favour at the nocturnal meetings?—Yes, he did.

10,627. (*Mr. Price.*) From that time when the canvass commenced down to the day of the nomination you were of course in constant communication with Mr. Kinglake?—Whilst he was in the town.

10,628. Was not he here continuously from the canvass to the nomination?—I do not think he was. I think he left, I am not sure whether a few days after the canvass was over.

10,629. Where did he live?—In London. He has a brother at Taunton, Dr. Kinglake, whom he frequently goes to see.

10,630. No place of his own?—No place of his own.

10,631. You were in constant communication with him while he was in the town?—Yes.

10,632. During the canvass up to the time of the nomination had you any reason at all to change your views with regard to the question of spending money?—From what time?

10,633. In consequence of the results of the canvass had you any reason whatever to change your views with regard to the necessity of spending money?—No.

10,634. None?—None.

10,635. Was the canvass a successful one?—Yes.

10,636. Did it show a majority for Mr. Kinglake?—Yes.

10,637. New and old voters?—I had only one section of the town, the south ward, but I went through with my friends, Mr. Reed, Mr. Barham, and Mr. Cook, and we made it up after; and it was somewhere about 100 majority.

10,638. For the two?—For the two.

10,639. You made it up with Mr. Barham and Mr. Cook, you say. Did they act conjointly with you for the two candidates?—They did as I understood.

10,640. (*Mr. Coleridge.*) Had you, and, as far as you know, the others, a regular retainer?—No, no retainer whatever. I have never had a retainer.

10,641. (*Mr. Anstey.*) Were not you, in fact, yourself conducting your own political interest as representing the Liberal body in this borough?—I do not quite understand you.

10,642. Were not you and the other attorneys on your side representing your own position as representatives of the Liberal interest in this borough?—We were acting for the Liberal party in this borough.

10,643. Were not you the representatives of the Liberal interest in it?—I imagine so.

10,644. Has it always been so at every election?—Certainly.

10,645. (*Mr. Coleridge.*) Were you employing the candidates or were the candidates employing you, to put it in plain language?—I apprehend the candidates coming here employed us.

10,646. (*Mr. Anstey.*) You brought them, you introduced these candidates?—Not at this election; they were the old sitting members.

10,647. But they had at one time been introduced?—They had, and approved of by the committee.

10,648. My question is, were not they introduced by you?—They were.

10,649. And the same thing happened on the other side I suppose?—I believe so.

10,650. Then in point of fact the candidates were originally employed by the attorneys and not the attorneys by the candidates?—No, the practice was to introduce them to the constituency. Then they attended a meeting, and the meeting passed resolutions whether they approved of them or not after hearing their principles.

10,651. (*Mr. Price.*) In point of fact did you ever know of any candidate being introduced to the constituency except through the medium of the legal gentlemen on one side and on the other?—Yes.

10,652. Who?—I believe Lord Henley was.

10,653. Is that the only instance?—That is the only instance.

10,654. (*Mr. Anstey.*) And he failed most egregiously?—Yes.

10,655. (*Mr. Price.*) He signally failed?—He signally failed, no doubt.

10,656. Then it does come to this, the members for Bridgwater are the delegates of the legal gentleman of the town?—I can scarcely go to that, because I have been in the habit of consulting a few of my friends.

10,657. (*Mr. Anstey.*) Before you come to the last election, I will ask you what took place some months before. Is it true or false that some months before the contest there was a negotiation going on for returning one and one, Mr. Westropp, and one of the two sitting members, either Mr. Kinglake or Mr. Vanderbyl?—I never heard of that.

10,658. If so it was Mr. Vanderbyl, and not Mr. Kinglake?—Certainly.

10,659. If Mr. Kinglake was party to that you would have known of it?—I should have known of it.

10,660. That was some months before?—That was some months before.

10,661. Now I come to not some months before, but the Saturday and Sunday before the election, the nomination day was Monday?—On Monday; the election on Tuesday.

10,662. (*Mr. Price.*) Had you any communication

with the Conservative side before the day of the nomination with the view to some compromise such as has been suggested?—I had not.

10,663. Or anybody to your knowledge?—They had not. I never heard of it until I heard it talked of in this court.

10,664. You never heard of such a thing being done?—No.

10,665. You were in confidential communication I suppose with your legal brethren, Messrs. Reed, Cook, and Mr. Barham, and never heard that there had been any idea of getting rid of the expense and possible exposure after the contest?—No.

10,666. And Mr. Kinglake was never a party, as far as you know, to anything of that kind?—Never. It is right for me to state this perhaps, that in the month of July or August I was travelling with Mr. James Trevor, the solicitor on the other side, and the subject of the elections of Bridgwater came up.

10,667. (*Mr. Anstey.*) That was after the election?—No, the end of July or August in the last year, and it was whether something could be done so as to prevent the corrupt practices. I think it was Mr. Trevor said the legal agents could take each others word. I said, "No doubt of it; but how about the "persons who are immediately under us. Although "we could take each others words," I said, "how "about some other persons of your party; would you "be answerable for them?" He said, "No, I am afraid I could not." That is the only conversation ever I had before the election in reference to it with the other side, except as to the canvass.

10,668. (*Mr. Anstey.*) I am sorry to be obliged to direct your attention specifically to this case, after your general denial, but I must do it. Do you recollect being present at a meeting of the Shepherds' Society, when you all had grog, and yourself, Mr. Barham, Messrs. Reed and Cook, and the candidates on your side became honorary members, and paid a guinea each. That was on the motion of a bribery agent called Stephen Colin Jones?—You ask if I recollect that meeting?

10,669. Yes?—I do.

10,670. And I have stated correctly the fact of the payment?—I paid my guinea there.

10,671. And each of you?—I do not know what the others did, but we were all there, I believe.

10,672. Do you remember a day or two after that a rumour was circulated that Mr. Vanderbyl, following Mr. Kinglake's example, had declared that there should be no money paid by him either, in bribery?—I do not recollect that.

10,673. I will recal it to you. Do you recollect that in consequence of something Mr. Vanderbyl had said, it was seriously proposed by Mr. Kinglake's friends, or some of them, that Mr. Vanderbyl should be requested not to stand, and that the reason for the request should be alleged to be disclosures that had then been made in the case of the Lundy Island Granite Company?—I recollect that circumstance of the Lundy Granite Company, but I do not recollect that was to be put forward as a reason for asking Mr. Vanderbyl to resign because he would not spend any money.

10,674. I ask you whether, in your own belief, the real reason was not that as Mr. Kinglake was not going at that time to bring out the money, and as Vanderbyl, the only other source, was not, it was thought desirable some other person should be brought down who would?—It was not; in fact Mr. Kinglake, a few days before that time, was prepared, because Dr. Kinglake had called on me and said he would make arrangements for bringing a sum of money.

10,675. For bribery?—For bribery.

10,676. Dr. Kinglake had told you that?—Dr. Kinglake had told me that.

10,677. How many days before the nomination?—I should think it must have been about a week.

10,678. So long as a week before?—So long as a week before.

10,679. Do you recollect that on the Saturday and Sunday there was a motion and counter motion made for a compromise with Mr. Westropp, first of all by Mr. Vanderbyl's friends, or rather first of all to Mr. Vanderbyl, by Mr. Spinks, of Hennett and Spinks, and secondly to Mr. Kinglake?—No, I never heard of it at the time, but since I have heard of that there were negotiations going on by Mr. Spinks, for the purpose of procuring a coalition between Mr. Westropp and Mr. Vanderbyl; but I think I heard of that at the time of the petition which was tried in this hall. There were never any negotiations that I am aware of going on with Mr. Vanderbyl or any of his friends and Mr. Westropp.

10,680. I am asking you as to Mr. Kinglake?—I say, most decidedly not.

10,681. Did not you, as Mr. Kinglake's particular friend, and so describing yourself, call or invite the attendance of about a dozen leaders of the Liberal party on the Sunday night, at the very time that Fennelly was at Hennett's house about the negotiation with Mr. Vanderbyl?—I called a meeting there, but without the slightest notion of Fennelly.

10,682. As a matter of fact, you called a meeting of Mr. Kinglake's friends at the house of Henry Nicholls, draper and magistrate?—I did.

10,683. Was it not discussed at that meeting what would be the effect upon the prospects of the members if the Conservatives were to resort to bribery, and Vanderbyl and Kinglake were not?—I have no doubt it was.

10,684. Then upon that, and it being stated that Mr. Vanderbyl was not going to bribe, was it or not proposed that Mr. Kinglake and Mr. Westropp should if possible coalesce?—No.

10,685. Was it or not suggested that Mr. Vanderbyl should be got to retire?—It was; but that was in consequence of the reports that had been circulated in the town relative to the evidence he had given at the Examiner's Chancery Office, relative to the Lundy Granite Company.

10,686. That was the pretext put forward?—It was.

10,687. Who was to succeed Mr. Vanderbyl?—I recollect calling on Mr. Sealy the first thing in the morning, and stating that after hearing these reports had been circulated on Saturday night, I found two or three of the Liberal party expressing a doubt whether they should vote for Vanderbyl; I thought it was most damaging to him.

10,688. Did not you know that all those damaging reports had already been discussed on Saturday, the 14th of November, some time before, and a meeting had been held, and the result was that Mr. Sealy, who took a part in the discussion, and some others, waited on Mr. Vanderbyl to say that the Liberals here had inquired into those reports about the Lundy Island Granite Company, and found nothing in them which would prevent his standing?—I do not recollect.

10,689. Very late on Saturday, but a few hours before the nomination this discussion took place?—It did.

10,690. Who was it proposed to put up in lieu of Mr. Vanderbyl, if he had retired?—No one.

10,691. You swear that?—I do.

10,692. What money arrangement was to be come to then for the sale of Mr. Vanderbyl's seat to Mr. Westropp?—None. Upon my oath I never heard of it.

10,693. Then what was to take place?—This, which I think might possibly have taken place, that if Mr. Vanderbyl retired, most likely one of the Conservatives would retire.

10,694. Who was that?—Mr. Gray.

10,695. Yes, he was the catspaw all through?—That was my impression.

10,696. Not a willing candidate?—I did not know that, but that was my impression.

10,697. (*Mr. Price.*) Had you been communicating with Mr. Gray yourself?—Most certainly not.

TENTH DAY.

Mr. H. Lovibond.

2 Sept. 1869.

10,698. (*Mr. Anstey.*) But you had with Mr. Trevor ?—Certainly not.

10,699. You said yourself that you had had some communication long before, in August ?—Yes, that was before Westropp and Gray were announced ; it was with reference to getting rid of the corrupt practices.

10,700. Then what was done at this meeting ; what was decided on Sunday, the 15th November ?—That a deputation should wait upon Mr. Vanderbyl to ask him to resign.

10,701. There was a majority and minority on that question, whether there should be a deputation wait on Mr. Vanderbyl, requesting him to resign ?—I do not know whether it was put to the vote or not.

10,702. At all events, if it was you were in the majority yourself, and were in favour of that ?—I was.

10,703. Did he decline to listen to the suggestion ?—I was not one of the deputation.

10,704. At all events the nomination took place the next day ?—Yes.

10,705. After the deputation had seen him ?—Yes, quite so.

10,706. Have you any reason to believe that between the reception of that deputation and the election Mr. Vanderbyl changed his purpose, if he had ever formed it, which he had announced, of not bribing, and had determined to bribe ?—I believe he had changed his mind if he had ever formed it.

10,707. What period ?—In the period of the night.

10,708. That Sunday night ?—Yes.

10,709. Mr. Kinglake's brother prepared to bribe a week before, and Mr. Vanderbyl, at all events, prepared to bribe the day before the nomination ?—Yes.

10,710. (*Mr. Price.*) Now, go on and tell us ; you say that Dr. Kinglake had told you he was prepared to make arrangements ?—Dr. Kinglake called upon me.

10,711. When ?—I think about a week or ten days before the election, and asked me what I thought about the election. My answer to him was this : that, judging from Mr. Westropp's antecedents, I was afraid money would be spent. He stated he should like his brother to be returned again, and asked me what I thought it would cost. My reply to him was that I would have nothing to do with any money matters ; at last he asked me whether it was possible, and I could not tell him, and I then recollect his stating that the end of it was he should be willing to spend 1,000*l.* or 1,500*l.* rather than that his brother should lose the election.

10,712. Dr. Kinglake said that ?—Dr. Kinglake said that, and on another occasion he called on me two or three days afterwards, and asked me if I could raise the money for him. I said, " Certainly not ;" that he had tried some places, I think, but could not raise it, and he asked me whether I could raise it through Messrs. Sealy and Prior. I said, " Certainly not." I would not raise it ; I would have nothing to do with it. The next I heard was that the money was raised. He said he would raise it, and he told me the day before the election, on the nomination day, that he had made arrangements with Mr. Prior to advance the money.

10,713. How much ?—My own impression was it was 1,500*l.*

10,714. (*Mr. Anstey.*) When you say " the day before the election," do you mean before the nomination or the poll ?—I believe the nomination day.

10,715. That would be on Monday, the 16th ?—That would be on Monday, the 16th ; I think that was the day.

10,716. On Monday, the 16th, he told you he had made arrangements with Mr. Prior for the advance of 1,500*l.* ?—The day before the election.

10,717. Did Dr. Kinglake remain in the town ?—No, he went home. I did not see him again till the middle of the next day.

10,718. Did he come again on the polling day ?—The next morning I saw him early, on the polling day, after the voting at Taunton he told me.

10,719. Did he say anything to you then ?—Nothing about money matters.

10,720. Did you talk over with him the prospects of Mr. Kinglake ?—I did.

10,721. Was anything said about it ?—Yes.

10,722. What ?—Nothing was said before——

10,723. At that time Mr. Kinglake was very much behind, was not he ?—Yes, and I may tell you, in consequence of his being so much behind I attended a meeting at the " Globe," with Messrs. Reed and Cook, and I think Smith, Allan, and Bussell, and at that meeting I asked, " How is it the Liberals are so much " behind ? There must be some mystery about this I " am sure." There was no answer to that, and then I think it was that Mr. Reed said, " Well, can we win the election now ?" And Smith said, " Yes." Mr. Reed said, " Will 3,000*l.* do ?" Mr. Smith, I think it was, answered " No." I think some one asked would 5,000*l.* do, and there was no response to that. Upon that I retired with Messrs. Reed and Cook, talked over the matter with them, and said, " You see " by these men that they want to make a market, to " get the money into their hands. Now, it appears to " me we are so much behind——"

10,724. (*Mr. Coleridge.*) What men did you refer to ?—To the bribery agents.

10,725. (*Mr. Price.*) Give the names ; Bussell ?—I referred to Bussell as one, and John Smith.

10,726. Allan ?—Not to Allan. I did not see much of Allan ; John Smith.

10,727. Who else, Henry Cornelius White ?—He was not then, as I have heard, so much an agent.

10,728. Heal ?—He was not in my mind. I have referred generally.

10,729. Symons ?—I was not referring by name to the men, but to the men generally who distributed the money. I said, " Well, if we inundated the streets " with money I am doubtful whether we should get " an election, and if we did we should not retain the " seat, and I will not have anything to do with it." And Messrs. Reed and Cook expressed the same opinion.

10,730. (*Mr. Price.*) Is there any truth in what is told us, when you were remonstrated with by Mr. Smith. I think it was that you said, " We were " prepared early in the morning. It is all Messrs. Reed " and Cook's fault ?"—No, I believe that is a pure invention on the part of John Smith. I could not have said so for this reason——

10,731. We must get first a distinct negative. Do you say that did not take place ?—I do.

10,732. Now explain ?—For this reason, that I knew perfectly well, as I had it from Mr. Cook, that Mr. Vanderbyl was prepared, therefore I could not state that Reed and Cook were not prepared with the money.

10,733. Did you state " We were all ready ?"—No.

10,734. Or, " All prepared early in the morning ?" —Certainly not, because I had made up my mind over night, and communicated with Allan also in the morning, and to Bussell also that no money was going to be spent ; and there was another expression which Mr. Cook made use of, that he stated he had advised us he would not spend the money because the streets would be inundated. Those were my words, and not Messrs. Reed and Cook.

10,735. You have told us that Dr. Kinglake told you that he had made arrangements the night before for the advance of 1,500*l.* ?—Yes, that was the night before.

10,736. Dr. Kinglake having told you that he was prepared with that, and that he was anxious that his brother should succeed, may not you have said to Smith, " We were prepared early in the morning ?"—I do not think it is likely. I have no recollection of seeing Smith that day by himself.

10,737. (*Mr. Anstey.*) At all events you were prepared early in the morning ?—No doubt.

10,738. And you had been prepared *in posse* at least a week before ?—For several days before.

10,739. (*Mr. Price.*) That being so, why not say

to Dr. Kinglake, "I do not care what money you are "prepared with for the sake of your brother, because if "you are going to do it I will have nothing more to say "to you. I will walk out of the transaction altogether?" —Well, that was the resolution I came to somewhere about a fortnight before the election, and I stated it to Mr. Sealy and one or two others.

10,740. If you really had been sincere in your determination to put it down, in furtherance of the kind of agreement you had entered into with Mr. Trevor, when Dr. Kinglake said he was prepared with 1,500*l.*, why did not you say, "I will be no party to "such a transaction, and therefore if that is going to "be the mode I will have nothing to do with it, and "I will leave your brother to fight his own battle?" —I have great difficulty in answering that question. I admit I ought to have done so.

10,741. Now, did Dr. Kinglake tell you anything about having gone the night before to Mr. Prior and made the arrangement you have heard of?—He said nothing about the night before. I saw him on the afternoon of the nomination day, when he told me he had seen Mr. Prior and made the arrangement.

10,742. Did he tell you anything about the 1,000*l.* affair, and the substitution of some other arrangement in lieu of it?—No.

10,743. Then did you know what proportion the 500*l.* he has spoken of bore to the money he had actually brought into the town, or got in the town?—I believe he had 1,000*l.* down in the bank, which I have heard Mr. Prior was prepared to advance, and 500*l.* of that was spent.

10,744. Mr. Prior has stated that instead of 1,000*l.* credit, which he was to have drawn according to the arrangement of the night before, he had 500*l.* only on that day, that he got that 500*l.* through you, and therefore you must have known a great deal more at that time about the place where the money was and the amount than you have hitherto told us?—Dr. Kinglake told me himself that he had made arrangements with Mr. Prior for me to obtain this money from the bank.

10,745. That is only 500*l.*?—No 1,000*l.*; it was either 1,000*l.* or 1,500*l.*

10,746. When did he tell you that?—The day before.

10,747. The nomination day?—I am talking of this morning. He never said a word about it on the polling day.

10,748. How do you reconcile that statement which on his authority you have just made with the statement you have heard him make, that the arrangement between him and Mr. Prior the night before was for 1,000*l.* only, and that that was put an end to by his withdrawing the cheque on the following morning?—I never heard of his withdrawing it until after the petition was presented.

10,749. Has Mr. Prior told us the whole truth?—I have no doubt.

10,750. Mr. Prior never communicated with you?—Never.

10,751. Nor Dr. Kinglake, that he had cancelled that 1,000*l.* cheque?—Until the petition was presented.

10,752. (*Mr. Anstey.*) Therefore the 1,000*l.* before and the 500*l.* on the morning making 1,500*l.*; have you any doubt in your mind that Dr. Kinglake had made arrangements with Mr. Prior for that amount?—Not the slightest; I acted upon it.

10,753. (*Mr. Price.*) You have no doubt that it was arranged for 1,500*l.*?—No, 1,000*l.*

10,754. (*Mr. Anstey.*) You said 1,500*l.* just now?—If I have made myself misunderstood by the Commission, I will put it right. The sum was talked of 1,500*l.* when Dr. Kinglake first called on me, but afterwards we found only 1,000*l.* paid into the bank; a cheque drawn for 1,000*l.*

10,755. (*Mr. Price.*) Was Dr. Kinglake present the whole day during the election?—I think he came by the 9 o'clock train in the morning, and left at half-past one by the express.

10,756. After his brother?—After his brother; the trains met at half-past one.

10,757. (*Mr. Anstey.*) They went together?—As far as the station, and then in opposite directions.

10,758. There is only five minutes difference between the trains?—I believe so.

10,759. (*Mr. Price.*) When did you make up your mind during that day that you would draw this sum at Mr. Prior's bank?—At half-past one, or a little later. I met Mr. Henry Nicholls, and he asked me to go and take some lunch with him. I was very much depressed in spirits, and whilst having some lunch with him, I suppose I stayed three parts of an hour, or perhaps more, a message came for me from Mr. Cook, stating that I was wanted at the "Globe" immediately. I went shortly after to the "Globe" hotel, and there I saw Mr. Cook. I think this was about half-past two. Mr. Cook said, "You must do something for Kinglake." "What?" I said, "Well, you see the position we are in, and you must let us have some money," or something to that effect. I replied, "Well, cannot you go on if you have been spending money?" Judging from the number that had then polled we were very close, Kinglake and Vanderbyl were, to Westropp. "Had not you better go on?" He says, "No; we have exhausted one lung and almost the other." I understood him to mean that they had spent all their money.

10,760. (*Mr. Price.*) That was at what time?—Half-past two; and he said, "Now Kinglake must do something." I hesitated some little time, and then I said, "I will see what can be done." I saw Andrew Allan in the room; he was very much excited. He came to me and said, "If I had 500*l.* I could win the election." "Well," I said, "you are very excited, you had better go home." He did so. I left the committee room. The first person I saw was Charles Robert Bate.

10,761. (*Mr. Price.*) Did you say nothing more in answer to what Mr. Cook said; you gathered from him that they had spent all the money they had?—I do not think I did then.

10,762. (*Mr. Anstey.*) The first person you saw was Charles Robert Bate?—Yes; I asked him if he would call at Sealey's bank and request Mr. Prior to take 500*l.*

10,763. (*Mr. Price.*) Had not you told Allan? You say you said nothing more to Allan, but that he had better go home?—He perfectly understood what I meant, I believe that he was to go home.

10,764. Not that he was to go to bed on account of his excited state, but to be paid money?—No, Allan is too old a hand for that.

10,765. (*Mr. Anstey.*) He did understand, you say?—No doubt about it.

10,766. (*Mr. Price.*) You went to Mr Bate?—Yes, and Mr. Bate I think said yes and hesitated, and said "No, I decline it," immediately after Mr. Mogg came up I asked him, and he went at once. I delivered the same message to him; he asked no questions, but went simply, and I believe did everything I asked him.

10,767. (*Mr. Anstey.*) Had you ever any reason to believe from Mr. Bate's antecedents that he was capable of becoming a bribery agent in that manner?—I really had no thought upon it at that time. I was acting under great excitement. What my thoughts were I really cannot say at the time.

10,768. Had you any reason, founded upon the antecedents, or what you knew of the antecedents, of Mr. Bate to suppose him capable of deliberately entering into an affair of that kind?—No.

10,769. Had you any such reason with respect to Mr. Mogg?—Certainly not.

10,770. But the difference between Mr. Bate and Mr. Mogg being that the one refused, and the other instantly accepted, how do you account for that?—I cannot account for it.

10,771. Had Mr. Mogg done anything of the sort at a previous election?—Never.

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10,772. Not to your knowledge?—Never; I never heard the slightest imputation against him.

10,773. Then he obeyed your solicitation at a word?—He did. I have no doubt he was under great excitement; we were all.

10,774. (*Mr. Price.*) Was that the only sum so far as you know that was spent on Mr. Kinglake's behalf?—The only sum.

10,775. During that day?—The only sum, or at any other time.

10,776. (*Mr. Anstey.*) What was the only sum?—500*l.*

10,777. But there was more in the town disposable by Dr. Kinglake?—No, I never heard of a shilling.

10,778. Disposable?—Certainly not.

10,779. You have said already that Dr. Kinglake had made arrangements for 1,500*l.* afterwards reduced to 1,000*l.*?—You misunderstood; they first talked about 1,500*l.* I find from the evidence here that only 1,000*l.* was advanced.

10,780. Then there was 1,000*l.* disposable here in bribery on Mr. Kinglake's side?—Certainly.

10,781. What reason have you to suppose that the whole of that was not spent by some one?—Because Mr. Prior has sworn it was not.

10,782. What has become of the other 500*l.*?—The other 500*l.* has never been spent at all.

10,783. Was it raised?—It was never raised or spent. There was only 500*l.* raised by Mr. Prior.

10,784. Do I understand that every farthing of this 500*l.* and the other 500*l*, that was not spent, was to be considered money that Mr. Prior was to advance, and as to half of which he did advance upon your verbal order?—From my verbal order, out of Dr. Kinglake's funds?

10,785. Yes?—Certainly.

10,786. In point of fact, it was Mr. Prior's money or the bank's which you were authorized verbally to order to the extent of 1,000*l.* if necessary?—I do not know whose money it was. I understood it was Dr. Kinglake's money.

10,787. I mean to say it was not brought into the town by Dr. Kinglake, but procured here in the town on his own credit?—From the evidence I have heard here of Mr. Prior. I do not know.

10,788. Was the arrangement between Dr. Kinglake and yourself, perhaps Mr. Prior was a party or not to that arrangement, simply this, that you were to be authorized verbally to withdraw monies from that bank to the extent of 1,000*l.* if you thought necessary, and as you thought necessary?—Certainly.

10,789. But you only found it necessary to withdraw in the way you have described to the extent of 500*l.*?—That is so.

10,790. And every farthing of that was actually spent in bribery?—I cannot tell you.

10,791. But it was intended?—Intended to be so spent.

10,792. And you have had no account of its application?—No.

10,793. (*Mr. Coleridge.*) Whom do you consider as liable to the bank for that money now?—Mr. Kinglake.

10,794. (*Mr. Anstey.*) Dr. Kinglake?—Dr. Kinglake.

10,795. And Mr. Kinglake?—No, I do not believe Mr. Kinglake had the slightest knowledge of it.

10,796. (*Mr. Price.*) That is your impression?—That is my impression and is founded upon 17 or 18 years' acquaintance with Mr. Kinglake.

10,797. That is to say his brother is in a position to spend 1,000*l.* or 1,500*l.* for mere love of his brother?—Certainly; I do not mean to say but what he may be recouped some time or other. I have found him a most truthful man; he would never have sworn in this court.

10,798. (*Mr. Coleridge.*) You are aware that Mr. Kinglake did spend some 1,100*l.* in corrupt practices in 1859?—I have heard so to-day for the first time.

10,799. (*Mr. Price.*) Therefore Mr. Kinglake, you see, keeps back some things even from you?—I should think it is very likely.

10,800. Therefore your answer is from what is merely your own personal knowledge of Mr. Kinglake, but does it strike you as at all wonderful that he should have known of his brother's generosity with regard to this 1,000*l.*, when he paid Mr. Bate this 1,100*l.* in 1859?—I do not believe that Mr. Kinglake was aware that any money was spent at the time he gave that evidence on his behalf.

10,801. When?—At the last election.

10,802. Do you mean really to say that Mr. Kinglake, having left this town in despair at one o'clock in the day in a minority of over 200, honestly believed that the election was won, and the minority turned into a majority without bribery?—No; but I mean to say this, that I believe Mr. Kinglake believed the money must have come from Mr. Vanderbyl, and not from him.

10,803. (*Mr. Anstey.*) Come from whom?—Come from Mr. Vanderbyl, because he left with the full intention of giving up the election.

10,804. What earthly difference does that make in respect of Mr. Kinglake's purity, that he thought the money was to be provided out of Mr. Vanderbyl's purse, and not his own that he was privy to?—He was not privy to it at all.

10,805. You said you verily believed he was privy?—No, I have not said anything of the kind.

10,806. You said this moment you verily believed that Kinglake thought the money was Vanderbyl's?—No, I say he might have thought so. I did not say verily believed.

10,807. I wish you would not use that expression "might have thought so?"—Excuse me, you put words which I said which I did not.

10,808. I did not put words into your mouth, it was your own expression volunteered, namely, an expression of opinion that Mr. Kinglake thought the money came from Mr. Vanderbyl. My question founded on that is, what difference does that make on the subject of his purity, that he thought the money came from another's pocket than his own. I am asking you a question of opinion?

10,809. (*Mr. Price.*) Mr. Kinglake must have been perfectly certain as anybody must have been that that election was won in his favour by bribery?—I have no doubt of it.

10,810. Everybody must have thought so?—I have no doubt of it.

10,811. (*Mr. Anstey.*) I will ask you still further, assuming that he did not know it on the day of the election, did not you or some one inform him of it, somewhere in the interval which elapsed between that day and the day of the trial before Mr. Justice Blackburn?—Certainly not.

10,812. He was never informed that there was evidence against the party with which he was connected, of bribes having been given to persons to induce them to vote at that election?—Never.

10,813. And you his friend allowed him to go up to Mr. Justice Blackburn and give evidence on his oath there that he was under the impression that no money of his had been spent in bribery at the election?—I never communicated anything of the kind to him.

10,814. You allowed him to come up and give evidence there under that impression. Do you swear that?—Mr. Kinglake did it acting on his own advice, not upon mine.

10,815. (*Mr. Price.*) When Mr. Kinglake gives this in answer to the question "This evidence has "brought facts to your knowledge of which you were "perfectly ignorant? Entirely," do you believe that he was entirely ignorant that he won his election by bribery?—I do.

10,816. (*Mr. Anstey.*) You said the contrary not five minutes ago?—Excuse me; you asked me about Mr. Vanderbyl, and I said possibly he might have suspected.

10,817. (*Mr. Price.*) He said he was entirely ignorant of the facts, which facts were bribery practised at the election. Do you believe that he at that time could honestly say he was entirely ignorant of bribery

having been practised at that election. I do not care whether Mr. Vanderbyl's or his?—I cannot go to that extent, but my knowledge of Mr. Kinglake——

10,818. (*Mr. Anstey.*) You have already said the contrary, that he was aware that bribery had been practised at the election?—I am not aware of it. If the shorthand note is read——

10,819. Twice you have stated it within the last 10 minutes.

10,820. (*Mr. Price.*) You said he must have known. I put the question to you, Must not Mr. Kinglake have known as well as anybody else that that election was won by bribery, and you said, "I should think so"?—I did not understand the question with regard to Mr. Kinglake.

10,821. Then again, must not he having left the town in despair at one o'clock in the day in a minority of 200, and found himself returned when he came back again, have known that the minority was turned into a majority by bribery?—I really cannot answer that question. Mr. Kinglake has sworn to the contrary, and I have found him always a truthful and honourable man.

10,822. Did he make no inquiry? Do you mean to say that having come down here and having gone away in despair, he came down here again, and to his enormous astonishment found he was returned member for Bridgwater, and never had the curiosity to say to you, his financial agent, how has this happened?—I will declare on my solemn oath he never did.

10,823. It is an extraordinary thing he should come down here and find himself a member, having gone away at one o'clock in the day, and have never discussed the question with you at all?—We never did from first to last.

(*Mr. Price.*) Then he must have wilfully abstained from it.

10,824. (*Mr. Anstey.*) Were not his fears of an exposure, I do not mean of himself, but of the whole party, such that he concurred in certain measures that were taken, I believe, with your full knowledge, if not your advice, after the election, to prevent a trial of the election petition, by submitting to a compromise first of all with Mr. Westropp only, and afterwards with Westropp and Gray, both?—He was.

10,825. (*Mr. Price.*) Then what induced Mr. Kinglake, who was in the position of being a member of the town to condescend to a negociation for the purpose of burking an election inquiry unless he had known there was bribery committed?—I cannot answer that question, what could have induced him.

10,826. What was said by you to induce him to do it? How came he to condescend to do such a thing?—I cannot possibly tell you.

10,827. Did you never have any conversation with him?—Never about bribery.

10,828. But the question is, whether he was a party to the trying to get rid of the petition which resulted in Mr. Justice Blackburn coming down here, and you say he was a party to that?—Yes.

10,829. Could he possibly have been a party unless he had been informed by you or some one that there was danger of having the bribery exposed on his side?—(*No answer.*)

10,830. Here is a man whom you say supposed himself to be returned honorably by the unbought votes of the electors, and yet he condescends to a compromise to get rid of the inquiry; what motive induced him to do so unless he had been informed that bribery had been going on. Can you suggest it?—No; I cannot suggest it.

10,831. (*Mr. Anstey.*) Now, I will give you the dates as well as I can of your visits to Mr. Trevor, and other persons on the subject. First, there is that affair which you repudiated all knowledge of, namely, the interview between Mr. Vanderbyl and James Trevor in London, some months before the election. Now I will come to your own. Was not it a notorious fact, and known to you at least immediately after the election, that the Conservatives were going to present an election petition against Mr. Kinglake or Mr. Vanderbyl?—I heard it so reported.

10,832. And that Mr. James Trevor had actually gone to London within the following week on the subject?—I do not know the following week, but soon after.

10,833. Did not you inquire for him at his office, and ascertain that fact from his brother?—I did.

10,834. Did you ask also his address in London?—Yes.

10,835. And follow him the same day that you obtained the address, to London?—Yes.

10,836. And went down to his hotel?—I did.

10,837. Did you at that time open negotiations for a compromise on the terms that one seat should be given up to the Conservatives on condition that the petition was withheld?—I did.

10,838. Which seat was that; Mr. Kinglake or Mr. Vanderbyl's?—That was to be left open.

10,839. Open to what, to bribery or what?—Open for the members to decide.

10,840. They were to decide?—They were to decide.

10,841. And which of the two was to come in, Mr. Westropp or Mr. Gray?—Mr. Westropp was to come in.

10,842. That was not to be left open?—That was not to be left open.

10,843. But the question as to which of the two Liberals was to go was to be left open to the electors to decide?—No; I think it was to be left to some gentleman who was to be called in, as to who should resign.

10,844. Was not it left to you lawyers to decide?—No.

10,845. To gentlemen to be appointed by you lawyers?—I think not.

10,846. Then who was to appoint the gentlemen?—Mr. Vanderbyl and Mr. Kinglake.

10,847. Alone?—Alone.

10,848. Had you authority from Mr. Kinglake to make that proposal?—I do not think I had.

10,849. Did you ask Mr. Vanderbyl to make that proposal?—I think not at that time.

10,850. Do you mean you acted as confidential agent of Mr. Kinglake, and believing that he knew nothing at all of bribery, went to London behind his back, and without communicating with him at all entered into a compromise which might have resulted in his sacrificing his seat as member?—That was so. My first interview was with Mr. Trevor, and afterwards I called on Mr. Kinglake. I declare that I saw Mr. Trevor first and opened the negotiation.

10,851. Was that proposal rejected by Mr. James Trevor, and if so, on what ground: that first proposal of yours?—Well, I am not quite sure whether that was rejected or not.

10,852. Did you tell him that you had full authority to make it?—I really cannot tell you.

10,853. (*Mr. Price.*) Come, Mr. Lovibond?—I will give you an answer.

10,854. Did you tell him you had authority to act for Mr. Kinglake and Mr. Vanderbyl in the matter?—I have no recollection that I said so.

10,855. (*Mr. Anstey.*) Did not Mr. Trevor reject it on the ground that you had not full authority?—I have no recollection of it.

10,856. Did he reject it at all?—I do not think so; I think he entertained it.

10,857. Were not these negotiations afterwards renewed by you?—They were.

10,858. From time to time?—From time to time, and agreed to.

10,859. (*Mr. Price.*) In the meantime had you yourself any communication with your client Mr. Kinglake?—I had.

10,860. And told him what you were doing?—Yes.

10,861. (*Mr. Anstey.*) Had his authority?—Had his authority.

10,862. (*Mr. Price.*) Had you told him it was in consequence of what had taken place in the borough

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that you asked him to allow you to act in the matter? —I do not think I mentioned the word "bribery."

10,863. (*Mr. Anstey.*) Did you tell him it was in consequence of corrupt practices he could not keep the seat?—No, I am not aware.

10,864. (*Mr. Price.*) What inducement did you hold out to him, who you say believed he got in by unbought votes in the most miraculous manner, to induce him to put his seat in peril in any way when the question of the petition was coming on? What inducement did you hold out to Mr. Kinglake to put his seat into your hands virtually, if the negociation had been carried out, to induce him to do that, if he had not been guilty of bribery?—Well, to my knowledge——

10,865. Assuming that he believed himself his election to have been won without bribery, and you thought that his state of knowledge, what inducement did you hold out to him to induce him to put his seat into your hands in the sense in which it was put?—I really cannot answer that question.

10,866. You must have said something?

10,867. (*Mr. Anstey.*) Do you mean to say you did not tell Mr. Kinglake this, "Stop the election petition "at any cost; if it goes on you will lose your elec- "tion; it is much better to keep one seat even though "you do not win it. We shall lose both if the peti- "tion goes on." In all probability, did you tell him anything of that kind?—I do not recollect.

10,868. Could you have told him anything short of that, in order to induce him to run the risk of losing his seat?—I cannot say.

10,869. Then pray answer this next question. That negotiation not having come to anything, did not you afterwards, with Mr. Kinglake's full knowledge and consent, and I presume Mr. Vanderbyl's also, but certainly with Mr. Kinglake's, propose to give up both the seats to the Conservatives, on condition that the exposure which an election petition would cause should not take place?—I did not.

10,870. Was not Mr. Kinglake present on an occasion in London when this proposal was discussed?—No.

10,871. Was he present in London on any occasion when a compromise of any kind, founded upon a withdrawal of a seat or seats, was discussed?—He was.

10,872. At what meeting?—At a meeting at which Westropp was present.

10,873. When and where?—That was at the "Tavistock Hotel."

10,874. How long before February?—A short time I should think; it must have been a week or ten days before the petition was presented.

10,875. (*Mr. Anstey.*) Who proposed it at that meeting; was it from you or the Conservatives?—I should think it emanated from them.

10,876. And what was it, that both should be given up?—No; that one should be given up.

10,877. And whose was that?—That was to be left open.

10,878. (*Mr. Price.*) Do you mean to say that Mr. Kinglake being present at this negociation, and you having proposed in his presence that either his seat or Mr. Vanderbyl's should be sacrificed, do you mean to say that Mr. Kinglake heard of this and had not up to that had no intimation that his election had been won by bribery?—Well, it is very difficult for me to answer.

10,879. Do you mean us to believe that he would, as a man of honour, have stood by and heard you, as agent, propose that his seat should be put in peril, when no intimation had been given him, that corrupt practices had taken place? Why should he condescend to such humiliation?—It is difficult for me——

10,880. Why should a gentleman condescend to such humiliation as you were putting on him before his political opponent, Mr. Westropp, unless you or someone had told him that his seat was in peril for bribery. No gentleman would condescend to such a humiliating proposition.

10,881. (*Mr. Anstey.*) I will refresh you a little more. I have mentioned you, and mentioned Mr. Kinglake, and you have mentioned Mr. Westropp; were not Mr. Barham, Mr. Reed, and Mr. Cook also present on these occasions in London?—I think not on the occasion of our meeting with Westropp.

10,882. But every other occasion they were?—No, not every other occasion; one or two occasions.

10,883. If the number is so small you will be able to recollect distinctly. Did not Mr. Reed—and remember I am speaking now from a paper prepared by Mr. Trevor, who was present—did not Mr. Reed formally propose to offer both seats, saying that the petition must not go on?—No, he did not propose that to Mr. Trevor.

10,884. Not in your hearing?—Not in my hearing, but it is right for me to say that Mr. Trevor told me he had proposed that.

10,885. Did not you yourself also state in the hearing of Mr. Barham, or Mr. Barham state in your hearing to Mr. Trevor, that although you two were not personally mixed up in the matter, you believed you could not say so much as to some of your friends, who had got into a mess, to use your own expression, and that you must save them if possible?—I think that is very likely to have been said; I do not recollect the words.

10,886. Was Mr. Kinglake present when that was signed?—Certainly not.

10,887. Was Mr. Vanderbyl present on any of those occasions?—No.

10,888. Then all that was done behind Mr. Vanderbyl, but not Mr. Kinglake?—No, it was done behind both.

10,889. Mr. Kinglake was present at the "Tavistock" meeting with Mr. Westropp?—Yes, I communicated to him afterwards.

10,890. Not at the time?—No, I saw him at the meeting.

10,891. Having regard to the fact that this was notorious in the town that a sum of money had been taken without cheque in a body from the bank, had you any doubt that what everybody else had heard, and you in particular, and those other attorneys knew full well, even your opponents, was not at all to some extent known to Mr. Kinglake at least before the time when he gave his evidence in the presence of Mr. Justice Blackburn?—I must confess it does look very much like as if he did know something of it from the fact, but I was alluding more particularly to his own statement.

10,892. (*Mr. Price.*) Do consider the position in which you are placing Mr. Kinglake. You say you went and undertook on his behalf to sacrifice his seat, or to put it in peril, and that you did that in his presence, and that he was to condescend to the humiliation of being turned out, and Mr. Westropp put in his place. If so, do you mean to say you did not talk the thing over with him as his adviser, and present the state of things to him as existed at the election?—I may say this, I had not talked over anything about bribery with him.

10,893. (*Mr. Coleridge.*) Had you talked it over with Mr. Bate, his financial agent?—I think very likely I may have done so.

10,894. All you knew about bribery to Mr. Bate, and Mr. Bate conveyed that to Mr. Kinglake?—It is quite possible I may have said so to someone else.

10,895. (*Mr. Price.*) Did Mr. Kinglake express surprise to you, and say, "Good heavens! Mr. Lovibond, what have I done to be placed in this position?" —No, he did not.

10,896. He never remonstrated?—No.

10,897. (*Mr. Anstey.*) Now with regard to the secresy, was not it a fact that you and Mr. Trevor were on opposite sides?—Yes.

10,898. Was it not a fact between you and Mr. Reed and Mr. Cook, although you were on the same side, there was anything but a friendly feeling in regard to some of these election circumstances?—It was so.

10,899. And the same with regard to Mr. Barham? —No, I do not know with regard to Mr. Barham, not on my part.

10,900. But between them and Mr. Barham?—I really cannot answer.

10,901. At all events, you were all more or less parties to these dialogues?—Certainly.

10,902. At the meeting at which Mr. Kinglake was present at the "Tavistock," do you mean to say that no allusion was made either by Mr. Trevor or Mr. Westropp about the mess in which some of your friends had got, and out of which you wanted to help them?—I mean to say I do not recollect that.

10,903. There must have been some allusion to it, because else what was the meeting about?—The meeting was for the purpose of getting one of the members to resign.

10,904. Was not it one of the *concessa* on your side of the question at that meeting that there was a sufficient case against you to make it worth your while to propose a compromise?—No doubt.

10,905. Then you must have made that admission in Mr. Kinglake's presence?—It may have been understood before.

10,906. Understood, and submitted to without a protest by Mr. Kinglake?—Certainly; that is, submitted to without a protest by Mr. Kinglake.

10,907. Was there ever such a thing known as a compromise before proposed by, not to the Liberal party in Bridgwater?—I cannot possibly answer that question.

10,908. Do not you claim to be in a majority here, to have the strongest interest?—We do.

10,909. Did you ever hear in the course of your long life of a compromise of this kind being proposed by the sitting members of the Liberal interest, or on their behalf, to Conservative petitioners or Conservative opponents?—No, I cannot recollect one.

10,910. And therefore, does not the mere fact that such a compromise was offered and so pertinaciously persisted in by you for months prove this, that those with whom and for whom you acted knew well the case would not hold water if it came before the unerring eye of the election judge?—That was my impression that it would not.

10,911. That being so, I will just draw your attention to a passage in Mr. Kinglake's evidence, which I think has escaped observation. The questions which were read to you, and the answers to those, by my learned colleague the Chief Commissioner are preceded by this question and answer: "As we are "aware you were a candidate at the last election, in "conjunction with Mr. Vanderbyl, in the Liberal "interest," and the answer is, "I was." And all the other questions and answers that follow refer therefore to the joint acts of himself, and the joint election of himself and Vanderbyl, and so forth; and yet although the facts are what you have stated them to be, and although Mr. Kinglake knew what he was about, his own acts, and the acts of his own friends and suspected or believed that Mr. Vanderbyl at least was contributing money, when he is asked this question, "Had you taken every "step, by directions to everyone about you, to secure "a pure election here, whatever might be the result?" He answers, "The determination to conduct the elec- "tion within the strict bounds of legality origi- "nated, I must say, with Mr. Henry Lovibond, my "agent." His attention being called to the evasion of the question, he is asked, "Had you any knowledge "whatever from the instructions given or from com- "munications that there was the probability or possi- "bility of Bussell or anyone," including Mr. Vanderbyl, "resorting to any corrupt practices.—None whatever. "Did you strive by direction, and by personal interfer- "ence in every way you could, to secure a pure election "in this borough."—He answers, "I did." And then the question is put, "This evidence has brought facts "to your knowledge, of which you were perfectly "ignorant;" and he says, "Entirely." Suggesting that it is not until the 26th of February 1869 that he became aware of the existence of those acts. I ask you, revieving the evidence you have already given, and recollecting all that has taken place whether you have given any evidence on it or not, whether you can reconcile this statement with the truth, and if so, how?—I do not know how to answer that question, sir, possibly.

10,912. Then I will ask you the same with reference to Mr. Vanderbyl. He is asked, "You were "the colleague of the last witness, Mr. Kinglake, in "the recent election?—I was." Then he is asked, "Did you as well as Mr. Kinglake give your agents "direct instructions to avoid all such irregularities as "might place the election in jeopardy if you suc- "ceeded?—I did. Had you any personal know- "ledge of these matters at that time, these transac- "tions by Bussell and other parties?—I had not. "Did you give any instructions or authority to any "person in the world," including Mr. Reed and Mr. Cook, you know, who could have sanctioned it?—"I never did." I ask you again, Can you tell me how these answers are to be reconciled with the truth of the case?—I cannot.

10,913. (*Mr. Price.*) Are we to understand from you, all you did in the matter of bribery at the last election, and all that was done by Reed and Cook and Barham on the part of Mr. Vanderbyl in the same way was done in direct contravention of the distinct orders of your clients, the candidates?—It was so far as I know. I had nothing to do with Mr. Vanderbyl at that time.

10,914. Warning you of the position you stand in, you confess yourself now to have taken upon yourself the office of a briber directly by your own inspiration, and determination to win the election contrary to the orders of the candidates?—No, the order was given by Dr. Kinglake.

10,915. Then you surrendered your judgment and conduct of the election to Mr. Kinglake's brother, Dr. Kinglake?—That is so, no doubt.

10,916. (*Mr. Coleridge.*) And who gave the order for bribery on behalf of Mr. Vanderbyl?—I do not know.

10,917. Who acted most confidentially for him?—I believe Mr. Reed and Mr. Cook.

10,918. (*Mr. Price.*) I ask you as a respectable man, when Dr. Kinglake instructed you to commence bribery in this borough at the last election, do you believe that could have been done by Dr. Kinglake without the knowledge in any way of his brother?—I think it could; I must answer I think it could.

10,919. (*Mr. Anstey.*) Do you think it was?—Yes.

10,920. On your oath, do you think it was the fact that Mr. Kinglake had not even a suspicion that his brother was acting for him?—Well, I cannot answer that as to a suspicion, or what his thoughts were.

10,921. Or belief?—I really cannot answer that.

10,922. Or information, that he was not perfectly alive to what his brother was about. Had you any reason to believe that?—As I stated from his having sworn in this court I cannot.

10,923. (*Mr. Price.*) Mr. Kinglake was your client?—He was.

10,924. Dr. Kinglake was not?—Dr. Kinglake was not.

10,925. In an ordinary transaction between an attorney and client, would not you have told any gentleman who came to interfere, that your client was the only person from whom you would receive instructions?—Most undoubtedly.

10,926. Then why if you honestly wanted to put down bribery did not you say that you had been instructed to carry on the election purely, or that that was your intention to do so, and that Mr. Kinglake's instructions were to put down bribery?—Because I had not the moral courage at the time to do it.

10,927. (*Mr. Anstey.*) You know the greatest bribe master after he has provided his fund, or before, invariably begins by an assertion of purity, which he takes care shall not reach the ears of the electors. Is not that the case?—Yes.

10,928. But if he means purity he reverses the proceeding, he does not provide money, but informs the bribeable electors that they had better make up their minds, for not a farthing shall they have, let his agents

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assure them whatever they may?—That I cannot say.

10,929. You have had no experience of a pure election?—Very little experience of that at Bridgwater; not a pure election.

10,930. (*Mr. Price.*) Do not you judge as a man of the world and a professional man that the strict reticence observed between you and Mr. Kinglake as to how the election was won, was caused by some knowledge in Mr. Kinglake's own mind that it was better not to inquire into it?—That is quite possible.

10,931. (*Mr. Anstey.*) How did that meeting end at the "Tavistock Hotel"?—Which meeting?

10,932. At which Mr Westropp was present a few days before the trial?—I think Mr. Westropp agreed to it.

10,933. To the compromise?—To the compromise.

10,934. Why did it fall through?—Mr. Westropp afterwards ran wide, he broke through his agreement.

10,935. Was anything done to implement the agreement after Mr. Westropp had agreed to it; anything done to decide who was to go?—Nothing.

10,936. Was not it Mr. Vanderbyl who was to go?—Most likely it would have been, because it was suggested, because Mr. Vanderbyl was the junior member.

10,937. And also the least popular?—Well, I was concerned for both.

10,938. Did Mr. Westropp notify to you through his attorneys that he was not going to be bound by the agreement?—He did.

10,939. When?—Very shortly after.

10,940. Have you the letters with reference to that?—No.

10,941. Then the trial went on?—Then the trial went on.

10,942. (*Mr. Coleridge.*) I understood you to say that you had no doubt that Mr. Kinglake would at some time or other recoup his brother this money?—Yes.

10,943. Do you know any former occasion when Dr. Kinglake had advanced money for his brother and had been recouped again?—I do not.

10,944. Do you know any former occasion on which Dr. Kinglake had advanced money?—I do not.

10,945. (*Mr. Anstey.*) Or only one on which he advanced money for Mr. Kinglake?—No.

10,946. No date for instance?—No.

10,947. Why had you no doubt that Mr. Kinglake, who had given such strong and positive directions, would nevertheless recoup his brother the large amount he had expended in bribe money?—Mr. Kinglake being an honourable man, and taking an advantage of that money, I should presume he would pay his brother.

10,948. Would not you rather imagine that being an honourable man he would on discovering the fact take advantage of the bribe money, vacate his seat, and say, "I will not touch the accursed thing"?—Such a thing I never heard of in the House of Commons yet.

10,949. Never heard of it?—No.

10,950. Never heard of the members of the House of Commons doing that?—No.

10,951. It is not for me to give you information, but I recommend you to study the case as to that.

(*Mr. Price.*) What money was spent by Mr. Vanderbyl?—I cannot tell; I never heard from that moment to this.

10,952. You have no idea?—Not the slightest.

10,953. They kept that from you?—Entirely.

10,954. We understand you divided the borough into three districts?—We did.

10,955. You each acted independently?—So far as canvassing.

10,956. And the manipulation of the electors?—Certainly we carried out the same principle in the polling, or intended to do as we did with the canvassing.

10,957. What money was spent on the other side?—I cannot tell you at all. You are speaking of the Conservative side.

10,958. Yes?—I cannot tell you; Mr. Trevor never informed me.

10,959. But you may have heard?—No, I never heard.

10,960. (*Mr. Anstey.*) Were you present at the trial when it went on?—Yes; do you mean in this court?

10,961. Yes, before Mr. Justice Blackburn?—Yes, I was here nearly all the time.

10,962. I presume you are fully alive to the responsibility incurred by the client who instructs the attorney, and the attorney who instructs the counsel as to what shall be said to the court, the speeches to be addressed to the court, and the line to be taken. Presuming that, I wish to ask you whether it was by your instructions that Mr. James made this statement: "My Lord, under ordinary circumstances I should not "seek to add one word to what has been stated by my "learned friend, but I am sure, my lord, your lordship "will forgive me if perhaps from over anxiety at this "moment I ask leave to say one word on behalf of "Mr. Kinglake. My Lord, so long as my learned "friend's case was unfinished in respect to the allega-"tion of corrupt practices that could be proved, it "was the wish of Mr. Kinglake, and every one con-"nected with him, that no step should be taken to stay "this inquiry." Did you instruct Mr. James to make that utterly false statement?—I did not.

10,963. Who did?—I think he must have taken that on himself.

10,964. (*Mr. Price.*) "But, my Lord, it may now be "taken that every fact that can be brought forward to "prove that corrupt practices prevailed within this "borough has been placed before your lordship"?

10,965. (*Mr. Anstey.*) Did you instruct him to make that false statement?—I did not. That was the license of counsel.

10,966. (*Mr. Coleridge.*) Do you know anything about the way Mr. Vanderbyl's money came down?—I have not the slightest idea.

10,967. (*Mr. Price.*) You know Mr. Brogden, of course?—Perfectly.

10,968. He came with Mr. Vanderbyl in the first instance?—Yes.

10,969. What did he come down here for; what connexion had he with Bridgwater?—None——yes, he had some little: he trades. He had some large coal mines, and he has a wharf at Highbridge.

10,970. (*Mr. Coleridge.*) On the Welsh coast, you mean?—Yes.

10,971. (*Mr. Price.*) And at Highbridge?—He has a depôt here, and at Highbridge; but he came down more as a friend of Mr. Vanderbyl.

10,972. (*Mr. Coleridge.*) How was the original appointment made of all these sub-agents whom you have made use of as those immediately under you?—I believe Mr. Smith gave you an answer to that. It was done by Foster originally, and has been continued from that time with Smith at the head of them.

10,973. Had not you yourself something to do with the appointment of Andrew Allan?—Andrew Allan I had, certainly.

10,974. Tell us how that was?—Which election do you mean?

10,975. I mean, how originally did Allan come into the responsible place of trust he has since held in this bribery and conspiracy?—I knew him as taking a very active part in the election of Sir John Shelley, and also in getting up evidence for the petition against Mr. Westropp: and he has been a client of mine for many years, and I have found him a very trustworthy man, and I asked him, I believe.

10,976. What did you ask him; what was the position you proposed to him?—To have the control of the expending of the money over Smith and others.

10,977. He was to be the go-between between you and the active bribers?—No doubt.

10,978. Was he to have any remuneration for that?—None.

10,979. Did you propose to him a stranger in this place, and a man who could make his own way in the world, to put himself in that peril, and undertake to work without any pay at all?—Yes; I had known him

for 10 years, and he being a client, I was constantly in the habit of seeing him.

10,980. That was no reason why you should ask him to work for nothing?

10,981. (*Mr. Price.*) To make himself liable at every election to prosecution. That is the position you offered him?—Whether he volunteered or I asked him I have not the slightest idea.

10,982. That is what we want to know?—I cannot possibly answer that question.

10,983. Do you mean to say that it has not been the custom to pay the sub-agents anything?—Never.

10,984. There has been a good deal of dispute about it, as Andrew Allan says he did not offer 25*l.* apiece to five men, and two, if not three say he did?—I know that Allan came and told me of it some time afterwards; after, in fact, he had seen a publication of the proceedings at Great Yarmouth, where it turned out the bribers received so much money, and he said that was the reason he supposed why they asked for money now.

10,985. Was it after the election?—It was after the election.

10,986. What did he tell you, because there is down right contradiction?—He told me there was a man named Henry Cornelius White, and Smith, and Bulpin. I think as many as seven or eight of them, that they ought to be paid, that they expected 25*l.* each for their services.

10,987. Was Bussell one of those?—I do not think he mentioned the name of Bussell.

10,988. (*Mr. Price.*) You know Bussell well of course?—Perfectly well.

10,989. (*Mr. Coleridge.*) Have you at any election in accounting for these different monies any sums put down as being allowed to bribers and not bribees?—Never.

10,990. About this 500*l.* at the last election that was got, did Andrew Allan return you the account of how it was spent?—He never did from that day to this.

10,991. How was that?—Because an inquiry took place, the petition was to be heard directly, and Andrew Allan went to America.

10,992. You do not know who had that money, or what became of it?—I have not the slightest idea. The last thing I said about it was to Mr. Mogg. I know nothing of it since whatever.

10,993. Had you, or Mr. Kinglake, or anybody on his behalf, anything to do with advancing the money that Smith gave to Bussell to keep out of the way?—Certainly not. I never heard of it until Smith gave his evidence in this court.

10,994. Was Smith a sort of man that would be likely to advance money in that way?—Not a very likely man out of his own money.

10,995. Because he tells us he is nearly 100*l.* out of pocket?—Yes.

10,996. He says he has paid from 60*l.* to 80*l.* for bands and colours, did you ever hear of that?—A man applied to me, Alway, for a band, and I refused it.

10,997. Was he in a position to spend 80*l.* for bands and colours out of his own pocket?—I do not know sufficient to answer that question. I should think he was not a very likely man to pay that out of his own pocket.

10,998. Does it surprise you to hear that he did pay it?—It does.

10,999. (*Mr. Coleridge.*) Do you intend to reimburse him?—Certainly not.

11,000. Does Mr. Kinglake?—I should think not.

11,001. How is he to be reimbursed?—Perhaps by Mr. Vanderbyl.

11,002. You have heard what he states, that these debts are considered bad debts if not paid at once, and are kept over until a new election, when the next rich stranger is called upon to pay them?—I regret that is too often the practice.

11,003. We have it in evidence that that was done to your knowledge with several military bands with respect to former elections. Does not that account for what my learned colleague asked you just now, as to how Smith took on himself to do that; the hope of being paid either immediately or at the next election?—I did not understand the learned Commissioner's question. I thought it was how it was, he was a man to advance the money.

(*Mr. Price.*) I did not put that.

11,004. (*Mr. Anstey.*) The other question was, how he was reimbursed. You know nothing of what has become of the 500*l.*?—No.

11,005. It may have been embezzled?—I heard Allan give an account of it.

11,006. It would not come back to you, I suppose?—Not likely to.

11,007. The advance was made to you, as we understand from Mr. Prior's evidence and your own. You gave a verbal order, which was delivered, and the advance was made?—Yes, the verbal order was given by me to take the 500*l.* out of the funds lodged by Dr. Kinglake.

11,008. The order came from you?—Yes.

11,009. No writing passed at all?—None.

11,010. Either between you and Mr. Kinglake or you and Mr. Prior?—None.

11,011. But as far as the verbal order was concerned, it came from you, and the money was advanced?—Yes.

11,012. Now, supposing Messrs. Sealey and Prior (it is very likely after the indignation expressed to-day by Sealey) apply to you to pay back every farthing of the 500*l.* with interest on the money paid or advanced nearly a year ago, what shall you do?—Defend the action.

11,013. (*Mr. Price.*) On what ground?—On the ground that I was not liable.

11,014. (*Mr. Anstey.*) On the ground that it was for an illegal purpose?—On the ground that it was advanced on Mr. Kinglake's account and not mine.

11,015. And for an illegal purpose?—Certainly I should not take advantage of that, I should take a *bonâ fide* ground, not any technical ground.

11,016. (*Mr. Price.*) Who was liable to pay?—Dr. Kinglake.

11,017. The position would be this, that Dr. Kinglake would set up to Mr. Prior, which Prior could not deny that he went to him afterwards and told him that transaction was cancelled and tore up the cheque?—Yes.

11,018. Supposing you became aware of that circumstance, Dr. Kinglake states and Mr. Prior acknowledges, how would you stand?—I should not have given the order.

11,019. Mr. Sealey must pay the money?—Lose the money himself, or Mr. Prior must.

11,020. Because Mr. Prior ought to have told Mr. Sealey in order to tell you that Dr. Kinglake had cancelled the cheque?—Certainly.

11,021. (*Mr. Anstey.*) Before you defended the action it must be brought against you. Suppose they were to apply to you now for the money, what steps should you take?—I should refer them to Dr. Kinglake.

11,022. Would not you write to Dr. Kinglake yourself?—No; I should refer them to Dr. Kinglake.

11,023. Would you say, "Dr. Kinglake, you know "very well these men have no ground of action, "it is an illegal transaction, but still, for the reputation "of your brother and yourself I recommend you to "settle it." Would not you do that?—Well, I can hardly tell what I should do.

11,024. You would stand on the strict law of the case?—I should certainly deny my liability.

11,025. (*Mr. Coleridge.*) What were Mr. Kinglake's legal expenses returned at the last election?—I cannot tell you. Mr. Barham was his agent.

11,026. (*Mr. Price.*) We understand you positively to say you received no remuneration in any shape or way from Mr. Kinglake for any services rendered him in 1868?—I do.

11,027. (*Mr. Anstey.*) About these election expenses I have it here. Mr. Eustace Barham's abstract bears date the 18th January last, a month or so before the trial of the election petition. It states the election expenses of Mr. Kinglake at 200*l.* 13*s.* 9*d.*, and of Vanderbyl at 166*l.* 3*s.* 9*d.* Now I need not ask you after

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all you have said, yet I must ask you, is not this an entirely false statement?—No doubt, if all the money was spent.

11,028. Generally, has not it been the practice ever since Parliament interfered and required a statement of expenditure both under the new law and under the old, the professional men of this borough have evaded or rather violated the law by making these false returns of election expenses?—The practice has been to return the strictly legal expenses. Any illegal expenses you never find in those accounts.

11,029. When there was an election auditor was not it just the same?—Yes.

11,030. And yet the election auditor—I hold a declaration here in Mr. Wilton's handwriting—makes this statement equivalent to an affidavit by Act of Parliament. "I solemnly and sincerely declare that I have not "knowingly made, authorized or sanctioned, and that "I will not knowingly make, authorize, or sanction "any payment on account of this election otherwise "than through the election auditor, save and except "as allowed by the Corrupt Practices Act." Have not those declarations and these abstracts of accounts which are now published, in fact all the instructions required to be taken by the law been made a mere delusion and a mockery by the systematic disobedience which has been shown towards them on the part of the professional men of this place?—No doubt about it.

Adjourned to to-morrow at 11 o'clock.

ELEVENTH DAY.

Friday, 3rd September 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.

HENRY FRANCIS PURCELL, Esq., Secretary.

Mr. J. Prior.

Mr. JOHN PRIOR recalled.

11,031. (*Mr. Anstey.*) I wish to call your attention to the 500*l.* taken out of your bank on the polling day of 1868. I suppose you were aware within the next week an election petition was threatened; you were aware from report?—I heard a report to that effect.

11,032. And perhaps Mr. Kinglake, or Mr. Mogg, or some of your friends told you about it?—No, I had no communication with Mr. Kinglake.

11,033. Or Mr. Lovibond?—Or Mr. Lovibond, or Mr. Mogg.

11,034. But you must have heard it from some one; can you give the person?—I cannot say who the party was, because it was a conversation in the town.

11,035. And that petition was not brought to trial until the ensuing month of February?—Yes.

11,036. The result of that petition was such that it was quite clear that a commission of inquiry would go some time in the course of the summer, into this borough. Putting those things together, I wish to ask you, supposing there had been no petition, or threat of petition, would you have been repaid that 500*l.*?—I suppose I should have been by some party or other.

11,037. Is your not having been paid to this day owing entirely to the pendency of these different inquiries. Is it or not attributable to the pendency of these successive inquiries?—I have no doubt it is.

11,038. When this inquiry is over, and all its results are at an end, whatever they may be—we cannot tell what the legislature may or may not do—do you expect then to be immediately repaid?—Well, I shall certainly look out to get the money.

11,039. But not till then?—Well, I cannot.

11,040. Not till then?—Well, I have debited myself with the cash, and there I stand.

11,041. You do not expect until then to be repaid?—I do not know to whom to apply.

11,042. Have you had any conversation with anyone you can recollect on the subject I have been directing your attention to this morning, namely, the pendency of these inquiries, and the necessity of those inquiries being brought to an end before you can be told the name of that person who is to make you the repayment?— All I can say is, that I have spoken to Mr. Lovibond upon it, and he said he would endeavour to get that made all right with me.

11,043. When was this?—I suppose about a fortnight or three weeks ago.

11,044. I do not want to inquire impertinently into anybody's money affairs, but I must ask this question. When the 500*l.* was taken out, as you have described, at your own risk you put it, had you thereby overdrawn your private account at the bank?—I do not keep any private account myself.

11,045. Then you have a share in the bank?—I have.

11,046. I presume you do not divide profits until you have ascertained first of all the gross assets, and next the losses, if there are any?—At the end of the year.

11,047. That being so, I want to know why it was you did not debit yourself with 10 or 11 months' interest on that 500*l.*; why you did not do that, and why, instead of putting the true date down on the advance, as you described it, you put the date of the day before yesterday, or the day before that?—It was only about six weeks before Christmas, and we never debit interest before a year. For instance, if money is drawn out in November, we should not think of debiting that interest until the following November.

11,048. Is it your intention to debit yourself with interest next November?—I must do so.

11,049. Is it your intention?—Well, I shall.

11,050. Is that in consequence of something which passed at this court yesterday?—No.

11,051. In consequence of your conversation with Mr. Sealey the day before yesterday?—No, I should feel in duty bound to pay the money for my indiscretion.

11,052. To debit yourself with interest?—To debit myself with interest.

11,053. (*Mr. Coleridge.*) Should you have done so if Mr. Sealey had known nothing about it?—Certainly.

11,054. Then he would have known it?—Then he would have known it.

11,055. Then your object in concealing it would be gone?—I should debit myself with the interest.

11,056. And then your object, which you have told us was to conceal it from Mr. Sealey, would have been destroyed by your doing so?—Of course it would.

11,057. The very reason you have given us for keeping this from Mr. Sealey would have been destroyed?—It would have been destroyed.

11,058. And you would have undertaken to do that?—I must have done so.

11,059. But should you?—I should have done so.

11,060. (*Mr. Price.*) Do you remember what took place that morning when you went to Mr. Sealey with the 100*l.* cheque of Brogden's which had been given to you by Mr. Barham?—I had forgotten the circumstance of Mr. Sealey speaking to me on the matter which he said yesterday; it is very possible he did; he must have done.

11,061. Did you understand from Mr. Sealey's mode of speaking to you that you were not to interfere in the matter at all, and cash the cheque, or did you merely understand him to say, "You may act on your own discretion," only not to let him know what you were doing?—It was before the bank was open, and that is the reason why.

11,062. Your recollection being refreshed as to what passed, did you understand Mr. Sealey, from the expressions he used, to reprimand you, and prohibit you from doing what you were asked to do by Mr. Barham, or did you merely understand him to say, "Do not let me know anything about it; act on your "own discretion;" which of those did you understand from his manner?—The latter part of your question.

11,063. Not to prohibit, but merely not to let him know what was going on?—Yes; the management of cash affairs he leaves to me.

11,064. You merely understood it to mean, "Do not trouble me about the matter?"—Yes.

11,065. "But do as you like?"—That is the way in which I mean it.

11,066. And acting on that you cashed the 300*l.* cheque in a subsequent part of the day?—I did.

11,067. (*Mr. Anstey.*) You say the management of the cash affairs of the bank he leaves to you?—Yes.

11,068. Has that been the distribution of business ever since you have been a partner?—Yes.

11,069. When was that?—Nearly five years.

11,070. The whole of that period, I understand, therefore, whether he really disapproved or not of your proceedings at those two elections, what you did was quite within your power as sole manager of the cash affairs of the bank?—It was.

11,071. (*Mr. Price.*) If that was so, why did you ask Mr. Sealey that morning? Was it because the bank was not open?—Because the bank was not open.

11,072. Therefore you would have to get the key of the strong box?—Yes, Mr. Sealey had the key.

11,073. You understood that Mr. Barham wanted it directly?—Yes.

11,074. Just before banking hours?—Yes.

11,075. He came about what time?—About half-past nine, I suppose.

11,076. Did you go to Mr. Sealy's house?—I did not.

11,077. Was Mr. Sealey at the bank at that time?—He comes down and stands about the door just before the opening of the bank.

11,078. (*Mr. Anstey.*) When you gave up the 500*l.* were you in a state of great excitement, or as calm as a banker should be?—I was in a state of excitement at the time; we were balancing up; but I had not been out in the town to cause it.

11,079. (*Mr. Price.*) What excitement—political?—Well, that and the bustle of making up our books.

11,080. (*Mr. Anstey.*) That is all?—That is all.

11,081. You were not carried away by party enthusiasm?—Not at all.

11,082. (*Mr. Price.*) What were you balancing the books for?—For the day; it was about a quarter before three.

11,083. You were beginning to balance for the day; that does not put a banker into a state of great excitement—a thing which he does every day of his life, or put him into a great flutter?—Well, it does that.

11,084. I can understand if the bank is in a tottering condition; but if it is prosperous, do you mean to say that you are fluttered?—If you had been here and seen the confusion going on in the street——

11,085. (*Mr. Coleridge.*) But that had nothing to do with your accounts?—It had nothing to do with our accounts.

11,086. Do you mean us to understand that you are in a chronic state of flutter when you balance your books?—No.

11,087. Are you a nervous man?—I am that; I am of an excitable temperament certainly.

11,088. (*Mr. Anstey.*) Having a clear recollection of the depositing of the cheque the night before, and its destruction, and your being nevertheless liable to answer Mr. Lovibond's orders and demands, whatever they might be, in the course of the day, at a quarter to three, when you were going to balance the books, did you begin to be in a flutter about that particular transaction?—No, you misunderstand me. Mr. Mogg rushing into the bank as he did, I was taken by surprise.

11,089. That was afterwards; you began to balance your books at a quarter to three, and that put you in a flutter?—I did not know what I was about.

11,090. When you opened the books in order to balance them, did you consider with yourself, "what "will become of this 1,000*l.* cheque business of last "night, and the demands which Mr. Lovibond will "probably make on me for money to pay the bills "withal"?—That cheque for 1,000*l.* was destroyed previously.

11,091. But the transaction remained?—No.

11,092. Do you mean to say that, notwithstanding the destruction of the cheque that morning, you were fully prepared to expect a message of some kind or other for money from Lovibond, in Mr. Kinglake's name, in the course of the day?—I did not expect it. I was really taken by surprise.

11,093. This throws new light on your evidence. Do you mean to tell the Commissioners, being in a state of excitement yourself, that when Mr. Mogg came in, without any warrant from anybody who was a customer of yours, and without mentioning the name even of a customer of yours (for that he has sworn), and put down on a piece of paper these words only, "500*l.* to Allan," do you mean to tell the Commissioners that you honoured that order without any previous intimation from Mr. Lovibond, or some one else, that if such an order came in in the course of the day you were to honour it?—No, I had no idea at all of the kind.

11,094. (*Mr. Price.*) Did not it strike you then when this "500*l.* to Allan" came, or bring to your recollection the important transaction of the night before of the 1,000*l.* cheque, and the destruction of it, and that that matter was to be considered cancelled, and did not you consider, "What right have I to do this when that 1,000*l.* business is at an end"?—Well, I did not duly consider what I was about, otherwise I would not have done it.

11,095. (*Mr. Anstey.*) Did anybody else then come to you in the same way?—No.

11,096. I really do not comprehend this. Do you swear positively, that when Dr. Kinglake came to you and said, "Give me the cheque, and let this cheque be "as if it was not drawn, and this matter, as if it had not "been opened," do you mean to say he did not then give, or had not then given you to understand, that notwithstanding the destruction of the cheque, you might still be called upon for money in the course of the day?—He did not.

11,097. (*Mr. Price.*) You knew it was bribe money?—Well, I expected it was for that purpose.

ELEVENTH DAY.

Mr. J. Prior.

3 Sept. 1869.

11,098. It could not have been a *bonâ fide* transaction, or it would not have come to you in that form?—It was not; I was taken, as I solemnly declare, by surprise, in the hurry of the moment, I did not know what to do.

11,099. (*Mr Coleridge.*) Assuming that you were taken by surprise, and admitting as you have almost everything, will not you fairly state at once that you knew this money was brought for the purpose of bribery?—I expected it was.

11,100. But did not you know it?—Well, I did not.

11,101. Coupling it with the transactions of the night before, Dr. Kinglake bringing the 1,000*l.* cheque, and the very unusual sum of 500*l.* being given to the person whom the cheque was to be dealt with by, did not you know it was for the purpose of bribery?—Well, I pretty well understood.

11,102. Had you the remotest doubt?—Well, I did not give it a thought.

11,103. (*Mr. Price.*) You, a banker, giving 500*l.* under such circumstances, did not you give it a thought?—Well, I did not at the moment.

11,104. (*Mr. Anstey.*) Have you seen Dr. Kinglake since he appeared in court yesterday?—I have not spoken to him since.

11,105. Had you seen him before he appeared in court yesterday?—Not that day.

11,106. Before he came into the witness-box?—I did not.

11,107. Nor after?—Nor after.

11,108. Have you had any conversation about this with Mr. Lovibond, or anybody else since you gave us your evidence?—No.

11,109. (*Mr. Coleridge.*) You heard Mr. Lovibond say he certainly should defend the action if you brought it against him?—Well, I heard that from some one, but was not in court to hear it; I heard that he had said so.

11,110. (*Mr. Price.*) I think you said you kept no account, but you draw money out from time to time, and it is taken into account when you divide the profits?—I do.

11,111. (*Mr. Anstey.*) If the 500*l.* had been withdrawn *bonâ fide* from your own private account for that year, would it have exceeded your share of the profits or not?—Well, it may have exceeded my share of the profits.

11,112. How much?—Well, I cannot say, perhaps a couple of hundred.

11,113. Did you not account for that last Christmas?—No; because the memorandum was there, showing that I had had the money.

11,114. Were not you debited with an excess when you and your partners came to divide the profits last Christmas?—It was not. It is no uncommon thing when money is taken from cash to put a memorandum in the cash-box for whatever it may be.

(*Mr. Anstey.*) But this was not in the cash book, or whatever it may be; it was an independent bag of gold which nobody had touched.

11,115. (*Mr. Price.*) It was not taken into account when you divided profits last Christmas?—The 500*l.* was taken as cash.

11,116. When you say taken as cash, was it enumerated?—It was.

11,117. (*Mr. Price.*) How?—By my memorandum.

11,118. Was Mr. Sealey aware of it?—Mr. Sealey was not.

11,119. Then in point of fact it was not; it was only in your mind?—There was a memorandum to show that.

11,120. But if it had been an ordinary transaction, a proper transaction, you would, when you divided the profits with Mr. Sealey, have said, "I have already had 500*l.* on account," if it had been a *bonâ fide* regular transaction?—If it had been for my own private use.

11,121. That is what I call a *bonâ fide* transaction?—Yes.

11,122. Therefore you entered into the profits as if no such transaction had taken place?—Yes.

11,123. (*Mr. Anstey.*) If you did what you understood Mr. Sealey meant you to do in 1865 or 1866, that is to say, kept those things to yourself, did you imagine if you did keep them to yourself, and not trouble him about it, that he would not have disapproved of it when the time arrived for making it known to him?—I think that he would have disapproved of it.

11,124. Did you then think so?—When I gave the 500*l.*?

11,125. Yes?—I did not give it a thought.

11,126. The night before, when you made the compact about the 1,000*l.*, did you think then, if I succeed in keeping this so that Mr. Sealey may be able to say to all the world he knows nothing about it, when the time comes for closing the account, and getting back this money, then I shall tell him, and then he will not disapprove of what I have done?—If that 1,000*l.* had been drawn, or any part of it, that cheque then would have gone forward by the following post, and the entries would appear regular.

11,127. Then he would not have disapproved of it. Did you think so?—I did not think anything about it; it was one of those transactions that bankers have. If a customer brings a cheque, or anybody brings a cheque, and we have confidence that it is all right——

11,128. (*Mr. Price.*) But he was not a customer?—He was not a customer.

(*Mr. Anstey.*) He did not bring it to "us," but to you personally.

11,129. (*Mr. Coleridge.*) It was not passed into your books in any shape or way?—No; because I was not to pass it if it was not wanted.

11,130. Assuming, for the sake of argument, if Mr. Sealey had done what you did, put this memorandum in a bag, and then have died suddenly, should you have known what that memorandum meant?—I should.

11,131. Explain; what do you mean. That he had taken 500*l.*?—That he had taken 500*l.*

11,132. (*Mr. Anstey.*) If he had put it into another bag that already contained in counted money 500*l.*, you would have thought that that paper without more referred to another bag not there, and which had contained 500*l.*, and which had been dissipated. Do you mean to say, that if you had known nothing of the transaction described by my learned colleague, and supposing the transaction had occurred as he has stated it to you, and then Mr. Sealey had died, and you had found it not in an empty bag, but in another bag containing exactly the sum of 500*l.*, that you would have understood the memorandum "J. S. 500*l.*" referred not to the bag it was in, nor to the money which accompanied it, but to a bag not there, and money of which there was no trace. Do you mean to swear that?—I do.

11,133. (*Mr. Coleridge.*) You have not told us yet, was the memorandum dated?—I have made out a copy of the memorandum as well as I recollect it (*handing it in*).

11,134. (*Mr. Price.*) Is that your name?—"J. P." are my initials, and on examination of our books that will be found to be my initials all through.

11,135. (*Mr. Anstey.*) I must tell you, that before the time comes for our consideration of the question, highly painful for us to consider in any case, whether the witnesses have answered our questions, I shall certainly expect that you will give the Commissioners in general, and myself in particular, information that at present I consider you have not given; namely, how it was that if the transaction was entirely at an end that morning between you and Dr. Kinglake, by the destruction of that cheque, and if you had no communication from him, or from others preparing you to receive messages that day for money, how it was that you handed over to a perfect stranger to the bank, without any written security or order whatever, the large sum of 500*l.*, which it was not yours to hand over. I warn you of that, and therefore you must consider between this and the close of our inquiry what you have to do; and I must further warn you, if I get the information from anybody else I shall not want yours. Mr. Lovibond, being himself now under examination, may probably supply us. I will ask you while you are in the witness-box, are you the John

Prior, banker, who signed the famous petition of 80 in 1866, praying the House of Commons to do its best to prevent bribery and other corrupt practices in Bridgwater, by the suspension of the writ, and an address for the issue of a Commission?—I am the party, and if that petition had been acted upon I should not have been here now.

11,136. (*Mr. Price.*) That you cannot tell at all, because I suppose your object would have been served, like the object of Mr. Lovibond; since it was a party manœuvre to get the writ suspended until you were prepared with a candidate likely to beat the others?—I never thought about the writ.

11,137. What did you think would be the result of the petition?—An inquiry into the practices of the town.

11,138. And would result probably in the disfranchisement of the borough?—That I should have been very glad to have seen. I have expressed my opinion on that for years.

Mr. Ford recalled.

Mr. Ford.

(*The witness.*) May I be allowed to correct a statement which appears in the "Bridgwater Mercury" of last night, and ask your shorthand writer if his notes agree with that? Mr. Bate is reported to have said that his father and my father, Mr. Thomas Ford, introduced Mr. Gaselee and Mr. Kinglake to Bridgwater. I wish it to be distinctly understood by you that Mr. Thomas Ford was not my father, only an uncle. My own father had nothing to do with the introduction of Mr. Gaselee or Mr. Kinglake into Bridgwater. I should be sorry for you to imagine that my father was the Mr. Thomas Ford connected with it.

(*Mr. Anstey.*) If the evidence requires correction, what you say now will be a sufficient correction.

John Smith recalled.

J. Smith.

11,139. (*Mr. Price.*) You stated to us yesterday that they knew you would have nothing to do with bribery, in answer to the questions which were put to you: "I should like you to explain how it was when "they began to bribe they did not entrust you, you "being the accredited agent of the town, with the "knowledge of the fact that they were bribing?—"They knew I would have nothing to do with it." And then I put to you, "You had a virtuous fit, and "therefore would not have anything to do with it," and your answer is, "They knew it." You do not answer my question about having a virtuous fit, and then you are asked, "You told them that you had been "convinced of the impropriety of the whole thing, "and you would have nothing else to do with it," and your answer is, "I did not tell them that." And the question is, "Can you tell us why you broke off "with the party, and gave up this electioneering "business. Did they distrust you?—Oh, no, as I "told you before I had lost by the electioneering, and "had been ill for a long period before that." "That "is the reason, because you had lost your business, "and had been ill?—Yes." Now, I wish to ask you, do you adhere to that statement as a reason why you determined to give up having anything to do with bribery?—I do.

11,140. As the sole reason?—As the sole reason.

11,141. I wish to ask you whether there was not a reason operating on your mind that you had placed yourself under an obligation to Mr. Westropp?—No.

11,142. Will you swear?—I do.

11,143. And that you had written to him that you would never oppose him?—I did write to him; I do not recollect the contents of the letter.

11,144. Did you write to him that you would never oppose him?—I do not remember that.

11,145. Will you swear you did not?—I will not.

11,146. If you say you might have done so, on what ground did you write that to him; what induced you to write to the candidate opposed to you politically that you would never oppose him, and against whom you had voted before?—In the fore part of last year I was in London with Mr. Symons, of the firm of Symons and Colthurst, who had lost a large vessel, and the only man saved from the vessel was a dark man. I found him in London, and it occurred to me that was a case to go before the Board of Trade. I went to Mr. Kinglake and asked him if he could give me an introduction, I think it was to General Peel. He said he did not think he could, for the reason that their government was not in office, and it was always difficult to approach any office upon the opposite side. I found that I could not get an introduction through Mr. Kinglake, and I thought it would appear, on my part, stupid to come back to Bridgwater without doing that which they sent me up for; and it then occurred to me to go to Mr. Westropp, at his club, at Charing Cross.

11,147. (*Mr. Price.*) What had General Peel to do with it?—Whether that was the name I cannot say; I think it was Mr. Peel or Mr. Watkins, not General Peel.

11,148. (*Mr. Coleridge.*) You mean Mr. Arthur Peel, the secretary of the Board of Trade, not General Peel?—Mr. Peel.

11,149. (*Mr. Price.*) Were you interested in that vessel?—I was not.

11,150. What do you mean by saying, "The case "we had, about the end of last year, a vessel called "the 'George.'" What did you mean by writing that to Mr. Westropp?—I do not know that I wrote "we."

11,151. Did you say, "The case is, we had about "the end of last year a vessel called the 'George,' "that vessel was run down by a steamer called the "'Anglia,' in Yarmouth Roads, no one saved but "a coloured boy, the steam ship picked him up, "took him to Dundee; there he made a statement, "and the captain also (enclosed); the coloured boy "says that what they say he said he never did say "(he cannot read or write). This I will explain, when "I see you; amongst other things they report he said "the oil was bad;" and so forth. Do you remember writing that?—I think it is very likely.

11,152. And telling him that you had had letters from the Duke of Richmond about it?—Yes.

11,153. Were you or not interested in the vessel?—I was not.

11,154. What do you mean by saying, "*We* had a vessel"?—The word "we" there is a mistake; I had no interest whatever in the vessel.

11,155. Do you mean that the town had a vessel?—No; it was Mr. Symons' vessel, and he deputed me to go to London.

11,156. Why did you say "we"? You do not say "Mr. Symons had a vessel," but, "The case is, we "had at the end of last year a vessel called the "'George'"?—Yes.

11,157. What do you mean by saying, "The case is "we had a vessel"?—I cannot answer that in any other way. I put the word "we" in; it was a mistake on my part.

11,158. Was that letter dated February 1st?—It was about that time.

11,159. Had you previously written to him in these terms on the 30th January 1868, "Will you kindly "say, per return, if you are in London"?—I did, I believe.

11,160. And he wrote to you to say, "In reply to "yours of yesterday, I am in town, and shall be for "some time. I received your letter on my return "from the country this evening too late to reply as "you wished, by return." Is that so?—Yes, that is about it.

11,161. And then you wrote this long letter to him

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J. Smith.

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in which you said this, you were going to ask a favour of him by this letter?—Was that in town?

11,162. Yes?—Was that after I had been to London and seen him?

11,163. I should suppose it could not have been, because it follows immediately one to you, directed to Bridgwater on the 30th January, "I received your "letter on my return from the country this evening "too late to reply as you wished by return." You wrote immediately from Bridgwater, so I conclude that you had not seen him, now you wanted a favour from him?—I think I wrote to him to that effect.

11,164. Now, in that letter did you say to him, "Before I commence laying a case before you, in "which I, Messrs. Colthurst and Symons, Captain "Hunt, and James Harwood are interested in, I would "just say one word, and, of course you will hold my "writing for it, which is pretty well known, that I "hear from pretty good authority that you intend to "contest our borough again. I am glad to hear it, "and no act of mine shall stay you whenever that "time may arrive; however, on that I should very "much like to see you, and I would suggest that after "you have read the papers through, you may know "some one belonging to, or in authority at the Board "of Trade." Do you remember writing that to him?—I think it is very likely.

11,165. Do you mean to say, therefore, that your abstaining from election proceedings was not influenced to an extent by the fact that you knew Mr. Westropp had under your hand an expression on your part that no act of yours should do anything to damage him when he came down?—If you will allow me I will explain that.

11,166. Answer the question. When you say you determined not to act at that election, had not the fact that you had written in these terms something to do with it?—I had a cause for so doing.

11,167. Had you, or not, and did that operate on your mind, the fact that you had written in those terms to Mr. Westropp, in determining you to abstain from anything like political action?—It did for some time.

11,168. When did it cease to operate?—Well, about a week, I should think, or two or three days before the last general election. If you will allow me to explain——

11,169. (*Mr. Coleridge.*) You did vote?—I did vote.

11,170. For the Liberals?—For the Liberals.

11,171. (*Mr. Price.*) You told us just now that the whole cause of your not voting was your ill health and loss of trade?—So it was.

11,172. Now I understand you to say the fact also of your having written to Mr. Westropp?—For some time it did.

11,173. When did it cease?—When I went to London I went to his club at Charing Cross. I saw him, and he introduced me to the Board of Trade. Walking down Parliament Street he complained of how badly he had been used at Bridgwater. I was ill at that time, and had conversations about it, and he mentioned the names at Bridgwater, and I told him at that time I had nothing more to do with electioneering, and after I came back I wrote to London to him. I may explain that some years ago my son was in a boarding school in London. About that time I had a presentation for him to the Bluecoat School. He came to see me in the holidays, and was in the street with some boys. A marble rolled out of his hand into the road, and he ran after it and was run over by a gentleman of the name of Tucker, of Clay Hill Farm, and killed. Having that presentation for the Bluecoat School by me I was asked, having no boy old enough of my own, to go to Colney Hatch by a friend of mine in London to give it to some woman whose husband was a butcher, and I transferred the presentation that I should have had for myself over to this person who lived in London for her boy to go to school. When I was in London, having another boy getting the proper age for going there, and having lost my patron who gave me the presentation for my first boy, it then occurred to me that I would ask Mr. Westropp whether he had any influence at the Bluecoat School.

11,174. (*Mr. Price.*) What year was that?—February of that year when I was in London. At that time when I got home, I will not be sure, I wrote.

11,175. This is not the only business you asked him about. You went up to see about the presentation of your boy?—I wrote to him.

11,176. That is part of the business you went up to London about?—No, it never occurred to me until I was there in conversation. I heard that he was connected with city merchants, and his club at that time was principally composed of city merchants, and then it occurred to me after I got home.

11,177. (*Mr. Coleridge.*) Was it the Union Club?—Yes. Then it occurred to me, if so what he told me—there was no possible harm—he could procure me a presentation for me himself. I did so, and he told me it could not be done.

11,178. Why?—He said he had no interest. I never mentioned my interview with Mr. Westropp. What he told me was with reference to agents or men here; he named two or three particularly whom he said had swindled him. I never mentioned it till two or three days or weeks before the last election. I happened to go up the town to Mr. Whitby, the stationers. We had then a building society meeting, and first I remember it was winter time, for the reason that the shop was shut, and on the outside the door, as near as I can possibly remember, were two men standing on the kerbstone, who repeated verbatim the letter I had sent to Mr. Westropp.

11,179. (*Mr. Price.*) Do you mean this long letter?—I mean the letter with reference to where I wrote to Mr. Westropp, asking him to be kind enough to interest himself to get my boy into the Bluecoat School, and that was said verbatim outside the door, exactly or nearly so, how I had written to Mr. Westropp. Then it occurred to me that I had not mentioned Mr. Westropp's name to any living person here, and it occurred to me that he had broken faith with me.

11,180. (*Mr. Coleridge.*) Did you ask him not to mention it?—No.

11,181. Then how do you mean he had broken faith?—Because I had told him I should have nothing to do with the election as far as he was concerned.

11,182. You told him this while you asked him a favour?—I asked him a favour, no doubt.

11,183. You offered to abstain from bribing against him on condition that he did something for you?—I cannot imagine how it was that he thought I should have broken faith with him in the election; I never did; but it occurred to me that he must have told some one in Bridgwater I had written that particular letter to him, and that it was a favour. I stated it to my friend at the time—that had no effect on me. Mr. Collins I will call as a witness to prove that my friend at Shepton Mallett expected to see me there on Saturday morning. I had written to him there saying that I should be there.

11,184. What has this to do with it?—Nothing.

11,185. (*Mr. Price.*) Having told him that you would do nothing to hinder his success, and having been under a certain obligation to him, and asking him for a further obligation, why was it you turned round?—I do not think I asked him any further obligation with the exception of my boy.

11,186. It is a long letter begging him to interfere?—Just so.

11,187. It was a favour then?—It was a favour.

11,188. You asked one for yourself and another for your party, which was Symons and Co.?—No.

11,189. What was it made you, after your solemn promise to Mr. Westropp if he would do this, that you would not act against him; and he had performed his part of the contract, for he seems to have gone to the Board of Trade, only they would not inquire—having done what you had asked him as far as Mr. Symons was concerned, and told you his inability

about your boy, what made you break your part?—I felt a little annoyed about the letter being made public.

11,190. (*Mr. Anstey.*) Why should you have felt annoyed if it was an honest transaction?—Because I wrote on the top of that letter "private."

11,191. Did you mark it "confidential" also?—No, I did not.

11,192. (*Mr. Price.*) This is a true copy, and there are some documents here which are marked "private,"—at least which are not put down here—parts of letters—because it is said they are marked "private." The long letter I read to you is not marked "private" at all, and the letter in reference to your boy is not here at all?—I sent it.

11,193. (*Mr. Anstey.*) Did you stipulate with Mr. Westropp that he should keep this letter a secret?—With reference to my writing?

11,194. Yes?—I did.

11,195. At the interview which you had with him?—No, I wrote to him.

11,196. (*Mr. Price.*) Why should you wish it to be kept private? Was there any great harm in your asking him?—No.

11,197. Then why should you wish it to be kept secret?—It occurred to me every letter I wrote to him was marked "private."

11,198. Was there anything in asking Mr. Westropp to give you a presentation for your boy that you were ashamed to have made public at the market?—No.

11,199. Then why think he had betrayed you in publishing it? Was it because of your politics? You thought your party would come down on you for having asked a favour?—No.

11,200. (*Mr. Anstey.*) Was it because of the presumed near approach of a general election?—No; that was in February.

11,201. Was it not notorious there would be a dissolution some time that year?—I think——

11,202. Do you mean to swear that you, a politician, were not aware, after the passing of the Act of 1867, when it was perfectly well known that the question as to the dissolution which followed in 1868 was only a question of time?—Well, it was, no doubt.

11,203. It was a pledge given?—I do not know.

11,204. You, a public man in your way, do you mean to swear on your oath that you were not aware in February that Mr. Westropp would be probably down again in the course of the year?—I will not.

11,205. You will not swear?—No.

11,206. Do you swear that you did not know it?

11,207. (*Mr. Price.*) Had you any doubt?—I had no doubt that he would be here.

11,208. Here you are on February 1st saying, "I "understand from pretty good authority you intend "to canvass our borough again"?—Yes, very good.

11,209. Therefore you knew well that an election was imminent. "I am glad to hear it." Were you glad to hear that your political opponent, Mr. Westropp, was going to stand again?—I cannot say that.

11,210. Why did you say that?—I cannot say.

11,211. "No act of mine shall stay you whenever "that time may arrive. However, on that I should "very much like to see you." That was on his coming forward to contest the borough. What did you want to see him about—"I should very much "like to see you"?

11,212. (*Mr. Coleridge.*) Had you any notion of changing your side at that time?—Not the slightest.

11,213. (*Mr. Anstey.*) You had an intention of changing your vote?—No, I had no intention.

11,214. Then what is the meaning of those words?

11,215. (*Mr. Price.*) "No act of mine shall stay you." Did you mean to abstain from electioneering?—I did mean to abstain from electioneering.

11,216. (*Mr. Coleridge.*) From voting?—No, I merely meant to record my vote.

11,217. Did you mean to vote against him after you said you were glad he was coming forward?—I told him in London, "I certainly shall not vote for you."

11,218. Is not voting for another doing an act which will stay him?—That was done between him and myself.

11,219. Do you call voting an act?—I do.

11,220. Is it an act calculated to stay the opposing candidate when you vote for one?—It would be, one vote.

11,221. Then what did you want to see him very much for; "However, on that I should very much "like to see you," underscored. What did you want to see him for?—I cannot remember that.

11,222. If you could get this favour at Mr. Westropp's hands, did you go up for the purpose of telling him what you knew of the past history of the contest, or what chance he had?—No, I did not; I knew nothing.

11,223. You knew all about the bribery on your side?—Yes, of course I did.

11,224. (*Mr. Anstey.*) You said just now, not two or three answers back, in answer to the learned Chief Commissioner, upon his question, that you had told Mr. Westropp in London, that Mr. Westropp had perfectly understood you in London, that you could not vote for him?—Yes.

11,225. Did you tell him that you thought it probable that you would not vote against him?—No, I told him perfectly distinctly that I would not vote for him.

11,226. Did you tell him it was very probable that you would not vote against him; that is, not vote at all?—No, I did not.

11,227. Did you give him any reason to believe that you would not vote at all?—No.

11,228. Then what do you call those words which the Chief Commissioner has called your attention to particularly, if you did not mean that you were not going to vote against him?—If Mr. Westropp was here he would repeat the same.

11,229. (*Mr. Price.*) What did it mean?—I cannot say.

11,230. I think you said just now, in the same letter which you wrote about the ship you had also written about your own boy?—No, another letter.

11,231. Was it not as much as 11 days afterwards when you wrote to him again asking him to obtain something for you?—I forget what I wrote. I do not know what that something alluded to.

11,232. Is this the way in which you write to him? I want you to explain the expression, "Dear sir, I "beg thankfully to acknowledge the receipt of your "note. It would have been answered per return, but "absence from home prevented it. I should be very "glad if case of loss of 'George' could be cited by "'*side wind.*'" What do you mean by that? "You "know case well, but brief is in hand of counsel, and "to go into particulars would perhaps weaken our "case." Were you or not interested therefore in the loss of the "George"?—I was not.

11,233. Then why do you keep calling it our case?—Mr. Symons asked me to investigate it for him.

11,234. Were you agent for Mr. Symons?—No.

11,235. (*Mr. Coleridge.*) Were you paid for doing it?—Yes.

11,236. (*Mr. Anstey.*) Was it a sort of commission?—No; I had merely my bare expenses.

11,237. You were not paid then. Do you mean to say you were not paid more than your bare expenses?—Very little.

11,238. You said just now only your bare expenses, and now a little more?—What I mean by my bare expenses is my travelling expenses. I stayed with my uncle.

11,239. Had you nothing for leaving your business here?—I believe I had 5*l.* for going up.

11,240. (*Mr. Coleridge.*) You said Mr. Westropp complained to you of people who had swindled him at Bridgwater. What are their names?—He mentioned Temblett's name, and I believe he mentioned Robert Bussell's name.

11,241. Anyone else?—I think not.

11,242. What did he say they had done?—That they had treated him badly, and I believe it was owing to them.

11,243. Swindling is a strong term. How did he

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say they had swindled him? Did he say they had kept back the money with which——?—Well, that would be a hard word; treated him badly.

11,244. You used the word "swindling?"—I did.

11,245. Did he say that they had kept back the money which ought to have been distributed in bribery?—He did not.

11,246. Did he allude to bribery in any way?—Not the slightest.

11,247. Neither on your side nor his own?—No.

11,248. (*Mr. Price.*) You remember writing to Mr. Westropp a letter in which you expressed great gratitude, and said he was as right as the mail?—Very likely.

11,249. What did you mean by that?—I cannot say.

11,250. Do not put us off with that. This is not answering questions?—I am aware of that.

11,251. What did you mean by telling Mr. Westropp that he was as right as the mail?—I cannot answer that.

11,252. Did you mean his election was sure?—I cannot answer that.

11,253. Did you mean his election was sure?—I might have referred to that.

11,254. What else could it have referred to?—I do not know.

11,255. And also assured him that Mr. Kinglake would not stand?—No, I do not remember that.

11,256. Will you swear you did not?—Yes.

11,257. Will you swear that you neither by letter nor word of mouth, because it may have been by word of mouth, express great gratitude to Mr. Westropp for what he had done, and tell him that he was as right as the mail; and tell him that you were assured or informed that Mr. Kinglake would not stand?—I will not swear it.

11,258. If you did that, had you any authority for assuring him that Mr. Kinglake would not stand?—I do not remember anything about that.

11,259. You say you will not swear you did not say so to him. I understand you to say that you will not swear that you did not express gratitude to him; and say that he was as right as the mail?—I cannot recollect that.

11,260. And also that you are assured that Mr. Kinglake will not stand. Will you swear you did not say that?—That I do not remember anything about.

11,261. Could you have said any such thing?—I do not think I could.

11,262. Had you any right to say it?—I do not think I had. I had no right.

11,263. (*Mr. Anstey.*) Had you heard that Mr. Kinglake would not stand?—I had not heard he would not stand.

11,264. (*Mr. Price.*) Then if you had not heard he would not stand, and if you had no right to assure Mr. Westropp that he would not stand, will you, as an honest man, tell us whether you gave that assurance or not?—I do not think I did.

11,265. (*Mr. Coleridge.*) Were you under the impression that Mr. Westropp would get in?—I thought it was very likely.

11,266. Then do you or not agree? I thought you yourself said, if you have not all the others have here, that this is a Liberal borough, if there is any money; that the two Liberal candidates are always safe?—I believe that is it.

11,267. Did you mean by that Mr. Westropp was to bribe the borough?—I did not think he would get in unless he paid money for it.

11,268. Did you ever tell him so?—Yes.

11,269. Told him he could not get in without paying money?—Yes, he knew that.

11,270. Did you tell him about what it would cost?—No, I had no right.

11,271. (*Mr. Price.*) Did you tell him, "I wish "you would kindly write me a letter." "I also saw "Mr. A. W. K., who has not the slightest idea of "retiring. I merely tell you this for your own guid-"ance." Who is Mr. A. W. K.?—Mr. Kinglake.

11,271*a*. "I wish you would kindly write me a letter "stating the question in its entirety, the same as you "asked Captain Walker. You remember exactly what "it was, and for this reason I told them that an answer "with reference to 'George' would not be definite "until about Tuesday or Wednesday. I want your "name to be before them as a document for your "extreme kindness to me"—before whom?—I cannot tell you who that alluded to.

11,272. (*Mr. Anstey.*) Surely the Board of Trade?—It might have been.

11,273. (*Mr. Price.*) Or was it Mr. Symons?—No. I think, if I remember right, it was the Board of Trade.

11,274. (*Mr. Anstey.*) That is not the meaning of the passage which the learned Chief Commissioner has just read to you. Clearly and plainly does it not amount to this, that you asked Mr. Westropp to do a most improper thing, that is to use his private or supposed personal influence with his political friends, then in office, to obstruct the course of justice in an inquiry which was taking place with respect to this vessel, as to which the Board of Trade had public duties to perform, to the prejudice of yourself or your principal, Mr. Symons, who was examined here the other day?—No.

11,275. (*Mr. Price.*) What was the question about the "George" that you wished the Board of Trade to take up?—This. The "George" had come from the north of England. I believe she was sailing for Cardiff with pig iron. The Dundee steamboat, the "Anglia," off Cromer at 12 o'clock at night ran into the vessel which belonged to Mr. Symons, and they were all drowned with the exception of this black boy.

11,276. Just to shorten the thing, was there an inquiry, or was there any policy of insurance on this ship; and on claiming the insurance money was there any blame thrown on the crew of the ship "George," or the crew of the steamboat?—There was an insurance on the ship. The proprietor of the steamboat complained that the proprietor of the "George" did not show a light.

11,277. Just attend to me. I think we can shorten the matter, in all probability. In consequence of this running down, was a claim made on the underwriters?—Yes, there was.

11,278. Did they resist the claim on the ground that the ship "George" did not show lights?—No; they paid it.

11,279. Then did you ask for an inquiry on the part of the Board of Trade to see who was to blame?—I asked for an inquiry from the Board of Trade for them to investigate it to see who was to blame.

11,280. Was there an inquiry?—No.

11,281. Why not?—They said it would be a great expense, and in consequence of the dark boy making——

11,282. Did you bring an action against the "Anglia"?—Yes.

11,283. (*Mr. Coleridge.*) You did bring an action?—There was to be one, provided the Board of Trade took it up.

11,284. (*Mr. Price.*) Previous to your taking proceedings against the "Anglia" you wanted an inquiry to be made by the Board of Trade?—Yes.

11,285. And you wanted Mr. Westropp to use his influence to get an inquiry by the Board of Trade?—Yes.

11,286. And you applied to the Board of Trade?—Yes.

11,287. And they declined to interfere?—Yes.

(*Mr. Anstey.*) Are you aware that if this had been an ordinary matter of business with the Board of Trade, that Mr. Peel or any other member——

11,288. (*Mr. Price.*) Mr. Peel, I believe, was the private secretary of the Duke of Richmond?—Yes.

11,289. (*Mr. Anstey.*) Well, your sitting member,—Mr. Kinglake, for instance,—sitting on whichever side of the House he likes, is entitled, by a standing order of the Board of Trade, to an audience with the Board

of Trade during office hours, and more than that, that he is entitled to an inspection of official documents; are you not aware of that?—I am not aware of that.

11,290. Do you mean to swear that Mr. Kinglake would tell you such a monstrous untruth as that which you have told us of, namely, that you had better go to somebody whose political opinions were in consonance with those of the then President of the Board of Trade?—No.

11,291. (*Mr. Price.*) It was a public matter. What did you want Mr. Peel to do for you?—I wanted Mr. Peel to get me an introduction to the Board of Trade; and he told me he was afraid he could not.

11,292. (*Mr. Anstey.*) If your motive was honest, why did you go and earwig a private secretary, instead of going direct to Mr. Kinglake himself?—Mr. Kinglake told me he could not do it himself.

11,293. Do you mean to tell me Mr. Kinglake told you that?—He did.

11,294. Was not Mr. Kinglake then a member; and had he not been so for some years?—He was.

11,295. Was Mr. Kinglake not fully aware of the constant practice of members on both sides of the House, of obtaining an interview with any minister, at any hour of the day?—What he said was with reference to the introduction I wanted to the Board of Trade.

11,296. Was not this what you said to Mr. Westropp, "It is a little bit of private favour we wish to "have shown to us by the Board of Trade"?—No.

11,297. Have you not used the word "favour" throughout your written communications to Mr. Westropp?—I have.

11,298. Then why did you use the word "favour;" and why did you want to put a private secretary in motion, who you know is some one entirely distinct from the head of the department?—I was there with him three quarters of an hour.

11,299. (*Mr. Price.*) There is no doubt you could have memorialized the Board of Trade; and that could have been done without the interference of any member at all?—I did not know that.

11,300. (*Mr. Anstey.*) Do you mean to say this on reflection, that Mr. Kinglake told you that with respect to mere ordinary business like that with the Board of Trade you had better go to some man of the same political opinions as the man who happened to be at the head of the department?—Yes.

11,301. Now remember, you are casting a very grave imputation on Mr. Kinglake, whom you say you would pawn your coat for?—I do.

11,302. Do you mean to say he ever told you that?—Yes.

11,303. (*Mr. Coleridge.*) Did you ever tell Mr. Kinglake you had been to Mr. Westropp?—I did not.

11,304. (*Mr. Price.*) Why did you not do so?—It was not worth my while to tell him that.

11,305. Did you want to keep it from Mr. Kinglake and his party that you had been to Mr. Westropp and asked him to use his influence for you with respect to this vessel, with some one at the Board of Trade, so that you might get this job privately done? Why did you not tell your party?—I had been to Mr. Westropp, and through him it was that I got an audience with the Board of Trade. Everybody knew it here; it was no secret.

11,306. There is another matter I want to ask you about. The explanation you give, therefore, is, that in consequence of the publication of the contents of your letter, in which you asked for a presentation for your son, that that made you determine to vote at the election?—Mr. Westropp always knew I should vote against him.

11,307. Notwithstanding that you told him that no act of yours should stay him?—Yes, he knew it.

11,308. With that staring him in the face, that no act of yours would stay him, he always knew you were going to vote the other side?

11,309. (*Mr. Coleridge.*) Would it not have been very damaging to you amongst your party if it was known that you had been to Mr. Westropp to ask him to get favours done for you?—No.

11,310. Do not the Conservatives in this borough expect that every favour that can be given by their representative should be given only to them?—No.

11,311. (*Mr. Anstey.*) If Mr. Westropp had got this little job done for you at the Board of Trade, if the Duke of Richmond had not had the honesty to refuse it, would you have voted for him at the election?—No.

11,312. (*Mr. Price.*) What do you mean by saying no act of yours would stay him? That you would not vote against him?—No.

11,313. You say you did not mean you would not vote against him; did you mean you would abstain from bribery?—Yes.

11,314. Was not that the reason you abstained from bribery?—No, it was not.

11,315. It did not operate on your mind at all?—No.

11,316. (*Mr. Anstey.*) Now, about this question of interest in the ship: were you not a mortgagee, or something of the kind?—No.

11,317. Then, tell me, are you a partner of Mr. Symons?—No.

11,318. (*Mr. Price.*) Is it the Mr. Symons we have had here?—Yes.

11,319. (*Mr. Anstey.*) He is not in the grocery line, is he?—No.

11,320. Have you a partner in your trade?—No.

11,321. Then just explain this most extraordinary circumstance, that for 5*l.* you went up to London to make the case your own, and talked of it as "our" case, "our" job, and so on; you were there some weeks, were you not?—I was there some few days.

11,322. Can you explain to me how it happened that you were selected by Mr. Symons to do this, who could easily have gone to London himself?—Yes, I can.

11,323. Then explain it to us?—On the Wednesday, on the market day, I believe it was on the market day, the news came down that the boy had been picked up, and had gone to Dundee, and they had telegraphed to Dundee, and their agent——

11,324. What has that to do with the question?—I will come to it in a moment if you will allow me. The agent at Dundee had telegraphed back that day that he had gone back to London. Then Mr. Symons's broker said it was important that we should get the dark boy——

11,325. Who do you mean by "we?"—They should get the dark boy.

11,326. Who do you mean by the "dark boy?"—The boy they picked up. It was important to have the dark boy——

11,327. Were you at the meeting when the broker said this?—No, I was not.

11,328. Then do not tell us about that?—Mr. Symons and the broker said it was better that I should go to London to see if I could find the dark boy.

11,329. (*Mr. Price.*) Did Mr. Symons know you were going to use Mr. Westropp's influence in the matter?—No.

11,330. (*Mr. Anstey.*) Do you mean to swear you were not selected to go to London, for the very reason that your conscience was not very difficult to satisfy, and that you had agreed to barter your vote for the use of Mr. Westropp's influence, or that you would abstain from acting as a bribery agent at the next election?—No.

11,331. Did Mr. Kinglake know you were sent up here to get Mr. Westropp to use his political influence for you?—No; I went first of all to the lawyers in Doctor's Commons about this dark man, and to see if we could get a Board of Trade investigation, and I was told it would be all the better; I think we shall require it.

11,332. (*Mr. Coleridge.*) Did this dark man say that?—No, the solicitors in Doctor's Commons.

11,333. (*Mr. Price.*) Did you ever tell Mr. Symons of this; that you had communicated with Mr. Westropp?—No.

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11,334. Did you never tell him ?—I never told him.

11,335. Then you kept it purposely a secret ?—I did.

11,336. Why ?—I did not keep it secret either ; I believe I did see Mr. Westropp, and he introduced me.

11,337. (*Mr. Coleridge.*) You said just now you did not tell him ?—I did.

11,338. (*Mr. Price.*) Did Mr. Symons know that you were intriguing with the candidate on the other side ?—He did.

11,339. And did he sanction the intriguing with the candidate on the other side ?—He did not say anything about it.

11,340. (*Mr. Anstey.*) I suppose it was quite regular according to the practice of Bridgwater ? What you did was in conformity with the old established practice in Bridgwater ?—I think not.

11,341. Taking bribes and inducements on both sides if you can ?

11,342. (*Mr. Price.*) Now attend to this ; and I wish you to be very careful in your recollection. You mentioned yesterday, you had given a man of the name of Henry Harris a sum of 20*l.* ?—Yes.

11,343. Do you remember that ?—I mentioned Harris's name, but the ones I said I had given the large amounts to were the men that polled at the previous election in the Conservative ranks.

11,344. Did you give a sum of 20*l.* to Henry Harris ?—I am under the impression I never paid him.

11,345. Did you not say so yesterday ?—I was not here yesterday. I mentioned his name among a lot of other names I know.

11,346. (*Mr. Price.*) Do you know Henry Harris ?—I do.

11,347. It was at the last election you dealt with him, was it not ?—No. I do not remember which election it was. I know I have dealt with him in my time.

11,348. Now here you say the powder was not used as a celebration of triumph : "What was the object of "firing these cannons ?—It was an old custom with "the Liberal party here." And then further on you say, "The voters I bribed at Mr. Vanderbyl's election in 1866 were" so and so, and so and so ; and amongst them you mentioned the name of Henry Harris : you say, "The voters I bribed. The Chairman—What "was the highest price paid at that time ?—If I polled "11 they averaged 20*l.* to 25*l.* a-piece" ?—Yes.

11,349. Now then, did you not intend to convey to us that one of the men bribed was Henry Harris, and that he probably got 20*l.* or 25*l.*—No ; if I did bribe him he was one of the men who got 10*l.*

11,350. But you said so, you give the name ?—As far as I recollect——

11,351. It is not "As far as I recollect." You say, "The voters I bribed." Then you go on to say, "I am not certain whether I bribed Coombes or not." So that you draw a distinction between the two men—I will just turn to the shorthand writer's note to be quite certain about it. This is it : "Are these the men you "bribed ?" First of all you were asked, "Had you a "list of voters ?" Then you say, "No, I had my own "list. Were they the same persons as in the other "list ?—No, there was a difference. Have you the "list here ?—I have both lists here as far as I can "judge. I have Mr. Vanderbyl's election, No. 1, "July 12th—some of these names might be wrong—"they might be at another election. This is Vander-"byl's first election. John Peach." Then you go on through a number of names, and among the rest you give the name of Henry Harris. Then you are asked, "That was at Vanderbyl's election ?—Yes, so far as "I can remember. How many names have you given "us, for it would not account for the whole 436*l.* ?—"Mr. Coleridge ;—It was not always 10*l.* The price "was altered ?—Oh no. What was the highest price "given them ?—I should think if it was that that I "polled it averaged 20*l.* to 25*l.* each. Those that "you bribed at Bagehot's election in 1866 ?—There "might be a mistake in the names." Now I ask you to be very careful, and say whether you will be positive that you did give Henry Harris any money at all ?—I would not be positive.

11,352. (*Mr. Anstey.*) At any election ?—I am under the impression I did.

11,353. (*Mr. Coleridge.*) Did you return him to Mr. Lovibond as one of the people whom you paid ?—I cannot remember.

11,354. (*Mr. Anstey.*) It appears from the shorthand writer's notes of your evidence that you were positive you had bribed Henry Harris, but you were only uncertain as to whether you were right with respect to the particular election named. That you had bribed him you were positive about, but whether you had bribed him at that particular election was not clear ?—I think I told you when I mentioned the names that I was not certain of it.

11,355. No, you did not ; you were certain of the names, but you were not certain of the year and the election. You were asked with respect to two lists, one Bagehot's and the other Lovibond's, and you say, "I may be mistaken as to the election, but I am not mistaken as to the names" ?—I am under the impression now that I paid Harris.

11,356. If he denies that he ever received it in any election what would you say ?—I met him outside the door just now.

11,357. (*Mr. Coleridge.*) Harris says you did not pay him in 1866—Vanderbyl's election ?—I am not positive about it.

11,358. Harris, as far as I understand him, says you did not pay him in 1866 ; are you positive you paid him in some election or another ?—I am not positive of that, but whether he was paid at one election I am positive of.

11,359. Are you positive ?—Yes.

11,360. Was it 20*l.* that you paid him ?—I do not think he was ever paid so high a figure as 20*l.*

11,361. (*Mr. Anstey.*) You said when the learned Commissioner asked you what was the highest sum you paid at that time when Harris was bribed, you said, "If I polled 11, they averaged from 20*l.* to 25*l.* "apiece, and Mr. Harris was one of them ?—No.

11,362. Harris was one of them, and you say if you polled eleven they averaged 20*l.* to 25*l.* apiece ?—I cannot remember.

11,363. (*Mr. Price.*) What made you introduce the name of Henry Harris ?—So far as my memory served that he was one of them.

11,364. Therefore you say he was paid at one election ?—I am not sure he was paid at any one election.

11,365. (*Mr. Anstey.*) You said just now that you were ?—I am almost sure he was not paid by me, though he was paid by someone.

11,366. (*Mr. Price.*) You are sure of that ?—Yes, I am sure of that.

11,367. All these matters you have been asked about to-day you ought to have told us of before in point of fact ?—I did so as far as I could remember them. I have just been told it was me that bribed Harris in Vanderbyl's election.

11,368. Then you pledge your oath you gave him 20*l.* ?—I requested Mr. Charles Collins to give him 10*l.* I did give him 10*l.* to bribe Harris with, and he tells me he did give Harris 10*l.*

11,369. (*Mr. Anstey.*) Charles Collins ?—Charles Collins himself.

Mr. R. A. Steel.

Mr. Robert Ambrose Steel sworn.

11,370. (*Mr. Price.*) You are the senior clerk to this Commission ?—I am.

11,371. Have you examined the books of the late Mr. Benjamin Lovibond produced by Mr. Sully, the mayor ?—I have.

11,372. The costs book ?—Yes ; of the 1857 election, of the 1859, and of the 1865.

11,373. (*Mr. Anstey.*) Does that include the journals ?—And the journal also covering the election of 1865. I find no journal amongst the papers handed

over by Mr. Sully, the mayor, further back than 1863, extending from 1863 to 1866.

11,374. (*Mr. Price.*) Do you find any journal of 1865 with reference to any matters down to the election at that time?—None whatever, not as between attorney and client, but simply as a memorandum as engaged at all the elections, but not put down under that head.

11,375. In that journal do you find business transactions entered, and charges made against them?—Yes.

11,376. Charges made against the client?—Against the client.

11,377. (*Mr. Anstey.*) But whereever election business comes, there is no name charged, and no amount charged?—No amount, and no client. Perhaps I had better read one.

11,378. Merely accounting for his day, I suppose?—That is all. I find under the head of the 17th of July two initial letters in the margin. "At Dunwear "in afternoon engaged on long letter to Sir John "Shelley, &c.," and on turning to the letter book of the 17th of July, and searching both before and after the 17th of July, I find no such letter.

11,379. No press copy?—No press copy.

11,380. That would be after the election?—That would be.

11,381. Long letter?—Yes. "Engaged on long "letter to Sir John Shelley, &c." Against that there is no figure carried out.

11,382. (*Mr. Anstey.*) Do you find anything else with regard to that election?—Of 1865?

11,383. Yes?—When the petition came on, the letter books show a long correspondence between Sir John Shelley and others, with a solicitor of the name of Ford in London, and a Mr. Cooper in London, but nothing with regard to the election.

11,384. Nothing with regard to the election trial?—Only with regard to the petition.

11,385. Yes, the election trial?—Yes, the election trial.

11,386. (*Mr. Price.*) Are there any copies of those letters in that letter book?—To Sir John Shelley?

11,387. No, to Mr. Cooper, and those other gentlemen?—Oh, yes.

11,388. Have you looked at them?—Yes.

11,389. They are of no importance?—No.

11,390. Nothing with reference to the conduct of the petition?—Yes.

11,391. (*Mr. Anstey.*) Is there anything charged there with reference to the election trial?—No; simply not headed in some cases, and in others headed "Bridgwater petition." There is nothing but cash laid out, nothing except Mr. Lovibond's expenses in London, and so on, for a week, 5*l.*

11,392. (*Mr. Price.*) There is nothing from which Mr. Lovibond could make out a bill of costs?—No, I should think nothing from which a bill of costs could be made out.

11,393. (*Mr. Anstey.*) No draft made out there?—No.

11,394. And it is not stated that it is Sir John Shelley, or Mr. Kinglake, or who it is who is to be charged with that money out of pocket?—No, not at all.

11,395. It might have been the writer himself, for aught that appears?—It might have been.

11,396. (*Mr. Price.*) In 1866 do you find anything with regard to the election?—In 1866 I think Mr. Lovibond had nothing to do with it. I can find no letter books. He seems to have been engaged on the election up to 1866.

11,397. (*Mr. Anstey.*) I will ask you this general question: Have you either in the journal, or in the letter book, or in any of the books which you have gone through, found a single item, entry, letter, or anything else, which would naturally appear there if the relation of attorney and client, with reference to these election matters, had subsisted between Benjamin Lovibond and either of the two candidates?—Not a single letter. I found letters from Colonel Tynte to Mr. Lovibond, asking directions from Mr. Foster as to whom he should deal with in Bridgwater, and letters like that.

11,398. You found letters from Colonel Tynte asking for directions?—I found one letter, sometime in 1859, from Colonel Tynte to Mr. Lovibond, asking that Foster should indicate who would be the right tradesmen whom he could deal with; "whom he could deal with safely" was the expression.

11,399. (*Mr. Anstey.*) Have you discovered any briefs, or drafts of briefs, with reference to the election of 1865?—1865?

11,400. (*Mr. Price.*) The petition?—No.

11,401. (*Mr. Anstey.*) The trial of 1866?—No.

11,402. I believe you have discovered amongst them a brief, and a proof of a brief, on which I examined Mr. Bussell the other day, in relation to the election of 1859?—I have.

11,403. Are those the only briefs relating to election petitions that you have found; I am not speaking of other proceedings?—Yes; I have found them amongst Mr. Lovibond's papers.

11,404. Therefore they are in court, so far as you have them?—Certainly.

11,405. Are there any bills of costs in the journal relating to the election of 1859?—None. The letter books I can only speak of. I have one journal relating to 1866; this is the only journal I have got. I have the cost books of 1857, 1859, and 1865. There are no letters.

CHARLES JAMES LOMAS sworn.

C. J. Lomas.

11,406. (*Mr. Price.*) What are you?—A salesman. Clerk to Messrs. Fennelly, Redfern, and Co.

11,407. Where do they carry on business?—4, Wellington Chambers, London Bridge.

11,408. What are they?—Provision merchants.

11,409. Is Mr. Vanderbyl a partner in that house?—Yes.

11,410. And Mr. Fennelley also?—Yes

11,411. Is there a Mr. Redfern?—Yes.

11,412. Are you the senior clerk?—Yes.

11,413. Confidential clerk of the house?—No.

11,414. The senior clerk?—The senior clerk.

11,415. The salesman and the ledger keeper?—Salesman. I am not the ledger keeper, merely the salesman.

11,416. Do you remember the last election for this borough?—Yes.

11,417. Was Mr. Fennelley down here with Mr. Vanderbyl, do you know?—I believe he was.

11,418. When he came down to contest the borough, previous to the last election?—When he came down to Bridgwater for some days.

11,419. For some days before the election?—Yes.

11,420. Had you, before Mr. Fennelley left town, had any communication from him, Mr. Fennelley, about whether he might want any money down or not?—No.

11,421. None?—Not previous to Mr. Fennelley's leaving town.

11,422. Had you any communication with him at all as to the election in any way? Did he tell you he was coming here?—I knew he was coming down to Bridgwater or at least I heard him say when he returned that he was down to Bridgwater.

11,423. You did not know when he left town that he was coming down here?—I think I might say I did know.

11,424. His letters would have to be forwarded to him?—No; he was only away a few days, and they were kept until he returned.

11,425. He went away for a short time, and returned again?—Yes.

11,426. Before he returned to Bridgwater a second time did he say anything to you?—He said, "I think

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"it is just possible that I may want you down to Bridg-"water." I think he said that; I am not quite positive. I think those were the words.

11,427. Did he tell you what he wanted you for?—No.

11,428. You are positive of that?—Yes, positive.

11,429. After he got down here it would be a day or two before the election, or the day before?—Two or three days, perhaps, before.

11,430. The nomination was on the Monday, and the polling on the Tuesday?—Yes.

11,431. Did he come down on the Friday or Saturday?—I think he came down either the Friday or Saturday; it might be the Thursday.

11,432. Did you receive any communication by telegraph from him on Friday, or on the Saturday?—No.

11,433. Did you on the Saturday?—No.

11,434. Did you on the Monday?—There was no communication sent to me, it was sent to Mr. Redfern. It was handed to me.

11,435. (*Mr. Anstey.*) A telegraph letter?—Yes.

11,436. (*Mr. Price.*) To Mr. Redfern?—Yes.

11,437. Which he read to you?—Yes.

11,438. What was it, from Mr. Fennelly to Mr. Redfern?—From Mr. Fennelly to Mr. Redfern.

11,439. What was it?—Alluding to money, "Send 15 balls."

11,440. (*Mr. Coleridge.*) "Send 15 balls"?—Yes, "Send 15 balls."

11,441. (*Mr. Price.*) Do you know whether that term had been agreed upon in any way?—Not with me; there was no communication between me and Mr. Fennelley.

11,442. Do you know what that meant?—I was told what it meant. I asked Mr. Fennelley what is meant.

11,443. What did it mean?—It meant 1,500*l.*

11,444. (*Mr. Coleridge.*) What more did it say? Where did it say the 15 "balls" were to be sent to?—"To meet me at Paddington."

11,445. At what train?—I think it was a train which arrived in London about three o'clock on the Monday previous to the election.

11,446. So that it would give time for somebody to come down by the 10 minutes to 5 train to Bridgwater?—Yes.

11,447. Did they say, "Send the 1,500*l.*" or the "15 balls by Lomas"?—No, "Send Thomas," or somebody.

11,448. Your name is not Thomas?—No; it was Thomas in the telegraph. It was a mistake.

11,449. It was a mistake of the telegraph clerk; it meant, "Send Lomas"?—Yes.

11,450. And you, Mr. Lomas, were sent?—Yes.

11,451. Was there a cheque drawn?—Yes.

11,452. On what bank?—On the Consolidated Bank.

11,453. Did you get the cheque cashed?—Yes, with Mr. Redfern.

11,454. How did you get it cashed; in gold, or what?—To the best of my recollection it was 1,200*l.* in sovereigns, and 300*l.* in half sovereigns.

11,455. That would be 1,500*l.* in all?—Yes.

11,456. What did you do?—I went down by the 10 minutes to 5 train. The cheque was cashed, and we came up to Paddington.

11,457. Did you meet Mr. Fennelly there?—We met Mr. Fennelly on the arrival of the train.

11,458. (*Mr. Coleridge.*) Did you take the money with you?—Yes, in three bags; one bag contained 600 sovereigns, another contained the like amount, and the other bag contained 300*l.* in half sovereigns.

11,459. Did you take that money to the station in a cab?—Yes, in a Hansom cab.

11,460. Were they kept separate?—Yes. One bag contained 600*l.* in gold, the other bag contained a similar amount, and the other bag 300*l.* in half sovereigns.

11,461. Did you put them in a carpet bag, or did you put them in your pockets?—I put them in a black leather bag.

11,462. (*Mr. Price.*) Was this a cheque drawn in the name of the firm?—Yes; Fennelly, Redfern, and Company.

11,463. Who actually drew it?—Mr. Redfern, and signed it.

11,464. You met Mr. Fennelly at the station?—Yes.

11,465. Did Mr. Redfern go with you to the station?—Yes.

11,466. What took place at the station?—There was a consultation held.

(*Mr. Coleridge.*) Let us hear what that was. It is of the greatest importance.

11,467, (*Mr. Price.*) First of all, who was present at the consultation?—We went to Mr. Redfern's house.

11,468. Where is that?—Porchester Terrace.

11,469. That is in Bayswater?—Yes.

11,470. Who was present?—Mr. Fennelly went upstairs with Mr. Redfern to adjust his dress and wash his hands.

11,471. Who was present at what you called the consultation?—I do not know, of course. Mr. Fennelly went upstairs with Mr. Redfern to his bedroom. Of course I do not know what took place there. I remained downstairs in the dining-room.

11,472. Did you see anybody else in the house?—No.

11,473. When they came down, what did they do?—We took some refreshment.

11,474. Was there any allusion to any money at that time?—No allusion made to that at any time; we had not much time; we were just in time to catch the train.

11,475. (*Mr. Coleridge.*) Where did you get the black bag?—I purchased that at Hodgkinson's, near London Bridge.

11,476. Who told you to do that?—I did that of my own accord.

11,477. Was it before or after you got the money?—Before. I bought it at Hodgkinson's the hosiers, near London Bridge.

11,478. (*Mr. Price.*) You bought the bag, took it with you in a Hansom, and went with Mr. Redfern to the bank?—Yes; I bought the bag because I had some things to bring down with me for myself.

11,479. What, clothes?—Yes.

11,480. (*Mr. Anstey.*) Were they in the bag with the money?—Yes; they would not take up the whole of the room; I had some few things I brought down.

11,481. You say nothing was said at all whilst you were taking refreshment, and you went to the station?—Yes.

11,482. (*Mr. Coleridge.*) Did Mr. Redfern go to the station with you to see you off?—I would not be positive about that.

11,483. (*Mr. Price.*) You cannot say?—No, I cannot say exactly.

11,484. Do you remember whether anything was said before you got to the station, or before you got into the train?—Before we got into the train Mr. Fenelley said I was to meet him to go to the solicitors, Messrs. Reed and Cook's.

11,485. After you had had this refreshment, what do you say was done?—Then we had only just time to return by the 4.50 train. We took a cab from Mr. Redfern's house to the railway. I am not quite certain whether Mr. Redfern went or not.

11,486. (*Mr. Coleridge.*) What is it that Mr. Fennelly said to you at the station?—Mr. Fennelly said I was to meet him and go with him to the solicitor's.

11,487. Meet him where; you went with him?—I went down by the 4.50 train and went to the Railway Hotel.

11,488. (*Mr. Price.*) That was at Bridgwater?—Yes.

11,489. (*Mr. Coleridge.*) I want to know about the journey down; after you had had the refreshment was there any conversation whatever?—None whatever;

except when we got to the train, and he told me to meet him to go to the solicitors.

11,490. How did you know where you were to meet him unless he told you?—I was to meet him on the bridge.

11,491. Had you been to Bridgwater before?—Yes.

11,492. (*Mr. Anstey.*) Where were you to meet him?—On the bridge.

11,493. Were you to meet him with the money on the bridge or at the "Globe Hotel"?—No, on the bridge.

11,494. Now tell us his words. Did he say, "Meet me on the bridge at Bridgwater"?—Yes.

11,495. What time did he say?—At about ten o'clock.

11,496. At night?—Yes.

11,497. (*Mr. Coleridge.*) At what time did the train get into Bridgwater?—About 10 minutes past nine.

11,498. (*Mr. Price.*) Did you meet him on the bridge at Bridgwater?—Yes.

11,499. Did anything pass on the journey down?—Nothing.

11,500. (*Mr. Anstey.*) Had Mr. Fennelly come into Bridgwater, or had he gone off to Pightley?—Fenelley came on to the bridge to meet me.

11,501. And it was to you that he said, "Meet me on the bridge at Bridgwater"?—Yes. He either told me that before we left London by the 4.50 train, or when we got to Bridgwater; but I think it was before the train started.

11,502. (*Mr. Coleridge.*) Nothing transpired on the journey?—No.

11,503. You say you met him on the bridge?—Yes.

11,504. Who did you see?—Mr. Fenelley.

11,505. (*Mr. Coleridge.*) Did you take the money with you in the black bag?—I took it out of the black bag, and put it in my pockets.

11,506. (*Mr. Price.*) Tell us what you did when you met Mr. Fenelley on the bridge?—He went to Messrs. Reed and Cook's, and I followed him. I went into the house, and there were two gentlemen there. I presume they were Messrs. Reed and Cook.

11,507. Do you see them here now? Are Mr. Reed and Mr. Cook here in court?—That is the gentleman (*pointing*).

11,508. Are those the two gentlemen you saw?—One of them; I do not recollect the other gentleman.

11,509. Which did you see?—I saw the one near the railings.

11,510. Which is that?—Mr. Cook. He was one of them that was there.

11,511. You identify Mr. Cook as one of them?—Yes.

11,512. You cannot identify the other?—No.

11,513. (*Mr. Anstey.*) Did you see this gentleman (*pointing*)?—I could not say.

11,514. Is Mr. Barham here? (*Mr. Barham stood forward.*) Is that the gentleman?—I could not say.

11,515. (*Mr. Price.*) We only ask you if you recognize him at all?—I do not.

11,516. There were two gentlemen there, and Mr. Fenelly and yourself?—Yes.

11,517. Anybody else?—No.

11,518. Did you see Mr. Vanderbyl before you went to Messrs. Reed and Cook's?—No.

11,519. When you got there what passed?—Talking about samples of tea.

11,520. Who talked about samples of tea?—I think it was the solicitor who broached the subject first of all.

11,521. Tell us who first introduced the subject of "tea." We have heard of "sugar"?—I went there, and I was introduced as Mr. Williams.

11,522. Who by?—Mr. Fenelly, who, I believe, was acting under the advice——

11,523. What did he say when he introduced you?—Mr. Williams, Mr. So-and-so. I do not know whether he repeated the names, or whether I understood who the solicitors were when I went to them.

11,524. You cannot say whether you heard Mr. Reed and Mr. Cook's names mentioned?—No.

11,525. Who spoke?—Mr. Fenelly introduced me. Mr. Williams, Mr. So-and-so.

11,526. Who spoke after that?—I cannot say who broached the first words.

11,527. (*Mr. Coleridge.*) Were you supposed to be travelling in the tea trade?—Yes.

11,528. (*Mr. Price.*) Then what was first said about the tea?—I was to get up samples, so many ounces each.

11,529. Had it been arranged?—No; nothing had been arranged.

11,530. You told us you were introduced as a traveller for a tea house?—Certainly.

11,531. Did it not very much astonish you, unless you had been told that before, that you were to be considered as a traveller for a tea house?—It did not so much astonish me. I had been in the tea trade before.

11,532. (*Mr. Anstey.*) That is all nonsense! What was meant by "samples of tea"?—Money.

11,533. (*Mr. Price.*) How did you know it was money?—Because it had been spoken about once or twice.

11,534. Who spoke about it first? What was said about samples of tea?—I could not say.

11,535. One of the solicitors?—Yes.

11,536. What did he say?—He told me the business commenced very early in Bridgwater, and I was to get up at a certain time.

11,537. Did he say what time, 6 or 7 o'clock?—He did not say exactly the time. I was to get up early.

11,538. Did he say at 8 o'clock business commenced in Bridgwater?—He said oftentimes in Bridgwater business commenced at 8 o'clock. There was a good deal of business done in Bridgwater at 8.

11,539. (*Mr. Coleridge.*) Did he tell you what you were to do with the tea?—I do not know whether he did or not, except that I was to put it up in packets of 10*l.* each.

11,540. And they were called "samples of tea"?—Yes.

11,541. Was this done in the room there?—No; I went to Messrs. Reed and Cook's with the idea of leaving the money there.

11,542. (*Mr. Price.*) Will you tell us all that took place. Mr. Cook said something about there being business done very early in Bridgwater?—Yes.

11,543. As early as 8 o'clock?—I must first of all tell you that I took the 1,500*l.* to the solicitors with the idea of leaving it there in the place.

11,544. You have told us that. You had it about you then?—Yes.

11,545. You had not produced it then?—No.

11,546. You had it still in your pocket?—Yes.

11,547. You have told us business was done very early in Bridgwater, as early as 8 o'clock?—After stopping there some little time I left.

11,548. (*Mr. Coleridge.*) You had been told about the samples of tea?—Yes.

11,549. Who told you to make it up in 10*l.* packets? You did not do that of your own hook?

11,550. (*Mr. Price.*) Tell us all that passed in the office, this house, or whatever it was, where you met this gentleman Mr. Cook, and this other gentleman, and Mr. Fenelly?—I believe it was at the solicitors. I could not say.

11,551. (*Mr. Price.*) What did they say?—To make it up in 10 lb. packets.

11,552. To represent tea?—Yes; that was all the conversation.

11,553. Nothing else was mentioned?—No.

11,554. And you were to make it up in 10*l.* packets to represent tea?—Yes, 10 oz. packets.

11,555. Then go on?—Then I left them.

11,556. Did you take the money away?—Yes; prior to leaving them they said I was to give the money if anybody came in the morning.

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C. J. Lomas.

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11,557. They said, "Give the 'money'"?—"Give "the 'samples.'"

11,558. Will you give us the words? To whom were you to give the "samples?"—To persons, if they should apply.

11,559. (*Mr. Coleridge.*) How were you to know the persons, unless they told you?—I told them I should want to know to whom they were giving the money.

11,560. That is just what I want to know.

11,561. (*Mr. Anstey.*) Do go on. What did they say to that?—I must have time to think, because it is so long ago.

11,562. (*Mr. Price.*) Take time to think; do not flurry yourself.—If they asked for Mr. Williams I was to give them up what they required.

11,563. (*Mr. Coleridge.*) If persons asked for Mr. Williams?—Yes.

11,564. (*Mr. Price.*) You were to give them what they required?—Yes.

11,565. (*Mr. Coleridge.*) Had you a private room at the "Railway Hotel"?—No, only a sleeping apartment.

11,566. (*Mr. Anstey.*) Go on and tell us what took place?—It so happens that nobody did come the next morning.

11,567. (*Mr. Price.*) Was that all that passed?—That was all that passed.

11,568. And you went away, leaving Fennelly and these two other gentlemen there?—Yes.

11,569. And you went back to the "Railway Hotel"?—Yes.

11,570. Did you see anybody else that night about the matter?—No.

11,571. When you went to the "Railway Hotel," how long did you stay up?—I should think about half an hour.

11,572. Did you go to bed?—I then went to bed.

11,373. Then did anybody come to you that night?—No.

11,574. Did you go to anybody?—No.

11,575. (*Mr. Coleridge.*) What became of this gold?—I took it from Messrs. Reed and Cook's entire, and then I counted some of it in 10*l.* packets until I was tired.

11,576. You left them there?—I left them that night.

11,577. Where did you put them?—Put them in the bag.

11,578. (*Mr. Anstey.*) Where did you keep the bag?—Underneath the dressing table.

11,579. (*Mr. Price.*) You locked the door?—Yes.

11,580. And went to bed?—Yes.

11,581. At what time did you get up in the morning?—I think I got up at seven o'clock.

11,582. Tell us what happened that morning, and be very accurate?—I took breakfast.

11,583. Alone?—Alone, in the coffee room. Then about 11 o'clock Mr. Fenelly came down.

11,584. Did you wait at the "Railway Hotel"?—I went about the town, and Mr. Fennelly came down and handed me a paper, which said I was to "answer "no questions to anybody. Destroy this paper as "soon as read."

11,585. What time would that be?—That would be about 11 o'clock.

11,586. Had you been about the town?—Yes; I had been walking about.

11,587. Had you seen anybody when you were walking about?—No; I was just strolling about.

11,588. Where did you leave the money?—In my bedroom.

11,589. (*Mr. Anstey*) Locked up?—No.

11,590. Was the bag locked up?—No; I left it underneath the dressing-table.

11,591. (*Mr. Anstey.*) Was it a locked bag?—Yes.

11,592. (*Mr. Coleridge.*) Have you got that paper which Mr. Fennelly gave you?—No.

11,593. What did you do with it?—I destroyed it.

11,594. When?—At once.

11,595. (*Mr. Anstey.*) Why did you destroy it? Did Mr. Fennelly tell you to destroy it?—It was on the paper.

11,596. What was it?—Merely, "Answer no ques-"tions to anybody, unless they give the name of "'Eureka.'"

11,597. "Answer no questions to anybody, unless "they give the name 'Eureka'"?—Yes.

11,598. "Destroy this paper as soon as read"?—Yes.

11,599. (*Mr. Anstey.*) In whose handwriting was this?—I believe it was in Mr. Fenelly's handwriting.

11,600. (*Mr. Price.*) Did he say anything to you when he handed you this paper?—Nothing at all.

11,601. Did he then leave you?—Yes.

11,602. What happened then?—That was about 11 o'clock, and I took dinner about two. I then strolled about the town.

11,603. Did you go back to the hotel?—I strolled about, and then went to dinner.

11,604. Had you any conversation at all with anybody?—Mere casual conversation about the election; asking the people how the polling was going on.

11,605. Whom did you speak to?—Omnibus people, who came into the bar.

11,606. Strangers?—Yes. One would ask a question of another, as to how the election was going on.

11,607. Where? At the hotel?—At the "Railway Hotel."

11,608. (*Mr. Coleridge.*) Did anybody turn up then?—No, nobody turned up at all. Mr. Fenelley came down to me at half-past two, and told me to bring up some money into a room at the "Globe."

11,609. (*Mr. Price.*) Did he say how much?—He did not say how much; but I brought up 900*l.*

11,610. What did you do when you got to the "Globe"?—I went into the room and undid this money. What was done up in 10*l.* I took out by themselves, and the other I turned out loose.

11,611. Who was in this room?—Nobody.

11,612. Who had shown you into this room?—I believe Mr. Fennelly.

11,613. Did you see either of the gentleman you had seen the night before?—Not till afterwards.

11,614. Then did you see nobody before Mr. Fenelley showed you into this room?—No; only people standing about.

11,615. But anybody you recognized?—No.

11,616. Did Mr. Fenelley say anything when you went into this room?—Merely told me to wait there.

11,617. Did he leave you?—Yes.

11,618. Was the room darkened?—No.

11,619. Perfectly light?—Perfectly light.

11,620. Then what happened next? Could anybody who came into the room have seen the sovereigns lying on the table? You say you shovelled them out loose?—Yes.

11,621. What was the next thing that happened? Will you give us as near as possible the time of that? Was that about half-past seven?—No, about half-past two.

11,622. Was it as late as that?—It might have been later than that, if anything.

11,623. Then go on with what happened next?—Then I took 125*l.* into another room.

11,624. Who did?—I did.

11,625. By whose orders?—By Mr. Fenelley's, who, I believe, was instructed by the solicitors.

11,626. You did not hear him instructed?—No.

11,627. Mr. Fenelly came and ordered you to take 125*l.* into another room?—Yes.

11,628. Did you do so?—Yes.

11,629. Did you leave all the other money in the room you left?—Yes, I locked the door.

11,630. On the table?—Yes.

11,631. And you then took 125*l.* into the other room?—120*l.* or 125*l.*, I could not tell which.

11,632. Whom did you see in this room?—I could not say whether I saw anybody the first time.

11,633. When you went in, what did you do with the 125*l.*?—Put it down on the table.

11,634. There was nobody there ? — There was nobody came in the first time, but the second time there was a man came in. I do not know who it was.

11,635. Somebody you do not know ?—No.

11,636. Was it Andrew Allan ?—I do not know.

11,637. Just see if that is the man (*pointing to Andrew Allan*) ?—I could not recognize him.

(*Mr. Price.*) Andrew Allan, is this the man (*alluding to the witness*) from whom you got any money in the "Globe" ?

(*Mr. Allan.*) I did not get any money from a stranger at that election.

(*Mr. Coleridge.*) It was Bussell ?

(*The witness.*) I do not know who it was.

(*Mr. Coleridge.*) Let Mr. Bussell stand up (*H. C. Bussell stood up*).

11,638. (*To the witness.*) Is that the man (*alluding to Mr. Bussell*) ?—I do not know.

11,639. Does he look like him ?—He looks something like him.

(*Mr. Price.*) Mr. Bussell, is this the man who gave you money in the "Globe" ?

(*Mr. Bussell.*) My impression is that he is; but I think the man I saw had more hair on his face. He gave me 125*l.* and 60*l.* when I went into the room.

11,640. (*Mr. Price to the witness.*) Is that the man ?—Yes.

(*Mr. Coleridge.*) He said you had a little more whiskers at that time.

11,641. You gave him 125*l.* ?—Yes.

11,642. Did he give you the signal, "Eureka" ?—Yes.

11,643. Had anybody told you to give it to him ?—I was told to give 125*l.* to a stranger who came in.

11,644. And did you give him the 125*l.* without being told to whom you were to give it ?—I left it on the table. I was told to leave it there.

11,645. Was the first thing that happened after you got in this person coming into the room ?—Yes.

11,646. Did you say anything to him ?—I do not think I did. I think I put down the 125*l.*, and walked out.

11,647. And left him there ?—And left him there.

11,648. What was the next thing done ?—I went back again to the former room. I gave the man a second time some more money. I could not say exactly the amount.

11,649. (*Mr. Price.*) Who gave you the order ?—Mr. Fennelly.

11,650. To do what ?—To leave more money.

11,651. How much ?—I think it was three or four twenties.

11,652. Did you do so ?—Yes.

11,653. What happened then ?—I paid another man 30*l.* or 40*l.*

11,654. Did you see anybody the second or third time ?—I think I saw that gentleman, named Mr. Cook, the second or third time ; I am not certain.

11,655. Where ?—When I went into the other room I saw Mr. Cook and two or three gentlemen there, and they told me they were taking a glass of wine together, and I adjourned.

11,656. You went away ?—Yes.

11,657. Did you leave the money then ?—I do not think I did. I could not be certain one way or the other.

11,658. Did they hint to you to go away ?—They might have done so.

11,659. They might have told you to go, as they were taking lunch ?—Yes.

11,660. You were told to take more money ?—Yes.

11,661. Who was there when you went the third time ?—I do not think it was this man (*referring to Mr. Bussell*). I think it was another man, Garratt.

11,662. It was not any person in a railway uniform ?—No.

11,663. You think that was not the same person (*referring to Mr. Bussell*) ?—I do not think so.

(*Mr. Price.*) You got two packets, Mr. Bussell ?

(*Mr. Bussell.*) 125*l.* and 60*l.*

11,664. (*Mr. Price, to the witness.*) Do you remember giving him 60*l.* ?—It was either 60*l.* or 80*l.*

11,665. And besides that, you gave 30*l.* or 40*l.* to another man ?—Yes.

(*Mr. Bussell.*) Perhaps I can refresh the witness's memory.

(*Mr. Price.*) Wait a moment. If there is anything material, you shall tell me afterwards.

(*The witness.*) I could not tell you exactly the amount of money.

11,666. Did you put down on slips of paper the amount of money ?—No.

11,667. Did you count it out ?—Yes ; so many 10*l.* When it came to the last, there was no time to count it out.

11,668. That was the third time ?—Yes.

11,669. Then tell us what happened afterwards ?—Twice I remember speaking to this man here ; I remember speaking to him the second time.

11,670. Then you can say whether you gave him 60*l.* or 80*l.* ?—No.

11,671. It was 120*l.* or 125*l.* the first ?—Yes ; then 60*l.* or 80*l.*

11,672. Then how much did you give to the other man on the third occasion ?—I think somewhere about 30*l.* or 40*l.*

11,673. How did you get rid of the rest of the money that day ; what happened afterwards ?—That was all the money given away by me. I gave away 240*l.*

11,674. 120*l.* or 125*l.*, 60*l.* or 80*l.*, and 30*l.* or 40*l.*, altogether 240*l.* ?—Altogether 240*l.*

11,675. (*Mr. Coleridge.*) All for bribery purposes ?—Yes, as far as I know.

11,676. (*Mr. Price.*) What did you do with the rest of the money ?—I took it back to the "Railway Hotel."

11,677. What time do you think you finished paying away the money, before the poll closed ?—Before the poll closed ; about five minutes to four o'clock.

11,678. And about that time you had paid away about 240*l.* ?—Yes.

11,679. Did you see anybody before you left the "Globe," after you had finished paying money ?—I saw Mr. Fenelly.

11,680. What did he say ?—There was no more allusion made to anything.

11,681. Did he say what more you were to do with the rest of the money ?—No.

11,682. (*Mr. Coleridge.*) Or tell you when you were to go back to town ?—To go back to town as soon as possible.

11,683. (*Mr. Anstey.*) Did he tell you to take the money to the "Railway Hotel" ?—He did not tell me that, but I took it as a matter of course. There was no more to do with the money.

11,684. Did he see you with the money ?—Fennelly ?

11,685. Yes ?—He might have seen the money in the room.

11,686. Was he in the room where the money was ?—No ; he was in one room, and I was in another room.

11,687. Where did he see you when he came to give you orders ?—He came to the door of the room where I was.

11,688. And the door was opened ?—He knocked at the door, and the door was opened.

11,689. And the money was on the table ?—And the money was on the table.

11,690. Did he tell you to go back to the "Railway Hotel" ?—Yes, after the poll was over.

11,691. He was at the door when he told you to go back to the "Railway Hotel." Is that so ?—After the poll was over at four o'clock I put the remainder of the money in the bags.

11,692. Was he present when you did that ?—No, he was not.

11,693. When he told you to go to the "Railway Hotel" was anything said ?—I might have merely made the remark, "Well, you have won the election," or something of that sort.

ELEVENTH DAY.

C. J. Lomas.

3 Sept. 1869.

11,694. (*Mr. Anstey.*) Previously to the closing of the poll, he had come to the door when the money was actually on the table, and spoke to you?—He merely told me to take the money to the hotel.

11,695. I want to fix your attention to what took place at the end of the day. Towards the end of the day you say he came to the door. I am not speaking of the close of the poll, but what you say is, he came to the door where you had the money?—Yes.

11,696. And he might have seen it?—And he might have seen it. I put the money in the bags directly the clock struck four.

11,697. I am not asking you about that; but in the course of the day, when you were making these payments, and he came and directed you to make them, did he see the money?—He did not see the money. He merely opened the door, and said, "Bring in so much money," and went away again.

11,698. I want to have it perfectly clear. Between the time you went into the "Globe" with the money and the time of the closing of the poll did he come into the room, and see you making the payments?—No.

11,699. You say he looked in at the door and told you to bring in more money?—He came to the door, and said he wanted so much money.

11,700. And if he had wanted to see the money he could have done so?—Yes.

11,701. He could see the money lying there, could he not?—The door was so constructed that I do not think he could have seen the money.

11,702. Unless the door was widely opened?—Yes.

11,703. (*Mr. Price.*) Did he open the door of the room where you had the money?—Yes.

11,704. When he told you to pay so much more, did he come into the room?—No.

11,705. You are sure of that?—Yes.

11,706. Nor look in?—I am positive he did not while I was there.

11,707. (*Mr. Anstey.*) To what door did he come when the poll was closed?—The door of the room where I had previously entered.

11,708. And the bag was closed?—Yes.

11,709. And he told you to go up to the "Railway Hotel?"—He merely told me it was all over, and then I asked him if I was to go.

11,710. And is that all that took place?—That is all that took place.

11,711. (*Mr. Coleridge.*) Did he say you were to go back to London?—Yes, as soon as I could.

11,712. And take the money with you?—He did not say anything about the money, but I took the money as a matter of course.

11,713. You did take the money with you?—Yes.

11,714. (*Mr. Anstey.*) What did you do when you got back to town?—I went to my apartments. I left the money in my apartments that night.

11,715. Locked up?—Yes, locked up.

11,716. In the morning, did you go back to your place of business?—Yes.

11,717. With the money?—Yes.

11,718. To whom did you give the money?—To Mr. Redfern.

11,719. (*Mr. Price.*) Was it counted up?—I gave him an account of it.

11,720. (*Mr. Anstey.*) Was that account which you gave to Mr. Redfern, in writing, or was it a verbal one?—Verbal.

11,721. What did you tell him?—I told him there was so much balance I had brought back to him.

11,722. What did you tell him you had done with the rest?—I told him it was used. I told him I had given away 240*l.*

11,723. (*Mr. Price.*) At the election?—On the day of the election. I told him I had given away 240*l.*, and handed the balance to him, as one of the partners.

11,724. Did he say anything to that?—No; he made no remark whatever.

11,725. When did Mr. Fennelly come to business again?—He came up the following morning.

11,726. (*Mr. Price.*) I think you have told us that you did not see Mr. Vanderbyl from the beginning to the end of that day at Bridgwater?—No.

11,727. Never?—I merely saw him in the carriage, when he was going away.

11,728. (*Mr. Anstey.*) You are aware that he was staying in the same hotel, the "Globe?"—I was not aware of it, more than in this way, that I saw him just outside the "Globe" in his carriage, when the band played at four o'clock.

11,729. Were you aware that he had not been staying at his own place, Pykley, six miles off, for several weeks?—No.

11,730. But was stopping at the "Globe," you were not aware of that?—I knew merely from—

11,731. From what?—From seeing letters addressed to him at the "Globe Hotel;" that is all I knew, whether he was stopping at Pykley, or at the "Globe Hotel," or anywhere else.

11,732. (*Mr. Price.*) You mean letters had been addressed to him from London?—Yes.

11,733. From your house?—Yes.

11,734. (*Mr. Anstey.*) And before that they had been addressed to Pightley?—No; I did not know that Mr. Vanderbyl had a house at Pightley at all, before.

11,735. We dare say you did not know it, but had not letters been addressed there, to Pightley?—I had not seen them.

11,736. (*Mr. Coleridge.*) You say you had been at Bridgwater before; was it at the former election of Mr. Vanderbyl?—No, on commercial business.

11,737. Were you down at the former election of Mr. Vanderbyl?—No.

11,738. Have you ever brought money down on any former occasion?—No.

(*Mr. Price.*) Now, perhaps Mr. Bussell, before the witness goes we had better ask you.

(*Mr. Bussell.*) First, I want you to ask him whether he did not, first of all, give me five packages, with 25*l.* in each package.

11,739. (*Mr. Price, to witness.*) Did you give that man five packages of 25*l.* each?—That was the 125*l.* I first gave him.

(*Mr. Bussell.*) I want you to ask him also whether, when he gave me the three packages with money in, he did not distinctly say, "Sixty pounds."

(*Witness.*) I stated that I said "sixty," or "eighty." I won't exactly say.

(*Mr. Bussell.*) He just now said eighty.

(*Mr. Price.*) He says he does not know which.

(*Witness.*) It may be sixty or it may be eighty, I cannot recollect.

11,740. (*Mr. Price.*) If Bussell says you gave him three packages of 20*l.*, saying "Sixty," that may be so?—Yes, I won't deny it.

11,741. (*Mr. Anstey.*) Mr. Lomas, you and Mr. Fennelly were absent, I think, from London after the petition, the election petition, had been presented?—Yes.

11,742. Was not that for the purpose of avoiding the service of subpœna upon you?—Yes.

11,743. Do you recollect that there was a sort of printed notice of your flight in a paper called the "Grocer," of the 9th of January last?—I saw it.

11,744. In which you were called "two prominent members of the provision trade" who were absent because of "the unfortunate result of the Bridgwater election." Did you see that whilst you were absent?—Yes.

11,745. Did that induce you to remain away, or induce you to come back?—It did not have any influence on me one way or the other.

11,746. But you did not come back?—Yes, I did come back.

11,747. Were you served?—No.

11,748. Was Mr. Fennelly served?—No.

11,749. When did you come back?—I came back and went away again.

11,750. When did Fennelly come back?—Two or three days after the petition.

11,751. (*Mr. Price.*) After the petition?—After the inquiry.

11,752. (*Mr. Anstey.*) After the petition, or the trial of the petition; which do you mean?—After the trial.

11,753. (*Mr. Price.*) After Mr. Justice Blackburn had finished the proceedings?—Yes.

11,754. (*Mr. Coleridge.*) How long were you away altogether?—About two months.

11,755. (*Mr. Anstey.*) When did Mr. Fennelly come back?—Previous to the trial.

11,756. Where did he come back to?—I do not know.

11,757. Did he go home?—I was away at the time.

11,758. (*Mr. Coleridge.*) Then you were not away together?—No.

11,759. (*Mr. Anstey.*) Did you find him at the counting house when you returned, or was he absent then?—Yes, I found him there when I returned.

11,760. What is the name of the accountant at your office, Fennelly, Redfern, and Company's?—Mr. Walters.

11,761. Did Mr. Walters tell you that Mr. James Trevor had in vain endeavoured to obtain your address and Mr. Fennelly's address during your absence for the purpose of serving you with subpœnas?—Mr. Walters wrote to me and said that the solicitors for the petition had sent to the office, and inquired for me daily.

11,762. And they in vain endeavoured to obtain your address?—He did not write that at all. He merely said that the solicitors for the petition inquired daily.

11,763. For you?—For me.

11,764. He knew what your address was at the time you were absent?—Yes.

11,765. Where was it?—Paris and Calais.

11,766. Are you sure you ever left London at all?—Oh, positive.

11,767. Part of the time, I think you say you returned?—Yes.

11,768. And you were in London?—Yes.

11,769. Were you not walking about London at that time in disguise?—No.

11,770. How long were you in London during the time of your reputed absence?—A couple of days.

11,771. You were not disguised?—Not in the slightest.

11,772. Nor Mr. Fennelly either?—I do not know anything about Mr. Fennelly.

11,773. (*Mr. Price.*) You were not away together?—I met Mr. Fennelly once.

11,774. Where?—I met him at Brussels.

11,775. (*Mr. Coleridge.*) What brought you back to London?—I came back of my own accord.

11,776. Who sent you off again? Whom did you see to send you off?—I saw Mr. Redfern.

11,777. And Mr. Redfern told you to go off again?—I told him I did not like to stop away.

11,778. (*Mr. Anstey.*) I believe the pretext on which you and Mr. Fennelly were absent, and which was given to these inquirers was that you were abroad selecting foreign agents. Is not that the case?—During the time that I was away I called upon many——

11,779. Will you tell me; was not that the pretext? Answer my question. Was not that the pretext for your absence agreed upon to be assigned to the persons who came, and particularly to these solicitors, that you and Mr. Fennelly were away selecting foreign agents?—Not to my knowledge.

11,780. Have you been informed so at your office, at your counting house, or by anybody?—No.

11,781. Have you heard that Mr. Fennelly——

(*Witness.*) I beg your pardon. I must ask you to repeat the last question again.

11,782. Have you heard from Fennelly, or Vanderbyl, or any of the people at your office, that that was the pretext which was assigned for your absence?—I have not heard it officially, but I should not be at all surprised at the remark being made.

11,783. Have you not been informed of it by anybody, that this was said when people came to inquire for you in your absence, "They are away selecting foreign agents"?—No.

11,784. Then why would not you be surprised?—Because persons would naturally ask where I was.

11,785. And they would give this false reason?—I could not say.

11,786. (*Mr. Price.*) You were going to say that when you were away you called on some persons?—I called upon people who shipped butter to London, and I got some consignments.

11,787. (*Mr. Coleridge.*) You did some business?—Yes, a great deal of business.

11,788. (*Mr. Price.*) At Brussels?—No, at Rouen and Rennes.

11,789. Who paid your expenses?—The money was debited to me.

11,790. Who gave it to you?—Mr. Redfern.

11,791. How much did he give you for the whole time you were away?—Different sums of money.

11,792. How much was it altogether?—Sixty or seventy pounds.

(*Mr. Anstey.*) Do you mean to say that that money will be deducted from your salary?

11,793. (*Mr. Price.*) You say it stands to your debit. Do you mean to say you consider you owe that money to the firm?—When the money was given me it was placed to my debit.

11,794. Do you mean to say that you owe that money to the firm?—No, certainly not.

11,795. Nor is it to be deducted from your salary?—No.

11,796. You mean this: that in the books it was put down that you had such-and-such a sum, and that you have to account for that sum?—Yes.

(*Mr. Anstey.*) I want to ask you a question more with reference to other witnesses. Just explain to the Commissioners the difference between the Redferns?

(*Witness.*) Fennelly, Redfern, and Company?

11,797. Yes, and Mr. Vanderbyl's other firms, if he has any?—All I know is that Mr. Vanderbyl is a partner in the firm of Fenelly, Redfern, and Company, and I believe he is a partner in Redfern, Alexander, and Company's firm.

11,798. Also?—Also.

11,799. Any other?—Not that I am aware of.

11,800. About this Lundy Island Granite Company?—Of that I know nothing.

11,801. About this Bridgwater branch of something or other in which he is said to be interested; do you know anything at all about that?—I know nothing at all about that.

11,802. About the Cardiff business?—I know nothing at all about that.

11,803. All that you know of is that firm which carries on business in the provision trade, in whose employment you are?—Undoubtedly.

11,804. And what is the nature of the business then, of Redfern, Alexander, and Co.?—I know only by repute that they are general merchants.

11,805. Is he a bill broker?—I do not know.

11,806. (*Mr. Price.*) Mr. Vanderbyl is connected with the Alexanders by marriage?—That I do not know.

11,807. (*Mr. Coleridge.*) Is there any "Co." in Alexander, Redfern, and Co.?—Mr. Vanderbyl is the "Co."

11,808. Does Mr. Brogden deal with your house at all?—No.

11,809. Did you never hear of him?—I never heard his name at all till I saw it in the Bridgwater papers.

(*Mr. Price.*) Now, Mr. Lomas, if you have anything more to tell us with regard to what took place at this election or any other election, but particularly at this election, you are bound to make a full disclosure. We are going to adjourn now. If there is anything you have omitted—you must not leave Bridgwater—we may want you again in the course of the day, therefore you will have time to think it over; and if there is anything you have omitted you are bound to tell us, and I hope you will do so.

(*Witness.*) Very good, sir.

Short adjournment.

Examination of Mr. Lomas resumed.

11,810. (*Mr. Price.*) What is the Christian name of Mr. Redfern, the partner in the house of Fennelly and Redfern ?—I believe it is William Edward.

11,811. Is there a Mr. Alexander Redfern that you know of?—I never heard of him.

11,812. There is a Mr. Redfern connected with the firm of Redfern, Alexander, and Company ?—He is Mr. Redfern's father.

11,813. Do you know the father's christian name ?—No.

11,814. Where is the place of business of Redfern and Alexander ?—I believe it is in Winchester Buildings. They have moved recently.

11,815. (*Mr. Anstey.*) Their business is raising money on bills ?—That I do not know.

11,816. Who is the person that drew the cheque ?—I believe it is Mr. Redfern, junior ; William Edward.

11,817. And the Redfern who went with you to the railway station ?—That is Mr. Redfern of the firm of Alexander, Redfern, and Company.

11,818. (*Mr. Price.*) Where would he be found if a telegram were sent ?—No doubt he would be found at the office.

11,819. Is there any reason why he should not be able to come down here by the five o'clock train or the mail to-day ? Is to-morrow, being Saturday, an inconvenient day for him to have a sudden summons ?—I do not suppose it is ; to-morrow would no doubt be the most convenient day of any, being a short day.

11,820. Then if we telegraphed to him to-day he could come down and be here to-morrow ?—It would be rather short work.

11,821. Where would be the best place to send a telegram to ?—If the telegram were sent at once it would reach him in two hour's time.

11,822. What time does he leave the office ?—Half-past four.

11,823. Where does he reside or where would he be found now ?—I do not know. Mr. Fennelly would know.

11,824. We cannot ask Mr. Fennelly ; you may ask him and tell us.

(*Witness, after conferring with Mr. Fennelly.*) If it was sent at once he would be found at the office till about half-past four. No doubt a telegram would get there in two hours and a half. If not, it could be sent to 16, Porchester Terrace.

11,825. (*Mr. Coleridge.*) You said that you had been here in the mercantile way, at least travelling here. Did Mr. Fennelly know that when he suggested your coming down here ?—No.

11,826. Did not know of your connexion with Bridgwater ?—He knew afterwards that I was in Bridgwater. One time we were speaking about the bridge.

11,827. You say "one time." What do you mean ?—After I had orders to come down here.

11,828. (*Mr. Price.*) When he told you to meet on the bridge, was it then that he learned from you that you had been in Bridgwater ?—Mr. Fennelly knew I had travelled about a great deal in the country. I was three years travelling about.

11,829. Did you then inform him that you knew Bridgwater very well, from having been down here ?—Mr. Fennelly knew previously that I had travelled three years in nearly every town in England.

11,830. Before you brought the money down did he know of it ?—No, he did not.

11,831. You say "No," but when did you first tell him ?—After I got the money.

11,832. When he told you, as I understand, to meet him on the bridge. That was, you think, before you left London ?—Yes.

11,833. Did you then inform him that you knew Bridgwater perfectly well ?—Yes, I did.

11,834. (*Mr. Anstey.*) Was he aware of that before, that you had been in Bridgwater ?—No more than he knew that I had travelled about a great deal in all parts of England, and I presume——

11,835. Have you any doubt that he was aware that you had been in Bridgwater amongst the other parts of England before you told him you knew Bridgwater perfectly well ?—He might have had his doubts about it. I think it is very likely he had no doubt.

11,836. Before you were selected to come down here ?—Yes.

11,837. (*Mr. Coleridge.*) Do you know anything of any transaction on the morning of the day that you brought the money down here ? of any money having been drawn out from your firm before that to come down for such a purpose as this ?—No.

11,838. Did anybody else from your house come down to Bridgwater at all ?—No, nobody.

11,839. And you know of no other transaction ?—I can state almost positively there is no money drawn out from the firm.

11,840. Are you in the habit of seeing the books of the firm ?—Sometimes I look through the cheque-book.

11,841. Do you see the pass-book ?—No ; never see the pass-book ; only the cheque-book.

11,842. From seeing the cheque-book, can you say whether, within a week before the election, any money had been drawn out to come down here ?—You might say that certainly no money was drawn out.

11,843. Have you looked at the book with that object ?—No.

11,844. (*Mr. Price.*) Do you know whether Mr. Vanderbyl kept a private account at the bank ?—I do not know anything of Mr. Vanderbyl's business. It is not very often he comes.

11,845. Perhaps he does not bank at the Consolidated Bank at all ?—I know nothing whatever.

11,846. (*Mr. Coleridge.*) He does not attend to business personally at your place ?—No.

(*Mr. Anstey.*) You remember the warning that you had, that if anything occurs to you it would be better for your own sake by-and-by to communicate it to us.

(*Mr. Price.*) You had better stay here.

(*Witness.*) I think I told you everything as plain and straightforward as I possibly could. The only thing wrong that I said was that the telegram stated "balls," and it should be "bales."

11,847. (*Mr. Anstey.*) That meant 1,500*l.* ?—1,500*l.*, yes.

11,848. (*Mr. Coleridge.*) Do you know in what way Mr. Redfern paid the balance into his bankers, under what head ? as cash, or what ?—That I do not know. He could answer that for himself. I had nothing more to do after I gave him the money.

(*Mr. Price.*) You will have to stay here probably till after Mr. Redfern has been examined. (*To Mr. Fennelly.*) I don't know that you ought to make a communication to the witness.

(*Witness.*) Mr. Fennelly states that you spoke of "Mr. Alexander Redfern." Mr. Redfern, junior's father is Mr. William Redfern. That is the communication that he has just made to me.

(*Mr. Anstey.*) Then what is the true description of the Mr. Redfern of whom you have been telling us ? Is it William ?

11,849. (*Mr. Price.*) Do not you know his christian name ?—I do not. I think it is Mr. William Edward.

11,850. (*Mr. Anstey.*) Has he been called "the younger," or what ?—Mr. William Edward Redfern. The clerks in our office know nothing whatever of the father in the firm.

11,851. Is there anybody of the same name, the name of William, in the firm ?—His father is of the same name. In Redfern, Alexander, and Company, Mr. William Redfern is father of the Redfern of the firm of Redfern, Fennelly, and Company.

11,852. You may inform yourself correctly of the christian name ?—Mr. William Edward Redfern.

11,853. No other name ?—No. His father's name

is Mr. William Redfern. Have you noted the alteration of "bales" instead of "balls."

(*Mr. Coleridge.*) Yes.

(*Mr. Price.*) Well, Mr. Lomas, I think you have given a very satisfactory statement, as far as we understand, thoroughly satisfactory to us; and if you remember anything I am quite sure, from what you have said, that——

(*Witness.*) I have told you everything I know as straightforwardly as I possibly can.

(*Mr. Price.*) Very well; then you may go down.

Mr. William Mayne sworn.

Mr. W. Mayne.

11,854. (*Mr. Price.*) What are you?—Master mariner.

11,855. We understand that you are going to sea?—Yes, I expect to go about Sunday.

11,856. Not before Sunday?—No.

11,857. You will have to go Sunday?—Yes.

11,858. How long are you likely to be away?—Well, we are generally away about a fortnight, sometimes ten days.

11,859. Where are you going?—To Cardiff.

11,860. You will have to load there?—Yes.

11,861. You may be kept a fortnight?—Yes. It may be a few days less.

11,862. (*Mr. Coleridge.*) You go to Cardiff in ballast, I suppose, and come down with coal?—No, we carry away a general cargo, anything that is going.

11,863. (*Mr. Price.*) Are you loading now?—Partly loading.

11,864. (*Mr. Coleridge.*) How often have you been bribed at the elections?—Twice.

11,865. (*Mr. Price.*) Which elections?—Bagehot's and Vanderbyl's.

11,866. How much did you get?—10*l.* each time.

11,867. Who from?—Mr. Bussell.

11,868. Henry Bussell?—Yes.

11,869. Are those the only occasions on which you have been bribed?—Yes.

11,870. Did you vote at the last election?—Yes.

11,871. Why did not you get any money then?—I did not see any.

11,872. Did you make any bargain about it?—No.

11,873. Did you ask for it?—No.

11,874. Were you promised?—No.

11,875. Did you vote early in the morning?—No.

11,876. What time did you vote?—After dinner.

11,877. Did not you hear there was anything going?—Not till after the election was over.

11,878. Then when you heard that, did you say if there was any money going you were entitled to some?—I dare say I should.

11,879. Who to?—Anyone that asked me.

11,880. Did you say it to Bussell?—I think I did.

11,881. What did Bussell say to you?—He did not say anything to me on this occasion.

11,882. You said to him there was money going, and others had had money, and you thought you ought to have some?—I did not say anything about others having any.

11,883. What did you say?—I said if there had been any going, I should like to have it as well as the rest.

11,884. Had not you heard there was money going?—No.

11,885. (*Mr. Anstey.*) When you spoke to him you had?—That was in the morning part of the day I said that.

11,886. What did he say?—He said there was nothing going.

11,887. Afterwards, when you heard money had been going, you spoke to him again?—No, not till after the poll was closed.

11,888. Did you ever speak to him about money afterwards?—No.

11,889. Did you expect to have any?—No.

11,890. (*Mr. Coleridge.*) When did you first have a vote?—At Sir John Shelley's election in 1865.

11,891. You got money then?—No.

11,892. Did you have a good deal of beer?—Not much.

11,893. Whatever you had you did not pay for?—No.

11,894. Grog, too?—I might have had a drop of grog.

11,895. (*Mr. Anstey.*) At what house?—I think the most of what I drank was at Captain Bussell's house.

11,896. The "Anchor"?—Yes, I think.

11,897. (*Mr. Price.*) How much did you manage to consume?—I cannot say.

11,898. Was it such a large quantity?—Perhaps a shilling's worth altogether.

11,899. (*Mr. Anstey.*) Were there other people drinking?—Not very many.

11,900. Was there anything like 30*l.* or 40*l.* worth of drink that you saw expended at Mr. Bussell's?—I cannot say anything about that, because I was there only a short time.

11,901. How long were you there?—The evening before the election. I came home from Cardiff that day. I was telegraphed for.

11,902. By whom? Bussell?—Yes.

11,903. (*Mr. Coleridge.*) Did not you get 5*l.* for your expenses?—I did not get a farthing.

11,904. You asked for something?—I expected something.

11,905. You would not have come without?—No, I should not.

11,906. (*Mr. Anstey.*) Did you get any drink at the two elections where you were bribed?—Oh, I do not know that I had anything particular.

11,907. But you had some?—Very likely.

11,908. What house?—Well, I do not know.

11,909. What houses, rather?—I do not know that it was in any house particular, one more than another.

11,910. How many houses did you get drink in?—Well, I think I had some at the "Anchor."

11,911. Where else?—I think I had some at the "Fountain."

11,912. (*Mr. Price.*) That is Crocker's?—Yes.

11,913. (*Mr. Anstey.*) Where else?—Nowhere else that I remember.

11,914. Which election was it?—Bagehot's.

11,915. And again at Vanderbyl's election?—What, this last election?

11,916. No, the first time for that member?—I do not know that I had any then.

11,917. (*Mr. Coleridge.*) But you had no vote in 1859?—When Sir John Shelley was elected?

11,918. No, but the time before that?—No, not before that.

11,919. How was that?—You will find it by the list of voters.

11,920. How came you, a master mariner, not to have a vote?—I did not live in a rated house.

11,921. (*Mr. Anstey.*) Have you anything more to to tell us?—Well, I can tell you that when I came here the last time from Cardiff I never had any bribe whatever.

11,922. No, but you expected to get paid?—Yes.

11,923. Was anything said in the telegram about being paid?—I was not telegraphed for.

11,924. Why did you come from Cardiff?—I knew that the election was coming on.

11,925. I thought you said you were telegraphed for?—That was Sir John Shelley's election.

11,926. At the last election you knew the election was coming off, and you came away?—Came away on purpose.

11,927. Expecting to get something?—I do not know about that.

11,928. (*Mr. Coleridge.*) You had plenty of drink at the last election?—No, never had but one glass of whisky all the time.

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11,929. Where ?—At the " King's Head."

11,930. Did you pay for it ?—No.

11,931. Why not ?—Me and another captain went in, and he offered to pay for it, but there was nothing to pay for it.

11,932. (*Mr. Anstey.*) On those various occasions when you had drink did you pay for the many glasses of drink you had ?—Sometimes.

11,933. On any occasions when you had drink did you pay for it ?—Yes.

11,934. Which ?—I do not know one more than another.

11,935. You told us just now you had drink ?—Sometimes, when there was plenty of drink.

11,936. Was there any payment ?—Sometimes we paid for it and sometimes we did not pay for it.

11,937. How much did you pay for at the last election ?—I cannot say.

11,938. Did you pay anything ?—Yes.

11,939. How much ?—Perhaps I spent half-a-crown.

11,940. How much did you pay at the two others ?—I cannot say.

11,941. Did you pay anything ?—Oh, yes ; there would be sure to be something paid. We could not always go into an open house.

11,942. Did you pay ?—Yes.

11,943. How much was paid for you ?—That I cannot say.

11,944. Something was paid for you ; at least, you had drink at every one of these elections ?—When there is a lot of people coming in to drink ——

11,945. You had drink at every one of these elections for which you did not pay ?—I may.

11,946. (*Mr. Price.*) You know that the drinking was going on at almost all these houses ?—When ; at which election ?

(*Mr. Anstey.*) Every election.

11,947. (*Mr. Price.*) All the elections you have taken part in. There was a certain number of houses in which you knew you could go and have drink without paying ?—I did not know there was anything going on at the last election.

11,948. If you had known it you would have gone ?—I should have gone and took part along with the rest.

11,949. (*Mr. Anstey.*) You had a glass of whiskey ?—Yes.

11,950. You did not pay for that ?—No.

11,951. I suppose you do not mean to pay for it ?—I expect not.

Mr. Fennelly.

Mr. FENNELLY called.

(*Mr. Price.*) I do not know whether you were here yesterday when I addressed Dr. Kinglake.

(*Mr. Fennelly.*) Yes.

(*Mr. Price.*) Well, I am going to make similar remarks to you, because we have come to the conclusion that you stand in a very similar predicament to that of Dr. Kinglake, in that you have taken a very active part in procuring money, knowing that it was going to be spent in bribery purposes, and in seeing that the money was so applied. In fact, your case is rather worse than Dr. Kinglake's on that account, that you actually took part in the distribution. Having view, therefore, to the fact that it may be necessary for us to make a report upon which proceedings may be taken against you by the Attorney-General, we shall not swear you as a witness, thereby entitling you at the same time to a certificate of protection. At the same time you may make any statement you please at your own risk ; but if you do make a statement, that statement may be used against you in case of any proceedings being instituted. As I said to Dr. Kinglake, therefore, you had better consider the question over ; but under these circumstances we shall not swear you as a witness.

Mr. H. Lovibond.

Mr. HENRY LOVIBOND recalled.

11,952. (*Mr. Price.*) Were you one of a deputation that went on the Saturday night to Mr. Vanderbyl ?—Mr. Vanderbyl ? No.

11,953. The deputation consisted of Mr. Sealy, Mr. Barham, you Mr. Lovibond, and a Mr. Sully, not the mayor but another Mr. Sully ?—I have no recollection of it. Is that the Saturday night before the election ?

11,954. Yes ?—I have no recollection of it at all.

11,955. Did you on any Saturday, or any day, if we are wrong as to the day ?—I have no recollection of it at all.

11,956. Do you remember forming one of a deputation consisting of yourself, Mr. Sealy, Mr. Barham, and Mr. Sully ?—I really have no recollection of that. Can you suggest what time in the day, sir ?

11,957. Saturday night I put it to you ; the evening of Saturday ?—I think not. I have not the slightest recollection of it. I attended a meeting. It is right for me to say that there was a public meeting in this hall, and there was a meeting afterwards at Mr. Sealy's house.

11,958. There was a public meeting here in the hall, and then a meeting at Mr. Sealy's ? What was that about ?—That was about a communication which Mr. Sealy had received from Mr. Fennelly relative to the Lundy Granite Company, as to the evidence which had been given in the Court of Chancery, before the examiner of the Court of Chancery.

11,959. With respect to Mr. Vanderbyl's connexion with that company ?—Yes.

11,960. What was the conclusion come to ?—The conclusion come to was that under the circumstances we thought that we should support Mr. Vanderbyl.

11,961. Did you wait upon Mr. Vanderbyl to communicate to him that you were satisfied with his conduct, you and other gentlemen, after the explanation ?—I have no recollection of that at all.

11,962. Will you undertake to say that that did not take place, Mr. Lovibond ?—Will I undertake to say that the deputation did not take place ?

11,963. That you were not present with the deputation ?—I will undertake to say that I have not the slightest recollection.

11,964. Do you remember afterwards, do you remember at a subsequent time, informing Mr. Vanderbyl that you had come to the conclusion that he must go to the wall, and his expression of astonishment by saying, " How ill I am used ! It is only so short a " time since you told me you were satisfied with my " conduct " ?—No ; but I recollect going to him at 12 o'clock on the polling day, and telling him I thought there was no chance of his being returned.

11,965. This is previously to the polling day. Did you come to any resolution afterwards, or do you know of any resolution come to afterwards by those with whom you were acting, that Mr. Vanderbyl must be told he must go to the wall ?—No.

11,966. Did nothing of the kind take place to your knowledge ?—Nothing. I have no recollection of anything of the kind.

11,967. You say you used no persuasion to make people bribe at the last election ?—No persuasion. No.

11,968. No persuasion to make people bribe. On Friday morning did you see Mr. Barham at the " Globe " ?—I do not recollect, on Friday morning, that ?

11,969. You do not ?—No.

11,970. Do you remember Mr. Fennelly being asked to go to Mr. Barham's office ?—I do ; and meeting Mr. Fennelly there.

11,971. Do you remember it being said then by you that Kinglake's party had 1,500*l.*, and hoped that Fennelly had a like amount ?—No.

11,972. Nothing of the kind ?—Nothing of the kind.

11,973. That you swear?—That I swear; but at that meeting something was said——

11,974. Let me go on; then you shall explain. Was it made a proposition to Mr. Fennelly that Mr. Vanderbyl should spend 3,000*l.* in the first instance, and you would lodge half of the sum after the election?—No.

11,975. Nothing of the kind?—Nothing of the kind.

11,976. Did Fennelly say that he had come down not for spending money, or that Mr. Vanderbyl had come down not for spending money, but for preventing money being spent?—He said that Mr. Vanderbyl would not spend any money.

11,977. Did he say those words?—I do not recollect those other words.

11,978. Why should he say Mr. Vanderbyl did not intend to spend money unless something had been said to him first about money being spent?—I believe that something had been said before.

11,979. What had been said?—I believe that Mr. Barham made some communication to him.

11,980. What did he say?—That some money would be wanted for election purposes.

11,981. In your presence?—No.

11,982. You recognize the interview, do you?—I do.

11,983. Did Mr. Barham tell you that he had said so, that money would be wanted; that he had told Mr. Fennelly?—Yes.

11,984. When?—Some three or four days before.

11,985. Now you recognize this interview, as I understand, as an interview which did take place at Mr. Barham's office?—I do.

11,986. Now, it is on that occasion that I am asking you whether Mr. Fennelly did not say that Mr. Vanderbyl was come down not to spend money but to prevent money being spent?—Not the latter part; the first part, that he had come down not to spend money.

11,987. How came Mr. Fennelly to make that remark unless something had been said to him at that interview about spending money?—Something was said by Messrs. Reed and Cook.

11,988. What did they say?—They said the election could not be won without money.

11,989. Did you take any part in the conversation?—I did. I told Mr. Fennelly that I could not advise any candidate to spend money, and Mr. Barham did the same thing.

11,990. Now you put it on Reed and Cook?—That was so.

11,991. We shall hear what they say. Did you say that you were delighted to hear it?—That he would not spend money?

11,992. Yes?—I believe something to that effect. I won't pledge myself as to those words.

11,993. Or was it Mr. Barham that said he was delighted to hear it?—I do not know; but Mr. Barham and myself took both the same part in saying we could not advise any candidate to spend money; it was an illegal act, and we could not advise it.

11,994. Did Barham say that some steps would have to be taken, for he believed arrangements had already been made to the contrary, and he should consult the other solicitors?—I have no recollection of his stating that.

11,995. Will you swear he did not?—No; I have no recollection of his stating that.

11,996. That is a very remarkable conversation. Have you a sufficiently clear recollection of what took place at that interview to say that Mr. Barham or yourself, one or the other of you, did not say that arrangements had been made to the contrary, and he should be obliged to consult the other solicitors?—My own impression is that neither Mr. Barham nor myself said anything of the kind.

11,997. Were Reed and Cook present at that interview?—They were.

11,998. How many were present?—Mr. Barham, myself, Messrs. Reed and Cook, and Mr. Fennelly.

11,999. That would be five?—That was five.

12,000. Well now, was any wish expressed to see Mr. Vanderbyl himself by anybody?—Well, I am not sure whether Messrs. Reed and Cook, or one of them, did not express a wish to see him.

12,001. Well, did, accordingly, Mr. Vanderbyl come down to Mr. Barham's office?—No.

12,002. Did he come anywhere to have an interview?—Not that I am aware.

12,003. You did not see him?—I did not.

12,004. Was a message sent up to Mr. Vanderbyl to come?—I really do not recollect. I cannot answer.

12,005. Do you remember a message being sent, and Mr. Fennelly coming back and saying——?—Well, now I have an impression that there was a message sent, and that Mr. Vanderbyl came, and that as soon as ever Mr. Vanderbyl came we left.

12,006. Whom did you leave; you were at Barham's office; whom did you leave when you went away?—I am not certain whether Messrs. Reed and Cook came away with me. I left Mr. Fennelly there.

12,007. You left Fennelly, Barham, and Reed and Cook, you think?—I think Reed and Cook. I am not sure whether they left with me or not.

12,008. I put this to you distinctly. Was not there a conversation then in Mr. Vanderbyl's presence; were not the same arguments gone through, and were you not the principal spokesman, and did you not say the election was sure to be lost if no money was spent?—Most certainly not.

12,009. (*Mr. Anstey.*) Was there no part of that conversation?—No, I never had such a conversation with Mr. Vanderbyl.

12,010. Did not Vanderbyl express his great surprise?—He did not. I had no conversation with him.

12,011. (*Mr. Price.*) Was anything said that there was no hope for Vanderbyl?—I think it very possible that Messrs. Reed and Cook might have said something of that kind to Mr. Fennelly before Mr. Vanderbyl came.

12,012. Very likely that was so. Then we will put Mr. Vanderbyl as absent. Was anything said in your presence, that there was no hope unless money was spent?—I think it is very likely there was by Messrs. Reed and Cook.

12,013. Have you any doubt there was?—I have some impression that something was said of the kind.

12,014. Do not say that you have an "impression." Have you any doubt?—I believe it was.

12,015. There is no doubt it was?—I believe something of that sort was said.

12,016. Now Mr. Fennelly is here, and he has not yet been examined. I think it right to tell you, Mr. Lovibond, that it does not impress us very well when you say "I think there was," or "I have some impression"?—I wish to give you a truthful account.

12,017. Did Mr. Fennelly say that he was prepared to take the consequences of spending 5,000*l.*, and even have a petition?—I really do not know that he did.

12,018. Did he say anything about preferring to take the consequences, and that he would spend a sum of 5,000*l.*, even if there was a petition?—I know Mr. Fennelly was very emphatic in stating that he would not spend any money.

12,019. That is not the question. Have you any recollection of his making use of this remarkable expression, that he was prepared to take the consequences, and he preferred to spend 5,000*l.*, even if there was a petition?—I really do not recollect that.

12,020. Will you undertake to say that was not said?—No; but as far as my memory serves me——

12,021. If you say you were against all bribing, and if this conversation went on, and it seems to have gone on for some time, why did not you get up and leave the room? Why on earth did not you get up and say, "I will have nothing to do with it"?—The conversation was only about a minute or two.

12,022. Did he say anything about Mr. Vanderbyl having been made a fool of?—That, sir, I do not recollect—anything of the kind said.

12,023. Will you swear that was not said?—No.

12,024. Was anything said to you about the senior

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candidate being the person who ought to be preferred?—No.

12,025. Was anything said to you about the senior candidate being the proper person to be preferred?—No.

12,026. Did Mr. Vanderbyl himself say, or Mr. Fennelly say, that he must be prepared to pay one half of what his friends thought necessary?—No.

12,027. Nothing of the kind?—Nothing of the kind that I remember.

12,028. Was anything said about the junior member being the proper person to retire?—No.

12,029. Nothing of the kind?—Nothing of the kind.

12,030. No suggestion was made at that interview with Mr. Fennelly that Mr. Vanderbyl ought to retire?—No, certainly not.

12,031. Did Mr. Kinglake's friends say he would pay half of what his friends thought necessary?—No.

12,032. Did anybody say anything on behalf of Mr. Kinglake?—No.

12,033. Nothing of the kind?—Nothing of the kind.

12,034. Did you give him to understand that you would not support Mr. Vanderbyl?—No, certainly not.

12,035. In no way whatever?—Certainly not.

12,036. Then you mean us to understand that nothing of the kind at all which I suggest at this interview took place?—I do.

12,037. Then what was the interview about?—I was requested to attend the meeting for the purpose, I think Messrs. Reed and Cook requested me, of hearing what Mr. Fennelly should say in answer to a communication that had been made to him by Mr. Barham.

12,038. This was at Mr. Barham's office on Friday?—At Mr. Barham's office; I think it was the Friday.

12,039. What was the communication?—To hear from Mr. Fennelly that Mr. Vanderbyl would not spend any money.

12,040. He would not spend any money?—He would not spend any money.

12,041. Very well; there was no occasion to consult about that when there; you were all prepared to have a pure election. What was there to consult about?—Mr. Reed and Mr. Cook asked me to attend.

12,042. Now I ask you, and beg you to consider your professional reputation and position, you say you were going to Mr. Barham's to hear Mr. Vanderbyl would not spend any money. Was not that meeting for you, the lawyers, to consider whether if Mr. Vanderbyl would not spend any money he ought to be supported or not?—No.

12,043. Or ought to retire?—No.

12,044. Then what was it for?—My impression was this, that Mr. Reed and Mr. Cook——

12,045. No; you told us that the communication you expected to receive was that Mr. Vanderbyl had announced his determination to spend no money?—Yes.

12,046. Why was there any necessity for that if you had made up your mind to let it be well known that you did not intend money to be spent. Why should there be a consultation about that communication at Mr. Barham's office; now we will wait?—As I said before, I was requested to attend that meeting.

12,047. We know you were requested; but I ask you what did you understand, or what could be the meaning of having a consultation about the announcement on the part of Mr. Vanderbyl that he would spend no money, if you, on the part of Mr. Kinglake, had already announced your intention to spend none, and intended to spend none?—I do not know.

12,048. Now, Mr. Lovibond?—Yes.

12,049. Do you understand the question?—Yes; I think it is this——

12,050. If you understand the question, I ask you again what could be the meaning of your immediate consultation at Mr. Barham's office with respect to the alleged declaration of Mr. Vanderbyl that he would not spend any money, when you, on the part of Mr. Kinglake, had made up your mind that no money should be spent and intended to conduct the election purely?—I believe it was this, to advise with Mr. Reed and Mr. Cook, they wished me to attend and advise Mr. Fennelly to spend money on behalf of Mr. Vanderbyl.

12,051. Then you were asked to go there to a consultation to encourage the spending of money?—I believe so.

12,052. Is that consistent with what I have read to you just now, that you had announced your intention that you would use no persuasion to make people bribe?—Yes, I said I would not advise any candidate to spend money.

12,053. You did. You say you made up your mind not to spend money and to use no persuasion to make people bribe. Then why did you go to Mr. Barham's office with the knowledge that you were to go to persuade Reed and Cook to get Mr. Vanderbyl to spend money?—I have not stated that I went to persuade Reed and Cook.

12,054. Then what for? I have asked you over and over again the reason why you went, and you have not told us?—I thought I had.

12,055. What was it?—That Reed and Cook wished me to hear what was said by Mr. Fennelly.

The shorthand writer read the previous answer of the witness, namely, "I believe it was this, to advise "with Messrs. Reed and Cook, that they wished me "to attend and advise Mr. Fennelly to spend money on "behalf of Mr. Vanderbyl."

12,056. How is that consistent, that you were to go down there to consult with Messrs. Reed and Cook for the purpose of advising Mr. Fennelly to get Mr. Vanderbyl to spend money, how is that consistent with your previous statement that you had used no persuasion to make people bribe, and that you intended to conduct the election purely?—(*The witness hesitated.*)

12,057 (*Mr. Anstey.*) Make haste.—I do not know how to answer that question.

12,058. (*Mr. Price.*) That is the answer you give us? Do you mean now to say, having told us that you went down there with the full knowledge that you were to be asked to assist in advising Mr. Fennelly to get Mr. Vanderbyl to spend money, you used no persuasion at the last election to make people bribe?—No, I have not stated so, because I had an arrangement with Dr. Kinglake. He came and made the arrangements with me for bribery.

12,059. It is very extraordinary that you do not attend. Are we to take it you have said you used no persuasion to make people bribe at the last election, I understood you to answer that in the affirmative?—Yes.

12,060. Then you do say you have used no persuasion?—Yes.

12,061. Then I ask how is that consistent with the fact that you now tell us you went to that office intending to take part in advising Mr. Fennelly to get Mr. Vanderbyl to spend money?—I advised him not to spend money at that meeting.

12,062. Why did you not, if you intended to conduct this election purely, when you were asked to go to Mr. Barham's office and assist in inducing Mr. Fennelly to spend money, say "I will have anything to do with "it because I am determined to conduct the election "purely"?—It was a meeting of all the solicitors, Mr. Barham, Mr. Reed, and Mr. Cook, to hear Mr. Fennelly himself.

12,063. To hear from Mr. Fennelly that Mr. Vanderbyl would not spend money?—Yes, and I said I could not advise him to do so.

12,064. Now you say you went by Messrs. Reed and Cook's desire to assist in advising Mr. Fennelly to spend money. You have said so?—Yes.

12,065. Having been asked to go down there for that express purpose, and not having refused to go, do you mean to impose upon us by telling us that you dissuaded him from spending money?—I do not intend to impose upon the court, but I say this, that I never at that meeting advised him to spend money.

12,066. Did you dissuade him?—Certainly, I said I could not.

12,067. Having been asked by Mr. Reed and Mr.

Cook to go down and assist in persuading him to spend money, that what you did was exactly the contrary to what you were asked to do?—Certainly.

12,068. You dissuaded him?—I said, "I cannot "advise Mr. Vanderbyl to do an illegal act."

12,069. (*Mr. Anstey.*) Mr. Fennelly is the question, not Mr. Vanderbyl?—Mr. Fennelly.

12,070. Do you mean to say you told Mr. Vanderbyl you could not advise Mr. Fennelly?—Yes.

12,071. He was not a candidate?—No.

12,072. I have listened with great attention to your answers, and I am very sorry to say there is a great vein of mental reservation running through them, and when you are asked about bribery agents and bribery and persons to be employed in that sort of thing you invariably answer thus, that you said, "I could not "advise the candidate to spend money." You do not say that you set your face against other people spending money, on the contrary you have yourself volunteered again the statement, that you were at that moment, and had been a week before, in full possession of an arrangement come to between you and one who was not a candidate but a candidate's brother and agent, Dr. Kinglake, for providing money to be spent in bribery. Is not that the fact?—Certainly.

12,073. Then are you not trimming in your evidence for the last half an hour upon the Chief Commissioner's questions which refer to bribery, generally by people on your side, in the restrictive answers which you give confined to the candidates *per se et eo nomine*, a distinction which we all understand. Is not that so?—No.

12,074. (*Mr. Coleridge.*) Then why, if you were advising Dr. Kinglake on behalf of his brother to spend money, did you advise Mr. Fennelly on behalf of Mr. Vanderbyl not to expend it?—I never advised Mr. Kinglake to spend money. I was anxious not to spend money if it could be avoided at all.

12,075. Granted, if it could be avoided; but you adopted Dr. Kinglake's intention of providing money for his brother, and took steps to carry it out?—I did.

12,076. Why, having done that, did you draw a distinction between Dr. Kinglake, who we understand was not very wealthy, and Mr. Vanderbyl who was, and tell Mr. Vanderbyl he should not, and Dr. Kinglake that he should if necessary? What is the distinction you draw?—I will try and explain myself to the court if I can. It was this: I said I would not advise Mr. Vanderbyl or Mr. Fennelly to spend money.

12,077. (*Mr. Price.*) Did you say why?—Because it was an illegal act which a lawyer would not be justified in doing.

12,078. You had already conspired with Dr. Kinglake to bribe if it became necessary?—It was the own act of Dr. Kinglake, not mine.

12,079. (*Mr. Coleridge.*) But what distinction do you draw between advising Dr. Kinglake, who was your own particular client, to spend money, and Mr. Vanderbyl not to spend money, because according to your statement you took more care of Reed and Cook's client than your own?—I never advised it.

12,080. But you adopted his suggestion, and took means to carry it out?—No doubt.

12,081. Then why on earth if you adopted that for your client should you be so anxious for the purity of Mr. Vanderbyl?—I was not so anxious for purity on the part of Mr. Vanderbyl.

12,082. (*Mr. Price.*) Why were you so anxious to spare his pocket?—What I said was this, I could not advise him to do an illegal act.

12,083. Did you say the same to Dr. Kinglake, the brother of your own client, when he had the 1,000*l.* or 1,500*l.* ready? Did you say as a lawyer to him, "I advise you not to do it"?—I do not think I did.

12,084. (*Mr. Coleridge.*) Does it come to this, that in reality what you mean by not advising Mr. Finnelly is, that you stated, *qua* lawyer, "I cannot advise you "to spend it in my legal capacity," but did not raise any moral objection?—No doubt about it; that is precisely the case as you put it; I did not.

12,085. (*Mr. Price.*) You might have told us that before, and I should like you to explain really as a professional man your own statement why you did not, as a lawyer and moral man and friend of Mr. Kinglake, give Dr. Kinglake the same advice as you were prepared to give or gave to Mr. Vanderbyl. You know the relation between attorney and client is a confidential relation; and being a personal friend of Mr. Kinglake's, why did not you use the same arguments to Dr. Kinglake to persuade him not to spend money that you say you were prepared to use, and did use, to Mr. Vanderbyl's friend, Mr. Finnelly?—(*No answer.*)

(*Mr. Anstey.*) Cannot you answer that question?

12,086. (*Mr. Price.*) Why did you not use the same objections to Dr. Kinglake, or urge them on Dr. Kinglake, the brother of your friend and client, that you say you urged for the benefit of Mr. Vanderbyl on his friend, Mr. Fennelly?—(*The witness hesitated.*)

12,087. I wish you to answer that question. Knowing your relation to Mr. Kinglake, both as professional adviser as well as friend, and as a member of the profession to which we belong?—(*The witness hesitated.*)

12,088. (*Mr. Anstey.*) Now will you answer?—I really do not know how to answer that question.

12,089. To make it more clear, as we have it on the shorthand notes of yesterday, and I believe according to the truth of the case, that at this very time Mr. Vanderbyl and Messrs. Reed and Cook, for whom you pretend now to have been so solicitous that they should not spend money illegally, were not on the best terms at that time—I am speaking politically with reference to the election—either with you or your candidate, Mr. Kinglake; there was not the best feeling at that moment on the Saturday?—I really do not know with regard to Messrs. Reed and Cook and Mr. Kinglake.

12,090. Well then, between two knots of lawyers, one consisting of Messrs. Reed and Cook and their adherents, and the other of yourself and yours?—Between myself and Messrs. Reed and Cook I believe there was an estrangement.

12,091. Any professional jealousy whatever about this getting Mr. Vanderbyl—— ?—No, nothing of the kind.

12,092. No difference of opinion?—No.

(*Mr. Price.*) What was the estrangement?

12,093. (*Mr. Anstey.*) What was it? You told us between the moves and counter-moves made by you and Messrs. Reed and Cook with respect to the retiring of one of the candidates?—That was on the Sunday previous to the election, at a meeting at which it was suggested——

12,094. Was not there some feeling between you and Messrs. Reed and Cook, or you and Mr. Vanderbyl?—No.

12,095. If you were in favour of Mr. Vanderbyl being pressed to retire—— ?—I certainly was.

12,096. Was not there some feeling on that subject?—I think not.

12,097. You told me so yesterday, and it is on the notes, that there was not the best feeling at that time prevailing between you and that firm, and you added that "there was no such bad feeling between myself "and Mr. Barham, and I cannot say whether any bad "feeling between Mr. Barham and Messrs. Reed and "Cook, but there certainly was no very friendly feeling "between me and Messrs. Reed and Cook on that "subject"?—On the subject of Mr. Vanderbyl?

12,098. Yes?—I was not aware of it.

12,099. (*Mr. Price.*) Then what was the estrangement?—Really I cannot tell what it was.

12,100. You say there was an estrangement between you and Messrs. Reed and Cook; can you give us no idea what it was?

12,101. (*Mr. Anstey.*) I shall be obliged to get this out of another person, and as sure as you are standing there if I do I shall be fully prepared to take upon myself the responsibility as regards myself of

ulterior measures. Did not you tell Mr. James Trevor, whom you followed up to London, did not you make to Mr. James Trevor in London when you followed him up there, that very statement which you pretend now to contradict, namely, that there was not a good feeling prevailing between you and Messrs. Reed and Cook on the subject of the question which was to be pressed to retire, Mr. Kinglake or Mr. Vanderbyl? Did you tell him that?—No.

12,102. (*Mr. Coleridge.*) Now, allow me to go back, and to put it in the most favourable way to you, and drawing the distinction which you do between Mr. Vanderbyl and Mr. Kinglake as to the money, do you draw the subtle distinction in your mind that whereas Dr. Kinglake took the initiative in suggesting bribery to you, you were requested on the other hand to suggest it to Mr. Vanderbyl; is that the distinction you draw between the two?—No; the distinction I draw is this, I said I could not advise any person to do an illegal act.

(*Mr. Price.*) You declined to accept that favourable position, but would rather stand on what you said before, that you can give us no reason why you did not urge the same objection to your client's brother as you did to Mr. Vanderbyl? You prefer it to stand in that way after the suggestion of my learned colleague?

12,103. (*Mr. Coleridge.*) I put it to you, and it was in consequence of an answer which you made that you could not advise it; what I say is, taking the most favourable view, that you draw a distinction between the initiative being taken by Dr. Kinglake in suggesting bribery and your accepting it, and being asked on the other hand to recommend bribery to Mr. Fennelly, and for him to accept it?—Certainly, that is it precisely.

12,104. (*Mr. Price.*) If that is so, how on earth has it happened that you, when I pressed you over and over again, did not give it as a reason until it was suggested to you by my learned colleague?—I was anxious to give you a simple answer.

12,105. You said you could give no account of it. I asked you two or three times how you could account for the fact that you had not urged the same objection on your client's part and your friend's part with regard to bribery that you had urged on Mr. Vanderbyl's friend, Mr. Fennelly, and you said you could give no reason. It was within the hearing of all around here.

(*Mr. Anstey.*) And on our notes.

12,106. (*Mr. Price.*) You were asked two or three times, and now after this long pause you adopt my colleague's suggestion, that it was because Dr. Kinglake took the initiative. Do you mean now to say that that operated on your mind, and made you draw the distinction in the way you dealt with Dr. Kinglake and Mr. Fennelly at Mr. Barham's office?—I mean to say this——

12,107. I ask you, do you draw a distinction between his taking the initiative and suggesting it to you?—I do, certainly.

12,108. (*Mr. Anstey.*) What is your distinction?—As a solicitor——

12,109. As a man of honour, as a man of law, as a man of common sense, and as a moral man, what is the distinction you make?—This is it, if the candidate chose to spend money it was a voluntary act of his, and should not be advised by his lawyer to do it.

12,110. Although to his lawyer's knowledge?—Certainly, if he chose to do it.

12,111. Your meaning is this, that you were fully prepared in your personal capacity as Henry Lovibond to enter into a foul and wicked conspiracy with one Dr. Kinglake to commit bribery and use corrupt practices, but were not prepared in your capacity as a gentleman, and one of Her Majesty's attornies at law and a solicitor of the High Court of Chancery, to advise Dr. Kinglake that it was safe for him to do so. Is that the distinction you take; is that it, or not?—Your question is so long I cannot follow you.

12,112. (*Mr. Price.*) Surely as an attorney you do not mean to represent that wishing it to be a pure election it would not have been your duty if you had acted strictly according to your duty to try to dissuade Dr. Kinglake from spending money?—Certainly not. I quite agree with you that I did not do my duty, no doubt, in not attempting to dissuade him from spending money.

12,113. (*Mr. Anstey.*) But you have admitted that you entered into a conspiracy with Dr. Kinglake a week before to bribe or provide money for bribery, have you not?—Yes, I have.

12,114. Now you say you were not prepared to advise the candidate that it was safe or legal to do so?—No, I said this——

12,115. That you told them at this meeting on the Sunday that you could not advise any candidate to do so?—I said I could not advise any candidate to do so; to do an illegal act.

12,116. That is, you meant to advise them it was against the law, was not it? Your meaning was that you could not advise them that it was not against the law to bribe?—I presume that was the inference.

12,117. But did not you mean that you were perfectly ready in your personal capacity as Henry Lovibond to engage and allow them to engage in it, saying that you were then and had been for a week past deeply engaged in it?—No doubt that is so.

12,118. It appears to me that if there is any difference between the two cases, your position is infinitely worse than your previous answer had made it?

12,119. (*Mr. Coleridge.*) Now to hark back a little. I suppose the state of the election was such that it would have been a much safer thing for Mr. Kinglake if Mr. Vanderbyl had retired?—Certainly.

12,120. And you acting for Mr. Kinglake, was not your real motive in advising Mr. Vanderbyl not to spend money because you knew he could not get in, and by not getting in he would help Mr. Kinglake?—No.

12,121. That was not your motive?—No, I was not guilty of disloyalty to Mr. Vanderbyl.

12,122. Then you meant that you were acting cordially altogether, because we have heard there was not the best of feeling between you and Messrs. Reed and Cook. Was not there a sort of jealous feeling on your part that you were rather interfered with, and your position hazarded, and that it would be better if he were to retire?—No.

12,123. I thought you said "Yes"?—No, at the meeting on Sunday.

12,124. (*Mr. Price.*) We will come to that presently; still I want to know what was your reason for urging on Mr. Vanderbyl's friend, Mr. Fennelly, that he had better not spend money. Was it the legal ground, or was it the moral abhorrence you had of it, or if not the moral abhorrence what was it?—Simply this, that it should not be said I ever advised Mr. Vanderbyl or Mr. Fennelly to do an illegal act.

12,125. You take the word "advise," and harp upon the word "advise," you did not want to *advise*?—Yes.

12,126. As a lawyer?—As a lawyer.

12,127. Supposing Mr. Fennelly had said, "I hear "you are prepared with a certain sum of money on "the part of Mr. Kinglake, I am prepared with a "certain sum on behalf of Mr. Vanderbyl," would you then have told him, not being asked your advice, "I advise you to have nothing to do with bribery"?—No, I do not think I should.

12,128. Have done what?—Supposing Mr. Fennelly had come and said, "I am prepared with 1,000*l.* or 1,500*l.* on the part of Mr. Vanderbyl," I should not have advised him or say, "Do not spend it."

12,129. Then, in point of fact, you would not take the initiative, but Mr. Fennelly you understood was disinclined to advise Mr. Vanderbyl to spend money?—Yes.

12,130. That you perfectly well knew?—Yes.

12,131. After you knew Dr. Kinglake was prepared to spend 1,500*l.*?—Yes.

12,132. Then you go to Mr. Barham's office;

asked to go to try and concur in some advice?—Not asked by Mr. Barham.

12,133. By Messrs. Reed and Cook?—Yes.

12,134. To go to Mr. Barham's office and concur in urging advice on Mr. Fennelly that Mr. Vanderbyl should spend money. Now, if you had made up your mind that as a lawyer you would not advise Mr. Fennelly to do any such thing, why did you go to that meeting at all?—I was at that meeting; I said I would not advise.

12,135. You knew what you were asked to go for, you knew you were asked to go and concur in, not to object to bribery as a crime in a moral point of view, you knowing that you were asked for that purpose, and that purpose alone; why did you go, you knowing you would not advise as a lawyer?—It was a meeting of all the lawyers; I was asked to attend the meeting.

12,136. Can you give no other answer to that question? Why did you go?—I do not think I can, except to attend the meeting with other solicitors.

12,137. But you knew the object, it was not generally to consult as to the interests of the party, but you were asked for a specific purpose by Messrs. Reed and Cook, "Will you come down and try to get Mr. Fennelly to "get Mr. Vanderbyl to spend money?" Why did not you say "Mr. Cook, I will have nothing to do with "any such transaction as a lawyer." I do not say as an act of morality, why did not you say "I cannot advise "Mr. Fennelly to do any such thing. You must "excuse me, I will not come"?—I really cannot tell why I did not say so.

12,138. That we may not have any dispute about it at all, because I may be wrong in saying that you made propositions, but in your hearing was no proposition made that Mr. Fennelly should spend on Mr. Vanderbyl's behalf 3,000*l.* in the first instance, and half of the sum should be lodged hereafter?—No.

12,139. Nothing of the kind?—No.

12,140. Was no proposition made as to any sum that Mr. Vanderbyl should spend in your presence?—No, no specific sum; only that he should spend money.

12,141. Was he informed of what you on the part of Mr. Kinglake were prepared to expend?—Certainly not.

12,142. (*Mr. Anstey.*) Was there any proposal as to the proportion he was to spend, namely, whether it should be the proportion of one half or one third of what Mr. Kinglake spent?—I think not.

12,143. (*Mr. Price.*) Then tell us what was said?—The communication was made by Mr. Fennelly that no money should be spent. Mr. Reed, I think it was, said, "It is perfectly useless to fight a Bridgwater elec- "tion without money. We will not play the fool's "game, as we did under Sir John Shelley. It is no "use to fight without money." Then I was appealed to by one of them, I do not know which, I think it was by Mr. Reed, and asked my opinion upon it, and I said, "Well, I will not advise the candidate to spend "money."

12,144. (*Mr. Coleridge.*) Did you mean advise his agent?—Whether the candidate or his agent, I do not know.

12,145. (*Mr. Anstey.*) You have said all through "candidate"?—That is my impression; Mr. Barham will give you his account.

(*Mr. Price.*) We want your account.

12,146. (*Mr. Coleridge.*) Is there anything you can at all refer to during the two or three days before the election which had given rise to the report that you had recommended that 3,000*l.* should be spent by Mr. Vanderbyl and half recouped, which was exactly in accordance with the arrangement made by you with Dr. Kinglake?—I cannot. I have not heard it until in this court.

12,147. (*Mr. Anstey.*) You swear that?—I do.

12,148. Notwithstanding the evidence you have given us of the arrangement come to between you and the candidate's brother and agent, Dr. Kinglake, the week before?—Yes, that is that Dr. Kinglake should spend 3,000*l.* and be recouped one half, I think it was.

12,149. (*Mr. Price.*) No, the proposition was just the other way, that Mr. Vanderbyl should spend 3000*l.* in the first instance, and then that someone on behalf of Mr. Kinglake should lodge half of that sum after the election?—Well, there was some proposition of that kind made.

12,150. You are the only person in this court who could not understand that.

(*Mr. Anstey.*) And your manner of giving evidence is most disgraceful to you.

12,151. (*Mr. Price.*) I put it to you in this form, in order that there may be no mistake or quibble as to who made the proposition and who spoke. Was there a proposition made, which was my question, that he, Mr. Fennelly, should spend 3,000*l.* in the first instance on behalf of Mr. Vanderbyl, and that Mr. Kinglake's party would lodge the half afterwards. You said distinctly no?—Yes, to Mr. Fennelly. I say no proposition of that kind was made to my knowledge to Mr. Fennelly, but there was a proposition of that kind made.

12,152. Who to?—I cannot possibly tell you.

12,153. At that interview?—No, and I thought you were alluding to that.

12,154. When was it made?—I really cannot tell you.

12,155. (*Mr. Anstey.*) Before that meeting?—My own impression is that it was made before the meeting.

12,156. How many days?—I should think two or three days before.

12,157. (*Mr. Price.*) Who proposed it?—I think I did, but not to Mr. Fennelly.

12,158. Whom did you propose it to?—My impression is that it was Messrs. Reed and Cook.

12,159. Will you swear that Mr. Fennelly was not present?—I will. I never made that proposition to Mr. Fennelly.

12,160. Or in his presence?—Nor in his presence.

12,161. That you swear?—That I swear.

12,162. Who was present?—I think it was done between me and Messrs. Reed and Cook; no one else.

12,163. To your knowledge then, was not Mr. Fennelly informed of that at Mr. Barham's office?—No, to my knowledge he was not.

12,164. Will you undertake to say not?—I will undertake to my knowledge to say that he was not informed of that.

12,165. You had Mr. Fennelly there it seems to make a fool of him. Who came there first, you or Mr. Fennelly?—I believe Mr. Fennelly was there when I came.

12,166. You say your advice was not to spend money. What was said by other people there to Mr. Finnelly? Was he not informed of the negociation that had taken place between you and Mesrs. Reed and Cook as to this 3,000*l.*?—I certainly do not know. There was nothing of the kind which led me to suppose that he was or not.

12,167. What was he there for if not to discuss how much should be spent? Do you mean to say, when he was going to be urged by Messrs. Reed and Cook to spend money, that he was not informed that the proposition was one which had come from yourself to Messrs. Reed and Cook that he, Mr. Fennelly, or Mr. Vanderbyl should spend 3,000*l.* in the first instance, and be recouped one half; was not that the suggestion to Mr. Finnelly?—No.

12,168. Nothing of the kind?—Nothing of the kind at that meeting.

12,169. (*Mr. Anstey,*) The question is, ever?—Never to my knowledge. I cannot tell what Messrs. Reed and Cook may have done.

12,170. (*Mr. Price.*) Did not you intend that it should be conveyed to Mr. Vanderbyl, when you proposed to Messrs. Reed and Cook, that in the first instance Mr. Vanderbyl should spend 3,000*l.*? Did you not intend them to communicate the pro-

ELEVENTH DAY.

Mr. H. Lovibond.

3 Sept. 1869.

position of your side to Mr. Fennelly, or to Mr. Vanderbyl, was not the object of your telling Reed and Cook that?—I should imagine so.

12,171. Then have you the slightest doubt, having reference to that being the reason why you made that communication to Messrs. Reed and Cook, or do you still say that was not told to Mr. Fennelly at this interview?—I do.

12,172. You have no doubt, I suppose, that it had been told to him?—No. I really do not know that it had been told to him; I have not the slightest idea.

12,173. The object you had in mentioning it to Messrs. Reed and Cook was that it should be conveyed to Mr. Vanderbyl or his friend Mr. Fennelly as a proposition; was not that the object of your making the proposition, that it should be conveyed to Mr. Vanderbyl or to Mr. Fennelly or both of them?—No doubt of it.

12,174. Then have you the slightest doubt, from what transpired after, that Messrs. Reed and Cook did tell Mr. Fennelly that?—Yes; we had not the slightest idea from anything that Mr. Fennelly said at that meeting or any other meeting.

12,175. Was Mr. Fennelly, so far as he did speak at that meeting, entirely against spending any money for Mr. Vanderbyl?—Most certainly.

12,176. (*Mr. Coleridge.*) Had not Messrs. Reed and Cook told you that they had tried to persuade him to spend money, and that he would not do it, and they wanted you to advise him to do it?—No, I think not.

12,177. How was it you came to know of it? You were Mr. Kinglake's man and they were Mr. Vanderbyl's men. Why did you want to advise Mr. Finnelly when he was in the hands of Messrs. Reed and Cook?—My own impression is that at that time he was in the hands of Mr. Barham, and Mr. Barham asked me to come to that meeting.

12,178. Supposing he was under Mr. Barham, why were you wanted to bring your pressure upon him to induce him to spend money?—I cannot possibly tell you why.

12,179. (*Mr. Anstey.*) Did not you tell me yesterday that at that time Mr. Barham was acting with you for Mr. Kinglake?—Yes, we were acting altogether for all the candidates.

12,180. I must say that you are not answering the questions put to you within the meaning of the Act of Parliament. You know the meaning of that intimation?—I am desirous of answering your questions, and giving you straightforward answers, if you will put the questions to me.

(*The Commissioners retired for a short time, and on their return:*)

(*Mr. Price.*) We have considered your conduct in the witness box to-day and yesterday, and considering that I gave you a caution as a professional man, that we should not expect to find that difficulty in eliciting from you answers to questions which we consider ourselves bound to put to you that we had encountered with respect to other witnesses of less intelligence and humbler position, it is our opinion that so far from obeying or falling in with the suggestion I made to you yesterday, you have wasted the time of the court by evading to give answers to questions which were intelligible to everybody in the court, and which required only a simple answer; and drawing your attention to the seventh section of the 26th Victoria, chapter 29, which provides for the manner in which witnesses shall conduct themselves before a commission, and the protection which shall be given to them if they comply with the requisites of the statute by answering every question relating to the matters which they shall be required by such commissioners to answer, which we interpret to mean that they shall be clear, simple, intelligible, and inevasive answers, we have come to the determination to put no further questions to you at present, and that if you make any statement at this time, it shall be a statement not made in answer to questions, and will not entitle you therefore to any protection whatever under that section of the statute. We shall dispense therefore at present with any further questioning of you with regard to any matters concerning the elections in the town of Bridgwater.

(*The witness.*) If the Commissioners will allow me to state that I most solemnly say I have not attempted to deceive the Commissioners in any way whatever, and if they will put any question to me now in reference to that meeting or any other, I will give them a straightforward answer, as I did yesterday relative to the transactions between Dr. Kinglake and myself.

(*Mr. Price.*) For the present that is our determination. We deal out the same measure to you that we should to any other witness, and I must repeat that in our judgment you have not answered questions put to you to-day in a straightforward manner.

(*The witness.*) I ask the court this, to have the kindness to suspend their judgment until they have heard Mr. Barham's evidence as regards that interview.

(*Mr. Price.*) Our judgment upon Mr. Barham's evidence must stand upon the manner in which Mr. Barham gives his evidence. We have considered this matter carefully both last night, and in consultation, and more than once to-day as to what course we should pursue in the case of a witness who, like yourself—had been called and sworn upon a collateral matter, as to what we should do in the case of that witness when asked as to the more material parts of the case, who should display a disinclination, as we believe you have done, to answer straightforwardly; therefore we have come to this determination, not in heat or excitement with regard to you at all, but as a deliberate determination on our part to deal in the same way with every other witness who may be called like yourself, and sworn collaterally, and who has not yet been examined as to the material matters touching this election; therefore we can hear no more from you now, Mr. Lovibond, unless you wish to make a statement, which, as I told you, you must consider will be made under no protection which that section of the statute contemplates.

Mr. E. Barham.

Mr. EUSTACE BARHAM recalled.

12,181. (*Mr. Price.*) We are under the painful necessity to be obliged to repeat to you, a professional man, the warning which we thought it our bounden duty to give yesterday to Mr. Lovibond. I do nothing more than to draw your attention to that warning before I proceed to examine you. You are an attorney practising at Bridgwater?—I am.

12,182. How long have you practised as an attorney?—I have practised since the year 1850.

12,183. On your own account or in partnership?—In partnership during the whole of the time.

12,184. With whom, during the first six years?—With a firm in Bristol. I came to Bridgwater in 1856.

12,185. Since you have been in Bridgwater, whom have you been in partnership with?—With my brother-in-law, Mr. Carslake.

12,186. The town clerk?—The town clerk.

12,187. Had you served your articles in Bridgwater?—The first two years of them.

12,188. Where?—With Mr. Carslake, who was then in partnership with Mr. Benjamin Lovibond. That was from the 4th April 1845 to some time in the month of March 1847. I was then transferred to Bristol.

12,189. Therefore from 1847, when you were transferred to Bristol, until the time when you came back here and entered into partnership with Mr. Carslake, you had no business relations with Bridgwater?—Only occasionally business relations with reference to business going on in Bristol. I had occasionally to go to Bridgwater.

12,190. Now, as to the part you took in the last election, were you the agent in that election for any of the candidates?—Both for Mr. Kinglake and Mr. Vanderbyl.

12,191. And you were returned as the agent under the statute?—As the agent under the statute.

12,192. Were you also in the position of agent, whether retained or not, for any of the candidates?—I was also the agent, politically speaking, of both Mr. Kinglake and Mr. Vanderbyl.

12,193. Did you hold their retainer?—No, I did not. I did not hold any retainer.

12,194. Were you paid for your services?—No.

12,195. Have you made any claim for them?—None whatever.

12,196. And do not mean to?—I do not mean to do so. In fact, I told Mr. Vanderbyl in reply to a question he once addressed to me that I should not make any claim upon him.

12,197. Is there any return in the election expenses which passed through your hands of agency fees?—There is some small charge for the election agent; I think it is a charge of 10*l.* which I have made as election agent, not for professional services otherwise than in superintending the payment of the bills.

12,198. (*Mr. Coleridge.*) Have you ever been paid at any former election?—I was paid by Mr. Vanderbyl making me a present at some little time after the election.

12,199. A present of money?—A present of money.

12,200. But as a general rule at elections have you been paid, or is it the custom here for professional men to give their services gratuitously?—I can tell you my own practice.

12,201. From seeing the election expenses can you also tell us as to other agents?—Yes, as far as I know it has not been the practice to make out bills of costs, with only one or two exceptions. I think there was a case of Mr. Haviland who sent in a bill, and I myself did the same thing on the first occasion on which I had anything to do with elections here, namely, Sir John Shelley's election.

12,202. You say you are not in the habit of sending in a bill of costs. As far as my experience goes, the common thing is to give a lump retaining fee to the solicitor. Is there any such thing charged as 25 or 50 guineas, or whatever it may be, for a professional man's services during the election?—I recollect some such thing in the case of Mr. Haviland, not on our side.

12,203. Not as regards yourself, Mr. Lovibond, and Messrs. Reed and Cook?—No, I remember the case of Sir John Shelley's election. I made out, and I suppose it is among the papers now, a precise statement of what I had done.

12,204. Then you had received no actual paid retainer?—I received no written retainer.

12,205. Have you received any retainer at these elections?—Never from any one.

12,206. (*Mr. Anstey.*) Can you point to anything showing that the legal gentlemen were the principals in these contests, and the candidates merely their tools?—I do not think it is strictly so. There is no doubt of this, that professional men took the most prominent part, but it is right that I should state that we were in the habit of consulting the heads of our party, and those meetings at which we consulted them usually took place at Mr. George Sully's office.

12,207. Is it not the fact that elections here differ from other boroughs in the fact that the lawyers on each side introduce their candidate and start him?—I do not know the practice of other boroughs, but certainly in this borough I must state that the lawyers have taken a very prominent part.

12,208. (*Mr. Price.*) Is there any instance of a candidate coming down here without communication from lawyers?—I do not know that there is.

12,209. (*Mr. Anstey.*) Does not that show that the lawyers were the principals, and the candidates, in point of fact, their tools?—With the exception of Mr. Vanderbyl coming, I know no case where the candidate was invited to come down without consultation first with the heads of the parties.

12,210. I will ask you, was not the initiative always taken by the lawyers?—No, that is not so.

12,211. (*Mr. Price.*) Do you know any instance in which the leaders of the party refused to accept the candidate nominated by the lawyers?—No, I do not.

12,212. Then in point of fact you first got it ready cut and dried, and they accepted whomever you proposed?—I know no case otherwise than that. We started the facts, and I know of no case of refusal.

12,213. Tell us, if you please, then, for whom did you take a more active part or the most active part preliminary to the last contest?—I was acting both for Mr. Kinglake and Mr. Vanderbyl. If you will allow me, I will make to you now, as far as I can, a distinct statement of the whole transaction, and then perhaps you will ask me any questions you please upon it afterwards.

12,214. Very well, we wish you to give us the history of any of these interviews at which the question was discussed as to the chance of success, either of one or other or both of the Liberal candidates, at these preliminary interviews?—I think if I took it up at this point it might be satisfactory. Some few days before the election, when the subject of the expenditure of money at this election was the subject of conversation between Mr. Lovibond and myself, and we had frequent conversations about it——

12,215. Let us have, if you please, when you first began with Mr. Lovibond to consult about what was to be done at the last election?—It was during the period of the canvass. I cannot fix the exact date.

12,216. The canvass, we are told, was by mutual agreement with the candidate's agent on the other side postponed till the last week in October. Now previous to that armistice had you had any conversation with Mr. Lovibond or Messrs. Reed and Cook as to the mode in which the election was to be conducted if there were a contest?—No, I do not recollect any conversation prior to that date, but I do very distinctly remember this, that a few days or about a week before the election had actually taken place Mr. Lovibond and I had a conversation together, and at that conversation this, arrangement was come to. He stated that he believed that the expenses that would be necessary, the money that would be required to be provided, would be 3,000*l.*, and he proposed, on Mr. Kinglake's part, I understood him on Mr. Kinglake's part, to say that the money was all ready and provided, and he said, "Now I am prepared on Mr. Kinglake's "part, and I shall look to you to make every necessary "arrangement with Mr. Vanderbyl." In consequence of that I, in conversation with Mr. Vanderbyl, asked him this in a casual manner, but in a manner which no doubt he understood.

12,217. (*Mr. Anstey.*) On the same day?—I will not say, but shortly after. At all events I asked him at the "Globe;" he was at that time ill, and that fixes the date. Mr. Vanderbyl was ill several days at the "Globe." I said, "Mr. Vanderbyl, have you any "friend coming down here to assist you in this elec-"tion?" He said, "I have, and he will be down here "next Friday," and when Friday came, that was the Friday before the election, I called at the "Globe" and was there introduced to Mr. Fennelly.

12,218. By whom?—By Mr. Vanderbyl, theywere in the room together. It was just after breakfast.

12,219. Was that the friend he expected?—That was the friend, as I understood, he expected. We had some merely ordinary conversation about the canvass, and then I said to Mr. Fennelly, "Are you going to "walk out in the town," and he said, "I am." And then I said, "Perhaps by-and-by you will call at my "office," and he said he would, and he did call at my office, as I believe, about three o'clock in the afternoon of that Friday. In the mean time I had reported this to Mr. Lovibond. It was arranged, in talking over this matter with Mr. Fennelly, we should not use the name of the candidates for Bridgwater, nor mention the name Bridgwater, but discuss it under the terminology as if it applied to the borough of Taunton, and when Mr. Fennelly was shown into my office I opened the conversation with him as if it was with reference to the Taunton election, but I gave him by some means to

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understand, and he undoubtedly did perfectly well, that I was talking to him about the Bridgwater election and not the Taunton election, and then I conveyed to him this message. I said, "I am commissioned to tell you, "and I have now taken some time to consider how this "election is to be conducted, and I am to tell you, in the "opinion of the professional men conducting this elec- "tion," and I wish to say parenthetically that Messrs. Reed and Cook had not been consulted at that time about it to my knowledge——

12,220. (*Mr. Price.*) Then, interrupting you, all the resolutions come to had been resolutions between you and Mr. Lovibond?—Between me and Mr. Lovibond. I said it was either our opinion or Mr. Lovibond's opinion, I am not certain which, but at all events I stated it as the opinion come to, that money would be spent by the other side, and if money was spent upon the other side the election would be lost unless money was spent on our side.

12,221. (*Mr. Anstey.*) You told this to Mr. Fennelly or Mr. Vanderbyl, which?—To Mr. Fennelly in my office.

12,222. Had this arrangement or understanding been come to between you and Mr. Lovibond at this day?—On that same day, or immediately before.

12,223. (*Mr. Price.*) You did not mention that?—Yes, I said after seeing Mr. Fennelly I saw Mr. Lovibond.

12,224. You had seen Mr. Lovibond before you had seen Mr. Fennelly?—I saw Mr. Fennelly the first thing in the morning, and then I told Mr. Lovibond I had an appointment with Mr. Fennelly, and arranged with him exactly what I was to say. Then I went on to say, which was part of the message or instructions I had received from Mr. Lovibond, that 3,000*l.* should be the sum that was to be provided, if money was wanted. Each candidate was to provide 1,500*l.*, but I was to add this suggestion only as a suggestion, that as Mr. Vanderbyl and his friends were city men, mixed up in business, and handling large sums of money, it might be more convenient for Mr. Vanderbyl or his friends to find the whole money in the first instance, and then that Mr. Kinglake's friends should recoup the money afterwards, or replace the money.

12,225. Did Mr. Lovibond know that you were going to make that as part of the proposal?—Undoubtedly. Then Mr. Fennelly heard me to the very end of everything I had to say without interrupting me or saying one word; then he replied to me in this way: he said, "Mr. Barham, the subject of spending "money at this election has been under the very "serious and anxious consideration of Mr. Vanderbyl "and his friends, and they have come to the distinct "determination that they will have nothing to do with "anything of the kind. It is not a question of money. "Mr. Vanderbyl is prepared, if need be, to spend 5,000*l.* "to expose any practices of this kind on the other "side, but he has felt, when he is sitting in the House "of Commons, that he is pointed at, that it is known "that he sits there as the result of bribery, and that "he is determined he will never sit there again under "those circumstances." To that my reply was this: "Mr. Fennelly, I am very glad to hear you make that "statement, and you may rest assured that not one "word shall escape my lips from this time to induce Mr. "Vanderbyl to spend one farthing; but as this is alto- "gether an unexpected aspect of affairs, it will be "necessary for me at once to communicate the circum- "stances to the gentlemen with whom I am acting. I "have to request you to be so kind as to wait here "until I can do so." I went immediately to Mr. Henry Lovibond's office, and there I found Mr. Lovibond and Mr. Reed, and I am not certain whether Mr. Cook was there or not, but I know Mr. Reed was there, and I immediately stated to them exactly what had passed. "I have seen Mr. Fennelly. He tells me "that no money will be spent; either that Mr. Van- "derbyl would spend no money, or that no money should "be spent." That caused a feeling of surprise, and on the part of Mr. Reed, I must say, I remember an angry feeling. Mr. Reed said he thought it was a disgraceful thing on the part of Mr. Vanderbyl; that it was only to be expected, after what had happened, that he would expend money, and if he had not intended to do so he ought to let us know before, that we might look out for another candidate, instead of driving up to the last moment; and he said, "This "must be altered; Mr. Fennelly must be seen, and "made to do it." And then Mr. Lovibond made the statement, and said, "Surely, Mr. Reed, you will not "go to a man and ask him to spend money?" I remember Mr. Lovibond making that statement. A good deal more conversation took place; I cannot exactly recal the whole of it. I remember one thing perfectly, distinctly: "Well," I said, "now is not it "very much better at once to make up our minds to "fight this election on pure principles? Let me go "up to Mr. James Trevor, the election agent on the "other side, and give him fair notice that we are not "going to spend any money, and that if any money "is spent, we will use our utmost efforts to expose it." That proposition was not approved of by those present. either by Mr. Lovibond or by Mr. Reed or Mr. Cook, I am not quite sure whether that gentleman was there or not.

12,226. (*Mr. Anstey.*) Did anybody approve of it?—Nobody approved of it, and my proposal fell to the ground.

12,227. (*Mr. Price.*) What was the objection to that proposal?—The objection was this, that it was worse to do that than not say anything at all, because the simple effect would be to make the other party a good deal more cautious.

12,228. As a matter of political electioneering tactics?—As a matter of electioneering tactics it would be bad tactics, even if they were not going to spend money; it would make the other party more cautious about what they were doing, and split our own party all to shivers. That was the double argument used, I said "I am only one, and you are two" or "three," I forget which. "You are in the majority, "and of course I must be bound, I cannot act in "direct opposition to your wishes." Then upon that they expressed an opinion. "One thing is very "plain, if this is so, there is nothing for it but for Mr. Vanderbyl to retire." Nothing was said about getting any other candidate.

12,229. I want you to explain that; why was it therefore said, "If this cannot be done Mr. Vanderbyl "must retire"?—Well, I think the impression, the idea, that Mr. Lovibond and I entertained, and I think so because of something which passed subsequently which I will tell you of, was this, if one of the Liberal candidates retired, one of the Conservative candidates would retire, that was the impression he entertained very strongly I know, because it came out afterwards.

12,230. And there would be a walk over?—There would be a walk over.

12,231. It was no use to try and secure two Liberal candidates if there was to be no money?—That was his feeling, because I had a very long discussion with him on Sunday morning afterwards, and know that that was his opinion.

12,232. (*Mr. Anstey.*) Mr. Vanderbyl would be the person who would have to retire because of the unequivocal decision at that time announced of his friend Mr. Finnelly not to bribe?—I think that was one reason. There were two reasons I think. Another was that he was a junior member, and there certainly was another reason alluded to, and another topic was brought up at that meeting, and that was the damaging circumstance that had come out with respect to his connexion with the Lundy Granite Company, that certainly was brought up in judgment against him at that time. Those were the different reasons weighing in different directions, and no doubt they had their effect.

12,233. (*Mr. Price.*) Was it at all stated at that meeting that Mr. Vanderbyl should be asked to retire, and that he might be let down easy; it might he put as a pretext instead of giving out that he would not spend

money, that he was going because of the Lundy Granite Company ?—I do not believe that.

12,234. Was that discussed at all?—I do not remember that, but I do perfectly well remember the Lundy Granite Company was mentioned, and it was put forward as a matter of fact as the reason for his retiring.

12,235. (*Mr. Anstey.*) Is not it a fact that at that time, some days before that time, that question had been discussed among you, and a resolution come to for a deputation to proceed to Mr. Vanderbyl and say *non obstante* the Lundy Island Granite Company, and its shameful disclosures, you shall continue to be our candidate ?—Not so far as I know. I remember the deputation, and was a member of it, but it was the Saturday evening following.

12,236. (*Mr. Price.*) Go on with the history ?—When this was arrived at I was deputed to return to Mr. Fennelly, and communicate to him. I did so accordingly. His reply was, "Mr. Vanderbyl will "not retire. He says he has canvassed the borough, "and considers that he is the favourite in the borough. "He knows the feeling of the constituents as well as "the lawyers, and does not mean to retire, but means "to contest it." Then I said, "Mr. Fennelly, all I "shall do is to take back your message to the gentleman "at Mr. Lovibond's office." I did do so. They were not satisfied with my report, and I said, "Very well, "you had better see Mr. Fennelly yourselves." And thereupon Mr. Lovibond and Mr. Reed, whether Mr. Mr. Cook was there or not I do not remember, but I am quite certain about those two, Mr. Lovibond and Mr. Reed, came over with me, or presently afterwards came over, I am not sure which, whether I went first and prepared Mr. Fennelly for what he was to expect; but at all events they were over there, and a further discussion took place in which at one time the words waxed rather high. Mr. Fennelly was not pressed in direct terms to spend money, the pressure that was put upon him was that Mr. Vanderbyl should retire.

12,237. Tell us as near as you can what was said. You say no direct pressure was put upon him to spend money, but tell us what was said about spending money by him ?—I do not remember myself that anything was said about money, because that was taken to be a foregone conclusion. It was a foregone conclusion. Mr. Fennelly knew perfectly well that I had told Mr. Lovibond and Mr. Reed that no money would be spent. I do not remember anything whatever then being put about spending money beyond this, that it was stated unless money was spent, in case money was spent on the other side, there was no hope of winning the election, and as Mr. Vanderbyl had made up his mind not to spend money it was simply ruining the party for him to stay. That was the effect of the conversation.

12,238. (*Mr. Price.*) Was this at your office ?—At my office.

12,239. (*Mr. Anstey.*) At the same meeting ?—All these meetings going on, these consecutive meetings.

12,240. (*Mr. Price.*) Did you know Mr. Lovibond had been asked to come there by Messrs. Reed and Cook, to try and urge him to spend money ?—No, I did not; and I do not think that is true. I think he has made a mistake in stating that. I think it was Mr. Reed who did suggest coming over, and seeing Mr. Fennelly, and I think that is what is in Mr. Lovibond's mind; but it is not true that he came over to urge him, and to the best of my belief he was not urged, to spend money except inasmuch as the urging of Mr. Vanderbyl to retire was an indirect urging.

12,241. On this interview do you remember anything being said by anybody that Mr. Kinglake's party was ready with 1,500*l.*, or words to that effect; and a hope expressed that Mr. Vanderbyl was prepared with the same amount ?—Nothing except what I had stated in my original statement.

12,242. I am asking you ?—I do not remember that, I do not think it took place.

12,243. I am asking you whether at the office where Mr. Lovibond was presenti was stated then to Mr. Fennelly, Mr. Kinglake's party were ready with 1,500*l.* or whether it was only when you were privately with Mr. Fennelly ?—That was said when I was privately with Mr. Fennelly, and not said to the best of my belief when Mr. Lovibond was present. Nothing was said about money at all.

12,244. But you had said it ?—I had at the beginning of the meeting.

12,245. (*Mr. Anstey.*) I understand you to say you had had a conversation that day with Mr. Lovibond ?—I had settled those very terms.

12,246. (*Mr. Price.*) Now go on with your story ?—The result of this was simply an angry interview except this arrangement was come to either by Mr. Lovibond or Mr. Reed or Mr. Cook, I do not know which, stating "Well, but Mr. Fennelly you have "not seen"—they asked whether Mr. Fennelly had seen Mr. Vanderbyl since the request had been made that Mr. Vanderbyl should retire, and Mr. Fennelly said he had not. Then they said, "How do you know you "are actually representing Mr. Vanderbyl's wishes in "this matter. How do you know when Mr. Van-"derbyl finds he is requested to retire he will not "retire." "Well," Mr. Fennelly said, "I am perfectly "certain what his intentions are in the matter." They were not satisfied with it, but they insisted that Mr. Fennelly should see Mr. Vanderbyl, and then another meeting was appointed at 8 o'clock, I believe, that evening. At all events, in the evening after office hours.

12,247. At your office ?—Still again at my office; that meeting took place. Mr. Reed, Mr. Cook, Mr. Lovibond, and myself came, and Mr. Fennelly and Mr. Vanderbyl was shown into the next room. Another discussion took place at which Mr. Fennelly informed us all that he had seen Mr. Vanderbyl, who was in the next room, and that Mr. Vanderbyl was perfectly firm in his determination. After this had gone on some time I went into the room where Mr. Vanderbyl was, and I had some few minutes conversation with him, at which he told me he was firmly determined to stand by that course which he had adopted, namely, that he would spend no money illegally.

12,248. But would not retire ?—He would not retire. I remember perfectly well just at that time he was called in; someone came to call us in through the folding, the double doors between the two offices and as we went in I took him by the hand and said, "Now, whatever you do be firm, and adhere to the "resolution not to spend money." He went into the room, and there was a conversation in which he distinctly declined to retire, and said it was not a question of money. He repeated very much the same thing that had been said; and here terminated the meeting without any further resolution or determination being come to. That was all on the Friday. Then I may mention as well, but perhaps I had better not say anything about any other person but these, and not bring any other matter in.

12,249. You say you do not want to bring in any other person ?—I only thought whether I should interrupt the story; it is nothing more. The next day was Saturday, and during the next day, I think in the morning, I went to the "Globe," and had some conversation with Mr. Vanderbyl upon the subject of getting down detectives with a view to detect the bribery in case any should take place; but I told Mr. Vanderbyl also this: I said, "Now, sir, you know "what has taken place in this borough, and you know "I have been a party to it, and I could not feel my-"self right in taking any active steps to expose "bribery in this place on behalf of the Conservatives "without first giving them fair notice, and I do not "think I am justified in giving them that notice unless "I have the consent of those persons with whom I "have been acting." I do not remember at this moment anything particular occurring during that Saturday. The whole business of the election, so to say, was at sea, because there was Mr. Vanderbyl declining to spend any money, and nobody knew what at all to do in the matter. There the whole thing

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stood. In the evening there was a meeting at the town hall, and Mr. Vanderbyl and Mr. Kinglake both attended that meeting, and when the meeting was over Mr. Lovell Sealy touched my hand and said, "I want to see you at my house;" and I went to his house immediately after the meeting.

12,250. (*Mr. Anstey.*) Is that the banker?—Mr. Lovell Sealy, the banker. I went to his house immediately after the meeting, and there I found several of the leaders of the Liberal party assembled. I recollect Mr. James Wood Sully, Mr. Wilton, and Mr. Lovibond were there, and several others I do not remember at this moment; and Mr. Lovell Sealy informed us that he had had put into his hand a letter by Mr. Fennelly, and this letter was a communication to Mr. Vanderbyl from the secretary or manager of the National Bank, enclosing a copy of a resolution which had been adopted by the board of that bank, and that resolution was couched in some such words as these: "That having "regard to the altercations that were existing between "Mr. Vanderbyl and Sir Joseph McKenna, and to "the appearance of those altercations in the public "prints, the board felt it their duty to request both of "them to retire from the board;" and Mr. Sealy stated that Mr. Vanderbyl had felt it his duty to place that letter in the hands of the party that they might take such steps in the matter as they thought right.

12,251. (*Mr. Price.*) Was this National Bank matter a different matter from the Lundy Island Granite matter?—As I understand it was. The National Bank matter was a case of altercation between Sir Joseph McKenna and Mr. Vanderbyl; I do not remember very distinctly at the present moment.

12,252. Were they directors of the bank?—Both.

12,253. (*Mr. Anstey.*) Would you recollect it if I read it to you?—I think I should.

12,254. "That the board should at once signify to "Mr. Vanderbyl and to Sir J. McKenna that it is "the united opinion of the directors present at this "meeting, that, pending the clearing up of the contra-"dictions and aspersions contained in the reported "proceedings above mentioned, in the interest of this "bank, Mr. Vanderbyl and Mr. Joseph McKenna "should vacate their seats at the board"?—That is undoubtedly it, and what would be substantially stated.

12,255. (*Mr. Price.*) That is what Mr. Sealy brought?—That is what Mr. Sealy brought, but I remember at that meeting I took up the cudgels for Mr. Vanderbyl. I ought to say that at the meeting just held, from which we came, the whole Liberal party had endorsed by acclamation his candidature for the borough.

12,256. When you say "all" you do not mean really all?—It was all the room, and that was a very large room, full of people; everybody present had expressed unanimously their opinion and approval of Kinglake and Vanderbyl as candidates, and I said, "that being "so, whatever we may individually think of the dis-"closures of the Lundy Granite Company, and though "many of us are shaken in our opinion by those dis-"closures, the question we have before us is whether "or not this resolution of the National Bank ought "to make us alter the determination which we have "previously arrived at to support Mr. Vanderbyl;" and I pointed out that all that was contained in that resolution simply appeared to be that there was a quarrel and contradiction between these two directors, that no opinion was expressed as to which was right and which was wrong, and that for aught we knew consequently Mr. Vanderbyl might be perfectly right, and Sir Joseph McKenna perfectly wrong. Whether I was right or wrong, that is what I contended, and that view was admitted by the persons there present, and a deputation was appointed to go down to Mr. Vanderbyl at the "Globe," which consisted of Mr. Lovell Sealy, Mr. James Wood Sully, Mr. Wilton, and myself, not Mr. Lovibond. We did go down and saw Mr. Vanderbyl and Mr. Fennelly there, and we did communicate to Mr. Vanderbyl the conclusion which had been arrived at. After that I went home. The next morning was Sunday morning; the very first thing I received a note from Mr. Lovibond asking me to see him at his house.

12,257. That was the Sunday before the nomination day?—The Sunday before the nomination day. I went, and he told me he had requested Messrs. Reed and Cook to call as well, or one of them, but neither of them had come, and then he said he had been giving this matter a great deal of serious consideration during the night, and he had come to the conclusion Mr. Vanderbyl must be induced to retire; that it was perfect madness the idea of going to fight this contest in this way, we should only be defeated, and be laughed at, and he had come to this conclusion.

12,258. (*Mr. Anstey.*) How do you mean, which way?—On purity principles; perfectly.

12,259. (*Mr. Price.*) Let us have it on the note that Mr. Lovibond said it would be useless to fight the contest on purity principles?—Yes, unquestionably. I do not say that he used those words, that he said, "on purity principles," but that was what was unquestionably intended and understood. Then he having expressed this opinion, this was his view, he said, "If "Mr. Vanderbyl retires my opinion is that they will "withdraw Mr. Gray, and then we shall have a walk "over." And I replied to that, "I do not see why "they should withdraw Mr. Gray unless we come to a "previous arrangement." He replied, "It would "never do to come to a previous arrangement. If we "were to attempt to make any arrangement with the "other party, we should be blown to atoms by our "own." I said, "Well, if there was no previous ar-"rangement, I do not see what advantage we shall get "by withdrawing Mr. Gray, because," I said, "the other "party will either spend money or they will not. If "they spend money they can as easily carry in two can-"didates as one, and if they do not, there is no reason "why we should not carry in two." I could not convince Mr. Lovibond of this, and he could not convince me, but I said at last, "You are an older electioneerer a "great deal than I. I must suppose, therefore, that "you must be right, and if you can convince the mem-"bers of the party to see the matter in that light, I "shall not offer any opposition." I should say what he wanted to do was to satisfy myself this was the right course, and then that there could be a meeting called of some of our principal supporters, and then that they should go to Mr. Vanderbyl, and use their influence to get him to retire. He thought if the influence of the main supporters of the Liberal party was brought to bear on Mr. Vanderbyl as well as the solicitors, it might have the effect of inducing him to retire.

12,260. Or did he think that Mr. Vanderbyl knew too much of the lawyers to care very much for their pressure?—I cannot say. I do not know what he thought, he did not say so. At all events this was plain, Mr. Vanderbyl had held the lawyers at arms length, and the only question was whether anything else should be tried. The discussion ended at that point, and I said, "I shall be in Bridgwater in the "course of the afternoon, and if you have any occasion "to see me," I told him where to find me, at my brother-in-law, Mr. Carslake's, and I should be there at three in the afternoon. At three in the afternoon I was at Mr. Carslake's, and had not been there long before some messenger came over and said, "Will you come over to Mr. Henry Nicholls'?"

12,261. (*Mr. Anstey.*) The draper?—Yes, the draper who lived in the square. I went there, and found assembled several persons. I remember perfectly well Mr. Francis James Thompson was there, Mr. James Wood Sully, Mr. Wilton, and Mr. Lovibond were there. I think Mr. Joseph Palmer was there. Mr. Henry Nicholls himself, of course, was there. I do not at this moment remember anybody else. Mr. Lovibond then made his statement. He said, "Now, "gentlemen, it is right that I should inform you that "this election is to be contested on purity principles, "and also I should inform you that from various indi-"cations that we have received we have no doubt that "it is intended that money will be spent on the other

" side, and we have come to the conclusion under these " circumstances that we shall be fighting a hopeless " fight." I cannot repeat all he stated, but this was the effect, he proposed that Mr. Vanderbyl consequently should be requested to retire. Well, some discussion took place on that. I recollect one member who was present and who asked me very pointedly, " Are you sure any money is going to be spent on the " other side." I remember that perfectly well. Mr. Lovibond's reply was, " Of course we cannot be sure of " it, but there are many indications, and one of the " strongest indications is the fact of Mr. Gray being " here at all. He has not opened his mouth, but has " been a perfectly silent person. What is he brought " here for unless money is to be spent?" I remember myself there came a proposal which was entirely impracticable at the moment, I daresay wrong, but I wish to speak the truth, and will state exactly what passed. I said, "We have here a representative of the " firm of Brown and Co., Mr. Wilton, and Mr. James " Wood Sully, who has also a great many men in his " employ; in the course of the canvass which Mr. " Kinglake and myself have made, in my north ward " at all events, I have received a great number of direct " and unqualified promises of support from the voters " in the employ of those firms. Now," I said, " is " there any objection to this course if I furnish a list " of those names to Mr. Sully and Mr. Wilton, that " they should write and say, 'We are informed that " you have promised to support Kinglake and Van- " derbyl, we are going to poll ourselves early in the " morning, and it would be very satisfactory to us if " you would accompany us.'" However, that proposal, I wish to state the exact truth, was at once scouted by everybody present, and I recollect Mr. Wilton saying he would not do anything of the kind for the world, it would be immediately considered intimidation; but I remember making that proposal, and was responsible for it, nobody else. About this time, before any conclusion of any kind had been arrived at, I remember Mr. Francis Thompson was the first to leave, and then the next person that rose to leave was Mr. James Wood Sully, and at the same time that Mr. Sully rose to leave I rose to leave, stating I had an appointment, as was the fact, at Wembdon, where I live. I left and went to Wembdon, and did not return to Mr. Nicholls'.

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12,262. (*Mr. Price.*) Before you left no conclusion had been arrived at by the parties?—No conclusion whatever. That was the Sunday. I came into the town the next morning, and as I was coming round the corner by the "Clarence," Mr. Cook was coming round by the Cornhill, and I think I noticed in Mr. Cook's manner a rather more lively sort of movement than there had been on Saturday. He walked with me from the corner of the "Clarence" as far as the corner of Mr. John Trevor's house in the square, and he said, " Since last night there has been " a change. I was with Mr. Fennelly."

12,263. (*Mr. Price.*) This would be Monday morning?—This would be Monday morning. " I was with " Mr. Fennelly till late last night, and he has gone to " London."

12,264. About what time would that be?—On the morning of the nomination day about 9 or 10 o'clock, the ordinary time I came to my office. Just as he had arrived at that point I remember Mr. John Trevor came up in the opposite direction. That broke up our interview. Mr. Cook went back to his office, he had come a little beyond, and I went on. That day the nomination took place, nothing further, as far as I was concerned, or heard, or knew of whatever, transpired on that day.

12,265. (*Mr. Anstey.*) This was the first intimation, these words of Mr. Cook at 9 or 10 on Monday morning, " A great change has taken place since last night. " I have been at Mr. Fennelly's till late last night, " he has gone up to London." Was that the first intimation you had that Mr. Fennelly had made up his mind, or that Mr. Vanderbyl had made up his mind, to renounce purity, and bribe?—There was one slight indication, not intimation, but I had a slight indication, and it was this: as I was coming through the Pig Cross I saw Mr. Allan and Mr. Bulpin walking through the town very briskly. Now I formed a certain conclusion from that.

12,266. (*Mr. Price.*) You have brought us now to the night of the nomination or the morning of the poll?—There was nothing more that day.

Adjourned till to-morrow at nine o'clock.

TWELFTH DAY.

Saturday, 4th September 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
HENRY FRANCIS PURCELL, Esq., Secretary.

Mr. LOMAS recalled.

TWELFTH DAY.

Mr. Lomas.

4 Sept. 1869.

12,267. (*Mr. Anstey.*) In continuation of your examination yesterday I have to ask you one question: by whose persuasion was it that you determined to absent yourself from London, and avoid the service of the subpœna?—Mr. Fennelly's.

12,268. Mr. Fennelly himself?—Yes.

12,269. Was anybody present when that advice was given?—No.

12,270. Had you any conversation about it, either before or after or at the time, with Mr. Vanderbyl or Mr. Redfern, either before then, then, or at any time after?—Only some slight conversation previous to going abroad with Mr. Redfern.

12,271. What did he say to you?—He merely said I was going away, that was all.

12,272. Did he say anything about the time you were to come back, or when he expected you back?—I knew it would not be until after.

12,273. Did he say anything?—I do not think he did.

12,274. He made no objection to your going away and staying away?—No.

12,275. When you came back was any objection

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Mr. Lomas.

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made to what you had done by any of the partners?—I received a formal letter in Paris stating I was to return.

12,276. Not blaming you for what you had done?—Stating I was to return.

12,277. Did it blame you for what you had done, for going away?—No.

12,278. Have you that letter?—No.

12,279. Where is it?—I destroyed all communications.

12,280. When?—That letter I destroyed about a week after I received it.

12,281. Have you destroyed any papers relating to these matters or any of these matters since the time the commission of inquiry was appointed?—No, none whatever. I destroyed them prior to that.

12,282. Who wrote that letter to you; in whose handwriting was it?—Mr. Redfern's.

12,283. Signed by himself or in the name of the firm?—Fennelly, Redfern, & Co.

12,284. And it was in his own handwriting?—Yes.

12,285. (*Mr. Coleridge.*) Can you tell us at all what Mr. Fennelley had said to you about going away, did he tell you he was going away; you met him in Brussels?—Yes.

12,286. Did he tell you that both of you must get out of the way?—That was after my leaving, I met him in Brussels.

12,287. Yes, that was to refresh your memory; but did he tell you in the first instance, when you first went away, that it was best for you both to keep out of the way?—He said I was going away, and Mr. Fennelly went away at the same time.

12,288. Did he tell you why he was going away? What conversation had you about keeping out of the way in consequence of these proceedings?—I understood we were going away on account of these proceedings.

12,289. But what did he say? Did he tell you where he was going to?—I understood where he was going.

12,290. Where?—Rome.

12,291. Did he tell you where you were to go?—No, he said I was to go where I liked.

12,292. Did you communicate with the firm?—I had no communication with the firm whatever.

12,293. How were they able to write to you and tell you suddenly that you were to return?—Through the medium of the ledger clerk, Mr. Walter.

12,294. You told him as a matter of friendship, and not as a business matter?—During my tour through France I engaged in butter transactions, and the shippers communicated with Messrs. Redfern, Fennelly, & Co. direct.

12,295. (*Mr. Price.*) You do not mean to represent that your trip abroad was sufficiently communicated to Messrs. Redfern & Co. by them to account for your being sent, if there were not other causes?—I think that is a question; it so happened to be remunerative.

12,296. Do you mean that there was a large amount of business done in consequence of your trip abroad?—Yes.

12,297. In importing butter from France?—In importing butter from France; the commission on it.

12,298. (*Mr. Anstey.*) But that was an accident. You would have gone whether that accident had happened or not?—Yes.

12,299. The object which Mr. Fennelly stated to you as the object of your going away was to avoid the service of process that would compel you to appear at the election trial?—Yes.

12,300. (*Mr. Coleridge.*) Is there much business done in importing butter from France?—A very large one; it is enormous; 18,000 packages a week.

12,301. And what is a package?—Half a cwt.

Mr. R. A. Steele.

Mr. Robert Ambrose Steele recalled.

(*The witness.*) In giving my evidence yesterday, I said I could not find the brief of the election trial in 1866. Since giving my evidence I have made a further search and have found that brief.

12,302. (*Mr. Anstey.*) Among Mr. Benjamin Lovibond's papers?—Among Mr. Benjamin Lovibond's papers, entrusted to me by the mayor, and also yesterday afternoon I searched a great number of Mr. Lovibond's papers in the charge of Mr. Carslake, the town clerk, but there I found nothing that I considered of any importance.

Mr. J. H. B. Carslake.

Mr. John Hawkey Bingham Carslake sworn.

12,302*a*. You are town clerk, as we know. Will you explain how the papers alluded to by our clerk came into your possession?—I was in partnership with Mr. Benjamin Lovibond from the end of the year 1843 to 1854. We dissolved partnership in 1854. These papers remained with Mr. Lovibond until his death. On his death his clerk handed them over to me as the surviving partner, and they have remained in my office from that time until, in fact, the present time, and it occurred to me that possibly there might be some papers there, and I suggested to Mr. Purcell your secretary that they should be searched.

12,303. (*Mr. Anstey.*) Those are the only papers you have relating to this election?—The firm's papers, the partnership papers.

12,304. (*Mr. Price.*) You would not have the private papers?—No, not one.

12,305. Those are the only partnership papers referring to the election?—Yes, just so.

12,306. (*Mr. Anstey.*) And you have handed them over?—To your secretary.

12,307. I am not going to examine you at length now, but can you tell us, if not, perhaps you will be able to collect enough information to enable you to tell us hereafter anything about the elections of 1834–5, 1837, 1839, and 1841?—In 1841 there was an election and in 1839. I may state that I only came to reside here in 1845, and I know nothing of any matter anterior to that. Subsequent to that Mr. Lovibond acted, and I was in partnership with him during two elections.

12,308. But if you could give the Commissioners information as to any person who could tell us that if we asked them I should be personally obliged, particularly with reference to the great Bridgwater petition, as it is called, in 1837 and 1838, about which some questions have been asked?—That is before my time, but I will try what I can do.

12,309. The witnesses hitherto examined have ignored it?—I will see what I can get.

Mr. Lomas.

Mr. Lomas recalled.

(*The witness.*) In the newspaper this morning I noticed that it said after leaving Mr. Redfern's house that time, Mr. Vanderbyl went with us in a cab to the station.

12,310. (*Mr. Coleridge.*) You said you were not sure about that?—Yes, but it says Mr. Vanderbyl. I am not even sure of Mr. Redfern's going, so that it is quite a mistake.

12,311. Mr. Vanderbyl was here at the time?—Yes, I was not even sure that Mr. Redfern went.

12,312. (*Mr. Price.*) But it was Mr. Redfern, if anybody?—Yes.

Mr. William Edward Redfern sworn.

12,313. (*Mr. Price.*) You are a partner in the house of Fennelly, Redfern, & Co. ?—Yes.

12,314. Mr. Vanderbyl representing the "Co." ?—Yes.

12,315. Do you remember the last election receiving any telegram from Mr. Fennelly who was down here ?—Yes.

12,316. You remember Mr. Fennelly coming down to the election ?—Yes.

12,317. And Mr. Vanderbyl ?—Yes.

12,318. How long before the election do you remember Mr. Vanderbyl coming down ?—He was living there.

12,319. How long before the election had you seen Mr. Vanderbyl ?—I cannot recollect.

12,320. How short a time, rather, before he left, before the election came on ?—I think about 10 days.

12,321. In London ?—Yes.

12,322. About that time did you have any conversation with him, or was any arrangement made about money matters ?—With Mr. Vanderbyl ?

12,323. Yes ?—None.

12,324. You had no conversation with him at all about supplying money ?—None whatever.

12,325. Had you before Mr. Fennelly came down made any arrangement with him ?—No.

12,326. Was anything said by Mr. Fennelly before he left town that he might want money, and he would telegraph ?—I do not recollect it.

12,327. Surely when you received a telegram you would be rather surprised then ?—Well, he sent me a letter.

12,328. He sent you a letter before the telegram ?—Yes.

12,329. (*Mr. Coleridge.*) When was that ?—The same morning, as far as I can recollect.

12,330. The same morning as the telegram came ?—Yes.

12,331. Which came first ?—The letter came first, I think ; I am not positive ; they were almost both together.

12,332. (*Mr. Price.*) Are you quite sure that no arrangement was made between you and Mr. Vanderbyl that if he telegraphed you were to be prepared with money ?—Oh no ; they both came nearly together.

12,333. And you never had any conversation previous to the last election with either Mr. Vanderbyl or Mr. Fennelly about money matters ?—No.

12,334. Or about electioneering matters at all ?—No.

12,335. (*Mr. Coleridge.*) Have you that letter ?—No, I am afraid it is destroyed. At least it is so long ago that I do not know what has become of it.

12,336. Give us to the best of your power its contents.

12,337. (*Mr. Anstey.*) First, when did you destroy that letter ?—It must have been at the time. I usually burn all my letters that are of no use to me. I cannot be certain about it, but he told me for one thing "bales" would mean hundreds, and soon after then the telegraph came.

12,338. That was to let you know the key to the cypher ?—Yes. He said a great pressure had been brought to bear upon him, and that if I got a telegram to that effect I should send as many hundreds as the number of bales mentioned in the telegram.

12,339. But that bales should mean—— ?—Hundreds.

12,340. A hundred pounds ?—Yes.

12,341. That was the first intimation, was it, that money would be required from the firm ?—Yes.

12,342. Did you then draw a cheque and go to the bank with your clerk, Mr. Lomas ?—Yes.

12,343. And got the cash ?—And got the cash that was packed in a bag, and he took it with him.

12,344. Did Mr. Fennelly say what the pressure upon Mr. Vanderbyl was ?—Well, I understood it was by the lawyers.

12,345. You understood it. It must have been from something in the letter then ?—Yes, I think he used those words, by the lawyers.

12,346. (*Mr. Anstey.*) By the lawyers ; for what purpose, did he say in the letter ?—I do not know whether it was said in words, but it was clear enough for me to understand.

12,347. What was it ?—To spend money.

12,348. And to be spent in what ?—I suppose in bribery.

12,349. From the tenor of the letter you suppose the pressure that had been used was to obtain money to be spent in bribery ?—Yes.

12,350. (*Mr. Price.*) Was that all that you did with regard to the last election ?—That was all I had to do with it.

12,351. There was a balance came back to you, was there ?—Yes, it all came back except about 240*l.* or 250*l.*

12,352. Mr. Vanderbyl had been elected in 1866. Had he ever said anything to you between the election of 1866 and his coming down to contest the borough in 1868, when you saw him about 10 days before, about his determination not to spend money again at any election in Bridgwater ?—He said he would not spend it.

12,353. When ?—A great many times.

12,354. You knew he had spent money at the previous election of 1866 ?—Yes.

12,355. And he several times said he did not intend to spend money again ?—Yes, he always said so when he spoke of it.

12,356. He never spoke of it without expressing that determination ?—He never spoke of it without expressing that determination.

12,357. (*Mr. Anstey.*) When he said he would not spend money, do you mean in bribery ?—He never told me so, but I inferred it.

12,358. From what he said you inferred it ?—Yes.

(*Mr. Price.*) Or did you infer it from the largeness of the amount.

12,359. (*Mr. Anstey.*) And from what he said ?—Well, he never said——

12,360. Did not he say he meant never to do that again ?—No, he did not say he would not do it again ; he did not refer to the old elections when speaking of the new.

12,361. (*Mr. Price.*) He said he would not spend money ?—He said he would not spend money.

12,362. (*Mr. Coleridge.*) During the progress of this election in 1866, that was Mr. Vanderbyl's first election, do you know what money he drew out to bring down here ?—No, I had nothing to do with him then.

12,363. Were you not in partnership in 1866 ?—No, I have only been there a year.

12,364. (*Mr. Anstey.*) Who were the partners then ?—Mr. Vanderbyl and Mr. Fennelly.

12,365. And what was Mr. Brogden ?—I know nothing about him.

12,366. And there is another firm, is there not, of which we know nothing, of which Mr. Brogden is a partner ?—No ; Mr. Brogden has nothing to do with Alexander and Co.

12,367. But there may be another partnership in which Mr. Brogden is a partner or not ?—Such a thing is unknown to me.

12,368. (*Mr. Coleridge.*) The firm of Redfern, Alexander, and Co. are bill brokers ?—No, Australian merchants.

12,369. Is not there a company in which Mr. Alexander, a Quaker, is a partner ?—That is Alexander, Cunliffe, and Co.

12,370. (*Mr. Price.*) Not the same firm ?—No.

12,371. Is Mr. Redfern a partner in Alexander and Co. ?—Yes.

12,372. And they are Australian merchants ?—Yes.

12,373. (*Mr. Coleridge.*) You knew perfectly well

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when you drew that cheque, and sent the money down, what it was for?—Well, I had a very good idea.

12,374. You could not doubt it was for bribery?—No.

12,375. (*Mr. Price.*) You had a consultation, we are told, at your private residence?—No consultation exactly.

12,376. You went upstairs and left Mr. Lomas downstairs?—Mr. Fennelly went upstairs to dress.

12,377. Was anything said about it between you and Mr. Fennelly?—He said that great pressure had been brought to bear.

12,378. Great pressure by whom?—By the lawyers.

12,379. Did he mention the names?—No, he did not mention the names.

12,380. (*Mr. Anstey.*) Great pressure had been brought to bear by the lawyers; finish the sentence?—Great pressure to spend money, and that he had made up his mind not to do it. He feared he might be obliged.

12,381. Did he say that he had made up his mind, or Mr. Vanderbyl?—He said he then.

12,382. That is he, Mr. Fennelly?—Yes.

12,383. As if he were arranging the money matters?—Yes.

12,384. What else, "Although I am determined "not to spend any money, I have had great pressure "put upon me by the lawyers?"—Yes, he did not say then he would spend it, but simply that great pressure was brought upon him.

12,385. And that he was to be prepared?—And that he was to be prepared.

12,386. (*Mr. Coleridge.*) Had you been down here before, or at the time of the election?—I was down here about 10 days, a good time before. I think about September.

12,387. Was Mr. Vanderbyl canvassing then?—No, I do not think so.

12,388. (*Mr. Price.*) Did you see any of the lawyers when you were down here about the election?—No, none; I had nothing whatever to do with it.

12,389. Is there anything which you can inform us about respecting the last election, beyond what you have told us?—No, I did not know anything about it, and did not want to know anything about it.

12,390. (*Mr. Anstey.*) About the escape of Mr. Fennelly and Mr. Lomas to the continent, had you anything to do with that?—Nothing whatever.

12,391. Mr. Lomas has stated to-day that you spoke to him and alluded to his going away, and therefore you had so much to do with it?—Well, I merely gave him the message.

12,392. (*Mr. Price.*) Who from?—Mr. Fennelly.

12,393. (*Mr. Anstey.*) And what was that message?—That he should leave London.

12,394. For what purpose?—He did not say what for.

12,395. To go where?—To go abroad, to go away.

12,396. And how long was he to stay?—It was not mentioned.

12,397. Was it not mentioned that he was to wait until he got further orders to return?—I do not recollect that, but I do not think so. I think there was nothing said about it at the time he left.

12,398. Did you write to him after his departure?—Yes.

12,399. Did you inform him of the visit of Mr. Trevor or his agents to your counting-house, and the conversation with your accountant, Mr. Walters?—I do not recollect.

12,400. Mr. Lomas says he got a letter informing him of the fact that an inquiry had been made after him by the solicitor in asupport of the petition in order to serve him with a subpœna, and that they had declined to furnish the address. Was not that fact communicated by you in one of your letters to Mr. Lomas?—No, I think Mr. Walters wrote that.

12,401. But the fact is so, that this conversation took place between some one on the part of the solicitor for the petition and your accountant?—I believe so.

12,402. Were you present at that?—No, I was not; I was out.

12,403. What time did Mr. Fennelly return from the continent?—I think it was four days before the conclusion of the trial of the petition.

12,404. Did he remain in London?—Yes, he was in London.

12,405. In disguise?—No.

12,406. Did he keep within doors?—That I do not know. I do not think he did.

12,407. (*Mr. Coleridge.*) Did he come to the office?—No, he did not come to the office.

12,408. (*Mr. Anstey.*) Had you any conversation with Mr. Fennelly before he left for the continent, about his departure?—Yes.

12,409. And about Mr. Lomas' departure?—Yes.

12,410. Did you give the order or instructions to Mr. Fennelly to go away, and to tell Lomas to go away?—I did not give him any instructions.

12,411. Did you give the advice?—No, he sent for me to tell me he was going.

12,412. Mr. Fennelly did?—Yes.

12,413. And then you saw him?—Yes.

12,414. Did he tell you what purpose he was going for?—No.

12,415. Do you mean to say he was not going away to avoid service of process?—He told me it was better for him to get away; he did not say why.

12,416. But you understood it perfectly well?—Yes.

12,417. Did he tell you as to Lomas also?—Yes, he said it was better they should both go.

12,418. (*Mr. Coleridge.*) He was not going away for his regular holiday?—No.

12,419. (*Mr. Anstey.*) It was not the time of year?—No.

12,420. (*Mr. Coleridge.*) Were Mr. Lomas' expenses debited to the firm or to Mr. Fennelly privately?—To himself, I think.

12,421. He is not expected to pay them?—No.

12,422. Who is?—I do not think it has yet been settled; I shall not, certainly.

12,423. You as a member of the firm will not consent to pay his expenses as part of the expenses of the firm?—No.

12,424. (*Mr. Price.*) He has told us that he did a good deal of business on which you have had the profit; how about that. If that was done you are going to take the benefit without taking the risk. He had an eye to business while he was there?—Yes, he did business.

12,425. (*Mr. Anstey.*) But to a sufficiently remunerative extent to justify the expenditure upon him?—I should think not, but I cannot be certain.

12,426. Were you averse personally to his going away on business grounds, and to Mr. Fennelly going away at that time?—Well, I was not averse to it.

12,427. You did not approve of it?—I would rather that they did not go of course.

12,428. (*Mr. Coleridge.*) It threw more work on you and the clerks?—Of course.

12,429. Did you tell Mr. Fennelly then?—No, I made no remark at all.

12,430. (*Mr. Anstey.*) Did you draw all the cheques that were found in the course of business?—There was only one.

12,431. More than one surely, there were the expenses of these absconding witnesses?—Yes, of course.

12,432. How many cheques did you draw for them?—I cannot remember exactly, but I should think not more than four or five.

12,433. In favour of Mr. Vanderbyl?—No. I should think all payable to "selves," and in the firm's name, not my name at all.

12,434. Did the proceeds go between Mr. Fennelly and Mr. Lomas, or to Mr. Lomas only?—I do not recollect.

12,435. How much money did you draw altogether

for these expenses, you personally in the name of the firm ?—I think there were some cheques payable to Mr. Lomas himself, now I recollect. I think he took them away with him.

12,436. Taking the whole, those that were and those that were not so payable, for about how much did you draw in all to pay these expenses ?—I should think it was 300*l.*

12,437. About 300*l.* ?—Under 300*l.*

12,438. Is it your usual habit to draw cheques for the firm ?—Yes.

12,439. In the name of the firm ?—Yes.

12,440. Are you the only person who draws cheques? —No.

12,441. Who besides ?—Mr. Fennelly.

12,442. (*Mr. Coleridge.*) And Mr. Vanderbyl ?—He can, but he does not.

12,443. (*Mr. Anstey.*) I am speaking of the habit, not the power ?—Yes, the habit.

12,444. Is it with you?—Yes, since I have been there.

12,445. And Mr. Fennelly ?—Yes.

12,446. Why did not Mr. Fennelly draw them this time ?—He never came to the office after that.

12,447. Never returned from the time he went to Bridgwater ?—Yes, for a short time he returned, but he did not return after he had found out that it would be better for him to go away.

12,448. (*Mr. Coleridge.*) I suppose it was after he heard of the petition, which must be presented within 21 days after the return to the Crown Office ?

12,449. (*Mr. Anstey.*) But he found it advisable to stay away, and he did, and did not return to the counting-house, and then he communicated with you and you saw him at his own house ?—I do not understand the question.

12,450. You say he did not come to the counting-house after he found it was desirable to go away. Where did you see him then during that interview ?—I saw him at Mr. Vanderbyl's house.

12,451. Where is that ?—Porchester Terrace.

12,452. Was Mr. Vanderbyl at home ?—He was.

12,453. Was he present ?—No.

12,454. What was he doing at Mr. Vanderbyl's house ?—I do not recollect.

12,455. Was he staying there ?—That night certainly.

12,456. He slept there ?—Yes.

12,457. And went away next day ?—Yes.

12,458. (*Mr. Coleridge.*) His own house was at Porchester Terrace, too, was not it ?—No, mine.

12,459. Where does Mr. Fennelly live ?—Epsom, in Surrey.

12,460. But when in town attending to business where does he live ?—He comes up every day to business ; he goes backwards and forwards.

12,461. He did not go to his own house after he heard that he had better stay away ?—Yes, he did ; he went down the next morning ; he stayed at Mr. Vanderbyl's that night, and went there the next day.

12,462. When did he leave his house ?—That afternoon, I think.

12,463. For the continent ?—Yes.

12,464. (*Mr. Anstey.*) Had you any conversation with Mr. Vanderbyl at any time about the absence of these two persons, or either of them ?—No, I had no regular conversation.

12,465. I do not care whether it was regular or irregular ; what was the conversation ; what did Mr. Vanderbyl say to you about it ?—Of course we knew they were away.

12,466. What did he say ?—I do not recollect what he said.

12,467. Did he say anything which showed he knew they were away ?—Of course.

12,468. And why they were away ?—No, he did not say why, but he must have known they were away of course.

12,469. Why must he have known ?—They are his partners, and a man must know whether his partners are away.

12,470. You have told me that already. I ask did he say anything which gave you to understand wherefore they were away ?—No.

12,471. Or for what purpose they were away ?—No.

12,472. When you said he must have known why they were away, why must he have known why they were away ?—For the same reason that I know, I suppose.

12,473. What was that ?—Why, I guessed it.

12,474. But you were told it ?—No, he did not tell us that.

12,475. Did he tell you that it was advisable as the election petition was about to be presented that he should go away ?—Well, I did not ask him why.

12,476. You have already said, or Mr. Lomas said, that Mr. Fennelly told you the state of affairs was such that it was thought advisable they should go away ?—Yes.

12,477. Did Mr. Vanderbyl say anything about that ?—No, we had very little conversation about it.

12,478. Then why do you know he must have known for what purpose they absented themselves ?—I think he must have known.

12,479. Why do you think so ?—Because he must have guessed it.

12,480. But why ?—Because it was unusual for them to be away.

12,481. And there was no other reason for their being away than the one you have suggested ?—No. I may say that Mr. Fennelly was at home some part of the time when I was away. After he went away he came back, and then went away again.

12,482. (*Mr. Coleridge.*) But how long did he stay when he came back ?—I do not exactly recollect.

12,483. Was it before or after the trial of the petition ? —Before the trial of the petition.

12,484. Did he show himself in the regular way in business ?—Yes.

12,485. (*Mr. Price.*) And then went away again ? —Yes.

12,486. (*Mr. Anstey.*) How many hours did he stay away ?—He stayed some days.

12,487. (*Mr. Price.*) Then he went away before the inquiry was heard ?—Yes.

12,488. And stayed away until after it was over ? —No ; he came back before it was over.

12,489. (*Mr. Anstey.*) Only four days ?—Yes ; four days.

12,490. (*Mr. Price.*) Did he go away again after it was over ?—No.

12,491. Never went away again ?—No.

12,492. (*Mr. Anstey.*) He did not come to the counting-house during those four days, I understand ? —No.

Mr. Eustace Barham recalled.

12,493. (*Mr. Price.*) You had brought us up to the morning of the election when we left off yesterday ?—Yes ; and you will remember, perhaps, my making a statement yesterday. I said there were one or two collateral matters which I would not mention then, because it would interfere with the thread of my narrative. I propose now, if you will allow me, to take up those two or three other points this morning before going on with the main story.

(*Mr. Price.*) Yes ; that will be convenient.

(*Mr. Anstey.*) You told us that the conversation was carried on under a sort of disguise, Taunton being used for Bridgwater.

12,494. It was agreed between you and someone, who was that someone ?—Myself and Mr. Lovibond.

12,495. And Mr. Kinglake ?—No.

12,496. Or any other attorney ?—No ; no one else at all.

12,497. When you were discussing as to what was to be done about this election it was to be talked of as Taunton, and not Bridgwater ?—Yes, exactly.

12,498. And what name did you substitute, if any,

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for those of Kinglake and Vanderbyl ?—The Liberal candidates for Taunton, Mr. James and Mr. Berkeley, Mr. Berkeley was put in the position of Mr. Kinglake as being the senior member, and Mr. James meant Mr. Vanderbyl.

(*Mr. Price.*) Had you arranged that by way of writing or verbally.

12,499. (*Mr. Anstey.*) And what names were to represent in that conversation Mr. Westropp and Mr. Gray ?—Those of the two Conservative members of Taunton.

12,500. In what order ?—I forget that, but at all events that was the substance.

12,501. The two Conservative candidates at that time for Taunton ?—Yes.

12,502. Mr. Serjeant Cox and another ?—There was another, I believe, but at all events they stood for the Conservative. The Conservatives for Taunton used for the Conservatives here, and the Liberals for Taunton used for the Liberals here.

12,503. (*Mr. Price.*) If any question is put to you about a conversation in regard to Bridgwater election of course you will understand as meaning really relating to the election, even although the conversation may have been verbally and formally with reference to Taunton ?—Yes, quite so.

Then I was just going to say, taking up some of these minor points, that there was one subject on which you have asked questions, though not to me, and that is with reference to negotiations or machinations of the members on either side, Mr. Kinglake or Mr. Vanderbyl, with the view to supplanting each other, and I should like to state all that I know on that subject. And the first thing that I know is what Mr. Lovibond told me one day, that he had received a very extraordinary application from Mr. Vanderbyl. I should think this was about two months before the election. Mr. Vanderbyl came down rather unexpectedly to Bridgwater, and I do not think I saw him, but Mr. Lovibond told me that he had received an application from Mr. Vanderbyl in which Mr. Vanderbyl asked him if he would undertake to be his sole agent, and no one else ; whether, in point of fact, he would take the agency of Mr. Vanderbyl only, and throw Mr. Kinglake overboard. And Mr. Lovibond further told me that he had at once replied to Mr. Vanderbyl that Mr. Vanderbyl must have had a very imperfect idea of him, Mr. Lovibond, to think that he could entertain such a proposal for one moment. This is what Mr. Lovibond repeated to me, and he told me that he had told Mr. Vanderbyl, in the first place, it was perfectly out of his idea to do anything of the kind, quite contrary to his principles to do so ; and secondly, if he did do anything of the kind he should not thereby benefit Mr. Vanderbyl in the smallest degree, because any influence he might possess in the place was certainly due to such confidence as the Liberal party might repose in him ; and if he were to take up such a position as that, any confidence which the Liberal party might repose in him would be blown to atoms. That was stated to me at the time, and as far as I knew until after the election petition had been presented was the only step of that kind on the part of Mr. Vanderbyl. After the election petition had been presented something else came to our knowledge, which I will mention to you presently.

Then, sir, on the part of Mr Kinglake, the only thing that I know in which Mr. Kinglake to a certain extent in my opinion derogated from perfect good faith between himself and his colleague, Mr. Vanderbyl, was this—that shortly before the election Mr. Lovibond informed me, for I had no direct communication with Mr. Kinglake upon it, that he had been in conversation with Mr. Kinglake, who had told him that under the advice of Mr. Serjeant Kinglake he thought that as the senior member in the approaching election, it ought to be understood that if only one of the Liberals was returned, he, Mr. Kinglake, should be that man. He said that his uncle or his cousin the serjeant told him such had been the practice at Rochester, and that he thought it ought to be the case here.

12,504. (*Mr. Anstey.*) When was this conversation ?—Well, sir, this was I should think just about the early part of the canvass, but I will not be certain about that.

12,505. In October ?—Yes, for a fortnight or three weeks before the election, to the best of my recollection.

Well, then, Mr. Lovibond told me that he at once combated and warmly combated any such proposition, and I entirely concurred with him, and the matter was also mentioned to Mr. Lovell Sealy, who took exactly the same view of it. We held then that Mr. Vanderbyl had as perfect a right to represent Bridgwater as Mr. Kinglake had. He had not come here under Mr. Kinglake's introduction, he had come here and stood on his own introduction to the electors, and not under Mr. Kinglake's wing at all ; therefore we did not see any right on the part of Mr. Kinglake to claim any priority over Mr. Vanderbyl. A good many interviews took place about that. Mr. Kinglake could not remove one idea for some time from his mind, and I think Mr. Sealy saw him about it, and put it to him very strongly. I am not aware of any other respect in which Mr. Kinglake derogated in any sense from perfect fealty towards Mr. Vanderbyl.

12,506. (*Mr. Price.*) Which was the first thing in point of time, the suggestion from Mr. Kinglake that he as senior member ought to have the preference, or the suggestion of Mr. Vanderbyl to Mr. Lovibond, that Mr. Lovibond was to act solely for him ?—Mr. Vanderbyl's was very much the first in point of fact.

12,507. (*Mr. Anstey.*) Did Mr. Lovibond tell you that Mr. Vanderbyl's desire to supplant Mr. Kinglake had been communicated in any shape or form by Mr. Vanderbyl, or anybody on his behalf, to the opposite side ?—I cannot recollect. I tried to remember whether anything of that sort was said, and I have a little difficulty upon it, because I heard something of it afterwards.

12,508. Supposing that it appears by a paper which has been prepared at Mr. Trevor's office with great care, that it was communicated some months before to the opposite side, and that a coalition was distinctly promised, what would you say to that ?—Then I should be prepared to say very likely it was so, but I had forgotten it.

Then the only circumstance with respect to this negotiation that came to my knowledge was in this way, that subsequent to the presentation of the petition, when a meeting took place between Mr. Westropp and Mr. Lovibond and Mr. Reed and others, of which you have heard, with a view to trying to arrange the petition, whether immediately before or after the presentation of the petition I am not sure, but just at that time ; I was not present at that meeting, but when Mr. Lovibond returned he told me that Mr. Westropp had begun the conversation by blurting out a fact of which he was previously altogether ignorant, namely, that there had been negotiations going on by Mr. Vanderbyl immediately preceding the election through Messrs. Hennett and Spinks with Mr. Westropp for the purpose of a coalition, that Mr. Westropp had blurted this out at the very beginning of this interview, under the evident impression that Mr. Lovibond knew all about it before ; but Mr. Lovibond had not known anything about it before, and he came and told me of this circumstance.

12,509. (*Mr. Price.*) When was that ?—At the meeting which took place either immediately before the petition was presented or just afterwards, the meeting which took place in London.

12,510. When they met at the coffee house ?—I think very likely.

12,511. (*Mr. Coleridge.*) Did Messrs. Reed and Cook know of this ?—One of them must have known, because I said they were present also at the same meeting. I was not present at that meeting. This is only what Mr. Lovibond reported to me.

12,512. (*Mr. Anstey.*) You yourself had not then been present at any of the meetings in London ?—No.

12,513. This was a meeting held before the first of

the meetings at which you were present?—Before the first meeting at which I was present.

12,514. (*Mr. Price.*) Then Mr. Westropp had been in communication with Mr. Lovibond before you came up to town about the matter?—Yes, there had been one or two interviews and meetings, and the whole negotiation at one time had been supposed to be completed, and then it had all broken down.

12,515. With Messrs. Reed and Cook and Mr. Lovibond?—And Mr. Trevor, and I do not know who else.

12,516. Mr. Vanderbyl?—That I cannot say. I do not know. That is one point I thought I would mention. Then there was another point with respect to the conduct of the election, so far as my preparations for the election in my part of the borough were concerned. You have heard of course the evidence that the borough was divided into three parts. That was the division that was originally made at the registration for the purpose of convenience, and when the time of election came the same division was adopted. I had never, as you will find when I come to give further evidence as to previous elections previously personally taken the direct conduct of the election for the whole or any part of the borough, and I was entirely at a loss as to the method in which I should proceed, and I asked Mr. Lovibond what to do. He said, "You will "find no difficulty about that, you had better speak to "Mr. Bulpin, he is the best man in this part of the "borough, and you had better speak to him." That is Charles Bulpin. Upon that I went to endeavour to find Charles Bulpin, but it so happened that Charles Bulpin, who is a traveller in the employ of Brown & Co., was away on a journey, and would not return until, I think they first said on Thursday, but ultimately it happened that he did not return until the Friday before the election, the very day upon which the interview took place with Mr. Vanderbyl and Mr. Fennelley of which I have told you. I wish to state at once that when I originally contemplated employing Mr. Bulpin I fully expected at that time that money would be spent, and I fully contemplated employing him if need had been for a corrupt purpose. I do not wish to avoid that statement for a moment. It would have been so if a change had not taken place; but it so chanced that before I was able to see Mr. Bulpin, from the delay in his return, this interview with Mr. Fennelly and Mr. Vanderbyl, and all of which I have told you, had taken place, and in consequence when I did see him the whole position of the case had altered. I am not sure whether or not this was the very first time I had spoken to Bulpin, though I knew him very well by sight, and I knew him well when I saw him in his parlour, and sat down there, and said, "Now, Mr. Bulpin, this is the "first time we have come in contact on electioneering "business, although I know very well you have been "employed and have acted in these matters before; "and this being the very first occasion I have de-"termined I will not enter upon this matter with you "under any false pretences. It is very possible you "may suppose by my coming here that I have come "here to make arrangements with you about spending "money; but I must tell you at once that you may "know how to guide yourself, and take your own "course as to how you shall act, that no money will be "spent by one of the candidates," and I think I mentioned Mr. Vanderbyl's name as altogether declining to spend any money; "therefore this will be a "pure election, and it will be for you to make up your "mind whether under those circumstances you will "take any trouble, or have anything to do with it or "not." His reply was, "Sir, I shall be just as well "pleased," and in fact he said, "better pleased to fight "this as a pure election than as one in which money "is spent;" and then I remember also this passed. An allusion was made either by myself or Mr. Bulpin, I forget which, to the circumstance of Mr. Vanderbyl's election, and to the dispute between him and Mr. Allan and the others about those payments of 25*l.*, and the statement of Mr. Bulpin made to me at that time was this: he said, "We had no promise or expectation "of the money before the election, but on the evening "after the election when we were victorious Mr. "Allan said, 'There will be 25*l.* for each of you.' "Now, sir," he said, "I never wanted the money, "and I had not expected the money, but I did think "it rather hard after this money had been promised to "me that I should not get it." That I remember perfectly well passing on that subject. Then I made this appointment with him. This was on the Friday I handed him over a list of voters of my ward which had been prepared for me by Mr. Dyment, who is in the employ, I think, of Messrs. Thompson and Collins, cheese factors. He had made out and handed over to me a list in a little book, and I think the book is with my papers at this moment in your possession. Dyment had made out a book in which he put the ordinary marks, "for," "against," "doubtful for," and "doubtful against," in the ordinary way that these things are indicated. And I handed Mr. Bulpin this book, and appointed to meet him, that he should come round to my house at 4 o'clock on the Sunday afternoon following, and that would give him all the Saturday and Sunday morning to make such arrangements as he required. Well, by error of memory, I afterwards supposed that was 6 o'clock, and it was the 6 o'clock appointment that I left the meeting at Mr. Nicholls's house to keep, and when I got to my house I found that Mr. Bulpin had kept his appointment at 4 o'clock, and had appointed to come again at 8. He came again at 8, and he said he had been through the list. I told him just the same as I did before, which I had every reason at that moment to believe, that there was no change whatever, that the matter would be fought as a pure election; and with the exception of seeing him as I before stated go up that morning through the Pig Cross with Mr. Allan, I have never seen Mr. Bulpin since until I saw him in this court during these proceedings, nor had I any conversation with him on the subject.

Then there was another point with respect to travelling expenses in the early part of the canvass. I was misled by a little book published by Cox and Grady on elections, which is most scandalously indexed. I beg to state you can find nothing in it. I was misled as to the legality of election expenses, and made a note of a passage which had reference to payment of expenses of a candidate at an election, and I was under the impression that it alluded to borough elections, and under that impression I went to call on a certain Mrs. Watts, a widow living in Little Chandos Street. I found that she had two sons who were voters, and they were on the naval reserve at Bristol, and I asked her to write to her two sons and inquire of them whether, if they were sent for and their expenses paid, they would come down and vote for Kinglake and Vanderbyl. She told me they were both Liberals, and afterwards told me that she had written, and that they would come down. Then subsequently to that I gave some directions to a Mr. Bounsall to get out a list of the different captains who were voters who were absent at sea, with a view of getting them home. This appeared a usual thing in previous elections, and it had been at previous elections a legal thing; but after making this discovery about the legality of these proceedings I at once went and saw Mr. Bounsall.

12,517. (*Mr. Anstey.*) Is he the dissenting minister?—No.

12,518. Is he any relation to the dissenting minister who signed the petition of 80?—I do not know, but he is at present a clerk in the employ of Messrs. Brown and Co., and I told Mr. Bounsall that I found that the payment of any such expenses would be illegal, and that I for one could have nothing to do with that. Mr. Bounsall said under those circumstances we could have nothing to do with it, and I reported the matter to Mr. Henry Lovibond. "Well," Mr. Lovibond said, "the only thing to do is to send a 5*l.* note under an envelope." He said, "Will you do it?" I said, "No, I will not." He said, "Well, you ought to do something in this matter." "Well," I said, "I

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shall not do it," and about two days afterwards I received from Mr. Bounsall——

12,519. Did you understand Mr. Lovibond to mean, when he said you ought to do something in this matter, merely the matter of those travelling expenses? —Well, I think he thought I was rather shirking my share of the responsibility.

12,520. Then he said you ought to do something; that was with regard to spending money for the election expenses?—Precisely. I think the next day or the day after I received a short note from Mr. Bounsall enclosing a 5*l.* note. He said, "This has been "received by me in an envelope without any letter. "There is evidently some mistake." I took that 5*l.* note, feeling sure after what had passed that it was Mr. Lovibond who had sent it to Mr. Bounsall, and handed it over.

12,521. (*Mr. Coleridge.*) What did he say?—That I do not remember, but he took the 5*l.* note.

12,522. (*Mr. Anstey.*) Was the envelope in Mr. Lovibond's handwriting?—That I do not remember, but I feel quite certain from what passed that it was Mr. Lovibond who had sent the 5*l.* note.

12,523. Mr. Lovibond did not deny it?—No, not at all. He took the note, and I do not think there is any doubt about that, and I do not think Mr. Lovibond would deny it for a moment. Then I do not remember at this moment anything else prior to the morning of the nomination to which it is necessary for me to draw your attention. I live about a mile in the country from Bridgwater, and on the morning of the nomination I came into Bridgwater.

12,524. (*Mr. Price.*) Before you leave that I should like to call your attention for a single moment to one of these meetings that you held just close upon the nomination, at which you were present and Mr. Lovibond and Mr. Fennelly?—Yes.

12,525. At your office, was not it?—That was at my office certainly.

12,526. I wish you just to try and recollect whether or not it is true that at that meeting Mr. Lovibond was the principal spokesman?—Well, I think he was, he usually was. He was rather the leader of our party, and was usually the spokesman.

12,527. (*Mr. Anstey.*) When the subject of the means of getting money, and the propriety of spending money, and the necessity for Mr. Vanderbyl so spending, he was the spokesman, or the principal spokesman?—I do not, as I have said before, recollect any conversation at which Mr. Fennelly was present and Mr. Lovibond was present.

12,528. I am speaking of Mr. Lovibond. When Mr. Lovibond was endeavouring to induce you either to drop Mr. Vanderbyl or let money be spent, was he on those occasions the principal spokesman?—Do you refer to the interview at which Mr. Fennelly was present?

12,529. (*Mr. Price.*) Yes?—There was no conversation. Mr. Lovibond never in any words when I was present, or when Mr. Fennelly was present, urged or advised the expenditure of money. That he certainly did not do. The only manner in which that could be construed was the pressure upon Mr. Vanderbyl to retire. There never was any proposal of that sort.

12,530. (*Mr. Anstsy.*) Was Mr. Vanderbyl present at your office?—Mr. Vanderbyl was present at our office only at the end of the last interview.

12,531. Was a hint given to him that you did not want him there, or was a hint given to Mr. Fennelly that you did not want Mr. Vanderbyl there, and if wanted he was to go into the next room, and he then retired?—That is just about it. He came with Mr. Fennelly, and was asked to walk into the next room, and hearing part of the conversation I went into the room where Mr. Vanderbyl was, and therefore possibly something passed between Mr. Reed and Mr. Lovibond and Mr. Fennelly which I did not hear.

12,532. Did you hear anything by Mr. Lovibond about the election was sure to be lost, and an expression of surprise by Mr. Fennelly at the statement, and that was the part in which Mr. Lovibond was the principal spokesman?—I am quite sure he expressed his opinion that was the principal reason why it was due to his party that Mr. Vanderbyl should retire.

12,533. Did Mr. Fennelly say he was prepared to spend 5,000*l.* if there was a petition?—Yes; I have no doubt he said that, and it was the very first thing he said, the very first statement, and I have no doubt he said it over and over again.

12,534. (*Mr. Price.*) Did he say he had been made a fool of?—Well, I do not remember that.

12,535. I am wrong. Was it Mr. Reed who said, that you, the attorneys, were made fools of by Mr. Vanderbyl's determination not to spend money?—Mr. Reed certainly did say it.

12,536. Did Mr. Fennelly say that he was prepared, or that Mr. Vanderbyl was prepared, to pay what his friends thought necessary?—Not in my presence. If that was stated—I cannot imagine that it could have been stated, because it would have been altogether inconsistent with all the rest of the conversation, but if it was stated it must have been when I was out of the room.

12,537. We may sum it up in this way; was it that if the money was not spent the lawyers would not support him?—No, I do not remember that. They pressed him all they could, but I do not remember that.

12,538. (*Mr. Anstey.*) Does it amount to this, that if Mr. Vanderbyl, standing on purity principles, were to persist in going to the poll the election would be lost?—Well, that was exactly what was stated.

12,539. Then is not that indirectly, but equivalently or exactly, the same thing as that which was asked you just now by the learned Chief Commissioner?—No, I do not think it is.

12,540. Observe the term, "standing on purity principles," which I introduced into my former question? —Quite so.

12,541. Then I will put it in the contrary way. Was there anything said as to what would happen, if the two candidates did not stand on purity principles? —Then that it would secure the election.

12,542. That was said?—Yes.

12,543. Was that said by Mr. Lovibond?—That was the inference.

12,544. When Mr. Fennelly was present?—I cannot say that those were the precise words, but it was what underlaid the whole conversation.

12,545. Was Mr. Fennelly led to understand that the certainty of defeat was Mr. Vanderbyl's going to the poll on purity principles?—Unquestionably.

12,546. Then it was clearly to be inferred from all that took place, that if he was prepared to go to the poll, but not on purity principles, then what would happen?—Then the election would be a success.

12,547. Then was the expression from which that inference was deducible used by Mr. Lovibond or by you?—Not by me, because I took no part in the conversation; I had previously expressed my opinion, and I was opposed to it.

12,548. The words were used by Mr. Lovibond?— They were spoken by Mr. Lovibond and Mr. Reed. The difference between the two was, that Mr. Lovibond was more cautious in what he said than Mr. Reed.

12,549. The pressure therefore to retire would be contingent upon Mr. Vanderbyl's continuing to profess to stand upon purity principles?—Not a doubt of it.

12,550. And that was clearly understood by Mr. Fennelly?—I do not think he could have failed to understand it.

12,551. And could Mr. Vanderbyl have failed to understand it?—Well, I should think Mr. Vanderbyl must have been perfectly aware of it.

12,552. And would not that account for the marvellous change which had taken place in the night of the Lord's day in Mr. Vanderbyl's mind, as reported to you; by Mr. Cook or Mr. Reed the next morning?—What was reported by Mr. Cook to me was as to what was done by Mr. Fennelly. One can form

one's own conclusion as to the position between Mr. Fennelly and Mr. Vanderbyl; it was what passed between him and Mr. Fennelly, Mr. Vanderbyl's name was not mentioned then. Of course it is a conclusion you are as well able to draw as I am about that.

12,553. (*Mr. Price.*) Does that conclude everything up to the election morning?—Yes; everything up to the election morning. Then I came in on the election morning and I recorded my vote; and at first, as far as my ward was concerned, the Liberals were in the majority. We polled pretty quickly the respectable part of the constituency, and my particular ward, the north ward, is that part in which I may venture to say the most respectable part of the voters reside. There is a larger majority of respectable voters there than in the other wards.

12,554. Where is the north ward, where we are now sitting?—Yes. My district begins with the bridge, running all the way.

12,555. The square?—Including the whole of the square, both sides of the High Street, Cornhill, and then through on the side of West Street, North Gate, Providence Place, and all this side where we are sitting. In that side of the town there are a good many respectable inhabitants residing, and they came early to the poll. They recorded their votes and we were in a majority in our ward, and I think at first we were in a majority altogether, but I think that very soon changed.

12,556. (*Mr. Coleridge.*) What time did that change?—I think the Conservatives got ahead from somewhere about 9 to half-past 9 o'clock; then that brings me to another incident. Mr. Bussell, in giving his evidence stated that he met Mr. Lovibond and myself, and that a certain conversation passed. Now that was an inaccuracy of Mr. Bussell's, I am satisfied it was nothing more; I was not present when that conversation passed, but Mr. Lovidond did tell me on the very same morning the very same circumstance, namely, that he had seen Robert Bussell, the other brother, who is the bailiff in the county court, and that Robert Bussell had told him that at a late hour on the previous night the fact had come out that no money was to be spent, and that they had all gone off, that is, the Conservative party had gone off to their homes in dudgeon, and the whole idea of fighting the election was given up by the Conservatives.

12,557. (*Mr. Price.*) By the Conservative side?—By the Conservatives. That Mr. Lovibond certainly told me he had received as an intimation.

12,558. What time in the morning?—That was quite early, after the opening of the poll, between 8 and 9.

12,559. That would account for your thinking that you were in a majority all over the borough at that time?—Yes. At that time I think the Conservatives were doing nothing at all scarcely. Then, from what I understood after that, or just about that time, a meeting took place at the "Clarence Hotel," at which Mr. Westropp addressed the electors. I had all kinds of reports brought to me by different persons as to what took place.

12,560. Did he address them at a meeting, do you mean?—At a meeting.

12,561. Not in the street?—No, in a large public room at the "Clarence Hotel," and I received all kinds of reports.

12,562. What time was this?—I should suppose somewhere shortly after 8 o'clock. Well, I received all kinds of reports. Persons came to me and said that Mr. Westropp had said to them there, "Surely "you would not have me go to prison! You must go "and vote like men this morning, and you must trust "to what comes afterwards." But I confess I did not believe the statement brought to me. I did not believe that Mr. Westropp or any other man would stand up at a public meeting and make such an incautious statement as that; and I did not take them down because I really did not credit the statements. After that I stayed over at my committee room in the Mansion House, and an exceedingly dull day it was. Occasionally I went out. The voters were standing about in the streets. I am bound to say it was more like a market day, with men instead of beasts, than anything else, and there they were standing about in the streets, as obviously waiting——

12,563. (*Mr. Coleridge.*) Waiting to be bought?—Waiting for something, as plainly as anything I ever saw, and I stayed there in my room.

12,564. (*Mr. Price.*) Let me interrupt you there. Do you suppose that if no money had been spent at that time, that the poll would have closed without the constituency being half polled?—I cannot say. Whether there was a sort of rush at the end when they thought there was nothing going I cannot tell. I am not sufficiently experienced in electioneering to say as to that. I went down to Mr. Lovibond's room, and I found that his room was just in the same state of inaction; a boy sitting opposite a sheet of paper pinned down to the table, a poll list, and there was little else doing.

12,565. And no returns coming in?—Yes. The returns came into my place, and what I carefully noted was this, that the Conservatives were polling a number of men, who, from information I had received, were not men who would poll without money or promises. They had not at that time got away any of our men.

12,566. They had got what are called the "balance" men?—No. You see the "balance" men divide themselves very much into two classes, one set of men who belonged to the Conservatives, and vote for them; and the other set of men who belong to the Liberals, and who vote for them. They were getting their doubtful bribable men polled then, and from what I have been told since these things have been discussed, they were not men who would vote without money. I noticed that, and I also noticed that they had got some three or four men, who were marked by Mr. Dyment, and who are down in my list, who voted for them, and who I had expected would vote for us. You will see by the poll sheets, if you will kindly take the pains to look at them, that there was, at the end of the day, a remarkable concurrence between the anticipation which I had been led to form and the result which actually took place. You will see it is all tabulated by a red cross against everybody who was expected to vote for us; and I think you will see that the result was very similar to that which I was led to expect.

12,567. As to those who would vote for you?—As to those who would poll for us. I think if I had it before me (*referring to the poll sheet*) I could easily explain it to you.

12,568. You had better explain it from that, it may make it more intelligible?—Yes.

12,569. Does that apply to the new constituency as well as the old?—Yes, it applied to the whole body.

12,570. When you had formed these calculations about the necessity of spending money, there was a new constituency to be considered, a very large limit indeed?—Yes.

12,571. Had you come to the conclusion that notwithstanding this infusion of working men, of what are called the "working classes," still the question of money was the important thing?—I think it is right to say, that personally I did not make any calculation at all, I left that to Mr. Lovibond, whom I considered as my chief with respect to the election.

12,572. But was that taken into account, that the increase of the constituency would make very little difference as to whether there was money spent?—Yes, that was what was supposed. Then I remember that somewhere about 12, from 12 to half-past 12 in the day, I walked down, for the first time I believe in the day, and found myself at the "Globe," and got down into the committee room there, Messrs. Reed and Cook's committee room, and there I found that all the life of the election was concentrated. That room presented quite a different appearance to Mr. Lovibond's or mine. Ours were perfectly empty. There

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were a great many people there; it was more like a hive of bees just on the point of swarming; I cannot compare it to anything else. There were a number of people in a great deal of excitement and making a considerable noise; the Liberal supporters.

12,573. Who was acting the part of queen bee?—I will tell you who was acting the part of queen bee directly. The first thing that attracted my attention when I got into the room, and attracted my attention so strongly that I am not able to tell who else was in the room, was this, that I saw Mr. Lovibond at one end of the room and Mr. Reed at the other. Mr. Lovibond was standing with a small notebook in his hand, and two or three men were opposite to him giving him some information, which he was taking shortly down in pencil. Mr. Reed, on the other hand, was standing with his arms closed, looking the image of despair and desperation. That was the thing that I noticed. He was looking exceedingly pale, exceedingly harassed and depressed. That is what I saw, and I formed certain conclusions. I drew this inference, that the persons who were giving Mr. Lovibond this information were persons who were telling him where the different voters were stowed away, or where the different voters were available, in case the resolution should be arrived at to spend money. That is the conclusion I arrived at; and what I did was this, I sat down by the side of the table, and, I thought quietly with myself for one or two minutes, and I said to myself, "Now, so far as this election is "concerned, up to this moment I am free. Shall I "mix myself up with this matter or not"? And I then and there came to the conclusion that I would not, and I walked straight out; and from out of the room I walked to my office, and there I sat down. I must mention that since these proceedings have been opened I have had a communication made to me, and that communication was made to me last Sunday evening, and by Mr. Charles Robert Bate.

12,574. (*Mr. Coleridge.*) That is the old Mr. Bate's son?—That is the old Mr. Bate's son. And he said that he thought it might relieve my mind to know that he saw me in Castle Street, immediately after he had taken leave of Mr. Kinglake; that he said to me, "Why, Barham, how is it you have deserted your post"? and I said, "Come with me into the office and I will tell you all about it." He went with me into the office. That I then told him that I had taken a very active part in the two elections of 1866, and I was determined I would have nothing to do with this. That is what Mr. Charles Robert Bate communicated to me, and it is right that I should say I have not the slightest recollection of anything of the kind. It has passed completely from my mind; and if you find from my evidence that there are other things I ought to recollect, or have forgotten to mention, I shall be very glad if you will remind me of them.

12,575. (*Mr. Price.*) When you were down at the "Globe," and saw this picture you have put before us of Mr. Reed in despair, and so on, what made you come to the conclusion that you would have nothing to do with it, what had transpired then?—The thing was this, I had not up to that moment, and I think you will agree that my statement is true, that I had not implicated myself in the matter.

12,576. What did you see going on there which led you to come to the conclusion not to be mixed up with it?—I saw Mr. Lovibond taking down the list of voters, and that was a preparatory step to paying money.

12,577. You did not tell us that?—Pardon me, I did.

12,578. I did not hear you, then, I suppose. You heard no talk of money, I suppose?—No.

12,579. You heard nothing at all of money?—Not a word. I do not remember that any single word passed in my presence. When I was in the room, there was such a noise I could not hear anything.

12,580. (*Mr. Anstey.*) Have you the poll sheet before you?—Yes. Now, these red crosses were red crosses put before the names, and were to indicate those persons who were expected to vote on our side; and if you compare these crosses with the actual votes, as recorded here in pencil, you will see, if you think it worth while to take the pains to do so, that there was a wonderful correspondence betwen the red crosses and those who did vote for Kinglake and Vanderbyl.

(*Mr. Coleridge.*) It is more important to tell us who did not vote, and who got away to the other side.

12,581. (*Mr. Anstey.*) Do I understand you to say that these red crosses represent the bribable voters?—Only those who were expected to vote for Kinglake and Vanderbyl.

12,582. Then we do not want to know it?—That was the distinction.

12,583. (*Mr. Price.*) Was that calculation made before the election?—That was the calculation made before the election.

12,584. But it professes to be a calculation both of bribable and unbribable voters?—Quite so.

12,585. Did the calculation founded upon that show that you could have had a majority without having had recourse to bribery, if there were a great number of unbribable votes? How was that?—There were a great many unbribable votes, and we should have had a majority, in my opinion; at all events, as far as my ward is concerned, most certainly we should, putting aside the question of bribery.

12,586. It was a question of bribery on the other side?—Yes. That is a statement which would be correct under either of these two conditions: it would be correct under the condition that there would be no bribery on either side, and it would be correct under the condition that the bribery on the one side neutralized the other.

12,587. What was the proportion of bribable to unbribable voters?—I do not know; I furnished a return to Mr. Lovibond.

12,588. (*Mr. Coleridge.*) Are there any split votes?—Very few indeed. If my clerk could have access to the papers and returns which were furnished to Mr. Lovibond before the election I could give you the proportion. I considered Mr. Lovibond was the chief man concerning the election, and to him I furnished a return of the candidates in my ward.

12,589. I happened to alight upon the H's, and there you were singularly unfortunate, because I see you have put down one after the other, and they all voted against you?—Yes.

12,590. (*Mr. Anstey.*) You stayed at home at your office?—Yes. One thing I very soon found, and that was, that I was quite incapable of doing any ordinary office work for the day, and I determined that I would go home, and I left the office for the purpose, and just as I was a very few yards from the door I was called into a lady's house just at the corner of the square, a Mrs. Sully, mother of Mr. Sully, the mayor, and she asked me what I thought of the election, and I said, "It is all over, the election is gone." I stayed there a few minutes, and I had so completely given up the election that my attention was centred on the Bristol election. I then left Mrs. Sully's house, and I started to go home, and on my way home I had to pass my own committee room, and I went into my committee room, and I found just the same state of things going on as before, and no change going on in the state of the poll. While I was there Mr. Lovibond came up the stairs, and I said, "Mr. Lovibond, "what does this mean? It's all over;" and he said, "Entirely over;" and I wish to state that my firm conviction is, that when he said that it was precisely what he did mean at that time. I am firmly convinced it was so. He must be a most consummate actor if he did not mean what he said at the moment, for he certainly did look the very picture of dejection and misery. I said, "I shall not stay here," and I immediately went home to Wembdon, where I live, and after I had had some luncheon I went out for a drive into the country. On my returning to Wembdon I met a boy on horseback with the Liberal colours in his hat, and that immediately attracted my attention, because my experience has been that in a Bridgwater election that as soon as one side has lost you soon

cease to see the colours of the losing side. They generally put them into their pockets and conceal them. They all vanish. On seeing this boy I stopped him, and said, "How is the election going on in Bridgwater?" And he said, "Wull, zur, when I left they were a'most even." That astonished me, and I drove home as fast as I could; and when I got nearly home I met a Mr. Widdicomb, who is a gentleman farmer near me, and whom I knew to be a Conservative, and I asked him how the election was going on. I said, "How is the election going?" and he said, "When I left it was just a toss-up between the two." I lost no time in getting up to the town, and reached the hustings about 10 minutes to 4. I got on to the hustings, and the first question I asked was, "How has all this been brought about?" It was not easy to get an intelligible answer from anyone.

12,591. (*Mr. Price.*) Had you much doubt?—No, I had not much doubt.

12,592. (*Mr. Anstey.*) You could not get an intelligible answer?—I could not; but the answer I got from some people there was, that the brickyard men having waited about all the morning, until they considered they were being humbugged, and finding that there was no money going, had at last gone up and voted in a body for the Liberals.

12,593. That was said by people standing about there?—Yes. The next thing I heard was that Mr. Kinglake had gone away. That was the first time I had heard it. Shortly afterwards the mayor and town clerk came up and read the return, and there was a tremendous noise, and hurrahing, and so on, and I remember Mr. Vanderbyl's carriage came to the side door, the side of the rails, and I was pitched neck and crop into the carriage; and the next thing I said was, "Mr. Vanderbyl I congratulate you on your return, "but you have no right to thank me, for I ran away;" and he said, "I cannot understand how a man could desert his post to-day." When we got down opposite to the "Globe" Hotel, I saw one thing which left no doubt on my mind as to what caused the election to be won.

12,594. (*Mr. Price.*) What was that?—It was my friend, Mr. Reed, looking out of one of the upper windows of the "Globe" Hotel, as white as a sheet, and that left no doubt on my mind.

12,595. Why should he turn white? I should have thought he would have been flushed with triumph?—No, not a bit of it. He was awfully frightened at what he had done.

12,596. (*Mr. Anstey.*) I understand, or infer from what you say, that both Mr. Reed and Mr. Cook took part in the matter, but that Mr. Reed was the principal actor?—I saw at once that Mr. Reed had been the principal actor in bringing about the successful termination of the election. Mr. Cook was in the carriage with me, and he was more in a state of excitement than frightened.

12,597. Mr. Cook did not appear to be terrified?—No; he did not seem so much terrified.

12,598. Had you seen Mr. Reed from time to time all that day?—I had not seen Mr. Reed all that day before, except when I saw him in the corner of the room looking dejected.

12,599. You saw him when you went into the "Globe?"—Yes.

12,600. Every time?—I only went on one occasion.

12,601. And that was the only occasion on which you saw him in the corner?—That was the only occasion I saw him in the corner.

12,602. And from what you say of Mr. Reed and the rest, you thought there was good cause for this pallor?—I did. I arrived at that conclusion then and there.

12,603. (*Mr. Coleridge.*) Was Mr. Reed a new hand at this sort of thing?—I can only say, in the other election in which I was concerned, which I shall tell you about by-and-by, Mr. Reed took an active part in it. I do not know what part he took, but he did take a part.

12,604. (*Mr. Price.*) You say that brought you to the conclusion as to what had been done. Supposing Mr. Reed had said, "We have done all we can, where the devil is Lovibond?" Would that have brought you to the same conclusion?—If I had heard such words as those used I should have considered this was the state of things, that the one was to provide money for the other, and that Mr. Reed had spent his money, and wanted Mr. Lovibond to give him some more.

12,605. (*Mr. Anstey.*) What happened then?—There was nothing more passed that evening. There was nothing but uproar in the town, and shortly after I returned to Wembdon.

12,606. Did you see anything more of Mr. Vanderbyl that evening?—No, I do not think I did.

12,607. Did he make a speech to the people?—Well, he did stand up in the carriage and make a short speech, but it was nothing but the ordinary thing.

12,608. Go on?—That concludes it.

12,609. You have not told us anything about Mr. Kinglake. Did you see Mr. Kinglake either the next day or the same night?—No. Mr. Kinglake was not there the same night. I think Mr. Kinglake came down some time the next day.

12,610. Did you see him as soon as he returned?—That I do not remember, but I remember seeing him.

12,611. Had you any conversation with him about your doubts and fears?—No, I had not.

12,612. I do not ask you then, but ever at any time?—No, never. I never stated nor mentioned to him anything of what I told you at all.

12,613. Nothing about your doubts or fears?—No.

12,614. You have preserved silence on the subject?—I have told him this: when it got to the hearing of the petition, I went one evening into his room, and I remember then having a conversation with him and discussing his position; and in discussing his position a certain theory was the basis of our discussion, a certain theory as to what had taken place.

12,615. What is the theory; what do you mean you had told him?—Well, sir, I had told him this, that I thought there could be no doubt that money had been spent at the late election, and that Messrs. Reed and Cook for certain were implicated in it.

12,616. Did you tell him about Mr. Lovibond?—At that time I did not believe that Mr. Lovibond had been a direct party to the spending of money. My belief with respect to Mr. Lovibond, from what had fallen from him, was, not that he had himself been directly a party to the spending of money, but that he knew enough as to what Reed and Cook had done as to make him equally liable to be put in the box.

12,617. Did you tell him that if Mr. Lovibond had not been a direct party to the spending of the money, he had been a direct party in the obtaining it?—No.

12,618. (*Mr. Price.*) Did you talk over with Mr. Kinglake as to what would be the result of the election inquiry?—We were very much alarmed about the result of the election inquiry.

12,619. But did you talk it over with him sufficiently to convey to Mr. Kinglake's mind that there would be a great deal of evidence of bribery on his part, or on the part of his friends?—No, I did not know that. If you will allow me to tell you what passed you will see exactly the position of things.

12,620. Very well, do so?—Mr. Kinglake had in his mind a particular idea, and it was upon that idea that the discussion took place.

12,621. What was the idea?—He had this main idea in his mind, that because he had gone away from Bridgwater before these illegal proceedings commenced, that therefore he had, in fact, withdrawn from his different agents their authority, and therefore, that he was not responsible for anything that afterwards took place.

12,622. But he should have resigned altogether?—Just so. At all events I am stating to you what Mr. Kinglake's feeling was.

12,623. (*Mr. Anstey.*) He told you that he was not answerable for their acts with respect to these illegal proceedings, he having gone away from Bridgwater before they commenced?—Exactly.

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12,624. And that therefore the acts they had performed at that time were their own acts?—Undoubtedly.

12,625. How had he got at that time to know of the fact of bribery having taken place?—He had got at that fact in many ways.

12,626. After the election?—Yes.

12,627. (*Mr. Coleridge.*) And before the petition?—I cannot tell that.

12,628. Was the conversation you are speaking of before the petition?—No. This was on the very night that Mr. James came down.

12,629. (*Mr. Price.*) Before the election inquiry?—No. This was on the very night that Mr. James came down.

12,630. Was it before the trial, before Mr. Justice Blackburn commenced?—No, the very day of it.

12,631. Was it, at all events, before the evidence was gone into before Mr. Justice Blackburn?—It was after counsel had made the opening speech.

12,632. Mr. Kinglake swore upon his oath, before the learned judge, that everything or nearly everything connected with bribery had come upon him by surprise. Is that so or not?—I knew that Mr. Kinglake at that time was perfectly well aware that there had been a great deal of illegal practices at that election.

12,633. (*Mr. Anstey.*) Why cannot you say "bribery" at once?—Well, I will say "bribery."

12,634. Do not mince matters, but call things by their right names?—I meant to include in the term "illegal practices," everything. Mr. Kinglake was strongly impressed with this notion. I told him I thought there was nothing in the world in it, because I said, "In the first place, no notice was given even "(to put it on the lowest ground) that you had left "the town. If you had issued an address before you "left the town that you would have nothing to do with "it, then you could have withdrawn yourself from "your agents; but that was not done, and I tell you, "as your agent, although I have not done anything to "compromise you, you cannot now do so."

12,635. (*Mr. Price.*) As a matter of curiosity had not Mr. Kinglake a legal education?—Certainly.

12,636. Was he called to the bar?—Certainly.

12,637. And went circuit?—And went circuit. At all events, Mr. Kinglake was so strongly impressed with this idea, that he insisted upon my going to Mr. James, his counsel, to lay this argument before him, and I did so, and Mr. James "pooh-pooh'd" it, and he said, "The fact is I have been altogether misled." He said "I came down here believing I was engaged "in a fighting case, and prepared to fight it, and I "find nothing but acts of insanity committed."

12,638. Mr. James said so?—Yes; and I went back and reported it to Mr. Kinglake; and he still felt so strongly on the matter of his opinion, that he actually proposed to take the case out of Mr. James's hands.

12,639. (*Mr. Anstey.*) I will just ask you this question. It is anticipating what you will have to come to by-and-by, but it has reference to this: that being so, how came it about that Mr. Serjeant Parry in opening the case that very same day had stated, notwithstanding the allegation in the petition, that there was no intention in any way personally to impeach the sitting members, for which he was complimented, of course, by Mr. Serjeant Sargood, for having "shown his usual candour." On whose representation was Mr. Serjeant Parry induced to make that considerable admission in opening the case against Mr. Kinglake, who, according to you, knew all about it?—That, sir, I do not know. I was no party to it in any shape or form. You must get that information from some other person.

12,640. Are you aware that Mr. James, being persuaded that it was not what is called a "fighting" case, had from the outset predisposed matters, so that when the proper moment came the two sitting members would be able to retire from the defence of the seat, and would be complimented in the usual way for knowing nothing about it?—No, I do not know it; and if Mr. James knew it when he said to me what he did he simply told me what was absolutely false.

12,641. What did he tell you?—That he had been brought down here in the belief that there was a fighting case, according to the statement in his brief.

12,642. How is that inconsistent with what I am stating? You say Mr. James stated that he had been brought down here, believing that he was engaged in a fighting case, but that he had discovered he had a losing case to deal with; and I ask you whether he had not from the outset arranged matters so as to make the defeat as easy as possible?—There is a good deal you are not aware of. Mr. James did not come to Bridgwater till Mr. Serjeant Parry had made his opening speech.

12,643. (*Mr. Coleridge.*) Who drew Mr. James's brief?—Mr. Lovibond, I believe.

12,644. And you are aware, however it was arranged, and however it came about, that it was upon this evidence of Mr. Kinglake, which has been repeatedly read, and which I shall not refer to again, that Mr. Justice Blackburn was induced to say, in giving judgment, "As both members have been called "to deny that there was such a thing, I need not "say that I have great pleasure in certifying that "there was no corrupt practice proved to have been "committed by or with the knowledge or consent of "any candidate at such election." Now, if you had given or Mr. Lovibond had given any evidence, I do not say of what passed in confidence, for my opinion is that confidence there was none, as you were all parties to it, but if you had given evidence before Mr. Justice Blackburn such as that which you have given before us here to-day, is there the slightest doubt that that passage, at least, would not have appeared in his judgment?—Well, sir——(*the witness hesitated.*)

12,645. In other words, was not his judgment brought about by a deception practised on the court?—Well, sir, I submit that is a question on which you can form your own opinion as perfectly well as I can, and you will spare me the pain of answering it.

12,646. Very well, you would rather not answer it?—Yes.

(*Mr. Anstey.*) That is quite sufficient.

12,647. (*Mr. Price.*) Now proceed?—Would you wish now to pursue this thing down to the end? You would wish to know, I presume, what part I took in compromising this?

12,648. Yes?—Well, my first interference in the matter was some little way on. There had been negotiations between Mr. Trevor and Mr. Lovibond, of which I was aware, but in which I did not take any active part, and they had broken down; and Mr. Lovibond asked me to consider whether or not I could suggest any course to be taken, and I read the Act of Parliament through very carefully, and it appeared to me that the most available course to get rid of the petition (for I may at once state that I was anxious to see the petition got rid of) was to turn this matter into a special case. It so happened (and it was within my knowledge, because I had attended to the registration,) that there were a very considerable number of voters who were on the register in my district, or in my department, with respect to whom it was very doubtful as to whether they ought to be on the register or not.

12,649. (*Mr. Coleridge.*) I suppose you thought that by turning it into a special case, there would be no power for a judge to certify for corrupt practices?—It was this. There was a question as to whether there were a certain number of voters or not on the register, who had no right to be there, and it was thought there might be some chance of knocking them off as bad votes, and so reduce the majority of Mr. Vanderbyl below that of Mr. Westropp, and that the result of that case would be that Mr. Westropp would take Mr. Vanderbyl's place.

12,650. And Mr. Kinglake would save his seat?—And Mr. Kinglake would save his seat.

12,651. (*Mr. Price.*) You would have stated a special case which would have been argued before the

judges?—Oh, yes. We intended it to be argued before the judge in the regular form.

12,652. In the Court of Common Pleas?—In the Court of Common Pleas. There was a very grave question. I will tell you what it was, and that very shortly, and then you will see how matters stood. In consequence of the alteration of the boundaries of the borough, when the "Representation of the People Act passed in 1867" there was a certain suburb called Providence Place, which was in the parish of Wembdon, which was then outside the borough, but a portion of the parish of Wembdon was inside the borough. When the October rate (which was the qualifying rate) came to be made, the overseers of Wembdon came to Mr. Carslake to ask him to advise them whether or not, in carrying out the provisions of the new Act with respect to the compound householders, they ought to apply the provisions of that Act to the whole of the parish of Wembdon, not only the small portion which was then inside the borough, but the larger portion which was outside; or whether they were only to apply it to such portion as was inside the borough. Mr. Carslake, after looking at the Act of Parliament, came to the conclusion that they ought to apply it only to such part as was inside the borough, and they accordingly did, and they left the whole of Providence Place, in which there are only a number of small houses, and where a great number of people were compound householders, as before. But when it came to Christmas, or a little after Christmas, the rate was about to be made in January, or somewhere about that time, the overseers received a direction from the Poor Law Board that they were to apply the clause to the whole of the parish, and that Mr. Carslake's opinion was wrong; and accordingly, in the rate which they then made, they rated directly all those people, and those people then neglected to pay that rate. Then there came the Boundaries Act.

12,653. (*Mr. Coleridge.*) Was there not a case taken to the Common Pleas from this very place?—No.

12,654. In which Mr. Trevor was respondent?—No, not upon this point. I do not know whether I am going into what is irrelevant.

12,655. (*Mr. Price.*) No. I understand you are wishing to show us that there was a fair chance on the special case of reducing Mr. Vanderbyl's majority over Mr. Westropp, by knocking off bad votes?—I am. At the same time I do not wish to say it was really a *bonâ fide* transaction. It was a thing we wished to take advantage of, in order to stay the petition.

12,656. Rather than have an inquiry?—Yes, and we should not have taken any pains to get any votes struck off on the other side. I thought we should get a presentable case to present to the judge which would pass muster. I presented this view to Mr. Lovibond, and it met with his approval, and I proposed to him that we should go over and see Mr. James Trevor, at Stowey, on the subject. However, ultimately it was agreed I should go over alone, and I drove over that same afternoon to Stowey, and saw Mr. Trevor, and I found he was just about to proceed to London; in fact, I think it was from information I received that he was going up to London that I went to him on that day. I told him what had taken place between myself and Mr. Lovibond, and he said, "I "cannot agree to this without consulting with coun- "sel as to what is right and proper in the matter;" and he said, "I am going to London, and I will take "the opportunity of seeing Mr. Westropp, and will "lay it before counsel," and it was arranged that if he thought anything could be done, that he should telegraph for us. It was not understood that if he telegraphed for us that it was because he expected us up, but whether he thought there was anything in the case which would possibly bear further discussion. Well, under those circumstances Mr. Trevor went to London, and ultimately Mr. Lovibond and I went up to London, and we met Mr. Trevor at the Tavistock Hotel, and then we found that Mr. Trevor was not prepared to go into the thing. He said he had been to Mr. Westropp, and Mr. Westropp was altogether averse to it, and, as far as I am aware, nothing at all came of it. Then I think the next occasion on which I had anything to do at all with attempting to effect a compromise or come to an arrangement was with Mr. Lilly. Mr. Lilly had some business with me in my office.

12,657. Who is Mr. Lilly?—He is an auctioneer and land agent in this town, on the Conservative side, and a man who has taken rather a prominent part——

12,658. (*Mr. Anstey.*) Before you come to that I will ask you this question. When you went up to London with Mr. Lovibond to see Mr. Trevor on that subject, did Mr. Lovibond communicate to you the impression on his mind that if there was an inquiry a great deal of bribery would be discovered to have taken place?—No.

12,659. You went up to London about this point of law?—Yes.

12,660. Mr. Lovibond went with you, or met you, in London?—Yes.

12,661. Did he tell you that he was afraid that if they did not consent to your proposal of turning it into a special case on the point of law, that an inquiry would take place and disclose a great many corrupt practices?—I think he pretty well knew that I knew it.

12,662. Did he say so?—No, but I think he pretty well knew that I knew it.

12,663. Was the object of turning it into a special case to prevent the inquiry into corrupt practices?—Undoubtedly. I said so just now.

12,664. I thought you said it was not a real *bonâ fide* thing?—I said there was a real *bonâ fide* point of law, but the thing was done corruptly.

12,665. (*Mr. Coleridge.*) When had you the details of the bribery at the last election?—I never had the details. The first time I had the details was what was proved at the petition; and, as to this part about Mr. Lomas, and so on, I never heard about it till I heard it here.

12,666. (*Mr. Anstey.*) But you heard of Mr. Lovibond's having brought his part of the bribery fund weeks before the election?—I never heard it until after the petition had been heard.

12,667. You have told us that during the canvass, and long before the election, that he had told you he had made arrangements by which each candidate was to contribute half?—Yes. I never heard the details.

12,668. But you heard so much of the details as are important, that it was to be 1,500*l.*?—Oh, yes.

12,669. And that it was to come from the Kinglakes'?—Oh yes. He did not say it was to come from the Kinglakes; but I knew that, I presumed the 1,500*l.* was to be provided by the Kinglakes. I did not know of this transaction with Prior's bank, and all that.

12,670. What was the date of this conversation with Mr. Lilly?—I cannot fix that exactly. I have unfortunately no note of it.

12,671. Where was it, in London?—No, in my own office. He was in my own office about a matter of business; and after the business upon which he called had been finished, in some way or other the subject of the election petition cropped up; and he expressed and I expressed, or both of us expressed, a feeling of regret that it should go on. It was a thing very much to be regretted for the town; and I suggested to him whether or not, as far as I remember, he might not be likely to have more influence with Mr. Westropp if he were to go up, as being outside the list of professional gentlemen—the lawyers—whether he might not have more influence with Mr. Westropp in arranging the matter than the solicitors themselves; and he afterwards called upon me.

12,672. (*Mr. Price.*) Still to carry out this notion?—I think it was, as far as I remember.

12,673. The notion of the special case?—But I am not so clear as I could wish I should be about that, but I rather think it was still the idea of carrying out the special case; and he afterwards called upon me again

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about it, and he said he had had a meeting of several of his friends of the Conservative party, and they all felt disposed to come to some arrangement; and the result of that was that Mr. Lilly did go to London, and there was some meeting, but I was not present. There was another meeting in London, at which Mr. Lilly was present, but, so far as I understood the matter, still with no more actual practical result than before.

12,674. (*Mr. Anstey.*) Well, but Mr. Trevor's recollection is clear. If he stated it in writing that the very first interview with Mr. Lovibond in London was sought by Mr. Lovibond for the purpose of proposing, not a special case or anything of that sort, but a compromise on the footing of yielding up one seat—what then?—Oh, I have not the slightest doubt it was so. The suggestion of the special case was a subsequent thing, and the presentation of a special case appeared to me to present advantages to the Conservative side which the giving up of the seat would not; because if my plan had been adopted Mr. Westropp would have taken his seat without any difficulty; whereas if one of the seats was vacated there was no answering for what the constituency of Bridgwater might do.

12,675. He might have claimed it upon a scrutiny?—But then a scrutiny in the ordinary mode of proceeding would not have been come to until after the whole question of bribery had been gone into. Therefore if one could have got to the same result as a scrutiny by means of a special case that would have been avoided.

12,676. What was the meeting in London which you attended, where the compromise was proposed or discussed?—The meeting that I attended in London was specially with respect to this special case.

12,677. You never attended any meeting in London at which it was proposed to give up a seat?—I do not remember that. I wish to say this ——

12,678. Were you not present at a meeting at the Tavistock Hotel?—The meeting I attended in London was specially with respect to this special case. I will not undertake to say that when that failed there might not have been a conversation about giving up one of the seats, because that was a thing that had been discussed before.

12,679. But were the conversations which you heard and were party to respecting that?—You see, I have heard so much beforehand about it, that I cannot distinctly recollect whether I heard it on that occasion; but if any person said so I should not be prepared to deny it.

12,680. You heard what has been said by Mr. Lovibond, I think, about the conversation which took place at the Tavistock Hotel in the month of January, a few days before the trial of the petition came on here?—Yes. What question do you found upon that?

12,681. You were present at that meeting?—I was present at one meeting, and I will try to tell you what the date of that meeting was. I think I may have some note to give it me.

12,682. It was the meeting at which Mr. Kinglake and Mr. Westropp were present?—No, I was not present at that meeting.

12,683. Were you present at any meeting at which either Mr. Kinglake, or Mr. Vanderbyl, or both, were present?—Never.

12,684. (*Mr. Anstey.*) That is all.

(*Witness.*) Then, sir, the last attempt that I remember making at all upon the subject was on the very evening after the judge was here. After the opening speech of counsel at Mr. Lovibond's request we had a conversation together, and we arranged it should be done. I was just as much a party to it as he was himself. I do not mean to put the blame upon him. I was told that Mr. James Trevor was over at Mr. Brice's house in Friarn Street. I went over and called upon Mr. James Trevor, and what I recollect (as far as I recollect) saying to him was about this. I said to him, "I don't come over here authorized to "make any proposal at all; but is there any course "which you can suggest in this matter with a view to "save the exposure with which the borough and our "friends and all of us are threatened." And he said, "I really don't see that there is." And there, there was an end of that.

12,685. Had Mr. Lovibond by that time communicated to you that there was a meeting at which Mr. Westropp and Mr. Kinglake were present, and the arrangement that you spoke of come to?—Yes, I recollect his communicating to me that meeting, because I recollect it was at that meeting that Mr. Westropp had blurted out the fact of his negotiations with Mr. Vanderbyl, and therefore I know he mentioned that.

12,686. I wanted to bring you to that date when Mr. Lovibond informed you what Mr. Kinglake had said at that meeting?—No, I do not remember that.

12,687. Nor what was the result of that meeting?—Well, I cannot distinctly remember it now. I have no doubt he told me of it, but at this moment, in consequence of there having been so many of these negotiations, I am very sorry to say that I do not remember it as clearly as I could wish.

12,687*a*. Do you remember him telling you that Mr. Westropp had, to use his expression, "run wild," that is to say, broken the agreement that was come to at that meeting?—I do not remember.

12,688. Did you hear that Mr. Westropp had done so, because he might not have done so; but do you remember Mr. Lovibond telling you that Mr. Westropp had broken the engagement, or not kept the engagement?—Yes; I remember Mr. Lovibond considered the engagement had been broken, because he wrote me a letter after one of the meetings telling me the thing was arranged.

12,689. On what terms?—He did not say the terms. He merely said the matters were arranged.

12,690. Was that before the judge came down here for the trial of the petition?—Oh, yes.

12,691. How long before?—I think I can give you that date very nearly.

12,692. That is what I want?—I think I can give you that date very nearly, because it so happened——

12,693. (*Mr. Price.*) Was there any report taken, does anybody know, of Serjeant Parry's opening speech?

(*A copy of the Bridgwater Mercury, containing a report of the speech in question, was furnished to Mr. Price.*)

(*Witness.*) I think I shall be able to give you the date in a few minutes. I think I have the means of fixing it. I know how I think I can fix it. It was in this way, that just after I received this intelligence from Mr. Lovibond I went down into Devonshire. I had to go down into Devonshire, and I returned from Devonshire on a Sunday evening. I returned by the night mail, which arrives here at 11 o'clock, and when I got to the station I found the station all in an uproar—a great number of Conservatives all in a great state of excitement, shouting out, "No surrender," and three or four of them got into the train and went to London.

12,694. (*Mr. Anstey.*) That was because the Conservatives objected to this compromise?—This compromise had oozed out. The Conservatives would not have it, and there was a very great fuss. It was, I believe, because these parties went up prepared with another petition to present if Mr. Westropp would not do it. That brings it to my mind.

(*Mr. Anstey.*) I will give you the date of the presentation of the petition in a moment.

12,695. (*Mr. Coleridge*) Can not you fix the Sunday you returned from Devonshire by your diary?—I have sent for the diary. Unfortunately that diary is not here.

(*Mr. Anstey.*) Here is the date of the presentation of the petition. It is dated the 8th of December.

(*Witness.*) Yes.

12,696. Well, then, was it a few days before that?—I should think that must have been so. It was just upon the very point of the presentation of the petition of the 8th of December.

12,697. Before the mayor, as returning officer, published his receipt of the petition here?—Well, I feel very sure that that must have been so. The time I had that letter from Mr. Lovibond, announcing that the thing had been arranged, was before the presentation of the petition.

12,698. Was there any other meeting after that meeting on the subject of a compromise, or was that a final meeting?—Oh, there were several meetings after that.

12,699. I am asking about what Mr. Lovibond said, that there was one final meeting at which Mr. Westropp made the engagement which he broke. That was the meeting held or supposed to have been held at the Tavistock Hotel, at which Mr. Kinglake was present. Mr. Kinglake was not present at the previous meetings, but he was present at that?—That I cannot say. I can only say this, that I am perfectly well satisfied that the report made to me by Mr. Lovibond, that the thing had been arranged, was before the petition had been presented.

12,700. I do not mean that. We are speaking about two different meetings. I wish you would confine yourself to the one that I am talking about. Did you just before the trial of the petition, not the presentation of the petition, but just before the trial, understand from Mr. Lovibond that Mr. Westropp had laid himself open to an imputation of weakness or bad faith in retiring from an agreement which he had come to for the compromise of the petition?—Not then.

12,700*a*. Did he tell you anything, or did he ever write to you to say, "I am not going to meet them any more, for all negotiations are broken of?"—No, I do not remember anything of the kind.

12,701. You do not remember anything being said about a final meeting, a last meeting?—I do not remember Mr. Lovibond ever writing to me about it, except this one letter.

12,702. Do you remember Mr. Lovibond either speaking or writing to you about the fact of a final meeting taking place, at which it was agreed that this should be compromised, and then Mr. Westropp being bound by that?—No.

12,703. That is all you know about a compromise?—That, I believe, is all I know about a compromise.

12,704. Did you see Mr. Kinglake again after the night that he wanted to get rid of Mr. James, and spoke of that absurd notion, that is, about a departure like death revoking a mandate?—Yes, I did. Upon the last day of the hearing, just before the hearing came to an end, there was an adjournment at lunch time, and it was after lunch that counsel rose and made that announcement. A short time before lunch Mr. Kinglake called me out of court, and we walked together, and he took me down to his lodgings, and he said to me, "You "appear to me to be the only person on our side "of the question who is in the possession of his "faculties."

12,705. (*Mr. Price.*) Including Mr. James?—No, he did not mean that. Of course he meant all us professional men, and he said, "Is there no means of "stopping this?" "Well," I said, "my impression, sir, "is this, that your counsel and Mr. Vanderbyl's counsel "are now only looking out for the right moment at "which they can throw up the sponge," or "fall down," I forget which expression I used, "and I think therefore we must leave that to their discretion," and then we came back into court again.

12,706. (*Mr. Anstey.*) Was that before he was examined upon oath?—That was before he was examined upon oath.

12,707. Did he tell you at any period at that trial, or say anything during any period of that trial, which gave you the least reason to suppose that he was taken by surprise by the statements of the witnesses?—Yes. I think he was surprised at some things, and I think he expressed his surprise.

12,708. Specify those?—I think, for one thing, he was very much surprised about Allan.

12,709. In what way?—I do not think before that he had the slightest idea that Allan was mixed up in these things.

12,710. That is all?—That was one thing. I think that surprised him very much. I do not remember at this moment anything else, but I think I do distinctly remember about that.

12,711. Before he gave his evidence, did he say anything to you which led you to infer that he meant to have it believed by anybody that he was surprised to hear that corrupt practices had taken place at the election for Bridgwater?—No, he did not.

12,712. Did you hear him make the extraordinary statement to that effect in his evidence, when he was called for the purpose of mollifying the mind of the judge, and inducing the judge not to find him personally guilty?—Yes, I did.

12,713. Let me know what impression; knowing what you knew; remembering what you remembered, what impression that statement made then upon your mind?—You have kindly excused my answering such a question once before to-day. I am in your hands. I will answer it if you wish, but I hope you will excuse it.

12,714. If you tell me it made a painful impression, that is all I wish?—It did make a painful impression.

12,715. And the same as to Vanderbyl?—The same as to Vanderbyl.

12,716. (*Mr. Price.*) Was Dr. Kinglake here in the town on the day of the polling?—I believe he was, but I did not see him.

12,717. Was he living here? No.

12,718. Did he leave?—He went away, but by a different train. Dr. Kinglake has two residences, I think, one in Taunton and another house on the Quantock Hill; and during some part of Mr. Kinglake's stay, the earlier period before the election, Mr. Kinglake was staying with his brother upon the hill.

12,719. He was?—Yes.

12,720. At what distance from this?—Some six or seven miles.

12,721. Before the election?—Some time before the election.

12,722. And during the election?—That was at the time, if I remember rightly, when that question was going on as to his having the priority in the return.

12,723. (*Mr. Anstey.*) What I want particularly to know is this: during the important week that preceded the election, and when Dr. Kinglake made that agreement for providing a fund with Mr. Lovibond, where were Dr. Kinglake and Mr. Kinglake the member residing?—Mr. Kinglake was certainly here, because I was canvassing with him every day. I took a great deal of the canvassing with him, and he was certainly here; but where Dr. Kinglake was I do not know.

12,724. (*Mr. Price.*) Did you see him, however, in the town about that time?—No. I think I saw him here one day when we were canvassing. Yes, I certainly did.

12,725. (*Mr. Anstey.*) Where was Dr. Kinglake residing, and where was Mr. Kinglake the member residing, on the nomination day?—On the nomination day, I take it, Mr. Kinglake was at Mr. Allan's residence, as you have had it already in evidence.

12,726. Where was Dr. Kinglake?—I do not know. He might have driven in from the hill, or come by train from Taunton.

12,727. Did you see him at all that day?—No, I did not see him.

12,728. Did you see him in Bridgwater on the polling day?—No.

12,729. When had you last seen Dr. Kinglake in Bridgwater before the return of Mr. Kinglake for that borough?—I think the very first day, the first or second day, of our canvass.

12,730. When did you see Dr. Kinglake again, if ever, after the return of Mr. Kinglake for that borough?—When the election petition was in course of being heard here.

12,731. You had not seen him on the polling day after the return?—No.

TWELFTH DAY.

Mr. E. Barham.

4 Sept. 1869.

12,732. (*Mr. Price.*) Well now, Mr. Barham, as far as you recollect, is that all the information you can give to us with regard to what you know of the last election, 1868 ?—I think there is one other circumstance that came to my knowledge that I should mention in order that I may exhaust everything that I know. It was asserted after the election, and while we were preparing or considering what course we should take about the petition, it was asserted that undue pressure or influence had been used with respect to one voter.

12,733. (*Mr. Anstey.*) Two voters ?—One, as far as I remember. A Mr. Tilly, who lives a little way above this hall, a hairdresser; and it was reported to us that he had been prevented from voting by being told by someone that if he did so he would be turned out of his house by his landlord.

12,734. Yes; who was that ?—That landlord was Mr. Joseph Richard Smith. I went and saw Mr. Tilly with a view of investigating the matter; but Mr. Tilly declined to tell me the name of the person who had made the communication to him. He did not wish to get himself into any trouble about it, and he said that this communication did not come direct from Mr. Joseph Richard Smith, but it came from someone who was a friend of Mr. Joseph Richard Smith, and who I, he thought, would be likely to know, and I acted upon the hint. I believe you will find that Mr. Tilly abstained from voting at that election.

12,735. Who was the friend of Mr. Joseph Richard Smith ?—That is just what I could not find out, and what you must find out now.

12,736. Do I understand that Mr. Tilly promised to abstain from voting ?—I do not remember that he promised me personally.

12,737. But he was a member of the Liberal party ?—He told me he was a Liberal; and he said the reason he did not vote was that he was afraid if he did he should be turned out of his house.

12,738. Did you hear any cases of that kind on your side, of undue influence ?—There was another case in which a man was turned out of his employ. A sailor was turned out of his employ very shortly after the election, and he was a man who was in one of Mr. James Wood Sully's vessels, and he was dismissed. He had voted for the Conservatives, and the allegation that was made was that he had been dismissed on account of having voted for the Conservatives, and he took out a summons against the master of the vessel. The precise object of that summons I now forget. The magistrate's clerk could give you the information.

(*Mr. Coleridge.*) Was it back wages, or anything of that kind ?

(*Witness.*) I appeared and defended the captain. There were two summonses about it. The first summons was dismissed because there was a legal objection to the maintenance of the claim. It was a claim for wages. Oh, I remember now. The first summons was a claim for wages—a claim for wages for the man having been dismissed without notice; but it was clearly proved that, according to the practice of the port of Bridgwater, there was nothing to prevent a master of a vessel from dismissing a man without notice, and therefore that the master of the vessel who was before the magistrates, whatever his motive might be, had not infringed the law. Then there was another summons taken out against the master of the vessel for not having furnished the seaman with an account of his wages, as required by the Merchant Shipping Act, within a certain time after arriving in port. It is not the practice to apply that part of the Act of Parliament in this port, because the voyages made are so very short and so frequent; but there had been a distinct breach of the provision of the Act, and on the part of the master of the vessel I advised him to plead guilty, and he was fined.

12,739. Who was the master ?—I do not remember. By looking at the papers in my office I could tell you.

12,740. What month was this ?—Very soon after the election. The Conservative paper, the "Standard," in commenting upon it, headed the notice concerning the case with the words, "A conviction at last."

12,741. (*Mr. Anstey.*) Was that before the election trial ?—Yes.

12,742. (*Mr. Coleridge.*) Who attended as attorney for the complainant ?—Mr. Boyle.

12,743. (*Mr. Anstey.*) Of the firm of —— ?—Mr. Boyle, of the firm of Smith & Boyle.

12,744. Do you know any other case of the kind ?—No, no other case occurs to me at this moment.

12,745. Do you know anything of two cases which I asked a witness about, namely, Mr. Elsbury, the gardener of the poor law union, being influenced by the intimidation exercised over him by the lawyer, Mr. Reed ?—I think there was some evidence given about that on the petition.

12,746. I do not think there was ?—Was there none ?

12,747. I do not think so. I will see, but I do not think there was ?—I certainly have heard of that somewhere, now you mention it. I certainly have heard of it, but I cannot tell you where I heard of it. I heard that some such statement was made.

12,748. You have no knowledge of it yourself ?—Not the slightest.

12,749. Do you know anything of another case of alleged intimidation and undue influence exercised by Mr. Reed—the very same Mr. Reed—over a person who was a petitioner in the election, I think, of 1865, upon whose petition the trial of that election proceeded ? I mean Mr. Richard Axford, the surgeon ?—Well, I never heard what that was, but I did hear that there was some charge about undue influence with respect to Dr. Axford, and it was referred to in the opening speech of counsel, and abandoned, as I understood; but I never heard and I do not know now what the particulars were. I know that Dr. Axford was exceedingly angry about it.

12,750. Can you give the names of any persons who can give information on the subject ?—There is Dr. Axford himself, and I think that Dr. Axford was exceedingly angry with Mr. William Brice about it.

12,751. Did not Mr. Axford vote at this election for Kinglake and Vanderbyl ?—I thought he split his vote.

12,752. Then for one of them ?—Yes, I believe he voted for Mr. Vanderbyl. He was a Conservative before.

12,753. Not only a Conservative, but an active Conservative who had been a petitioner, though an unsuccessful one, against the return of Mr. Kinglake in 1865 ?—That I did not know.

12,754. Are you aware that after the election of 1865 there was a petition, a cross petition ?—Yes.

12,755. You are not aware that the cross petition against Kinglake's return was headed by Richard Axford, surgeon ?—No, I did not know it till now.

12,756. Can you give any other cases of undue influence ?—No.

12,757. At this last election ?—No, I do not remember any.

12,758. As to treating—did treating prevail to the extent described by some of the witnesses ?—The evidence about the treating came upon me a good deal by surprise. I did not myself know it at all. I live a mile out of the town.

12,759. (*Mr. Price.*) It was opened as the case by Serjeant Parry as of a very gross kind, in which the voters for days before the election were got together, and some of them were kept under supervision for days, bottled up for days; and on the day of the polling there were great numbers of them supplied with drink, as much as they could possibly stow away, with a man at the door to keep out the wolves in sheep's clothing, as he described it; and in that state they were there bribed or paid the money. Did you hear anything of that before ?—Not one word of it before it was stated then.

12,760. (*Mr. Anstey.*) I think you said it did not prevail to the extent described by witnesses here before

us ?—I was going to explain. The only thing I saw at all of it was that on the morning of the polling—on the polling day—as I walked into the town I saw opposite the "Masons' Arms," Pig Cross, a considerable number of men going in and out of that house, and of course it was not unnatural to conclude that those men would not be standing about there for some time without having something to drink.

12,761. You do not mean to contradict witnesses who have deposed to the organization of a wholesale treating ?—Not in the least, because I have no knowledge about it.

12,762. Do you know anything of one Dudderidge who has been alleged to have distributed a quantity of drink and a sovereign a head on the day of the election ?—I heard that evidence on the petition, and that he is foreman in a brick ground, but beyond that I have no knowledge whatever.

12,763. Lastly, do you know anything of malpractices laid to the charge of Mr. Lovibond's own son, George Lovibond, at the last election, direct personal bribery ?—What I knew about that is this. On the very evening, immediately after the close of the poll, as Mr. Lovibond and myself, and Mr. George Lovibond, the son, were walking up the street that leads to his office we met Mr. Major. Mr. Major called Mr. Lovibond aside and said something to him. Immediately upon Mr. Lovibond rejoining me he then said to his son, "George, they make a "charge against you personally. You have not had "anything to do with this, have you ?" or some words to that effect. "You have had nothing to do with any money ?" and George Lovibond replied, "Certainly not, nothing of the kind." That is all that I know about that.

(*Mr. Price.*) Now we will go to the election of 1866, the second one.

(*Witness.*) Will you allow me, in coming to those elections, if it is not inconvenient to you, to take up the 1865 election first. As those three elections, the election of 1865 and the two elections of 1866, are so close together, I think I should be able to present the matter more intelligibly if you allow me to take up the 1865 election. I am in your hands.

12,764–5. (*Mr. Coleridge.*) Was 1865 your first election here ?—The first election in which I took any part.

12,766. (*Mr. Price.*) Who is Stephen Colin Jones ; do you know him ?—Yes, I do know him as a person I have seen about the place, and I think he was mixed up with the Shepherds.

12,767. (*Mr. Anstey.*) He has been described by the witnesses called before us as a bribery agent ?—I do not know.

(*Mr. Price.*) Serjeant Parry says in his opening, "Many of the voters were assembled in these houses "two or three days before the nomination and polling "days, presided over by agents for the respondents." Of course I suppose that to mean the lawyers. "And "in one or two instances they were kept there "throughout the entire night. In one particular "instance he should be able to show that a prominent "supporter of the respondents was present at one "place early in the morning of the polling day, and "actually ordered refreshments for these people. "Those refreshments consisted not simply of beer. "They began with beer and culminated in ginger "brandy."

(*Witness.*) I can state something about that last part. As to the first part I cannot.

(*Mr. Price.*) Wait a minute. I had better read the rest of it. "Those refreshments consisted not "simply of beer. They began with beer and culmi-"nated in ginger brandy handed round in jugs—a "class of liquor only known to that class of voters in "election times."

(*Witness.*) All that I can say about that is that I was perfectly ignorant, but I do remember this circumstance. I am very glad that you have called my attention to it. On the morning of the polling day I recollect somebody saying, "There is Mr. "William Hurman has been up to the 'Masons' "Arms,' and he has been rowing and blowing up the "voters for not going to the poll ; and the result is "that they are going off to the Conservatives." That is what I heard about that, and then I afterwards heard that that interference on the part of Mr. William Hurman was converted into a charge against him of having ordered——

12,768. (*Mr. Price.*) Ginger brandy ?—Yes ; and that was the first thing I heard about it, and I heard it in the morning of the day of the poll.

12,769. (*Mr. Anstey.*) Now, then, you are going to 1865 and 1866 ?—Yes.

12,770. Do I understand you to say that the elections of 1865 and 1866, three elections, are so closely connected together in your theory, in your system, that you wish to take them together ?—That is so, for the reason that you will see, because you will see the first election, and then the petition led immediately into the other.

12,771. (*Mr. Coleridge.*) Had you nothing to do with the election of 1859 ?—No. I had a vote in 1859, and I recorded my vote for Colonel Tynte and Mr. Kinglake.

12,772. Then were not you an agent or a canvasser, or anything ?—Not in any shape or form ; so little that in point of fact I remember that Mr. Kinglake and Colonel Tynte did not even pay me the compliment of calling upon me. I did not know Mr. Kinglake or Colonel Tynte either until shortly before the election of 1865.

12,773. (*Mr. Anstey.*) I suppose that these elections, those of 1865 and 1866, are not only chronologically but historically connected in your mind in such a way that you cannot separate them ?—Yes, they are in that way connected together. With reference to the election of 1865, the first entry that I find in my book—for I should tell you that I have got in these books, my diaries, entries, short memoranda, of the greater part of the different interviews and transactions that I have had, a great number of them ; and from them I have been able to refresh my memory, and on the paper that I hold in my hand is a short copy of those entries. The books are in court for the inspection of the court. The first entry I have is : "Two hours with Mr. Roberts. Journey to Bristol to see Mr. Michael Castle." That brings back to my mind that at that time Mr. Benjamin Lovibond sent to me, and he asked me to help him in the election that was coming on. That was on the 22d of June 1865 ; and it so happened that I had been mixed up and connected to a certain extent with the Bristol and Exeter Railway Company, and I knew Mr. Michael Castle very well, because he was the deputy chairman of the line, and he was a partner of one of my brothers when I was in Bristol ; and it was in consequence of that that I was to go and see Mr. Michael Castle, and represent to him that the influence of Mr. Brydges, who was the manager of the carriage works, and who was a strong Conservative, was so brought to bear as to make all the carriage-shed men vote on the Conservative side.

12,774. (*Mr. Coleridge.*) How many of those men are there ?—Well, I do not think that at that time under the old constituency there were more than about six or eight voters, but I was very ignorant about that. There are many persons that can give you better information about that. I do not think there was more than six or eight votes, but then it was a smaller constituency. I did go to Bristol, however, and I saw Mr. Michael Castle, and he promised that he would bring the matter before the board ; and the result of his bringing the matter before the board was the issuing of the notice of which that is a copy.

(*Document handed in.*)

"Notice.—The directors of the Bristol and Exeter "Railway Company wish it to be understood by all per-"sons in the employment of the company, that no one

TWELFTH DAY.

Mr. E. Barham.

4 Sept. 1869.

" whatever is authorized by the directors to canvass " the electors, or attempt to influence or in any way " interfere with the exercise of the right to vote, " and the directors discountenance and disapprove " any such interference by any person in the employ- " ment of the company. The manner in which any " voter thinks fit to vote is his own concern, and is " not to prejudice him in the company's service.

" By order of the board,

" Arthur Moore,

" Secretary."

12,775. (*Mr. Price.*) Go on, Mr. Barham. You had one of these sent to you?—Yes, in a letter, as I find amongst my papers, in a letter from Mr. Benjamin Lovibond himself to me, because I was at that time staying at Lyme Regis, and he sent it down to me to show me the result of what I had done.

12,776. Exeter to Lyme is it?—The Exeter and Lyme canvasses.

12,777. (*Mr. Anstey.*) You said these were notices that there was to be no undue influence used?—Yes. It was not worth a great deal, but it was thought it might be worth something. Then there is a reference in that letter to the Exeter and Lyme canvasses. What was meant by that was this: there was a Mr. Mole at Exeter who had been resident in Bridgwater, who had left Bridgwater and gone down to Exeter. He was connected with the Bristol and Exeter Railway Company. He was the sole agent of the Bristol and Exeter Railway Company, the goods agent. I had known him while he was in Bridgwater. He had been a client of ours while he was here, and Mr. Lovibond asked me to go to Lyme by way of Exeter, and see him on the way. I did so, and he told me that he was under some obligation or pressure to vote on the side of the Conservatives. He told me that he was a Liberal, but that he was under some pressure, and I wrote, and perhaps it will be best to read a copy of the letter that I wrote to Mr. Benjamin Lovibond at the time, giving the result of my interview with Mr. Mole:—

" Dear sir, 7th July 1865.

" I saw Mr. Mole at Exeter to-day, and found " he had promised to split if not to plump in favour " of Westropp. I also found that he is to some " extent in Brice's hands, as he holds a bill of sale, " Mole's furniture, for 60*l.* Mole said that this money " is to be repaid by instalments, but that he had " nothing in writing to show that payment was not " to be pressed for at once. He told me that he had " paid up the instalments regularly, and was going to " make a payment of one of them to-morrow. He " admitted he was a Liberal in his politics, and I " pressed upon him strongly the disgrace of voting " contrary to his convictions. He seemed impressed " with this, but evidently had the fear of Mr. Brice " before his eyes. I told him that I did not believe " Mr. Brice would go from his word, and that so " long as he paid up the instalments regularly he " would be safe; and I added that if I found he was " being treated tyrannically for voting in accordance " with his convictions, I would see that he was pro- " perly protected. He promised to write me by " to-night's post, adding, 'Of course you will pay my " 'expenses in coming up to vote,' which I said " should be done. Let me know if you approve what " I have said and done."

12,778. (*Mr. Price.*) That was the Exeter?—That was the Exeter. As to the Lyme canvass, it was merely this. It was Dr. King, who was a medical man, who was in very poor health, and the only question was whether I should induce him to undertake the fatigue of the journey. Then I had this letter from Mr. Lovibond. The first letter is merely acknowledging the receipt on the 8th of July. This is from Mr. Benjamin Lovibond, by his clerk, Robert Fletcher: "I beg to thank you for your letter of " yesterday, to which you shall have my answer to- " morrow. I should like to hear what the doctor is " going to do as soon as you can let me know. Our " canvass is nearly completed, except as to a few which " spring up every day." Then I had this further letter from Mr. Lovibond, on the 9th July, signed by Benjamin Lovibond himself: " Dear sir, I quite " approve of what you have done in the course of " the canvass, and hope to receive a letter in the " morning that the party will be here on *Wednesday* " *next early.* I hope you will use every effort to " bring down the doctor to plump 'Shelley,' which " I think he will be inclined to do when he learns " that a Mr. Edwards, formerly of Lyme, is to be " started by the Tories as a second candidate to- " morrow." (I think Dr. King never would vote for Mr. Kinglake, for some reason or other.) " He was " here last night, and had a consultation with West- " ropp, Smith, and others, at the 'Clarence.' The " Tories intend to give him a public entry into the " town from the railway to-morrow. Every effort " must be made to secure the election of the Liberal " candidates."

Shortly after that it appears that I wrote a letter to Mr. Mole from Lyme, and which, being written from Lyme, I appear not to have kept a copy of, about going up to vote at the election, and I got this letter in reply:

" Exeter Station,

" Dear sir, July 11th, 1865.

" I duly received your letter this morning, " and from the same presumed that you did not " receive my telegram of Monday, wherein I in- " formed you that I was reluctantly obliged to with- " draw my letter of Saturday" (so it appears that there has been some letter that is gone, or mislaid; I have not got it) " as I was requested to redeem my promise " made some months since, and which if I vote I ought " to do. I shall be excessively sorry to lose your good " opinion, but I hope under the circumstances you " will not be pleased to think less of

" Yours respectfully,

" W. Mole."

12,779. (*Mr. Price.*) That was Mole?—That was William Mole. Then, as to Mr. Roberts, there is an entry about my canvassing Mr. Roberts.

12,780. Do you know anything more about Mr. Brice, about the bill of sale?—No, I never heard anything more of it. I did not believe then, and I do not believe now, that Mr. Brice would have used it in any such way.

12,781. (*Mr. Anstey.*) What about Mr. Roberts?—Mr. Roberts was a carriage builder in this place, and he was a very strong teetotaller; and whether it was the Maine law at that time, or the permissive bill, I do not remember which, but he and another certain number of voters in this place were very strong upon that, so strong, indeed, that they wanted to make it a condition that they would not support a candidate unless he agreed to go for the permissive bill.

(*Mr. Price.*) The permissive bill men all do that in every town.

(*Witness.*) Mr. Roberts was a client of mine, and I went down and had a long discussion with him about it. I made a memorandum about that at the time.

(*Mr. Anstey.*) We don't want to hear of your innocent practices, Mr. Barham. If you tell us all you did which you ought to have done we shall never get to an end.

(*Witness.*) I have nothing to be ashamed of in 1865. I have done some things of that sort, I am aware; but in 1865 I did nothing that I am ashamed of. There was a charge made against me by William Heal, but that charge was altogether unfounded, and, indeed, when he came to state his evidence the utmost it amounted to, so far as I was concerned, was that I was present when a promise was made. I denied that at the time, and I distinctly say the same now.

12,782. (*Mr. Coleridge*) Then under whose auspices did you first fall from that state of purity?—I will come to that. I do not wonder that you ask the question.

12,783. (*Mr. Anstey.*) Then that statement of Heal was false?—Yes, distinctly false. Mr. Lovibond declined to make any promise at all.

12,784. But in your presence?—Yes; not only did he not make any promise in my presence, but he positively declined to do so.

12,785. I will read to you what you said. The interview, you say, took place as Heal alleged, namely, in the office, and he complained that he had not had the 40*l.* which had been standing over for several elections as bribe money?—That is true.

12,786. Then you are asked about it. What you say is this: "He said he had been very badly treated "by the Liberal party, and he alleged two causes of "complaint; one was with respect to a sum of 40*l.* "which he said had been promised to him by a Mr. "Foster." Then you go on to describe who Mr. Foster was. Then there is another cause of complaint which you also mention. Then you say, "I "thought he did not seem quite so firm at the second "interview in his resolution as to the 40*l.*, and then "I said to him, 'Will you see Mr. Lovibond, who I "'am satisfied knows nothing about the 40*l.*, and "'have an assurance from him.' He said he was "ready to see Mr. Lovibond at once." And then the meeting took place between you and Heal and Benjamin Lovibond, in which Heal referred to the sum of 40*l.* That you distinctly remember you say. Then it ended by Mr. Benjamin Lovibond saying this, "This is no time for any promise; the only "question we have to ask you is, do you intend to "desert your old party, or are you going to vote for "Mr. Kinglake and Sir John Shelley?" That is a true statement of what took place?—That is.

12,787. Then, "Mr. Heal hesitated, and wanted to "know whether he should be employed about the "election; and Mr. Lovibond said he really could "not say;" and it was after this, you say, that he saw Sir John Shelley and Mr. Kinglake. He was introduced to them, and you think he promised them. Is that a true statement of what occurred with regard to the 40*l.*, as far as you are aware?—As far as I am aware.

12,788. And you see that though Mr. Benjamin Lovibond did not actually promise him 40*l.*, he used these remarkable words, "This is no time for any "promise; the only question we have to ask you is: "do you intend to desert your old party, or are you "going to vote for Mr. Kinglake and Sir John "Shelley?"—The thing was then fresh in my memory, and I stated then exactly what I believed to be true. Whatever inferences are to be drawn from it of course must be drawn.

12,789. Only one other question I want to ask you with regard to that same occasion. You were examined on the same day with the late Mr. Bate, the 24th of April. You were in this order—Robert Bate, Henry Lovibond, and yourself.

(*Witness.*) Before you ask the question let me tell you something at once which will prevent you troubling yourself. I was not in the court, and did not hear what took place.

12,790. Of course you were not present when Mr. Bate was examined, but do you remember on that day any arrangement being come to amongst yourselves, or anything being said by Henry Lovibond or by Mr. Bate, as to the expediency of severing Henry Lovibond from Benjamin Lovibond in the opinion of the committee?—No, I was not professionally concerned at all in the conduct of the petition, and was not admitted into the conference, and I never heard any one word upon the subject. I was merely there as a witness. I was not in their confidence.

12,791. You do not know the fact that Mr. Bate, who must have known the truth of the case, was put forward to say that not only there was no professional connexion between Benjamin Lovibond and Henry Lovibond in the matter of that election, but they were not even related together?—I did not know that until now. I was not engaged in the case.

12,792. I will give you the question. Here it is in the evidence of Mr. Robert Bate. No. 5843 is the question. After showing that Mr. Henry Lovibond was the real representative and introducer of Mr. Kinglake, and that Mr. Benjamin Lovibond had nothing at all to do with Mr. Kinglake, never been his agent, never acted for him in any way, he goes on to answer thus, in answer to question 5843, put to him by Mr. Powell: "I understand that that gentleman is not "a relation of Mr. Benjamin Lovibond?—Not that "I am aware of."—I believe he is not, or the relationship is so distant, at least, that it is not known. It is a common name in this part of the country. I have frequently asked whether there was any relationship between Benjamin Lovibond and Henry Lovibond, and I have been always told that there was not, or at all events it was so distant that they did not know it.

12,793. Do you think it a very remarkable thing that they should try to separate Henry Lovibond from Benjamin Lovibond, when you know from what you yourself have seen, and what you have heard from other witnesses, that both of them were active in that election of 1865 for Mr. Kinglake?—I think it is a remarkable thing.

12,794. Why did they sever them?—I do not know at all.

12,795. Was it not to cover by the severance the respective corrupt practices of the two from disclosure?—I can only say, in reply to that, that you are very much better able to form an opinion than I am.

12,796. I am only speaking of your recollection?—I have no recollection at all about it. You are now putting a thing to me that is all new.

12,797. There was no business connexion or family connexion between them that you know?—Mr. Henry Lovibond served his articles to Mr. Benjamin Lovibond. He had been an articled clerk, but I am not aware that there was any relation.

12,798. I understand you to say that you know that both Benjamin Lovibond and Henry Lovibond were active in that election for Mr. Kinglake?—I know they were active in that election, and I also perfectly well know that both Kinglake and Shelley canvassed together, so far as I know.

12,799. And that both Benjamin Lovibond and Henry Lovibond were acting for both?—I know they were meeting constantly in the same committee room, and there was only one place for meeting, which was Mr. Benjamin Lovibond's own office.

12,800. And did not Benjamin Lovibond, though an invalid, though a cripple, actually accompany Mr. Kinglake and Sir John Shelley on horseback, on their canvass?—I have no doubt that was so.

12,801. You cannot explain in any way how it happened that so respectable a man as Mr. Robert Bate was put forward on this occasion, to endeavour to persuade the committee of the House of Commons that these two had not been acting on the same side for the same candidate at that election?—No, I cannot, because I was not behind the scenes in any way, and I do not know why that was.

12,802. (*Mr. Price.*) They had no business relations except regarding the election? There was no partnership?—No. Mr. Benjamin Lovibond had been in partnership, he was not then, but he had been in partnership with Mr. Carslake, and he never had any partner after that. Well, that contest of 1865, as you are aware, led to the election petition, and the election petition to the unseating of Mr. Westropp; and then the next question was what was to be done, and on that point there was some divergence of opinion, I believe, in the town; but at all events I find this as the first entry after the 28th of April: "On the 28th "April returned from London. Mr. A. W. Kinglake "retains his seat." That ends the petition. I do not apprehend you want to know from me anything about that. Then I find on the 30th: "Attending Mr. "George Bryant Sully and Mr. Thomas Sully, and "conference. With them to Mr. Lovell Sealy, and "thence to Mr. Benjamin Lovibond's. Preparing "requisition." And there in that entry you have a suggestion of the history of the preparation of the requisition to propose to Sir John Shelley to stand

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again. And, speaking from memory upon that, the position was this : Mr. Bagehot to the best of my belief was at that time spoken of as a possible candidate.

12,803. (*Mr. Coleridge.*) He resides in this neighbourhood, does he not?—He does not reside in this neighbourhood, but his family belongs to this neighbourhood. He is a Somersetshire man, but I think he always lives in London. Mr. Benjamin Lovibond and these gentlemen whose names I have mentioned here were very strongly of opinion that no candidate ought to be thought of until Sir John Shelley had had a requisition to stand, and had the fullest opportunity of standing if he wished to do so ; and the consequence was the drawing up of this requisition, which I believe was drawn up at Mr. Benjamin Lovibond's house at Dunware. We went there for that purpose.

12,804. (*Mr. Anstey.*) You, remembering those circumstances, will be able to tell me this : was not Sir John Shelley a new man at that time to Bridgwater, selected solely because of his wealth or reputed wealth ?—Well, no, sir ; I do not know that, because, for reasons stated, I was a novice in the election of 1865 altogether, and I did not know the facts. I know that we were very much pleased and delighted with Sir John Shelley when he came.

12,805. I am not saying whether he was rich or not, but he had a reputation of wealth ?—He had a reputation of great wealth ; that is certain.

12,806. Was not it a fact that Mr. Travers Smith recommended to the great patron of the borough, that is, Benjamin Lovibond, five persons to stand, amongst whom the selection was to be made by the Liberals ; some of them of very different politics from the others, but all agreeing in this, that all were reputed to be rich ?—No, I do not know.

12,807. (*Reading.*) "Sir John Villiers Shelley, a rich "baronet, advanced Liberal, &c., Sir Frederick Halli- "day, late Governor of Bengal, very moderate, rich, "and good candidate." There you see two persons who would vote against one another if elected, but equally acceptable to the Lovibonds. "Walter Bage- "hot, an able man; a good candidate. Lord Milton, "eldest son of Earl Fitzwilliam. Intelligent young "candidate, but not experienced. Highest social "and family position." Now, listen to this, if you please : "All the above are men of wealth and posi- "tion who would do credit to almost any constitu- "ency." Now, having regard to the fact that they are all of different politics from one another, is it not clear that in selecting the candidates at that election for 1865, Mr. Lovibond, and, perhaps, the rest of you —the rest of them—were solely influenced by the reputation of wealth ?—Well, it certainly does look as if wealth had a good deal to do with it. I only remember myself the two names of Lord Milton and Mr. Bagehot. I do not remember any of the other names at all; but I do remember Lord Milton's name being mentioned, and I fancy there was some communication with it.

12,808. Then, in answer to this letter, I see that Mr. Benjamin Lovibond on the 20th June writes to Mr. Travers Smith to say that of this lot Sir John Shelley is the person selected. Putting these two letters together, have you any doubt whatever that Sir John Shelley's announcement of his intention not to expend his supposed wealth in bribing the voters of Bridgwater came with considerable surprise upon Mr. Benjamin Lovibond and his associates, considering what I have just read to you ?—Well, I should think it is very likely that it might ; but I had at that time no knowledge whatever of it, and I am only forming an opinion in the same way you are. One thing I should mention about that election of 1865 is this, that if Sir John Shelley exacted, as I have heard stated here, a pledge from Mr. Benjamin Lovibond that no money should be spent, and that if Mr. Lovibond kept his pledge he also kept his secret, for certainly, I never heard of any such pledge. So far as I am concerned I never heard of any such pledge.

12,809. You never heard that that pledge had been given to Sir John Shelley by Mr. Lovibond as a man of honour that he would not spend any money ?—He may have given him that pledge, but he must have kept it secret. My impression is that you will find that up to the very night of the polling at the election of 1865—I was absent from home at the time—but, from what I have heard since, I believe you will find that up to the night of the polling there was a full expectation that money was going to be spent on the Liberal side.

12,810. In justice to you, I suppose you mean that until Sir John Shelley stated that in his examination before the committee of 1866, which was printed in the blue book of that year, you never heard it ?—I will not say that. It is very likely I may have heard it before that, because there was some discussion about it.

12,811. You must have heard it ?—I heard it the other day.

12,812. Oh yes, it has been in the blue book since 1866 ?—Yes, but you must not suppose I read all that blue book.

12,813. Do you mean to say that before we heard it at this inquiry you never heard of that pledge of honour that Benjamin Lovibond gave to Sir John Shelley ?—I think I had ; but what I want to tell you is this, that I had not heard of it, and I do not think many people in Bridgwater had heard of it on the night before the poll.

12,814. I think it is highly probable you did not ; and that is why I want you to go on with your statement, and not tell us of your virtuous acts, because we will take them for granted, but all your other acts in connexion with that election.

12,815. (*Mr. Price.*) You were about to give us the history of 1866 ?—I was. There was a question as to who should be a candidate, and it was agreed that Sir John Shelley should have the first chance.

12,816. (*Mr. Anstey.*) I was waiting for you to have done your statements on the particular case in order to ask you a general question. Going back to 1865, tell me if you say the impression was here that money was going to be spent ?—Well, I certainly did hear something, and I think after the election petition had been disposed of, and some time after that, but I have been told that up to the very night of the petition before the polling the Liberal party in Bridgwater were under the impression that money was going to be spent, and they only made the discovery that no money was going to be spent late that night before the polling at Mr. Lovibond's house.

12,817. How came the discovery about ?—By being told there was no money.

12,818. Who told you ?—Mr. Benjamin Lovibond himself, I believe.

12,819. No money by either candidate ?—That is what it came to, that there was to be no money spent.

12,820. Were you present when that communication was made ?—I was not.

12,821. What effect had it in your judgment on the poll the next day ?—The next day the Conservatives had it all their own way.

12,822. And you attributed it to that ?—I attributed it to the cause of not spending money.

12,823. To effect his return; we know that Mr. Westropp was unseated ?—Yes.

12,824. It did not prevent the return of Mr. Kinglake ?—No.

12,825. I will ask your judgment about Mr. Kinglake's election, was not that in effect by corrupt practices ?—There was only one Conservative candidate, so that it was necessary that one Liberal candidate must be returned.

12,826. You also know there was a cross petition against that one candidate's return ?—Yes.

12,827. And therefore please to answer my question if you can, was the return of that candidate against which the petition was presented really effected

by corrupt practices in your judgment?—I do not know that at all.

12,828. You do not know for some unexplained reason the cross petition was very faintly urged by those promoting it upon the attention of the committee after Mr. Westropp had been declared unseated?—No, I did not know that, and I do not think it was.

12,829. You were up at the trial?—Yes.

12,830. You were not present professionally?—No.

12,831. But you are able, no doubt, to say whether a single witness was called to prove that extensive organization of treating, that universal opening of public-houses for debauchery and drunkenness, which have been spoken to by some witnesses who have been examined before this Commission?—Yes, I think there was. I am speaking from memory, but I think you will find there was an attempted case made of treating at the "Bake Road Inn."

12,832. Do you say there was gross treating?—I say what I understand to be an answer to the learned Commissioner's question, whether any evidence or not was adduced of it?

12,833. No; I asked you whether there was any extensive organization?—Of treating?

12,834. No; extensive organization?—No, I do not know it.

12,835. If there was not, why was there not?—That I really cannot say.

12,836. Was not it done for the purpose which you proposed should be the case on a subsequent occasion, namely, to keep these matters as much as possible out of view, and as one candidate was unseated for corrupt practices, it was better not to run the risk of a general inquiry into the borough, by reason of the other candidate being unseated also for corrupt practices?—I do not think it was, and I will give you another reason why I do not think it was, because there was at that time an exceedingly angry feeling by the professional men on the two sides, particularly Mr. Richard Smith and Mr. Henry Lovibond. I do not think there was any compromise or understanding of the sort.

12,837. I can only say then that you have not read through this blue book, unfortunately I have twice?—The suggestion is perfectly new to me at all events. I certainly never dreamt of it at the time.

12,838. But you have heard what the witnesses have said of the extensiveness of the organization of treating?—Yes, I have.

12,839. If no evidence whatever was given of that—not of isolated acts of treating, but of the organization and extensiveness, if I may use the word, of it, how can you account for it?—Only by supposing their case was badly got up, and they were very much occupied in preparing their own defence.

12,840. Who represented them?—I think Mr. Richard Smith was struck down with paralysis in the very middle of it. He was conducting principally the case, and shortly before the petition came on for hearing he was seized with paralysis.

12,841. That accounts for it. That is the man against whom an action for penalties had been brought and the penalties recovered in 1838?—Yes, the thing broke down, and the whole matter devolved upon his son, a very young man indeed. There were other solicitors, but I think the main portion of the preparation of the defence devolved upon Mr. Smith the younger.

12,842. I am speaking of the cross petition, not the defence?—And the cross petition.

12,843. (*Mr. Price.*) I suppose the cross petition against Mr. Kinglake was in the hands of Conservative solicitors?—Precisely the same.

12,844. (*Mr. Anstey.*) Did the same solicitor manage the defence of the one who had the conduct of the other?—Yes, I think so. I have no doubt of it. There were two or three solicitors engaged in it, Mr. Trevor, Mr. Ruddock, and Mr. Auber, but I think the son took the most active part in getting up the case, as I understood at the time, after the death of his father.

12,845. But you are quite sure the person who conducted the cross petition was paralyzed by illness in the course of it, and that it fell into the hands of his son, a young man, who probably mismanaged it?—That is my belief, speaking at this moment from memory.

12,846. That is a reason at once?—Yes.

12,847. Do you know or did you ever hear of any debts contracted for colours, draperies, and that sort of thing, which no sane man would think of incurring unless for votes, on the part of the Liberals?—Yes, not until some time after. I had something to do with them, and know something of the payment of them.

12,848. It is an almost unaccountable thing that Sir John Shelley, who is not resident in the borough, should want 37*l.* odd worth of draperies from Mr. Hurman, who happened coincidentally to have a vote. Do you know how that debt became a bad debt? It stood over that contested election without payment, stood over another without payment, and then finally devolved upon the shoulders of Mr. Vanderbyl at the next contested election in 1866?—I do not think the whole of it, speaking from my memory of it.

12,849. You have heard the evidence as well I have, and it was stated that 37*l.* odd was paid at the election of 1866, in which Mr. Vanderbyl was concerned and, paid out of his money? All that is admitted, or it is rather stated and not yet contradicted, though it probably will be, that it was made a condition of that, that it should be so paid before the draper Harman, the claimant of the bad debt, would vote again. Can you throw any light upon that?—That upon any condition I can hardly throw any light upon, but I think it will be found, if these accounts can be produced, that Mr. Vanderbyl did not pay the whole of Mr. Harman's bill, but that a portion of that bill was paid by Mr. Kinglake.

12,850. Let it be only one farthing?—I have no doubt of this, that Mr. Vanderbyl did pay after his election a proportion of several of these old bills which stood over from Sir John Shelley.

12,851. And Mr. Kinglake another portion?—And Mr. Kinglake another portion.

12,852. This was one of them?—It is very likely that this was one of them. I will tell you exactly what occurred about that.

12,853. Have you the smallest doubt in your own mind that that debt would not have been paid if Mr. Vanderbyl had not been elected, and Mr. Kinglake had not been the sitting member?—I have no doubt whatever they would not have been paid. It is quite certain.

12,854. Can you in your mind define any distinction between that and a bribe corruptly and directly administered or offered to Hurman for his vote?—Of course no other distinction except this, that it was for goods sold, although it may have been on a questionable and doubtful chance of getting a payment.

12,855. Not sold to Mr. Vanderbyl?—No.

12,856. Mr. Vanderbyl therefore was not interested in the goods?—No.

12,857. And when Mr. Vanderbyl became connected with it it was a bad debt, and all that Mr. Vanderbyl did was to pay off a bad debt without consideration claimed against another person to whom he was neither kith nor kin?—Yes.

12,858. Then he is asked to pay that money just at the time he is asking for the vote of the person applying for payment, and the payment is made, and the vote is given; is there any difference in a moral or a legal point of view, because you are both a moral man and a lawyer, I hope; is there any difference in such a case as that, and the more vulgar form of bribery in which money is said to be advanced, "I give you this for your vote"?—I have only to make the same request that I did before, the whole thing is in your knowledge, but it is only a conclusion of mine. You are asking what it is a painful thing to answer, but if you do I must.

12,859. Are all those bad debts, or whatever their origin was, whether for goods supplied or not supplied,

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but viewed as bad debts, and afterwards paid off, were they all paid off with a view to the success of the subsequent election ?—Undoubtedly.

12,860. (*Mr. Price.*) You said you had to tell us something about that. I do not know whether there was anything more about the recovery of those debts ?—Well, I think it was just this: when, after the election of Mr. Vanderbyl, Mr. Lovibond went into these accounts, these old debts became the subject of consideration, and I do not know whether you have or Mr. Lovibond has any accounts still left on the subject, for I have no account, but I rather think these debts were dealt with in this way—I am speaking from memory. First of all, certain accounts which had stood over from Mr. Kinglake's and Sir John Shelley's contest. There were then the accounts of Mr. Bagehot's election, there were then the accounts of Mr. Vanderbyl's election, and I think those were tabulated; that Mr. Kinglake was charged with one half of the cost of the account of his election and Sir John Shelley's election, that Mr. Bagehot was charged only with those accounts which had distinct reference to his election, that Mr. Vanderbyl was charged with those accounts which had reference to his election, and that then also his attention was drawn to the other moiety of Sir John Shelley which would have been Sir John Shelley's account, and the case was laid before me, and he was left to take what course he thought right about the matter. I am speaking from memory. My impression is the whole amount of those were not paid, but I am not sure of that, but that some kind of composition or arrangement was arrived at, and something less than that second moiety was paid.

12,861. (*Mr. Price.*) Was Mr. Vanderbyl informed at that time that the payment of those debts had been enforced or made a condition precedent to any man voting for him ?—No, I do not think that.

12,862. Because that is the question, for he becomes a personal briber at once himself if he was informed of that, and personally implicated in it. If it was kept from him and was asked as a charity it would be a different matter ?—I feel very sure that that was not so.

12,863. He must be a very charitable man to go and pay Sir John Shelley's debts ?—No, it was not in charity it was paid. I do not imagine that for a moment. It was that kind of gratitude which looks to future benefits.

12,864. (*Mr. Coleridge.*) It was diplomacy ?—It was in fact to keep everything smooth and pleasant.

12,865. Diplomacy ?—It was diplomacy, with a view to future election. That is what I understood at the time, and I did not at all understand at the time that these men had made it a condition. It might be true, but I did not so understand it.

12,866. (*Mr. Anstey.*) But supposing that I came to you and ask you for a vote, and you say to me, "I "have a bill of costs which has been standing over for "three elections and not paid yet," and I say to you, "I will pay you your bill of costs," and supposing you say, without referring to what I have said, "I shall "be very happy to vote for you," do you mean to say it is not as much a bargain as if the conversation had been less broken and interrupted ?—Well, I think so.

12,867. What is the difference between that and Mr. Hurman's case ?—I was only saying I did not know that myself. It may have taken place and be true, but was not a thing known to me.

12,868. (*Mr. Price.*) Tell us whether it had been the practice on former occasions for men to stand outwards who had unpaid accounts, when they had a rich candidate down here, to say they would not vote at all unless they got their bills paid ?—You must ask some other person, because you see from the evidence which I have given I have no previous knowledge. Then Sir John Shelley declined to stand. I cannot remember whether we had any personal interview with Sir John Shelley in London or not.

12,869. (*Mr. Price.*) Do you remember why he declined to stand ?—No, that I do not remember at all why it was he declined to stand. I cannot remember the cause why, but I do remember a very considerable effort was *bonâ fide* used to get him to stand, but he would not. He declined, but what the reason was I do not remember. Then we put ourselves into communication with Mr. Bagehot, and I recollect myself going to London with Mr. Reed and Mr. Lovibond, and having an interview with Mr. Bagehot, at which he consented to stand.

12,870. Was anything said at that interview with Mr. Bagehot about money being required to be spent ?—No, I remember very particularly nothing was said. It was a thing that was remarked afterwards that he did not inquire what the expenses would be.

12,871. He made no inquiry as to that ?—Mr. Bagehot made no inquiry about the expenses, there was a very short time allowed with him.

12,872. Had you any introduction to him, or had any of you known him before, or was it through Mr. Travers Smith that you got the introduction ?—I certainly did not know him before, although I knew some of the family.

12,873–4. (*Mr. Coleridge.*) Was Mr. Travers Smith present at this interview ?—No, this interview took place at Mr. Bagehot's residence, or his wife's family residence. I rather think that was on the 14th of May 1866 that we saw Mr. Bagehot in London and returned from London, and Mr. Bagehot came down. The election I see was nearly a month afterwards, but I then remember that there were many consultations between Mr. Lovibond and Mr. Reed and myself, not Mr. Cook, as to how this election was to be conducted and how the money was to be spent.

12,875. You were going to tell us how you first fell ?—I will give you it exactly, that will introduce the subject of this memorial about which the learned Commissioners asked so many questions, and I have this entry about that.

12,876. (*Mr. Anstey.*) The petition you mean, not the memorial ?—Yes, the petition of 80. I find this entry in my diary: "Meeting Mr. Sully in the "morning, drawing up petition, Mr. John Lovell "Sealy, Mr. Cook, and myself."

12,877. That is Mr. Cook the lawyer ?—Yes, Mr. Cook the lawyer. We were the three persons who drew up the petition.

12,878. Then in fact Mr. Sealy was a promoter of that petition ?—Unquestionably.

12,879. Because he said he was not the other day ?—Unquestionably he was, because it is on my book, and I think the thing arose in this fashion: after the report of the election committee, notwithstanding the existence of corrupt practices, the chairman, Mr. Baxter, did not make the ordinary motion to the house. It was for him according to the etiquette of the house, as I understood, to make a motion for a commission, and he did not do so, and Sir Harry Verney gave notice of motion for a commission for Bridgwater without any consultation with anybody in Bridgwater at all.

12,880. Who gave that notice ?—Sir Harry Verney.

12,881. (*Mr. Anstey.*) No; Colonel Taylor for the writ, and Sir Harry Verney gave notice of motion to suspend the writ ?—That is exactly what I meant, I thought it was for a commission, but that is what I am referring to.

12,882. And he also gave notice for a commission ?—I thought so; and upon that Mr. George Sully, who felt strongly about this matter, saw Sir Harry Verney, as he had informed me, and as I understood at the time, in London, and asked him whether anything could be done at Bridgwater with a view to assist Sir Harry in the motion he had before the house, and Sir Harry Verney suggested the preparation of a petition, and it was in consequence of the suggestion of Sir Harry Verney that Mr. Sully accompanied by Mr. Collins called together a meeting, and at that meeting Mr. John Lovell Sealy, Mr. Cook, and myself were deputed to prepare or requested to prepare this memorial, and I was one of the persons who prepared this memorial; and I must say at once that the last

clause, which suggests that when one candidate was unseated the other should take his seat, I was the father of, because I remember perfectly well suggesting it and I am responsible for that. Well, that was prepared, and it was signed numerously, as you see, and signed by myself.

12,883. Did you sign it cordially adhering to every statement in it, and the prayer?—What I did was this: you see the petition alleges that we are informed and did believe at the time it was so, because I derived my information at that point from Mr. Fletcher, Mr. Lovibond's clerk, and others who had been actively engaged in conducting the petition against Mr. Westropp, and who furnished the information and instructions upon which the statements there were made. I had no direct personal knowledge of the truth of those statements.

12,884. Did they inform you that there were no less than 180 alleged cases of bribery which might have been proved against Mr. Westropp on that occasion, if the chairman of the committee had not risen after only seven of that number had been established?—They certainly did, or I should not have put it in that petition.

12,885. Are you aware that the subject was brought in the form of a question put to Mr. Baxter in the House of Commons, and the Speaker decided that it could not be put, and that that was the reason why the motion was made for the suspension of the writ?

12,886. That being so, I ask you again, was your motive a *bonâ fide* one according to the tenor of the petition, or was it what has been suggested by Mr. Sealy or one or two other witnesses as regards themselves, merely a party manœuvre intended to prevent Mr. Westropp coming in that time?—I can speak for myself, and I was prepared to go the whole length of any part of that petition.

12,887. Then you were the only person yet examined, amongst those who signed the petition, who seems to have signed it with an honest purpose?—I can safely say that I was prepared to go to the length of every part of it. I can only express my earnest regret to this moment that the prayer of that petition was not granted. Well, that petition was disregarded by the house.

12,888. (*Mr. Price.*) The committee reported at that time, did not they, that extensive practices had prevailed?—Yes, they did.

12,889. Do you know whether any negotiation took place after that report of the committee came out, any negotiation with the members on the Liberal side of the house to take care that no commission should be issued?—No, I do not know that.

12,890. Because it seems a marvellous thing, when a committee reports corrupt practices have extensively prevailed, that no action should be taken on it in the house?—I am inclined to think that there was at that time, if the truth could be known, a difference of opinion among the Liberal party in Bridgwater on the subject. There are a certain number of electors who were sincerely desirous of having the prayer carried out.

12,891. And a commission?—Yes.

12,892. Not merely the delay of the writ, but the issuing of a commission?—Both one and the other.

12,893. Of course the writ was sure to be delayed if the commission was issued?—Yes, and I should think probably others who did not so wish.

12,894. You do not know whether any negotiation took place with anybody in authority in London, any member of parliament of influence with the Liberal party who were in a majority of the house to take care that no inquiry should be made?—No, because I was just on the other side, because that is just the thing that would have been kept at that time from me.

12,895. How were you on the other side?—I mean, not having at that time been mixed up in corrupt practices, these persons came to me with their account.

12,896. Your hands at that time were clean?—My hands at that time were clean, and if any negotiations of that sort did go on they would have been just kept from my knowledge.

12,897. (*Mr. Anstey.*) I can give you the dates. The notice of motion for the issue of the writ being given, the petition is presented on the 7th of May. Upon that the question as to the issue of the writ is adjourned until that petition shall be considered according to the terms of a motion to that effect, which notice is given by Sir Harry Verney, and on the 31st of May all those matters come on together. Colonel Taylor moves on behalf of the Conservative party that the writ do issue, and Sir Harry Verney moves, by way of amendment to the motion, that no writ do issue for the borough of Bridgwater until after inquiry. That is to be found in the Commons Journal, chapter 121, folio 385 B, and that amendment was rejected by a majority consisting of Conservatives and Liberals. None but some Liberals, who appeared from the report in Hansard to have been very angry at the manœuvre, having voted in the minority?—Yes.

12,898. Being so refreshed, have you any doubt that that was the result of a corrupt compromise between the members of parliament on the subject?—Well, I have no other means of knowing than this, but this is new to me, and my opinion is of no value on a point of that sort compared with yours. I see that the date at which I drew up the requisition was the 5th of May, just two days before it was presented. Well, I was for one, I remember, very much annoyed and chagrined at the action of the house in the matter, and I certainly did think, and it was pressed on me at the time—I had several discussions with Mr. Henry Lovibond at the time, for the conclusion was not arrived at, I did not go with perfectly clean hands into the bribery, in five minutes—it was done after a great deal of discussion and argument, before I fell from one position into the other.

12,899. (*Mr. Price.*) That part of the prayer praying for a commission of inquiry, was that put in on your suggestion or advice, or Mr. Lovibond's advice, or Mr. Sealy's advice?—I rather think that Mr. Sealy was informed by Sir Harry Verney; that was the impression on my mind, that it was necessary for that to be in in order to support the thing.

12,900. In order to support the motion for the suspension of the writ it was necessary to pray for a commission of inquiry?—That was the impression on my mind, and I recollect for one that I was ready, and said, "Very well, I am ready."

12,901. (*Mr. Anstey.*) I suppose what Sir Harry Verney told you was, that the house would no entertain a motion for the suspension of the writ, unless the person making it pledges himself to take steps towards issuing an inquiry?—No doubt that is it; that confirms the impression I had on my mind.

12,902. It is the practice of the house?—It is the practice of the house.

12,903. Was it in consequence of the failure and miscarriage of those attempts of yours that you took the course you subsequently did?—That was partly it. I had many transactions with Mr. Lovibond as to the possibility of conducting the election on pure principles. What he pointed out to me was, he said, "Our party "has just now incurred heavy expenses in fighting "this long petition, and it is impossible to hope or "expect that they will incur the expense of fighting "another petition; their funds have been heavily "drawn upon, the Liberal Party, by 500*l.* or 600*l.* "after the petition, and that is a considerable sum "for persons to take out of their pockets for Liberal "purposes;" and then he pointed out that the consequences would inevitably be that the Conservatives would walk over the course with the greatest possible ease in the world, and it was by arguments of that kind, coupled with the irritation which existed in my own mind, that I was induced to consent to the course.

12,904. (*Mr. Anstey.*) Will you fix the date as nearly as you can, as to a month or so, of the change of your purpose?—It must have been necessarily within a very short time, because we were only a very

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short time in doing it. Action was immediately required.

12,905. In June ?—Because you see the 5th May 1866 was the drawing up of the requisition, and the 7th May was the presentation of the petition. On the 14th we saw Mr. Bagehot in London, so it was one of those things which one had to make up one's mind about, in which one acted under irritation, and in which I did act in the way I told you.

12,906. (*Mr. Price.*) Then I understand that Mr. Lovibond represented to you that the expenses which had been incurred by the Liberal party petitioning against Mr. Westropp was a reason why you should have recourse to corrupt practices at any future election ?—It was this: it made it perfectly hopeless for us to attempt to get through the petition, in the event of the Conservatives having recourse to corrupt practices.

12,907. Then it was to be a case of diamond cut diamond in the way of bribery ?—Exactly; our funds were exhausted. We had just exhausted our troops, and the battle had been so expensive that it was equivalent to a defeat.

12,908. (*Mr. Anstey.*) Now tell me about that petition which you succeeded in. I cannot find among the papers which the chief clerk of this Commission has discovered, the brief which was prepared for and held by the counsel for Mr. Kinglake in defending his suit. I only found the copy of the brief that related to the petition against Mr. Westropp. Can you tell me what will explain that, whether it is a fact that the petitioners for Mr. Westropp were not represented by the same parliamentary agent or the same attorney who represented Mr. Kinglake in defending the cross petition ?—I take it it is this, that Mr. Benjamin Lovibond was acting and prepared a brief on the part of the petitioner, and that Mr. Henry Lovibond conducted the defence for Mr. Kinglake.

12,909. Therefore the brief for Mr. Kinglake will be in Mr. Henry Lovibond's hands ?—Yes.

12,910. And the other was Mr. Benjamin Lovibond ?—Mr. Benjamin Lovibond.

12,911. (*Mr. Price.*) Then Mr. Kinglake appeared, of course, on his own petition by counsel ?—Yes.

12,912. And did he at that meeting, or not, by the same counsel who had appeared for the petition against Mr. Westropp ?—I believe it was not. Mr. Kinglake paid the expense of his own defence.

12,913. And that was prepared at Mr. Henry Lovibond's office ?—That I believe was prepared at Mr. Henry Lovibond's office. Then I come to the arrangements between the lawyers. In the course of these discussions Mr. Lovibond and my own feeling of irritation had overcome my scruples, and I was prepared to go in for illegal expenditure.

12,914. (*Mr. Coleridge.*) Who persuaded you to do that ?—The only person with whom I had any conversation on the subject was Mr. Henry Lovibond.

12,915. Then he persuaded you to sanction this ?—He pointed out to me ——

12,916. (*Mr. Anstey.*) Did he persuade you ?—He pointed out to me it was the way to win the election, and that I presume would amount to persuation.

12,917. (*Mr. Price.*) He argued with you on the matter and you yielded ?—Yes, I did. That is the truth unquestionably, and I recollect the meeting held in Mr. Lovibond's office at which were present Mr. Henry Lovibond, Mr. Reed, and myself, and the point of conversation was, how the funds were to be divided for bribery in case it was necessary to have recourse to it. Mr. Lovibond and myself had had some previous conversation upon the matter, and in fact we were in actual conversation upon it when Mr. Reed came in, and I should state at once to explain this—there has been something said about unfriendly feeling between Mr. Reed and Mr. Lovibond and myself. When we went to London to see Mr. Bagehot the position of things was this: with reference to our position with regard to each other, I was then on more friendly terms with Mr. Reed and more inclined to hold with him than with Lovibond.

12,918. Why ?—There were two or three reasons. I had known Mr. Reed a great number of years, he is more my own age, and there had been a circumstance which had occurred with regard to Mr. Lovibond in which, not very long before, he had made a very violent attack on Mr. Carslake, and I was not on particular friendly terms.

12,919. Nothing to do with politics ?—Nothing to do with politics at all; simply as a matter of feeling; and I remember at the interview with Mr. Bagehot I was rather at first inclined to side with Mr. Reed, and Mr. Reed was jealous of Mr. Lovibond. He thought that Mr. Lovibond had got Mr. Kinglake into his own hands as his representative, and was going to engross Mr. Bagehot, and he thought it was unfair.

12,920. (*Mr. Coleridge.*) But it appears there was nothing to be made out of it, when the like was to be done gratis ?—But in the course of the meeting which took place it became very plain to me, and that is, that whether I liked Mr. Lovibond or did not like him, or whether I liked him better than Mr. Reed or not, he was the very much more able man of the two for any purposes of electioneering. I formed that opinion rightly or wrongly, and I came to the conclusion that Mr. Reed was not a person able to carry on electioneering matters.

12,921. (*Mr. Price.*) On the footing of bribery do you mean ?—I mean on the general footing of address in meeting persons of rank, members of parliament, and general prudence and discretion in his method of acting; and I saw plainly enough, if the party were to be kept together and the interests of the party consulted, and I was to take any part in it, I was to make up my mind to look to Mr. Henry Lovibond as the chief among the solicitors, and I did do so. In consequence of that I sided over from being more with Mr. Reed than Mr. Lovibond. I necessarily came to take a part more with Mr. Lovibond than Mr. Reed, because I agreed with his conclusions and the arguments he brought forward with regard to the various things that had to be done.

12,922. (*Mr. Price.*) Had Mr. Reed then at any time expressed his disinclination to engage in corrupt practices ?—No, I do not think he had. On this particular occasion Mr. Lovibond and myself were engaged in considering how the thing should be done. We were planning that one or both of us should go to London to make the necessary arrangements when Mr. Reed came in. We came to what we were talking about, and what was under consideration, and we said, "The question is, who shall go to London?" We were certainly both of us planning to suggest that Mr. Lovibond should go to London, but Mr. Reed jumped into the chasm, he volunteered at once, and said, "I will go and do it," and the consequence was, there was nothing in the world but to say, "Go," and he went. He went to London and stayed some days, and came back exactly as wise as he went away. He saw, he told us, Mr. Travers Smith, and Mr. Travers Smith said he would have nothing to do with any such arrangement.

12,923. (*Mr. Price.*) With what ?—He came up at once and asked where the money was to come from to fight the election. Mr. Travers Smith at a subsequent interview said to us, "Who is Mr. Reed who came "from Bridgwater? Is he a madman? He came up "to me and talked to me about sending down 3,000*l.* "to Bridgwater as if it were a bale of goods."

12,924. (*Mr. Price.*) Money is called by the word "bales" here?—Yes, I believe that is just exactly what was said. Mr. Reed therefore failed, and we had cast about for some other means of providing the money, and the time had run very short, and in point of fact, I think it had come up to the nomination before anything was determined or any arrangement made at all.

12,925. (*Mr. Coleridge.*) Had not Mr. Bagehot been asked about what he would provide ?—Not a farthing; not a single word was said to him on the subject, not by me, and I am sure not by anybody. On the day of the nomination Mr. Lovibond proposed to me that we

should provide. He said, "I have seen Mr. Bate; I have seen Mr. Reed." I did not see either of those two gentlemen, but Mr. Lovibond told me that he had seen old Mr. Bate and Mr. Reed, and that they had each of them agreed to join with him and me if I would join in a joint guarantee to raise a thousand to meet the expenses of the election.

12,926. Who was this arrangement with?—This is what Mr. Lovibond told me. I had no communication with Mr. Bate or Mr. Reed, but he told me he had seen them, and they had each consented to join in a guarantee sum, that it should be 250*l.* each, to raise, if need be, as far as a thousand pounds, to contest this election, and I consented; and he suggested to me that I should get Mr. Ford, Captain Ford as he is called now, he was Mr. then, manager of the Western Bank, as time was short, to go at once to Bristol and bring back 500*l.* in gold. I went and saw Mr. Ford, and gave him my cheque for 500*l.* He went to Bristol and brought back the money to my house in the evening at Wembdon. In the meantime it had been arranged by Mr. Lovibond that Andrew Allan should come up to my house about the time that Mr. Ford might be expected to be there, and receive the money, and I was to hand it over to Andrew Allan. Mr. Ford was in the house when Andrew Allan came. They did not see each other. Allan was shown into a room, and Mr. Ford went out of the window and Allan came in, and I handed him 500*l.* and he went off.

12,927. (*Mr. Coleridge.*) Did Mr. Ford know the purposes for which you wanted this money?—Unquestionably.

12,928. (*Mr. Anstey.*) You mean the present manager of the bank?—The present manager of the Bank; there cannot be the slightest doubt that he knew what it was for. Well, the next morning the polling commenced, and our party went rapidly ahead, and about 9 o'clock I think we were supposed to have won the election. From 9 o'clock to half-past 9 it was supposed to have been won; everybody was hurrahing and saying it was all right, and at that time I saw Mr. Lovibond in the street. We walked along together, and he said, "You know I am getting nervous about it. I "do not think they are spending anything on their "side."

12,929. Mr. Henry Lovibond told you that?—Yes, Mr. Henry Lovibond. Mr. Benjamin Lovibond had been struck down by paralysis as well as Mr. Richard Smith, and he was entirely out of all this.

12,930. (*Mr. Price.*) He had been struck down by illness and examined by the committee downstairs?—Yes, he was struck down in London, and was entirely unable to attend, and had nothing to do with it. He said, "I am getting nervous about this. I do not "think they are spending any money on the other "side. This is a trap;" and he told me he had stopped Allan, and told him not to spend any more money. The consequence of that was very quickly seen, before very long, that the Conservatives began to draw ahead, and we very soon found there was not a voter to be had or found. We then made another effort. I drew out another sum of 200*l.* from the bank; but so few voters were to be found that we could not spend the money. We were prepared to have spent money, but could not find anybody to take it.

12,931. The market was exhausted?—They had got them all quietly stowed away, and had the election in their hands. We were entirely out-generalled and beaten, no question about it. At the end of the day I had 100*l.* left in my pocket, and either that night or the next morning I paid it into the West of England Bank.

12,932. (*Mr. Price.*) How much altogether was spent? You have heard the evidence of Allan?—On the polling day, 600*l.* Now I remember this, in the evening about the close of the poll I saw Mr. Bagehot, and he said to me, "Mr. Barham, I am very "much afraid from some things I have seen and observed to-day that some corrupt practices have "been resorted to that ought not to have been re-"sorted to." I said, "Sir, I am sorry to tell you that such is the case."

12,933. (*Mr. Anstey.*) That is the case?—Yes; he said, "I am very, very sorry for it," and that is all that passed between Mr. Bagehot and myself on that occasion, and I think all that ever passed between us.

12,934. (*Mr. Price.*) Had anything been said by you ever to Mr. Bagehot when he came down to this town in the way of what money would be required to be spent?—Not one single syllable.

12,935. (*Mr. Coleridge.*) On the following day some more money was paid away to some voters who had voted without?—On the following day, I doubt if that was so.

12,936. A few days?—I think not.

12,937. (*Mr. Anstey.*) But subsequently?—Subsequently there was money; but the final settling up is a subject on which Mr. Lovibond will give you much better information.

12,938. (*Mr. Price.*) We are to understand, so far as the Liberal candidate was concerned in that contest in 1866, if it had not been for you lawyers not a farthing of money would have been spent by a candidate in bribery?—Well, I thought that was so. I thought that was our fault entirely; we not only spent the money, but we made a mess of it.

12,939. (*Mr. Anstey.*) Does that also apply to lawyers on the other side, *qua* Mr. Patton?—You must ask them.

12,940. (*Mr. Coleridge.*) How did you get repaid that 600*l.*?—It was repaid by cheque from Messrs. Warry, Robins, and Burgess. Mr. Bagehot referred us to them as his solicitors, and we had an interview with them.

12,941. What did Mr. Bagehot say to you?—Merely tantamount to what I have said just now, "I "am afraid, Mr. Barham, from what I have seen "to-day——"

12,942. How did the name of Mr. Warry come up?—I cannot at this moment remember, but I think it is probable that he gave it to me at that meeting.

12,943. You cannot remember how the reference was given to you to Messrs. Warry and Robins?—No.

12,944. Are they bankers? — No, his private solicitors, at the corner of Lincoln's Inn Fields, and Mr. Robins was the member of the firm who attended to this matter.

12,945. (*Mr. Anstey.*) Did you see any of the cheques that were drawn on that occasion with reference to that election?—One I certainly saw. I saw the two cheques that I drew myself against that.

12,946. Perhaps you can explain something. I see your name across very often in the cheque book in question; were these small accounts?—I think you will find those were regular public election accounts.

12,947. I want to know the meaning of this, there were several counterfoils in a book which begins with the 6th of September 1865, and which purports to be Mr. Kinglake's cheque book?—Well, I can explain that.

12,948. About the middle of it there is a sudden skip from the 6th September 1865, no cheques in the book drawn by Mr. Kinglake except the 6th September 1865, and only a few of them; and then there is a sudden skip to the 21st of August 1866, on which day a number of cheques are drawn as appears; and then against four of those counterfoils there is written in an entirely different ink—blue ink—the payees of the cheque, "W. Bagehot, Esq."?—Yes. I think I can explain that to you exactly. On the election of Sir John Shelley and Mr. Kinglake I was their election agent, but when it came to the settlement of election accounts, instead of paying the money into my hands they each of them opened a separate account. Mr. Kinglake, if I recollect right, at the West of England Bank, and Sir John Shelley at Sealey's. Each of them paid into those two banks the amount of money which by previous examination of the accounts it appeared would be required to settle those accounts.

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Then cheques were prepared, which were signed by Mr. Kinglake and Sir John Shelley on those banks, and those accounts were paid in that way, and when Mr. Bagehot's election came the same cheque book, there being more cheques unexhausted in the bank, was used for Mr. Bagehot's election; but in that case Mr. Bagehot paid the money into my credit, and I drew the cheques. That is exactly how it is. Then in the case of Mr. Vanderbyl, when his election came I paid money first before I had it, and then Mr. Vanderbyl sent me the cheque, so that the three were different in that way.

12,949. There was a question you said you would answer by-and-by. My learned colleague, Mr. Coleridge, referred you to an analogous point, and I think I may as well put it now; was it at this election, or was it at a subsequent election, the election in which you first dabbled in corrupt practices?—Yes.

12,950. Was it then or subsequently that the practice of making presents of 100*l.* ahead to the lawyers on the Liberal side was first introduced?—Well, it was done with respect to this election of Mr. Bagehot's. I will tell you exactly, because I have the date. Curiously enough I received with respect to Mr. Bagehot's election the sum of 50*l.* I stated to Mr. Robins, and Mr. Lovibond stated the same, that, looking at the unfortunate result of Mr. Bagehot's election, we made no kind of charge, and we left the matter entirely in his hands. Mr. Robins said, "There is no reason why you should not receive some "remuneration, although the thing has turned out "unfortunately." Then when the accounts were settled he gave us each 50*l.*

12,951. Who did?—Mr. Robins. The money was paid by Mr. Robins, as I remember it, to Mr. Lovibond.

12,952. (*Mr. Coleridge.*) Did Messrs. Reed and Cook get the same?—That I do not know, but I think it is highly probable. I have quite forgotten that. I do not know whether they did or not.

12,953. (*Mr. Anstey.*) On what occasion did you get the 100*l.* each?—I had more than that; Mr. Vanderbyl gave me the sum of 200*l.*

12,954. At his subsequent election?—Yes; but the difference was this, Mr. Vanderbyl paid me before Mr. Bagehot's, although Mr. Bagehot's election was first. I did not receive that 50*l.* until the month of February 1867.

Adjourned to Monday next at 12 o'clock.

THIRTEENTH DAY.

Monday, 6th September 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.

HENRY FRANCIS PURCELL, Esq., Secretary.

Mr. EUSTACE BARHAM recalled.

THIRTEENTH DAY.

Mr. E. Barham.

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12,955. (*Mr. Anstey.*) I wish to ask you what was the reason for such a state of organized treating which has been established or which could be established by witnesses had they been called; there was so faint an attempt made to dispute Mr. Kinglake's seat, and you said you were under the impression that it was fairly disputed. You were only a witness on the occasion and not professionally concerned. Since I asked you the question I have gone through the brief, and I find first of all, as I stated, there were no proofs whatever produced on behalf of Mr. Kinglake, at least none sent to counsel with the brief; on the contrary, it is distinctly stated that they apprehend very little trouble, and therefore Mr. Bristow will only have to ask Mr. Kinglake some questions founded on the minutes of evidence taken in the case of Sir John Shelley. He also stated that he believed that the statement of Mr. Henry Lovibond, that is, though found on Mr. Benjamin Lovibond's paper, it is Mr. Henry Lovibond's brief; that Mr. Henry Lovibond is of opinion that the whole thing was a sham. Mr. Axford's petition was presented six days after the main petition against Mr. Westropp, and he believes there is no real intention to press the case against Mr. Kinglake. If there is, Mr. Kinglake's examination, he thinks, upon the minutes of evidence already taken will dispose of that. Finally, he instructs Mr. Bristow to apply that the petition may be dismissed as frivolous and vexatious, and with costs. Being told those things from the brief, I ask, are you still of opinion that there was a *bonâ fide* intention on the part of the petitioners against Mr. Kinglake's return to bring out against Mr. Kinglake that case of organized treating, I must add bribery also, which it now appears from the evidence of witnesses would have been fully established against him if the petition had been pressed?—Well, I still think there was no kind of arrangement between the parties. I think, and I thought then, that the petition against Mr. Kinglake was merely one presented with a view to some possible arrangement, but I never heard such an arrangement was come to or contemplated for a moment on the Liberal side.

12,956. (*Mr. Price.*) It is also stated here that Mr. Kinglake when he is examined will rely on the truth of the return made by you as agent for election expenses, as containing the whole costs of and incidental to the election. I presume we may take it for granted that that is untrue?—No, not that election. I believed, as far as I knew then and now, with the exception of the subsequent disclosures about Sir John Shelley's bill, it was perfectly plain.

12,957. Sir John Shelley's bills and going halves with Mr. Kinglake?—Yes.

12,958. You were not a professional adviser on that occasion?—No.

12,959. I will ask you with reference to Mr. Henry Lovibond's instructions. I will read it to you: "The "truth is, the amount returned covers the whole "expenses of the election." Of course, informed subsequently by the disclosures which have been made up till now, I may take it for granted that that version of the instructions is incorrect?—That is clearly so. I was going to state that you requested me to make

inquiries for that brief. I did inquire of Mr. Lovibond and was going to give you substantially the same information.

12,960. (*Mr. Price.*) I see an attempt was suggested to the counsel, that although the costs had not been very large, yet as a matter of principle by way of example, it was desired that counsel should ask to have the petition declared frivolous and vexatious. Was it so declared?—No. I recollect well what Mr. Baxter's reply was on that occasion. He said, "There is nothing frivolous about Bridgwater."

12,961. (*Mr. Anstey.*) That was the chairman of the committee, Mr. W. E. Baxter?—Yes, the chairman of the committee.

12,962. It is a remarkable fact that great dissatisfaction, as appears from that petition of 80 which you signed, was felt by those in whose interest the petition against Mr. Westropp's return was presented at the sudden closing of the inquiry by the committee after going through only seven out of 110, which you have declared to be provable, cases of bribery against Mr. Westropp and his agents. Taking that sudden withdrawal of counsel for the petitioners against Mr. Westropp into consideration with the faintness of the case made against Mr. Kinglake, do you mean to say that you are still of opinion that the connexion between those two facts is not the connexion of cause and effect?—No, I do not think it was, because I recollect the circumstances. I was in the gallery outside, but I remember the committee room being suddenly cleared when a certain number of cases had been gone into, and when the solicitors and counsel had been admitted again, the committee informed the parties that they found bribery sufficiently proved, and it was not necessary therefore to go into any further cases.

12,963. You are aware, are you not, that the question was asked on behalf of the discontented Liberals of Bridgwater, of the chairman, Mr. Baxter, in his place in the House of Commons, by Sir Harry Verney, why that inquiry was so suddenly concluded, and the Speaker determined that it was a question that could not be put to Mr. Baxter, he not being an official person?—Yes, I think that was so. I have no distinct remembrance of it.

12,964. Have you any information other than that given in public, which has reached your knowledge of the suspicious circumstances alluded to by Sir Harry Verney in that question, and that alluded to to-day in the questions put by me to you?—No, I have not heard of any explanation at all upon the subject. I was going to ask your permission, before going further into the thing, to slightly qualify the statements I made on Saturday in one or two cases in which I spoke rather too positively. First of all with respect to Mr. Reed being at the "Globe Hotel," immediately after the voting. I still believe it was Mr. Reed when I said I saw him looking pale and frightened.

12,965. (*Mr. Price.*) What you said was, it was Mr. Reed looking out of one of the upper windows of the "Globe Hotel" as white as a sheet?—Yes; still I believe it was Mr. Reed. However, it stands in this way, that I saw some one looking out of the window of the "Globe Hotel," whom I believe was pale and frightened, and it was from that that I formed that conclusion. Then, with respect to the solicitors engaged on Mr. Westropp's petition, in turning that over in my mind, I was excluded from the room almost all the time, but I distinctly remember Mr. Ruddock and Mr. Bealy Smith took an active part, but I am not sure of Mr. Trevor being there; I am not quite sure of his being in the committee room.

12,966. (*Mr. Price.*) You mean Mr. Trevor was not actively employed in the petition against Mr. Westropp?—My statement was that Mr. Trevor was the solicitor most actively engaged, and I believe I made a statement that the other solicitors were also. I cannot charge my memory as to seeing anybody actually there but Mr. Ruddock.

12,967. Mr. Ruddock is the only one you can positively speak to?—I can speak to Mr. Ruddock positively. Then there was a question you asked me, Whether or not, but from the action of Mr. Lovibond himself and the other solicitors at Mr. Bagehot's election, any money would have been spent in bribery? I said "Certainly not." I meant that reply to extend only to the side of the Liberals. The question was put as applying to the whole borough—that but for the action of the lawyers on that occasion there would be no money spent in the borough.

12,968. That was my question?—I think not; unquestionably not, without qualifying it as applying to the Liberal party.

12,969. Do you mean now to say the expenditure at that election was in any way induced by the expenditure by lawyers on the Liberal side?—No, I mean to say our action could not, of course, control anything on the Conservative side. The answer was given rather as regards the whole borough. There is one other thing only, and that is with reference to the deputation to Mr. Vanderbyl the evening before the election, after the meeting at Mr. Sealey's house. I am quite sure of Mr. Sully and Mr. Sealey, but I am not quite sure of Mr. Wilton, whom I stated was present.

12,970. You said Mr. Sully, Mr. Sealey, and Mr. Lovibond?—No, Mr. James Sully and Mr. Wilton and Mr. Sealey; not Mr. Lovibond.

12,971. "I went to his house immediately after the meeting"?—Yes, where Mr. Sealey touched me on the hand, and said he wanted to see me at his house.

12,972. "I went to his house immediately after the "meeting, and there I found several members of the "Liberal party, including Mr. James Wood Sully and "Mr. Lovibond, and Mr. Wilton"?—I believe they were all, but I am now speaking of the deputation which proceeded from that meeting down to Mr. Vanderbyl, at the "Globe Hotel," and I stated Mr. Wilton went down, but I do not feel quite sure about that.

12,973. That is quite right "A deputation was appointed to wait on Mr. Vanderbyl," but not Mr. Lovibond?—That is it. I do not feel quite sure about Mr. Wilton.

(*Mr. Anstey.*) There was a question I purposely omitted to put to you at the time, because I did not wish to break the thread of your narrative, and we rose too suddenly on Saturday to permit me to put it. You recollect that important part of the meeting at which you went away, and Mr. Francis Thompson went away. Is Mr. Thompson one of the most respectable persons in Bridgwater?—Yes.

12,974. I believe he had been then long engaged in taking an active part for the Liberals?—He has always been a staunch Liberal.

12,975. I believe he was one of the 80 who signed the petition to the House of Commons?—I should think it is very likely.

12,976. Is it or is it not the fact that from the time of his going away at that moment, at which it became apparent that there was going to be, or it was likely there would be, corrupt practices at that election, is it not a fact that from that time to the present moment Mr. Thompson has publicly, and with the knowledge of the inhabitants of the borough, withdrawn himself from all co-operation with the Liberal party?—Well, it may be true, but I never heard of it till this moment. I do not recollect his taking any active part, but I do remember his stating that he had withdrawn.

12,977. (*Mr. Price.*) What is Mr. Thompson?—He is an ironmonger, who is one of the firm of Thompson Brothers, and he is also engaged in another business.

12,978. (*Mr. Anstey.*) Do you remember his making a declaration to this effect: I shall have nothing to do with a party which, after professing a desire for purity, has gone right into corrupt practices again, and brought so much disgrace on the Liberal party?—I do not remember hearing it, but from my knowledge of Mr. Thompson it is the likeliest thing in the world that he should say so.

12,979. Do you remember his making any declaration connecting the petition of 80 with the subsequent malpractices of some of those who signed it?—No, I do not remember. I do not recollect it.

12,980. You think it highly probable, however,

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from your knowledge of Mr. Thompson?—From my knowledge of Mr. Thompson and his character I should think it extremely likely that he made such a statement.

12,981. From that time to the moment of the election did you see him taking any part whatever beyond his giving his own vote?—None whatever; I do not remember seeing him.

12,982. (*Mr. Price.*) I think I saw a mistake in one of the newspaper reports. You said something about your having a present of 50*l.*, and then Mr. Vanderbyl presented you with 200*l.*?—Yes.

12,983. I think that is correct in the Bristol paper which I have before me, but one of the papers made out that you had more than that?—That is the sum.

12,984. (*Mr. Anstey.*) Do you mean at all events that Mr. Thompson's declining after that meeting to propose Mr. Vanderbyl as a candidate, it being previously expected that he would propose him——?—I know several persons declined to propose Mr. Vanderbyl that morning, and there was a great difficulty in finding a proposer and seconder. I know that perfectly well.

12,985. Was Mr. Thompson one of them?—That I cannot say. Mr. Vanderbyl had requested Mr. Hammill to propose him, and had relied on Mr. Hammill proposing him, and as he had taken the matter in his own hands, no arrangements had been made for finding a proposer and seconder on the morning of the nomination.

12,986. Was any reason given by those various persons for declining?—I do not know that any reason was given; they said that they would rather not.

12,987. (*Mr. Price.*) Was it, in point of fact, because Mr. Vanderbyl said he would not spend any money?—No, I do not think it was.

12,988. (*Mr. Anstey.*) Was it not the contrary?—No, certainly not in Mr. Thompson's case. In Mr. Thompson's case I think it was in consequence of the disclosures.

12,989. That was my question to you. There was a moment at which it became understood that Mr. Vanderbyl or his friends were no longer going to object to bribery; the question is, from the moment that was known and understood he and his friends were not going to object to bribery being practised in his interest, is it or is it not the fact that the various persons of whom you have spoken, Mr. Hammill and the rest who had been expected before to propose some one after the other declined to propose him?

12,990. On account of his no longer objecting to bribery?—I do not know.

12,991. From that moment when it was known or suspected that there was going to be bribery was not that it as to the *post hoc;* we will form our own opinion as to the *propter hoc?*—I cannot give you any reply, because it was not known in the town to what extent he was expected to go.

12,992. I will put it to you without reference to notoriety in the town, after the moment it became known to you and one or two more that in all probability there would be bribery on Mr. Vanderbyl's side to Mr. Vanderbyl's knowledge, or with the knowledge of his agents, was it not the fact that persons who before that were expected and had promised to propose and second him as a candidate for this borough did one and all, on being applied to, decline to do it?—I do not think anyone had proposed before.

12,993. Then who were expected?—Well, as far as expectation goes, we certainly thought that the leaders would——

12,994. Is it the fact that of those leaders as you call them, a number of persons, including one you have named, Mr. Hammill, did decline after you and one or two more became aware that Mr. Vanderbyl and his friends were going to bribe?—That is certainly the fact; whether there was any connexion between the two facts I do not know; it certainly was so, because I had this intelligence, as I told you, early in the morning on the nomination day, and it was not till after that that arrangements were directed to be made about the proposing and seconding.

12,995. (*Mr. Price.*) Why should there; was any hanging back as to getting a gentleman to propose Mr. Vanderbyl at all? You say no arrangement had been made by solicitors to nominate Mr. Vanderbyl?—I understood from Mr. Lovibond that Mr. Vanderbyl told him that he himself had written to Mr. Hammill, and the solicitors felt that that part of the arrangement had been taken out of their hands.

12,996. But are they the persons who arrange the minutiæ so far that they shall dictate who shall propose and second?—Certainly not; but my impression is that I myself saw that morning two or three persons to nominate Mr. Vanderbyl, and I am not quite sure that Mr. Thompson was not one.

12,997. (*Mr. Coleridge.*) However pure Mr. Thompson and Mr. Hammill's reason may have been, were not there several others who declined on the ground that by his refusal to find money he was endangering the position of the party?—Do you mean on that express ground?

12,998. Yes.—No, certainly not, I do not remember.

12,999. That it was bad diplomacy of Mr. Vanderbyl to stay in the field after declaring that he would spend no money, and they declined to propose him because they thought he was endangering Mr. Kinglake's seat?—No, I do not remember it. The persons who were applied to to nominate were not likely to be persons to do that.

13,000. (*Mr. Price.*) Whom did you apply to?—I think to two persons.

13,001. Who were they?—I would not be sure.

13,002. Did you ask Mr. James Wood Sully?—I think it is exceedingly likely, but I assure you I do not remember.

13,003. Do you remember whether he declined, or did he give any reason?—I think I asked him, and he certainly did decline, because he certainly did not do it.

13,004. You cannot give us another name?—No, my memory is not clear upon that point, but I remember making some applications on that subject, and very likely Mr. Sully was one.

13,005. Did it come to the nomination morning without anyone being arranged with to nominate Mr. Vanderbyl?—It did.

13,006. And who did it at last?—Mr. Hurman was fixed upon.

13,007. The gentleman who we have heard of?—The gentleman who we have heard of.

13,008. Who said he would not vote unless Sir John Shelley's bill was paid; he was one, and Mr. James Cook, junior, was fixed upon to second him.

13,009. Mr. Sully, the banker, proposed Mr. Kinglake?—I believe so.

13,010. And Mr. Winterbotham, the doctor, seconded it. The nomination of Mr. Vanderbyl by Mr. William Hurman was seconded by the same Mr. James Cook, junior, the attorney, of whom you have told us so much?—Yes, precisely.

13,011. Was not that the only candidate at that election who was either proposed or seconded by either one of the lawyers engaged in the contest?—I think that was so.

13,012. Have you any doubt now the names are brought to your recollection, or do you remember now that you had no doubt at that time, that the hesitation about proposing Mr. Vanderbyl, which you have alluded to, was caused by the disinclination of one at least if not more of the persons you have named to have any part even as proposer or seconder in an election which was going to be conducted on corrupt practices?—No, I am not sure of that at all, because I am not sure whether those persons were influenced by the bribery disclosures with respect to Mr. Vanderbyl, although they would vote for him; they did not like to take on themselves the responsibility of doing more.

13,013. I do not mean Mr. Thompson nor Mr. Hammill, but have you any doubt that Mr. Thompson or Mr. Hammill excepted some of those who objected

to propose him; objected from the contrary ground, namely, that it was going to be a losing election, because, as they believed, there was going to be no bribery?—I do not think that was so.

13,014. Which are you most sure about, the reason which moved the pure and upright amongst those who objected, or the reason which moved those who were supposed to be not pure?—I believe the persons nominated to propose were likely to be influenced by pure motives.

13,015. And those who declined were more likely to be influenced in so doing by pure motives?—Yes; and I believe the pure motive was a dislike of the revelations made against Mr. Vanderbyl.

13,016. (*Mr. Coleridge.*) You mean about the Lundy Granite Company?—Yes, I believe that influenced them, I am sure. It is what I thought at the time.

13,017. (*Mr. Price.*) But I suppose Mr. Thompson when he left the room had heard something said about bribery, had he not, at that meeting, and then got up and went away?—No, I do not think it was in consequence of that. What his precise reason for leaving the room was I cannot say, but what was said was simply that it was to be conducted as a pure election, and consequently Mr. Lovibond argued that it was no use for the candidates to stand.

13,018. Mr. Thompson heard at all events all that you heard at that meeting?—Yes, Mr. Thompson and I left almost at the same time.

13,019. But are we to understand that you did not approve of the appearance things had taken?—No, because there was no resolution. I left to keep an appointment at Wembdon.

13,020. For no other reason?—That is the precise reason why I left.

13,021. You were going on to 1866, Mr. Vanderbyl's single-handed election?—Yes.

13,022. You said you were not paid, but had a present afterwards, at Bagehot's election?—Yes.

13,023. When did you receive that present?—In the month of February in 1867; it was 50*l.*

13,024. You had 50*l.* from Mr. Bagehot for your services at the election of 1866?—Yes.

13,025. And what for your services in 1865, when Mr. Kinglake and Mr. Vanderbyl stood?—It was Sir John Shelley and Mr. Kinglake. I made out an account then; that is with the accounts. I forget at this moment the precise sum.

13,026. But whatever it was you were paid it?—Whatever it was they went through it, Sir John Shelley and Mr. Kinglake and Mr. Benjamin Lovibond, and I think they taxed something off it.

13,027. Who paid it eventually?—Sir John Shelley and Mr. Kinglake, and it was carried into the published accounts.

13,028. Then your experience is not that which we have heard from Mr. Lovibond, that it is not the habit at this place for the solicitors to give their services gratuitously?

13,029. (*Mr. Anstey.*) With reference to that question which my learned colleague has asked you, is it not a fact that your name occurs in a list of 21, with respect to the election of 1865, alleged by the sitting member, Mr. Westropp, and by the petitioner, I suppose, against Mr. Kinglake, at all events by those who represented Mr. Westropp for the purpose of the scrutiny? I will give you the very words: "Alleged "to have been at the said election, that they have "received money or valuable consideration for having "voted at the said last election," and so on?—Yes, I think I was charged with five or six different offences, if I remember rightly.

13,030. (*Mr. Coleridge.*) It varied in pleading verbiage, I suppose?—Yes.

13,031. (*Mr. Anstey.*) You are also charged on the occasion with having been guilty of undue influence, and interfering with the one exercise of the franchise by means of bribes. Was anything of that sort proved against you?—Not the slightest; the only modicum of evidence brought against me was touching that interview with Mr. Heal, in Mr. Lovibond's office. There was no pretence for doing anything else.

13,032. (*Mr. Anstey.*) I am not asking you what was proved against you, but what was charged in the list of persons in the complaint handed in. Now, is there any connexion between any one of those statements and the question to which my learned colleague has just been examining you, namely, of your having received presents?—Well, I think the idea was this: I had charged in my bill for my travelling expenses for coming from Lyme Regis, where I was at the time, and I made a journey up the day before, at Mr. Lovibond's request, and then immediately after recording my vote I went back again in the morning.

13,033. Is that the only fact or incident?—That is all.

13,034. On which those charges of bribery could be founded?—I believe so at this distance of time, I believe on a technical point, or I thought that I ought not to have charged that expense.

13,035. I see from the cheque book that was used on that occasion entries of sums paid to the lawyers of equal amount?—Very probably.

13,036. Did you receive any present on that occasion?—None whatever; nothing but what you see published there.

13,037. About the undue influence, what was that about?—I was giving you on Saturday all that I had done with every voter, and the learned Commissioner stopped me, saying that I was not to give an account of my good deeds; but I can only say that I will give you, if you please, an account of every voter I was concerned with.

13,038. What was the pretext?—I cannot give you any other pretext, except I had seen Mr. Moule.

(*Mr. Price.*) I see by the report of the proceedings in the paper a paragraph stating that Mr. John Smith requests us to state that he did not, as reported, promise Mr. Westropp that he would not vote against him. I do not know how that may be on our notes, but he said here—the question here put to him was, when he wrote to Mr. Westropp, "No act of mine," I think were the words in his letter, "shall stay your progress." And he was asked whether he did not consider a vote against Mr. Westropp an act of his; and I see it is reported here, I do not know whether it is correct, that it was perfectly understood between him and Mr. Westropp that he was not to vote against him.

(*Mr. Anstey.*) No, that is incorrect; I recollect asking him. He said it was not understood, and he always meant to vote against Mr. Westropp.

(*Mr. Price.*) It is right that he and others should know that if they have any correction to make, the proper way is to come before us, and not to write to the newspapers to beg them to insert something which will be totally different from what was said. They can refer to the evidence which was given in the transcript of our notes, and see whether what they said has been misrepresented, and if so will have an opportunity of correcting it.

(*Mr. Anstey.*) Especially when the correction contains a suggestion of what is untrue, because, although he did not promise Mr. Westropp he would not vote against him, he has put his name to a letter in which he promised that no act of his shall be suffered to impede Mr. Westropp's chance of success.

(*Mr. Price.*) It does not at all improve our opinion of the credibility of Mr. John Smith's testimony which he tries to pick out things which are discreditable to him, by writing to the newspapers to get them to insert paragraphs contradicting them.

(*The witness.*) With reference to Mr. Vanderbyl's election, when it became by the appointment of Mr. Patten apparent that another election would take place, the first was that Mr. Bagehot should stand again, and, speaking from memory only, my impression is that a meeting took place to request him—we arrived at a resolution to request him—to stand again, and that request was in some way communicated to

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him, and by him declined, and then I find I have this letter——

13,039. (*Mr. Price.*) I should like very much, as we have never had any reason given, to know why Mr. Bagehot declined to come forward on that occasion?—I certainly can state that the reason is given in these letters communicated by Mr. Robins, and another reason was, as stated by himself at an interview, the expense of another contest so recently after one had occurred, and I find I have this letter from Mr. Lovibond, which was written to me in Wiltshire, where I was absent on business, dated 4th July 1866. Mr. Lovibond writes to me this:—

"Dear Barham,

"I have received a letter from Mr. Robins "this morning, who thinks it will be better to avoid a "contest so soon after the late defeat, and that our "friend will certainly be a candidate at the next "general election. This is a matter that requires our "most serious consideration and prompt determination. "I therefore propose meeting you in London at "Wood's Hotel on Friday evening, by the train that "arrives in town at 11 o'clock. I go to Newport in "the morning, and hope to join you on Sunday about "9 p.m.

"Yours faithfully,

"Henry Lovibond."

In consequence of that request I went direct to London, or to Wood's Hotel, I do not remember, but at all events we met there. We were in London some two or three days. I do not remember precisely the order of events, but my impression is the first person we saw was Mr. Kinglake, and with him we discussed the propriety of there being another contest. Whether that interview was then or shortly after the other interview with Mr. Bagehot I am not quite sure. We also certainly had another interview with Mr. Robins or one of his partners, and we also had an interview, I think, with Mr. Bagehot himself. I am quite certain, in fact, that we had an interview with Mr. Bagehot, because I remember one passage in which Mr. Bagehot was very desirous that there should be no contest then, but that the matter should remain quiet until the general election, which was then shortly expected, and he certainly did refer to the expenses of the recent contest as one reason which disinclined him to embark in the expense of another at so short a notice.

13,040. (*Mr. Anstey.*) The expense or the nature and object of the expense?—He said the "expense;" and I recollect Mr. Lovibond's reply well,—"Mr. "Bagehot, we shall be very glad indeed to have you "as a candidate, but if you will not stand our party "will not wait, and you must understand that we "shall have to look out for another candidate." I am not certain that those are the precise words, but I am quite certain that that was the effect of Mr. Lovibond's communication. Well, Mr. Bagehot still adhered to his determination not to stand, and then we thought it right to see if we could find any other person that would stand; and I remember that we called upon Mr. Travers Smith, and it was at that interview that Mr. Smith spoke about Mr. Reed in the manner I have stated to you on Saturday. I think that was almost the very first thing he stated to me when I came to see him.

13,041. (*Mr. Price.*) That Mr. Reed must be a madman?—Yes, I think that was about the first thing he said. Mr. Travers Smith at first threw cold water on the idea of our contesting the borough, and I think he said it was hardly usual to do so when a member merely came down for re-election on taking office. It was hardly considered the thing to do so, and he opposed the idea.

13,042. I think you must be wrong as to that being the date when Mr. Travers Smith said that Mr. Reed must be a madman, because I find on looking at your evidence you say that Mr. Smith said that "Mr. Reed "must be a madman, for he came and asked me to send "3,000*l.* down as if it were a bale of goods?"—Yes.

13,043. And then you go on to refer to something which has reference to Mr. Vanderbyl's election?—To Mr. Bagehot's election. You will find that is right.

13,044. That has reference to Mr. Vanderbyl's first election?—Yes. Mr. Reed went up to get the money for Mr. Vanderbyl's first election, and it was on the occasion of our seeing Mr. Travers Smith afterwards that he told us of Mr. Reed's coming up.

13,045. "He said he felt bound to follow Mr. "Lovibond, because he was a much abler man in "managing elections than Mr. Reed, who complained "that Mr. Lovibond had Mr. Kinglake in his own "hands, and wanted also to engross Mr. Vanderbyl?" —No, not Mr. Vanderbyl. That must be a misprint, or miswriting. He wanted to engross Mr. Bagehot. That was the object of our going to London.

13,046. Let us see how our note stands with regard to that, so as to get this clear. It was just towards the close of what you said on Saturday?—Yes; Mr. Reed had nothing whatever to do with Mr. Vanderbyl's coming down. It could not have been so. (*The Chairman then referred to the transcript of the short-hand writer's notes.*)

13,047. I cannot find it here in our note at all; so you had better proceed?—It is certainly so. I was describing our journey to London on the occasion of our going to see Mr. Bagehot.

13,048. (*Mr. Coleridge.*) Very well, go on?—Will you just recall to my recollection where I was last?

13,049. You were saying you wanted Mr. Bagehot to come down, and Mr. Bagehot would not do so?—Then we saw Mr. Travers Smith, and Mr. Travers Smith threw cold water on the thing; and Mr. Smith thought it would be better not to have a contest, as it was not the thing. Then I saw Mr. Kinglake on the subject; either we had seen him before, or that was the first time, I am not quite certain. Mr. Kinglake thought, looking at the circumstances of the case, that there might be a contest; and that opinion of Mr. Kinglake's was communicated to Mr. Travers Smith.

13,050. (*Mr. Anstey.*) By whom?—Well, either by ourselves, or by himself; certainly by us. Whether Mr. Kinglake also communicated it I am not sure, but certainly we did; and that altered Mr. Travers Smith's view, and he exerted himself to see whether he could find us a candidate, and I remember one or two persons being mentioned. I remember Mr. Pender being mentioned.

13,051. (*Mr. Coleridge.*) Fresh from Totnes?—The gentleman who was from Totnes.

13,052. (*Mr. Anstey.*) It was known who he was, I suppose?—Perfectly well.

13,053. And what he had done?—Perfectly well.

13,054. (*Mr. Price.*) Who mentioned him?—Well, I think he was suggested by Mr. Travers Smith; I think so. I think we were taking our instructions from him, and I remember we called at Mr. Pender's house, and we did not see Mr. Pender; but the impression that I have of Mr. Pender's reply conveyed to us through Mr. Travers Smith was this, that he had quite enough on his hands from the Totnes election without interfering with anything else.

(*Mr. Coleridge.*) What time in the year was this, Vanderbyl's election; at the end of July, was it not?

13,055. (*Mr. Anstey.*) It was June?—Yes.

13,056. That was the very time that Mr. Pender was summoned to attend before the commissioners at Totnes?—Very likely. The time I am speaking of is the 5th, 6th, 7th, and 8th July.

13,057. (*Mr. Coleridge.*) Were you not aware that Mr. Pender was incapable of sitting as a member, and was not Mr. Travers Smith aware of that also?—That I cannot say.

13,058. Mr. Pender was reported to the House of Commons as being the only person guilty of bribery at Totnes?—I was not aware of that.

13,059. At all events it was so, and he was afterwards whitewashed of what the report had charged him with?—I do not know that I knew it at the time.

13,060. Was Mr. Brand or Mr. Glyn present at any of those interviews?—I do not recollect whether they

were or not. I am not sure whether at one of the interviews I did not see Mr. Brand, and I think we also saw Mr Drake; but it was Mr. Travers Smith who had most to do with this.

13,061. When was it you say you saw Mr. Drake or Mr. Brand?—When I was in London on one occasion. I cannot recall the time.

13,062. Was it on the subject of procuring a candidate that you were up in London?—I have not the slightest doubt that it was.

13,063. Do you remember whether they referred Mr. Brand or Mr. Drake to you as a fitting member?—I do not remember.

13,064. At all events, the suggestion of Mr. Pender came from Mr. Travers Smith?—Yes.

13,065. (*Mr. Anstey.*) You called to see Mr. Pender but did not find him at home?—No.

13,066. You found he had gone to Totnes, and was undergoing examination?—Certainly he was not at home.

13,067. (*Mr. Price.*) Had Mr. Drake anything to do with the transaction?—I understood Mr. Drake had to do with the transaction as well as Mr. Travers Smith. The whole thing was new to me.

13,068. You understood that Mr. Drake and Mr. Smith had the management of the thing?—I did.

13,069. (*Mr. Coleridge.*) Who was suggested besides Mr. Pender?—Then I remember Mr. Brogden was suggested, and Mr. Brogden came to Mr. Travers Smith's office in the city, and we waited while he had a long interview with Mr. Travers Smith; and the result of it was—— I think he did not actually decline, but he did not seem to be willing to go down. I do not think it was an actual refusal.

13,070. (*Mr. Price.*) Did you know of Mr. Brogden's connexion with Yarmouth?—Well, we knew that he had just been contesting Yarmouth against the two Conservatives, and that he was one of the unsuccessful candidates. Oh yes, we were aware of that.

13,071. (*Mr. Coleridge.*) And you knew that Mr. Brogden did not claim the seat?—I do not think I was aware of that, but I knew he had been contesting Yarmouth. Well, we were unable at that time to get any other name from Mr. Travers Smith with the exception of a Mr. Campbell, of Buscot Park, and in order to know what he would do it was necessary that we should go to Buscot Park.

13,072. Near Farringdon?—Yes. I think the character of Mr. Brogden's reply was such that we thought we would make another effort to get Mr. Brogden to stand. We thought there was a chance of his acceding to our request.

13,073. (*Mr. Anstey.*) What reply did he make?—I am only judging of that from what we did. I am only judging that that must be so from the course we took.

13,074. (*Mr. Price.*) That he wanted a little pressing?—Yes.

13,075. (*Mr. Coleridge.*) Up to that time had Mr. Brogden asked you what the expense would be?—I do not think we had had up to that time any personal interview with Mr. Brogden till Mr. Smith had seen him. I think he had an interview with Mr. Travers Smith while we were in the next room.

13,076. Had Mr. Travers Smith asked you what the expense would be?—No, I do not think he did.

13,077. Not at that time?—No.

13,078. Did you say anything about expenses at all?—Well, I do not think we did. We thought Mr. Smith was a man who knew so much about these things that it was not necessary to say anything to him about it.

13,079. You have said, in the previous month of June, only a month before, that you had spent so much money—you, the lawyers, the local people—that it was thought advisable to resort to a little bribery, because you were not in funds for presenting a petition?—Yes.

13,080. Now, surely, in the following month of July you would have been still more out of funds than you were in June. Do you mean to say nothing was said at any of these meetings between you and Mr. Smith, or between Mr. Smith and Mr. Lovibond, as to Mr. Brogden finding the money?—No; I firmly believe nothing of the kind was said. It was one of those things which would pass *sub silentio*.

13,081. (*Mr. Price.*) You say nothing passed about money; can you tell us any other candidate that was suggested, because the ones you have mentioned here are all of them tainted with bribery except Mr. Campbell?—I have told you of Mr. Pender, Mr. Brogden, and Mr. Campbell.

13,082. Was Mr. Campbell said to be a rich man?—He was said to be a rich man.

13,083. (*Mr. Anstey.*) Was anything said about money, about expenditure?—It was thought they were all wealthy men.

13,084. (*Mr. Price.*) Was it a *sine quâ non* with you and the other gentlemen who went up with you, that they must all be rich men?—They were all rich men.

13,085. (*Mr. Coleridge.*) Had you told Mr. Travers Smith that they must be all rich men?—No.

13,086. Then how do you account for the fact that they brought forward Mr. Pender, who was tainted with bribery, Mr. Brogden, who was also tainted with bribery, and Mr. Vanderbyl, who was tainted with bribery, and Mr. Campbell, who was a rich man; they were all of one class; they were all rich men, and the three first were tainted with bribery; how do you account for their having been brought forward?—I do not know.

13,087. You think that Mr. Travers Smith acted on his own knowledge?—I think that Mr. Travers Smith acted on his own knowledge.

13,088. And it was not necessary to tell him?—No. We made an effort to see Mr. Brogden personally before leaving town, and I remember we went to his office at Westminster, not very far from the Houses of Parliament. We did not find him there, but we saw a clerk of his, a Mr. Salmon, and whether it was that an appointment was made, or whether it was that Mr Brogden was out of town, and was expected in the evening, this I remember distinctly, that the result was that Mr. Salmon, Mr. Lovibond, and myself, went about 11 o'clock at night out to Notting Hill.

13,089. Mr. Salmon was Mr. Pender's private secretary?—No, Mr. Brogden's private secretary. We three went together out to Mr. Brogden's private residence, which I think was somewhere out in Notting Hill direction, and when we arrived at his house we were told he was gone to bed. However, Mr. Salmon got upstairs, and explained to him shortly the nature of our business, and he had an interview with us in his drawing room in his dressing gown, and at that interview we pressed him very strongly to come down to Bridgwater, but he said he would like to do so very much indeed, but he did not like to give up the idea of representing Yarmouth; he thought he had a very good chance of representing Yarmouth at a future election, and therefore he could not give up that idea.

(*Mr. Coleridge.*) He was of a sanguine nature.

13,090. (*Mr. Price.*) He had made a good foundation at Yarmouth he thought?—A good foundation at Yarmouth. He did not say that, but he said he did not like to give up the idea of representing Yarmouth, and his friends were very sanguine about his return on a future occasion. That was the ground on which he declined.

13,091. Was any question put to him as to expense?—I do not think there was, because he declined, and it had not gone so far as that.

13,092. (*Mr. Coleridge.*) Did he recommend Mr. Vanderbyl to you?—No. I have not got so far as that.

13,093. (*Mr. Anstey.*) Go on?—Failing that, by that time it had got to Saturday evening, the next day we went down—Mr. Lovibond and myself having, I believe, got the address from Mr. Travers Smith—we went down to Mr. Campbell, at Buscot Park; I think so. We stopped at the Farringdon Road station; it is not called the Farringdon Road station now, it is called by some other name, and we got out to Buscot Park.

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Mr. E. Barham.

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13,094. (*Mr. Coleridge.*) It is called Moulsey, I think ?—It is called by some other name. However, we saw Mr. Campbell, and he asked us about our business; he asked about the expense, and I believe Mr. Lovibond told him he thought it would be about 1,500*l.* Well, he said he would consider of it. There was a good deal of conversation which I cannot at this distance of time recall.

13,095. Did not he ask you how that money was to be spent ?—I think he did, but I do not think he got any answer. Mr. Lovibond was not going to tell him in so many words that it was the cost of bribery, but I think Mr. Lovibond, told him "You are a man of the world, and know elections are always expensive," and he parried the question in that way; but I have no doubt there was enough said from which he could infer that bribery was meant, and I have no doubt he did infer it. He told us he would take it into consideration, and would write us, and we left and took the train, and got down to as far as Bath; and we stayed a little time at Bath, and had some dinner, for I do not think we had had anything to eat since the morning, and after that we got into a night train to go down to Bridgwater; and exactly as we stepped into a first-class carriage, somebody sleeping in the opposite corner—there was nobody else in the carriage—woke up, and who else should it be but Mr. Salmon, and he said, "Why you are the very persons I was coming down to see;" and he explained to us that as soon as we left London, either he or Mr. Brogden, I do not know which, had thought of Mr. Vanderbyl as a candidate for Bridgwater.

13,096. What did he say ?—He had brought Mr. Vanderbyl's address in case he should be accepted as a candidate; the draft of Mr. Vanderbyl's address to the constituents.

13,097. He told you that Mr. Brogden would not stand, but that Mr. Vanderbyl would ?—He told me that Mr. Brogden would not stand, but that Mr. Vanderbyl would.

13,098. (*Mr. Price.*) He gave you the draft of Mr. Vanderbyl's address ?—Yes.

13,099. Who is the Mr. Salmon you are speaking of ?—The Mr. Salmon I am speaking of is clerk to Mr. Brogden.

13,100. What is his christian name ?—I do not know.

13,101. Where does he live ?—I only knew him by seeing him at Mr. Brogden's office at Westminster.

13,102. Is he still in that employment ?—I do not know at all; I have not seen him for some time.

13,103. What is the nature of the business of Mr. Vanderbyl and Mr. Brogden ?—I do not think Mr. Vanderbyl is the partner of Mr. Brogden.

13,104. What is Mr. Brogden ?—I think Mr. Brogden is the owner of large collieries in South Wales.

13,105. And largely connected with ironworks—the Ulverton Ironworks ?—Yes, something like that.

13,106. (*Mr. Coleridge.*) Where is his office ?—Somewhere about those new streets in Westminster.

13,107. (*Mr. Anstey.*) Victoria Street ?—Somewhere about there.

13,108. He gave you a draft address ?—Yes.

13,109. And did you accept the address in the form in which it was drawn up ?—We made some little alterations in it.

13,110. While you were going on ?—Yes; and it was afterwards printed and published. We met the leaders of the Liberal party the day after, and told them what we had done.

13,111. Before you got down to Bridgwater, had you told Mr. Salmon Mr. Vanderbyl was to be the Liberal candidate ?—Yes. The next morning there was a meeting at Mr. George Sully's office, and we reported to him what we had been told about this Mr. Vanderbyl by Mr. Salmon.

13,112. Did Mr. Salmon tell you the figure he would go to ?—No, I do not think he told us the figure he would go to, but I think he suggested that he had plenty of money and was ready to spend it.

13,113. Was anything suggested on the way down as to what amount you thought would be wanted ?—No, I do not think it was mentioned.

13,114. But there was a conversation by which it was perfectly understood that there was a sum of money wanted ?—I do not affect a doubt about it, that that was implied in the conversation. Well, Mr. Vanderbyl's name was suggested at this meeting, and he was accepted as a candidate.

13,115. (*Mr. Price.*) Now at that meeting was anything said about money ?—No, not a word.

13,116. You kept that carefully from them ?—That was kept carefully from them.

13,117. Who was at that meeting ?—At this distance of time I should not like to say.

13,118. How many were there present ?—I should say perhaps about 10 or 12 persons, some such number as that; I cannot remember.

13,119. Was the mayor there ?—I think so.

13,120. Mr. Hammill ?—I cannot remember. I should only be telling you at guess work. I really do not remember.

13,121. (*Mr. Anstey.*) Do you remember anyone telling you at that meeting that Mr. Vanderbyl, being an evilly noted man at Yarmouth with regard to bribery and corrupt practices, was not a fit person to represent Bridgwater ?—I do not think it was so.

13,122. It was reported in the newspapers ?—No. Yarmouth is a long way from here. I think you will find that the inquiry was a long time after this, and I do not think we knew more then than this, that Mr. Vanderbyl and Mr. Brogden had unsuccessfully contested Yarmouth.

13,123. And had not claimed the seat ?—No, I do not think we knew anything about that.

13,124. (*Mr. Coleridge.*) And had unsuccessfully petitioned ?—Well, I think, speaking from memory, that you will find that the petition had not been decided at that time.

(*Mr. Coleridge.*) The petition was, but not the commission.

13,125. (*Mr. Anstey.*) There had been a full inquiry before a committee of the House of Commons, and the committee had reported that extensive corrupt practices had prevailed in the borough of Yarmouth ?—I am only speaking of my own impression, and my own feeling is that at that time I did not know it.

13,126. (*Mr. Price.*) Was there any inquiry as to where you had picked up Mr. Vanderbyl, and did any of these other gentlemen make any inquiry as to where you had heard of Mr. Vanderbyl, and who he was ?—No; we stated we had been in London, and got him as a candidate.

13,127. (*Mr. Anstey.*) Did you tell the meeting that he was a wealthy man ?—No.

13,128. And was ready to spend money ?—No, we certainly did not do that.

13,129. Is it not the fact that the readiness or unreadiness of candidates to spend money was always discussed quietly and snugly among the lawyers, and not brought under the notice of what may be called the *pro formâ* meetings of the town ?—That is what you may assume.

13,130. Now go on ?—Mr. Vanderbyl's address was printed and published, and I think he came down the very same evening.

13,131. (*Mr. Coleridge.*) How many days was that before the nomination ?—That is what I was just going to look for; that was two days before the nomination. Monday was the 9th; I think that was the day he came, and on the 11th I see was the nomination.

13,132. And the 12th the election ?—The 12th the election.

13,133. And then there was not much time to spare ?—Very little time to spare.

13,134. Who met Mr. Vanderbyl when he came down ?—Mr. Vanderbyl came down, and Brogden with him, and he was met by a large crowd of spectators, and a carriage was there waiting for him, and he

drove up into the middle of the town; and I think it was at first arranged that he should address the constituents in the room in George Lane, but I think that was found not sufficiently large, and they went out in the Cornhill.

13,135. (*Mr. Price.*) What did he come here for? Was Mr. Brogden known to the Bridgwater people here?—No, we understood him to come down to make arrangements to spend Mr. Vanderbyl's money, as Mr. Vanderbyl's friend.

13,136. As his wet nurse?—That is what we understood at the time, and that is precisely what he did. I cannot say precisely the day or the hour, but a communication took place between Mr. Brogden and myself.

13,137. (*Mr. Coleridge.*) When would that be; the day before the nomination?—I cannot say; very likely.

13,138. It must have been the day before. It was all arranged on the day before the nomination?—Yes. What I did communicate to Mr. Brogden was this——

13,139. Who told you to communicate with Mr. Brogden?—That was arranged between Mr. Lovibond and myself.

13,140. (*Mr. Anstey.*) What did you tell him?—The effect, sir, was this, that personally I intended to have nothing to do with the illegal expenditure of money, but that if he wanted a person who knew the electors, he could go to Mr. Andrew Allan. The effect of it was to point out Mr. Andrew Allan as the person who would make the expenditure.

13,141. (*Mr. Coleridge.*) Did you tell him the amount that would be likely to be wanted?—That certainly had been communicated to him, that it would be about 1,500*l.*; I do not know whether it was by Mr. Lovibond or myself. That is all I remember up to the evening of the nomination.

13,142. (*Mr. Anstey.*) What did he say to that suggestion of yours about going to Andrew Allan?—I understood that he assented to it.

13,143. (*Mr. Coleridge.*) How was the money to be got?—Well, that was left entirely to Mr. Brogden.

13,144. That was left to him?—That was left to him. How he got that 1,500*l.* I do not know.

13,145. (*Mr. Anstey.*) He quietly assented to it?—Yes. I then supposed I had nothing more to do with the matter, but the next morning, somewhere about 9 o'clock——

13,146. (*Mr. Coleridge.*) The nomination day, or the polling day?—No, on the morning of the polling day. I am speaking of the morning of the polling. The next morning, about 9 o'clock, I was applied to to get a cheque cashed, and that was a cheque for 100*l.*

13,147. Of whose?—Of Mr. Brogden's.

13,148. By whom?—Well, I think it was Mr. Brogden himself in the first instance, and my belief is that I went first of all to the West of England Bank.

13,149. That is Mr. Ford's?—That is my own bankers, but Mr. Ford was out of town that day, and therefore, this is my belief, and not my positive statement, you are taking down, finding that could not be done, and not finding Mr. Ford, Mr. Lovibond then told me to go to Mr. Prior in the square, and get it cashed through Mr. Prior.

13,150. (*Mr. Anstey.*) Through Mr. Sealy's bank?—Through Mr. Sealy's bank. He told me to go to Mr. Prior, and I went to Mr. Prior, and Mr. Prior said, "I cannot cash it yet, as the bank is not open, "and Mr. Sealy will object to anything of this "kind."

13,151. What o'clock was this?—Between 9 and 10. However, I left the cheque with Mr. Prior, and requested him, as soon as he could get the cheque cashed, to send the money over to me at the committee room in George Lane; and then I think that I got into the West of England Bank before that was open. That is the impression that is left on my mind. I must mention that there is a double entrance to the West of England Bank. There is one entrance in front, in the Cornhill, and then there is a passage out through the bank and through the manager's residence, which leads right into the committee rooms in George Lane, a private entrance, and my impression is this, that I found Mr. Reynolds, who was the clerk or the cashier of the bank, acting in Mr. Ford's absence, and I obtained from him cash for another cheque before the bank actually opened, and that I took the money through the private entrance to the committee room in George Lane.

13,152. (*Mr. Coleridge.*) To whom did you give it?—As I got it and as it was wanted I gave it to Mr. Allan.

13,153. (*Mr. Anstey.*) How much did you get?—I got it in different sums.

13,154. (*Mr. Coleridge.*) You got first 100*l.* you have told us?—The first was a cheque for 100*l.*, and then when young Mr. Prior came over with that cheque——

13,155. (*Mr. Anstey.*) You have not told us of that. I ask you, how much do you suppose you got on this occasion from the West of England Bank?—On the first occasion?

13,156. On this occasion you speak of?—I cannot recall it.

13,157. You had better tell us it in your own way?—What I did with the West of England Bank was this: they let me have the money on a memorandum of my own, and in the course of the day I saw Mr. Brogden, and I told him how much I had taken out of the West of England, and he then gave me a cheque for the amount, which I gave to the West of England Bank.

13,158. Now go back to what you were saying about that cheque you had left with Mr. Prior?—By-and-by young Mr. Prior came over with the cheque of 100*l.*, and I think it was then that I gave him the cheque of 300*l.*, and asked him to get that cashed, which he did.

13,159. Both those cheques were Mr. Brogden's cheques on the Manchester Bank?—Both those cheques were Mr. Brogden's cheques on the Manchester Bank. In the course of the day I occasionally went into Mr. Allan's house, and he said he wanted more money, and as it was wanted I had it from the West of England Bank, until it came up to the sum altogether of 1,500*l.*, and I made up two accounts for Mr. Brogden, and on the first he gave me a cheque for 700*l.*, and the next time he gave me a cheque for 800*l.*

13,160. Was the young Mr. Prior who brought those two cheques over to you, the 100*l.* and the 300*l.*, the same Mr. Prior who gave the money to Mr. Lovibond on the last election?—Yes.

13,161. (*Mr. Coleridge.*) You got money from two different banks?—Yes.

13,162. How much did you get from the West of England?—1,500*l.*

13,163. And how much from Messrs. Sealy and Prior's?—400*l.*

13,164. (*Mr. Anstey.*) You got the money from the West of England on a memorandum of your own?—They let me have the money in small sums, on just a little note; 200*l.* or 300*l.* from time to time, as it might be wanted.

(*Mr. Anstey.*) Is Mr. Ford here?

(*Mr. Ford stood up.*)

(*Mr. Anstey.*) Have you got this memorandum?

(*Mr. Ford.*) I had it at the time.

(*Mr. Anstey.*) Have you the memorandum in your bank now?

(*Mr. Ford.*) Not that I am aware of; I dare say they were torn up at the time.

13,165. (*Mr. Coleridge.*) You say Mr. Brogden gave you these cheques for 700*l.* and 800*l.* to repay the West of England Bank what you had had from it?—Yes.

13,166. Did he give you a cheque to satisfy Sealy's bank?—No. My position with Sealy's bank was quite different to what it was with the West of England Bank. I did not have the money from Sealy's in the same way. I should tell you, first of all, how I got it. I think it was all gold from Sealy's bank, and I think I had some gold also from the West of England Bank, but they were afraid of parting with all their gold, in case the opposite party should come in and ask them to

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Mr. E. Barham.

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cash a cheque, so as to test them. I remember something of that kind, and I remember I took a number of notes, not the West of England notes, but a number of Stuckey's notes, which is a Somersetshire bank.

13,167. (*Mr. Coleridge.*) You say "they" were afraid; who were afraid? Do you mean Mr. Sealy? —No. The West of England Bank.

13,168. Then who was afraid of parting with all the gold?—I mean Mr. Reynolds, the cashier.

13,169. (*Mr. Price.*) You did not want it to appear what you were doing by drawing out too many sovereign from one bank that day?—I think that must be so. I think Mr. Reynolds was afraid of parting with all his gold.

13,170. (*Mr. Coleridge.*) Is Mr. Reynolds still alive, and is here?—He is still alive, but he is not here. (*Mr. Ford.*) He is at Newport.

13,171. (*Mr. Anstey.*) I understand you to say that you sent for small sums to the West of England Bank from time to time, and they let you have the money from time to time on your own memorandums, because you were a customer?—Yes.

13,172. And you had no such claim on Mr. Sealy? —No.

13,173. How came you to get the second cheque cashed?—I believe when young Mr. Prior came over I asked him to cash the cheque.

13,174. And you did not like to ask him for any more?—I did not like to ask him for any more. At the end of the day I had 200*l.* in notes left in my possession, and I told Mr. Brogden of this, and I said, "Now sir, shall I hand these notes to you, "or shall I keep them? there are sure to be further "claims brought in;" and he said, "You had better "keep them." I took them home and locked them up, and kept them some few days; and then, a meeting taking place some few days afterwards at Mr. Lovibond's office about the accounts, I brought in the money and handed it to Mr. Lovibond.

13,175. (*Mr. Price.*) Did Mr. Brogden express any surprise when you were asking him for these very large cheques, and also when you told him after the election, that there were outstanding claims, or might be, and you proposed to keep this 200*l.*?—I said, "What are your instructions? Do you mean to fight and "win, or do you mean to lose this election?" and he said, "Go in and win, be the cost what it may be;" and so the conversation ended in that way.

13,176. Of course, after that, he expressed no surprise at any accounts you brought in?—None whatever.

13,177. (*Mr. Coleridge.*) You had *carte blanche*? —I had *carte blanche*. I have already given my evidence about Mr. Symmons on that day, and then, in addition to that, I must state that Mr. Bussell, in his evidence, alluded to his having seen some person in authority near Mr. Allan's, in George Lane, and having spoken to him about Buttle. I believe, sir, I was the person. At all events, I know somebody came to me, and made a statement precisely similar to that which Mr. Bussell has sworn to; and I therefore did authorize the payment of the 40*l.* We had made up the lists of the unpolled voters, and I believe the securing of Buttle was the securing of the election. I think it turned upon that one vote; and it was reported to me a quarter of an hour afterwards that when Buttle presented himself at the polling booth, somebody exclaimed, I think it was Mr. Brice, "Then it's all over, there's an end of the election," or something of that sort; and then I found that the Conservatives had turned every man out of the "Clarence."

13,178. (*Mr. Anstey.*) Those who were bottled?— Those who were bottled. That is my impression.

13,179. (*Mr. Coleridge.*) Was Mr. Fennelly and Mr. Redfern down at the election?—I do not remember.

13,180. Or Mr. Lomas?—I do not remember.

13,181. Or Mr. Salmon?—I do not know; I believe he was, but I am not sure.

13,182. (*Mr. Price.*) Why did Mr. Brice say it was all over when Mr. Buttle presented himself at the polling booth?—We had a certain number of voters who held back, who were quite above taking a bribe, and who were exceedingly annoyed at having lost the previous election, and they thought they would try to keep back a reserve guard, so as to make us lawyers do all we could in getting voters by means of bribes. They had understood it was through the lawyers that on the previous election they had lost, and they thought that by keeping back a number of voters it would make the lawyers do all they could.

13,183. I want to know how it was that the moment Buttle appeared on the scene at the polling booth the thing was considered to be all over?—They had a certain number of men bottled up at the "Clarence," and we had a certain number of voters still unpolled, which they knew, and although there was a considerable number on each side still unpolled, one single vote was enough to turn the balance.

13,184. Mr. Vanderbyl won by a great number?— You will see the reason of that. After the men were turned out of the "Clarence," they went straight down into the town, and some of them voted on our side, and some of the Conservatives when they were turned out did not vote at all.

13,185. (*Mr. Anstey.*) I understand you to say that the voters on your side thought you had not spent the money judiciously, and had not bought the voters you ought to have bought; but when they saw this Buttle being polled, then they thought you had begun to bribe judiciously?—I am not talking of that. I am talking of a Conservative on the other side saying it was all over.

13,186. You answer too quickly. Do not answer the questions before they are put. You say there were a certain number of voters on your side who would not take bribes themselves, and who thought you ought to bribe others who were bribable, and they were keeping back some voters in order to keep you on your guard, in order to compel you to bribe other persons?—Yes.

13,187. I want to know whether when they saw this man Buttle they knew then that you were acting all right?—No, I do not mean to say that.

(*Mr. Price.*) How was it Buttle turned the whole thing? You say the moment Buttle was seen, then Mr. Brice was seized with a panic, and said it was all over. Why did he think that?

13,188. (*Mr. Coleridge.*) What was the state of the poll when Buttle voted?—We were ahead; not very much ahead. What we were looking at was, not the precise state of the poll, but the number of unpolled voters.

13,189. (*Mr. Anstey.*) Very well, Buttle was only one unpolled voter?—Yes.

13,190. And there were many others?—Yes.

13,191. And there were a great many bottled up at the "Clarence"?—Yes.

13,192. (*Mr. Price.*) What the learned Commissioner asked you is, why did that one unpolled voter's appearance on the scene, there being many others also unpolled, cause Mr. Brice to say that the thing was over?—I will put a hypothetical case to explain what I mean. Supposing the Conservatives had 12 unpolled voters bottled at the "Clarence," and supposing we also had 12 unpolled voters, then one single vote outside those two twelves will turn the election; and my opinion at that time was that Buttle was the one.

13,193. Do you mean to say they had polled up as close as that at that time?—My opinion was that it would run up as close as that.

13,194. You say they shortly afterwards turned the unpolled voters out of the "Clarence"?—Yes.

13,195. Do you mean they turned them out in despair?—Yes.

13,196. You had not heard that they did not want to poll them?—No.

13,197. I understood you to say that there were a certain number of unbribable men on your side who were holding back, not the men who were "bottled,"

or the 12 men on the other side, but who were waiting till you had exhausted all your resources in getting the bribable men up. They would out-balance the 12 bribable men at the "Clarence"?—I am only stating a hypothetical number.

13,198. (*Mr. Coleridge.*) Was Buttle the last of the men you polled of your own bribable men?—Buttle was scarcely one side or the other.

13,199. Was he the last of the balance men?—I thought he was the last available man.

13,200. (*Mr. Anstey.*) I thought you said that after you had polled Buttle you had polled all, or nearly all, of the men that were turned out of the "Clarence"?—Yes, but they were not available till they were turned out of the "Clarence."

13,201. (*Mr. Coleridge.*) Do you know how many were polled after they were turned out of the "Clarence"?—I do not know.

13,202. Do you know how many were turned out of the "Clarence"?—I do not know. I knew them at the time, but I do not know them now.

13,203. I understood you to say that when you had polled Buttle you had polled the last of the bribable men who were not "bottled up" at the Clarence"?—I think so; nearly so.

13,204. Then, that being all you had to bribe, there were a certain number whom you knew would poll without being bribed?—Exactly.

13,205. And any extra men who would be wanted to swell the majority you knew would have to be turned out of the "Clarence," and would have to be bribed?—Exactly.

13,206. (*Mr. Anstey.*) The majority was a large one. If you polled 12 men, that only makes in your favour 24; if you polled 24, that only makes 48. How do you make it so large an actual majority as you had on that occasion?—The actual majority was 36.

13,207. (*Mr. Coleridge.*) How many were polled out of the constituency; tell us what the constituency was, and how many were polled?—I do not know what the constituency was, but it was polled up from every class. The total of the constituency was 679.

13,208. And how many were polled?—Mr. Vanderbyl polled, according to one entry I have got, 311, and according to another, 312; and Mr. Patton, according to one entry, 275, and according to another, 276. Then, of course there were many voters who were absent.

13,209. That is 586 out of how many?—Out of 679.

13,210. So that there were very nearly 100 left unpolled?—Yes; but if you inquire into that, you will find many were dead, many at sea, and many absent, and many who were known would not poll at all.

13,211. You say besides those there were others turned out of the "Clarence" who would not poll at all?—Yes.

(*Mr. Anstey.*) Do you know anything else of what took place upon that day?

13,212. (*Mr. Coleridge.*) We have got to the 200*l.* you gave to Mr. Lovibond at the meeting two or three days after the election?—Yes. I do not remember anything else that day; but after that the Conservatives were exceedingly angry at the result of the election, and threatened a petition, and talked about the election in very loud language.

13,213. (*Mr. Anstey.*) Did you hear Mr. Patton's speech on his bidding farewell?—No.

13,214, Do you remember, on his bidding farewell, his speaking of his intention to present a petition?—I think I did hear of that. I do not think there was anything took place on our side until the 1st of August; that is the first entry in my diary, and I find that on that day I was engaged with Mr. Lovibond two and a half hours in going through accounts, and I remember that was the day we met Allan, when he presented his accounts, and we went through them; I believe that was the day.

13,215. If Mr. Patton or the Conservatives had presented a petition, were you prepared with a counter case of bribery and corrupt practices against them at that election?—Very likely we were not prepared for it at that time, but no doubt it would have been got up if they had claimed the seat. There was no doubt they had been guilty of corrupt practices.

13,216. You knew that at that time?—We were perfectly well aware of it.

13,217. You knew of the "bottling" at that time?—Yes.

13,218. And probably the drenching with drink?—Yes.

13,219. But certainly the bottling of 12 voters up at the "Clarence" at that time?—Yes.

13,220. And I ask you, if you knew of that at the time, would you have been prepared to file a counter petition, supposing they claimed the seat?—If they had claimed the seat, we certainly should have done so.

13,221. Then are we to understand that the reason of the Conservatives not carrying out the promise or threat of presenting a petition against your member, Mr. Vanderbyl, was that they knew it would be fruitless, in consequence of bribery on their part?—I never doubted it for a moment.

13,222. (*Mr. Coleridge.*) Is that all the money you know of as having been expended, 1,900*l.* by Mr. Brogden?—1,900*l.* by Mr. Brogden, and then another 1,400*l.* Mr. Allan has spoken to. Mr. Allan has told you that he had 1,400*l.* from Mr. Brogden the night before the election, which was brought to him in a bag and handed over to him.

13,223. As Mr. Allan dealt with it all, he dealt with, as he told us, nearly 4,000*l.*?—Yes.

13,224. Then when were you paid for your part in this election? You told us that Mr. Vanderbyl gave you 200*l.* at that election?—Yes, that was for the costs at that very election, and that he gave me on the 6th October. Mr. Vanderbyl paid me 200*l.*

13,225. In fact, you got paid by him for that election before you were paid by Mr. Bagehot for the former one?—Just so.

13,226. (*Mr. Price.*) How far does your knowledge of these matters tally with the asseveration of Mr. Allan and Mr. Bussell, that the men who do all this part of the work get nothing in the way of remuneration? You get your 200*l.*, or your 50*l.*, and so forth; how does your knowledge tally with their asseveration that they never get a farthing?—I only know this, that unless they stick to some portion of the money they do not get anything.

13,227. Unless they stick to some portion of the money?—Yes.

13,228. But do you know that they do stick to some of it, because it is the opinion in this borough that some of the money that is given for the voters does not get to the voters?—My two experiences were very short.

13,229. But they were very considerable?—They were.

13,230. On a large scale?

13,231. (*Mr. Coleridge.*) Did Allan give you any list of how he had spent that money?—He did.

13,232. Where is it?—That was the list we had in Mr. Lovibond's office. I have no other.

13,233. That is the one which has been handed to us?—Yes.

13,234. (*Mr. Anstey.*) Pursuing the question which was put to you by the learned Chief Commissioner, and your answer to it, bearing in mind that you, the lawyers, the patrons of the borough, were always remunerated, and sometimes largely remunerated, in the way you have described, and that the inferior agents were not nominally employed on the promise of remuneration, I ask you, was it not the fact that there was a perfect understanding amongst you, the lawyers, and the candidates, that if from the expenditure there was an unappropriated balance remaining in the hands of those persons, Allan, Bussell, and others, it was not to be handed back to you and returned to the candi-

dates, but that they might keep it if they liked, and no questions would be asked?—No, I do not think there was that understanding.

13,235. Why do you not think so?—Because I remember a discussion with Allan at the very time, as to whether Mr. White had fully accounted for the money entrusted to him.

13,236. Was not the discussion, not about the balance after the fair expenditure of money, but the interception of a certain sum of money on its way to a voter? Was not the question as to whether White had not been guilty of fraud in having appropriated money to his own use which was entrusted to him to give to another person?—Yes.

13,237. The question is not asked you with reference to a fradulent sticking to money intended for other people; but supposing there was an honest application of the money in bribery, if you can understand such a word as "honest" being used in connexion with bribery, I use it very much in the same way that we speak of honesty among thieves; but supposing a certain sum of money is handed over to a bribing agent, and he is told, "With this money bribe all the bribable voters you can come across," and he goes and bribes them all, and accounts, as I said before, honestly for every sum he has expended, and shows in his account that he had polled the men; but when you come to look at it you find that there is also shown on the same document an unappropriated balance, say 150*l.* or 160*l.*, which he does not claim to have expended, and which he charges himself with the possession of, but which he has not paid over; is it not certain that the person who has done this service and is not to be remunerated *aliunde*, is not to be remunerated by you, that nothing more would be said about it if he kept the money in his hands, and he would not be interfered with?—He certainly would not be interfered with.

13,238. Would there be the disposition to ask for it?—But certainly, according to the practice which was then prevailing, it would be expected that he should hand it over.

13,239. What remuneration would these men get?—None at all. I remember perfectly well talking with Mr. Lovibond upon that.

13,240. What did you say to him?—I said it was very wrong not to pay them anything at all. I said, "It would be better to pay them money, and amply."

13,241. What did he say to that?—He said it was an encouragement to them to become rogues. He said, "You may depend upon it that if you pay them "they will keep some of the other money as well." I remember the very point being discussed.

13,242. (*Mr. Price.*) Then was it thought likely that Mr. Bussell, I take him as a representative man, Allan was the first man, but he is in a somewhat inferior position—I am not speaking at all in a derogatory manner of Mr. Bussell—but supposing Mr. Bussell is a representative man, and a man who is to go and do all this dirty work at every election, and is to be reported to the House of Commons and to be put in peril of being prosecuted, is it understood that he is to do it for mere love of the cause, whilst you gentlemen are getting 200*l.* apiece for doing much the same thing?—That is precisely the state of things.

(*Mr. Price.*) Then I think that speaks in favour of Mr. Bussell.

13,243. (*Mr. Anstey.*) Did not it strike you as being an extraordinary state of things?—It did, and I spoke about it.

13,244. And considering Allan and Bussell were not patrons of the borough, and you gentlemen professed to be so?—It did strike me, and I remember I spoke about it at the time.

13,245. (*Mr. Coleridge.*) Do you know what the other lawyers got on Mr. Vanderbyl's election? What did Mr. Lovibond get?—I believe he got exactly the same as I did.

13,246. The same?—Precisely.

13,247. What did Messrs. Reed and Cook get?—I am not quite sure; I think they had 100*l.* only.

13,248. And what did Mr. Haviland get?—I do not remember.

13,249. Did not Mr. Haviland make some claim?—I think Mr. Haviland's claim was made, and paid on the account being carried in.

13,250. (*Mr. Anstey.*) Have you any reason to believe that on either of those two elections (I put these questions to Mr. Bussell and Mr. Allan), they not having to be remunerated by you, that any portion of the money stuck to their fingers?—I have not. At the time when I found that Mr. Allan had not accounted for a portion of the money, I thought he had given it away but was not able to recollect to whom.

13,251. (*Mr. Price.*) He said, "Mr. White has not "accounted for a sum I have given him;" and then what was your belief as to that sum?—My belief is, when we went into the accounts that that was the first point. I looked most closely into all of it. I said, "Now Mr. Allan, you have had a sum of money "from Mr. Brogden, and you have also had a sum of "money from me; now what have you done with it?" And my impression is that Mr. Allan handed in a list accounting for the whole of that money to within about 100*l.*

13,252. (*Mr. Anstey.*) The 100*l.* is explained by the other evidence we have had about that?—No. I mean, Allan taking credit for all the different sums which he said he had handed to White and to all those other persons, there is still 100*l.* unaccounted for.

13,253. (*Mr. Coleridge.*) There is still up to the present moment, 100*l.* unaccounted for?—Yes.

13,254. (*Mr. Anstey.*) Then what did you mean just now by saying you did not believe there was any portion of the money which had stuck to Allan's fingers?—Because I believed, from the way of stating the account, and in the hurry and confusion, that he might have overlooked some two or three payments; and I believed his statement strongly.

13,255. Was it known to all these people acting under you that you were receiving rewards or presents, or was that a secret between the candidates and yourselves?—We certainly never told them so, that is quite certain.

13,256. If they had known it, do you suppose they would have been so patient under what they would consider a most invidious distinction?—I do not know. It appeared to me to be an unfair distinction, and I told them so.

13,257. (*Mr. Coleridge.*) Was it arranged that you should receive 200*l.* for that election?—It was a thing arrived at after the election?

13,258. Did any conversation occur between you and Mr. Brogden, or Mr. Brogden and Mr. Lovibond, or anybody, as to how you were to be remunerated before the election?—No.

13,259. I want to know how it came about?—I think it was somehow in this fashion. Mr. Vanderbyl came down some time after the election, just at the end of August; he came down to the races, and when he came down he sat down and went into these accounts with us.

13,260. Mr. Vanderbyl himself?—Mr. Vanderbyl himself; and my impression is that it must have been then that a conversation took place between us on the subject of our remuneration.

13,261. Did you bring that up, or did he?—At this distance of time I cannot recollect.

13,262. Was Mr. Brogden with him?—No.

13,263. Did he see an account of all the sums that Mr. Brogden had spent? Was all that brought into account?—I think so. I believe he was fully aware of it.

13,264. (*Mr. Anstey.*) And the names of the persons who paid it away, that is to say, Allan and Bussell, and so on?—No, I do not think he had that. I think he had a statement——

13,265. Then how did you or Mr. Lovibond, or whoever it was who stated the account, show that the sums paid, 100*l.* or 200*l.*, to A. or B., or whoever they might be, had really been expended, if you did not

give the names?—It may or may not have been done; I do not accurately remember.

13,266. Do you remember sums being specified as having been paid to persons specified by name for specified purposes?—I do not recollect that. I remember remuneration was offered by him, but the extent of it I do not know.

13,267. There was no concealment?—No.

13,268. (*Mr. Coleridge.*) How was it first of all arranged that you and Mr. Lovibond were to have, 200*l.* apiece, or is that what he offered?—I do not know whether it was one way or the other; but I do think there was some difference between us. Whether there was any sum mentioned I do not know, but I am under the impression there was some difference between us, because I remember this, that it was suggested by us, to the best of my memory, that he should mention the matter to Mr. Kinglake, and whatever Mr. Kinglake thought would be the fair thing, we should be perfectly satisfied.

13,269. (*Mr. Coleridge.*) Had you claimed more than 200*l.* apiece?—No, I do not remember that.

13,270. He did not offer you more than you asked?—No, I think he offered us less.

13,271. (*Mr. Price.*) If you were not at all ashamed of the transaction, why did you not allow these payments to the legal agents to appear in the published accounts? Because in all elections which I have known anything of, the fee to the lawyers is put down, 50*l.* or 100*l.*, whatever it may be, openly and boldly, so that everybody may know that he gets that fee. My knowledge of elections is, that the fees to the legal agents are put down, and form sometimes a very large item in the election expenses. I want to know, if you were not ashamed of this transaction, why was not put down, "Fee to Mr. Barham, 200*l.*," "Fee to Mr. Lovibond, 200 guineas," and so on?—I can only reply to that, that at that time I was under the guidance of Mr. Lovibond. It had not been his practice before; and the same course of proceeding which he had pursued before with respect to Mr. Kinglake he pursued on this occasion.

13,272. Would it have made dissatisfaction in the town if Mr. Bussell and Mr. Allan had seen that you had 200*l.* each?—I cannot say, but my own recollection is that it had been the practice before with Mr. Lovibond, and as it was before so it was then.

13,273. Do you know at all whether the people of Bridgwater were given to understand, I do not say by you, because you say it was a practice which had grown up before you began, before you were initiated into these mysteries, but were the people of Bridgwater given to understand in any way, indirectly or directly, that the laywers gave their services gratuitously?—No, I do not recollect that. I do not recollect anything being said about it one way or the other.

13,274. I think it was given in evidence to us by either Mr. Bussell or Mr. Allan, or somebody, that the impression was that the lawyers gave their services gratuitously?—I am certain of one thing, that I personally have never stated it. What other persons have said I do not know.

13,275. (*Mr. Coleridge.*) You say he offered you less, and you wanted 200*l.*, and it was to be left to Mr. Kinglake, or was left to Mr. Kinglake?—Even that I am not quite sure of, but I believe it was.

13,276. How long after going through these accounts was it before you got the money?—The accounts were gone into just at the end of August.

13,277. During the races you say?—Yes, just at the end of August; and we got the money on the 6th of October; and on the 4th——

13,278. Wait a bit. How did you get it?—Mr. Vanderbyl came into my office and gave me the money in Bank of England notes.

13,279. Do you know whether he did the same with regard to Mr. Lovibond?—I have no doubt he did the same with Mr. Lovibond, and then went to Messrs. Reed and Cook and did the same.

13,280. What other lawyer was paid on your side?—There would be no other lawyer except Mr. Haviland, and I think his account was carried in and published. I had a cheque for 100*l.* for Reed and Cook, and they declined to receive the money, and they declined to have their account carried in and published.

13,281. Did Mr. Vanderbyl suggest that he ought to give something to Allan who had done all this work?—To me, no.

13,282. Did you suggest it to him?—No, I do not know that I did. I suggested it to Mr. Lovibond, and finding it did not meet with approval there, I did not take any independent action.

13,283. (*Mr. Anstey.*) Was anything said to Mr. Vanderbyl about the remuneration to Bussell and Allan, or about allowing them to keep the money they had got?—No, I do not think anything of the sort was said.

13,284. (*Mr. Price.*) You had not, or any of the other lawyers, been placed in the awkward predicament of Mr. Smith, of having lost money by the elections?—Oh, no.

13,285. (*Mr. Anstey.*) I really do not understand now what you mean to suggest. You have stated that these things were kept secret, kept private, to yourselves and the candidates, and yet you state that the object was not that which has been suggested, that of preventing Bussell and Allan, and the electors generally, from supposing that the attorneys did not conduct their own contests, the contests of their own candidates, gratuitously. What other reason can you suggest for the privacy and secrecy, if it was not that?—I do not think I have stated that.

13,286. The Chief Commissioner asked you distinctly this question, whether the electors here were not given to understand, not saying by you in particular, but by the lawyers generally, or by some of them, that these contests between the lawyers' candidates on the one side and the lawyers' candidate on the other were, at least on the Liberal side, conducted gratuitously as far as you are concerned; and you said certainly you had not heard that they were so given to understand?—Yes.

13,287. Therefore I wanted to know wherefore all this secrecy about your remuneration?

13,288. (*Mr. Price.*) Why should not Mr. Lovibond have it published. Why this secresy unless there had been a desire to impress the people of Bridgwater with an idea that it was all done for nothing?—I think it is exceedingly likely that was the object; but all that I stated was that it might have been the original object, but we were acting in pursuance of a preconceived plan.

13,289. (*Mr. Anstey.*) At the former elections where you (I am speaking of yourself personally, as well as the other lawyers) received gratuities or presents, was the same secresy observed there?—No, not while I was outside. It was published then.

13,290. While you were outside the conspiracy was it done?—There were only these two. I had never had to do with any others.

13,291. I say at any election or elections. It does not matter one pin whether one hundred or one, but I am speaking of your previous experience; when you received remuneration before, no matter whether Bagehot's or not, was the same secresy observed there?—My first was Mr. Vanderbyl's. I had no experience before.

13,292. Was that all you received for your expenses, your travelling expenses to and from London? Were your travelling expenses separate, or was everything cleared by that?—Everything was cleared by that.

13,293. Why did you receive a larger sum from Vanderbyl's election than you were going to receive from Bagehot's?—In the first place, Mr. Bagehot was unsuccessful, which made a very great difference.

13,294. (*Mr. Coleridge.*) Does it make a very great difference also what money is spent? Is there

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a sort of per-centage on the money spent? If 5,000*l.* is spent do you require more than if only 500*l.* is spent?—No. My own feeling about the matter was this: in the first place I had been asked to do and had done what I never intended to do, namely, to mix myself up directly with the expenditure and procuring of all this money; and in the next place Mr. Vanderbyl had succeeded.

13,295. Had you anything to do with paying bills at this election which had been contracted for at Sir John Shelley's?—I had this much to do with it; that I attended more than once at Mr. Lovibond's office on occasions on which these bills were under consideration, and I assisted him in making out an account; a sort of statement for the division and appropriation of those bills.

13,296. Is that another sum of money over and above all you told us had been spent?—Unquestionably.

13,297. How much does that come to?—I cannot tell you now.

13,298. Cannot you tell us what the whole would cost Vanderbyl at the last election?—I do not know. I think it is probable that I knew it at the time, but I do not remember it now.

13,299. Was it 6,000*l.*?—No.

13,300. You have given us up to nearly 5,000*l.* now?—No, not so much.

13,301. We have the lawyers, 500*l.*; published expenses 200*l.*, that is 700*l.*; 4,000*l.* in bribery, that is 4,700*l.*; and then these bills. What do these bills amount to?—That I cannot tell at this distance of time.

13,302. Is it over 5,000*l.*, the whole cost?—If it comes up to 4,700*l.* independently of these bills, I should say it was over 5,000*l.* I should say, merely from a rough guess, there was 300*l.* or 400*l.* more.

13,303. That would be a little over 5,000*l.*?—Yes, it may be so, or it may be less; I cannot say.

13,304. Did you tell Mr. Vanderbyl that you had received nothing at Mr. Bagehot's election?—No.

13,305. How was it that he had not paid you?—Merely that there were certain accounts open, and Mr. Robins was some time in closing up the accounts.

13,306. Who fixed the sum you would receive at Mr. Bagehot's election?—Mr. Robins himself. We said, "We will leave it entirely to you. If you think we should be paid nothing we will be paid nothing." He said, "There is no reason for that."

13,307. Tell us approximately what was the whole cost of Bagehot's election?—My belief is that the whole cost is about 1,500*l.*

13,308. Including lawyers and everything?—Including everything. That is my belief. That is merely founded upon conclusions somehow resting in my mind as a matter of memory.

13,309. (*Mr. Anstey.*) Has your attention in the course of this inquiry been called to the fact of the practices of one person taking an active part in bribery on one side being, for some reason or other, kept very secret from some other person of equal degree taking an equally active part on that same side; as, for instance, you may have seen or heard, as we heard from Mr. Bussell, that he never heard during the whole time that he was bribing, and was entrusted with large sums of money for that purpose, he never heard of Mr. Allan being at the same entrusted with large sums for like purposes in a different part of the town; and the same he stated with regard to Garratt. Well, now I want to know, may it not be that although you, on the part of your protegé and nominee Mr. Bagehot, may only know of 1,500*l.*, it is quite possible that his other patrons, Messrs. Reed and Cook or Mr. Henry Lovibond, or both, may know of another sum which, added to the 1,500*l.* would make it a great deal more?—It is possible, but I do not think it is probable.

13,310. Wherefore is the concealment practised *qua* Allan in the case of Bussell and *qua* Bussell in the case of Allan, and not *qua* Barham in the case of Lovibond and *qua* Lovibond in the case of Barham?—You are referring to the concealment at the last election?

13,311. Yes; the concealment of the sums of money spent. You have also told us that one banker is employed as bribe agent (for it amounts to that) to the extent of 400*l.*, whilst another banker contemporaneously, or, worse still, a banker's managing clerk, is employed to the extent of 1,500*l.*, each banker being ignorant of what the other banker is doing; one being the left hand and the other the right hand. Why was not the same concealment practised in the case of the attorneys amongst themselves, with the same view, that of concealing the true state of the transaction?—I do not know why it was not practised. I do not think that there was any such case.

13,312. You have already stated that there was not the best of feeling at one election, at least, and in fact we have it in evidence that at previous elections there was also a bad feeling between one firm of attorneys and another firm of attorneys in the same interest. Assuming that coldness to exist amongst the various patrons of the same candidate, might it not well happen that there were different sums spent by different firms in the name of that candidate?—Oh, yes; as I said just now it might happen, but I do not think it did happen.

13,313. (*Mr. Price.*) We have it in proof before us, that some persons have expressed their astonishment in hearing that Mr. Kinglake spent a sum of 1,100*l.* at one election through the hands of a person whom he employed. That has been expressed great astonishment at. You did not have anything to do with elections at that time, therefore you cannot concur in the astonishment; but if that were so, that 1,100*l.* once was spent by Mr. Kinglake, and the ordinary legal agents not knowing it, would not that rather lead you to the conclusion that the whole expenditure of the candidate is never known by one man of you all, but that it is spread about amongst the different attorneys?—I do not think you have yet heard that Mr. Lovibond did not know of that expenditure.

13,314. (*Mr. Anstey.*) Take the cases that actually occurred. Supposing you had not conferred with Mr. Lovibond and formed a coalition, as it were, of bribery funds, enabled him, I mean, to form a coalition of bribery funds between his own and that which Messrs. Reed and Cook were going to raise, who would have known, which of the attorneys would have known, anything of Dr. Kinglake's having actually raised 1,500*l.* some time before the election; and how, contrariwise, would anyone in Mr. Kinglake's interest have known anything about Vanderbyl sending up to the provision merchants in London and receiving a large sum of gold. May not it have been, also, only the combination that took place at the last moment, as it were, between the two firms of attorneys that allowed each firm to know what the other firm was doing in the way of bribery?—Yes, it is quite possible that Messrs. Reed and Cook might have made such arrangements.

13,315. And you remember that important declaration stated to have been made by Mr. Reed or Mr. Cook: "We are doing all; where the devil is Lovibond"?—Yes, that was on the day of the polling, you know.

13,316. Did you hear that?—I heard that in evidence here.

13,317. You did not hear it said? It was not in your presence?—No.

13,318. I mention it as an illustration of my meaning; and therefore you see it is quite possible that 1,500*l.* may not have represented the sum total of poor Mr. Bagehot's contest which did not conduce to his election?—I do not think there was anybody else spending money on that occasion.

13,319. But however it is quite possible there was. Now, have you done with the second election, Vanderbyl's first election?—As to Vanderbyl's first election, I do not remember anything else with respect to that election, excepting this, that toward the very end of the election, somewhere about 3 o'clock, I was on the Cornhill, and some man, whose name I did not know

at the time, came up and said that he was a voter; and I said at once, "I know nothing about those things," because I did not wish it to be known that I had anything to do with those matters. I said, "It is no use "to talk to me about any subject of that kind;" and I sent him about his business. I do not remember anything else on that day.

13,320. Nor of anything that took place afterwards in reference to the election?—No. I think I have stated already about the accounts.

(*Mr. Anstey.*) Yes.

13,321. (*Mr. Price.*) Is that all you have to tell us, Mr. Barham?—I do not know anything else that I have to tell you at all. I have endeavoured to give you all the information in my power.

13,322. I want to know if you can tell me who was Sir John Shelley's London solicitor?—That I do not know.

13,323. A gentleman of the name of Ford?—I really cannot say.

13,324. His name was well known at one time. You did not know enough about Sir John Shelley's affairs?—No, I did not know enough about the things.

13,325. (*Mr. Anstey.*) There is one question I want to ask you, Mr. Barham, by-the-by. You have used, and we have used throughout your examination the word "bribery," and the term "payment of money," giving of money in bribes. I presume, as a man of common sense who knows the law, that you perfectly understood our questions, and that you wish your answers to be understood as referring equally to monies promised, asked, or stipulated for; agreed for or promised, whether the promise was kept or not?—Quite so. Oh yes. I have told you I am not aware I ever made any promise at all.

13,326. (*Mr. Price.*) Well, Mr. Barham, if there is nothing else that strikes you at present we will not detain you further now. You have given us the history of 1868?—Oh yes.

13,327. We had that first. Well, if anything strikes us in your examination, which has been a very long one, or rather your statement has been a very long one, of course you will be in attendance here if there should be anything we wish to examine you about. At present we appreciate the fulness with which you have spoken, and are rather glad to find at the end of our inquiries that you have disclosed, as you apparently have desired to do, all that you know about the transactions of the elections; and anything, of course, that may occur in the course of this inquiry which might tend to show at all that you have not disclosed the whole, you shall have a full opportunity of explaining to us and setting right.

H. C. Bussell recalled.

13,328. (*Mr. Anstey.*) I want to refer you to a question I put to you formerly, and you were not able to answer me; why it was you were not examined as a witness before the election committee of 1866 appointed to try the election petition of 1865. You said you went up to London, and you were not examined; if you had been examined you would have made a clean breast about the treating which was then organized, and of which you spoke. Looking through the papers that have subsequently been placed in our hands, I find that you were summoned as a witness to prove no less than ten distinct cases of bribery alleged against Mr. Westropp; and your evidence would certainly, if uncontradicted, have gone far to prove them. Now, am I to understand that you were not called to give evidence simply because if you had been called you would have been cross-examined as to the treating, and so jeopardize the seat of Mr. Kinglake?—I do not think that was the cause of my not being called. I was subpœnaed to be there, but they never gave me a retaining fee, and I did not go up on their side—the Conservatives. I went up on our own side.

13,329. I am asking you about your own side. You went up to London to prove ten cases of bribery at the scrutiny, if there had been a scrutiny, against Mr. Westropp?—I do not recollect the number. There were some.

13,330. And you were not called, though you could have given direct evidence of those important cases. You know that?—Yes.

13,331. Well, I wanted to know the reason. Was not the reason of your not being called as a witness, although they had gone to the expense of taking you up to London, that which I have suggested, namely, that your name also appeared in the list of charges of treating which had been handed in by Westropp's side against Kinglake?—I do not know; I wanted to be examined, and the counsel refused to do it.

13,332. (*Mr. Price.*) Was any reason ever given to you why you were not examined?—No; the only reason that I had was, it was better to let the matter remain as it was than for me to go into the box; that is all that I can recollect. I felt rather indignant at the time that I was not examined.

13,333. Who said that to you?—I cannot recollect who it was.

13,334. (*Mr. Anstey.*) Were you told that Westropp's lawyer had handed in four or five names of publicans at whose houses treating was said to have been organized for Mr. Kinglake's benefit, and your name was one of them?—Oh, there is no doubt about that; no doubt at all.

Mr. Eustace Barham recalled.

13,335. (*Mr. Coleridge.*) Mr. Barham, there is one question I want to ask you. Do you know Mr. Salmon very well, Mr. Brogden's clerk?—If I saw him again, do you mean?

13,336. Yes?—Well, I think I should if I met him under circumstances ——

13,337. Had you much talk with him during the election, or before it, or at any time? You came in the train with him from Bath?—I had, of course, talk with him all the way down in the railway carriage.

13,338. Did you gather from him whether he had ever been a clerk in the employ of Mr. Pender?—No.

13,339. You do not know whether he is the same Salmon that carried the money down to Pender at Totnes?—No.

13,340. (*Mr. Price.*) Mr. Barham, I was going to say to you, in fairness to you, that we thought it proper the other day to express our strong disapprobation of persons speaking to the witnesses after they left the witness box, who might or might not take an opportunity themselves of stating what they knew about the election, and you were one mentioned. I think it is due to you now to say that if you wish to make any representation to us, now is the time for you to do it. You made a private representation to us which we declined to hear at the time?—It was merely this, that as the information I gave to Allan was a fact which was beyond all question, which was existing in the bank books, I thought I was merely assisting the Commission by giving that information. I quite acknowledge that I should have given it to the secretary, but it did not occur to me at the time.

(*Mr. Bussell.*) I wanted you to ask Mr. Barham, while he was in the witness box, this question, Whether there was anything in my conduct which gave cause for suspicion that I kept any money that was handed over to me?

(*Mr. Coleridge.*) I will ask Mr. Barham the question.

13,341. Was there anything whatever in the conduct of Mr. Bussell or Mr. Allan that led you to suppose that they were paid in some way or other?—Not the slightest as far as Mr. Bussell was concerned.

13,342. Was there as far as Allan was concerned?

THIRTEENTH DAY.

Mr. E. Barham.

6 Sept. 1869.

—As far as Allan was concerned, I believe he had given a perfectly true account.

13,343. Was there anything which led you to suppose that, although he was not paid by you, he took care to pay himself?—No, I think not.

13,344. You rested your statement upon Mr. Lovibond, who said, "If you pay them here they will pay "themselves afterwards, and therefore we shall pay "them twice"?—Certainly.

13,345. That was the information you received from Mr. Lovibond, who was an older hand than yourself?—Yes.

(*Mr. Price.*) I thought Mr. Lovibond's expression was, "If we allow them something they will always expect it."

(*Mr. Anstey.*) No; "they would take it themselves as well."

(*Witness.*) That was Mr. Lovibond's idea.

Mr. G. B. Sully.

Mr. G. B. SULLY recalled.

(*Witness.*) This would be the time for me to make a communication to the Commission of which I have already informed your secretary four or five days ago.

(*Mr. Price.*) Yes.

(*Witness.*) I have, then, in my hands papers which I think will throw some definite light upon the course which I, in common with some other members of the Liberal party, took in prosecuting the petition against the return of Mr. Westropp; and I hoped to have placed before the Commissioners the motives which actuated some of us. The first paper which I put in is a document which was signed by some individuals connected with the party subscribing or agreeing to subscribe a fund for the purpose; and this document is headed in the following way: "We, the under-"signed electors of Bridgwater, whose names appear "in the schedule hereunder written, being satisfied "that the return of Mr. Henry Westropp as one of "the representatives for the borough of Bridgwater "was procured by open and profligate bribery, do "hereby agree with each other and pledge ourselves "to raise the necessary funds for prosecuting a peti-"tion against the return of Mr. Westropp, and also a "petition to the House of Commons to institute an "inquiry into the bribery by which the return of Mr. "Westropp was obtained, and that such funds for the "purposes aforesaid shall be raised in shares of one "pound for every one hundred pounds which may be "expended, and so in proportion for any fraction of "one hundred pounds; and in case more than 100 "shares are taken the subscriptions be *pro ratâ*. It "is also agreed that a committee of five or more per-"sons and a treasurer and secretary shall be appointed "at a general meeting of subscribers to the said fund; "that no money shall be paid by the treasurer with-"out an order from a majority of the committee, and "then only by cheque signed by two of the committee "men and countersigned by the secretary. That we, "the undersigned solicitors, electors of Bridgwater, "anxious to promote the object of the said subscribers, "do hereby agree to prosecute the proceedings gra-"tuitously and without receiving any professional fees "from the said fund for our services, except costs and "expenses actually paid with the consent of the said "committee and secretary. Dated Bridgwater, the "14th July 1865."

13,346. (*Mr. Coleridge.*) And who is that signed by?—I will put in the document, and you will find. (*Document handed in.*)

13,347. (*Mr. Price.*) Who are the solicitors?—Mr. Benjamin Lovibond was the first solicitor.

(*Mr. Coleridge.*) These names must go on the shorthand writer's notes. This was signed:—

J. L. Sealy	- -	10 shares.
Benjamin Lovibond	-	10 „
J. W. Sully	- -	10 „
F. T. Thompson	- -	10 „
Robert Bate	- -	10 „
Henry Lovibond	- -	10 „
Reed and Cook	- -	10 „
Henry F. Nicholls	- -	10 „
W. L. Winterbotham	-	1 „
W. T. Holland	- -	1 „
George Wilton	- - -	1 „
Thomas Collins	- -	1 „
George B. Sully	- -	4 „
W. Taylor	- -	3 „
George Rowe	- -	1 „
C. B. Mogg	- -	10 „
Alfred Nicholls	- -	5 shares.
Alexander Thompson	-	2 „
Jas. Prior	- -	1 „
John Smith	- -	1 „
T. R. Richards	- -	1 „
Joseph Palmer	- -	2 „
Alfred G. Barham	-	5 „
Thomas Hill	- -	1 „
W. H. H. Akerman	-	1 „
Joseph Glanville	- -	1 „
Wm. Woodland	- -	1 „
George Phelps	- -	1 „
Henry Amery	- -	1 „
Ambrose Dyer	- -	1 „
George Bond	- -	1 „
William Hurman	- -	1 „
J. Bull	- - -	1 „
Alfred Haviland	- -	1 „
John Villiers Shelley, Bart.		150 „
John Browne	- -	10 „
Eustace Barham	- -	5 „
Thomas Ware	- -	3 „
W. C. Symmons	- -	1 „

(*Witness.*) That was, so to say, the articles of agreement upon which the petition against Mr. Westropp was founded; and I put it in now as showing that it was originally the petition of those who joined in that compact not merely to proseute the petition against Mr. Westropp's return, but to ask for a commission of inquiry into the proceedings at Bridgwater. That is why I put it in now. I did not know it was of any service before.

(*Mr. Coleridge.*) You do not say anything about a commission, do you?

13,348. (*Mr. Price.*) You say, "a petition to the "House of Commons to institute an inquiry into the "bribery by which the return of Mr. Westropp was "obtained." You never thought, therefore, of an inquiry into the bribery on both sides?—I had no idea that more than one side was implicated.

13,349. But Mr. Benjamin Lovibond and Mr. Hurman and other gentlemen named here could have given you a good deal of evidence. From what you have heard now you would be of opinion that they could have given you a good deal of information about bribery on the other side?—Most certainly; but I am quite in the recollection of the Commissioners, when I say that it was a condition precedent that——

13,350. (*Mr. Anstey.*) This is before the presentation of the election petition itself?—Precisely; undoubtedly.

13,351. You are aware that unless the election petition itself was so successful as to induce the committee to report that corrupt practices had extensively prevailed, there was no power in the Crown to issue a Royal Commission of Inquiry?—I am quite aware of that; but I think I am within the recollection of the Commissioners when I say that it has been over and over again said here that it was no part of our intention, that is to say, of any of us who signed that paper, to have any inquiry into corrupt practices. Now, I have tendered myself purposely this morning to ask that that impression may be removed.

(*Mr. Anstey.*) But it does not remove my impression at all. This is only an agreement, as far as I read it, "to raise the necessary funds for prosecuting "a petition," not yet tried, "against the return of Mr. Westropp, and also," not a petition to the House of Commons for a joint address of both Houses of

Parliament, but "a petition to the House of Commons "to institute an inquiry into the bribery by which "the return of Mr. Westropp was obtained." That is a one-sided inquiry which the House of Commons has power at common law to institute by means of one of its committees, but which would have no effect whatever in producing a commission of inquiry. It does not remove the impression upon my mind in the least, having regard either to the date of the document or to the objects for which it was drawn up.

13,352. (*Mr. Price.*) Who prepared this, Mr. Mayor?—This is in the writing of Robert Fletcher. I am sure the learned Commissioner will make some allowance for my not knowing what the precise legal bearing of this would be; but it was present to our minds that there should be this inquiry, as I hope some correspondence which I am now going to place before you will further convince you.

13,353. (*Mr. Price.*) You were a layman, but you had the assistance of several lawyers. Did they not point out to you, for they must have known, that it was perfectly futile to ask for an inquiry by the House of Commons into the bribery of Mr. Westropp, except in the form of an election petition? It could not go farther than that?—It was not distinctly pointed out or in any way pointed out.

13,354. (*Mr. Anstey.*) But, Mr. Mayor, let me further direct your attention to the point of this document. This is the point of it, that a sum of money is wanted. Does not that clearly show that it relates to an election petition which is to be conducted at the expense of the petitioners?—Precisely.

13,355. How can that possibly apply to a Royal Commission of Inquiry or an address for a Royal Commission, which cost those who asked for it not one farthing, the expenses being at that time entirely defrayed by the Treasury, now by the peccant borough?—I am sorry that you seem to miss the mark to which I endeavoured to draw your attention. I did not bring that document forward as being a proof that the money subscribed there was to be spent in a commission of inquiry. That I am, of course, quite conscious of; but I bring it forward as a proof that when we commenced the proceedings against the return of Mr. Westropp it was present in our minds that it was not to stop with that. That is the extent to which I wish to go.

13,356. (*Mr. Coleridge.*) Although I will not dispute the law as laid down by my learned friend, yet by the 56th section of the 31 & 32 Victoria, chapter 125, such a petition can now go straight to the House of Commons without any intervention. "If upon a "petition to the House of Commons, presented within "21 days after the return to the Clerk of the Crown "in Chancery in England, or to the Clerk of the "Crown and Hanaper in Ireland, of a member to "serve in Parliament for any borough or county, "within 14 days after the meeting of Parliament, and "signed by any two or more electors of such borough or "county, and alleging that corrupt practices have extensively prevailed at the then last election for such "borough or county, or that there is reason to believe "that corrupt practices have there so prevailed, an "address be presented by both Houses of Parliament, "praying that such allegations be inquired into, the "Crown may appoint commissioners to inquire into the "same, and if such commissioners in such case be appointed, they shall inquire in the same manner and "with the same powers and subject to all the provisions of the statute of the 15th & 16th of Victoria, "chapter 57." You are doubtless aware that it is an alteration of the law at the present time that such a petition as that could avail in Parliament without going through a committee of the House of Commons in the first instance?—Yes, but that is more recently.

13,357. (*Mr. Anstey.*) You are speaking of 1866?—I am speaking of the election of 1865 and the petition of 1866.

(*Mr. Price.*) The 14th July 1865. Well now, Mr. Mayor, you were going to hand something else in.

(*Witness.*) I am going to hand in some other letters. Before I do so I am going to ask the Commissioners whether it is in their recollection that I stated that at the termination of the inquiry before the committee of which Mr. Baxter was the chairman, there was a considerable difference of opinion amongst the Liberals of Bridgwater as to the abrupt termination of the inquiry before the committee, and also as to the reticence of our legal friends in pushing for the second portion?

(*Mr. Price.*) Yes.

(*Witness.*) Now it was in consequence of that difference of opinion that Mr. Francis Thompson, Mr. Henry Nicholls, and myself put ourselves in communication with Mr. Brand, with Mr. Baxter, and with another member of the committee who has been very active against church rates; I forget his name at the moment.

13,358. (*Mr. Anstey.*) Sir John Trelawney?—No, not Sir John Trelawney, his successor, Mr. Hardcastle. We had several interviews, and I had one interview with Sir George Grey, urging upon him the importance of appointing such a Commission. The result of all our inquiries and of all our applications was just one, and it was, "Mr. Baxter refuses to move in the "matter, and as he refuses to move in the matter, no "one else can do it." Now I propose to read certain letters which, hunting over a lot of private letters of my own, I find bear upon this matter. This is from Mr. Francis Thompson, and by the correspondence of the dates I find it was written on the 4th of May 1866:

"London, 9 o'clock, Friday evening.

"My dear G. B. Sully,

"Mr. Nicholls has just called, and he informs "me that Sir Harry Verney has had an interview "with him at the House of Commons. I learn that "Sir Harry has written to you and to me urging the "importance, the necessity, of the petition being in "his hands on Monday. It is of the most importance "that the petition should be a statement of facts and a "prayer for a commission of inquiry. The number "of names is not so important, but what is done "must be done on Saturday afternoon and evening, "and the petition posted to Sir Harry Verney at his "address or to the House of Commons (or to the "care of Kinglake if you do not know Sir Harry's "address).

"Yours,

"F. J. Thompson."

There is another letter written the next morning, which clearly confirms the same thing. I shall put them both in (*letters handed in*).

"Dear G. B. S., Saturday, May 5th, 7.30.

"I have had rather a thoughtful night, yet its "all clear before you at B'water, and not much difficulty to get the needful petition ready with a few "good names to post to Sir Harry. Our postmaster "will have care that it is sent off, and of course you "write to Sir Harry. I opened the Bible this morning "on the words of Paul,' Now, I exhort you to be of good "cheer.' I try to take hope and faith from this. You "will say I am superstitious. Ask one of your hands "to write me a line at Limpley Stoke, or if you see "Lewis, my son, tell him to tell me what is done. I "want to be with you, but my wife is in the way.

"Yours,

"F. J. T.

"P.S.—This matter takes us somewhat by surprise. "I did not know there would be such haste required. "You will feel hurried, I fear, but Mr. Cook or Mr. "Fletcher will please take the writing part, and Mr. "J. W. S. will soon get a few names with designations. "Mr. Nicholls thinks I am wrong in saying the "prayer should not be for a commission, but that it "should be for the evidence or information given "before the election committee to be laid before the "House. You have the words of Sir Harry's motion, "and that will be your guide. If you think it best to "take up the petition instead of posting it, so "much the better. All this may be needless from "me, as you may (and I expect) have acted upon Sir "Harry's letters of instruction posted so as to arrive "in BW. by Saturday morning."

THIRTEENTH DAY.

Mr. G. B. Sully.

6 Sept. 1869.

13,359. (*Mr. Price.*) We have understood, so far, that the House of Commons in a most extraordinary manner refused to act in any way upon the report of the committee that corrupt practices had extensively prevailed, and we also understood that Mr. Baxter, the chairman, for extraordinary reasons of his own, refused to take the initiative as one would expect. And we have also understood, which is still more extraordinary, that when Sir Harry Verney brought it before the House Mr. Baxter gave no encouragement to it at all, and the commission of inquiry was not granted. It is the sin of the House of Commons or partly so. I want to ask you, Mr. Mayor, considering the revelations that you have heard in this room, does not it strike you that it seems rather like a solemn mockery to see the names of Benjamin Lovibond, Henry Lovibond, and Reed and Cook to a protest against corrupt practices?—It certainly has deeply pained me.

(*Mr. Price.*) Well, I should think so; and they give their "gratuitous services" where they get 200*l.*

13,360. (*Mr. Anstey.*) I called your attention, when you were examined before us on the first day, to every statement in that petition, and to the names to it, and you then were unable to give us a single particle of information about it except that you yourself had no information to offer?—I beg your pardon, Mr. Commissioner, I think you will find, if you refer to the shorthand notes, that I stated that I gathered my information from the brief that had been prepared.

13,361. You said you had no knowledge except from general rumour about the corrupt state of the borough, but you were of opinion that at the last election the working class element, though you at first thought otherwise, alone accounted for the sudden turn that had taken place, and you gave information of such an effect that, if we had received it as conclusive, we might have fairly declined to go on with this inquiry?—I must certainly beg pardon for any misconception that may obtain upon your mind. I gave you what was present to my own mind. I have been as much surprised as you, more surprised than you can have been, by the revelations that have been given here, because you had information beforehand of great bulk. What I have heard here to-day, and in the days that this commission of inquiry has been sitting, has been as new to me as to anybody else in this hall, and as startling.

13,362. (*Mr. Coleridge.*) Mr. Mayor, will you just tell me this. This clearly is, in form, an agreement to find the expenses of an election petition in the ordinary way. That petition was presented, and it was fought?—And it was fought.

13,363. And was the cost of it paid out of this company?—It was entirely.

13,364. So this agreement in reality, it is only a mistake, as far as I understand, for you to call it a petition for a commission of inquiry, it really was for a committee of the House of Commons?—That was a condition precedent.

13,365. And the expenses of that have been paid by the people who pledged themselves in this way?—Yes.

13,366. What were the whole of the expenses?—Between 2,000*l.* and 2,200*l.*

13,367. How much out of the four shares you took did it fall upon you to pay?—40*l.*

13,368. Then there has been 10*l.* paid up on each of these shares?—There have been a few defaulters.

13,369. Do you mean that Sir John Shelley paid 1,500*l.*?—No, I was going to make a qualification with regard to Kinglake and Sir John Shelley. I am going to make an observation before I explain that. There is an impression upon the minds of some of the Commissioners that I did not say that I knew anything about the petition or the grounds upon which the petition was fought. Everyone who is connected with the Liberal party in Bridgwater must have been aware that if I had said such a thing I should be saying that which I knew to be untrue, and therefore if I have produced such an impression upon your minds I have done so by error. Every step connected with the prosecution of that petition against Mr. Westropp I have known, so far as a layman can know it, and am cognizant of. The meetings were held in my office very largely, and a great deal of minutiæ was known to me; and therefore if such an impression exists I want to remove it at once. I did not know that it did exist, but from the observation of Mr. Anstey I thought that it must be so.

13,370. (*Mr. Anstey.*) Did you mean that you knew of no corruption on your own side?—I knew of no corruption on my own side, and nothing of the corruption on the other side, except from the brief which was prepared, and as far as one can read a written document.

13,371. (*Mr. Coleridge.*) And from the getting up of the brief?—Yes. Now, as far as concerns that document upon which Sir John Shelley's name appears, he was asked what he would contribute, and he said, "If the Bridgwater people contribute 150 shares, I will contribute the same," and he signed his name for the 150; but, in fact, he paid 600*l.* The Bridgwater people paid about 1,200*l.*, and Mr. Kinglake paid 300*l.*

13,372. And that made up the whole amount?—That made up the whole amount of the costs of the petition.

13,373. Did any of the people in Bridgwater subscribe except these who have entered into this agreement, whose names are here?—Yes, those whose names are on this second agreement gave a lump sum. (*Document handed in.*)

13,374. Not a limited liability?—It was asked in the committee how it was that Mr. Kinglake did not subscribe as much as Sir John Shelley, and we were told in the end of the inquiry that there were some payments which would have to be made for the election of 1865 which Sir John Shelley could not be asked to contribute to, and which Mr. Kinglake would pay.

13,375. Then this is a subsequent agreement, which contains very few names?—Very few indeed.

13,376. But several gentlemen say that they will subscribe something towards the petition?—Yes. (*Document read.*) "We, the undersigned electors of "Bridgwater, and other persons favourable to purity "of election, whose names appear in the schedule "hereunder written, being satisfied that the return of "Mr. Henry Westropp as one of the representatives "for the borough of Bridgwater was procured by "open and profligate bribery, do hereby subscribe the "several sums set opposite our respective names in "aid of the expenses of prosecuting a petition against "the return of Mr. Westropp, and also a petition to "the House of Commons to institute an inquiry into "the bribery by which the return of Mr. Westropp "was obtained. Dated Bridgwater, the 15th day of "July 1865."

The schedule above referred to.

Subscriber.	Amount. £	s.	d.
Alfred Bounsall - - -	5	0	0
H. C. Bussell - - -	3	0	0
H. Collis - - -	1	0	0
John Bunter - - -	3	3	0
Joseph White - - -	1	0	0
William Preece - - -	1	0	0
Edgar Haviland - - -	0	10	6
James Alway - - -	1	0	0
Thomas Manchip - -	5	0	0
Andrew Allan - - -	5	0	0
W. J. Rich - - -	1	0	0
— Roberts - - -	5	0	0

13,377. (*Mr. Coleridge.*) Does not the very fact of Mr. Allan's name appearing to that show at once there could be no idea of an inquiry, but only a petition?—Certainly not. I had no knowledge until a few months ago that Mr. Allan had ever been mixed up with the bribery, and by his own evidence which was published at the time.

(*Mr. Allan.*) At the time of that inquiry I stood, politically, as upright as any man in Britain.

(*Mr. Coleridge.*) This was signed before you had anything to do with these things?

(*Mr. Allan.*) Yes.

(*Mr. Coleridge.*) But I am afraid that won't apply to Mr. Bussell, whose name appears here?

13,378. (*Mr. Anstey.*) Mr. Mayor, you surely remember, because you gave us evidence about the petition of 1866, and you have got that preliminary agreement in your hands?—Yes; I say I remember distinctly.

13,379. Do you mean to say that you did not know in 1869, and 1868, and in 1867, and in 1866, what that blue book called the Minutes of Proceedings before the Election Committee disclosed with regard to the infamous proceedings at the election of 1865?—I was in the committee room the whole time.

13,380. Do you mean to say that you did not know the name of Allan, and that you did not know the name of Bussell at that time?—Yes, I say I knew them both, but I did not know them as bribers, nor does that blue book contain one tittle of evidence to that effect.

13,381. (*Mr. Price.*) Do we really understand you that, having taken an active part in politics, you believed the elections in this borough in former contests down to the last increase of franchise were conducted on pure principles, either on one side or the other?—On the contrary. I have said so again and again here.

13,382. On your own side?—On my own side I have said I was not cognizant of any improper practice; but I was afraid that there had been such.

13,383. When you say "cognizant," I daresay you, like many others, were not a party to any agreement about money being spent; but had you ever the slightest doubt, from what has been proved over and over again to us, that whenever there was a contest there must have been money for bribing on both sides?—I have said in my own examination on the first day, and I must ask your forbearance for not having said all that I might, I have said that about 2 o'clock on the day of the election (Mr. Bagehot's), I was informed for the first time that our hands were not clean, and I left the town and went home.

13,384. (*Mr. Anstey.*) What you said was simply this, that Mr. Nicholls met you and said, "Mr. Sully, "I am afraid our hands are not clean;" and that so disgusted you that you went away. Do you mean to say that you had not the least suspicion before that time that the borough was a mass of rottenness?—As far as our party was concerned I had not the least conception that money had been spent before that.

13,385. Had you any suspicion that money was spent in 1865, when Mr. Westropp came in?—On the Conservative side?

13,386. I mean on your side?—No, certainly not.

13,387. As it had been put by the learned Commissioner, were you not immensely astonished that a man like Mr. Bussell should not be put into the box, who could prove ten cases of bribery, but whom the legal agents conducting the petition kept out because his name was put down as a person at whose house treating had been going on?—This is the first time I have heard of it.

13,388. Did they allow you to attend the consultations of the lawyers?—No.

(*Mr. Price.*) Then I advise you, Mr. Mayor, never to put your name upon a paper in a case in which the lawyers are to conduct an inquiry of this kind without seeing that you have your money's worth.

13,389. (*Mr. Anstey.*) Were you ever an alderman?—No, I have never been alderman.

13,390. Were you ever a magistrate?—No.

(*Mr. Price.*) The lawyers put you and those who signed this petition honestly in a very false position, because you were asked to come forward and subscribe to a petition against Mr. Westropp, when Mr. Kinglake's hands were as dirty as the hands of the other side; and then in consultation they kept back from you the fact that one of the best witnesses they could put into the box to prove their case they were obliged to keep out because they knew his hands were dirty also.

13,391. (*Mr. Anstey.*) You made a statement just now which I must ask you to explain. It was a most irregular statement. It was put forth by way of showing the difference between the Commissioners and yourself. You said that we were informed of these matters before we came down, and you were not aware of them before you came into this hall. Explain that, if you please. On what ground did you assume that we were informed of anything before we came here?—I assume it from the fact that you have material for the cross-examination of witnesses which proves that you have received information of which I was certainly ignorant.

13,392. Before I make any reply to that, do you think it decent to apply the term "cross-examination" to our inquiries?—Certainly, if it is at all offensive to the Commissioners, I will withdraw it. It certainly is not the proper word.

13,393. On what fact do you ground that assumption, which is utterly unfounded, that before our inquiry commenced we were informed of anything which you or anybody else in the world who used common industry might not have acquired from the same medium, the parliamentary papers and the public press?—I will take, for example, the question which was put to Mr. Smith with reference to the letters and Mr. Westropp. That certainly indicated to my mind that you were in possession of materials upon which you founded that question.

13,394. You mean Mr. John Smith?—Yes.

13,395. How does that justify what I must call an unwarrantable assumption, that we were informed of those facts before we arrived here?—Perhaps it does not go to that extent; and if it is at all offensive, I have no wish to say anything offensive.

(*Mr. Price.*) You must be perfectly well aware that when an inquiry of this kind goes on in a town like this, the Commissioners may have from time to time, we do not encourage it, because we much prefer that persons should come into the witness box; but from time to time, of course, certain information is given to us by parties belonging to one side, as regards parties on the other side. There are two very strong political parties, and very strong political feeling in the borough; and perhaps thinking that the time has now come, and that "open confession is good for the soul," they wish to make us aware of the iniquities which have been going on on both sides. It may be that people's consciences are beginning at last to be aroused.

(*Witness.*) If I had thought over the answer I should not, perhaps, have said before coming into the town; I meant previously to the examination of the witnesses. I am sure I do not wish to say anything offensive.

13,396. Tell us what else you know?—I merely wished to lay before the Commissioners the motives which were operating upon some of our minds at the time. Now, after Mr. Baxter's committee had decided that Mr. Westropp's seat was vacant, and after we had found out that a commission of inquiry was impracticable, efforts were made to find another candidate.

13,397. I should really like to know. Do you know anything of how it was that the commission of inquiry fell through, or rather, how the proposition to have a commission of inquiry, after such an unusual report by the committee, came to nothing—was abortive?—I can only say that I twice waited upon Mr. Baxter and once upon Mr. Hardcastle. Mr. Baxter's answer to me was this: "Mr. Sully, it is of "no possible use to have a commission of inquiry. "The House of Commons won't follow it up. If the "House of Commons will follow it up, I, for one, will "go into it."

13,398. The commissions of inquiry have been followed up in other instances. I want to know this, whether there was any communication with Mr. Brand

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or Mr. Glynn, who are called the "whips" of the party, and intimation given to them that Bridgwater was a Liberal borough, and it was better not to have an inquiry, or the Liberals would lose two votes?—Our suspicions were that Mr. Brand had been got at, and we went and saw Sir George Grey.

13,399. What did he say?—He said, "If Mr. Baxter won't move I cannot do anything."

13,400. (*Mr. Anstey.*) What was the reason for the motion for the writ not being moved in the usual way, but that the writ was left to be moved for by Colonel Taylor, the Tory member for the county of Dublin, and not in any way connected with the borough?—He was the Tory whip at the time?

13,401. Yes?—And it was a Conservative seat vacated.

13,402. And the majority was composed of Conservatives and Liberals?—I believe so.

13,403. And the minority consisted of Liberals alone?—I believe so.

13,404. And you can throw no light upon these highly suspicious circumstances?—I can only state what is within my knowledge.

13,405. Mr. Baxter's only reason assigned to you, which he does not appear to have assigned in the House of Commons, was that if the address went up and the commission of inquiry issued and made its report, the House of Commons would not proceed to disfranchisement?—Precisely.

13,406. (*Mr. Price.*) There is no mistake about the Mr. Baxter?—It is Mr. W. E. Baxter, of Montrose.

13,407. (*Mr. Price.*) It may be necessary to ask him to come to explain his conduct. Your hopes of purifying this borough seem to have been entirely extinguished by Mr. Baxter throwing cold water upon the flame that was burning?—Yes.

13,408. (*Mr. Anstey.*) You are not aware that there was any compromise amongst the lawyers on that occasion?—No, I have not heard of it. I was going to say that when this seat was vacated there was an application made to Sir John Shelley. A requisition was got up, and it was signed; and I wrote a letter, a copy of which I do not possess, to Sir John Shelley, or rather, I think I waited upon him with it, and I received this letter in answer:

"1, St. James' Place,

"My dear sir, 8th May 1866.

"I have to thank you very sincerely for your "kind letter, received this morning, together with the "requisition which you have been so good as to send "me. I find the requisition signed by 200 electors, "who have thus testified their wish that I should "again appear as a candidate at Bridgwater. This "requisition so signed is most agreeable to me, as "proving that I have left behind warm and sincere "friends. The Liberals of Bridgwater may well "believe that it is with the utmost reluctance that I "have arrived at the determination not again to contest "the borough after the encouraging reception given "to me on the last election; but, having satisfied "myself that advocating, as I do, purity principles, "I could not succeed against the corruption practised "by the Tories, I should be only weakening the "Liberal party at Bridgwater. Pray be good enough "to express to my friends my great gratitude, and "believe me,

"Very faithfully yours,

"JOHN VILLIERS SHELLEY."

As Sir John Shelley is now deceased, I think it right to put in that letter, it is the only one, I believe, that I have in my possession, as shewing just the negotiation that passed between a portion of the Liberal party and himself. After that negotiation broke down our professional gentlemen went to London and made some inquiries about a candidate, and they came down and reported that they had seen Samuel Morley and Lord Bury. Mr. Morley—I have the honour of his personal acquaintance.

13,409. (*Mr. Price.*) The present member for Bristol?—Yes.

13,410. He was unseated at Nottingham?—He had just been unseated at Nottingham. I shall read to you a draft copy of a letter to him.

(*Mr. Price.*) Mr. Morley was unseated for unconscionable bribery in hiring, under pretence of messengers, decrepit old men, and men who never walked out of their houses or carried a message, or anything of that sort.

(*Witness.*) When it was proposed that Lord Bury or Mr. Morley should stand, the idea was at once discarded, from that very circumstance. I want to read you this letter, because it is a reflex of what was passing in our minds at the time.

13,411. (*Mr. Coleridge.*) And Lord Bury had been unseated; where was he unseated for?—I think it was Dover.

(*Mr. Coleridge.*) Oh yes, Dover.

(*Witness.*) This is the letter that was sent to Mr. Morley:

"My dear sir,

"I accidentally heard that application had "been made to you to become a candidate for the "representation of our borough, and, although at the "time I was told you had declined, I cannot allow "the first opportunity to pass without explaining "(what might otherwise appear as the indifference of "those you have placed under great obligations) why "we did not with the others urge your compliance. "The large majority of the Liberal party here are "engaged in an earnest effort to purge our electoral "system from the corrupt practices which have so long "demoralized our borough, and in contrast to which "what was done at Nottingham was purity. It may "be sufficient for me to say that we have good reason "for believing that out of 620 electors over 200 were "bribed at the last election. Those with whom I act "pressed the professional leaders of our party *not* to "allow themselves to be led into any improper or "questionable conduct, averring that we infinitely "preferred defeat to victory on such terms. I have "reason to believe the pledge they gave was faithfully "kept. We lost one of our candidates, but have "unseated the Conservatives on petition. It was "part of our original intention, if success attended us "to this point, that we should apply for a commission "of inquiry with a view to the effectual stopping a "a repetition of such scenes. The two solicitors, "however, who were in search of a fresh candidate, "appear to have had other thoughts and aims. They "acted against the wishes and instructions of their "friends, and nothing which they did during the early "part of last week has been confirmed. They re-"turned to Bridgwater on Tuesday evening with the "name of a candidate, but instead of entertaining the "proposal, a deputation was sent to London to carry "out the original instructions if possible. I was one "of this deputation, and we succeeded in preventing "the writ being issued on Friday, though I am not "sanguine we shall entirely succeed, Mr. Baxter, the "chairman of our committee, being opposed to a com-"mission on public grounds. I have thought it right "to trouble you with this explanation." And then I go on to say a few words of friendship. The parenthesis alludes to some subscriptions which he had given to the Congregation chapel in this town.

13,411*a*. (*Mr. Price.*) Who is the Conservative alluded to there?—Mr. Westropp.

13,412. (*Mr. Anstey.*) What are the "public grounds" on which Mr. Baxter objected?—I have not understood there were public grounds. Those I have just stated, that Parliament had never followed up, or had not pledged themselves to follow up, these commissions with any action.

13,413. Are you not aware that Sudbury and St. Albans were both disfranchised in consequence of Commissioners' reports?—You see I am not answerable for Mr. Baxter's opinion.

(*Mr. Price.*) His opinion was that the House of Commons was not honest. He was one of them, and he thought from what he knew of the House of

Commons that it was not honest in its endeavours to put down bribery.

(*Witness.*) I find also a letter from Mr. Kinglake about the same date; and I intend to put all the letters in.

13,414. (*Mr. Anstey.*) Who are the two attorneys who went down to see Lord Bury and Mr. Morley?—I think Mr. Lovibond and Mr. Paul Reed.

(*Mr. Price.*) The candidate who appears to be the choice of the lawyers is either a candidate who has been unseated for bribery or a rejected candidate who has been qualified for claiming to represent the borough by having petitioned against his opponent.

(*Witness.*) That was not confirmed by the party to whom it was referred, and hence it was that Mr. Bagehot, who pledged himself not to spend any money, was accepted.

13,415. But he spent 1,500*l.*?—Yes, but that was without his knowledge.

13,416. (*Mr. Anstey.*) That we have to form our opinion upon. It will throw some light on the purity of this borough. Am I to understand that it is your opinion that it is not possible to partake in bribery retrospectively? I will explain my meaning. Is it part of your theory—the theory of Bridgwater—that bribery to the extent of 1,500*l.* can be practised at an election, and if the candidate on whose behalf it is spent can only keep himself away, keep out of knowledge of the fact at the time, he is not guilty of bribery—directly guilty of bribery—when six months afterwards, or twelve months afterwards he honours the demand made upon him to recoup his bribery agents for the sum?—I should certainly say he was guilty of bribery.

(*Mr. Price.*) Now we want Mr. Kinglake's letter:—

"12, St. James's Place,

"My dear sir, May 8, 1866.

"I received your letter, kindly apprizing me "of the petition confided to Sir Harry Verney, and "this morning a print of the petition was placed in "the hands of members. It is very well worded, and "I entirely agree in that part of it which suggests "that upon a member being unseated for corrup- "tion, the seat should go to the candidate next on "the poll without the process of a scrutiny. Last "night, or rather this morning soon after midnight "Sir Harry Verney obtained an order for the pro- "duction of the minutes of evidence given before the "committee, but did not carry his motion any further, "there being, it seems, an undertaking that the "writ will not be moved for until members have had "time to read the evidence.

"I remain, my dear sir, very truly yours,

"A. W. KINGLAKE."

Then follow three letters from Sir Harry Verney, The first is dated, "Admiralty House, Devonport. "May 13th, 1866. Dear sir,—I beg to acknowledge "your note of the 11th. I came here yesterday for "two or three nights, and expect to return to London "to-morrow or Tuesday. You may be certain that I "shall do my utmost to get rid of the abomination of "corrupt practices at election in Bridgwater and every "other borough. I am not aware whether there are "any means by which you can assist me. If there are "I will take advantage of your permission to inform "you. I venture to add how sensible I am of the "public spirit that must animate you and those who "act with you in this matter. I think the whole "country is greatly indebted to you. I fear that we "shall not find many boroughs in which influential "inhabitants will give the co-operation that you are so "good as to offer." Then on May 29th I received another letter: "Dear sir,—You were so good as to "offer me any assistance in proving that the writ for "Bridgwater ought not to issue. The writ is to be "moved, and my amendment comes on on Thursday, "and I shall be obliged to you if you will give me any "information in your power, either by writing to me, "telling me which are the witnesses whose evidence "you consider the most conclusive on the subject, or "by coming yourself, or by sending some one who can "inform me, as I think it probable that the opposition "intend to fight this proposal." I am not sure whether I waited on Sir Harry Verney or wrote to him, but on the 1st of June I found this letter: "Dear sir,—You "will see that our efforts last night (rather at two "this morning) were unsuccessful. You will under- "stand that at such an hour, and the House being very "weary after the reform debate, it was important to "address to them as few sentences as possible. I hope "therefore that you and those who participate your "honourable sentiments at Bridgwater will pardon me "for not having said more in a case where there was "so much more to be said." And then he goes on speaking about a candidate which came to nothing, but which I will read if you please. Those are all the letters I can find.

13,417. (*Mr. Coleridge.*) Whom did he recommend as a candidate?—He does not say. I will read the whole if you like. I have read all the letters I can find now amongst every parcel of letters that I can think of.

13,418. (*Mr. Price.*) Do we understand you to say that until the revelations took place before Mr. Justice Blackburn as to bribery on your side of politics, you were not in the least degree aware or had any reason to suspect, I mean any well-grounded reason from previous contests, that the lawyers on your side had encouraged the spending of money?—I could not have had that impression, because I think I named to you, when I was here the first time that immediately after Mr. Bagehot's election I had a serious difference with Mr. Lovibond.

13,419. If you had that impression why did you and the other gentlemen of the party who you say were zealous, and I give you credit for it, determined to put an end to it, not say "You shall not act as agent for "the party at all; we will not have anything to say "to you; we will have some one not mixed up in these "matters," and try that?—The step we took in that direction was this. Two of us waited on Mr. Barham and asked him to be associated with the other lawyers. We did that purposely and wittingly, believing that he was a man who would not lend himself to these purposes, and it was not until Mr. Allan told me he was the medium that I had the least idea.

13,420. Mr. Barham fell almost immediately after that?—Yes.

13,421. (*Mr. Price.*) Do you mean to say that your reliance on a single man, and he apparently a new comer, justified you in supposing that the whole evil influence on your side among the lawyers would be affected by him, even if he himself remained pure?—I must confine my answer to Mr. Bagehot's election. I must say, as far as Mr. Vanderbyl's election is concerned, having heard that money was spent in Mr. Bagehot's election, I took no part in Mr. Vanderbyl's election. There was no meeting at my office. Mr. Barham has made a mistake in that matter, and beyond accepting him after he was elected, and voting for him as a Liberal, I took no part in his election.

13,422. (*Mr. Coleridge.*) How came you to go to Sir Harry Verney in this would-be purity business?—He had already put on the files of the House a notice of motion.

13,423. It was not any of your party went to him?—Certainly not; I do not know how he came to move in the matter, whether it was Sir John Shelley induced him. We were moving rather in the direction of the Home Secretary, Mr. Brand, and Mr. Baxter.

13,424. (*Mr. Anstey.*) You do not know who suggested it to Sir Harry Verney?—No.

13,425. Because he is not at all connected with this part?—No, he is the member for Buckingham.

13,426. You told us in your first examination that the borough was in the hands of the lawyers. When I asked you whether they had anything besides personal ambition or vanity to gratify, or something more lucrative to look for, you assured me that the lawyers were not paid. When did they give you that

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assurance?—I heard so from Mr. Henry Lovibond and Mr. Eustace Barham on more than one occasion. I am now referring to the last election.

13,427. Only the last?—I do not know that I conversed with him at any previous election.

13,428. (*Mr. Price.*) What led to that assurance being given with regard to the last election? How did the question arise of their being paid at the last election?—It was in consequence of the conversation with regard to the new Act. I may say what I ought to have said in the last examination, perhaps, that some of us were aware of the very stringent clauses in the new Act, and we took measures to have them circulated amongst the poorer voters as well as the rest, so that they might know the risk they ran, and we did hope that might be a preventive. I do remember looking through the Act and seeing the section of the Act which says that any agent who is paid, his vote would be vitiated, and I remember saying to Mr. Barham or Mr. Lovibond, "How will you be able to vote? You are acting as agent?" They said, "We have decided to receive no remuneration for our services."

13,429. That is how it arose?—That is how it arose.

13,430. (*Mr. Anstey.*) Have you anything further to state?—Yes, I have to make a statement on another matter, and it is with reference to the interview which I had with Mr. Fennelly on the Saturday before the election. I was sitting in my office at 10, and Mr. Vanderbyl and Mr. Fennelly came into the room, and Mr. Vanderbyl introduced Fennelly to me. I had no previous knowledge of him, and Mr. Vanderbyl was suffering from a severe cold, and he introduced Mr. Fennelly and said, "I have brought Mr. Fennelly to you to make a communication." I said, "You must "remember, Mr. Vanderbyl, I am holding the office of "mayor, and I do not think it right that I should mix "up in an affair of politics. If the communication "you have to make is one which, having made that "statement to you, you think propriety would lead "you not to make, it would be much better not to "make it, and I would much rather not hear it." Mr. Vanderbyl answered for himself and said, "Mr. Sully, it is a communication I must make to you." Mr. Fennelly then made this statement. He said, "I have "had a serious difference with the professional men all "day yesterday, and I have been in communication "with them, and they have been urging Mr. Van-"derbyl to make an illegal expenditure; and Mr. "Alexander, Mr. Vanderbyl's father-in-law, and he, "Mr. Vanderbyl, and all his friends, have formed a "decided opinion that on this occasion at least he "should spend no money." I believe these are the words he used: "Mr. Vanderbyl is not going to brand "himself as a felon; he is not going to break the law, "and I am come to tell you of the serious differences "between him and the professional men." I said to him, "Mr. Vanderbyl, you will excuse my entering "into the matter at all beyond saying I am glad to "hear you have come to that resolution. I hope you "will keep it, and there is not one of your friends in "Bridgwater whose respect or esteem or vote you "will lose by adhering to it, but I will go no further." That is all I remember since I was last examined.

13,431. (*Mr. Anstey.*) You remember speaking with reference to this last statement of yours which is very important. Do you recollect when you were examined my asking you a question to which I am going to read my note of your reply to; whether you could give the Commission any information yourself of any bribery transactions at any elections. Here is what I took down at the time. "I have only seen bribery committed on one occasion." That is explained at the end of your evidence to me as not bribery committed, but bribery atoned for. "I saw money for "that purpose brought into Sir John Shelley's com-"mittee room." Now at the end of your examination you said what you meant by that was, the person who was bribed brought the money which he had received from the Tories, and laid it down at the feet of the committee, and that you then went on to say; I have not it here, "that is the only case." Why did you not instead of telling us that story which had nothing to do with my question, relate this confession on the part of Mr. Vanderbyl that at the second election in 1866, there had been this bribery?—The interview did not occur to me at all when I was here on that occasion, but as soon as it did I sent to Mr. Purcell, and told him I had a communication to make.

13,432. When did you tell it to Mr. Purcell?—About the middle of last week.

13,433. Even the latter end, was it not?—I should think it was Wednesday or Thursday certainly, it was before Bagehot had opened his mouth. Now I have made one omission which in justice I ought not to do. Mr. Fennelly told me that he had a serious misunderstanding with the professional men, and he said that all of them with one exception were down on them for not agreeing to an illegal expenditure. He said, "I daresay you can guess who that is." I said, "Mr. Barham." He said, "You are right."

13,434. What time in the day was that?—I should think it was 10 o'clock on Saturday morning.

13,435. (*Mr. Price.*) Before the nomination, of course?—On the Saturday; the nomination was on the Monday.

13,436. Did you gather from what Mr. Vanderbyl and Mr. Fennelly had said, that they had made up their minds not to spend money?—They had formed a very strong resolution.

13,437. (*Mr. Anstey.*) What was the object of coming to tell you that?—I suppose nothing more than knowing how strongly I had felt in that direction on previous elections.

13,438. Who was the most active man apart from the lawyers on the part of Mr. Vanderbyl before you were in office? Whom did you call chairman, Mr. Sealey, the banker?—Yes, Mr. Sealey generally, I think.

13,439. At any meeting?—Yes. I do not remember any public meeting at which Mr. Kinglake or Mr. Vanderbyl addressed it beyond a ward meeting of the Working Men's Association. I do not remember any public meeting at which Mr. Sealey was not the chairman.

13,440. Did you see Mr. Vanderbyl himself except on that one occasion during the time he was in Bridgwater on the former elections?—Yes.

13,441. Frequently?—Not frequently. Of course I called on all the candidates.

13,442. Did you exchange visits?—Yes.

13,443. Did you see him on the Sunday?—No, I did not. Yes, I saw him in church.

13,444. But not to speak to him?—Not to speak to him.

13,445. Did you see him on the Monday?—No. Yes, excuse me, I must have seen him; it was the nomination day, but not privately I mean to exchange anything.

13,446. Had you heard on the Monday, or before the Tuesday, or on the Tuesday, that a change had come over the spirit of that resolution of his not to bribe?—I had not heard so.

13,447. You had not heard it?—No.

13,448. You had not heard therefore what many others are stated to have heard?—No, but I heard of it immediately afterwards.

13,449. When?—I think immediately after the close of the poll, or next day, I heard that there had been an illegal expenditure feared.

13,450. That he had adandoned his virtuous intentions?—Necessarily so.

13,451. Did you speak to him about it?—I do not remember seeing him after.

13,452. Did you have any correspondence with him on the subject?—None at all.

13,453. Did you see Mr. Fennelly?—Only when I saw him here, not since.

13,454. Who did you hear it from immediately after the election?—I do not remember who it was.

13,455. How soon was it?—I think it must have been the next day.

13,456. The very next day after the election you

heard that Mr. Vanderbyl had changed his mind?—I think so.

13,457. Can you tell who told you?—No.

13,458. Was it many people, or one or two, or was it generally said?—I heard it in some quarters, and most obstinately denied in others.

13,459. What did you say about it?—I had no knowledge at all.

13,460. Did you believe it or not?—I did not believe it. I must not say what I believed. I will not make a statement that I do not know.

13,461. Was the quarter from which you obtained your information so trustworthy a quarter that when you heard it you did not refuse to believe it, but preferred to believe either that Mr. Vanderbyl had deceived you or else had changed his mind?—I certainly made up my mind that he had either deceived me or had had occasion to alter his determination, when I found that Bussell had left my employment and had gone surreptitiously, silently, and quietly, and I felt then what had been a vague rumour before was an ascertained fact.

13,462. Why did Bussell's going away in particular cause it?—I knew of his going away after he had gone.

13,463. But why did his going away cause it? You recollect you told me when I examined you the first day that you did not know he had been a bribe agent?—Neither did I.

13,464. Was the mere fact of his going away so suspicious a fact as to induce you to believe that Mr. Vanderbyl had abandoned his determination or changed his mind?—Because it was a part of the rumour.

13,465. Do you mean to say that until you heard that rumour, which was not until after the election, you had never heard that Bussell was a bribe agent?—I do say so.

13,466. And had been named in the witness-box in the way the Chief Commissioner has described in the inquiry of 1865, in the promotion of which you took so conspicuously a part?—It did not come to my knowledge at all.

13,467. Are you aware that his name is given on the minutes of evidence given in the House of Commons as spoken to by the other witnesses?—As being a proved briber?

13,468. As being a treater at all events, a man who had opened his house for treating?—I do not remember it.

13,469. (*Mr. Price.*) Had you heard at all the transaction of Sir John Shelley's unpaid bills being paid by the candidate who succeeded him, Mr. Vanderbyl?—No, I did not; and as I said just now, there was a reservation in Mr. Kinglake's subscription of 300*l.* to pay these bills.

13,470. (*Mr. Anstey.*) Had you never heard that Bussell on hearing that Sir John Shelley had given some pledge against bribery, and Mr. Henry Lovibond had done the same, had taken on himself to conceal the fact from the bribable voters at that election, and on the contrary told them that there would be money going?—No, I do not know it.

13,471. Had you heard it?—No, I had not heard it.

13,472. Is not it a very extraordinary thing that that name which seems to have been familiar, if I may judge from the parliamentary reports to your friend, Sir Harry Verney, in the month of June 1866, was not known to you in the month of November 1868?—I do not know what name you are alluding to.

13,473. Bussell's?—I do not think you will find that Sir Harry Verney made any allusion to it.

13,474. (*Mr. Coleridge.*) In your experience of this place have you ever in your heart believed that the Liberal party had any power here at all independent of the lawyers?—I think that that letter which I handed in, the draft letter, will explain it.

13,475. I want you to answer it yourself. Do you in your heart believe in the course of your business the Liberal party have any separate existence from the lawyers, or any power?—They have had a separate existence, but their power has been overshadowed.

13,476. (*Mr. Anstey.*) You told me yourself that the candidates were always introduced on both sides by the attornies, six or seven in all take an active part in that business; you had seen four yourself on recent occasions, and then you enumerate Mr. Lovibond, Mr. Cook, Mr. Reed, and Mr. Barham, and afterwards Mr. Haviland making five instead of four. On the Conservative side, Mr. Smith, when in health, that is I suppose the person who was convicted of bribery at the Taunton assizes in 1838. Then Mr. Trevor, another gentleman; Mr. Brice, together with Payne's son. You also named Mr. Bate on the Liberal side, who was dead; and a number of clerks on both sides; and you also supplement a list of solicitors on the Tory side by Mr. Veysey, and on the Liberal side by Mr. Boys, a clerk; and then you said at the end of all which is a passage I read before—"The borough is "in the hands of the lawyers." You do not wish to qualify those statements?—Not at all.

Mr. Eustace Barham recalled.

Mr. E. Barham.

13,477. (*Mr. Price.*) I want to ask you a question which the name of Boys reminds me of. Do you know anything of Mr. Boys?—He was a clerk in Smith's office.

13,478. And was one of the Conservative attornies?—Yes, and now is in the office of Messrs. Reed and Cook.

13,479. Did you ever hear any reason given why he went from the Conservative office, where he must have known some of the secrets of that party, to assist and become a clerk in the other camp?—There was some rumour.

13,480. Was it a sum of 400*l.* which he had kept back?—I should not like to say, because I have really forgotten what it was, but there was a rumour as to some dispute.

13,481. About money matters?—Yes, I believe so; but I could not say what it was.

13,482. Is it the fact that if there is such a report about a man, he can get at once from the Conservative camp to the Liberal camp, if he is in an attorney's office. Was it pretty well known in the town that there was a claim made against him?—I am so little mixed up in the gossip of the town; I live at Wembdon.

13,483. You are not in a position to answer that?—No.

13,484. There was some rumour?—Yes, there was some rumour.

13,485. Your living out of town, and hearing there was a rumour, the probability is that Mr. Reed, or Mr. Cook, who live in the town know it pretty well?—Yes, I should think you could get that from half-a-dozen persons, but I am not a good person to answer that question.

13,486. (*Mr. Coleridge.*) You told us about the way the money of Mr. Bagehot's election was raised, that you and Mr. Bate, and Mr. Lovibond, and Mr. Reed entered into a joint guarantee to the extent of 1,000*l.*?—What I have told you is that I raised the money on the representation of Mr. Henry Lovibond, who had represented that Mr. Reed and Mr. Bate had guaranteed.

13,487. You drew your cheque for 500*l.* yourself which Mr. Ford took to Bristol and got cashed in sovereigns?—Yes.

13,488. Subsequently you drew 200*l.*?—Yes.

13,489. That is all that was spent in bribery so far as you know?—Only 600*l.* on the polling day, because 100*l.* I paid back into the bank.

13,490. How did you get paid that, you have not told us?—Yes, by Messrs. Warry, Robins, and Burgess, about three weeks afterwards, Mr. Bagehot's, lawyers.

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Mr. E. Barham.

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13,491. With his knowledge and assent?—I should think there could have been no doubt about it, because when I saw him subsequently he alluded to the expense of the previous contest.

13,492. With whom did you deal?—Mr. Robins.

13,493. Can you tell me how the anomalous conversion of Mr. Brice from a Liberal to a Tory agent and patron of the borough was brought about?—That was before I came to Bridgwater. The first time I took any part in an election in my life, he was on the Conservative I believe.

Mr. J. Cook.

Mr. James Cook recalled.

13,494. (*Mr. Price.*) I trust that you will take example by Mr. Barham in one point at all events, and that is by making a full disclosure without putting us to the trouble of examining you, because in the first place it shortens the thing very much, and makes it a connected story, and tends to produce a greater amount of belief in our minds when it comes out voluntarily. First, I will ask you how long have you been in partnership?—From the 1st of May 1865.

13,495. Before then, in whose office were you?—From July 1859 until the 1st of May 1865 I was an articled clerk in Messrs. Carslake and Barham's, and for some years prior to July 1859 I had also been an ordinary clerk.

13,496. Now tell us what part you took in the last election of 1868?—It occurs to me that the first date of any importance at all as regards money matters, in fact the very, first day would bring me to Friday, I believe the 13th of November last year. On the morning of that day either at our office, or at the office of Mr. Henry Lovibond, I forget which, a meeting of four solicitors took place, namely, Mr. Lovibond, Mr. Barham, Mr. Reed, and myself. At that meeting a report was made of the result of the canvass on the part of Mr. Kinglake and Mr. Vanderbyl, and I have here the report or tabulated statement as it was then made up, of the result of the canvass, and with your permission I will place this before you:—It is divided into five columns, in the first column there is "L" representing Liberals; in the second column "C" representing Conservatives; in the third column, "D. F." doubtful for; in the fourth column, "D. A." doubtful against; and in the fifth column the letter "N" representing neutrals. Now in the first column there are three sets of voters, being one to represent Mr. Lovibond's report, the other to represent Mr. Barham's report, and the other to represent our report, and I would put in parenthetically, as far as the canvass was concerned, I took little or no part in it. It was done by my partner. I think I went out on one or two occasions. In the first column is Mr. Barham's return, 87 Liberals, 77 Conservatives, 196 doubtful for, 75 doubtful against, and none under the head of neutral.

13,497. (*Mr. Coleridge.*) What is the difference between doubtful for and doubtful against?—I did not take them that way, but all three reports. Then Mr. Lovibond's report was under the first column 68, under the second, 81; doubtful for, 138; doubtful against, 68; and 11 neutral. Then the return marked R. and C. being 202 Liberals, 135 Conservatives, 138 doubtful for, and 114 doubtful against; none under the head of neutral. The total of those columns would represent 357 Liberals, 293 Conservatives, 492 doubtful for, 257 doubtful against, with 11 neutrals.

13,498. Under which of those columns of doubtful for and doubtful against would the balance men be?

13,499. (*Mr. Anstey.*) I apprehend that as to this "doubtful for" you mean in classifying them, there are two distinct classes which will be added together and represent a large body whom it was doubtful whether they would be for or against?—Yes, no doubt.

13,500. "Doubtful for" would be more likely to be for than against, and "doubtful against" more likely to be against than for?—No doubt. I think that is the interpretation to be attached to it. In adding up these totals it was found that they only represent a total of 1,410. I think the last figure is not quite legible, but then it was found out that two figures representing 46 had not been included for West Street or a part of the borough, being a portion I think of Mr. Henry Lovibond's, and adding that it would make it a total of 1,456. I do not think that represented the total on the register, but it was taken to represent generally the figures. I found on the paper this sort of summary of the report, taking the number of Liberals at 357. According to that report, I see deducted 293 Conservatives, which would leave a majority of 64 upon those two first columns, and then I find the next column, which is "doubtful for" 492, having "doubtful against" 257 deducted from it, leaves a majority of 235 in favour of "doubtful for." Then I find the next thing I did—this was all done in the presence of the four parties—when I took the 293 Conservatives, on taking the 293 Conservatives and adding their "doubtful fors" which appear under my head as "doubtful against" would give them a total of 550. However, the result may be taken out on this statement, that there was a majority of from 200 to 300 doubtful for, as against Conservatives and doubtful against.

13,501. (*Mr. Coleridge.*) Was that made on the assumption of its being a pure election?—Not a word I believe had transpired as far as myself, and I believe my partner.

13,502. Was it on the assumption that you made it, and did you make it on the assumption of money being spent as there had been, or of being exceptionally free?—At that moment no money had been mentioned.

13,503. It is the assumption I want to know on which you made the list, was it on the assumption that it would be a pure election?—No, certainly not, neither one way nor the other.

13,504. (*Mr. Price.*) "Doubtful for" and "Doubtful against" are people who are amenable to bribery?—Yes, unquestionably.

13,505. And with those who are more doubtful, for or against it would be a question which would pay them highest?—I have no doubt that in both cases the same observation would apply.

13,506. (*Mr. Anstey.*) I may take it for granted that in preparing this statement you know well those persons whose names figure in the columns "Doubtful for" and "Doubtful against"?—The names of the voters?

13,507. By character and reputation?—As a Bridgwater man I must have known so.

13,508. Then I take it for granted that those two columns represented the estimate which you had formed on the political morality of those voters?—I have no doubt that, substantially speaking, it represented the state of things in that respect: but I should have said that, according to my knowledge, it has been the practice to have the canvass book framed in this particular manner, namely, a column for each candidate on both sides, and three columns for Doubtful for, and Doubtful against, and Neutrals.

13,509. (*Mr. Price.*) When you have this kind of cabinet council of the borough, do you then go into the probable expense by putting the prices against the men?—Certainly not.

13,510. I thought you might have wanted to tell the candidate what it would cost?—Certainly not.

13,511. (*Mr. Anstey.*) You say, at previous elections each canvasser, including, I suppose, the candidates, who pretend to know nothing about these things, has a canvass book with him. We have it on evidence that there is a particular stage of every election in which these doubtful-fors and doubtful-againsts are bought like cattle. I want to know at what period the price of this man and that man (if I may call them men) on the face of those two lists of "For" and

"Against"—what time is their value per head calculated ?—I have no idea.

13,512. (*Mr. Price.*) You want to know in Bridgwater how much money is necessary, and you cannot have that without having them appraised, when are they appraised, and the value set on each vote, so that you can say to a candidate, "We shall want 1,500*l.* or 2,000*l.*" ?—I have never been present at an appraisement.

13,513. That is reserved for an inner cabinet ?—Possibly so; I have never been present.

13,514. (*Mr. Anstey.*) What was said when you presented that statement ?—Of course that was the first time a canvass had been made of the new constituency, and the remark that was made according to the result was that there was a majority of 200 or 300 in favour of the Liberals.

13,515. (*Mr. Price.*) Who did you employ to make the canvass ?—The canvass was generally made by the solicitors, accompanied by the candidates, and sometimes two or three leaders of the parties would join in. I believe that it is the usual course of practice.

13,516. You did not trust this to the Bussells and Allans ?—To the best of my knowledge and belief they did not canvass on the last occasion, nor do I know of any previous election at which they have.

13,517. Was there a thorough canvass before that paper was made up of the town or their agents ?—I believe so.

13,518. (*Mr. Anstey.*) Not having the assistance of Allan and Bussell and those who knew best where to get the materials for the estimate, may it not be that you have underrated rather than overrated the amount of bribable element in the borough ?—It is quite possible.

13,519. (*Mr. Coleridge.*) Bussell has said he does not believe in canvassing ?—No, in a place like Bridgwater it is mere nonsense to talk of it.

13,520. It goes for nothing ?—It goes for nothing, no doubt of it.

13,521. So that having got the Doubtful-fors and against, your estimate went for nothing ?—To a certain extent, it was separating the wheat from the chaff.

13,522. Had you in the course of your canvass on this occasion acquired such a knowledge of the bribable element of the new constituency as to enable you to speak with certainty or with tolerable certainty as to them ?—No, as I before said, I stated I think already, I had but little to do with it, only on one occasion, I think.

13,523. (*Mr. Anstey.*) We have it in evidence as regards the old constituency your knowledge, if we may believe the minutes of evidence on the trial of Sir John Shelley's petition, of the bribable element in the course of that canvass, must have been very great ?—A large proportion, I believe.

13,524. It is mentioned that you were present with Sir John Shelley from the beginning to the end of the canvass, and you heard the numbers of voters of whom he speaks and to whom he applied for their votes tell him with the greatest audacity and shamelessness, "I "do not know whether I shall vote for you, Sir John "Shelley, or no. I shall vote for Mr. Most,"—a remark which is stated on Sir John Shelley's oath to have been received with shouts of laughter whenever it was made by you ?—I do not think he said I was with him canvassing from the beginning to the end; in fact, my canvass on that occasion was very little indeed. I do not know that that affects the question, but for explanation you will permit me to say that I believe, beyond canvassing the Bath Road with him, and I think Barclay Street, but not a great deal, certainly, I was not with him from the beginning to the end, or anything like it; but then, I do remember one occasion being with him canvassing, but I forget the street, but my impression is it was Barclay Street, where something you have remarked and have read from that blue book took place. "I turned round and "said to Mr. Cook, who was with him, 'What does "he mean ?' Mr. Cook burst out laughing, and said, "'Why, the man who will give most.'" I have no doubt. I may say that was not the first time in my life I had heard of Mr. Most in Bridgwater.

13,525. You had heard in the course of your former canvassing ?—I had not canvassed before.

13,526. Or since ?—Except a little on the last occasion.

13,527. You found in the course of your canvass on the former occasion, and formed a good opinion of the bribable element in the old constituency ?—No doubt there was a considerable element.

13,528. You had that former experience, and the novel experience which you acquired at the last elecvass ?—Certainly.

13,529. In addition to that did not you use for the purpose of your estimate of which you have spoken such information as your acquaintance with Bussell and Allan and others might furnish you with ?—Except the last occasion, except so far as Bussell was concerned, I had no previous acquaintance with them.

13,530. Allan or anybody else, I do not care who; but did not you use for the purpose of your estimate of the Doubtful-for and Doubtful-against, and their comparative numbers, did not you use such information as the bribery agents gave ?—I have no doubt as much as this, if you called on Mr. John Jones (and he is a man you would probably know before from his position in life), if he said, "I will vote for Kinglake and Vanderbyl," no doubt he would be put down by Mr. Vanderbyl as a man who had promised, who would be open to be influenced by the other side. Supposing that he had promised the Liberals, and money was offered to him on the part of the Liberals, that influence would not be sufficient to prevent him expecting money to vote for the Conservatives.

13,531. Did you get that same knowledge from your senior partner ?—Yes, no doubt.

13,532. He has been in practice for many years ?—Yes.

13,533. How many ?—I think he has been a professional man about 20 years.

13,534. Was it upon all this combined information that you formed your estimate ?—The figures were all laid down in their presence, and all by dictation.

13,535. (*Mr. Price.*) With the experience of this last election before you, and the revelations which have taken place, have you any doubt that it fell far short of the truth as regards the amount of corruptible matter ?—I can hardly say, according to the revelations made. I believe there has been very little, comparatively speaking, money spent, compared, for instance, with the one of 1866, of Mr. Vanderbyl.

13,536. I speak of corruptible matter with regard to this estimate; does not it now fall far short of what you would estimate the corruptible matter ?—I have no doubt of it.

13,537. (*Mr. Price.*) If you had to estimate another election, would not you have to take a larger proportion of those persons who could be dealt with as doubtful ?—Yes, that is exceedingly likely.

13,538. (*Mr. Anstey.*) You agree in what was said by Bussell, concurred in by Allan ?—As far as I can express an opinion I believe that was rather over estimated.

13,539. By how much ?—Perhaps by 50 or 100; not more than 100 I should think.

13,540. Bussell affirmed what I may take to be three-fourths of the constituency corruptible, and the total being 1,400 to 1,600, it is an exaggeration only of 100 ?—Yes, I think so.

13,541. (*Mr. Coleridge.*) Should you consider those who bribed as corruptible in the same sense as those who were bribed. In the estimate, should you add or subtract all those persons who would give money, like Bussell and Allan ?—They would go under the first head.

13,542. As corrupt votes ?—No, under the first column as Liberals.

13,543. In making your estimate of the number of

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people who will or will not take bribes, do you include bribers as well as bribees ?—I should think not.

13,544. (*Mr. Anstey.*) You add them, therefore, to the bribees ?—Well, according to the revelations made here, a large number would have to be added.

13,545. (*Mr. Price.*) Would there be 50 righteous ?—In the entire constituency ?

13,546. Yes ?—I should think so.

13,547. (*Mr. Coleridge.*) Because the bankers and all would have to go in ?—I think if all go in in that sense, it would dwindle down to a very small number.

13,548. Fifty then ?—I should think it extremely doubtful.

13,549. Now will you go on to what took place on that day ?—Then later in the same day Mr. Reed and myself were at work in Mr. Lovibond's office discussing matters generally, and whilst we were there Mr. Barham came in and leant against the wall of the office, and by posture and gesticulations seemed to have something of an extraordinary kind to communicate, and he said he had been waited on by a friend of Mr. Vanderbyl's to the effect that this election was to be fought on pure principles. That was the first conversation at which, to the best of my knowledge and belief, as to money matters, or the manner in which the election was to be conducted, was mentioned, and I confess that a feeling of surprise was expressed and shown on the faces of all present.

13,550. (*Mr. Coleridge.*) And disappointment ?—And disappointment.

13,551. (*Mr. Price.*) Who was present ?—Mr. Barham came in as I have before said, and Mr. Lovibond. Mr. Reed and myself were there. Mr. Barham came in and said he had been waited upon.

13,552. And you said with an amount of gesticulation and posture ?—No, Mr. Barham came in and leant against the wall. I remember his position, as if really he was going to communicate something which he believed would be a matter of surprise. That was the first time, I believe, so far as my partner as well as myself is concerned we had heard of money matters.

13,553. (*Mr. Anstey.*) You had better speak for yourself only ?—Then at all events, speaking for myself, I never heard of an arrangement suggested or communication with Mr. Fennelly with regard to any communication being made to fight that election up to that moment. I believe it was a voluntary visit on the part of Mr. Vanderbyl's friend to Mr. Barham. The matter was considered, in all human probability the Conservatives would resort to corrupt practices, because for three or four reasons they urged that Mr. Westropp's name—I remember that expression being used—meant money in Bridgwater, the new constituency, and Mr. Gray had been spoken of as an exceedingly rich man at that time.

13,554. They said this, that Mr. Westropp's name meant money ?—Yes, and also reported from the very moment, in fact, that Mr. Gray was to be candidate, he was an exceedingly wealthy merchant, and it was the impression certainly that the Conservatives meant to fight the battle as it had been fought before.

13,555. I understand this is what was expressed amongst you all at this meeting ?—Unquestionably. Then Mr. Barham was asked to go back and see Mr. Vanderbyl's friend, up to that moment it had not transpired who that friend was, and explain our views, and in the event of the Conservatives resorting to bribery——

13,556. Before that, come to the second conversation. Do you remember Mr. Reed expressing great anger at hearing of this determination by Mr. Vanderbyl ?—There is no doubt that my partner was warm about it.

13,557. Your answer to my question is yes ?—Yes.

13,558. You have heard what Mr. Barham has said about that ?—He was warm, there is no doubt about it.

13,559. You agree with him then ?—He was warm, no doubt. Mr. Barham left, and came back a second time and stated that he had communicated what had previously transpired to Mr. Vanderbyl's friend, but he still adhered to his determination. A further discussion took place, and we were all present, and I remember Mr. Lovibond making a suggestion that if that were so the best thing to do would be to ask Mr. Vanderbyl to retire, in the hope of a coalition between Mr. Kinglake and Mr. Westropp. Whether rightly or wrongly, I certainly did make a very strong remark on that, and I believe in the presence of all, I believe Mr. Barham was present, that it should not be said of me that I would support a coalition under the circumstances, and I did strongly dissent from it.

13,560. Who proposed it ?—Mr. Lovibond and I did make use of that particular remark. Then it was arranged that I should go back with Mr. Barham to his office where Mr. Vanderbyl's friend was then staying, and hear what he had to say ; communicate again the determination he had come to, and if necessary ask if he would meet all by-and-by. I went back, and then found it was Mr. Fennelly, whom I had previously known by meeting him at Mr. Vanderbyl's house. Then Mr. Fennelly was no doubt very strong in his remonstrance. "Mr. Vanderbyl has fully made up his mind to pure principles." And then, in answer to a remark about what the Conservatives were prepared to do, he made use of the expression which I well remember, that Mr. Vanderbyl did not mind money, he would rather spend 5,000*l.* afterwards in the prosecution of a petition against the Conservatives in the event of their doing it. It was arranged after all that Mr Fennelly should meet us again at Mr. Barham's later in the evening. I then returned to Mr. Barham's office. I do not know whether Mr. Vanderbyl accompanied. I found Mr. Reed and Mr. Lovibond there, and it was arranged that we should attend at Mr. Barham's office. At the appointed hour we attended. Mr. Fennelly came accompanied by Mr. Vanderbyl. He retired into Mr. Carslake's room, and we again went over the course which had been travelled over.

13,561. (*Mr. Coleridge.*) Who retired into the rooms ?—Mr. Vanderbyl, and we travelled over the same course again, and Mr. Lovibond was no doubt upon that, as Mr. Barham has said, the chief spokesman, and he expressed his conviction that it would be useless to have the election on pure principles, for the reason that the Conservatives would resort to improper means, and we should be nowhere.

13,562. (*Mr. Price.*) Will you tell me whether that proposition, which seemed to me a very practical one, was discussed, submitting that the Conservatives would win the election by bribery, fighting on purity principles, which you say the Liberal party wanted so much to do, and your chance then of turning out the Conservatives on petition. Was that opinion of Mr. Fennelly's ever discussed among you ?—It certainly never was.

13,563. (*Mr. Anstey.*) It was not entertained even for the purpose of discussing it ?—I think, so far as that is concerned, there had been recently a petition, and we had quite enough of it.

13,564. (*Mr. Price.*) Here was the friend saying he would spend 5,000*l.* which was double the amount before, and proposed you Liberal gentlemen, who wanted a pure election beyond anything in the world, should keep your money in your pockets ?—It was never seriously considered at all.

13,565. (*Mr. Anstey.*) It was not entertained even for the purpose of discussion ?—Not in a serious way at all. I cannot say it was not talked of at all. Then it was arranged after that was over with Mr. Fennelly, to consider the matter still further and to write a letter to Mr. Barham by a given hour that evening, stating whether he had altered his mind or not.

13,566. (*Mr. Anstey.*) What hour ?—I forget the hour, 7 or 8 o'clock. I will not be positive.

13,567. On Saturday evening ?—No, I am still upon the Friday. Then at the appointed hour I think we all went to Mr. Barham's office, I think it was, and then there was a letter which had been received from Mr. Fennelly confirming his previous determination. Nothing further as far as I can remember took place that

night, but on Saturday there was a public meeting, as Mr. Barham has described, in this building ; I think one of the largest that had been held in it during the election. Mr. Vanderbyl and Mr. Kinglake were both present, and both addressed the audience. A resolution was carried by acclamation approving of them, and promising to support them. This was Saturday evening.

13,568. (*Mr. Anstey.*) At that meeting, notwithstanding all the jealousy and fears evidenced before us between Mr. Kinglake and Mr. Vanderbyl, is it not the fact that the greatest affection and confidence was expressed by Mr. Vanderbyl towards Mr. Kinglake and by Mr. Kinglake towards Mr. Vanderbyl?—Yes.

13,569. So much so, that you thought it proper to put those expressions of mutual affection into separate briefs, for I believe in defence of the seat they severed?—There was a severance no doubt.

13,570. And in each brief it was thought advisable to rely on those expressions of love. Is not that the case?—No doubt. There was nothing which took place in their conduct or manner which led anyone to suppose there was any estrangement in any shape or form. Whilst at that meeting some person on the platform asked if I would attend at Mr. Sealey's after the meeting was over. Not knowing what it was, my partner and myself went there, and there were several persons present on that occasion. I cannot give you the names, but at all events Mr. Sealey said Mr. Fennelly had placed in his hands that day a resolution which had been passed, I think by the National Bank, with reference to Mr. Vanderbyl's examination some few days before with regard to the Lundy Island Granite Company. The resolution was discussed there by all present, and I think I may say we unanimously came to the conclusion that there was nothing in that resolution which would alter the previous determination to support Mr. Vanderbyl. The deputation was appointed consisting, as I believe, of Mr. Sealey, Mr. Sully, and I think, Mr. Wilton; I will not be sure, but I think Mr. Barham.

13,571. (*Mr. Coleridge.*) Did Mr. Sealey take an active part?—He was considered chairman at that particular meeting. There were seven or eight more present probably. That deputation was requested to wait upon Mr. Vanderbyl, and communicate the result the meeting had arrived at.

13,572. (*Mr. Anstey.*) Had you promoted the meeting?—Not in any sense or form. I had only been asked on that platform to go to Mr. Sealey's house. I did not know that there was a meeting there, or even the object of the meeting.

13,573. I do not mean that meeting which was not friendly to Mr. Vanderbyl, but the one which was friendly to him, the previous one, which had determined that there was nothing in the Lundy Island Granite Company's frauds?—That was the first meeting.

13,574. Or malpractices which would disqualify him from representing such a place as Bridgwater?—That was the first meeting, as far as I remember, at Mr. Sealey's. There were other meetings the following day, which I will come to presently.

13,575. (*Mr. Price.*) That meeting you were invited to while on the platform?—Undoubtedly.

13,576. When those two gentlemen, Mr. Kinglake and Mr. Vanderbyl, spoke at this public meeting, did they then announce that they intended to conduct the election on pure principles?—Not to my knowledge. I remember no such expressions.

13,577. Here, were the electors of Bridgwater and their political principles must have been very well known?—No doubt.

13,578. Did not they say a word—let the Conservatives do as they like?—I do not remember such an expression.

13,579. (*Mr. Coleridge.*) If they had spoken of that they might as well have gone home at once?—No doubt about it.

13,580. (*Mr. Anstey.*) At any rate, if anybody were to come and speak in that way, be it an angel, you do not believe he would get in?—Not a suggestion of it.

13,581. If they had, what would be the consequence?—As the learned Commissioner suggested. Now, so much for Saturday night. Then on the Sunday morning, I forget the time, I received that letter from Mr. Henry Lovibond. It is dated:

" Westfield House,
" Dear sir, 15th November 1868.
" Will you kindly give me a call this " morning.
" Yours truly,
" Henry Lovibond.
" James Cook, junior, Esq."

Well, I did not go, and I daresay Mr. Barham has told you already that he went to meet Mr. Lovibond there. Then I have heard, in the course of these revelations, there was a meeting at Mr. Nicholls' house, at about 3 o'clock on that same Sunday. That letter being dated the 15th, the following Sunday, I was not present at that meeting, and I did not know that it had taken place until later in the day; but about 8 o'clock on the same day Mr. George Wilton called at my house in the Taunton Road. He asked me if I would attend at Mr. Nicholls's at an hour which he then named.

13,582. Who is Mr. George Wilton?—One of the firm of Brown and Co. He asked me, and I think he said half-past 9 or 10 o'clock; I will not be sure as to the time. I went.

13,583. To his house?—No, to the house of Mr. Nicholls, in the square, and on arriving I found several persons already assembled. Mr. Henry Frederick Nicholls was there, Mr. Lovibond, and several others; and, to the best of my knowledge, I prepared a list of persons who were at that meeting, and they were as follows: " H. J. Nicholls, C. B. Mogg, Dr. Winter-" botham, Joseph Palmer, John Smith, C. Symmons, " George Wilton, J. W. Sully, Thomas Collins, " Lovibond, Reed, Cook." To the best of my knowledge those are the persons present. There was no doubt at that meeting the subject of Mr. Vanderbyl's examination, in reference to the Lundy Island Granite Company, was discussed, and the discussion on all matters extended over, I should think, at least two or three hours, and there is no doubt about the fact that it was whispered round there, to the effect of the communication that Mr. Vanderbyl had made of his intention to fight the election upon purity principles; the communication he had made through his friend.

13,584. So late as Saturday night?—Yes, this was Saturday night.

13,585. (*Mr. Anstey.*) Do not let me misunderstand you. You say at this meeting which took place, both subjects were discussed, namely, his misconduct or alleged misconduct, as the accountable director of the Lundy Granite Company, and his more recent offence of the refusal to go into bribery, and the alleged determination to conduct the election on purity principles?—No doubt one was open discussion and the other was whispered round—the communication he made.

13,586. Which was the real prevailing cause of complaint, the Lundy Island granite scandal, or his determination not to spend money in bribes?—I have no doubt in my own mind, and such was my impression at the time, that the real object was to consider the determination he had come to, to fight the election on purity principles.

13,587. And to get him to revoke it?—I have no doubt we did. Then it was suggested and discussed again that he should be asked to retire. A good deal of discussion took place as to his retiring, and I remember again repeating there that which I repeated at Mr. Lovibond's office on the previous Friday, that I would be no party to a coalition between Mr. Kinglake and Mr. Vanderbyl, or Mr. Kinglake and Mr. Westropp. I used the expression that I would rather fight half a dozen honest battles, and lose, than

THIRTEENTH DAY.

Mr. J. Cook.

6 Sept. 1869.

be a party to that. At last it was arranged that a deputation—I think it was put to a division—I am not quite sure whether they approved the course, but at all events it was arranged at last that Mr. Nicholls, Mr. Collins, and Mr. Joseph Palmer, should form a deputation to wait on Mr. Vanderbyl, to explain to him that they had been considering the examination with reference to the Lundy Granite Company, that they believed it had made him unpopular with the electors, and that by continuing to persevere, he would affect the seat of Mr. Kinglake, and that probably both would be lost in consequence. That was the message the deputation were to carry to Mr. Vanderbyl.

13,588. (*Mr. Anstey.*) Had they in their mind at that time any other person in case he had acceded to that?—Not a suggestion had been made about it.

13,589. What did they intend to do? Have a coalition?—Yes; the deputation returned, and I think as late as 12, or possibly later, and they said they had seen him, and also, I think, Mr. Fennelly, but he saw no reason to alter his determination.

13,590. As to the Lundy Granite Company, or the bribery?—At all events to retire, that he did not see why he should retire, and so it was arranged according to the report of the deputation, that he should further consider until 10 o'clock the next morning. Now, as far as I can remember, it was after 12 o'clock when that meeting broke up. I will not be positive of it. My partner left perhaps a minute before me. I stayed at the door in conversation with someone and followed in about a minute, I should think, and on reaching my house, which is a quarter of a mile from Mr. Nicholls on the Taunton Road, I was informed that a friend of Mr. Vanderbyl's had been there to inquire for me.

13,591. (*Mr. Anstey.*) Who had informed you?—My servant. This certainly must have been after 12 o'clock. Shortly afterwards Mr. Fennelly went to my house; he went into the dining-room and then complained of the way Mr. Vanderbyl had been treated; he had been asked to retire. He told me of the deputation having waited on Mr. Vanderbyl; he had taken a part in the discussion, and he certainly, just before the deputation were about to leave, said to them, "Gentlemen, it is all humbug your talking "about the Lundy Island Granite Company, you "mean money."

13,592. Who said this?—Mr. Fennelly said this to me, and no reply was given to that by the deputation either one way or the other. Then there was no doubt upon that occasion Mr. Fennelly complained of the pressure which had been brought to bear upon him by Mr. Henry Lovibond; it was Mr. Fennelly's expression, this deputation and one thing and another, and then he told me he had recently come from the house of Mr. Hennett, who is a friend of Mr. Westropp's, that he had been asked by Mr. Spink, who is a partner of Mr. Hennett, as I understand, if he would have any objection to meet Mr. Westropp that evening at Mr. Hennett's house, and he consented to go there. In going there he saw Mr. Hennett and Mr. Spink. A suggestion was made about Mr. Vanderbyl coalescing with Mr. Westropp. While they were in conversation Mr. Westropp came in, and Mr. Hennett and Mr. Spink retired. According to the way Mr. Fennelly put it before me, a suggestion was made. I understood that Mr. Westropp had suggested, as Mr. Gray was indifferent about his seat, and what they wanted was to see Mr. Westropp get in, he suggested a coalition between himself and Mr. Vanderbyl. A conversation took place upon it, and then Mr. Fennelly said he left to go as I understood him to say, to the house of Mr. William Brice which is in the same street, about 60 yards distant, to consult him and Mr. James Trevor, who was understood to be in the house at that time. Shortly after that Mr. Westropp came back, a further conversation took place on the subject, ending in saying if anything is to be done in this it had better be done as between the lawyers. You had better see Messrs. Reed and Cook. Mr. Fennelly then appears to have gone to the "Globe," because he saw the deputation between going to Mr. Hennett and my house, and Mr. Fennelly said, "I have come to ask you what you think of that proposition." I was equally strong in the condemnation of that as in the condemnation of the suggested coalition between Mr. Kinglake and Mr. Westropp upon the Friday, and on that evening at Mr. Nicholl's house, and I said I would rather fight half a dozen honest battles and lose, than be a party to an arrangement of that kind. I believe that was substantially the answer that I gave. Upon that he said, "You know that Mr. Barham has been to me and made a proposition." I was not aware of it, nor did I make any assent or dissent to what he then stated. He followed it up and said, "Mr. Bar-"ham has made a proposition on the part of Mr. "Berkeley's friends, and that Mr. James's friends "should be prepared with 1,500*l.* and Mr. Berkeley "with the same sum."

13,593. (*Mr. Anstey.*) We have it in evidence who were meant?—No doubt, that is the first time I heard the names of James and Berkeley in connexion with the Bridgwater election. Mr. Fennelly asked me if I thought it was an honest proposition, because he complained of the conduct of Mr. Lovibond in bringing this pressure on Mr. Vanderbyl with reference to the deputation and other things, and I made this answer, "If Mr. Barham has made you such a proposition as that no doubt it will be carried out." A further discussion took place with reference to it, and I have no doubt on that occasion it was stated that the arrangement was being made to be carried out only in the case of the Conservatives resorting to improper means, when it would become necessary as a sort of protection. Then I was asked if I would that next morning convey to Mr. Berkeley's friends the acceptance by Mr. James's friends of the proposition which had been so made, and I arranged to do it.

13,594. Mr. Fennelly asked you?—Yes, and then he said he should go to town in order to make the necessary arrangements for the carrying out of the acceptance of that proposal.

13,595. You have put it down in white and black who was meant by James and Berkeley throughout this conversation?—Mr. James was at all events Mr. Vanderbyl, and Mr. Berkeley was meant for Mr Kinglake.

13,596. You agree with Mr. Barham's statement?—Unquestionably. Then I was asked to communicate it. It is due to Mr. Fennelly to state that he was exceedingly bitter with regard to the manner in which Mr. Vanderbyl had been treated in the strong desire to have that election carried out on pure principles. I was asked to press the acceptance of the proposal on Mr. Barham the next morning, and the next morning I wrote a letter to Mr. Henry Lovibond, asking him if he would call at our office on his way to town, and before I reached the office I met my partner, and told him all that had transpired between Mr. Fennelly and myself on the previous Sunday night. It occurs to me that I should now go back to that communication with regard to the suggested coalition. That was communicated to me as a masonic communication, and I was not to divulge that.

13,597. Who used that expression?—Mr. Fennelly said it was coming from Mr. Westropp, who was a mason. I think he said he was not a mason, but it was to be conveyed to me as a masonic one.

13,598. (*Mr. Coleridge.*) Are you a mason?—I am.

13,599. (*Mr. Anstey.*) I ask whether it is competent according to the rules of masonry for one mason out of a lodge, and by a mere admonition of that kind, to bind the others to masonic secrecy?—Well, I certainly paid attention to it myself in the way I was going to describe to you with regard to my conduct on the Monday morning, as to that part of it at all events, except as far as my partner was concerned who was a mason, and therefore I felt at liberty to communicate it to him.

13,600. You do not consider it equivalent to the secret of a lodge?—Certainly not, I should not like it

to be understood for a moment that it would be in any way equivalent to it.

13,601. For I am afraid otherwise there would soon be an end to the administration of justice in this country ?—Then I wrote on Monday morning to Mr. Lovibond a note, asking him to call at our office on his way to town. Just as I was outside the office door I saw Mr. Lovibond coming in the direction of Mr. Barham's offices, and he said to me, "Well, I "have had your notice, but the writing is so much like "Barham's I have been down there. I did not notice "the signature, thinking it was his." He came in, and we got into Mr. Reed's room; Mr. Reed was not present at that particular moment. Then I communicated to Mr. Lovibond what had transpired between Mr. Fennelly and myself previously saving the coalition. That I did not communicate at that time, for the reason which I will place before you, and I told Mr. Lovibond the question which was put as to whether Mr. Berkeley's friends will be prepared, and his answer was "Certainly."

13,602. That is whether Mr. Kinglake's friends would be prepared to meet Mr. Vanderbyl ?—Certainly, whether they were honest in their proposal.

13,603. I do not think that either Mr. James or Mr. Berkeley would be flattered by having their names taken in vain so much, I would much rather you would use the names of the real parties ?—Personally I much regret having to use them. Then I believe Mr. Lovibond left, no particular discussion took place at that time, and I believe going out he met my partner. I should state that when I made that statement to Mr. Lovibond, he made use of this expression, "Last night's meeting was not without its influence." When I made the communication of Mr. Fennelly's proposition, then he said, "Last night's meeting was not without its influence;" alluding to the meeting unquestionably at Mr. Nicholls.

13,604. Or the deputation, which ?—The deputation and meeting as a whole no doubt. That was the nomination morning, the deputation as I told you before consisted of those parties at the meeting. Mr. Sully was present, and it would appear that he had previously promised Mr. Vanderbyl to nominate him, or second him, I forget which, but it is due to Mr. Sully to state that I think he was one of the persons who from his observation and so on, whether actually put to the vote I do not know, who was unwilling to concur in the suggestion of the deputation, at all events he formed no part of the deputation, but said "I shall go down and tell Mr. Vanderbyl for "reasons, of these disclosures, and one thing and "another I do not feel in my own mind that I am "able to perform the promise, and I shall go down "and tell him that I want to be relieved from it." And I was told by Mr. Fennelly that Mr. Sully did come there some quarter of an hour or 20 minutes in front of the deputation, and made the communication to Mr. Vanderbyl, that he was sorry he could not propose him as he had previously promised to do, or to second him I forget which.

13,605. Was that on account of his supposed participation in bribery or on account of his unexpected non-participation in bribery, which ?—Mr. Sully urged strongly those disclosures, that in his own mind he felt from his position an unwillingness.

13,606. That is the Lundy Granite affair ?—Yes.

13,607. And bribery ?—I believe Mr. Sully, when he made that, was honest.

13,608. (*Mr. Price.*) He put it on that ground ?—He did so far as my impression is concerned; it is due to him to say he was honest in that. Then there was the nomination on Monday morning, and there is no doubt there was a difficulty in getting the persons to propose and second Mr. Vanderbyl.

13,609. On what ground ?—I think there was a meeting that morning again, after Mr. Lovibond had gone, of the lawyers, and I think including Mr. Barham, at which this difficulty was discussed, and it was arranged different persons should be seen by the different lawyers, with the view of getting Mr. Vanderbyl proposed and seconded.

13,610. The nomination being about 12 o'clock ?—11 or 12 o'clock, something of that sort; and I remember two persons whom I saw, Mr. George Wilton I believe, and Mr. Thomas Collins, both of whom expressed their unwillingness; and said the shortness of the notice, and for one thing and another, they were unwilling to do it. That was the only reason they gave.

13,611. I thought you said one thing and another ? Well, they said the shortness of the notice, and they preferred not to do it, and that kind of thing.

13,612. Not to do what ?—Proposing or seconding him. Then I believe the two persons I saw were Mr. Wilton and Mr. Collins, and we met on the Cornhill, each lawyer making his report :—"I have seen A, and I have seen B, and he will not do it;" and at last Mr. William Hurman was present, and I think Mr. Reed, Mr. Barham, and myself were present, and after some little persuasion he consented to do it. Time was drawing short, and at last it was consented that I should take on myself to be proposer, or seconder, and I took it upon myself. I preferred, though rather reluctantly, to second.

13,613. Did Mr. Thompson decline ?—I did not see Mr. Thompson, but I think he was seen by Mr. Barham.

13,614. And he refused ?—And he refused.

13,615. What was the ground on which they all refused ?—The ground they urged, so far as those two I saw were concerned, was the shortness of the notice, they had never done so before, and I think they then referred to these recent disclosures, and would rather not do it.

13,616. Did any refuse to propose him on the ground that they feared there was going to be bribery going on ?—Certainly not.

13,617. Or on the ground that they feared there would not be bribery ?—Certainly not.

13,618. I will only ask one question with reference to something you said you would prefer to state presently, the reason why you did not communicate with Mr. Lovibond and Mr. Reed the conversation with Mr. Fennelly which conveyed the distinct proposal of the coalition between Vanderbyl and Westropp ?—I think you must have misunderstood me. I did mention it to my partner as a mason, all that did transpire between myself and Mr. Fennelly on the Sunday night.

13,619. You said there was something to conceal ?—What I mean is that I concealed part of the suggested coalition from Mr. Lovibond.

13,620. What was your reason for concealing that ?—The reason was it was conveyed to me as a masonic communication, and Mr. Lovibond not being a mason, I did not feel at liberty to tell him.

Adjourned till to-morrow morning.

FOURTEENTH DAY.

Tuesday, 7th September 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
HENRY FRANCIS PURCELL, Esq., Secretary.

FOURTEENTH DAY.
Mr. E. Barham.
7 Sept. 1869.

Mr. EUSTACE BARHAM recalled.

13,621. (*Mr. Anstey.*) You stated in your evidence mainly as to this effect, that the consultation between you and Mr. Lovibond and the other attorneys, during the canvass, and after the canvass down to the nomination day, as to the course to be taken supposing Mr. Vanderbyl did not bribe and Mr. Kinglake did not bribe, proceeded upon the assumption that this was a Liberal borough, but that you would be hopelessly defeated if there were no bribery on your side. Now I understand that to presuppose another fact, which was that the opposite party had determined on bribing?—That is to say, that we supposed so.

13,622. Would you have the kindness to inform the Commission what were the facts, or what was the information, which induced you for so many days before the nomination day to take that important fact for granted, so far as to found all your proceedings on the assumption of it?—One fact was Mr. Gray's being here, as I have stated before. That appeared to us to be very indicative of the intention of the Conservatives to spend money. Then there were little rumours and reports that came in; we had rumours of treating; that was called "randying." We understood there had been meetings of Conservatives, which I think have been spoken of in evidence, at Denman's inn opposite.

13,623. What is the nature of "randying"?—A meeting of that kind, as I understand it, is a meeting of the voters of the party, the bribable portion, and their drinking together at night; and therefore having noticed that recourse was being had to that kind of proceeding with which each election usually commenced in the earlier portion, it was supposed that the rest of the old programme would be followed out in the course of time. Then two or three things came within my own knowledge, one of which made me get into the box now, because I remember it since yesterday, with reference to Providence Place; they were all new voters in Providence Place, and upon the canvass which we had in Providence Place it was a very successful one indeed. I think, speaking roughly, out of about 40 voters in Providence Place, but I have not the figures, we received promises from all but about four voters. We considered it was a very successful canvass. Now, close by Providence Place is another row of houses fronting the Wembdon Road, called Providence Terrace, and there lived there a certain member of the Liberal party, Captain Robins, who had taken a good deal of pains at the time of the registration in helping, and he lived very near this mass of houses in Providence Place, to furnish us with the information as to the claim which should be made, the objection which should be made, and so on. I remember that shortly before the election, and after the canvass, Captain Robins said to me one morning, "They are tampering with the voters in Providence Place;" and I told him to look out, and if he could give me any information as to who the persons were he was to let me know; and I think he did tell me afterwards that a man of the name of Ford, who kept a public-house just opposite, had been up there. I do not remember his mentioning any other names; but that was one among the other indications upon which the idea was based that the Conservatives were intending to spend money. I remember also being distinctly told that there was a Mr. Jarman on the Conservative side.

13,624. Frederick Jarman?—I believe so.

13,625. (*Mr. Coleridge.*) Jarman the draper?—No, I do not think he is. I think he is a baker. But I was told he had been very active either in John Street or Barclay Street, I forget which.

13,626. (*Mr. Anstey.*) The same man who has been mentioned as having bribed in 1865?—I think he probably is, but he is on the Conservative side; and I recollect information being brought to me that he was very active, and seen going about from house to house in either Barclay Street or John Street. Those were the indications from which we arrived at the conclusion that the Conservatives intended to spend money; and of course all our statements with respect to the hopelessness of the contest were based upon that supposition.

13,627. To make it more clear, if Frederick Jarman had been known as an innocent agent of the Conservatives his being very active in going about from house to house would have signified nothing?—That would have signified nothing.

13,628. Had you ever known Frederick Jarman as reputed to be anything but a bribery agent?—Well, my impression was he was a bribery agent on that side. I had no knowledge, but that was the idea I had of him.

13,629. And no other purpose?—No other purpose that I know of.

13,630. (*Mr. Price.*) Was he in the same kind of capacity to the Conservative party, so far as you knew, as Mr. Bussell was to your party?—One of the men of the same class, and just as I understood.

13,631. (*Mr. Anstey.*) Did you communicate those highly probable suspicions of yours, when I say "you," I mean the whole knot or coalition of attorneys, to any respectable persons on the other side with a view of preventing any mutual agreement, any practice of the kind?—No, I did not.

13,632. Why not?—I was acting as one of the three. I remember distinctly proposing, and I think I stated before, on the occasion of that interview, that I should go to Mr. Trevor; but I was only one of several, and that proposition was overruled, so I did not consider myself at liberty to act in opposition to the others.

13,633. (*Mr. Price.*) They said it would be perfectly useless to do so; it would only make the Conservatives more determined?—Yes.

13,634. That was the reason?—That was the reason.

13,635. (*Mr. Coleridge.*) And put them on the *qui vive* in fact?—Yes.

13,636. (*Mr. Anstey.*) There was some confusion in court at the time, and I did not catch what you said or were going to say when you mentioned the name of Mr. Hennett, of Hennett and Spink; did I understand you to say that there was a proposal that Mr. Hennett

should propose Mr. Vanderbyl at the election?—Well, I do not remember that; I do not think I said so.

13,637. Then I may have misunderstood you, or have heard it from Mr. Cook, or it is possible I did not hear it at all?—I do not think I have heard that.

13,638. I only want to make it more clear; this Mr. Hennett of whom you spoke with reference to the compromise—I believe it is in evidence already, if not you can tell us; he is a Conservative, is he not?—Yes.

13,639. And has always acted with the Conservative party?—Always.

13,640. And it was he whom you described as a friend of Mr. Vanderbyl, in promoting the coalition between himself and Mr. Westropp?—Yes, certainly, he was always a Conservative.

13,641. (*Mr. Price.*) He was a friend of Mr. Vanderbyl?—He was a friend of Mr. Vanderbyl. I understood that Mr. Vanderbyl had given his firm some considerable contracts for companies in which he was engaged.

13,642. (*Mr. Anstey.*) Before the election?—Before the election.

13,643. Before they were friends?—That I do not know; but I recollect Mr. Vanderbyl mentioning the circumstance when he was down here. He said, "I have transactions with them in business."

13,644. Did he vote for Mr. Vanderbyl?—No, I do not think he did.

13,645. Mr. Axford, however, the petitioner against Mr. Kinglake in 1865, did vote, we find from the lists, for Mr. Westropp and Mr. Vanderbyl?—Dr. Axford I believe did.

13,646. How came that Conservative, who had been so active as to present an election petition in 1865 against Mr. Kinglake's return, to split his vote as against him between Mr. Vanderbyl and Mr. Westropp?—I have no knowledge of that.

13,647. I asked you yesterday about the undue influence alleged to have been put upon him?—I heard there had been some mistake.

13,648. Did you never hear, over and above the undue influence, that there was a gratification in the shape of an appointment under a very powerful steam packet company, terminable at pleasure, guaranteed to Mr. Axford's son?—I have heard something about an appointment to Mr. Axford's son.

13,649–50. Through Mr. Vanderbyl?—I believe so.

13,651. In connexion with that election?—I cannot say that; I think it took place some time before.

13,652. I do not say that it took place in connexion with the election, but you, in connexion with the election, have heard of that?—Yes; I think what I have heard was this, that there had been an appointment gained for Mr. Axford's son, and that he felt himself under some tie of gratitude to vote for Mr. Vanderbyl in consequence.

13,653. Mr. Westropp and Mr. Vanderbyl?—Well, he is a Conservative, so he would naturally vote for Mr. Westropp.

13,654. But against Mr. Gray?—Against Mr. Gray.

13,655. There is another point I wanted to ask you about connected with the election. You have heard Mr. Lovibond distinctly repudiate the liability for that 500*l.* in that irregular way by Mr. Prior?—Yes, I have.

13,656. You have heard Mr. Mogg, I daresay, declare that he also is not liable for it?—Yes.

13,657. If Dr. Kinglake in like manner refuses to pay it, I ask you, have you any reason to believe that Mr. Kinglake will make it good?—No, I have no reason to believe it at all beyond the circumstances that are before the court. I have no other reason to believe than you would have the same thing.

13,658. Among those circumstances to which you refer, this is one; that it has been the invariable practice in cases of bribery in this borough, for the bribe which was due and not paid at one election, or due and not repaid to the person who bribed at one election, to be paid; or, as the case may be, repaid at some subsequent election?—Well, you have in my evidence already, my own knowledge on that point. If I should say it was the invariable practice, it would only be as far as I have seen it in my experience.

13,659. That is not quite all, for I am coming to a point which I forgot to ask you yesterday. You told us of the conversation which took place between you and Mr. Bagehot when you asked him to stand the second time?—Yes.

13,660. I would ask you the same question with reference to the settlement of accounts of his contest at the preceding election which I asked you with reference to that; were you present when Mr. Bagehot settled with you and the other strangers the sums advanced, as has been said, without his knowledge, behind his back, for the purpose of bribery at that contest?—No, that was never settled with Mr. Bagehot; it was settled with Mr. Robins, his solicitor.

13,661. Was Mr. Robins authorized by Mr. Bagehot to settle it?—I understood so.

13,662. And he has never had it called in question?—Never; I have not had the slightest doubt about the whole matter.

13,663. You saw Mr. Robins face to face of course?—Certainly.

13,664. Was it perfectly understood, from what passed then or formerly, by Mr. Robins that the money had been expended for illegal purposes?—Unquestionably.

13,665. Did he say that Mr. Bagehot refused or objected, or had any scruple whatever to make good the money so advanced, 1,500*l.*; I think it was on the score of venality or corruption?—No, he did not think it was.

13,666. He made no such objection?—No, he put no such objection.

13,667. Did he tell you he was authorized by Mr. Bagehot to settle?—No.

13,668. But he did settle it?—Yes.

13,669. Then why did you see him if he did not tell you he was authorized?—Because Mr. Bagehot had referred us to him for a settlement of account.

13,670. That was the only part that Mr. Robins had in the election?—That is the only part he had in the election, so far as I am aware.

13,671. There is an instance similar to that of the 500*l.* now pending, except this, that it is more than probable that Mr. Prior will lose the 500*l.* otherwise you see it is an analogous case?—He may so.

13,672. Supposing that Mr. Kinglake was ignorant and Mr. Bagehot was ignorant beforehand, always assuming those very important points, now take the other case. Mr. Bagehot, I now understand from you, though you did not say so, but I gathered it from what you said, declined to settle the demands on Sir John Shelley, which Sir John Shelley had refused to honour. I shall speak more particularly with reference to Mr. Hurman's 37*l.*, and claims of that kind?—No, that was not so; he never refused, for you see Mr. Vanderbyl's election followed so quickly on Mr. Bagehot's, and Mr. Vanderbyl being successful, and Mr. Bagehot unsuccessful, Mr. Bagehot was never asked to discharge those claims, nor was Mr. Vanderbyl asked to discharge them then.

13,673. He was asked to discharge one of them certainly at the time when Mr. Hurman promised his vote?—Well, through his agent, but not directly.

13,674. I am speaking of Mr. Bagehot, or his agent?—Yes.

13,675. Mr. Bagehot and his agent having allowed the contest to pass without having honoured any one of those demands, am I to infer at that time he or they refused to honour them; those demands of the previous year?—If you can recall the evidence I have given, you will see the position of things was different; at Mr. Bagehot's election you will remember we were acting on our own authority, whereas, on the occasion of Mr. Vanderbyl's election Mr. Brogden was down.

13,676. That is an explanation, but not an answer to my question. I want to know is it or not a fact, whether acting on your own responsibility or on Mr. Bagehot's, or on your joint responsibility, that those

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conducting the election in Mr. Bagehot's interest declined to do at that election what appears to have been done at the next election of Mr. Vanderbyl himself, and through his agents; that is to say, the honouring of those demands which Sir John Shelley had absolutely refused to honour it?—Certainly, that is not the fact, so far as I know it, because I do not remember at that time hearing anything about it.

13,677. (*Mr. Price.*) You were aware at that time that there were demands?—I have very imperfect knowledge, because I was only just entering on the subject.

13,678. (*Mr. Anstey.*) You did not know the circumstances?—No.

13,679. However, it unfortunately happened, did not it, that Mr. Vanderbyl honoured them?—He paid, I believe, a portion of them; I do not think all.

13,680. (*Mr. Price.*) Mr. Kinglake paid some of the others?—Mr. Kinglake a portion, Mr. Vanderbyl a portion; but I do not think they were entirely paid.

13,681. (*Mr. Anstey.*) When did Mr. Kinglake first, and Mr. Vanderbyl first pay any of them?—After Mr. Vanderbyl's first election, when the account was made up.

13,682. But with reference to that election?—With reference to that election. He paid a portion, no doubt. I do not know that of my own knowledge, absolutely, but I know that was the arrangement, and always understood that was done.

13,683. I will now ask you distinctly the question, supposing that Mr. Vanderbyl had been as steadfast as Sir John Shelley in refusing to honour those demands, and supposing that Mr. Bagehot had refused to authorize that most irregular transaction of the 1,500*l.*, and supposing that you yourself and Mr. Bagehot had refused to ratify what had been done most corruptly, as it appears to me, by Mr. Prior at this election, and by the clerk Reynolds, left in charge of the West of England Bank; and, lastly, supposing that Mr. Kinglake, or Dr. Kinglake, imitating Mr. Lovibond and Mr. Mogg's example, repudiated the 500*l.* advanced by Mr. Prior, do you think if there was to be another election for this borough there would be any more transactions of that kind?—I cannot say. My impression is at present that most people feel that they have had enough of it. I can say that is my feeling.

13,684. This illustrates my question. Is there really any difference, after all, between prospective presents and retrospective participation in bribery?—I do not quite follow.

13,685. Is there any difference between promising the money and providing the money, and recouping the money afterwards, it being provided by other people?—As a matter of guilt?

13,686. As a matter of guilt?—Not the slightest that I can see at all.

13,687. (*Mr. Price.*) The distinction about Mr. Bagehot's purity?—I have never made any such distinction.

13,688. I did not say that you did, but that distinction falls to the ground?—Yes.

13,689. You had something to do with the preparation of the accounts; in some cases you were election agent, I think; in other cases you had an official capacity. I want to know whether these entries, to your knowledge, were intended by way of a blind. I will not go through them all, but give you one as a specimen, as there are several exactly alike. This relates to Mr. Kinglake's election of 1865, and to Sir John Shelley's election of 1865, but there are some entries with regard to the subsequent election only, substituting "Hodge" for "Phelps." What I wish to direct your attention to is this, that in these returns on behalf of Mr. Kinglake and Sir John Shelley, which are now confessedly false, there is this peculiar note or memorandum appended, and I want to ask you whether this is inserted by way of blind, in order to make people believe this was the only excluded item. "Mr. George Phelps, of Bridgwater, "innkeeper, has sent in a bill to Sir John Villiers "Shelley, Baronet, and Mr. Kinglake jointly, for 53*l.* "for horse and carriage hire. This account has been "rendered in a form which cannot be passed, there "being no particulars. Mr. Phelps has been applied "to for particulars, but has declined to furnish them. "Dated the 18th of September 1865. (Signed) "Eustace Barham, Agent for the said A. W. King-"lake." And the like with regard to Sir John Villiers Shelley's abstract of election expenses. There is a similar special memorandum for the next year in the case of the first election in that year, the election in May or else the subsequent one, in which it is stated, in addition to the above—I am speaking from memory now—Mr. Hodge, of the "Railway Hotel," sent in a demand, which is disputed, for so much, 17*l.* or whatever it is, for horse and carriage hire. Now the object, so far as you know of that very unusual insertion, does not appear in the abstract of expenses on the other side at any one of those elections. Is not it inserted for the purpose of producing there a conclusion in the mind of the reader, *expressio unius est exclusio alterius*, that that is the only irregular demand connected with the election?—No, certainly it was not; that statement, when it was made, was precisely to represent what it does represent.

13,690. It was the only claim of that kind?—It was the only claim which had been sent in within the proper time for which Sir John Shelley and Mr. Kinglake might have been sued, where they admitted in point of fact a certain liability, but did not admit the claim which was made; and it appeared to me at the time, with reference to Sir John Shelley's election, and Mr. Kinglake's first election, and you will remember I have stated—if you believe what I have stated—at that election I was acting with perfectly clean hands, and in good faith, and I knew of no other claim, and that was precisely the form which appeared to me most easy to adopt in order to comply with the requirements of the statute.

13,691. Were you aware, when you inserted that memorandum, that there was an unpaid bill claimed by Mr. Phelps, avowedly for treating expenses?—No, I was not.

13,692. You have heard the evidence on that head which has been given by one or two witnesses who have been examined here, that Mr. Phelps, at this very election of 1865, had opened his house for treating, and had sent in a bill which was not paid?—No, I have no such recollection of any such bill. I think it was carefully kept from me at the time.

13,693. You have heard the evidence on that point now?—Yes, I have heard the evidence.

13,694. If you had known Mr. Phelp's demands were of that various description, some legal and some illegal expenses, would you have inserted that still?—I should have still inserted that memorandum, and for this reason, that I should have considered myself bound only in that account to notice those claims for which the candidates could be sued.

13,695. You are a lawyer, and the Act of Parliament, I believe, makes no such distinction?—I may be wrong in my law, but that is the view I took at all events. I am not pretending to infallibility.

13,696. That was the little vehicle, I will not call it "a coach and six," which you were trying to drive through the express letter of that Act of Parliament?—I think if you read through the words of the Act you will think the view I am taking is the correct one, I had to deal with all those accounts sent in within a certain time, and as to which the liability was in some way admitted, either by payment or otherwise.

13,697. Did you believe the statement made to you according to the Act of Parliament, by the auditor, Mr. Wilton?—No, there was no auditor; that was a previous election. I may have been wrong, but at that time I was acting in the most perfect good faith, and I believe that was the precise proper form to adopt.

13,698. Then that accounts for what I have asked one or two witnesses an explanation of but failed to obtain, why your papers, not the printed return, but

the manuscript return, are all endorsed, "Abstract of the legal expenses?"—I take it that is so; that is the endorsement of the clerks, but I have no doubt that is what is meant.

13,699. I do not find any other attorney has made that. Was not objection taken to that very unusual mode of endorsing, "Abstract of legal expenses"?—No, I do not recollect my attention having been drawn to it until you drew it.

13,700. I understand you to put that in in order to exclude any interpretation which might otherwise be put in your return of its being meant to include all manner of expenses?—At all events I was not aware there was such a statement.

13,701. But that was in your mind, at all events?—I do not think I had the wording of it.

13,702. You say you had it in your mind to evade the Act of Parliament in that way?—No, I do not say that; not upon the first election. I quite freely admit on the second election, Mr. Bagehot's, I was aware about the other payments, and did not insert them.

13,703. (*Mr. Coleridge.*) I understood you to say that you were doing what you understood to be legally right?—Yes. Allow me to say what my principal object was, that by publishing this claim at once, to avoid the necessity of publishing another account, should the claim be subsequently settled. If you will look at the Act you will see another account would have to be prepared if I made any payment afterwards, and I wished to avoid putting the candidates to the expense of another insertion in the papers, and it appeared to me if I published that statement at once, and the amount which Mr. Kinglake and Sir John Shelley admitted, it would not be necessary.

13,704. (*Mr. Anstey.*) But this is September 1865?—Yes.

13,705. Do you mean that on the 4th of September 1865, when you signed those abstracts of expenses, you were not fully aware, or at least quite prepared to expect that very shortly there would be illegal expenses to settle also?—No, I mean to say most emphatically I was not prepared to expect anything of the kind.

13,706. I cannot understand the similar statement with regard to Mr. Hodge's claim subsequently?—That was in pursuance precisely of the same plan, the liability to Mr. Hodge was admitted as a legal liability, the amount was disputed, and the same course was adopted.

13,707. But at the same time it was then perfectly well known what had taken place?—Then, I quite freely admit that.

13,708. (*Mr. Price.*) I see in Mr. Kinglake's return of expenses for 1865 there is put down under the fourth head, "Professional assistance, 65*l.* 2*s.*"?—Yes.

13,709. What is that?—On looking at the account I think you will find it composed principally of my bill, which I told you of, and Mr. Haviland's. I think you will find that to be the case. I do not know whether Messrs. Reed and Cook came into that or not.

13,710. Then, Sir John Shelley has a claim of 105*l.* for the same; that looks like 100 guineas to some solicitor, does not it?—No; if you will have the kindness to refer to the accounts they will speak for themselves, but I am quite certain it is nothing of the kind.

13,711. It comes to that sum, however?—It may happen so, but I feel quite certain if you refer to the accounts it is not so.

13,712. (*Mr. Coleridge.*) You were asked about what made you imagine the Tories were going to bribe, and you told us about this "randying." Did not the Tories always bribe to the best of your knowledge?—Undoubtedly.

13,713. Therefore you were not looking at any special thing, but it was merely following up?—Following up the ordinary course at Mr. Bagehot's and Mr. Vanderbyl's.

13,714. As far as you had heard by rumour of former elections for this borough?—Yes, the rumour as well.

13,715. The general rumour that the Tories always did bribe?—The general rumour of our party was that if they did not there was not the slightest chance for them.

13,716. But if there was no difference of any sort between the Tories and the Liberals, each side would?—The only difference being the Tories had to begin.

13,717. Because they were in a minority?—Because they were in a minority; that was the only difference.

13,718. (*Mr. Anstey.*) Supposing your proposal had been adopted by your brethren, and communications had been opened with the other side, and a treaty against bribery and corruption on both sides, would Mr. J. R. Smith have been the principal party to that treaty on the other side or not?—The proposal was not that we should make any treaty, but that I should go to Mr. Trevor and give him notice that we were not, and if they were we should take every means to expose them.

13,719. That is not what I asked, but was any proposal made on your side for such a treaty as I have indicated, a treaty between the two knots of lawyers if you like, or if not, between some one to represent the parties respectively, by which either party would pledge itself to abstain from all corrupt practices during the election, bribery, treating, and undue influence?—Mr. Henry Lovibond told me some time before the election, that he had made such a proposal to Mr. James Trevor, and that it had been met by the difficulty of binding the subordinate agents and others outside the solicitors.

13,720. How long before?—I think it would be a month or six weeks.

13,721. (*Mr. Price.*) What difficulty was there in binding the outside persons, because I conclude that they never bribed out of their own pockets?—No, but the idea was this, that although they could not bribe out of their own pockets, they would make promises; and in point of fact the election would be conducted not with direct money payments, but with promises made by those, on which afterwards there would be pressure put on the candidates and on the solicitors to make good.

13,722. (*Mr. Coleridge.*) But if not paid they would have been claimed at any future election?—No doubt.

13,723. (*Mr. Anstey.*) Did Mr. Lovibond tell you that it was a thing that ought to be done in consequence?—No, I do not think he did. I think he told me that himself. I do not think it was in consequence of my stating it.

13,724. Supposing such a treaty had been made, would Mr. J. R. Smith, then the late mayor, or I suppose at that time the actual mayor when the proposal was made, have been a necessary party to such a treaty?—I should think he would.

13,725. Without specifying any more names, assuming that all the active names of the Tory party, as well as lawyers, were parties to it on that side, I ask you would your party have been inclined to place reliance upon their undertaking?—Well, I am speaking of what Mr. Lovibond reported, and there was a doubt as to whether some of the persons on the other side would have kept their word.

13,726. I presume the Conservatives would have had the same distrust as to the honesty of some of the contracting parties on your side if such a treaty had been made?—I think you may safely say that.

13,727. Was not that the reason why such treaty was made, that neither party could fairly or fully trust the other?—I think that was so.

13,728. You told my learned colleague, Mr. Coleridge, just now—and a very good reason it was—that the inferior agents, instead of bribing when they had no funds, would do the work as effectually by promising bribes to be paid *in futuro*. Have you any reason to believe, turning all your attention to the last election, and what you said about the rumours of the Conservatives bribing, that, as a matter of fact, the bribery to which you attribute the ill success of your party

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at the commencement of the day, took that particular form, not of payment but of promise?—I have no other reason to believe it than this, that a number of men polled in the morning, whom I was informed by persons who knew the thing better than I did, would not have polled without either money or promise.

13,729. I am drawing your attention to the distinction, not a substantial one, but a formal one, between payment and promise. Had you any reason to believe there was money circulating at that moment among the Conservatives, or have you any reason to believe that money not circulating amongst them they were contented with the promise of money to be paid thereafter?—I do not believe that money was circulating, I have not heard any case of it; but I certainly did believe at the time from what was told me, and also what I knew myself beforehand, that there must have been promises given, that there must have been inducements in point of fact.

13,730. And more likely promises than payments?—More likely promises than payments.

13,731. You told us what you were informed had taken place the night before, as to the change in Mr. Vanderbyl's intentions; have you any reason to believe that the opposite party had met the night before, and themselves contemplated giving up the contest?—Well, I think since the election I have heard something of the kind, but I cannot recall it; but it was quite a question whether the contest should be given up. I think I have heard that.

13,732. (*Mr. Price.*) I think I understood you to say, this is what you call a liberal borough?—Yes.

13,733. And that three-fourths of them vote for "Mr. Most" in preference to any other candidate. That is about it, is it not? Their politics are Liberal, but they prefer "Mr. Most" to any other candidate?—No doubt. They would prefer to take the Liberal money, but they would take the money on the other side.

13,734. (*Mr. Coleridge.*) If there were no Mr. Most at all you mean the majority would be Liberal?—Yes. If there were no Mr. Most at all I think there is no doubt about it. I wish to mention, at Mr. Bagehot's election, a voter of the name of Chedzey; I mention it because I recollect I took some pains to poll him. He on that day promised he would vote in the morning, and then he would not vote at all. He said he had been. He was evidently under some kind of restraint not to vote on the other side; and I recollect taking some considerable pains to poll him, therefore I mention it because I think it is almost the only voter I endeavoured to poll in the course of the day.

13,735. But you did not succeed?—I do not think he polled at all; neither voted one side nor the other, but I remember going to his house.

13,736. There were three Chedzeys, Henry, Edward, and Richard?—It is Henry. I remember going to his house, which is a corner house in John Street and Polden Street, and using all the persuasion that I could to get him to poll. I do not think I offered him any bribe myself. That is my firm impression. I do not think I ever offered any direct bribe to any person to vote, and I do not remember that I made him a promise. I remember, whilst I was there, I saw other persons there, and I wish to state with great diffidence as to who those persons were, because, although I connect certain persons in my mind with being there, I am not sure I am right; therefore I should be sorry to state anything against any person which should turn out to be incorrect. But my impression is, that I saw there agents on both sides endeavouring to secure the vote of this man. My impression is that I saw on the Liberal side, Mr. Henry Jarman and William Hurman; and on the Conservative side Mr. Cuthbert Ritson and somebody else I cannot remember at all.

13,737. (*Mr. Price.*) What did you say to the man? You say, you do not think you gave him a bribe personally?—No, I do not think I did.

13,738. But you know there is a mode of reaching a Bridgwater man which is a most effectual mode?—I do not think I did. I am endeavouring to speak the truth. I am not aware of it, if I did.

13,739. Did you promise him?—No, I did not.

13,740. I put it to you because I believe, as far as you have gone, you have desired to tell us thoroughly the whole truth; I desire only to put this to you, in case it should turn out afterwards that either of those two Conservative gentlemen heard you offer him a bribe or make him a promise to pay him money.

13,741. (*Mr. Coleridge.*) Surely the paying of money in the way of bribery is so distinct an act that if at any time of your life you offered any person any money you must remember that?—I am quite certain of that.

13,742. You are quite certain that you did not pay the money?—I am quite certain I did not pay the money.

13,743. (*Mr. Price.*) But did you make any promise to him, which, coming from you, no doubt would be a very cogent argument?—I do not think I did. Not only is it very clear in my mind that I did not do it, but I think there is a reason why I did not do it; that at the same time that I was there there were two men there on the Liberal side, who, I was well aware, were there for bribery purposes, and I did not make the offer. I am very sure I did not at all. They were just going away as I came.

13,744. Is that all you say?—At this last election there was a man of the name of Culliford. I was trying to exhaust every person I spoke to at the election at all. He is a cabinet-maker in this High Street here, and I remember his making a statement as to the amount of annoyance he had been subjected to by Mr. Joseph Smith in consequence of his political views. I cannot remember the statement, but it was something about his back premises I recollect at the time, and I recollect his saying that he should be able to get some of the voters together; and the impression he conveyed on my mind by that statement was, that he would be one of the men who would take part in the corrupt practices, if they had recourse to them. There was nothing like that said in exact words, but that was the impression on my mind at the time. That is all I wish to state about it. Then with respect to the endeavours to put an and to the petition, I did not state that I had one or two interviews with Messrs. Reed and Cook. I find in my diary interviews with Messrs. Reed and Cook, and with Mr. Lovibond. Things were in this position at that time, that Mr. Lovibond and Messrs. Reed and Cook were, up to that time, on terms so unfriendly that neither would go to the other's office, and I, on that very day, remember perfectly well that I was a sort of go-between between the two.

13,745. (*Mr. Price.*) What was the cause of their unfriendliness; was it political? If it was a private cause I do not want to know it. Was it an estrangement caused by private matters, or was it in consequence of something political?—No, it was in consequence of something which occurred in London. Messrs. Reed and Cook thought they had come to some definite arrangement with Mr. Lovibond as to the terms which should be proposed. I only state what was reported to me. I was not present.

13,746. If it had anything to do with the election, go on.—Yes, it had to do with the settlement of the petition; and what I understood was, on Messrs. Reed and Cook's part, that Mr. Lovibond had come to a distinct understanding with them that both candidates should retire; but when the meeting took place with Mr. Trevor, Mr. Lovibond said he had only understood that Mr. Vanderbyl was to retire, and in consequence they were very much offended with that; and in consequence of that this estrangement took place between them.

13,747. You were going to say that you acted as intermediary, and you were going to tell us what you did according to your diary?—I have no entry in my diary of what took place, but I do remember this. I cannot tell you all that passed. The object of the

interview was to try and patch up the broken thread, and to see if an arrangement could not be come to between Mr. Lovibond as representing Mr. Kinglake on the one side, and Messrs. Reed and Cook as representing Mr. Vanderbyl on the other; that was the object. And I remember this passing, that Mr. Cook, among the different terms which were discussed, in case it should be arrived at that Mr. Vanderbyl should retire, and Mr. Vanderbyl only was to retire, Mr. Cook put this: he said, "Well, Mr. Vanderbyl "has been at considerable expense, and if he is to "retire and lose his seat, and Mr. Kinglake gets the "benefit of it, Mr. Kinglake ought to pay for it; he "ought to pay the money; he ought to recoup it." And I remember that my reply was this: "These are "subjects we cannot enter upon now, or make any "distinct arrangement with reference to them, but "all this must be left to some mutual friend of "Mr. Kinglake's and Mr. Vanderbyl's," and whatever arrangement may be come to, I would undertake myself that Mr. Kinglake should carry it out.

13,748. (*Mr. Anstey.*) Was this after all the parties came from London?—Yes, that was on the 12th January. I have got the date in my diary, so that that will enable you to check it.

13,749. What was resolved?—I do not think we arrived at anything. I think that there was still a difficulty about arranging it, and I do not remember that any distinct arrangement was come to. I may be wrong, but I do not remember it. Well then, sir, you asked in the course of the examination about the purchase of land——

13,750. Wait a moment. Before you come to that, I will ask you this question. At the time Mr. Cook made this objection, founded upon the usual erroneous view of a member's position, that he has gained an advantage for himself instead of having taken upon himself a solemn public trust, was it within Mr. Cook's knowledge that Mr. Lovibond had been applied to so many months before by Mr. Vanderbyl to throw his firm over, as I understand—at all events to put himself into Mr. Lovibond's hands—on condition that Mr. Lovibond would throw over Mr. Kinglake?—No, I do not know that it was; I certainly did not tell him. You asked some questions with respect to land purchased of Mr. Bate; you mentioned my name.

13,751. (*Mr. Coleridge.*) I asked Mr. Allan?—Yes. There is no foundation at all for anything of the kind.

13,752. (*Mr. Price.*) Mr. Allan cleared that up entirely. It never rested on our minds afterwards?—Very well. There is only one other thing I wish to say, and I will ask the mayor's leave to relieve me from any professional tie of secrecy, and that is, with respect to the employment of Bussell after he returned, and after the trial of the petition. The mayor came and consulted Mr. Carslake and myself, who are his regular solicitors, and he said, "Oh, I "wish to ask your advice. Henry Chapman Bussell "has returned, and it is perfectly plain from what "has taken place, that he has been so mixed up with "these illegal proceedings and bribery at this recent "election, and I wish to take your advice, on which I "shall act, and I wish to ask you whether I shall "continue to employ him." And Mr. Carslake said, "I think you had better not." I said, "Before I "answer you your question, will you allow me to ask "you this one, 'If you continue to employ Mr. Bussell "'would it be an act of charity; would it be, in point "'of fact, a matter of indifference to you whether you "'employed Bussell or got anybody in his place, or "'is Bussell's knowledge and experience and ability "'in that kind of business such, that if you ceased "'to employ him, it would be a detriment to your-"'self?'" And Mr. Sully's reply was, "He does the "work better than anybody else would." Then I said, "Unquestionably, then, you are justified in continuing "to employ him. You are under no obligation to do "your business any damage or injury simply because "of the ill-doing of others." That was my statement.

Mr. George Bryant Sully recalled.

Mr. G. B. Sully.

13,753. (*Mr. Anstey.*) With reference to that last statement made by Mr. Barham, I will ask you, why did you not at the outset of our inquiry, when we requested to have the fullest information on the subject of your connexion with Bussell, why did you not say that Bussell had charge of all your ships?—(*No answer.*)

13,754. I will read to you what you did say, but answer that question first, if you please. Not only you did not tell us that, but you did not tell us that he was in your employment?—You ask me why I did not say that he had the entire charge of my ships.

13,755. Yes?—He has not. I have a portion of his time, and only a portion of his time.

13,756. Well, but you heard what he said on that subject, when he was recalled, and was solemnly informed by the learned Chief Commissioner that from circumstances which had come within the knowledge of some us, it was desirable for us to know whether he was screening anyone?—Yes, I remember that question.

13,757. He was asked whether he was not in receipt of 30*l.* for taking care of your ships?—I remember his answer well.

13,758. You remember when I examined you the first time, I asked you, from information placed at that moment in my hands, the question whether Bussell had been placed by you in any way, or permitted by you in any way, to have control over the votes, or influence the votes of those voters who were masters of your ships, and you said, "Not at all." I put to you the question, "Did you not send telegrams to Cardiff to request some of them to come over." Your answer was, "Those were masters of ships over which he had control, not masters of my ships?"—If it is not troubling you, I would rather that the questions and answers were read.

13,759. Very well, I will read them. I was taken by surprise by this statement. I would have found it before, only it was Mr. Barham's statement made me ask the question. First of all this is what Mr. Bussell says: the Chairman asks, "Have you any control at all over the vessels?" There is one question before that I see. He says about the 30*l.* "I am under the mayor. The present mayor?—Yes." This is page 54 of the shorthand writer's notes of Saturday, the 28th August. "What do you do?—Superintend his vessels and look "after the repairs. How long have you done "that?—Four or five years. You receive a salary "for that?—I do. How much?—30*l.* a year." And then there is a matter of allowance on the amount of bricks shipped and so on, and then he is asked as to Mr. Vanderbyl's money, and he says he himself has paid it to the labourers, not to the captains; and then after the questions are asked about drink money he is asked as to any other advantage. He is asked: "What are those services; are you a ship's husband? "you may call it that?—Yes. How many ships "have you to look after?—Eight or nine I think it is, "I have some of my own. You do not get paid by "the mayor for looking after your own?—I know "that. How many have you to look after for which "you get this 30*l.* a year?—I will give the names: "the 'Peregrine,' the 'Roseville,' the 'Tom,' the "'Grace,' the 'Anna,' the 'William and Martha,' the "'Onward,' the 'Queen,' and if there are any others "I will furnish you with the names. Are those all "the matters?—They are. Did you ever receive 50*l.* "instead of 30*l.* from the mayor?—I had 40*l.* once. "Then I took an active part in looking out for work "for the steamer. What is the name of the steamer?—"The 'Petrel.'" Then he is asked, "When were you reduced?—Three or four years ago"? Then the Chief Commissioner asks, "Have you any control at all "over the vessels?—If any repairs are wanted I go "and see to them, and consult the mayor upon them?—

FOURTEENTH DAY.

Mr. G. B. Sully.

7 Sept. 1869.

"That is exactly the position I am in." Then your answer is given the second day towards the end of your examination; this is what you stated at your first examination, you being the first witness called—this at page 87 on the second day: "As regards your-"self you are the owner of ships or small craft?—"Yes, I am. The captains are, for the most part, all "of your political persuasion?—No; some vote one "way and some the other. Do you know that you "have authorized or allowed Mr. Bussell to fetch men "in your employ from your vessels in order to vote?—"No. You have never authorized him?—No. Has "he done so?—Not that I am aware of. Do not you "know that it came out before Mr. Justice Black-"burn?—No; it was not in connexion with my "vessel"?—I adhere to my statement.

13,760. Having read those over to you, I ask you why did you leave me, and I suppose I may add, my colleagues, under the impression that those answers were certainly calculated to produce, that Bussell was in connexion with his own vessels, and not with yours?—I am not aware that that impression was left, and I am sorry that it was left; as I said yesterday, when I came into the box the next day, I understood that the examination would be confined to matters relating to the last election in my official capacity. I was not prepared for any examination. I gave you, however, to the best of my ability, straightforward answers to every question that was put to me, and I am not conscious that there was any inconsistency between any answer I gave on the first day, and those I gave on the other days.

13,761. You have no further explanation to offer?—Not at all. I have an explanation to make with reference to a remark that fell yesterday. I was asked yesterday if I could tell who it was that first spoke to me about illegal practices after the election of 1868, and I said that I heard it, and then I was pressed as to a name, and then I said, "I really do not remember the name at the present moment," but on reflection last night it has occurred to me that the first man who spoke to me about it was Mr. Toogood the parliamentary agent from London. He came up to me and said, "I give you notice that this will be a void election."

13,762. Was that Henry or William?—I do not know; it was one who was here during the contest.

13,763. Was he tall or fair, or what?—I do not know; I believe it was Mr. William Toogood. I believe on my first examination—and I intended to say this yesterday—I believe on my first examination that I was asked whether I had in my employ any balance men, and I said, "Certainly not." That was my firm and honest belief at that time. I am bound to say that during my examination here I have heard of two names I have employed; men who are, more or less in my employ, who have been bribed.

13,764. The first time you have heard of it was in this court?—In this court was the first time.

13,765. (*Mr. Price.*) When you were examined in the first instance you say you were under the impression you were only going to be examined as to former matters, and then as the matter proceeded, you could see we wanted to test your knowledge of the general principles of the Liberal party, and you gave us information of the parties as we asked you. Did it not occur to you at that time that it might be a matter of importance when you were asked these questions about Bussell, for you to explain that you had had this very proper consultation with your solicitors, Messrs. Carslake and Barham, as to whether you should retain him after the exposure before Mr. Justice Blackburn?—It did not occur to me or I certainly should have named it.

13,766. Because there has been—I will not say an imputation, but an examination as to the kind of connexion between you and Mr. Bussell. After what has been stated about Bussell's employment, did it not occur to you that you should tell us you had seriously considered the question of dismissing him from your employment?—No, it did not occur to me until Mr. Barham asked my permission to name it.

W. Gibbs.

WILLIAM GIBBS sworn.

13,767. (*Mr. Price.*) What are you?—A master mariner.

13,768. Are you a voter for the borough?—Yes.

13,769. Did you vote in 1865, at Sir John Shelley's election?—Yes.

13,770. Did you get anything for it?—No.

13,771. Did you vote in 1866, for Mr. Bagehot?—I did.

13,772. Did you get anything for it?—Yes, I had 5*l.* given to me.

13,773. By whom?—Capt. Bussell.

13,774. Did you vote for Mr. Vanderbyl in 1866, the next election of 1866?—Yes.

13,775. Did you get anything for it?—Yes.

13,776. How much?—Two 5*l.* notes.

13,777. From whom?—Capt. Bussell.

13,778. Did you in 1866 vote for Kinglake and Vanderbyl?—Yes.

13,779. Did you get anything for it?—No.

13,780. Were you promised anything?—Yes.

13,781. How much?—5*l.*

13,782. 5*l.*?—Yes.

13,783. Or 10*l.*?—5*l.*

13,784. You are sure you were not promised 10*l.*?—Yes.

13,785. (*Mr. Coleridge.*) Did you get nothing for your expenses?—No.

13,786. (*Mr. Price.*) By whom were you promised the 5*l.*?—Capt. Bussell.

13,787. You are a master mariner; do you work your own vessels?—No, I do not work my own vessels, but a portion of them.

13,788. Whose vessels do you work?—They belong to Mr. Joseph Palmer and myself.

13,789. (*Mr. Coleridge.*) I suppose you got at all these elections a glass of drink?—I never got a glass of drink at any election, except what I paid for myself.

13,790. We have heard of these public-houses where the treating was going on at different elections; do you mean to say you did not get anything to drink?—To the best of my recollection, at any of these elections, I never had a glass of drink, with the exception of what I paid for myself.

J. Smith.

JOHN SMITH recalled.

13,791. (*Mr. Price.*) You have written a letter to our secretary, wishing him to lay your explanation in writing before us, but we decline to take notice of any representation which is not made under the solemnity of an oath, by a person who has been examined as a witness, and who was bound to tell the truth when he has been before us. Now, in the witness-box, you may give us, on your oath, any explanation you like; but we cannot take any notice of a letter. What is the explanation you have to offer?—Yesterday I was in Bridgwater, in the market, and when I came home I heard from my wife that something was said in the "Bridgwater Mercury" to have been said by me, but which I had not said, and I went and made a complaint to Mr. Dunsford, the reporter of the "Times," that my name was mentioned to Mr. Westropp that I would vote for him; and, according to my reading of it in the "Mercury," it appears it was so. I asked him to alter what appeared to be a typographical error, and I told Mr. Dunsford.

13,792. You do not mean the reporter of the "Times," you mean the reporter of the "Mercury"?—Yes, the "Mercury." I told Mr. Westropp I should not vote for him.

13,793. (*Mr. Price.*) Your letter is, "Mr. Smith "says he did not state that he told Mr. Westropp that

"he would not vote against him?"—Yes. I told Mr. Westropp that I should never vote for him.

13,794. What is it you say you did tell Mr. Westropp?—I told him I never should vote for him.

13,795. You were asked a great deal about it the other day, and you were particularly pressed by me as to what you meant by that letter?—What letter?

13,796. In which you say that no act of yours should stay Mr. Westropp's chance of success. You said then you did not think voting against a man was meant by you as any act of yours which would stay him. We had that explanation, and we placed the value upon it which it deserves?—No act of mine did stay Mr. Westropp.

(*Mr. Price.*) Do you not think to vote is an act, the most solemn act you could do at an election.

13,797. (*Mr. Anstey.*) You admitted the authenticity of that letter?—Which letter?

13,798. In which you say that no act of yours should stay him?—I did.

(*Mr. Anstey.*) Then all your protestations and explanations will not satisfy me that you did not mean to convey by that that you would not vote against him.

(*Mr. Price.*) The most solemn act you could perform at an election was to record your vote, and you said no act of yours should stay him. The only act of yours that could stay him would be your vote, and that is your solemn assurance. The fact is, you said to Mr. Westropp before you got your favour granted by him that you would not vote against him, and afterwards, having got the favour granted, you did vote against him. That is what it comes to. There are one or two typographical errors in the "Bridgwater Mercury"; it does not very much matter, but it is stated in Mr. Barham's evidence yesterday that some of them put themselves in communication with Mr. Briard. It should be Mr. Brand. And Mr. Baxter is put as being the clerk of the committee; he is the Chairman of the Committee of the House of Commons.

Mr. James Cook recalled. *Mr. J. Cook.*

13,799. (*Mr. Anstey.*) Before you go on with your story, will you answer the question that I put to Mr. Barham? On what did you found your opinion that the Tories were going to bribe?—I think I hit upon that yesterday, at all events I gave a partial answer to it, that Mr. Westropp had been connected with the borough of Bridgwater from the year 1859, and had been contributing money in various ways from 1859 down to the year 1865. He had been elected in 1865, and was ousted by petition, and I may say that the very name of Westropp in Bridgwater meant money; there is no doubt of it. Mr. Gray was here, and there was a report that Mr. Gray was a very wealthy man, and that he came down for the purpose, if possible, of securing his election.

13,800. (*Mr. Coleridge.*) Who and what is Mr. Gray?—I believe he is a large Indian merchant; at least I have heard so by report.

13,801. In any way connected with this place?—Not the slightest in the world that I am aware of.

13,802. Or the county?—Not the slightest, but that is reported. On reading Mr. Gray's addresses from time to time to the electors, I was very much disposed myself to think that he was not much of a politician, and therefore it was not from his experience in politics that he would be likely to make an impression on the electors, and so secure his return in that way.

13,803. How did Mr. Westropp's name become associated with large wealth? You say his name meant money?—That was from Mr. Westropp's practices from the year 1859 down to the year 1868.

13,804. Then go back to 1859. In 1859, before he indulged in those practices, what did the people of Bridgwater know about him?—I have not the slightest idea that they knew anything whatever of him.

13,805. Then who and what was he, or is he?—As I understand, he is a gentleman residing in Ireland, and has a residence there, or rather he is living with an aunt of his.

13,806. Was not that with a view to the petition of 1866, petitioning against his return in 1865; and was it not inquired into; and was it not ascertained that he had no property in Ireland?—Not that I am aware of. I remember taking two sheets out of Mr. Lovibond's brief which had reference to Mr. Westropp's position, and which were incorporated in the last petition against Mr. Vanderbyl. Speaking from knowledge, I have no knowledge of Mr. Westropp's position.

13,807. Supposing he has no property in Ireland, where has that notion come from that he is a wealthy man? From whence was he supposed to derive his wealth?—There is a notion that if persons like Mr. Westropp do not supply the money personally, they get it from some of the clubs. Mr. Westropp is reported of late years to have had an income of 3,000*l.* a year.

13,808. Then it was not founded so much on his supposed wealth as on his supposed means of commanding wealth?—It is upon the rumour in Bridgwater during the last few years that he is a man of considerable wealth.

13,809. Do you know whether he is a merchant or not?—No; I have heard that he has a residence in Ireland, at Green Park, Bruffs, Limerick.

13,810. Was not that inquired into, and ascertained to be untrue?—I believe Mr. Benjamin Lovibond had inquired into that.

13,811. But with respect to property at Cork, and at Limerick?—Yes, I believe so.

13,812. (*Mr. Price.*) Have you given us your history——?—I have not finished; there are one or two things more.

13,813. Hear my question. Have you finished your history of what took place on the Sunday night, when Mr. Fennelly was present, at the interview you have spoken of?—I have not quite finished. That interview lasted some time, as I before said. Mr. Fennelly complained of the pressure which had been put upon Mr. Vanderbyl in being asked to retire, and so on, and spoke about the deputation that had waited upon him at the "Globe" hotel, and the answer which Mr. Fennelly had given as to what was meant by the deputation, and then Mr. Fennelly told me, as I stated yesterday, of his having been at Mr. Hennett's house, and the preparation which was there made for a coalition as between Mr. Westropp and Mr. Vanderbyl, and the communication made by Mr. Westropp to his solicitors, and the suggestion that if it were carried out at all it should be as between the solicitors on both sides. That was the effect and substance of the communication as to that suggested coalition, which, as I told you yesterday, I refused to countenance in any shape or form, whether rightly or wrongly; but afterwards there was a long discussion as to matters, and there is no doubt that we rehearsed what took place at the interviews when the solicitors were present, and Mr. Fennelly, at Mr. Barham's, on the previous Friday, and a very long discussion took place about it, and I have no doubt on that occasion that I concurred again in the opinion expressed on the Friday, that if Mr. Westropp spent money that Mr. Vanderbyl's chance was quite hopeless, and also Mr. Kinglake's, and my impression is that I expressed my belief that they were going to spend money, and a long conversation took place upon it, in which there was some reference, I believe, made to Mr. Vanderbyl's being nominated, and Mr. Sully having withdrawn his promise to nominate him. At last, after a good deal of conversation—I could not charge myself with all that took place—but after all, it ended in the proposition which Mr. Barham had made on the part of Mr. Kinglake as to the 1,500*l.*, and for Mr. Vanderbyl's friends to be

FOURTEENTH DAY.

Mr. J. Cook.

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prepared with a similar sum. There is no doubt upon that occasion there was a good deal of conversation which I cannot recall. Then Mr. Fennelly talked about the petition, and said that Mr. Vanderbyl would fight. I think he said he would rather spend 1,000*l.*, and I think he mentioned a larger sum than 1,000*l.*, in showing up the practices of the Conservative party, or pay any reasonable sum of money to the lawyers if they would only fight the matter purely, something like that. That is all that took place, I think.

13,814. (*Mr. Price.*) That puts a very different complexion on my mind to that which was produced by what you said yesterday. You never said a word about paying the lawyers for their services. Now, I will ask you this; did not Mr. Fennelly say this, "I "do not mind the spending of 1,500*l.*, provided it is "not illegal"?—I do not remember those precise words.

13,815. Did he say this: "If the lawyers can manage "to have the election go on according to my views, I "will willingly pay them 1,500*l.* for their services"?—I think Mr. Fennelly said he objected to an illegal expenditure, and I think he said if the election could only be won purely, he would pay any reasonable fees to the lawyers.

13,816. Did he say he would pay 1,500*l.*?—I cannot undertake to say he did not say it. I would not say so.

13,817. You said last night——?—If you will permit me, I will just say that I have been in court now for some time, and I am under medical treatment, and I am exceedingly unwell.

13,818. You have given us information to-day which really ought to have been stated yesterday, as it seems to me. When Mr. Fennelly came to you, and the question of money was introduced, did not he immediately say what I have just read to you, "I do "not mind the expenditure of 1,500*l.*, provided it is "not illegal," and, "If the lawyers will carry on the "election according to my views, I would willingly "pay them 1,500*l.* for their services"?—No doubt he repeated what he said at the previous meeting about his willingness.

13,819. When he introduced the question of money, did he not begin by saying that?—I do not know that he began by saying that, but certainly he did repeat what he had said in the course of Friday, winding up by saying he would concur, winding up by falling in with the proposition that Mr. Barham had made.

13,820. Before he said anything about falling in, did not you say it was impossible, and you could not see how Mr. Vanderbyl could be nominated unless he did not consent to the proposition?—I did.

13,821. What did you say?—What I did tell Mr. Fennelly was this. I repeated to him what I had said on the Friday, that if he did not spend money the contest was hopeless, and all that.

13,822. Did you not say it was impossible, and you did not even see how Mr. Vanderbyl could be nominated; that is very important?—No doubt.

13,823. Unless he consented to the proposition?—I have no remembrance of any such expression being used; no doubt the word "nomination" had been made use of, because it was said in connexion with Mr. Sully's not nominating him.

13,824. It goes a great deal further in the way of pressure on Mr. Fennelly than you stated yesterday?

13,825. (*Mr. Coleridge.*) Why did Mr. Sully withdraw his nomination?—Because he said he had heard of these disclosures with reference to the Lundy Island Granite Company, and the National Bank had passed a resolution with reference to it.

13,826. (*Mr. Price.*) That is all I have to ask you about the Saturday?—The Sunday, I beg your pardon.

13,827. Yes, the Sunday I mean. Now I should like to ask this: I see there is something important on this part of it that I should like to ask Mr. Sully about. (*Mr. Sully was called, but was not present.*)

13,828. (*Mr. Anstey.*) I do not understand, Mr. Cook, nor did I understand it yesterday, why Mr. Fennelly selected you at that late hour of the night, instead of going to Mr. Reed, or instead of going to Mr. Barham to take the lead?—I can give no reason except that I lived nearer the town than any of the other professional men; and no doubt Mr. Fennelly was rather complimentary. He spoke about Mr. Lovibond's conduct in the proceedings in the election of 1866.

13,829. Did he say anything about Mr. Reed?—His name came up generally.

13,830. Had he seen Mr. Reed?—Not that I am aware of.

13,831. Had he been to see Mr. Reed?—Not that I am aware of.

13,832. It was a very late hour of the night; it was past midnight?—It was.

13,833. He had previously called there?—He had.

13,834. At what o'clock?—I cannot tell. When I got home afterwards, which was somewhere about one, I heard he had been there, and that he had said he would call again.

13,835. Did he call again?—I had not been in the house but a very few minutes when he came again.

13,836. How long were you with him at that late hour?—I should think an hour and a half.

13,837. And you wound up by saying there was nothing for it but to go in for this joint bribery fund of 1,500*l.*?—That certainly was the end of it. No doubt I repeated my own opinion, that it was useless to fight without spending money, believing the other side——

13,838. That is what you have told us already. I ask you what he did. Did he give instructions to you what to do when you got the money?—That was the addition I was going to make with respect to what the learned Chief Commissioner spoke to me. It was arranged that I should see Mr. Fennelly on the following Monday night, when he returned to town; and it was discussed that night how it should be arranged as to the getting this money, and that we should try to get evidence, if we could, that the Conservatives were spending money in bribery, before this fund was reverted to.

13,839. All this took place on the Sunday night?—Yes.

13,840. And I understand that this bribery fund was to be drawn on in the last resource, that is, if you could not get a sufficient case against the Conservatives?—Yes.

13,841. You mean to say, if you found the Tories were bribing, or supposed the Tories were bribing, that would be something to oppose to the petition presented against you?—No doubt it was a sort of defence against the Conservatives spending money.

13,842. (*Mr. Price.*) I put to you upon that, were not all the arrangements for distributing the money made by you, and not by Mr. Fennelly?—I think not; at all events, I think the arrangements were not entirely completed on the Sunday, but were further discussed and spoken of on the Monday night, when I again saw Mr. Fennelly.

13,843. When you say it was discussed, there were two parties to the discussion?—Oh, yes.

13,844. And there must be the person who makes the proposal. Upon the question of the distribution of the money, and the mode in which it was to be dealt with, did not the proposals come from you to Mr. Fennelly?—On the Monday night?

13,845. No; on the Sunday night you say there was some arrangement made with respect to the money?—We were to see Mr. Fennelly on the Monday night, and to discuss and arrange as to the disposition of the money. Will you allow me to see whether I made myself intelligible yesterday, with reference to the canvass books. I am afraid I did not.

13,846. (*Mr. Coleridge.*) You do not mean about the contents?—Yes, about the contents; I am afraid I did not make myself intelligible yesterday. The practice is this, to prepare a book containing the names of the voters of the borough, and they are arranged in streets, house after house; in fact, by arrangement, you call upon John Smith at one house and John

Jones at the other. Then the columns are left blank, Kinglake, Vanderbyl, Westropp, Gray, "Doubtful for," "Doubtful against," "Neutral," and as they are called upon by the persons canvassing, and according as they give their promise, or refuse, so they are registered in those books from time to time, and the pages are added up from time to time, and it was in consequence of those additions that the result was arrived at.

13,847. (*Mr. Anstey.*) That is what I understood?—I thought I had not made myself intelligible. There was another matter I was thinking over which I am not certain that I clearly understood. There was a question put by Mr. Coleridge as to the number of voters in the borough. I am sorry to take up the time of the court, but if you will allow me to hear that question again, so that I may see whether I really did understand it, I should be obliged. The learned Commissioner, Mr. Coleridge, put it to me, what were the number of voters, under the circumstances which I mentioned.

13,848. (*Mr. Coleridge.*) Yes, I said, adding up not only all those who took money, but also all those who meddled with money in the way of bribing others, adding them up in that way, I said, would you think there would be more than 50 pure voters in the borough, and you said you doubted whether there would be?—Yes; I would not go beyond 150 or 200.

13,849. Then you agree with Mr. Bussell?—Yes.

13,850. (*Mr. Price.*) I understood Mr. Bussell to say, that in his opinion, three-fourths of the present constituency were corruptible. He said there were 80 on one side who would not take bribes?—That is under the old register.

13,851. Everybody agrees that the new is as corrupt as the old?—No doubt of it.

(*Mr. Price.*) It comes very much to the same thing, "a little leaven leaveneth the whole lump."

13,852. (*Mr. Anstey.*) Before this conversation, had you the canvass of the new voters?—I stated yesterday that I had not been out during the election for more than three-quarters of an hour to the best of my knowledge.

13,853. Did you hold out any expectation of bribes?—I remember perfectly well going to Mr. Manchip's workshops with Mr. Kinglake and Mr. Vanderbyl amongst that class. They were journeymen. It was only three quarters of an hour that I was out.

13,854. (*Mr. Coleridge.*) To all those men, did Mr. Kinglake and Mr. Vanderbyl say anything about money?—I believe not.

13,855. (*Mr. Anstey.*) How could you say they did not if you were not there for more than three quarters of an hour?—I only speak of my experience during the three quarters of an hour. I omitted to state yesterday that in the morning of the Monday, when I met Mr. Barham, I communicated to him that Mr. Fennelly had gone to London.

13,856. (*Mr. Price.*) That a change had come over their minds in the course of the Sunday night?—Yes.

13,857. That change, in point of fact, was produced by your arguments?—No doubt.

13,858. You were the last person who saw him, and it was in consequence of your argument that he came round to your views?—I certainly did use all the argument I could.

13,859. (*Mr. Anstey.*) You understand the question of the learned Chief Commissioner. When he came to you that night was it to argue the thing over with you, or to tell you of the change which had taken place in his mind in consequence of what had passed at the meeting?—It was to come and tell me the effect of the meeting in Hennett's house.

13,860. Did he communicate the change which had come over his determination only at the end of this discussion, or had he communicated it at a previous period?—No; he gradually led up to it. Then he said he would accept Mr. Barham's proposition, and something was said about coming down the following night, and then it ended, I think so. Then I think I stated yesterday with reference to the meeting at Mr. Sealey's house that what was discussed there was Mr. Vanderbyl's relations with the Lundy Island Granite Company; it was not, but it was the resolution of the bank directors.

13,861. (*Mr. Price.*) That is the same thing. I understood that at this meeting nothing else was discussed, except Mr. Vanderbyl's connexion with this company?—Nothing whatever else. It was entirely confined to that I believe.

13,862. (*Mr. Anstey.*) I think you have intimated your opinion as to the hopelessness of going on if the election was pure?—That was at Mr. Sealey's on the Saturday night; that was not on the Sunday night. Mr. Fennelly had that day placed in the hands of Mr. John Lovell Sealey the letter or some official communication which he had received from the bank enclosing the resolution, and Mr. Sealey being interested in it, he called a few of the leaders of the party together to see it.

13,863. (*Mr. Price.*) Was not Mr. Sealey in communication with the leaders of the Liberal party?—No doubt.

13,864. And was he not consulted as to the candidate who should be selected?—No doubt he was in the confidence of the party; he was the chairman.

13,865. And no doubt knew everything which you, and Mr. Lovibond, and Mr. Barham could inform of?—He was a particular friend of Mr. Lovibond's, and knew more about Mr. Lovibond than ourselves.

13,866. And being intimately connected with the party, and being also intimately connected with Mr. Lovibond, both personally and politically, have you any doubt that Mr. Sealey knew everything about that which was pressing upon your mind and upon Mr. Reed's and Mr. Barham's as to the eligibility of Mr. Vanderbyl?—Well, the circumstances were very suspicious.

13,867. (*Mr. Anstey.*) Now, do you know whether these awkward, not to call them by stronger terms, these very awkward imputations against Mr. Vanderbyl's honesty, as I understand them, were only heard of in Bridgwater for the first time that day, Saturday; or had they not been notorious, as far as the public press could make the thing notorious, for weeks and months before?—No. As far as I can now charge my memory, Mr. Vanderbyl was examined about a week or ten days, perhaps a fortnight, before the election, perhaps ten days, and then the daily press contained a statement of his examination; immediately upon which, I dare say it was done on the opposite side, slips were printed off, containing the same matter, and posted all over the town just before the election.

13,868. Had you not heard it long before the examination of Mr. Vanderbyl?—I cannot say that I had.

13,869. At all events, you had heard of it days before the election?—Oh, certainly.

13,870. And days before that Saturday?—And days before that Saturday? Oh yes, three or four days before that Saturday, no doubt.

13,871. But was not the bitter controversy between those two gentlemen, Mr. Vanderbyl and Mr. Joseph McKenna, a matter of public notoriety weeks and months before?—I had no personal knowledge of it at all. To the best of my belief Mr. Vanderbyl had never stated anything about this difference between himself and Sir Joseph McKenna.

13,872. It was when he was Mr. McKenna, long before he was Sir Joseph McKenna?—No.

13,873. The very fact of your mentioning him as Sir Joseph McKenna seems to disclose to me the date. In this statement he is described as Mr. Joseph McKenna; the one I read in the brief the other day he was stated as a Mr. Joseph McKenna; he was not Sir Joseph till 1868?—He must have been Sir Joseph then. If he had the knighthood in July, this resolution must have been passed in November.

13,874. That has reference to your knowledge of

what had taken place. Were you then aware, when you were seeing Mr. Fennelly at 12 o'clock at night, of this proposal, made to Mr. Lovibond months and months before, to get rid of you and Mr. Reed altogether, and take Mr. Lovibond "for better for worse"?—I certainly had no knowledge that such a proposition had been made.

13,875. Would not that materially have influenced your zeal with regard to Mr. Vanderbyl, had you known it?—I do not know what impression it would have made upon me at the time.

13,876. Was it not the fact that Mr. Reed was Mr. Vanderbyl's private adviser rather than you?—No, I think not. I think of late it has been rather the other way.

13,877. But at that time?—I think not. Mr. Lovibond was considered chief agent at that time, no doubt.

13,878. But Mr. Vanderbyl's chief supporter in your firm, was it Mr. Reed, or was it you?—I think I have taken a more active part since the last election than Mr. Reed.

13,879. At that time I am asking you about, down to the time when you saw Mr. Fenelley under the cloud of midnight, had Mr. Reed been the chief, the almost prominent supporter of Mr. Vanderbyl?—I think not.

13,880. As far as you have heard?—No, I think not.

13,881. Then go on. Have you finished the Sunday night?—I have finished the Sunday night. Then after the nomination during the Monday, I think there were two interviews, certainly one, if not two, possibly more, interviews between ourselves and Mr. Lovibond.

13,882. On Monday?—On Monday; and the last was certainly as late, I should think, as seven or eight o'clock upon the Monday night, and that was at our office. He came there with his son, and my partner was in the room. All four were in the room, and then my partner said to Mr. Lovibond's son, "Well, George, I think you and I will go down-" stairs," upon which they both left, and Mr. Lovibond and I were left in the room together; and upon that a discussion took place as to what we had heard the Conservatives were doing, and the latest reports as to their movements, and also as to the steps which were to be taken as to the disposition of the money upon the following day, which was the polling day; and after some discussion it was arranged that matters should stand as they were, no complete arrangement should be made till the following day, the Tuesday. I could not tell how long the conversation lasted, or what the conversation was that passed; but it was left that no arrangements should be come to until the following day, the Tuesday. That interview took place about seven or eight o clock at night. After that interview—because I have previously told the Commissioners I had seen Mr. Fennelly and communicated to him the proposition, and had communicated to Mr. Lovibond his reply that same evening, after the arrival of the express—Mr. Fennelly called at our office with Mr. Lomas, and was seen by my partner and myself. Mr. Lomas, to the best of my recollection and belief, was introduced by Mr. Fennelly as a Mr. Williams, in the tea trade.

13,883. (*Mr. Price.*) Now was that introduction in that form arranged beforehand? Had that been a matter of pre-arrangement between you and Mr. Fennelly?—To the best of my recollection and belief I think not. If I could remember it was the result of pre-arrangement, of course I should only be too pleased to state so.

13,884. (*Mr. Anstey.*) Did he give you a wink, or a sign, when he pronounced the name "Williams"?—Well, I do not remember that he did.

13,885. (*Mr. Coleridge.*) How came the tea trade to be hit upon?—I do not know.

13,886. (*Mr. Anstey.*) Did you not understand it was a *nom de guerre*, a false description, when he mentioned that?—Yes, I imagined that.

13,887. Why did you imagine that?—I cannot say whether it was from something that was said the previous night.

13,888. (*Mr. Price.*) When Mr. Fennelly went to London he communicated to you that he was going to London?—Certainly.

13,889. And he intimated that he was going to bring someone down?—Certainly.

13,890. And the money?—Yes.

13,891. Did he have some means of communicating with you when he spoke of money?—I think he spoke of "samples."

13,892. (*Mr. Anstey.*) On the Sunday night?—Yes.

13,893. (*Mr. Price.*) Can you say whether he did not openly call it "money," or did he call it "tea," that Sunday night?—I could not mention one way or the other.

13,894. (*Mr. Anstey.*) When he mentioned the word "samples," what key had you to it?—It was spoken of.

13,895. You must have had the key of it?—Very likely something was said like that on the Sunday night.

13,896. Was there anything extraordinary in a firm of provision merchants bringing somebody down in the tea trade?—No.

13,897. Therefore you must have had some reason for supposing that this person was not in the tea trade; because there was nothing more likely than that a man in the tea trade would come down with another man in the tea trade. Do you know whether anything was said?—I could not say so; but the inference would be the other way.

13,898. (*Mr. Price.*) Then he came in and introduced Mr. Lomas as Mr. Williams, in the tea trade?—Yes.

13,899. What passed then?—Then, I think, Mr. Lomas stayed there about ten minutes, somewhere about that time, or a little longer, and then left when Mr. Fennelly did; and then there was a conversation to the effect that the business would begin very early. I understood he was going to stay at the "Railway Hotel;" and a suggestion was made, I believe, by myself or my partner, or both, that what he had should be made up in packets of 10*l*.

13,900. Did not Mr. Fennelly bring Mr. Lomas down with the money to your house with the view of leaving it with you, and having nothing to say as to its distribution at all?—No, I think not; because I remember after Mr. Fennelly had left I expressed my surprise to my partner that he had brought this Mr. Lomas down.

13,901. But did not he bring him there at your house, with the money, to leave in there, without having anything to say to you about its distribution?—No; I am certain nothing was said on the Sunday night.

13,902. I am not speaking of the Sunday night. On the Monday, did not Mr. Fennelly bring Mr. Lomas to your house with the money, with the view of leaving it with you, and having nothing to say as to its distribution?—I do not know.

13,903. That is a very important question. You really can say one way or the other; it is most important?—There was no arrangement, if you will allow me to put it in this way, on the Sunday night.

13,904. I am bringing it to the Monday night. I am bringing you to the introduction of Mr. Lomas. I ask you this simple question, did not Mr. Fennelly bring Mr. Lomas with the money to your house on the Monday night, with the view of leaving it with you and saying nothing about distribution?—It was not so stated that it was brought for the purpose of giving it to us, because there was a general discussion, and it was understood that Mr. Lomas had got it, and then the suggestion was, "You, Mr. Lomas, are to tie it up."

13,905. (*Mr. Coleridge.*) Mr. Lomas took it away again?—Yes, undoubtedly. There was no conversation in any shape or form about it.

13,906. (*Mr. Anstey.*) Was there any conversation on the Monday night between you and these other persons to the effect that Mr. Fennelly, having done his work in bringing down the money, was to know nothing of your intention to apply it, or not to apply it, to corrupt practices, but was to leave the discretion and responsibility of all that, entirely on the shoulders of yourself, and perhaps your partner?—On the contrary, sir, it was arranged, when money was required the next day, that it should be done through Mr. Fennelly.

13,907. I wish you would not use those auctioneering phrases, "it was arranged." Tell us what was said. Who said that?—I have no doubt that the suggestion was made by himself.

13,908. "Suggestion!" Why do not you speak English? What was it you said? "When the money was wanted to-morrow"—what then?—When I spoke?

13,909. When you spoke to Mr. Fennelly, tell us, without using your Latin language, what it was you said?—I understood Mr. Lomas was going to stay at the "Railway Hotel."

13,910. What did you say? What were your words, as nearly as you can recollect?—To the best of my recollection I said, "When anything is required I "will communicate with you," something of that sort.

13,911. When "anything" is required?—Whenever the "samples of tea," or whatever it was that has been spoken to, "are required, I will communicate "with you."

13,912. In the morning?—In the morning.

13,913. (*Mr. Price.*) I put it again to you. Was not the state of things this, that Mr. Fennelly had originally intended to leave the money at your own house on the Monday night, and have nothing more to say to it, but as before, when you had got him to come to the arrangement as to bribing at all, it was by your arguments or by your instructions that Mr. Lomas took the money back, and then prepared it in these samples?—Mr. Fennelly did not state certainly that he had brought the money there for the purpose of handing the money over to me for distribution.

13,914. Then, how did it happen that the money went back from your office, if nothing was said about leaving it there? How did you know it was there?—Mr. Fennelly told me Mr. Lomas had the money.

13,915. That he was prepared?—That he was prepared; no doubt of it.

13,916. And was it in consequence of your urging him to take it back that he took it back to make it up?—There was no urging in the matter. There was a conversation about the business commencing early in the morning, and he was told——

13,917. (*Mr. Anstey.*) Told by whom?—By me, or by me and my partner, no doubt.

13,918. (*Mr. Price.*) Have you the slightest doubt that, but for that arrangement for him to take it back to make it up, that he would have left the money there under your control that night?—There was no arrangement to that effect. He might have had the intention, but there was no conversation to that effect.

13,919. (*Mr. Anstey.*) Did he show you the money?—Certainly not.

13,920–1. Did he show you the money that night?—Certainly not.

13,922. Did he show you the bag?—Certainly not.

13,923. He told you, at all events, that it was there?—Oh, clearly.

13,924. Did he tell you that that money was to be spent in a given way?—Well, I told him——

13,925. Will you answer my question? You go on with your "understandings," and "impressions," and "best of recollections," and all that sort of thing. I want to know, in plain English, did Mr. Fennelly say anything to you which led you to understand, as you like to say, that that money was to be spent specifically for br bery purposes?—There is no doubt about it.

13,926. Did he say anything when he spoke of the money? Will you tell us what he said bearing in that direction, as near as you can recollect his words; and do not talk of your recollection, and what you understood, and all that sort of thing?—There was an introduction first, and then Mr. Fennelly spoke and said that he had come down prepared in accordance with the arrangement, and that he had got the "tea samples" with him. I think he said he had got the "samples" with him, and then I think the answer I made was, "The business begins very early in the "morning; it will be better for you to tie it up in "packets of 10*l.* each." It was spoken of in that sort of way, and no doubt he acted on that suggestion.

13,927. I am coming to his acting. What did he say to that, when you said he had better make it up in 10*l.* packets?—Merely assented to it.

13,928. He assented to it?—Oh, yes.

13,929. And it was for that purpose, and no other, that the money was taken away by Mr. Lomas?—Certainly.

13,930. Not because of any proposal to you, and your refusal of the proposal to do it yourself?—Certainly not.

13,931. You are a lawyer, you know, Mr. Cook, and you know the difference between giving us your impressions and understandings, and so on, and what actually occurred?—Clearly.

13,932. I wish you would, in relating a conversation, give us the dialogue as nearly as you can, and we will form our impressions as to what the understanding was.

13,933. (*Mr. Price.*) That finishes the Monday interview?—I think so.

13,934. (*Mr. Anstey.*) What o'clock did they leave that night, or did you leave them rather?—I should think about 10, or something of that sort.

13,935. You saw them no more until the next day?—No, sir, not till next day.

13,936. (*Mr. Price.*) Now, Mr. Cook, will you go on to the polling morning?—On the Monday night, permit me to state, there was a pass-word agreed upon which should be the key for the money which Mr. Lomas had got. He was to be called Mr. Williams, and the key was, "What is tea a pound?" and the parties who said that and asked for him as Mr. Williams were to state what they required and he supplied them with it.

13,937. (*Mr. Coleridge.*) What is the meaning of his saying "Eureka"?—That was the next day. The other was the Monday night. Then upon the Tuesday morning, which would be the polling day, we had got, as you heard, the management of what is called the eastern district, and, if you will permit me to state, in the eastern district there are three polling booths, one almost immediately adjoining the "Globe Hotel," another in Church Street, and another in Polden Street, all being in fact part of the eastern district, the "Globe Hotel," or rather the large room adjoining the "Globe Hotel," being used as the return room for those three particular polling booths. Mr. Lovibond had got the south district, and only one polling booth in that district, which no doubt was close to the church, the market house and the church, and the return room for that polling booth was a large room adjoining the "Rose and Crown Inn," in the same district. Mr. Barham had got the north district, the polling booth for which was near High Street, the street here, and the return room for that polling booth was the large room of the "Mansion House Inn;" and we had got at the large room of the "Globe Hotel" three large sheets of the voters in the eastern district, and a clerk sat at each sheet, marking off the persons who polled from time to time according as the returns came in, and with each clerk there would be a person to call over, and a lad to run to and from the particular booth attached to that sheet to bring the returns. That would be the position, and the "Globe Hotel" is close to the bridge and the main thorough-

FOURTEENTH DAY.

Mr. J. Cook.

7 Sept. 1869.

fare of the town, whilst the return room in the southern district would be in a back street, as I have before told you. Well, that was the state of things on the morning of the poll, and for something like half-an-hour or hour the Liberals were in a majority. Then about nine or shortly afterwards it was discovered that the Conservatives were polling a class of men which we, that is, my partner and myself, as we noticed the returns as they came in were of opinion could not be polled unless upon promises of money or something of that kind, and we arrived at that conclusion in this way: The returns were compared with the lists, as I have before said, which were placed before those clerks, and some of those names were marked, as Mr. Barham said with regard to his own list, with a red cross as being men who had promised us but were doubtful, and we found in three or four instances that these men instead of polling for us, as we believed they would, had voted on the other side.

13,938. (*Mr. Coleridge.*) Were these men who were marked in your list marked as doubtful for or doubtful against?—No doubt they were marked doubtful for. Well, then, when we discovered that, Mr. Reed and I saw Mr. Lovibond; I am not quite sure whether Mr. Barham was there on that occasion or not, the first meeting in the morning; and we told what out experience had been, and then Mr. Lovibond stated that he had seen Mr. Bussell, and he had told him that the bird had flown, and that there was something illegal in our proceedings, and that if the candidates got in the election would be a void one.

13,939. (*Mr. Anstey.*) Who told him that?—I understood that Bussell gave that knowledge to Mr. Lovibond.

13,940. Bussell imparted that legal information to Mr. Lovibond?—No doubt; Mr. Lovibond told us that Bussell had stated that the other side, the Conservatives, stated there was something wrong in our procedure, and the election would be a void one.

13,941. Do you know what that alluded to?—No, I have not the slightest idea. Then between half-past nine and twelve o'clock that day there were at least three or four meetings between Mr. Lovibond and ourselves, on all of which occasions he came to the "Globe Hotel" rooms which we were occupying.

13,942. (*Mr. Price.*) You occupied those as agents for Mr. Vanderbyl?—No, we were all in the house.

13,943. (*Mr. Anstey.*) Vanderbyl was there himself?—Well, Mr. Vanderbyl was there in the house, but we were acting then jointly. There was a general return room for persons who had voted always. We did not regard ourselves as acting exclusively for Vanderbyl.

13,944. You were acting for him more than for Mr. Kinglake. Though you acted jointly for both, you were in Vanderbyl's interest, and Mr. Lovibond was for Kinglake?—We were acting jointly.

13,945. By arrangement between you on the nomination day and the polling day you had all agreed to act jointly, all three of you?—We had been acting jointly throughout.

13,946. You could not have been acting jointly before you began to act at all?—No, but during the canvass.

13,947. But before you began to act jointly at all you were acting each, not for your own client, for you were the principals, but each for your own candidate; but afterwards, there being no difference between the interests of the two candidates, you agreed to act jointly?—We agreed to act jointly, no doubt. Then between half-past nine and twelve o'clock two or three interviews took place between us and Lovibond, on each of which occasions he came to the "Globe," and a meeting took place in a small room, the return room, with Mr. Smith, Andrew Allan, Bussell, and Alway. I could not fix the time, but I should think it was about ten o'clock. Their opinion was asked what they thought of things, and how the election was going, and if they could account for certain names polling in the way in which they had, and they expressed their opinion that money must be going or some improper conduct going on on the part of the other side, or else those men (I believe certain names were mentioned) would not have polled in the way they had.

13,948. Was that Mr. Alway's opinion?—I could not fix the opinion upon him. No doubt they all concurred in the opinion.

13,949. Was it the Mr. Alway who has been distinguished at previous elections for bribery?—It is the same Mr. Alway.

13,950. And who had signed the purist petition of 1866?—I remember your reading the name. Then I believe nothing particular came of that meeting, and there was another meeting of the same parties in the course of the day, in which they admitted it would cost hard upon three or four thousand pounds to win the election; and the lawyers retired for the purpose of considering the information which they had given and the opinions they had expressed; and upon that occasion I know that Mr. Lovibond stated that Mr. Kinglake's friends were desirous that he should be returned, that he valued the seat, and that he was prepared to go in to the extent of, indeed the sum was mentioned, two or three thousand pounds.

13,951. (*Mr. Coleridge.*) Mr. Kinglake's friends were?—They would not mind two or three thousand pounds for the purpose of securing the election. We discussed it, and the majority had increased. It must have been later than ten, and we came to the conclusion then, that with the majority going on as it was it would be useless to attempt to win the election without the expenditure of a very large sum of money; and I remember using the expression to Mr. Lovibond that it could not be done without flooding the town with money, and I would be no party to it.

13,952. (*Mr. Anstey.*) Who used that expression?—I used it.

13,953. Are you quite sure it was not used by one of the other witnesses who has been examined?—Quite sure.

13,954. (*Mr. Coleridge.*) When you used that expression, did you draw either a moral or a legal distinction between flooding the town and tolerably well paying the town?—No.

13,955. Was your objection to paying money at all, or paying so large a sum?—To paying so large a sum; that was it. Then about twelve o'clock I think there was another interview, and Mr. Lovibond came, and that must have been the time which Mr. Barham refers to in his evidence when he speaks of having come in and seen Mr. Lovibond taking down some notes. I looked out and saw Dr. Kinglake near the "Globe Hotel," and Mr. Mogg.

13,956. The Mr. Mogg who has been examined here?—Yes.

13,957. You saw Dr. Kinglake, you say?—Yes, I saw them when I was looking out of the large window of the "Globe Hotel." It was about 12 o'clock, and then there had been a conversation between Mr. Lovibond, Mr. Reed, and myself; and at that time Mr. Lovibond again said that Mr. Kinglake's friends were desirous of securing his election, and did not regard the expenditure; and I believe that substantially the same answer was made as was made upon the previous occasion, upon which Mr. Lovibond left, followed by my partner, Mr. Reed.

13,958. Do you mean Dr. Kinglake heard this?—Oh, no; I saw him through the window in the street. Then Mr. Reed left and Mr. Lovibond, and in two or three minutes my partner came back and said that Mr. Lovibond had seen Dr. Kinglake's friends, and they valued the seat, and they would not mind two or three thousand pounds to win the election.

13,959. Mr. Kinglake's friends?—Mr. Kinglake's friends would not mind two or three thousand pounds if they could see the way to win the election.

13,960. Did he say whether he had seen Dr. Kinglake?—Oh, certainly.

13,961. (*Mr. Anstey.*) Are you quite sure of that; quite certain that he had seen Dr. Kinglake, and that was the conclusion at which they arrived?—Quite

certain that my partner reported that they had seen Dr. Kinglake.

13,962. You thought your partner had heard that from Dr. Kinglake?—He saw Mr. Lovibond in conversation with Dr. Kinglake, and on leaving Dr. Kinglake Mr. Lovibond came back and reported that to my partner, and then my partner told me.

13,963. That was said first to Mr. Lovibond?—Yes, by Dr. Kinglake.

13,964. You have no doubt he did say by Dr. Kinglake?—I have no doubt he did.

13,965. Do you suppose that Dr. Kinglake had told him that?—Told Mr. Lovibond that?

13,966. No, told Mr. Reed. I am talking about your partner; you say your partner told you that Mr. Lovibond had told him that. Do you suppose that Dr. Kinglake had communicated the same thing to your partner?—No, he had not communicated it to my partner, but to Mr. Lovibond. It was communicated by Mr. Lovibond to Mr. Reed, and by Mr. Reed to me. Nothing particular was done upon it; but it was just shortly after that that Mr. Lovibond was up in the room with Mr. Reed and myself and Mr. John Smith. They were at one end of the room, and we were called over by Mr. Smith; and he said, in the presence and hearing of Mr. Lovibond, he had been speaking to Mr. Lovibond as to the management of the election; and he said, "Mr. Lovibond says he has been prepared "from this morning, but you are not prepared;" and the answer I made in the presence of all parties was, "It is not so; we have been prepared, but we were "unwilling to flood the streets with money."

13,967. (*Mr. Price.*) Whom did you say that to?—Mr. Smith.

13,968. Mr. John Smith?—Mr. John Smith. He had been having some conversation with Mr. Lovibond the minute before; and when he came up he said, "It appears Mr. Lovibond says he has been pre-"pared from early this morning, but you are not "prepared." I said, "It is not so; we have been "prepared, but we were unwilling to flood the streets "with money."

13,969. (*Mr. Coleridge.*) What is the distinction you draw between his being prepared and your being prepared? He was prepared as representing whom? Did you take it that Mr. Lovibond meant, "I am "prepared on behalf of Mr. Kinglake; you are not "prepared on behalf of Mr. Vanderbyl;" is that what you understood?—I do not know that these words were used, but it conveyed that.

13,970. (*Mr. Price.*) Were you present when somebody came into the room, Bussell or Allan or somebody, and either you or your partner (of course if you said it you were present) said, "We have done all we could. Where the devil is Lovibond?"—That was later. I am now speaking of about ten o'clock. It was later in the day that that happened. Well then, after that the majority increased in favour of the Conservatives. There was a talk as between my partner and myself about leaving. Several parties said they should go; and I remember the expression used by my partner was, "No, we will sink with the ship," and we stayed behind.

13,971. (*Mr. Coleridge.*) At this time did you know Mr. Kinglake had gone?—I had not the slightest idea nor any intimation of any sort or kind was conveyed to me that Mr. Kinglake was gone, until, I believe, bordering upon the close of the poll.

13,972. (*Mr. Price.*) Was there anybody in the borough who knew Mr. Kinglake was gone except Mr. Allan?—I have no knowledge that they did.

13,973. None of his agents knew he was gone?—I certainly had no intimation whatever, nor had my partner.

13,974. He slipped off?—Then about half-past two or a quarter to three, Bussell came, and things had no doubt materially changed in the meantime. Return after return came in by which it was seen that the large majority which was in favour of the Conservatives at about twelve, or half-past twelve, or one, was materially changed, and Mr. Bussell returned. I forget how he began it, but at all events, I think he told me that there were some men who would not go to poll without money. I made the reply, "Well, you had "better get them together, and we will see what can "be done," upon which Mr. Lovibond was inquired for. But if you will permit me, it occurs to me that during the morning it is right that I should state I held three or four conversations with Mr. Fennelly, giving him, in fact, the result of our interviews with Mr. Lovibond, in which he had expressed about Dr. Kinglake and his desire that Mr. Kinglake should go in, and our unwillingness to spend money; and Mr. Fennelly certainly said, "I approve the course you have taken."

13,975. (*Mr. Price.*) At that time he had Lomas down at the "Globe" waiting?—Yes, he was down at the "Globe." Then, when we determined at that time, about 11 or 12 o'clock in the day, that no money was to be spent, I saw Mr. Fennelly, and said, "You had "better make a communication to Mr. Lomas. He "had better not let money go." After that Bussell was seen, and he was told to get the men together; and then I saw Mr. Fennelly, and he told me he should have Mr. Lomas up from the "Railway Hotel" to the "Globe," that he might be nearer in case of anything being required. Then Bussell came in, and an inquiry was made for Mr. Lovibond. Shortly after he came back into the "Globe Hotel," and a conversation took place between him, my partner, and myself as to the altered state of things, and he said there were men who would not go to the poll without money, and he said, "You find it." I made the reply, not as Mr. Lovibond said, "We have exhausted one lung, and nearly the other," but the answer I made was that it was unfair to breathe from one lung.

13,976. What time was that?—About a quarter to three.

13,977. (*Mr. Coleridge.*) Although you had coalesced for the purposes of the election you still looked upon the two purses as quite distinct?—My partner had made arrangements that no money was to be spent unless we were satisfied that Mr. Kinglake was spending money.

13,978. Yours was the Vanderbyl lung, and theirs was the Kinglake lung?—Yes. Then Mr. Lovibond asked, "Have you seen Allan?" and left at the time. Immediately upon his leaving Bussell came in and said he had got a certain number of men at his house, and asked for 120*l.* I then went to Mr. Fennelly, explained the position of things, that Bussell was there and wanted 120*l.*, and suggested that he should send Mr. Lomas, who had by that time arrived at the "Globe Hotel," into the small room which I before mentioned, where the parties had met earlier in the day, for the purpose of giving him 120*l.*; and, in the meantime, my partner having seen me go, he had directed Bussell to go into this small room before Mr. Lomas got in there; as it turned out, it must have been; and then after I came back he was directed to go in again, and then it was that Bussell saw Mr. Lomas, and had the money which I speak of.

13,979. (*Mr. Anstey.*) Who directed him to go in again?—I dare say I did. On the first occasion I believe I did.

13,980. (*Mr. Price.*) Was not Mr. Fennelly acting under your instructions entirely when he got down to the "Globe," as to where he was to go and what he was to do?—Mr. Fennelly did nothing without my telling him what was required.

13,981. (*Mr. Anstey.*) Was he completely master of the case? Was he aware of the way in which the money was going, and for what purpose it was going?—I told him that Bussell was there, and that he wanted a certain amount of money for men.

13,982. Will you answer my question? During the whole of this day, when he was coming and going, and you were coming and going, and you were speaking and he was speaking, and money was going in the way you describe, was he perfectly well aware that money was going in the way of bribery?—Unquestionably.

FOURTEENTH DAY.

Mr. J. Cook.

7 Sept. 1869.

13,983. You practised no concealment upon him at all?—No, no concealment. Then it was, I think, that Mr. Lovibond again came and was with Allen; but before he came I had no doubt used the expression, seeing that Lovibond had been inquired for and had not come, "Where the devil is Lovibond?" I do not know that that was addressed to any particular individual, but it must have been heard by persons who were standing near at the time. Well, he left with Allan, and then Bussell came back a second time for money, and said he had a certain number of other men, and required 60*l.* I then saw Mr. Fennelly, told him how it stood, and told him to send Mr. Lomas in there with the required sum for Bussell to have it; and Bussell was directed to go into the room and have it, and no doubt he got it at that time. (This would be drawing us up to at least half-past three.) Garratt came and said that he had three men who would not poll without money. And, with reference to Garrett, permit me to state he was not an entire stranger to me, for as I pass up and down the rail I see him. I had seen him at one of the working men's associations, and I knew some of his connexions, and looked upon him, at all events, as a trustworthy man.

13,984. Trustworthy for bribery purposes?—Yes.

13,985. What does it matter whether you did or not?—It is only to tell you that I listened to an application which he made.

13,986. It really is an abuse of terms to speak of him as "trustworthy."—If you please. Well, then he came in and said there were three men who would not poll without money. Upon that I communicated with Mr. Fennelly, and I told him that 30*l.* were required. I will not say that I mentioned Garrett's name at all; but no doubt he had the 30*l.*

13,987. (*Mr. Coleridge.*) When you speak of Garrett as trustworthy, I suppose you mean that he was a man whom you could trust with money for other people without fear of his appropriating it to himself?—I did not believe he would appropriate it. Later in the day, about a quarter to four, he came again and said there were two other men who would not poll without money, upon which I went to Mr. Fennelly again, and directed that Mr. Lomas should be sent into this small room to give the 20*l.* to Garratt; and he was sent into the room, and gave him the money in the way I have described. But it occurs to me that I should have stated to you that when Bussell came back the second time for the 60*l.*, it is perfectly true, as he says, that I remonstrated with him for the hasty way in which the money appeared to be got rid of, and he made use of the expression, "Whilst you are caddling about it, the election will be lost." And upon that I went to Mr. Fennelly and told him what was required, and directed that he should send Lomas to the small room, and Bussell was directed to go in again. About a quarter to four there was another case. Mr. William Dymond, whose name has been mentioned in this room, came to me, saying that a Mr. French would not poll without he had something, and I replied to Dymond "Make the best arrangement you can with him."

13,988. (*Mr. Coleridge.*) Did not you give him any money?—Certainly not, no money then. I said, "Make the best arrangement you can with him," and he did it, for I heard some time after, but I confess I had forgotten the fact, that he had paid French a sum of 10*l.*

13,989. Who repaid him that?—It has never been repaid to this day.

13,990. Who and what is French?—He is the keeper of the inn called the "Rose and Crown."

13,991. (*Mr. Anstey.*) You say he has never been repaid to this day. We know what that means.—No doubt. I told him to make the best arrangement he could with him.

13,992. He would have been repaid before "this day" if there had not been the election trial and this inquiry, would he not?—I had forgotten it. He mentioned it to me, and directly he mentioned it the facts were fresh in my recollection.

13,993. That was lately, was it not?—Oh no, some time ago.

13,994. Then was it when the election trial was either on or about to come on?—No.

13,995. Would not it be nearer the truth to say he would have been repaid but for these inquiries, and will not be repaid now these inquiries have been instituted?—There is no doubt he would have been paid if it had not been for the inquiries.

13,996. (*Mr. Price.*) I do not see that myself. I do not see why he is not to be paid. Do you mean to say that Mr. Kinglake is going to be so dishonourable that he will not repay money?—It was for Mr. Vanderbyl.

13,997. Well, do you mean to say that Mr. Vandeybyl will be so dishonourable that he will not repay the money which this man has paid out of his own pocket for Mr. Vanderbyl's benefit? Are you the interpreter of Mr. Vanderbyl's honour to this extent; no matter what becomes of the borough, whether the borough is disfranchised or not, that Mr. Vanderbyl will sneak out of a sum of money paid on his account?—As the learned Commissioner, Mr. Anstey, said, but for these inquiries the amount would have been repaid.

13,998, (*Mr. Anstey.*) Has Mr. Vanderbyl ever told you that he means in any contingency whatever to repay or settle these bribery accounts?—He never has said so.

13,999. Have you any reason, as regards Mr. Vanderbyl, to suppose that he will not do it?—I do not know that there is.

14,000. I will ask you the same with regard to Mr. Kinglake. Seeing the jeopardy which Mr. Prior is placed in with regard to the 500*l.*, do you think that Mr. Kinglake will make good this money?—I cannot say what he will do.

14,001. Was not the repayment of these bribery accounts contingent entirely upon the prospect of a fresh election?—No doubt it was in times past.

14,002. If there is no prospect of any fresh election, I ask you as a man who knows the practice here, I will not say whether it is good or bad, is there any chance of these sums being paid?—Unless it is a question of honour.

14,003. It is a question of honour. I want to know from you whether, from your knowledge of Mr. Vanderbyl and Mr. Kinglake, they are two men who will allow these men to be money out of pocket for what they intended to reap benefit from by being members of parliament?—I cannot say.

14,004. In what position in life is this man Dymond?—He is the clerk or accountant at Thompson and Collins'. He is a man in some position of life.

14,005. (*Mr. Coleridge.*) You considered him trustworthy to the amount of 10*l.*?—Yes.

14,006. You never entrusted him with the 10*l.*?—No. I told him to make the best arrangement he could.

14,007. Did he get that money from his employer?—No; he told me that he had it from his wife.

14,008. (*Mr. Anstey.*) If there had been a few more instances of such unpaid accounts, retribution in kind, in times past, do you think we should be now troubled with this inquiry? If there had been a few more instances of Frenches being bribed with money not recouped to the briber at former elections, do you suppose there would have been any inquiry at the present time?—If persons had not been recouped?

14,009. Yes?—I suppose they would have had nothing to do with it.

14,010. Would not it have had the effect of breaking the neck of the system?—No doubt.

14,011. (*Mr. Coleridge.*) How do you account for the fact that, there being this large sum of hard cash in the custody of Mr. Lomas of which we hear, only 240*l.* was spent, that there should have been such a hard drive and difficulty to get a sum of money from the banker at the last moment?—Just about a quarter to three Mr. Lovibond came, and money matters were

referred to. He suggested we should spend, knowing as he did that the provision had been made.

14,012. He knew that there was 1500*l.* in cash, I suppose ?—Yes, he knew that no doubt; but I told him on the Monday morning of the acceptance of the proposal. Then it was that he suggested we should spend the money, and I made the reply, "It is unfair "to breathe from one lung."

14,013. Comparatively you had breathed very little from that lung before ?—No, we had not.

14,014. Was it rather your inducement to throw the expense more upon Mr. Kinglake than to adopt it for Mr. Vanderbyl ?—No, the object was not to throw the expense upon Mr. Kinglake ; but we were unwilling to spend money for Mr. Vanderbyl unless we knew that Mr. Kinglake would spend money too.

14,015. Was not it rather the game played between your firm and the other to work as far as you could for both, but to see which would be least out of pocket ?—No.

14,016. (*Mr. Price.*) I suppose you could not control that every vote would be for Kinglake and Vanderbyl ?—Yes.

14,017. There would be no plumpers ?—No.

14,018. (*Mr. Coleridge.*) And no split votes ?—No.

14,019. (*Mr. Anstey.*) We have heard of one very remarkable split vote—— ?—I am speaking of the money expended in bribery.

14,020. (*Mr. Price.*) The mass of the money, as you understood, even if it went from your lung as you say, would go to get votes for both the candidates ?—Clearly.

14,020*a*. There was no idea of getting plumpers ?—Not the slightest.

14,021. (*Mr. Anstey.*) Does this, or does this not, throw any light upon what has been to this time inexplicable, that is to say, the concealment practised upon Bussell which prevented him from knowing until after the election that Allan was bribing quite as much as he was, or was trusted quite as much as he was to bribe ; and that there was also a third person employed, though not to the same extent, one Garratt ?—Bussell had no communication whatever with the others.

14,022. Does what you have just stated explain that, or does it not ?—There was a concealment.

14,023. Was it not for the very purpose of relieving one lung, so that both lungs should breathe equally ?—No, it was not that.

14,024. What was it ? Was it for the purpose of overcharging the one lung, Mr. Kinglake's lung ?—No, we were not prompted by any such motives.

14,025. Why was the fact that a known bribe agent, Andrew Allan, was employed in bribing for both candidates concealed from Henry Chapman Bussell another bribe agent also employed in bribing for both candidates, and so concealed until after the election was over ?—You see Mr. Lovibond came in with Allan, having asked for him, and was seen with him. What it was Mr. Lovibond did with Allan I did not know at the time.

14,026. But Mr. Allan knew that Bussell was bribing, but Bussell was kept in the dark ?—I do not know that Allan knew it.

14,027. He stated that he did ?—Did he ?

14,028. Yes; and Mr. Bussell stated that he did not know that Allan was bribing, and when I asked him the question he said, "I do not believe he was "trusted with any money"?—We had nothing to do with Allan.

14,029. Was there any reason for concealing from Bussell the fact that Allan was entrusted with money, and that Garratt was entrusted with money ?—No communication whatever was made to him.

14,030. Why was that so, I want to know ? What purpose was the concealment meant to answer ?—I do not know.

14,031. (*Mr. Price.*) It might have tended to this state of things, that these two men, in ignorance that they were both working for the same end, might both bribe the same voters ?—Except so far as this, that Bussell reported when he came in for the money that the men were at his own house ; and it is improbable that Allan would go there ; and Allan said he had got a certain number of men. And the same with regard to Garratt. So it was not as if a sum of money had been entrusted to each man for him to go out into the streets with.

14,032. Each man was specially employed for a particular lot of voters ?—Yes.

14,033. (*Mr. Anstey.*) Was not this the reason that you wished to conceal, it was thought desirable to conceal from you, at least, how much money Lovibond was spending in Mr. Kinglake's behalf ?—I did not know what Mr. Lovibond had had, and I did not know what his motives were.

14,034. Was not that your object in concealing, if possible, from Mr. Lovibond how much you were spending on Mr. Vanderbyl's side ?—Because they should not know what it was ?

14,035. Yes ?—No, I do not know that it was. These men came in and asked for certain sums, and they had what they asked for, which happened to come to three or four hundred pounds.

14,036. But that sum went much farther than what was squandered by Mr. Kinglake ?—I do not know how far it went, except that from the number of men that Bussell had money for on both occasions, and the number that Garratt had money for, it would appear that they were asking for about 10*l.* for each man, and from what Allan said it would appear that he had the same sum.

14,037. There was a greater number bribed by Allan than by Bussell ?—Oh yes, no doubt.

14,038. (*Mr. Coleridge.*) Allan got rid of 500*l.* ?—No, he said he had spent 315*l.*, and there was 185*l.* balance, which he still has.

14,039. (*Mr. Anstey.*) That brings you to a quarter to three ?—It brings me up to the close of the poll nearly.

14,040. Before you come to the close of the poll, did you see nothing more that day of either Mr. Mogg or Dr. Kinglake ?—Nothing whatever.

14,041. I forget whether you saw them together, as well as your partner ?—I saw Dr. Kinglake and Mr. Mogg together in the street as I looked out of the window.

14,042. (*Mr. Price.*) Was Mr. Mogg a very active partisan of Mr. Kinglake ?—He was a very warm supporter, no doubt.

14,043. Apart from bribers and apart from lawyers, whom do you look upon as the heads of the Liberal party ?—Mr. Sealy, Mr. James Wood Sully, Mr. Mogg, Mr. Henry Nicholls, and persons of that kind.

14,044. (*Mr. Anstey.*) But the elections are not in their hands ?—There is no doubt that the lawyers have a very material interest. I think I have referred to nearly the close of the poll. I have exhausted Bussell, Dymond, and Garratt. These are the only instances of money, or the promise of money, that I knew on that occasion.

14,045. (*Mr. Coleridge.*) Who told Mr. Lomas what to do with the remainder ? Was that you ?—No. Then just at the close of the poll I think there was a majority, and consequently no more was spent, and upon that occasion I saw Mr. Fennelly, who congratulated us upon the success and all that sort of thing, and at four o'clock the parties went to the hustings for the purpose of hearing the mayor declare the state of the poll.

14,046. Was he one of those who came and congratulated or was congratulated ?—Directly the poll was over at four o'clock, before we went to the hustings, a large number of persons went up to his private room, and congratulated Mr. Vanderbyl.

14,047. Were you one of the persons ?—Yes.

14,048. What did he say ?—Thanked us for our congratulations.

14,049. Was anything said or whispered about money ?—Nothing.

FOURTEENTH DAY.

Mr. J. Cook.

7 Sept. 1869.

14,050. Did he then come downstairs?—Yes, and went to his carriage.

14,051. You met Mr. Eustace Barham on the stairs?—He was at the hustings.

14,052. He did not get into the carriage?—No, not on going up.

14,053. Where was Mr. Reed at the time that the last act of bribery was committed at the "Globe"?—In the large room the return was taken in.

14,054. You say there was nothing done; Mr. Reed was in the large room?—Yes.

14,055. Had you seen him during the day there, when Mr. Lovibond was taking the names and addresses, and so on, furnished him by people in the room?—Mr. Reed was in the room at the time.

14,056. Did you see him on a subsequent occasion in an upper room, at or soon after the close of the poll, looking out?—No, I did not.

14,057. Did you see him at all at or after the close of the poll?—Yes, I did.

14,058. Did Mr. Reed accompany him to the hustings?—Whether he was in the carriage or at the side I won't be sure, and he came back from the hustings, and on getting out of the carriage he was joined, and he certainly was not in an upper room at the "Globe" at the time the party returned from the hustings.

14,059. On returning to the "Globe" did he go into the house?—Yes.

14,060. He?—Yes, both of us.

14,061. Did Mr. Barham go into the house?—That I cannot answer.

14,062. Therefore it is perfectly possible, is it not, that Mr. Reed, on going into the house, went up and looked out of the window?—Oh, it is possible certainly.

14,063. All that Mr. Barham says is, that on returning from the hustings he looked up at the window, there he saw Mr. Reed looking on?—Yes, it is possible; but I say at the time when we got out of the carriage after returning from the hustings I know I joined my partner, and we went into the "Globe."

14,064. (*Mr. Anstey.*) Was anything said between you and your partner in the course of either of those two rides, or in the course of that afternoon at all, on the subject of the risk that had been run, the penalties that had been incurred, or the money that had been spent?—No; my partner was as well acquainted with what had been done as myself, but neither of us discussed it.

14,065. Was it mentioned?—No, it was not.

14,066. It was too much a matter of course?—Well, I suppose so.

14,067. Were you alarmed yourself?—Well, perhaps I was.

14,068. Was Mr. Reed alarmed?—He has been alarmed.

14,069. Did he express that day to you his alarm?—No, certainly not.

14,070. Nor you to him?—Nor me to him.

14,071. It was a subject you avoided?—It was not mentioned, certainly, on one side or the other. No doubt it has been one of the most painful things which can happen to a human being. The mental torture which this has brought upon one is such as not only to unfit one for business, but to sink into one's system, and cause consequences which perhaps one can hardly tell. From the time of the election it has been to me, and I know it has been to my partner, a source of great grief and mental anxiety indescribable.

14,072. Have you found that the impression which you have described in such proper terms has been produced upon your associates, Mr. Vanderbyl and Mr. Kinglake?—Well, I cannot say so far as they are concerned; but I know that it has to me, and I have no doubt to my partner, caused an indescribable anxiety and pain and mental torture.

14,073. Have you seen either Mr. Vanderbyl or Mr. Kinglake since that triumphal ride to and from the hustings back to the "Globe"?—Certainly.

14,074. Where did you see them?—If you will allow me, there is one more feature on the day of the poll which I should like to describe, and then I will take up your question. Late in the day of the poll, I cannot fix the time, Messrs. Roberts, who are coachbuilders at Eastover, were not polled. They had that crotchet as Mr. Barham described with reference to the Maine law, or rather the permissive bill; and then Mr. Vanderbyl left, accompanied by, I think, Mr. Nicholls, to go down and see Messrs. Roberts, with a view to induce them to poll, but they would not. Well, then, before coming from the day of the poll, it is right I should state that, about the 11th of November, before the polling day, there was a Mr. Chant, the son of Mr. Chant the corn merchant here, who was in London undergoing a surgical operation. He was a voter for the borough and poor, and we did, I think, upon the 11th November send to Mr. H. A. Reed, our agent, a sum of money for the purpose of paying Mr. Chant's expenses to come down to vote. Mr. Reed wrote this letter:—

"Dear sir,

"Mr. Chant left London for Bridgwater by the "10 o'clock train this morning upon election business.

"I remain obediently yours,

"Herbert A. Reed."

There is no doubt that if he had not returned that cheque for 2*l.* 10*s.* it would have been handed over, and that payment would have been made. It never has been paid, and certainly, as far as I am aware, no promise has been made in respect to his coming down to vote.

14,075. (*Mr. Coleridge.*) How came you not to give him the cheque?—He had left.

14,076. (*Mr. Anstey.*) Now answer my question, please. What is the first occasion of your meeting either Mr. Kinglake or Mr. Vanderbyl after you alighted on your return from the hustings at the door of the "Globe Hotel"?—I did not see Mr. Vanderbyl next day, which would be the Friday.

14,077. (*Mr. Price.*) No, the Wednesday?—Yes, the Wednesday, for the reason that the excitement of the election, and one thing and another laid me up, and I was ill in bed the whole day. That brings to my knowledge another circumstance which I should explain. Whilst I was in bed my partner, Mr. Reed, came down the day after the election, and said that a Mrs. Williams had called upon him, being the wife of a voter who had come from Liverpool to vote for Kinglake and Vanderbyl, a telegram having previously been sent by my partner, in the name of Mr. Hammill I believe, to this Mr. Williams, asking him if he would come to vote. The telegram was sent, and he came down to vote; and the day after, as I understand from the statement made by my partner to me, the wife came and said that they were poor, and wanted to go back to Liverpool, and asked that his expenses should be paid. Mr. Reed came to me and asked what I thought it was best to do. I was certainly very unwell in bed the whole day, and I believe I suggested, "Well, you "had better ascertain what the expenses are and pay "them." He saw I was not perhaps in a state to be troubled much about it then. He told me afterwards that he went to Mr. Henry Lovibond and told him the facts, and that he suggested there should be a 5*l.* note sent to pay those expenses; and there is no doubt upon the fact that my partner acted upon that, and did pay to Mrs. Williams, as I believe, the sum of 5*l.* to pay the expenses of coming down to vote.

14,078. (*Mr. Price.*) Whose advice did your partner take?—He saw me first, I believe, and then Mr. Lovibond.

14,079. Has your partner ever been paid that 5*l.*?—No; it is a matter of account at the present time in our books.

14,080. (*Mr. Anstey.*) Against whom?—Debited to Kinglake and Vanderbyl.

14,081. Now, will you answer my question, if you please, Mr. Cook, for I do not want you to break it up by introducing these incidents of intermediate dates?—I cannot fix the dates. Mr. Vanderbyl returned to Pightley House.

14,082. That is not an answer to my question. If it is necessary to explain those particulars, you can do so. What was the time, as nearly as you can

recollect, of your meeting either of these candidates after the close of the poll?—A few days after the election I certainly saw Mr. Vanderbyl.

14,083. Where?—At Bridgwater. He was then stayingat Pightley.

14,084. He had come into town?—Yes.

14,085. Where did you see him?—At the office.

14,086. Did you converse with him?—There was a conversation——

14,087. Answer "Yes," or you will make me ask with whom the conversation was. Did you communicate to him any of your doubts or fears of what had taken place or what was likely to take place?—No, I wilfully abstained from it.

14,088. You said nothing about the danger of the petition?—No.

14,089. You had heard in the meantime that the Tories were preparing one?—There was a rumour of it.

14,090. Was anything said about the rumour by him?—Certainly; the second or third time I saw him he mentioned about the rumour.

14,091. How long would that be, at the furthest, after the election?—Perhaps ten days or a fortnight.

14,092. Did he express himself to you at that time in that conversation as fully aware of the fact that bribery had been practised in his behalf?—Certainly not. He did not say so.

14,093. What did he say about it? Did he say nothing about Mr. Fenelly's coming down with 1,500*l.*?—Nothing whatever.

14,094. Did he pretend to know nothing about it?—He said nothing about it either directly or indirectly.

14,095. You were concerting measures, were you not, to resist the threatened petition?—Yes.

14,096. Yet you practised this mutual concealment upon one another?—We did.

14,097. You were concerting your measures, yet you concealed all your mutual knowledge, and the knowledge that each had of its being mutual, from one another?—It was not referred to in the course of our interview.

14,098. Was it assumed as a fact?—Of course I perfectly well knew it.

14,099. Half your statement is true. You must have known it. Did you take it for granted on both sides that there had been these corrupt practices, in the conversation?—On both sides?

14,100. Yes?—You include the Conservatives?

14,101. Did you, on your side, and did Mr. Vanderbyl, on his side, take for granted that there was foundation for the petition which it was your purpose then to resist?—If his silence meant it, it must have been so.

14,102. Listen to me. You were not talking unprofitably together, I suppose. You were talking about the best mode of resisting the petition?

14,103. (*Mr. Price.*) Were you?—No.

14,104. (*Mr. Anstey.*) I asked you whether you were concerting your measures, and you said "Yes"?—Not with him.

14,105. With whom were you concerting your measures?—With Mr. Henry Lovibond.

14,106. Then I will rather deal with the master than with the servant. If you answer in this way, without giving more information than you seem inclined to do, I must come at once to the point. When was the first time that you had any conversation with Mr. Vanderbyl or Mr. Kinglake; first of all with Mr. Vanderbyl, in which he acknowledges his familiarity with these practices, and that he was aware of the existence of these practices?—On the 4th of December I saw Mr. Vanderbyl in London, the 4th of December following the election, with Mr. Henry Lovibond. We had previously met Mr. John Trevor at the "Tavistock Hotel," Covent Garden, and there overtures were made that one seat should be vacated.

14,107. By whom?—Mr. Lovibond had previously. At the meeting of solicitors, it was agreed that it was desirable that an arrangement should be made in some way, and on the 26th Mr. Lovibond went to London at the request of the meeting of solicitors which was held, which thought that it was desirable that an arrangement should be made just before the 26th, and from London he addressed to our firm this letter:—

"Dear sirs, London, 26 Nov. 1868.

"Petition not filed although drawn. Negotiation opened which I have reason to believe will be attended with some success.

"Yours truly,

"Messrs. Reed and Cook. H. Lovibond."

Then on the 4th December I had received a communication from my partner that morning that Mr. Lovibond was there, which asked me to meet him, and on that 4th December I went to the "Tavistock Hotel," and there met Mr. Lovibond and Mr. John Trevor.

14,108. Who else?—There were two interviews. I do not remember any other person present at that one. Mr. Lovibond had seen Mr. Trevor before. When I arrived a conversation was entered into, and Mr. Lovibond said "We must arrange this thing somehow or other, and we will give you a seat." And the question was raised as to whether the principals would consent to it; and Mr. Trevor suggested, or Mr. Lovibond, that we should meet later in the day, and in the meantime he should see Mr. Kinglake and Mr. Vanderbyl.

14,109. (*Mr. Anstey.*) Both of whom were then in London?—If that was the date, both were then in London, no doubt. Whether Mr. Lovibond saw Mr. Kinglake before that, and I saw Mr. Vanderbyl, I am not sure; at all events I did not see Mr. Kinglake with Mr. Lovibond, and Mr. Lovibond and I did see Mr. Vanderbyl at his chambers in Winchester Buildings; Mr. Fennelly was present on that occasion. We stated that it was desirable that we should come to an understanding for the sake of the peace of the borough with regard to the threatened petition; and and an overture was made of one seat; and we wanted to know whether, in the event of that being done, he would be ready to agree to that proposal, that one seat should be given up. He first of all stoutly refused, and said, "No, I will do nothing of the kind. I know "of nothing," said Mr. Vanderbyl, "by which I "should be induced to enter into an arrangement of "that kind;" that is all. Afterwards he retired, and Mr. Fennelly was still there, and the matter was discussed with him, and we said, "Now you had better "induce Mr. Vanderbyl to consent to an arrangement "this time, for the sake of all parties;" and then afterwards, when Mr. Vanderbyl came back, he had gone to one of the adjoining rooms, he said, "Well, I "think the better plan, perhaps, for the sake of all "parties, would be to consent to some such course as "this," as had been proposed. That was agreed on, and then at that meeting a positive undertaking was drawn up to be signed by Mr. Kinglake and Mr. Vanderbyl, that one seat should be given up, and that it should be left to some other independent member of parliament to be agreed upon as to which seat should be given up, and the terms on which it should be given up.

14,110. Who was to appoint or select the independent member?—Mr. Kinglake and Mr. Vanderbyl.

14,111. Supposing they did not agree, as probably they would not?—The memorandum was destroyed, and I do not know how it ran. At all events that was the effect of it; that it was to be left to an independent member. After that was over and signed by Mr. Vanderbyl, we again kept the appointment at the "Tavistock Hotel," where we met Mr. Trevor, and Mr. Westropp, and Mr. Kinglake. They were there on that occasion clearly, so that there were four parties; I do not remember anyone else. Mr. Westropp said he was unwilling, and could not accept the proposition which had been made, unless he submitted it to the Conservative Working Men's Association here in the first place, because he had pledged his word to them that he would not do so without first of all com-

municating the fact to them. Then there was a further conversation, to the effect that he said, "What do we know of Mr. Vanderbyl?" He said he had no confidence if Mr. Vanderbyl had to retire it would be carried out. Then, after some further discussion, Mr. Kinglake himself said that he was prepared to place a letter in the hands of Mr. Gore Langton, or any other person the Conservatives thought proper, as undertaking, if the agreement was made, that it should be carried out. There was other conversation having reference to the election; I cannot quite give you the detail.

14,112. (*Mr. Anstey.*) This is not an answer to my question, though it is very important information?—That is the first time I saw Mr. Vanderbyl, I mean really to talk to him about a compromise or anything of that kind.

14,113. I ask you about corrupt practices having been dealt in at the election. When was the first occasion on which the existence of the fact of corrupt practices having taken place at the election was mentioned in a conversation at which you and Mr. Vanderbyl were present?—I cannot fix the date for it.

14,114. Was it mentioned that day?—No; except it was put in the way that it was desirable for the sake of the borough, and all parties, that an arrangement of that kind should be made.

14,115. Was the subject delicately and studiously avoided and taken for granted rather than mentioned?—It certainly was avoided, and taken perhaps for granted.

14,116. (*Mr. Price.*) I understood you to say that Mr. Vanderbyl resisted the proposition on the ground that he knew of nothing which should induce him in any way to compromise the matter?—Certainly; that was his first answer.

14,117. (*Mr. Anstey.*) I cannot understand your reluctance to use plain English language. You understood, I suppose, that you were talking about the petition founded upon the corrupt practices at the election?—Clearly.

14,118. And the hopelessness of defending it, and the advisability of a compromise?—The advisability of a compromise.

(*Mr. Price.*) You did not say hopelessness in the presence of the adversary.

14,119. (*Mr. Anstey.*) No, your adversary was not present on the first occasion?—Mr. Vanderbyl was present the first time.

14,120. Not the first time, was he?—Not at the "Tavistock Hotel."

14,121. The first time that day he was not present?—No.

14,122. It was then I asked you was anything said, or was it taken for granted, admitted tacitly or expressly by Mr. Vanderbyl, or denied by him, that there had been any corrupt practices at the election?—By Mr. Vanderbyl it was denied.

14,123. That being so, what was the inducement which brought him round afterwards to consent to a compromise?—When he came in Mr. Fennelly was there, and I think he said, "Mr. Vanderbyl, I think "under all the circumstances you had better consent "to a course of this kind."

14,124. Did he repeat his denial of the existence to his knowledge of corrupt practices?—He certainly said he was unwilling to do it, but at the same time for all parties he thought it was best, and he would.

14,125. Did he continue to protest tacitly or expressly that he knew nothing about it?—He continued to, and then I say we left Mr. Vanderbyl's and went to the "Tavistock Hotel," where we met Mr. Trevor, Mr. Westropp, and Mr. Kinglake.

14,126. Now, with regard to Mr. Kinglake on that day, did he in like manner, and I must say with equal success with Mr. Vanderbyl, profess his ignorance of all these practices?—He protested his ignorance.

14,127. In the same way?—In the same way.

14,128. Did anybody besides Mr. Vanderbyl assert Mr. Vanderbyl's ignorance, or did anybody besides Mr. Kinglake assert Mr. Kinglake's ignorance of the corrupt practices of that election?—Not in my presence and hearing; certainly not.

14,129. Was there any person there who would truthfully confirm their statements and their connivance in that regard?—Not on our side, certainly.

14,130. Did you contradict them or think it more civil not to?—We did not contradict them.

(*Mr. Price.*) You heard, no doubt, Mr. Barham say yesterday that Mr. Kinglake returned the next day, and the question put by Mr. Anstey is, "Did you have any "conversation about the way in which the election "had been worked"? I remember at once telling him there could be no doubt money had been spent at the election, and that Messrs. Reed and Cook for certain were implicated in it. Then it goes on to say he had in his mind the idea as he had in reference to a point of law. We did not ask Mr. Barham when that was; when did you first convey that, Mr. Barham?

(*Mr. Barham.*) On the eve of the hearing of the election petition.

(*The witness.*) That was on the 4th December, and it was arranged at last that the offer should be communicated to the Conservative party at Bridgwater to see whether it would be accepted. It was communicated to them, I believe, and it was refused, and then negotiations went on from that time right up to the hearing of the petition, which was the 23rd February; they were renewed time after time. The negotiations between the Liberals and Conservatives went on as from that time right up to the time of the election petition in the hope that some arrangement would be made.

14,131. (*Mr. Anstey.*) There is still another thing. At one stage of this correspondence you are stated as having offered or suggested the abandonment of one of these seats in order to save the party from exposure; what meeting was that?—I cannot fix the date of it, but I know it was talked about. I know this, it was talked of before the evening of the trial and then upon the day.

14,132. You have heard Mr. Barham state the 4th January?—The 12th, I think he said.

14,133. Have you any doubt it was that time?—I have no doubt, from the fact that he speaks of it.

14,134. Then this proposal having failed in London, you having returned, all of you, you proposed to whom, or at what meeting did you make this proposal to abandon both seats?—I do not remember making it at any meeting except the observation to Mr. Barham, but it was made no doubt at a meeting.

14,135. Was that with the knowledge of Mr. Vanderbyl or Mr. Kinglake?—It was not made with the knowledge of either.

14,136. Was it afterwards made known to them that you had proposed it?—Not to Mr. Kinglake.

14,137. To Mr. Vanderbyl it was?—Yes, no doubt.

14,138. What did Mr. Vanderbyl say to that?—"Well, do whatever you think is right and proper," or something of that sort.

14,139. Have you any doubt that he, having been prepared to assent to the abandonment of both seats, was fully aware that his seat was not defensible?—I think, no doubt, he must have seen it was not.

14,140. Was that proposal made to Mr. Trevor, or anybody on the Conservative side?—I did not myself make it, but I believe it was made.

14,141. By whom?—Either Mr. Lovibond or Mr. Reed; I cannot say which.

14,142. And refused, we have heard, on the ground of its being too late?—It was refused.

14,143 On that ground, that it was now too late?—I have no doubt that was it. I do not remember the exact reason; it was refused, and probably that was it.

14,144, I suppose they did not imagine that if the agreement were made Mr. Kinglake and Mr. Vanderbyl would not apply for the Chiltern Hundreds, and so vacate the seat?—No, they fully expected it.

14,145. Therefore it would have been that it was too late?—Too late. I remember this, that the first pro-

posal was that one of them should retire in 12 months, then it came down to six months, and then three months. As I say, the negotiations went on from this 26th November, which is fixed by Mr. Lovibond's letter, up to the very time of the hearing of the petition.

14,146. Now from that time there was a series of interviews at which Mr. Vanderbyl, and one of which Mr. Kinglake was present, down to to the close of the election trial. Can you recall any conversation you had either with Mr. Vanderbyl or Mr. Kinglake, in which anything was said by him on the subject showing his ignorance or knowledge of these practices?—I cannot recall anything.

14,147. Take the very last day, or rather the day before the last, does your knowledge coincide with that of Mr. Barham as to the reluctance of Mr. Henry James to go on with so hopeless a case?—I was not aware of his reluctance at the time, but I have heard of it since.

14,148. If you did not know generally his reluctance at the time, did you know the day before, or the very day when he threw up his brief, or rather when he gave up the seat, that he was looking out for an opportunity to do so?—Certainly I did.

14,149. How long was it, hours or days, before the close of the proceedings that that fact became known to you?—To our counsel it was known almost within an hour of their arriving in Bridgwater.

14,150. Who were they?—Mr. Serjeant Sargood, with Mr. Edlin for junior. They attended to it as soon as they could. We explained everything, especially to Mr. Edlin, as regards the position in which we were, speaking of myself and my partner. We explained the unfortunate position, and that something or other should be done in order to prevent the dreadful position in which we were placed by this thing proceeding. And Mr. Serjeant Sargood having the same communicated in effect to him day after day as it went on, at least my determination was that we would not allow it to go on any longer unless some understanding was arrived at, because it was placing us in a very awkward and perilous position, and we determined that something or other should be done.

14,151. For what?—To bring about not allowing the trial to go on as it was.

14,152. A compromise?—Yes, or rather that they should give up.

14,153. (*Mr. Price.*) Should knock under?—Yes, throw up the sponge.

14,154. (*Mr. Anstey.*) Was anything said to Mr. Serjeant Parry to induce him to soften the statement?—No, not to my knowledge; it was left to counsel, and Mr. Serjeant Sargood made a reply, "I see how things "stand, you must leave Mr. Vanderbyl to me, and I "shall take such course as I think proper."

14,155. All that took place with regard to nullifying the zeal of counsel was done between the respective counsel of the two sides?—Clearly so.

14,156. When were you informed, in Mr. Barham's phrase, that Mr. Kinglake's counsel was going to throw up the sponge?—At the time they were adjourned for lunch on the last day of hearing.

14,157. That was a few minutes before they did?—Yes, they came back, and then statements were made by the respective counsel.

14,158. That adjournment which is mentioned in the minutes of the trial was not for consultation, but the usual retirement of the court for luncheon?—Yes.

14,159. Then in point of fact the arrangement must have been come to before that?—Yes.

14,160. By whose advice or at whose instance was it that under such circumstances you allowed Mr. Vanderbyl, for he was your nominal client, to go into the box and make the statement on oath which has been so frequently read to you, and which I shall not pain myself by reading again?—It was by no instructions given by us, because counsel were in possession of the facts, and took what course they thought proper.

14,161. Do you mean that counsel advised calling Mr. Vanderbyl to make that statement?—They acted on their own discretion with the knowledge they had got.

14,162. From whom?—My partner and myself.

14,163. Did you duly inform counsel in your behalf, Mr. Vanderbyl at all events, for whom you were immediately concerned, had received this fund of 1,500*l.* and had directed it to be employed in bribery in the way that came out?—We did not mention Mr. Vanderbyl's name but told him of the fact that it had been raised by Mr. Fennelly his partner.

14,164. But for his purposes?—Clearly so.

14,165. I do not want to press you any more than I did Mr. Barham, but would you feel it a painful thing to answer the question and tell me what impression Mr. Vanderbyl's statement on oath and Mr. Kinglake's made on you that day?—It was painful, there is no doubt of it.

14,166. (*Mr. Coleridge.*) Did it astonish you; I mean were you surprised to hear the statement?—We were scarcely in that state of mind from the excitement and knowledge of the position of matters to state what our feelings were at that particular time. Now will you permit me to say that we were exceedingly desirous to come to an understanding, and that Mr. Reed and myself and Mr. Lovibond were in London on the Saturday as the hearing of the petition began, I believe, on the Tuesday, and we met at the office of our parliamentary agents, Messrs. Wyatt and Hoskins, in Parliament Street. Mr. James Trevor was in London, at the "Tavistock." After the interview with Mr. Wyatt as our agent we went out and found Mr. Lovibond in another room, and said, "This thing must be settled under any circumstances." He was in the act of tying up his brief, and he said, "I think so too." And it was agreed to go to the "Tavistock" where Mr. Trevor was and state our wish to him to come to an understanding, but Mr. Lovibond had preceded us about a minute or two, and when we got there we found that instead of proposing an abandonment on both sides Mr. Lovibond had simply proposed that one should be given up.

14,167. (*Mr. Coleridge.*) And that had failed before?—And that had failed before; and then we also understood right through that why Mr. Lovibond had intimated to the Conservatives his desire to bring about a compromise with reference to that petition was on account of his friends and not of himself personally, because he was in no way implicated in that election. We had heard of that. Mr. Brice himself made the communication that it was so stated. So desirous were we that we actually threatened, so far as Mr. Lovibond was concerned, to file a petition signed by two ratepayers, under the sixth section of the Act of Parliament which the learned Commissioner, Mr. Coleridge, referred to the other day, to state our belief that corrupt practices extensively prevailed, in order that it might be put on its proper footing, not knowing what was going on with the other side and Mr. Lovibond.

14,168. Then you and Mr. Lovibond did not entirely trust one another?—We did not, and there was a strong impression on the other side that we were the persons implicated; it was conveyed to us, and just about that time there was unfortunately a professional matter which happened between ourselves and Mr. Lovibond which increased the breach between us.

14,169. (*Mr. Anstey.*) Mr. Barham acted as a sort of neutral man between the two?—He did, so far as the interviews are concerned.

14,170. (*Mr. Coleridge.*) Who paid you for your services?—We had no payment.

14,171. Had you a retainer?—Yes.

14,172. Are you the Mr. Cook who stood on the Castle Wall after the election was over and condemned bribery?—I do not remember using that expression.

14,173. (*Mr. Anstey.*) Dut you signed the petition of 80?—I did, and have all the papers with reference to it.

14,174. And so did your partner?—Yes.

14,175. (*Mr. Coleridge.*) Is there anything you

imagine which your partner, Mr. Reed, knows at the last election which you do not know or have not told us?—There is, about the payments to Bussell and Garratt.

14,176. He would not know those?—Yes, he knows them, but I do not know them.

14,177. But is there anything which he knows which you have not told us?

14,178. (*Mr. Anstey.*) Which has occurred within his knowledge and not within yours?—Not that I am aware of.

14,179. (*Mr. Price.*) Can you explain that which has either been kept back, or is inexplicable, how, according to the fact which you stated, in the early part of the day you were in the majority?—About three-quarters of an hour.

14,180. And that then the tide turned and flowed very rapidly in the opposite direction, and that Mr. Westropp and Mr. Gray became in a very large majority; that then the majority was got down before the time, as I understand it, your coffers were open for distribution of money, you got very nearly neck and neck?—We were so.

14,181. I never understood how that was brought about, because I understood you to say that you all agreed the election was over, it was no use going on?—Yes.

14,182. And yet you got up very nearly to the same mark with Mr. Westropp and Mr. Gray, and then you let out the money?—It is an extraordinary circumstance, but I cannot, I am unable to explain it.

14,183. (*Mr. Coleridge.*) Is not this in some sense an explanation that Bussell and the sub-agents were holding out promises of money at that time, although they did not actually promise it from their superiors?—It must be so.

14,184. (*Mr. Anstey.*) Or there might be a general expectation of money on the part of the bribees that they were going to be bribed?—Yes, I know reports were brought us that morning.

14,185. They were about like beasts at the cattle market, Mr. Barham says?—Yes.

14,186. (*Mr. Coleridge.*) You had seen Bussell two days before, and told him there would be money?—No I did not, that was my partner.

14,187. (*Mr. Anstey.*) Did you hear anything to make you believe that the Conservative candidates were equally despairing with your candidates just before the election?—No, I had not heard it.

14,188. If you had heard that they were prepared to quit the town on the nomination night, probably there would have less bribery on your side, or none at all?—If they had left of course there would not have been.

14,189. Therefore you could not have known or heard of it at that time?—No, I had no knowledge.

14,190. Nor did to the fatal moment, half-past 2, or whenever it was, on the following day?—No, no knowledge of it.

14,191. But since?—I have heard of it in this court for the first time.

14,192. (*Mr. Price.*) Have you any reason to believe that there were men, of whom you say Dymond at all events was one, who paid money out of their own pockets that day before you opened the candidates' purse?—I have no reason whatever to believe that there was any man.

14,193. (*Mr. Anstey.*) But you know, as it happened at Sir John Shelley's election, that persons like Bussell, although there had been understood to be a solemn pledge given by Mr. Lovibond that there should be no bribing, held out hopes (might it not have happened here) that something was said to keep the bribable persons quiet; "Wait till the polling day and you will see, all will be right?"—There may have been.

14,194. Have you any doubt upon every election, and amongst others the election of 1868?—I have no doubt it was upon something of that sort, because why I say no doubt it was is, that supposing the bribe agent had gone and said there was to be no money this time, it probably would have had a different effect.

14,195. (*Mr. Price.*) Mr. Vanderbyl, you say, was sitting at the "Globe" the greater part of the day?—Yes.

14,196. Was he not in communication with Mr. Fennelly from time to time?—I cannot tell you.

14,197. Did he sit like a hermit in a cell, with no one to speak to him?—I do not know. It was only once or twice that day when we went for the purpose of getting him to go to Mr. Roberts.

14,198. Do you mean to say you let him sit there without giving him any information as to how the election was going on; no one to comfort him or to keep up his spirits or say anything to him?—I did not, except on two occasions as I say, which were just within one hour.

14,199. Who did?—I cannot say.

14,200. Your partner?—I cannot tell you.

14,201. (*Mr. Anstey.*) Why was that?—Mr. Lovibond came in.

14,202. (*Mr. Coleridge.*) But he was acting more particularly for Mr. Kinglake?—Yes.

14,203. (*Mr. Price.*) Did he sit by himself in a room all day?—I think Mrs. Vanderbyl was there, and the children.

14,204. (*Mr. Anstey.*) They would not be much assistance to him in election matters. The question is, who came to inform him how the poll went on, and to keep up his spirits and give him information?—I did not.

14,205. But who did?—I cannot tell you. Of course Mr. Fennelly knew it from time to time.

14,206. Did not Mr. Fennelly?—Probably.

14,207. Have you any doubt he did?—Well, of course.

14,208. I will refresh your memory. Some time in the coure of the day you had communications as from Mr. Vanderbyl; persons came and said Mr. Vanderbyl said this, and Mr. Vanderbyl thinks that, or wants to know this or that?—No, I had no such message as that.

14,209. Was there an understanding, then, between you, or amongst you, that this most unusual thing for the day of poll should be practised on both sides, that is to say, both candidates, Mr. Vanderbyl and Mr. Kinglake, should stay within from the beginning of the day down to the going down of the sun; was there an understanding?—I know of no understanding at all.

14,210. You never saw it before at any other election?—No.

14,211. You have always seen the candidates going about, and looking their fellow men in the face on the poll day?—Yes. Mr. Kinglake had left by the express.

14,212. But not until he thought the day had left him?—No.

14,213. During that time had he been in playing this game of concealment at his hotel?—I had not seen Mr. Kinglake that morning.

14,214. Therefore, as far as you know, he too was invisible?—As far as I know.

14,215. Then surely there must have been some reason for the invisibility of both candidates, especially when we know the fact that bribery was practised on their behalf at the election?—I saw Mr. Fennelly from time to time.

14,216. (*Mr. Price.*) Did you see him go into the room?—No, I did not.

14,217. (*Mr. Anstey.*) Did Mr. Fennelly ever come to you and say anything about Mr. Vanderbyl's wishes or thoughts and the like?—No, he did not.

14,218. Do you mean to say that you received no communication, directly or indirectly, from Mr. Vanderbyl on that important day?—No, I did not. I regarded, of course, Mr. Fennelly as Mr. Vanderbyl's partner, and acting for him, and probably would make any communication to him.

14,219. Had you been told by Mr. Fennelly before that "I shall communicate with you"?—No.

14,220. Supposing that I had gone down there, and you had not known anything of me, would you have taken my instructions equivalent to Mr. Fennelly's?—No.

14,221. Then why take Mr. Fennelly's?—Because he had made the provision, and I knew him in the sense of a partner.

14,222. Did you know him from the time of his arrival to his departure; know him and recognize him, and did he recognize himself as being the representative of his partner?—Yes.

14,223. Then who stood in the same capacity towards the invisible Mr. Kinglake that Mr. Fennelly stood towards the invisible Mr. Vanderbyl?—I cannot tell you.

14,224. I suppose Mr. Henry Lovibond, or Mr. Mogg, or Dr. Kinglake?—Well, Dr. Kinglake was there.

14,225. Was Dr. Kinglake the living, moving, and walking representative of his brother on that occasion?—He must have been so.

14,226. Therefore, have you any doubt that the disappearance of both candidates during the time they were in the town until the poll was over was a thing arranged and agreed upon between them?—It might have been.

14,227. (*Mr. Price.*) Is there any other way of accounting for it?—No.

14,228. You see it is a most unusual thing, because the ordinary course a candidate goes about himself, encouraging his supporters, and discussing from time to time with his committee his chance of success?—Yes.

14,229. Have you any other reason why Mr. Vanderbyl should be in this state of concealment, except it had been pre-arranged that he should?—No; except it was this, that until one hour and a half towards the close of the poll everything had a downward tendency; it looked very like his losing his election.

14,230. That may be; but on other occasions was it so? did Sir John Shelley stay shut up all day?—No, the very opposite.

14,231. He lost his election?—Yes.

14,232. That being so, and no other reason, have you the slightest doubt in the world that was the result of a pre-arrangement, that he should keep himself close, and know nothing?—It looks very much like it.

14,233. If that were so, that that was the result of a pre-arrangment that he should know nothing. Must not Mr. Vanderbyl, a man of intelligence, know what that meant, that he should act so different on that occasion from what he had done before; have you any doubt about it?—No, I should think it must be so.

14,234. (*Mr. Anstey.*) I will take you a little further. Have you any doubt whatever in your own mind that Mr. Vanderbyl remained *perdu* there for the purpose of being able more conveniently to give unlawful instructions to his unlawful agent, Mr. Fennelly, for unlawful purposes?—I did not believe at the time, certainly, that Mr. Fennelly had communicated to Mr. Vanderbyl the provision which he had made.

14,235. Will you answer my question? Have you any doubt that was the object of his remaining hidden there, and Mr. Fennelly moving about and conversing with you from time to time and going back again? Did Mr. Vanderbyl lie there for the purpose of giving, without being perceived, instructions to his unlawful agent, for the purpose of enabling him more effectually to accomplish the unlawful purposes for which he had come?—I should be most happy to answer, but not seeing any communication between them, it is a matter of opinion after all.

14,236. (*Mr. Price.*) Mr. Fennelly could only be there, I suppose, for the purpose of communicating with Mr. Vanderbyl?—No doubt he was there.

14,237. He could only be there for the purpose of communicating with his partner?—He was there not only on that day being in communication with him, but he had been there days before, and was still with him.

14,238. (*Mr. Anstey.*) I will illustrate my meaning. Suppose at two o'clock in the afternoon it was discovered that 1,500*l.* would not be enough, and that 15,000*l.* would be required, would not it be very convenient for Mr. Fennelly to have Mr. Vanderbyl under lock and key to whom to put the question, "Shall I telegraph up to London, or shall I apply "to Messrs. Sealy and Prior to obtain the money"?—It would be exceedingly convenient.

14,239. Have you any doubt that some such thing as that, the supplying of a deficiency in funds or the like, was the object which kept Mr. Fennelly moving about, and Mr. Vanderbyl hidden in the upper story?—He was hidden; but when I say hidden, no doubt he confined himself to the room with his wife and family. The precise object is a matter of opinion.

14,240. (*Mr. Price.*) That is the only occasion on which he exhibited such domesticity?—Well, he showed a great deal on that occasion.

14,241. (*Mr. Coleridge.*) What is called the card system here as regards voting, do you know?—I never heard there was any particular meaning attached to it. What we have done on the last two or three elections is to issue, a day or two before, a card to each person we believe will support the Liberal candidates, giving the particular booth in which he would vote, either, as under the old system, the north, south, or east booth; and then, on the last occasion, Polden Street, Church Street, or Salmon Parade, or High Street, and so on. The cards are issued and addressed to the electors in that way. I know nothing of the card system in any other sense.

14,242. Do not you know the man who was down in 1866, who had been in Yarmouth?—I have not the slightest knowledge of him.

14,243. Satterthwaite?—I never heard of the name before.

14,244. Was there a stranger down in 1866, at Mr. Vanderbyl's election?—Not to my knowledge, except Mr. Brogden. I have heard of Mr. Brogden's being down here at Vanderbyl's election.

14,245. Was there a stranger down at Mr. Bagehot's election?—No.

14,246. (*Mr. Price.*) He may have been called by any other name?—Yes; for instance, Lomas was called Williams.

14,247. Mr. Fennelly would go into this room where Mrs. Vanderbyl and the family were?—No doubt; they had no separate room to my knowledge; but I generally saw him in the hall, or the front, or something of that sort.

14,248. (*Mr. Anstey.*) Do not you know that they were on visiting terms?—Yes.

14,249. Do not you know that he passed his last night in England, before his flight to Rome, at Mr. Vanderbyl's house?—I have heard so.

14,250. Have you any doubt that he visited Mrs. Vanderbyl and the young Vanderbyls and Mr. Vanderbyl himself during this election?—No, I have no doubt he did.

14,251. (*Mr. Coleridge.*) Show me where you have credited that 5*l.* you speak of to Mr. Kinglake and Mr. Vanderbyl, because on the election day you shut your office, and there is no account on that day or on the nomination day?—The payment was made by Mr. Reed on that occasion, but not debited in the books until sometime afterwards; the ledger gives the key to it. It was not debited by Mr. Reed for some time after, therefore it could not appear on that day; but when the ledger comes it will be a key to this book, the page where it appears.

14,252. (*Mr. Anstey.*) I will put the same question to you as I put to Mr. Barham: Why was there no proposal on the part of your conference or consultation, whatever you call it, by your committee of lawyers before the election with the lawyers on the other side, as to a treaty by which both sides should agree to renounce and abjure the corrupt practices at the coming election?—I never heard of the suggestion that it should be made.

14,253. Why was not such a proposal made ?—It was this, I suppose, that it would not have been adhered to if made or accepted.

14,254. Why not ?—The difficulty is to bind the party either on the one side or the other to such an arrangement as that.

14,255. Why ?—They would break through it, probably.

14,256. The election is entirely under the hands of the lawyers ?—Perhaps, as far as the principal portion are concerned; but they cannot control parties as to what they should do, bribery agents, if you may call them so, or other persons on that occasion may be doing all sorts of things. The difficulty would be to control so large a number.

14,257. Could not you bind your own people ?—Not without some difficulty.

14,258. Could the other side have bound theirs ?—I do not believe they could.

14,259. Who on your side would not have been bound, or who on their side would not have been bound ?—I can hardly tell you.

14,260. Tell me first on your own side?—Well, I should think hardly, for instance, the persons who had been in the habit of spending money would not have thought it a prudent course to take.

14,261. Those are the persons we are talking of, bribery agents ?—Yes.

14,262. Which of them would not be bound by your engagement?—I do not know; perhaps all would have been of the same opinion. I do not know one in particular more than another.

14,263. Of those we have heard named ?—Yes.

14,264. Then the other side ?—The persons who stand in the same position, the same class.

14,265. I suppose all those persons have names and stations in life ?—Yes.

14,266. Now, in your station in life, could there have been any on your side of politics who would not have been bound by such an engagement ?—I should think not.

14,267. I really do not understand you ?—That is, in the same station of life, you are asking; take two classes on both sides.

14,268. You do not take the trouble to understand my question. Can you give me the names of any person in your station of life, on either side of the question who would have refused to be bound by this arrangement of the lawyers ?—I cannot give you any names on either side in my station of life.

14,269. Therefore the matter was entirely in the hands of the lawyers as far as people of influence were concerned ?—Yes, in that sense.

14,270. And therefore the effect of making such an arrangement amongst yourselves would have been to have left the lower agents powerless ?—To a great extent.

14,271. Altogether, would not it ? For instance, if you are so delicate about names, I will mention the names to you on your side of the question; would Mr. Symmons, and Mr. Henry Cornelius White, and Mr. Alway, and people of that kind have been bound by the arrangement ?—I should doubt whether they would.

(*Mr. Price.*) Where would they have got the money from ?

14,272. (*Mr. Coleridge.*) They would have promised, I suppose ?—It was this, for instance, if such a suggestion was made the answer would be this, if such an arrangement as that should have been entered into they would have said, "You are going to fight "this election in a very pretty way, we will have "nothing to do with it." That would be the probable answer.

14,273. (*Mr. Price.*) Do you mean to say they are persons who would urge you and the lawyers on to conduct the election on bribery principles ?—No, I do not say that.

14,274. Then why do you say that you think Mr. Symmons, and Mr. White, and the other men would decline to be bound by the arrangement that you made ?—So far as Mr. Symmons is concerned, at the last election, he took no part.

14,275. Then who are the persons who would decline to be bound ? Do you think people in the rank of Bussell ?—I think very likely.

14,276. You have heard him say that if gentlemen did not bring the money here he and others would not be employed in distributing it ?—I thought you were alluding to treating only; to bribery and treating, certainly.

14,277. You were asked if you and the lawyers had come to a compact that you would conduct the election on purity principles; do you think there are any persons in this borough of sufficient influence to have counteracted that ?—Yes.

14,278. Who are they ?—At least what I mean is this——

14,279. Who are the persons of sufficient influence in this borough that they could have counteracted your influence if you had exercised it ?—I misunderstood your question. I do say now, as I understand your question, I believe if the lawyers had made such a proposition as that, backed up as they would be by the leaders of the party, it would have been carried out.

14,280. (*Mr. Anstey.*) I do not understand how you reconcile that with the answer you have made, that there are many persons on your side who have been mixed up with former bribery transactions who would not be bound by the agreement. Then I ask you more particularly with reference to those in your own station of life, still meaning those who it is in evidence were certainly grossly connected with bribery, such as Alway, Symmons, and others, whether they would be bound by such an arrangement, and you said that you thought they would not ?—My answer to you on that was that they would not, but I did not understand your question.

14,281. Then you told the learned Chief Commissioner immediately after that you thought those persons were not of the class of bribery agents ?—I understood you differently.

14,282. No doubt, but here are two or three answers; they contradict not only the other evidence given here, but also your own, which shows they are bribery agents ?—I beg your pardon, I did not understand the question.

14,283. I will ask you, on the other side, do you know a Mr. J. R. Smith, of whom there has been a considerable mention made, a magistrate and late mayor ?—Yes.

14,284. Is he a person who would be bound and tied by any such convention amongst the lawyers from practising bribery, if he thought it would conduce to the return of his candidate ? In your opinion, he not being a party to the convention, would he be bound by it ?—I think he would.

14,285. Then I ask if you, thinking that of these persons, why did not you make such a convention with the lawyers on the other side ? Why did you not prevent all that has happened by simply entering into a compact of this kind with your professional brethren ?—It would have been very much better.

14,286. But why did you not do it ?

14,287. (*Mr. Price.*) Mr. Barham proposed it ?—Mr. Barham did not propose it, as I understand.

14,288. (*Mr. Anstey.*) Will you answer my question ? Why did you not do it ?—I cannot answer it.

14,289. (*Mr. Price.* I understood Mr. Barham to say that he proposed, at one of these prelimary meetings before the last election, that he should go over, or at all events, if not he, a deputation should wait on the lawyers on the other side, to announce your intention of abstaining from bribery, and that was rejected as a foolish Quixotic feeling, which would only lead to triumph by the Conservative party ?—Yes, Mr. Barham made that suggestion, and certainly we did not think it prudent, because, the expression used was it would shatter the party.

14,290. (*Mr. Coleridge.*) And no doubt it would

shatter the party?—No doubt it would have shattered the party.

14,291. (*Mr. Anstey.*) What would?—A communication of that kind.

14,292. Of what kind?—Mr. Barham suggested that the thing should be done on pure principles.

14,293. How could that have shattered any party? Mr. Barham was not speaking of a convention at all?—No.

14,294. But of a mere notice that they were not going to bribe. The question put to you by me does not refer to anything of the sort, but to a positive agreement by which both sides bound themselves?—Not a positive agreement.

14,295. I am talking only of an agreement?—Not of the agreement. The question of the learned Chief Commissioner took up Mr. Barham's proposal.

14,296. No, the question was following up my question, which was, why was not this done, and then you make this statement?—Then I cannot say. I cannot give you an answer.

14,297. Why was not this common, simple, palpable method of putting an end to bribery adopted, if it be easy; it is a great assumption, perhaps, but you have heard Mr. Barham state his belief neither side could trust the other side in such an arrangement. Do you concur?—I certainly think if an agreement was made they would be bound by it.

14,298. (*Mr. Coleridge.*) To put it shortly, I suppose you thought it would be a bad bit of electioneering tactics?—According to the opinion in Bridgwater.

14,299. And therefore you did not think it a wise thing to do?—No.

14,300. (*Mr. Anstey.*) Have you seen Mr. Kinglake since the day you saw him in the street walking with Mr. Mogg?—Yes.

14,301. And spoke to him about this?—No.

14,302. Nor he to you?—No, nor he to me.

14,303. Have you had any correspondence with Mr. Kinglake or Mr. Vanderbyl or Dr. Kinglake?—We have had no correspondence with Mr. Kinglake; we have with Mr. Vanderbyl on the subject.

14,304. Of this inquiry?—Upon the subject of the petition, and so on.

14,305. Have you had any correspondence with him on the subject of the present inquiry?—No.

14,306. (*Mr. Coleridge.*) Now will you look at that entry in the ledger?—I find our cash book under date marked the 31st. It is entered "Vanderbyl, Phillip, per Hyden, for Mrs. Williams," at the time the entry in the book was kept out.

14,307. Who is Hyden?—He was a person employed by Mr. Hammill.

14,308. (*Mr. Anstey.*) There is a signature to the petition of 80. Is it that person?—If it is Charles Hyden, it is the same person.

14,309. But there must have been some motive in postponing the entry?—Yes, no doubt to keep it out.

14,310. From knowledge that it was a corrupt payment?—Yes.

14,311. Charles Hyden, accountant?—That is the one.

Mr. Geo. Farren sworn.

Mr. G. Farren.

14,312. (*Mr. Price.*) Are you a civil engineer?—I am.

14,313. A member or associate of the Institution of Civil Engineers?—Yes.

14,314. Are you the general manager of the Lundy Granite Company?—No. I was.

14,315. Were you in 1866?—Yes, I was.

14,316. Was Mr. Vanderbyl at that time a director of the company?—He was, but I think at that time he was not an acting director.

14,317. Did you receive any letter from Mrs. Vanderbyl in July 1866?—I did.

14,318. Have you the letter?—No; I looked for it, but it has been destroyed probably.

14,319. Then what were the contents of it?—These: she mentioned her husband had come down to contest Bridgwater very suddenly (the first intimation I had of that), and she said that as I knew some people at Bridgwater possibly I might help him. He had requested her to write to me to ask me to come down and see if I could; I accordingly came down.

14,320. Did you arrive in Bridgwater on the night of the 10th?—Whether it was the 9th or 10th I forget, but I believe it was that.

14,321. Whom did you meet the next morning at Bridgwater?—I went to the "Globe," where they were full, and I met Mr. Vanderbyl at half-past six in the morning. We were occupied from half-past six in arranging his speech and putting parts of it into writing. At breakfast we met Mr. Brogden, whom I never saw before, and a gentleman whose name, I think, was Salmon.

14,322. What took place at breakfast; anything with regard to the election?—No, nothing at all.

14,323. You did not know who Mr. Salmon was?—No.

14,324. You knew, of course, who Mr. Brogden was?—Well, I knew Mr. Brogden by name simply.

14,325. Were you told on that day to do anything?—Yes.

14,326. Tell us what it was?—My company having a great deal of work going on at that time in Bridgwater, I went to see the men I knew, and asked them to give their votes to Mr. Vanderbyl.

14,327. Whom did you see?—I saw a man of the name of Chedzey; I saw Mr. Hennett, and Mr. Spink, and Mr. Else, and I saw their men.

14,328. Were they employers of labour?—Large employers.

14,329. You saw them and their men?—I saw them and their men.

14,330. You say you asked for votes for Mr. Vanderbyl?—I did.

14,331. You, I suppose, at that time being an engineer, had the power of refusing certificates?—I had.

14,332. To those men?—To those men.

14,333. (*Mr. Coleridge.*) What if they did not do their work right?—I may mention it was the rule of the Lundy Granite Company that no account should be paid until I had given a certificate that the work was properly done, and then those cheques were signed by two directors and the secretary.

14,334. (*Mr. Price.*) Do you mean to say therefore that you used your power, or let them know in any way that you would refuse the certificates if they did not vote for Mr. Vanderbyl?—Most certainly not; I carefully avoided anything of the kind.

14,335. What did you say?—I asked Mr. Hennett to do me the favour to vote for Mr. Vanderbyl, and he said he should not. I then asked Mr. Spink, and he seemed rather undecided about it. I then asked Mr. Else, who said not only should he not vote himself, but he should do all he could to upset Mr. Vanderbyl. I then asked these gentlemen whether they would have any objection to my going round to see their men, such as knew me, who were engaged on a steamer which was there to be repaired, and I will mention what those men said presently, but Mr. Hennett had no objection whatever to my speaking to any of their men, and I then said, "Gentlemen, have you any objection? "if you have been accustomed to putting any influ- "ence on your men," I had no means of knowing "whether they had or not, "let those men go and vote "as they like without any interference at all." And they said, "They shall do as they like, we will not "exercise any pressure at all; you may go through "our works and speak to such men as you think "proper," which I did.

14,336. (*Mr. Coleridge.*) What are their works?—They are ironfounders and engineers; they made some boilers and alterations to engines for the steamer.

14,337. (*Mr. Price.*) Did you see the men?—Some of them I did.

14,338. Did you say anything to them?—As a rule

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the men showed a curious state of indecision. They did not seem quite to know their own minds; they would think about it, and so on.

14,339. Which you put a proper construction on, I suppose?—Which I put a proper construction on.

14,340. Did you hold out any promise?—No, I carefully avoided it.

14,341. You went back to London that night?—I went back to London; I had done all I could.

14,342. (*Mr. Anstey.*) Did you get any promise at all?—I think I did. I got some, without being able to swear at this minute how many.

14,343. (*Mr. Coleridge.*) Did you bring down any parcel from London for Mr. Vanderbyl?—None at all.

14,344. (*Mr. Price.*) You went away that night?—Yes, I was with Mr. Vanderbyl at the poll. I went with him in his carriage to the place, and was with him on the nomination at the hustings.

14,345. (*Mr. Coleridge.*) You came again?—No, I went after breakfast to see such men as I knew. Then I went to the hustings at twelve or one o'clock with Mr. Vanderbyl, and after that we went for a drive. Then I went to London.

14,346. Did you come down again at the last election?—No.

14,347. (*Mr. Price.*) Did you see Mr. Vanderbyl at all about the last election?—Yes.

14,348. When?—Meeting him at his house, perhaps at the club, and so forth. I met both him and Mr. Fennelly, whom I knew very well, and Mr. Redfern, and we talked about it, and until the very last moment Mr. Vanderbyl had made up his mind to fight this contest without spending one single shilling in bribery I am, I believe, without taxing my memory to a few days of his coming down here, right in saying the impression on my mind was that he was not going to spend a single shilling. I knew all his friends objected to it; and I knew in talking about it I said it was the very thing to do, and if we could get the agents on the other side equally to agree that not a shilling should be spent, they would force all the voters to vote without being bribed at all; and it was discussed in that way.

14,349. (*Mr. Anstey.*) You had suggested that to him?—I had suggested that to him in the course of conversation.

14,350. How long before the election?—I cannot say; probably a week, probably three weeks.

14,351. Did he entertain it?—Yes; he said if it could be done it was the very best thing that could be.

14,352. Did you see him again about the election?—I have not seen him since.

14,353. Therefore you did not know what change had come over his mind in the intermediate week?—Not the least in the world.

14,354. (*Mr. Coleridge.*) What was the report that was said to the detriment of Mr. Vanderbyl as to the Lundy Granite Company?—I am very glad indeed that you have asked that question, because I was about, when the examination was over, to ask the indulgence of the honourable Commissioners to permit me to say a few words about that subject. Reading the papers in the north and elsewhere I am sorry to say that yesterday I was pained beyond expression at different denunciations in the most sweeping and unmeasured terms used respecting the Lundy Granite Company, for which I could not then and cannot now see any justification whatever. I heard it called yesterday the "Lundy scandal;" I think I heard it alluded to as the "Lundy fraud."

14,355. (*Mr. Price.*) Not here, I think. All that has been said here is this, that the agents found out that Mr. Vanderbyl intended, as you say, to come and fight this borough on pure principles. It was a determination to get rid of him on that ground, and that ground alone?—Exactly.

14,356. That it was not put in plain terms, because they do not like to call a spade a spade here, but they then determined to put forward as a pretext some transaction in which he was connected with the Lundy Granite Company, which rendered him unfit for the choice of this very immaculate borough; therefore, I think it is quite fair under these circumstances that you should tell us what possible pretext there could be in anything he had had to do with the company which could be put forward as a reason for his not contesting this very correct place?—I think the first time I became acquainted with the Lundy Granite Company was nine months after its establishment, or thereabouts, and I left it about 18 months or two years before its liquidation; and I say, having a seat at the board, and having a right of discussion at the board, taking a part, but not a vote, during any time which I was present there was nothing of the kind; and the whole story was false, and a fabrication.

14,357. (*Mr. Price.*) Was there anything in the public prints on any occasion in reference to the affairs of the Lundy Granite Company and Mr. Vanderbyl's connexion with them, that could lead to the suggestion?—Certainly not, under my observation and knowledge.

14,358. (*Mr. Coleridge.*) We have heard about some resolution of the National Bank as regarded his conduct with regard to the Lundy Granite Company, which has been alluded to, and which we are quite in the dark about; do you know what?—I do not think there was any resolution of the National Bank relating to that at all. The National Bank was mixed up with some other things; Mr. Vanderbyl was director of it, but there was nothing, as far as I am aware of, or so far as I have heard, to give the slightest ground for such an impression.

14,359. (*Mr. Price.*) You say it is in liquidation now?—Yes.

14,360. Were there any disclosures in the course of its liquidation, or in a court of law or equity, which would expose Mr. Vanderbyl in any way to reproach or opprobrium?—Certainly not to my knowledge.

14,361. Then it has come on you by surprise, that there was anything in connexion with the Granite Company which could possibly be a ground of objection to him as a candidate?—Perfectly new; and I say that not only with surprise, but pain.

14,362. (*Mr. Coleridge.*) Because it has been put forward here by some witnesses as a reason for wishing him to retire?—Exactly; that is what surprised me.

14,363. We wish to know whether there was anything in it, or a mere pretext?—Exactly; I believe it to be a merepretext.

14,364. (*Mr. Anstey.*) I will read to you from Mr. Vanderbyl's own brief, a brief prepared for him, and ask you to explain, with the help of that paragraph, what the meaning is. I take it from a friendly source. "On the 6th November Mr. Vanderbyl was called "upon to be examined as a witness in the matter of a "petition presented to the Court of Chancery by the "National Bank, for the winding up of the Lundy "Island Granite Company, of which bank Mr. Van-"derbyl was a director, and had been associated with "the company. Mr. Vanderbyl was telegraphed for "at Bridgwater, and he went to town by a night "train, having been engaged in canvassing during the "day; he was unwell. He laboured under the im-"pression that the examination was to be a friendly "one, and took no trouble to prepare himself pre-"viously as to date, and so on. The fact was that "the examination was a hostile one, and he was exa-"mined about matters extending over five years, "upon which his memory at the time was an entire "blank; as for instance, he denied having written a "certain letter which was afterwards produced to him, "when he of course immediately admitted that it was "his letter, in which there was an expression about "dealing with some of the shares of the Lundy Island "Granite Company, and rigging the market. It may "be stated, that the examination as it appeared in the "papers on Tuesday the 10th November was rather "contradictory. It was noticed at Bridgewater, and "the Conservatives had slips of the examination "printed and circulated. As the examination as re-"ported rather reflected on the National Bank and

" Sir Joseph McKenna, who was a director of the bank " and identified with the Granite Company, the direc- " tors of the bank had a meeting, at which the news- " paper report of Mr. Vanderbyl's examination was " discussed, and a resolution passed by the directors, " of which the following is a copy : ' That the board " ' should at once signify to Mr. Vanderbyl and to " ' Sir J. McKenna, that it is the united opinion of the " ' directors present at this meeting that pending the " ' clearing up of the contradictions and aspersions " ' contained in the reported proceedings above-men- " ' tioned, that in the interest of the bank, Mr. Van- " ' derbyl and Sir Joseph McKenna should vacate " ' their seats at the board.' A copy of the resolu- " tion was sent to Bridgwater, to which place Mr. " Vanderbyl had returned, and he immediately, Satur- " day the 14th November, placed the same in the " hands of Mr. J. L. Sealey before mentioned, as one " of the petitioners against Mr. Westropp, and who " presided that night at a meeting of the electors of " the Town Hall," and so on. Now take this state- ment, not from a hostile brief, but from Mr. Vander- byl's own brief, held by counsel; I ask you whether the statements therein contained are correct?—I have not the remotest means of knowing. I may state that I had nothing whatever to do with the financial depart- went of the Lundy Granite Company. I never bought a share or sold a share, or bought or sold a share in any shape or way for a friend, or trafficked in them in any shape or way, and I do not believe, during the whole time I was connected with the company, for nine months from the beginning, that Mr. Vanderbyl sold a single share.

14,365. That is not the point; but is it true that he underwent the examination?—An examination by whom?

14,366. I am only taking his own statement?—I cannot say.

14,367. Is it true that he underwent an examination in the matter of the winding up of this company, and not to his own satisfaction at all; and is it perfectly true that in that examination there was produced, though previously denied by him, a letter under his hand in which there was an expression about dealing with some of the shares of the Lundy Island Granite Company, and rigging the market, because if so it is a very melancholy fact?—It is. You ask me do I know that to be the fact? I do not.

14,368. Then why, if you have no knowledge one way or the other, state that everything that has been said about the Lundy Island Granite Company in this court is utterly unfounded and untrue?—I say in reply to that, that that is only after all these assertions. I do not know, and I am not aware that that has been proved. All this is new to me. I came into this court to hear the word the Lundy Island "scandal" used, and I know there were honourable gentlemen sitting at that board. My own character is involved, and I am obliged to draw their attention to the fact; and I say these directors, so far as I have any knowledge of the books and having a seat at the board, acted the part of straightforward and honourable men, and I know no- thing whatever from my knowledge to induce me to swear the contrary.

14,369. (*Mr. Coleridge.*) As engineer, would you have the means of knowing who had dealt in shares or not?—No, I have no means at all; it is not in my de- partment.

14,370. So that it is only your belief?—It is only my belief.

14,371. (*Mr. Anstey.*) You believe Mr. Vanderbyl's own admission, I suppose?—I believe his own admis- sion.

14,371*a*. I have read that passage to you in which it is admitted that a letter containing expressions about rigging the market was written by a director of that company?—If Mr. Vanderbyl says himself he rigged the market I believe it, but I know nothing to induce me to believe it, or anything I have seen in his conduct.

14,372. That is all, then; you have nothing to say to us about election matters?—I have nothing at all.

Mr. James Cook recalled.

Mr. J. Cook.

14,373. (*Mr. Price.*) I think you have done with the election of 1868 entirely?—Except one payment I wish to call attention to. I said on the 28th March of this year the sum of 4*l*. 12*s*. was paid in respect of the election of 1868. That was paid by my partner to Joseph White, fellmonger, of High Street, in this borough, in respect of the expense of a Mr. Lilley to vote on that occasion, William Osborne Lilley, who is a dissenting minister.

14,374. (*Mr. Coleridge.*) What expenses were they?—Travelling expenses from Lowestoft, I think.

14,375. (*Mr. Price.*) Did you as a rule pay, not- withstanding the statute, travelling expenses?—No doubt.

14,376. Notwithstanding the late statute?—Yes. No doubt it is illegal; clearly so.

14,377. (*Mr. Coleridge.*) Did you paid agents vote at the election, because, although not retained, you were paid in some way or other afterwards; did you vote at the last election?—Yes.

14,378. All of you?—All of us on both sides, I believe.

14,379. Was any objection made to that in the lists handed in on the scrutiny?—The scrutiny was abandoned.

14,380. Was that class of objection taken?—No, I do not think it was.

14,381. Did your paid messengers vote too?—Yes, no doubt some of them did.

14,382. (*Mr. Price.*) And your clerks and paid men?—Yes.

14,383. (*Mr. Coleridge.*) Has there been any suit for penalties for doing so?—No, no action whatever brought.

14,384. (*Mr. Anstey.*) You have heard this evidence given by Mr. Farren of the conversation between himself and other friends of Mr. Vanderbyl with gentlemen in London; did Mr. Vanderbyl ever commu- nicate to you or your partner, to your knowledge, or anybody else, his desire that such an agreement as has been mentioned between the election agents, of the borough on both sides, with regard to corrupt prac- tices, should be entered into?—He never mentioned it to me, nor, to my knowledge, my partner.

14,385. If Mr. Vanderbyl had made such a proposal himself, would you have done your best to carry it into effect?—Yes, I think we should be likely to see if it was feasible at all.

14,386. But so that it was proposed to the other side?—Yes, I should think it exceedingly likely.

14,387. (*Mr. Anstey.*) How many elections do you speak of?—In my practical experience, four; from 1865 to the present time; from Sir John Shelley's election.

14,388. Do you mean when you come to the history of those elections to combine them together, as Mr. Barham does?—No; to take them in their order backwards, with your permission.

14,389. (*Mr. Coleridge.*) What were you paid after the election of 1866? Mr. Barham has said he thinks you got 100*l*. between you?—We did. On September 7th Mr. Vanderbyl called on us personally and paid us 50*l*. each.

14,390. Did you know at that time that Mr. Lovi- bond and Mr. Barham got 200*l*. each?—Certainly not. It is only within the last month or six weeks we heard what sum they had got.

14,391. (*Mr. Price.*) How do you mean the last month or six weeks?—Mr. Vanderbyl mentioned what he had paid them. At the election of Mr. Bagehot we had in the month of February 1867, received from Mr. Vanderbyl 50*l*. for both.

14,392. In 1865 what did you get?—We had then

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25*l.* each from the candidates as advertised, or guineas.

14,393. Then you, equally with Mr. Barham, scout the idea that professional men have given their services gratuitously, as we were led to believe ?—Certainly so in the elections.

14,394. (*Mr. Anstey.*) Was the fact of your being remunerated in this way by persons concealed by you and your partner from the rest of the world ?—We have only mentioned the receipts from Mr. Bagehot or Mr. Vanderbyl. In 1865 the sums were accurate expenses, so far as my recollection serves me.

14,395. Small sums ?—We had 50*l.* with each candidate, or guineas.

14,396. And were you aware that Alway and Bussell were unpaid ?—No.

14,397. Did you suppose they were at liberty to pay themselves out of any unappropriated surplus ?—Well, I imagined they were paid, no doubt.

14,398. Did you imagine they were paid, or at liberty to pay themselves, out of the unappropriated surplus, or did you suppose that they had misappropriated, if I may use the term, the money on its way to the voter ?—I had believed in my own mind that they were paid for their services, that they would make up an account, although I have not been present at the making up of an account of that kind. I believed in my mind when Mr. Bussell and Mr. Allan spent the money they got a sum given to them for their services.

14,399–400. (*Mr. Coleridge.*) Founded only on the reason of the thing ?—Founded only on the reason of the thing ; certainly not from knowledge.

14,401. (*Mr. Coleridge.*) You never paid them yourself ?—No.

14,402. Are you solicitor to Mr. Bussell, or any of them ?—We are to Mr. Henry Chapman Bussell, as he said. A client of ours has a charge on his property, which we have notice to pay off.

14,403. Here are are some items : Mr. Bussell, 49*l.* 15*s.* 4*d.* ; Mr. Lear, 5*l.* ; Mr. Simms, 13*l.* 5*s.* 6*d.* Can you explain those ; have they anything to do with electioneering ?—(*Referring to the cash book.*) Those are the cheques given on that date, and there was an entry on the other side to show what they were for.

14,404. (*Mr. Price.*) That is March 1866 ?—Yes, "Henry Chapman Bussell, balance of account, 49*l.* 15*s.* 4*d.*" That was in respect of the lien on his property which he has now given notice to pay off, having sold it. Mr. Simms is a county court action. Marker, John, that is a man not connected with the borough at that time. None of those had any reference to the election whatever.

14,405. (*Mr. Anstey.*) Now with reference to this last election of 1868, I will ask you do you know the case of Richard Axford, the surgeon, of this town ?—I do.

14,406. You are aware, I suppose, that his name was given in when the petition was presented as representing a double case of undue influence and corrupt inducement for his vote ?—I am quite aware of it.

11,407. You are aware of having been an active Conservative, so much that he was a cross petitioner against Mr. Kinglake's return on the election trial of 1866, and that he nevertheless voted the first time in his life for the Liberals at the election of 1868, by voting for Mr. Vanderbyl and Mr. Westropp ?—Yes.

14,408. Thereby voting against Mr. Gray, Mr. Westropp's colleague ?—Yes.

14,409. The rest of the case I require to ask you in the language of another ; is it a fact that he had promised to vote for Westropp and Gray before he voted for Westropp and Vanderbyl ?—I heard it reported as a fact.

14,410. That he had dined at his house ?—Yes, I have heard that.

14,411. That the dishes on the table, before the guests, had the party banners ?—Yes, I have heard that.

14,412. And blue colours with the motto, "Westropp and Gray for ever" ?—Yes, I have heard of it.

14,413. Is it a fact that your partner, Mr. Reed, had, some time previously to the election, procured Axford's son an appointment as mate in the Peninsular and Oriental Steam Navigation Company's service ?—I never heard of my partner being connected with it. Mr. Vanderbyl had certainly.

14,414. On the occasion of Mr. Vanderbyl canvassing, was Mr. Axford applied to by Mr. Reed for his vote ?—I do not know whether it was at the time of the canvass, but I heard that there had been a conversation between Mr. Reed and Mr. Axford with reference to the fact that the appointment had been procured by Mr. Vanderbyl.

14,415. But more than that, do you remember ; or did your partner ever tell you, using these words or to this effect, "Mr. Vanderbyl can remove his son ; the man who put his son in can get his son out again" ?—Mr. Reed never said so to me. I never heard it.

14,416. And you have not any evidence of the fact ?—No.

14,417. No knowledge of it one way or the other ?—No, not that much, that the one who got the appointment could revoke it. I never heard that.

14,418. That is what I mean ?—No evidence whatever ; and I never heard that that part of it was said.

14,419. Is Mr. Axford also under some pecuniary obligations to Mr. Reed ?—He is a client of the firm, and under no pecuniary obligation directly to us, there is a transaction with clients of ours.

14,420. I have not asked you a single syllable about a client of the firm, or being under pecuniary obligation to Messrs. Reed and Cook, but the question is whether he is under any pecuniary obligation to Mr. Reed ?—Not that I am aware of.

14,421. Do you remember this circumstance, Mr. J. R. Smith coming there and asking whether he was going to keep his promise to vote for Westropp and Gray ?—Came to Mr. Axford's house ?

14,422. Yes ?—No, I do not.

14,423. Do you remember Mr. Reed going to him and asking him, "Are you going to keep your promise by voting for Westropp and Vanderbyl ?"—I remember my partner reporting to me, some time after seeing him, that he had done so, but not that he intended going at the time.

14,424. Did he tell you that this was what he said, "You do not mean that. I thought that such a personal favour had been conferred upon you as would have induced you to vote for Mr. Vanderbyl" ?—"Yes, in effect that, no doubt.

14,425. And did your partner then go on and say, "I shall take it as a personal matter if you do not vote for him" ?—He did not report that to me.

14,426. Did he report to you, "I shall take it as a personal favour if you do vote for him" ?—No, he did not.

14,427. Did he report to you that he further went on to say, "Mr. Vanderbyl, who obtained the situation for your son, can get him turned out again" ?—He did not.

14,428. Or, "I ask you to vote for Mr. Vanderbyl on personal grounds" ?—No. What Mr. Reed reported to me was this, that he had seen Mr. Axford, some time after he had seen him, and understood from him that he was going to vote, and he said, "Well, you can vote which way you like, you know, but if it were my son, and a man had procured such a a situation for me as he has for your son, why, out of common gratitude, I should vote for him."

14,429. That is what he reported ?—That is what he reported.

14,430. But if Mr. Axford should come here and state upon oath that the words used were these, "You do not mean that ; I thought such a personal favour had been conferred on you as would induce you to vote for Mr. Vanderbyl. I shall take it as a personal matter if you do not vote for him, and I

" shall take it as a personal favour if you do vote for " him." If he says on his oath that is what took place, I suppose you would see no reason to doubt it?—Of course subject to any further explanation Mr. Reed may give of it.

14,431. Now there is another thing at the same time; do you know a person of the name of Elsbury, a gardener at Bridgwater union?—He was either the gardener or what they call industrial teacher, at the time of the election, I believe.

14,432. Do you know anything of that case?—Not until it was mentioned here in court at the time of the election inquiry.

14,433. Have you ascertained anything about it since?—My partner reported to me that he saw the wife on the occasion, at the time of their canvass. I understood him to say, when the wife stated that her husband was going to vote for Westropp and Gray, he said, " Well, you know he was proposed and seconded " by Liberals, and came from Weston Zoyland, which " was thoroughly known to be a Liberal place, and I " am surprised at his going to do it in the face of " those."

14,434. Had not Mr. Elsbury promised to vote for Westropp and Gray?—I did not know it till the election inquiry, when it was referred to.

14,435. Is it not the fact that he voted for Mr. Vanderbyl?—I confess that I did not know for whom he voted, notwithstanding the statement made by my partner at the time.

14,436. Do you know who polled him?—No, I do not.

14,437. Did your partner report to you that what he said to Mrs. Elsbury was this, " I will tell your " husband all about it. Has he forgotten who got him " his situation "?—Not in those words. It was as I told you was my partner's report at the time, when he explained the case, that he came from Weston Zoyland, which was a Liberal place, and that it was the Liberals who had obtained him the appointment, and he was surprised.

14,438. You can throw no further light on that matter?—No.

Adjourned to to-morrow at 11 o'clock.

FIFTEENTH DAY.

Wednesday, 8th September 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.

HENRY FRANCIS PURCELL, Esq., Secretary.

Mr. C. B. MOGG recalled.

14,439. (*Mr. Anstey.*) We had it in evidence yesterday that between 12 and 1 on the day of the poll at the last election you and Dr. Kinglake were in private conversation in the street opposite the "Globe" hotel?—Yes.

14,440. How often did you see him in that way on that day?—Two or three times.

14,441. Had you seen him two or three times that morning before that hour?—I do not think I had; I am not quite certain about it. I saw him once after I know.

14,442. What o'clock was that?—I saw him twice certainly.

14,443. What o'clock was the second time, the first was between 12 and 1?—The first was between 12 and 1.

14,444. What was the second time?—I walked up with him and wished him good-bye. He was going to see his brother, and I took my departure; that was the second time.

14,445. What o'clock was it?—I should think it was about a quarter to 1.

14,446. And what is the third?—I do not recollect seeing him again.

14,447. On either of those two occasions had you any conversation with him on the subject of what money should be provided for the expenses of the election?—No.

14,448. Nor the money to be drawn for it?—No.

14,449. Nor the expenses of the election?—No.

14,450. Then tell us what passed?—I was passing over the bridge, and they called me back, Mr. Lovibond, Dr. Kinglake, and some other gentleman, I do not know who, whether Mr. Reed or Mr. Cook, but some gentleman who was there, and he asked me what I thought of affairs, and I told him we had lost the election and had better give it up, and one of them made the remark, " I am glad to hear you say so."

14,451. (*Mr. Price.*) Who said that?—Either Dr. Kinglake or one of the others.

14,452. You said you were glad to hear the thing was lost?—No; he asked me what I thought of affairs, and I said the election was lost and had better be given up, and he said he was glad to hear me say so.

14,453. (*Mr. Anstey.*) Who?—I think Dr. Kinglake.

14,454. What did you say to that?—We walked away together.

14,455. Then you did not have any more conversation with him?—I did not have any more conversation with him, but I saw him in the street and went up and shook hands and wished him good-bye.

14,456. When he went to take leave of his brother?—Yes.

14,457. Did he take leave of his brother at his brother's residence?—I do not know; I rather think he was at Mr. Allan's at that time.

14,458. Were not they staying there together, the two, on that day?—I cannot say; I never saw Mr. Kinglake during the day.

14,459. When you say he went to take leave of his brother, you mean to say the last time you saw him there he went into Allan's house where his brother was supposed to be?—I thought he was going there.

14,460. You did not see him go there and leave with his brother?—No, I did not see his brother.

14,461. How soon after these two conversations was it that you got the verbal message for the 500*l.* out of Mr. Prior's hands?—Between 3 and 4.

FIFTEENTH DAY.

Mr. C. B. Mogg.

8 Sept. 1869.

14,462. (*Mr. Price.*) It is a little inconsistent, is it not; you say that you had seen Dr. Kinglake and advised him that his brother had better give up?—Yes.

14,463. What induced you to change your mind and become a sub-bribery agent and get this money for bribery then?—I explained the other day that under the excitement——

14,464. I should have thought that the excitement was all over, because you say you had come to the conclusion during this time that the election was lost, and persuaded Dr. Kinglake that the thing had better be given up, and he was very glad to hear it; one would have thought you would have gone home yourself then?—I went home at 1, and it must have been half-past 2 before I left again.

14,465. What put you under excitement?—Because I heard we were gaining ground and were only eight behind.

14,466. Then you thought it time to get money?—No, I never gave it a thought.

14,467. You yielded?—Yes, I did so.

14,468. (*Mr. Anstey.*) You were an active person we heard from two witnesses only the day before, and the day before that, both Sunday and Monday?—Sunday evening.

14,469. Being an active person on that side of the question, do you mean now seriously and upon your oath to say that when you went to get the 500*l.* at that critical moment when you were only eight behind, there was no connexion whatever in your mind or thoughts between that which you were going to do and Mr. Kinglake's chances of election?—Certainly not.

14,470. (*Mr. Price.*) Then I cannot understand why you did it?—I have explained to you as far as I can.

14,471. You have not explained it. That is what we should like to know?—Mr. Lovibond and myself were friendly.

14,472. But there are some things that you would not do for a friend. He asked you to bribe and you did it at once, and yet you say there was no connexion in your mind between that and Mr. Kinglake's chances of success?—Not the least in the world.

14,473. (*Mr. Anstey.*) If there were really no connexion between them, why did you make a secret of it, and put it down on paper without remark and hand it over to Mr. Prior, for fear the clerks in the bank should overhear any verbal communication that passed?—I did so.

14,474. Then surely at that moment there was a connexion between the election and what you were about?—I had no idea at the time.

14,475. What was the motive for so much secresy if you had no connexion in your mind between those two important facts, both recent, and to both of which you were privy?—Because I am of a very excitable disposition.

14,476. Do you mean to swear that it was because you were of an excitable disposition that you took that extreme precaution of writing it down and handing it without a word, and then going away?—I did so.

14,477. Will you answer my question?—Is it because you were excitable, or cool and prudent, that you took that precaution?—I was excitable.

14,478. And therefore you took that precaution?—I did.

14,479. Now, you certainly have not answered my question?—I have answered to the best of my knowledge.

14,480. (*Mr. Anstey.*) You will see when the time comes, that is all.

14,481. (*Mr. Coleridge.*) Do I understand you to say that it was because you thought you would get excited when you got to the bank that you wrote this down in this way, or that you were excited when you did it?—I was so excited when I went into the bank and saw a second person there.

14,482. Do you mean that you thought you would be so excited when you got to the bank that you would not trust yourself with words, so that you wrote it down in readiness, or that you wrote it down because you were so excited that you did not know what you were about?—I did not know what I was about.

14,483. (*Mr. Anstey.*) You could not have written it before you went there, because you had no means?—Certainly not. I asked for paper.

14,484. And it was done in the bank and not elsewhere?—Yes.

14,485. (*Mr. Price.*) Do you mean that your intellects were not sufficiently collected, and that you did not know what you were about?—I did not know what I was about at the time.

14,486. Then were you under a mental hallucination or aberration of intellect, or what?—I was acting under excitement.

14,487. (*Mr. Anstey.*) And therefore was it that Mr. Lovibond chose you for the work?—I beg your pardon.

14,488. Because you were unfit to transact business, was it that Mr. Lovibond chose you for that highly delicate work?—I cannot say.

14,489. It is clear that he did not think you unfit for business?—I cannot say what he thought.

14,490. (*Mr. Coleridge.*) You had been an intimate friend of his, and he knew your character pretty well?—Yes.

14,491. And whether you were an excitable man and fit for the work or not?—I do not know whether he thought of it or not. He asked me, as I told you the other day.

14,492. Was he so excitable that he could not understand what he was doing too?—I should think not. I do not know.

14,493. (*Mr. Anstey.*) You have also stated, which is anything but a proof of your being off your guard, that you did not tell Mr. Prior more than you were told to say, but you prudently told him less, because you suppressed the words, "By Mr. Henry Lovibond's desire." All you wrote was, "500*l.* for Allen," not saying, "I am come from Mr. Lovibond." That was a further precaution you took. How do you account for that?—I never thought a word about Mr. Lovibond when I went in.

(*Mr. Price.*) Having just parted from him, and walked in there, and he having said, "I wish you would go in and deliver a message for me, 500*l.* to Allen."

14,494. (*Mr. Anstey.*) You did not deliver it as from him, but from yourself?—I wrote it on paper.

14,495. (*Mr. Price.*) Have you told us of all that passed between you and Mr. Henry Lovibond?—I have.

14,496. (*Mr. Price.*) It is a strange story. Have you told us everything that took place on that day between you and Mr. Lovibond with respect to the election?—I do not know whether I have or not. I am sure I cannot, I do not recollect anything I said to him.

14,497. Your mind must have been in a prepared state to undertake this matter by something that transpired in the course of the day, and it was on that account that he selected you as agent for getting this money. That is a state of mind you were in?—I beg your pardon, he selected Mr. Bate first of all.

14,498. But Mr. Bate declined?—He did, and I ought to have done the same.

14,499. Then Mr. Lovibond selected you afterwards, that is elected you, because he knew your mind was in a prepared state to undertake such a matter by something that had taken place early in the day, or by what you knew of the election, and the way in which at the last moment it was intended to conduct it?—I do not know what Mr. Lovibond thought.

14,500. But you must know whether anything passed between you?—There was not a word of anything passed respecting money.

14,501. (*Mr. Anstey.*) When?—Not during the whole of the election.

14,502. What do you call the election?—After Mr. Vanderbyl arrived in Bridgwater.

14,503. You were at the meeting you admitted, or had something to do with the meeting of which we have heard on the Sunday night?—Yes.

14,504. Were you one of the deputation that went to Mr. Vanderbyl's?—I was not.

14,505. At what meeting were you?—That is the meeting, the Sunday meeting.

14,506. Yet you were not present; I do not understand?—There was a meeting of 12 there on the Sunday evening, and there were four or five selected as a deputation to go and see Mr. Vanderbyl.

14,507. You were present when that deputation went?—I was.

14,508. And you were present when that deputation came back?—No, I was not.

14,509. Had you not heard when that deputation came back this answer of Mr. Fennelly's reported, "You may say what you like about these Lundy "Island granite affairs, but the real objection to Mr. "Vanderbyl is that you want his money, or he will "not spend money," or words to that effect?—I never heard words of the sort. I never heard Mr. Fennelly's name mentioned before now.

14,510. Did you hear that Mr. Vanderbyl personally, or through someone else, had expressed himself to the effect that the objection to him on the score of his mercantile delinquencies was all hypocrisy and pretence, and the real objection was that he would not spend money?—The thing was discussed at the meeting.

14,511. You did not hear anything like that?—I did not.

14,512. You heard nobody suggest on Sunday night that Mr. Vanderbyl or anybody thought this was all pretence, and that the real objection to him was that he would not spend money?—Certainly not.

14,513. You had been always an active person on that side of the question?—I suppose you may call me an active person. I should not think so.

14,514. If you had not been active you would not have been one of the 12?—I was going to bed.

(*Mr. Price.*) That shows that you were, otherwise they would not have called you out of bed to be there.

14,515. (*Mr. Anstey.*) You are one of those who are facetiously, as I believe, called the leaders of the party?—Yes.

14,516. I will give you another opportunity. Do you mean to say that down to the moment you went into this corrupt transaction of the 500*l.* to the bank, you had never heard from anyone in the borough anything about a proposal on anybody's part to spend money illegally?—I never did.

14,517. Down to half-past 3 was this. What o'clock was it that you took the money?—I should think it was about a quarter-past 3.

14,518. Will you really swear that?—I will.

14,519. During, recollect, the whole time which had intervened between the commencement of the canvass in October, and the quarter-past 3 when Mr. Lovibond sent you to get the bribe money from the bank, you never heard from the lips of anyone so much as a rumour or report that there was any intention or wish on your side of the question in the world to spend money, or procure money to be spent illegally at that election?—I heard there was no money going to be spent.

14,520. That is not an answer to my question. Did you hear anybody suggest it?—No.

14,521. Down to that time?—I did not.

14,522. (*Mr. Price.*) Then that surely ought to have made you much more cautious, and have surprised you more that you should be asked to go at that hour of the day for 500*l.*?—It so happened.

14,523. (*Mr. Coleridge.*) I suppose you knew Allan's character at this time?—Yes.

14,524. And it had not struck you as anything remarkable, "500*l.* for Allan"?—I told you the other day that I put my own construction upon it.

14,525. You told us you knew perfectly well that it was for bribery purposes?—Yes.

14,526. (*Mr. Price.*) This is what I put to you before: "It seems to me very strange that Mr. "Lovibond should have sought you out to make you a "co-conspirator with him as a bribery agent unless "you had been in their secrets and had taken an "active part in elections. Unless you make a fuller "disclosure we shall not think you have told us all "you know about it, for it is not likely that you, a "respectable man, should at once consent to become a "bribery agent under Mr. Lovibond, to whom you were "under no obligation the moment he asked you." And your answer is: "I know nothing more than I have "stated, and the only excuse I have is the excitement "under which I laboured at the moment." Then my learned friend, Mr. Anstey, says: "Before leaving the "box, Mr. Mogg, it is right that I should inform you "that I shall require a great deal more information "before I am of opinion that you have given any "answer to the question: 'What was there in your "'previous communication with Mr. Lovibond which "'should make him believe that he would find in you "'a ready bribery agent? You had better think it "'over, and give us a more satisfactory explanation of "'the matter subsequently in the day, otherwise I am "'afraid it will go hard with you.' (*Witness.*) I can-"not give you any other reason." You still adhere to that?—I do.

14,527. (*Mr. Anstey.*) You do not adhere, I perceive by the answers you have already made to-day, to the answers which I am going to read to you, for they certainly entirely conflict. The question is asked: "*Q.* But have you taken a part in the management of "elections?—*A.* No. *Q.* Have you been in con-"sultation with anybody about the management of "elections?—*A.* Occasionally. *Q.* With whom?—"*A.* I am sure I cannot say. *Q.* With any of the "lawyers?—*A.* No. *Q.* Never?—*A.* Never." You perceive, do not you, that all those answers are quite inconsistent with your present admission that you not only have taken an active part at this election but at former elections, that you were what is called a leader of the party, and that you were so important a leader that you were sent for on your going to bed, and requested to form one of the committee of 12 which was to decide as fast as they could upon the fate of at least one candidate on the Liberal side of this election, and that this committee of 12 was selected at a meeting convened by the lawyers, with whom you say twice over you had never been in consultation?—I was not aware of the meeting before they came to me between 10 and 12 at night.

14,528. (*Mr. Price.*) You did not tell us one word about going to the meeting when you were in the box before, as I understand, about having been called up out of bed?—Not before; I was just about to retire.

14,529. You did not tell us that before?—I did not.

14,530. Why did not you, because I believe I addressed to you what I believe I have addressed to every witness at the conclusion of the examination by form of question and answer by the Commissioners, a request to say whether there is any other part he took in the election which he can give any information about?—I thought you were alluding to the poll.

14,531. And it was your bounden duty therefore to tell us?—I did not quite understand the question, or else I could have answered.

14,532. I do not know why you did not understand the question, because it is as plain as language could be: "Any part that you took in the election." It is not restricted to the polling day. Now, what did they say when they called you up?—They said there was a meeting.

14,533. Who said?—I think Mr. Winterbotham. I would not be certain whether Mr. Winterbotham or Mr. Lovibond, it was one of the two said there was a meeting at Mr. Nicholls' and asked me if I would go in.

FIFTEENTH DAY.

Mr. C. B. Mogg.

8 Sept. 1869.

14,534. What time was this?—I should think between 10 and 11 o'clock; I am not quite certain of it.

14,535. (*Mr. Anstey.*) Both were at your house?—As they were passing they were going to the meeting, and then they called upon me.

14,536. (*Mr. Price.*) Did they tell you what it was to consult about?—They did not.

14,537. Did you ask them?—No, I did not.

14,538. Why did you not say it was an unseemly hour to come on Sunday night about election matters?—I had my slippers on and boots off.

14,539. That is just it; you were preparing to go to bed, and it was an unseemly hour on Sunday night to have a conversation on election matters; why did you not say, "Gentlemen, it is not a time to come about that; I cannot come"?—I did object first of all, but one of them asked me a second time, and I went.

14,540. Then was it because you had taken an active part?—Certainly not.

14,541. (*Mr. Coleridge.*) Why should they then come to you to go and attend this meeting? What had you done at former elections to make them so anxious to have you at this meeting?—They thought I had some interest in the town.

14,542. Had you at former meetings always used your influence?—I do not think I attended the meetings.

14,543. What was the reason they could not go on until they turned you out of bed?—No, not turned me out of bed, you make a mistake.

14,544. (*Mr. Price.*) It was an unseemly hour on Sunday night, when you were partly undressed, and you refused in the first instance to go, and they thought you of so much importance that by importunity they got you to go, and yet you told us you were not an active man?—Well, I do not think I am. I am a man that perhaps has a little influence.

14,545. (*Mr. Coleridge.*) How many votes can you influence?—Five or six.

(*Mr. Price.*) It is an extraordinary thing that you should have been pressed so much, being a person not taking an active part, to go to the meeting, and still more extraordinary that you should be the person of all others in the town who should be selected by Mr. Lovibond to get the money at the bank in that surreptitious way.

14,546. (*Mr. Coleridge.*) Was anything said to you at the meeting whether you would do anything if it should be necessary on the polling day?—Certainly not.

14,547. Were not you asked if you would lend a helping hand if it was wanted?—Certainly not.

14,548. What were you asked to do?—Nothing at all.

14,549. (*Mr. Price.*) Were you called on for your opinion at that meeting?—Yes.

14,550. What about?—Whether Mr. Vanderbyl should stand or not.

14,551. On what ground?—They said he had entered into a coalition with Mr. Westropp.

14,552. Was that the only ground?—The only ground.

14,553. The only subject of discussion was because he had entered into a coalition with Mr. Westropp?—Yes.

14,554. Who said that?—It was generally reported in the town.

14,555. Who said it at that meeting?—I do not recollect.

14,556. Was Mr. Barham there?—No.

14,557. (*Mr. Coleridge.*) Was nothing said about his refusal to spend money?—Certainly not, not a word about money.

14,558. About "bales," or anything else?—Not anything of the sort, or any allusion to it.

14,559. (*Mr. Price.*) Did you hear the next morning that Mr. Vanderbyl had changed his mind, and that the tactics of the party had been changed?—I heard that he was going to stand.

14,560. Only that?—Only that.

14,561. (*Mr. Coleridge.*) When did you first know that Mr. Fennelly had gone to town?—I did not know anything at all about Fennelly.

14,562. (*Mr. Price.*) The only subject of discussion while you were present was whether Vanderbyl should be asked to retire or not?—I could not swear that positively, I think there was something about the Lundy Granite Company. I would not be quite certain, but I rather think so.

14,563. Then you left them there?—I did.

14,564. Did they ask you to be one of the deputation?—No, I do not believe they did.

14,565. (*Mr. Anstey.*) I have been going over your evidence, and I must ask you which of the two statements you adhere to, the statement which you made just now, that during the whole of this period that elapsed between your receiving that message and going to get this bribery fund of 500*l.*, and your delivering the message suppressing the name of the sender, and coming away, a very short period, there was no connexion whatever in your mind or thoughts between what you were doing and the election. I ask whether that statement which you now make is the one you mean to adhere to, or whether you mean to adhere to the statements you made on the former occasion, after considerable pressing, which I will read to you from the shorthand writer's notes: "Did you know who Allan was?—Yes. That he "was a bribe agent?—Yes. And therefore Mr. "Lovibond mentioned him as a person you perfectly "knew?—Yes. You knew it was bribe money you "were going for?—I had no doubt about it." And again further on, "I was not cool." Then Mr. Price says, "You were cool enough to be aware that you were asked to get money to bribe with?—Yes." Which of those two statements do you adhere to?—I do not see any difference between them.

14,566. (*Mr. Price.*) You have said to-day that there was no connexion in your mind between going to the bank and getting the money and the election?—It must have passed through my mind; there is no doubt of that.

14,567. You said it had not, that there was no connexion in your thoughts between money from the bank and Mr. Kinglake's success?—No more it did not, not till after it was done, and then it did.

14,568. (*Mr. Anstey.*) Another thing you have stated, but not until pressed, is shortly before your going on this errand to get money enough to bribe 50 men at 10*l.* a head, you yourself had heard, and so stated to Mr. James Trevor, I think, or Mr. John Trevor, that hundreds of persons, or rather you heard from hundreds, and you afterwards say, "I do not know hundreds, but a large quantity." You had been hearing that morning from hundreds, or at least, a large quantity of persons, that the brickyard men of Brown & Co. would not vote without being paid, representing a number of something like 400 or 500 persons, that you had heard that, and you stated on your way back from dinner, I think, to one of the Mr. Trevors, was it not?—When going to dinner.

14,569. That was immediately after you had left Dr. Kinglake?—Yes.

14,570. You told Mr. Trevor whom you met in the street, "Our party is beaten, the brickyard men of Brown & Co. will not vote without being paid?"—I did.

14,571. And you told us that report you had heard from hundreds, or at least a large number of persons?—I heard it from a large quantity.

14,572. That is the expression you use here; then you went to dinner, and afterwards got this message; do you still say, with this impression on your mind, that there were 400 or 500, or even as many as 50, who wanted to be bribed, and without bribing whom your patry could not succeed, that there was no connexion in your mind between that and the illegal act you were committing?—There was not, for I understood Brown's people were polled, and that is the reason we were brought up so close.

14,573. But it is "will not vote," not "voted"?—That is when I was going to dinner.

14,574. Then after dinner they had all been polled whom you heard would not vote?—No, from half-past 2 to 3 I heard they were polling.

14,575. That these men were polling?—Yes, in my own house.

14,576. Then in your examination on the former day it does so happen that what you said was the hour at which you met Mr. Lovibond, and went for the bribe money in the street, was not a quarter past but a quarter to three, now which is right?—I am sure I cannot say.

14,577. If it was a quarter to three, that would just be the time when these bribable 400 or 500 persons were polling, and perhaps some 50 hanging back?—I cannot say to 10 minutes.

14,578. Was not there a distinct connexion between what you were doing and your wish to secure those votes?—Certainly not.

14,579. (*Mr. Anstey.*) I suppose this is an error in the notes, if not, you will say so; you are made to say at page 33, you repeated this phrase, "Our party is beaten," and so on, to Mr. Lovibond; it was to Mr. Trevor that you made that statement, was not it?—To both.

14,580. When did you see Mr. Lovibond?—When I was coming up over the bridge, they called me as I told you just now, Dr. Kinglake, Mr. Lovibond, and some other gentlemen.

14,581. Then you had previously to meeting Mr. Trevor said the same thing to Mr. Lovibond?—I had.

14,582. And this was two hours before Mr. Lovibond gave you the message?—Yes, I should think so, quite that.

14,583. Why did you tell us on the former occasion, and again to-day, I think, but certainly on the former occasion, that you had had no previous conversation with Mr. Lovibond in the course of the day on the subject of the election?—On money matters.

14,584. (*Mr. Price.*) You told him you were beaten because Mr. Brown's men would not go without being paid?—Told who?

14,585. Mr. Lovibond?—No.

14,586. You kept that information for Mr. Trevor?—Mr. Trevor.

14,587. (*Mr. Anstey.*) Did not you tell Mr. Lovibond that Brown's people would not vote unless they were paid?—I did not.

14,588. Did Mr. Lovibond tell you?—Not to my knowledge.

14,589. (*Mr. Price.*) Who did you see first, Mr. Trevor or Mr. Lovibond?—Mr. Lovibond.

14,590. (*Mr. Anstey.*) How could you have told him except to your knowledge, or he knew except to your knowledge?—It was a general report in the town that the brickyard men would not poll.

14,591. Was not Mr. Lovibond one of those who communicated to you that report?—I never communicated to Mr. Lovibond a word on the subject.

14,592. I am not asking you that, but was Mr. Lovibond one of those large quantity or hundreds of persons who told you that piece of intelligence that Brown's people would not vote without being paid?—To the best of my knowledge he did not.

14,593. I do not qualify in the least, but on the contrary, repeat with still more emphasis than I did on the former occasion, that my material questions to you are to this moment unanswered within the meaning of the Act of Parliament. With that intimation you may withdraw.

(*The witness.*) I shall be happy to answer any question you may put to me. You wish to make me know more than I really do.

(*Mr. Anstey.*) If you volunteer a statement now more fully and less evasive than you have made already, we shall be glad to hear it, or if you like to come back and do so; but certainly from me at least you will not hear during the whole course of this inquiry any one of the questions repeated which I have now for the second time put to you and in vain.

(*The witness.*) I can only say this, that I have answered to the best of my knowledge every question you put to me. You want me to do that which I am not able to do, and I cannot do it.

14,594. What is that, to tell the truth?—To say I know all about it, and I do not.

14,595. I ask you only to tell the truth?—So I do, and I defy any man to say I do not.

14,596. Then the truth of the other day must be the untruth of to-day, for your answers are contradictory. I ask, which do you adhere to, and you cannot tell me?—I do not see any difference in them.

DR. FREDERICK FARMER sworn. *Dr F. Farmer.*

14,597. (*Mr. Price.*) Are you a physician practising here?—I am a physician and surgeon.

14,598. Are you the medical attendant of Mr. Cook, the witness who was examined yesterday?—Yes.

14,599. We understand that he is not well enough to attend to-day?—He is very ill indeed, he has been ill. It is only just to him, though, that I should state that on Monday evening I saw him, and was with him four hours, and he was very anxious to be able to be examined here, and I got him up as well as I could to come here, but he was not fit yesterday to give his evidence. He was very ill last night and sent for me. I was with him four or five hours. He is now in bed. He may be able to be examined to-morrow, he is anxious to be, and there is a hope that he will be able to.

14,600. The quiet of to-day will bring him round?—Yes.

14,601. What is the nature of his illness?—He has a weak action of the heart, and he is altogether a delicate man, overworked brain and body, an energetic clever fellow who has overworked himself. I think it right to mention to the Commissioners that I am the medical attendant of Mr. Richard Smith, the solicitor who has been mentioned here, and if agreeable to you I will certify as to his state of health. In March 1866 he had a rupture of a blood-vessel in the brain, causing paralysis of one side, and also great injury to the brain and to the mental functions. He was dangerously ill for some time, and in such danger that I had Dr. Reynolds down to see him with me. He has by great care, simply living an animal existence, eating, drinking, and sleeping, and for exercise being carried into the open air, lived on, but his life is a very precarious one, and we studiously avoid any excitement of any kind.

14,602. (*Mr. Coleridge.*) He is able to go to church, is he not?—He goes to church. I think I had better mention also that we had the opinion of Dr. Russell Reynolds of University College upon him, and he advised along with me.

14,603. (*Mr. Price.*) Is he in such a state that he could not undergo an examination if we attended at his residence?—Yes, he would not have the mental capacity to sustain anything. He might speak a few minutes, and then I think from the excitement in fact might drop dead.

14,604. Assuming that we went without any person attending, merely the shorthand writer, ourselves, and our secretary, and you present, if you like, do you think then that he would be able to answer the questions that we should put to him?—I do not think he could bring his mind to recollect what took place.

14,605. Would it be attended with danger to him?—It would decidedly.

14,606. (*Mr. Coleridge.*) Does he answer questions which you put to him; you ask him how he is?—Yes, but it was political excitement that led to this state.

14,607. Has he had any conversation with you since we have been in the town about what is going on?—No.

14,608. Is he aware what is going on?—Yes.

14,609. Does he read the newspapers every day?

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Dr. F. Farmer.

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—He did read them; at least he is not able to read because he has lost the sight of one eye, and I should think he never reads hardly, but he has been read to, and I found that was damaging, and I went to where he was sitting in a bath chair in his garden, and said, "Mr. Smith, I must forbid you the papers. I am "sorry to deprive you of such a pleasure, but it would "be injurious to you." Everything political has always been studiously avoided, everything has been light in amusement, such as light literature read to him, and then his mind does not hold it for any length of time; he is quite shattered in mind and body.

14,610. You wish to represent to us that he is not in a fit state to be examined with safety to himself?—I have no hesitation in swearing it, and I have also two certificates, one from Dr. Russell Reynolds, and one from his friend Dr. Orton.

14,611. (*Mr. Anstey.*) Is he well enough to bear the service of a notice to produce, or a *subpœna duces tecum*, or something of that kind, so as to enable us to get to documents the production of which was unobtainable at the election trial of 1866, because, as is alleged in the report of that trial, Mr. Smith's family prevented any person coming with a notice to produce, on the plea that he was just taken ill, and that the mere service of the notice to produce documents was a thing they would not allow on pretence of his sickness?—No, it would not be injurious to him, anything of that sort.

14,612. If we call on him to produce those documents with the mere notice, can it possibly have any injurious effect upon him?—I do not think it would require any notice at all.

14,613. Would that injure his health, the notice to produce all papers, &c. &c., with reference to certain matters?—I do not know that it would if done in a nice way, not a peremptory way.

14,614. I am asking you a question as a doctor, not as a friend?—It would greatly depend on the way it was done.

14,615. Is he too ill even for that?—Anything done roughly or without caution.

14,616. (*Mr. Coleridge.*) Has he a wife?—Yes.

14,617. Supposing our secretary served notice on his wife, and she gave it to him and asked for these papers, would there be any difficulty then?—I do not think so.

14,618. (*Mr. Price.*) He knows perhaps that a summons has been prepared and served upon him?—I cannot swear that he does. I never speak to him on the subject of this Commission.

14,619. But there would be no difficulty you apprehend?—Not in the way proposed.

14,620. Through Mrs. Smith, who having notice from our secretary, would have no difficulty in getting his assent to it?—No.

W. Hamson.

WILLIAM HAMSON sworn.

14,621. (*Mr. Price.*) Are you a mariner?—Yes.

14,622. And a voter for the borough?—Yes.

14,623. And you want to go to sea?—Yes.

14,624. Did you vote in 1865?—At Sir John Shelley's first.

14,625. Did you get anything for it?—I did not.

14,626. Did you vote at the first election of 1866?—Bagehot's.

14,627. Were you promised anything in 1865?—I was not.

14,628. (*Mr. Coleridge.*) Did you ask for anything?—I did not.

14,629. Did not you ask Mr. Bussell to give you something?—I did not.

14,630. How was that?—Because I never asked in my life.

14,631. And nobody offered?—And nobody offered.

14,632. (*Mr. Price.*) In 1866 did you vote for Mr. Bagehot?—I did.

14,633. Did you ever have anything for that?—Five pounds, about a month afterwards.

14,634. From whom?—From Bussell.

14,635. How did you get that, if you say you never asked?—He came to me on the quay.

14,636. Without your asking?—Without my asking.

14,637. (*Mr. Coleridge.*) Had he promised you before you voted?—No.

14,638. (*Mr. Price.*) Did you ask what it was for?—No, I did not.

14,639. But you knew what it was for?—I considered I knew what it was for; I did not know exactly.

14,640. (*Mr. Coleridge.*) You did not refuse it?—I did not.

14,641. (*Mr. Price.*) Did you vote for Mr. Vanderbyl in 1866?—I did.

14,642. Did you get anything for that?—Ten pounds.

14,643. When?—I will not be certain whether it was after I polled or before.

14,644. On the polling day?—On the polling day.

14,645. Did you ask for that?—I did not.

14,646. Were you equally surprised to get 10*l.* that time?—I did not expect it, but I had it.

14,647. (*Mr. Price.*) Who gave it to you?—Bussell.

14,648. You knew money was going?—No.

14,649. (*Mr. Anstey.*) Going amongst people generally?—Yes, most people on the quay.

14,650. (*Mr. Coleridge.*) And you thought you might as well have a turn at it?—Yes.

14,651. (*Mr. Price.*) In 1868 did you vote?—I did.

14,652. Who for?—Vanderbyl and Kinglake.

14,653. Did you get anything then?—Ten pounds from Allan.

14,654. (*Mr. Coleridge.*) What time did you vote at the last election?—In the morning, about 10 or 11 o'clock.

14,655. Then Allan paid you after you voted?—He did.

14,656. Because he did not pay you until the afternoon?—About half-past 3.

14,657. (*Mr. Price.*) Did he say anything to you before?—He never spoke to me in his life, nor I to him.

14,658. Did you go to him or he to you?—I saw a lot of people round the door, and I went like the rest.

14,659. To Allan's?—No, the "New Inn."

14,660. You saw a lot of people there, you say, and you went in. Did Allan know you had voted?—I cannot say.

14,661. Did he know?—I never spoke to the man before or afterwards in my life.

14,662. Did they introduce you as a voter or going to vote?—No.

14,663. You walked simply in?—Yes, and he put it into my hand, and he never spoke to me nor I to him, and I walked out.

14,664. (*Mr. Coleridge.*) Who vouched for your being a voter?—No one at all.

14,665. (*Mr. Price.*) For anything that he knew you may not have been a voter?—Just so; I believe anyone could have had it at the time.

14,666. Whether voters or not?—Yes.

(*Bussell.*) There is one question I should like you to put to this witness, which is very important for me, whether he is one of the class that always run away with the notion that I had 10*l.* and only gave 5*l.*

14,667. (*Mr. Price, to the witness.*) You say you got 5*l.* from Bussell in 1866, when you voted for Bagehot. Have you ever said that you believed Mr. Bussell had actually 10*l.* and only gave you 5*l.*?—Never in my life; I have heard tell of it about the quay.

14,668. Have others said to you, when you told

them you only got 5*l.* upon it, that Bussell had kept back 5*l.*?—No, I never told about it.

14,669. Did you ever hear it said at that time?—No.

14,670. You never heard it said?—No.

14,671. But with regard to other voters?—I heard it talked about the quay—quay talk.

14,672. But you never said so?—I might have put a word in, or like that.

14,673. What did you say then?—I said, "I have 5*l.*," never 10*l.*

14,674. Did you join in the accusation against Bussell?—Never at all.

14,675. And it was not your impression that he had?—No, never at all.

(*Bussell.*) There is another matter I want to know, whether the witness and some of the rest have not left my house being under the impression that I had 10*l.*, because I have suffered through this business.

(*Mr. Price.*) You say you have suffered in consequence of this?

(*Bussell.*) Yes, through running away under the impression that I had 10*l.*

14,676. (*Mr. Price.*) Is that so?

(*The witness.*) I am a teetotaller, and have not taken anything for the last two years.

Mr. Henry Frederick Nicholls sworn.

Mr. H. F. Nicholls.

14,677. (*Mr. Price.*) What are you?—A draper and shipowner.

14,678. It is your large premises at the side of the High Street, on the Cornhill?—My present residence is in the square.

14,679. You took an active part, we understand, in the general election of 1868?—I took an active part as being desirous of the success of the Liberal candidates.

14,680. You had been some time, had you not, at all events at the last election, a prominent member of the party?—I have always espoused the Liberal cause and voted for the Liberal candidates.

14,681. But you have been a prominent member, and always voted for the party?—Not previous to the last election, I think.

14,682. At the last election were you?—Not at the canvass; I never canvassed.

14,683. Then what part did you take which induced the Liberals to come to your house, never having met at your house?—I think I had better explain that it was not a meeting convened by the Liberals at my house, but it was convened by myself, and if you will allow me I will just narrate exactly how the thing came about. I think it was about 2 o'clock in the afternoon of a Sunday, after I had lunched, I was going for a walk, and met Mr. Lovibond on the High Street pavement, just by the "Clarence Hotel," and he said, "I am glad to have met you. I wanted to talk to you about our prospects on Tuesday." I turned with him, and walked to his house, and during the conversation he said, "I think there is great danger of our losing both seats." I expressed surprise, because I had been given to understand that the canvass was a satisfactory one, and that we were sure to win, provided there was no spending on the Conservative side. He said, "I think there is no "doubt about the intention of the Conservatives, "otherwise Mr. Gray would not be here, and if they "fight we shall lose both our seats."

14,684. (*Mr. Price.*) What was known about Mr. Gray? We have never known how it was that Mr. Gray's name should mean money?—I cannot explain further than that was just the remark he made, and it made an impression on my mind which led me to say, "I am very sorry to hear that. I am extremely vexed;" and he went to his house, and we walked together up his lawn, conversing on this matter, and I suggested we should call together a few friends. It was not suggested on the part of Mr. Lovibond, and I named the individuals. I proposed Mr. Francis Thompson, and I said I thought that Mr. Wilton and Mr. Sully should be seen. I undertook to see them. I walked across to Mr. Francis Thompson's house, which is something like half a mile from the town, and also called on Mr. Wilton, and I arranged with them that they should meet at my house at half-past 4. We met Mr. Barham coming in, whom I did not know previously was expected. I suppose it must have been an arrangement with Mr. Lovibond. At that meeting Mr. Lovibond introduced the conversation in a conversational manner (I must correct Mr. Barham), not in the form of a speech. There was no speech-making. He never rose from his seat. He simply spoke some continuous remarks, and it did not take the form of a speech. It was conversational, and he stated that over again which he stated to me in the morning, to Mr. Thompson, to Mr. Sully, and to Mr. Wilton, in the presence of Mr. Barham, and that was that he felt strongly that we should lose both seats; that there was not the slightest doubt the Conservatives intended to fight as they had always hitherto fought at Bridgwater in previous contests, particularly referring to the previous one of Mr. Vanderbyl's, and particularly the one previous to that in which Mr. Bagehot was the candidate.

14,685. (*Mr. Price.*) You say that Mr. Lovibond stated this, that there was no doubt that the Conservatives intended to fight as they always had fought?—Yes, and he particularly cited the immediately preceding elections; and he also again mentioned in the presence of Mr. Wilton and of Mr. Sully that there was no doubt that Mr. Gray's presence was the most conclusive proof that such was their intention. If you will kindly allow me I will just correct one portion of my statement. On my first interview with Mr. Lovibond he said that he had been extremely disturbed during the previous night, very restless, and that he had during the morning consulted with Mr. Sealey and also with Mr. Barham, and, as I understood him to say, that they both entertained the view which he was then enforcing upon my judgment.

14,686. (*Mr. Coleridge.*) And what was that?—That it was desirable we should have a consultation, so that one of the candidates should be withdrawn, and at that first interview with Mr. Lovibond, when I met him on his lawn, we taked the matter over. There was no mention as to which of the candidates. It was simply the interest of the Liberal party, which seemed to weigh with him at that moment. Mr. Barham, to my surprise, combated, that is, differed from Mr. Lovibond upon the desirability of seeing Mr. Vanderbyl, with a view of getting him to retire; and there was a manner displayed between Mr. Lovibond and Mr. Barham which suggested to my mind at the moment that there was perhaps not a thorough understanding existing between them. Whether it was a right or a wrong impression, I don't know; and Mr. Barham introduced another topic, quite apart from the subject for which we met, and that was, as to the mode of getting the working men to the poll on the following morning; and he produced a draft of a form of circular, in which he proposed that the employers of labour, such as Mr. Wilton, for instance, and others, should issue to their men, with a view of announcing to them that those who were willing to go with their principals to the poll should have an opportunity of going at the same time as they polled, of course only having reference to those who were willing to poll on their side. Mr. Wilton at once said he thought it was a most impolitic step, and Mr. Lovibond expressed the same opinion, and I did also, and I said that I thought nothing could be so unwise, and a very few minutes after that Mr. Francis Thompson, who was present at this meeting, left my house, and then Mr. Barham (Mr. Sully leaving, I think, about the same time) and Mr. Wilton remained behind, and we had coffee and sat chatting together. Mr. Lovibond reintroduced the question as to the election prospects, and urged again very strongly (and I would, just for the

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Mr. H. F. Nicholls.

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purpose of giving you a reasonable opportunity of judging, say he does it very ably and very forcibly) the necessity of something being done.

14,687. (*Mr. Anstey.*) Something being done in the way of what?—In the way of getting one of the candidates to retire. After a time I said, "If that is your "view I am very willing and ready to assist you, and "we will have a few more gentlemen together, if "possible, to take their judgement, and advise in the "matter;" and I suggested—I want to be very accurate in my statement, and if you will allow me I will just refer to these names, just for the purpose of being accurate—I said, "I undertake to see Dr. "Winterbotham, I undertake to see Mr. Collins, and "I undertake to see Mr. Palmer." Mr. Collins I saw, Dr. Winterbotham I did not see, but left a message at his house; Mr. Palmer I did not see, but I left a message at his house. They came as the result of my calling to see them. Mr. Wilton, as I believe he will tell you, saw some other gentlemen, I do not know who it was he saw. He will tell you whom he saw. I only tell you those I saw myself.

14,688. I do not know whether that Mr. Palmer you saw is the gentleman who was examined here before this Commission?—Oh no. I do not know exactly at what period. I may say that the whole of these gentlemen were present, but most of them were present off and on between 8 and 10 o'clock. I will just read the names. There was Mr. Mogg, Mr. Palmer, Mr. Wilton, Mr. Collins, Mr. Symmons, and Mr. Smith.

14,689. (*Mr. Coleridge.*) What Smith?—Mr. John Smith.

14,690. (*Mr. Anstey.*) Was Symmons the person who was examined before us?—No.

14,691. Another one?—Clifford Symmons, a young man. Mr. James Sully. I must tell you that Mr. James Sully came to the second meeting.

14,692. Just finish your answer first?—Mr. Lovibond and myself. Mr. Mogg said the number was 12. I believe I cannot make the number more than 11. I think Mr. Sully came to the same meeting, not at his own volition but at my request. I sent to him.

14,693. Is that Clifford Symmons the son of the Symmons that was examined before us?—It is. The conversation was repeated very much, as I have also stated of the first meeting, only that there were other elements introduced, and that was particularly a feeling of distrust of Mr. Vanderbyl's position relatively as a Liberal, and the other the possibility of his coming to an understanding and a coalition with the Conservatives, and thus losing the seat of Mr. Kinglake; and I will tell you that Mr. Kinglake was my particular favourite candidate, and I think so to a very large extent that of others who were present, that he had a great many friends in Bridgwater; and under no circumstances would we have allowed Mr. Kinglake to be defeated for the purpose of giving Mr. Vanderbyl a seat.

14,694. Then in point of fact this meeting was held for the purpose of inducing Mr. Vanderbyl to retire?—Most certainly, for no other object in the world. There was also a long discussion with regard to the affair in connexion with the trial, the Lundy Granite Company and the bank resolution. During the morning of Sunday it came out at those meetings, for there were two distinct meetings, that Mr. Hammill, who had previously promised Mr. Vanderbyl to nominate him, had that morning declined.

14,695. Hammill?—Mr. Hammill had that morning declined, very much to the annoyance and mortification of Mr. Vanderbyl, and that Mr. Vanderbyl had called upon Mr. James Sully during the morning, and he had promised. When Mr. James Sully came to these meetings, and heard that Mr. Hammill had previously declined, and learning the opinion which seemed to grow that there was a large amount of unpleasantness in connexion with the whole of that affair, that is, I speak of the trial and the Lundy Granite matter, he said, "I think that I shall decline also," and he during the course of the evening, as you will learn from my statement, he went down there, and had an interview with Mr. Vanderbyl, and declined to propose him. I must state that at this second meeting, when the question of the Conservatives spending money was raised, I suggested that the very best and most desirable course for us as a party would be to let them do so, and to oppose them on petition.

14,696. What was said to that?—I will tell you. The professional men (and I asked them each individually) said, "We will have nothing to do with the "petition, we have had enough of the petition. It has "cost too much sacrifice of time, of money, and of "health;" and they then alluded particularly to the then condition of Mr. Smith and Mr. Benjamin Lovibond, who had been both paralyzed in connexion with the petition against Mr. Westropp. I do not hesitate to say that the impression in Bridgwater is that both of those gentlemen were really in the condition in which they were, both being paralyzed, arising out of the anxiety connected with that petition in London, and that the consequence of their state influenced other gentlemen, more or less, to refuse to acquiesce in my proposal that we should fight the Tories and petition as I proposed.

14,697. (*Mr. Price.*) That is, the anxiety that they felt as to the discovery of corrupt practices which had been pursued by both parties?—Well, they may have had that view. I never knew of the corrupt practices.

14,698. The anxiety, I suppose, was an anxiety which you understood as being produced by the result of the inquiry?—I did not understand it in that light. I understood it simply in the light I have named, that the anxiety of prosecuting a petition under the circumstances was caused in getting up the evidence.

14,699. Do you mean the physical labour or the mental labour?—The physical labour. I made no reference to the mental labour.

14,700. But anxiety caused by the discovery of corrupt practices?—The physical labour, connected with the mental anxiety. There is also a certain amount of mental wear and tear.

14,701. (*Mr. Anstey.*) How could that be so, because it was proved in evidence on that very petition, which according to your hypothesis produced Mr. R. Smith's paralysis, that Mr. Benjamin Lovibond had been already paralysed and had been so for years, insomuch that he could only accompany the candidates in their canvass on horseback. The only petition which they had had in 1866 had not produced paralysis in the case of Mr. Benjamin Lovibond, whatever it may have done with Mr. Smith?—I do not know what impression you may have had. Mr. Benjamin Lovibond had been for years lame and could not walk, and he rode on his canvass, and I met him again and again on his canvass, and he was as able as I am at this moment; and the alarm at Bridgwater when we heard this telegram—when Mr. Winterbotham was going to London to see Mr. Lovibond—the alarm was very great because the onus of the petition rested upon him, and if he fell ill probably the whole thing would fall through and be a failure.

14,702. (*Mr. Coleridge.*) You said in answer to the learned Chief Commissioner that you knew nothing about the corrupt practices. Did you know nothing about the large sum of money spent by Mr. Vanderbyl in 1866?—I did not.

14,703. When did you know of that?—Not till Mr. Vanderbyl told me that evening.

14,704. You saw Mr. Vanderbyl afterwards?—I was one of the deputation afterwards.

14,705. (*Mr. Anstey.*) Then you really mean to say that the lawyers then present gave it as their opinion that if a petition was presented against that return, that they, the lawyers presenting that petition, would be thereby put in peril of paralysis?—I do not say that.

14,706. (*Mr. Price.*) That they would suffer in their health?—I say they declined it; and they gave

as a reason the anxiety they suffered in the previous election.

14,707. (*Mr. Coleridge.*). In fact they preferred to spend the money on themselves, instead of spending it on the petition?—I cannot say what they preferred. I am only speaking of what they said, and you must draw your own conclusion.

14,708. (*Mr. Price.*) We must draw the conclusion then that the anxiety attendant upon the discovery of corrupt practices on the lawyers' part gave them paralysis, and that good doses of bribery kept them in health on both sides. The best physic a lawyer could have would be to get lots of money spent in bribery. Now go on. You were telling us about the professional men deprecating the petition?—I want to state that Messrs. Wilton and Cook came together, and until I heard it yesterday I did not know how they came together.

14,709. (*Mr. Coleridge.*) They came to this meeting?—They came to this meeting. When they came into the room first, and heard the current of the conversation, as far as I could judge, they demurred to any idea of seeing Mr. Vanderbyl, or looking for or seeking his retirement. They sat near each other and conversed frequently together, and after a short time joined with the meeting that it was desirable that he should be seen, and that he should be asked to retire; and, as far as I am able to judge, such was the feeling that they displayed for the remainder of the evening, not once offering the slightest objection; they approved of the deputation's leaving, and they were present when it left and they remained until it returned.

14,710. You mean the deputation went that night to Mr. Vanderbyl?—The deputation went that night to Mr. Vanderbyl.

14,711. What time?—I should say between 10 and 11 o'clock. It certainly was not 12 o'clock.

14,712. Where did they go? To the "Globe"?—I will tell you, if you will allow me. I will just tell all I know in my own way.

14,713. (*Mr. Anstey.*) Were you one of the deputation?—Yes. I have just mentioned it.

14,714. (*Mr. Coleridge.*) Was it to the "Globe" you went?—It was to the "Globe."

14,715. (*Mr. Anstey.*) Go on, if you please, and tell us all that passed?—The result was that four gentlemen were proposed, and Mr. Wilton, Mr. Collins, myself, and Mr. Palmer. I might go as far as to say that it was a volunteer deputation. No name was proposed or declined; and we went to express the feeling of the meeting, as I was stating before, that Mr. Vanderbyl should retire.

14,716. (*Mr. Coleridge.*) Well, then, you did go to the "Globe?"—We went to the "Globe."

14,717. And did you see Mr. Vanderbyl?—I must tell you, that in going down (*the witness hesitated*). I will answer your question.

14,718. Go on. Something occurred in going down the street?—Yes.

14,719. What was it?—When I got outside the door, and as we were going down the street, I said to Mr. Collins, "I really do not quite like this business." I said, "Are we quite sure that we are not being made the catspaws of the professional men?"

14,720. You seem to have had some doubt about your professional advisers?—I come here to tell the truth, and I wish to do so. I will do so as far as I can.

14,721. Go on; you are perfectly right?—And Mr. Wilton, I think, was the gentleman who replied to me, and he said, "Well, we know what we have to do; let "us only be the more cautious in the manner of doing "it." We walked together through Castle Street, over the bridge, never separating, and into the "Globe," and stood in the lobby of the "Globe," some time waiting until Mr. Sully, who was then having his interview with Mr. Vanderbyl, should come downstairs.

14,722. Mr. Sully had gone on before?—Mr. Sully had gone on before.

14,723. (*Mr. Price.*) That is the gentleman who would not nominate?—That is the gentleman who would not nominate; and there was no disguise about our going, because there was a report a half an hour afterwards in the Conservative camp that we had gone in that manner. Mr. Wilton opened the conversation with Mr. Vanderbyl when we were introduced, stating that the cause of the Liberal party was in all probability lost, unless some arrangement could be made with a view to one of the Liberal candidates retiring; and Mr. Vanderbyl, so far as I could judge, and the impression, I believe, was on the minds of the deputation, appeared to entertain the idea very willingly, until the conversation was carried a point further, and he then learnt that it was he himself that was asked to retire. Mr. Wilton mentioned, amongst other circumstances, the fact of his unpopularity in connexion, or at least his apparent and growing unpopularity in connexion, with the Granite Company's matter and the trial; and he also said there was a feeling of considerable distrust in the town with regard to the probability of his coalescing with the Conservatives. He then very loudly commenced a conversation, which he kept up for a very long time, and it was one of apparent feeling of great grievance that he had been extremely ill-used by the professional men; and for the first time it was, that I heard of any meetings between Mr. Fennelly and the lawyers.

14,724. Tell us exactly what was said, as near as you can word for word, by Mr. Vanderbyl?—Mr. Vanderbyl said, "I have been extremely ill-used by these lawyers."

14,725. (*Mr. Coleridge.*) Did he mention their names?—No, he did not.

14,726. (*Mr. Price.*) "By these lawyers?"—"By these lawyers." I think at a later period of the evening either he or Mr. Fennelly said, "With one honorable exception," but I do not think he mentioned the name, "with one honorable exception."

14,727. (*Mr. Anstey.*) Do not go to the latter part of the meeting, but go on to what he said. You said you had not heard of Mr. Fennelly till then?—No, not that Mr. Fennelly was at any of the meetings.

14,728. (*Mr. Price.*) Was anybody else present with Mr. Vanderbyl on this occasion besides Mr. Fennelly?—No.

14,729. Nobody but Mr. Vanderbyl and Mr. Fennelly?—Nobody but Mr. Vanderbyl and Mr. Fennelly. He said that at his last election they had engaged to secure his return for 1,200*l.*, but they called upon him to pay 3,000*l.* more.

14,730. (*Mr. Coleridge.*) Did he say whether he had paid that 3,000*l.*?—No, he did not, or at least I inferred that it was paid. I never raised the question.

14,731. (*Mr. Price.*) What was said? Was any remark made upon that by him or by you?—I immediately made the remark—that was the first time I spoke, the conversation had been carried on by Mr. Wilton alone, and then I interrupted, and I said, "Mr. "Vanderbyl, I hope you will not tell us anything "about the professional men; we do not want to "know anything about them. We come here solely "with one object, that is, to try to serve the interests "of the party and of the town. We come here to ask "you to consider our position, the position of the "Liberal party, and to save us one of the seats."

14,732. (*Mr. Anstey.*) That is, to my mind, less interesting than anything you have said. It makes it necessary for us to go back. You say up to this time that the conversation had been carried on with Mr. Fennelly alone?—No, with Mr. Wilton.

14,733. I thought you said with Mr. Fennelly?—No, Mr. Wilton.

14,734. Tell us what Mr. Vanderbyl said. That is all we want to know?—I am trying to do so as far as I can recollect it. I want to be very exact if I can. When Mr. Wilton recommenced his portion of the conversation after that, and alluded again to the Granite Company and the trial, Mr. Fennelly I think, and Mr. Vanderbyl together went to refer to some papers, and went into a very long and particular

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account of the whole matter, representing to us the circumstances under which he was placed at the time that he gave that evidence, of his night travel and his delicate health and unpreparedness, and all that sort of thing—that he did not mean what was reported by the papers.

14,735. (*Mr. Coleridge.*) As an explanation of his evidence?—Yes; and he then went into a long account as to his position with McKenna, and of course we interrupted this again and again, that we did not want to know anything about it, that it was not at all a part of our business, that the evening was getting late, and we should be glad to get his answer.

14,736. I will ask you this question. Did his explanation satisfy you?—I did not understand it. It was so profuse and so overlaid that I did not understand the explanation.

14,737. (*Mr. Anstey.*) Well, you told him it was getting late, and so on?—I believe that as the conversation was carried on Mr. Vanderbyl more and more saw the desirability of some arrangement, and partly acquiesced; but on his doing so——

14,738. (*Mr. Coleridge.*) Partly acquiesced in what?—In consenting to a retirement.

14,739. To his own retirement?—To his own retirement; and Mr. Fennelly got up and said, "Oh "no, no, we must take time to consider; we will let "you know in the morning."

14,740. (*Mr. Anstey.*) And Mr. Vanderbyl stopped?—And Mr. Vanderbyl stopped, and we left.

14,741. Do you think if Mr. Fennelly had not risen and said, "Oh no, no, we must take time to consider, that Mr. Vanderbyl would have taken time to consider?"—Well, his manner, and what he said, which I cannot repeat, was so nearly approximating to a full consent that I think he would.

14,742. Then you left, but before you left did either Mr. Fennelly or Mr. Vanderbyl say, when you were making these objections on the score of his supposed moral delinquencies in financial matters, "Nonsense, what you want is money; you want us "to spend money, that is what you want," or something to that effect?—I ought to mention to you that no such words were used in my presence as were repeated here the day before yesterday as having fallen from Mr. Fennelly's lips, and the words are these, "It is all humbug to talk of the Lundy Granite Company, it is all a question of money." No such words were used in my presence in any such sense, and I do not believe that any such words were used in any sense. As far as I remember no such words were used in any sense.

14,743. Were any such words, to your knowledge, afterwards reported by the deputation, or any member of the deputation, when they returned to give an account of what had taken place?—Most certainly not.

14,744. Not even in private?—Not even in private.

14,745. (*Mr. Price.*) Then you have a sufficiently clear recollection of it, to be able to say that no such words were used?—I have tried to remember. I have puzzled myself to endeavour to remember if under any condition or form those words were used, and I cannot remember that they were used. I have not the slightest recollection under what circumstances they could have been used, for there was no conversation arising that could have led up to it.

14,746. (*Mr. Coleridge.*) Did Mr. Fennelly take an equal part in the conversation with Mr. Vanderbyl?—Not at the commencement, but at the latter portion of the interview he spoke much.

14,747. Did he seem very anxious that Mr. Vanderbyl should not retire?—I could not learn from either which way he inclined. He seemed prepared to hear all that we had to say. It was the first time I had ever seen Mr. Fennelly, the first interview I had ever had with him. He impressed me as being a very capable person, quite——

14,748. Quite able to take care of himself?—Quite able to take care of himself.

14,749. And then you went away?—And then we went away, and we returned the same way that we came.

14,750. (*Mr. Price.*) Are you quite sure nothing was said at that interview by you, or any of you, as to money, which could have called forth such a remark as that from Mr. Fennelly?—I do not think there was any remark made of that sort. If the remark was made by Mr. Fennelly it must have been made in connection with the professional men when that question was spoken of.

14,751. Exactly. That is what I wanted to draw your attention back to. When Mr. Vanderbyl complained of the expenditure into which he had been led by the lawyers on the former occasion, can you now say whether you can connect that in any way with any remark made by Mr. Vanderbyl as to the same being the object on the last election?—No, I cannot.

14,752. Were you under the impression then that it was represented yesterday before us that that conversation had taken place before you, and in the presence of the deputation? You say you heard with great surprise what had been said the day before yesterday to us, that Mr. Fennelly had made the remark, "This is all humbug, you want money;" and I gather from you that you understood the evidence as if it had been put that the conversation had taken place in your presence and in the presence of the others at the deputation. Now, my own impression is that it was not so at all, that the expression used by Mr. Fennelly, as deposed to by Mr. Cook, was at a subsequent meeting when you were not present, when the lawyers were there?—I did not understand it so. I understood Mr. Cook to speak of Mr. Fennelly's version of the view of the deputation when he came to my house.

14,753. I thought it was different, you can correct it if it is wrong?—I sat on that side of the hall (*pointing*), and I took a note of it, and no such observation was made.

14,754. We shall soon see what it was. If it is so stated and it is wrong you are at liberty to correct it. My impression is that Mr. Cook said it was afterwards, that it was said at a meeting of the lawyers at Mr. Barham's office?

(*Mr. Coleridge.*) That was my impression too.

(*The witness.*) I should like to have it referred to.

(*Mr. Anstey.*) Let us have the shorthand writer's note.

(*The witness.*) I do not recollect it; I pencilled it down immediately because it was a matter of such importance to me.

14,755. (*Mr. Coleridge.*) Let me see if I cannot refresh your memory just as far as this. When the deputation was leaving the room, and when you had got to the head of the stairs, did not Mr. Fennelly follow you and say, "It is all humbug about the Lundy Granite Company, it is money you want"?—Certainly not; I have no recollection of it.

14,756. Just as you were leaving the meeting?—I have no recollection of it.

(*Mr. Price, referring to the Bridgwater Mercury.*) Mr. Cook said that when you returned you reported that you had seen Mr. Vanderbyl, and likewise Mr. Fennelly, and that Mr. Vanderbyl saw no reason to alter his determination. Then afterwards there comes a conversation with Mr. Fennelly, in which he says: "You know that Mr. Barham has been to me and "made a proposition? I was not aware that he had "done so, but I did not either assent or dissent, and "Mr. Fennelly followed up the conversation by saying that Mr. Barham communicated to him the fact "that Mr. Lovibond had told him he was prepared "with 1,500*l.* on the part of Mr. Barclay's friends, if "Mr. James's friends were prepared with a like "amount. Mr. Fennelly asked me if this was honest "pressure, and was exceedingly bitter with regard to "the manner in which Mr. Vanderbyl had been "treated in the strong desire he entertained to fight "the election on pure principles. I said to him, If "Mr. Barham has made such a proposition as that it "will no doubt be carried out." Then the only other allusion I find in Mr. Cook's evidence to the meeting is this, "I regret very much to have to mention them."

(*Mr. Anstey.*) I have got the very passage in the shorthand writer's note. Perhaps it will be more convenient to read that.

(*Mr. Price.*) Very well.

14,757. (*Mr. Anstey.*) The passage is this: "As far "as I can remember it was after 12 o'clock when that "meeting broke up, I will not be positive of it. My "partner left perhaps a minute before me. I stayed "at the door in conversation with someone and "followed in about a minute, I should think, and on "reaching my house, which is a quarter of a mile from "Mr. Nicholls' on the Taunton Road, I was informed "that a friend of Mr. Vanderbyl's had been there to "inquire for me. *Q.* Who had informed you?—My "servant. This certainly must have been after 12 o'clock." Then he goes on to state what took place after 12 o'clock, and so on. Then in giving his account of that conversation between himself and Mr. Fennelly at his private house, he goes back to what had taken place at the meeting. "He told me of the deputa- "tion having waited on Mr. Vanderbyl. He had "taken a part in the discussion, and he certainly just "before the deputation were about to leave said to "them, 'Gentlemen, it is all humbug your talking "'about the Lundy Island Granite Company, you "'mean money.' *Q.* Who said this?—*A.* Mr. "Fennelly said this to me, and no reply was given "to that by the deputation either one way or the "other"?—Well, sir, I beg most distinctly to say that I heard no such words.

14,758. (*Mr. Coleridge.*) Or anything to that effect?—Nothing at all, carrying with it any such sense or meaning.

14,759. Anything suggestive of money at all?—Oh, I must tell you, not to us.

14,760. I mean to you?—Nothing.

14,761. (*Mr. Price.*) What does this mean? It seems that Mr. Lovibond said to Mr. Cook, after making his statement, "Then the last meeting was not without its influence," namely, that Mr. Vanderbyl had screwed up his courage to spend money. "He "alluded unquestionably to the meeting at Mr. "Nicholls'"?—I can only answer for myself. I cannot in any way be responsible for other men's intentions or faults, or whatever was in Mr. Lovibond's mind or in Mr. Cook's mind.

14,762. (*Mr. Coleridge.*) There were four of you. Were you one of the first to leave the room when the deputation went away?—Yes, to the best of my recollection. I could not say.

14,763. Might not this have been said at the tail end of the deputation without your hearing it?—I do not think so.

14,764. (*Mr. Anstey.*) Supposing you had got out into the passage, and Mr. Fennelly had said to Mr. Wilton, "It is all humbug, you want money," or something of that sort, or "What you want to know is, whether Mr. Vanderbyl intends to bribe as he did at the last election," must you have heard it?—I cannot say that anything of the kind was not said, but I did not hear it.

14,765. I understood you to say, in answer to my friend Mr. Coleridge's question a little while ago, that there was something said about money at that meeting?—In the manner I have previously represented, that Mr. Vanderbyl spoke of his past expenditure, and he also——

14,766. No; of the money to be expended at that election?—He said he had had interviews with the lawyers with regard to the money, and they were anxious to fight.

14,767. (*Mr. Anstey.*) That you did not tell us. Go on, and tell us about it?—He told us that they had had a meeting at one of the offices, I do not think he named which, in which the question of expenditure was discussed, and that he had refused to spend a farthing, and he gave his reasons; he said that he had consulted with his friends in London, and they strongly objected to his doing so.

14,768. (*Mr. Coleridge.*) What else?—And that the lawyers, that is the impression on my mind, that the lawyers were uncomfortable with him on that account.

(*Mr. Price.*) You had better tell us what Mr. Vanderbyl said, because it is quite clear that this is most important.

(*Mr. Anstey.*) This is the most important part of all you have yet told us.

14,769. (*Mr. Price.*) Be careful, and do not hurry yourself, but do let us have this, because it is very unpleasant to be obliged, as it were, to drag it from you. Do tell us what Mr. Vanderbyl said had passed between him and the lawyers. Try and recollect, because it is of vast importance?—I cannot repeat the conversation; I can only say it was the impression on my own mind.

14,770. (*Mr. Price.*) The impression on your mind was, that the lawyers had put the screw upon Mr. Vanderbyl to get him to spend money?—That was the impression on my mind. I do not know that he put it in those words.

14,771. That being your impression, do you think you are wrong in saying that Mr. Fennelly said nothing of the kind which has been deposed to, bearing in mind that what Mr. Vanderbyl had told you had conveyed the impression to your mind that the lawyers wanted him to spend money, and he was disinclined to spend money. Now try and recollect whether you are of the same clear opinion that Mr. Fennelly never said anything of the kind which has been deposed to before us?—He never said it to me. I cannot recollect anything of the kind being said. I have no recollection of it at all.

14,772. You will not undertake to say it was not said?—It is impossible for me to say. A thousand sentences were said. It is impossible in my recollection to say whether it was said or not.

14,773. Let me ask you this. I do not know whether you have already told us, before you went on this deputation had anything whatever been said to you, or in your presence, by any of the lawyers, as to the necessity of spending money if they meant to win the election for the two Liberal candidates?—No; but I must tell you that it was clearly and distinctly understood by every man, woman, and child, in Bridgwater that that was the only way of winning the contest, if there was a fight.

14,774. (*Mr. Anstey.*) Then, if it was clearly understood by every man, woman, and child, in Bridgwater that it was the only way of winning the contest, if there was a fight, to what am I to attribute the singular delicacy which prevented you, your friends, and the professional men who met you on that occasion, from alluding to that general understanding, from saying a word about it, you having met for the purpose of winning a contest in the event of a fight. How is it that you all, by common consent, avoided that subject?—I can only explain it simply in this way, that it was always thought a prudent course not to talk of it.

14,775. I will put it to you in another way. It being considered a prudent course to avoid that question of bribery, and it always being considered so, and being so considered then, was any allusion made, not to the Bridgwater election at all, but as to the chances of Messrs. Barclay and James winning a certain election for a certain place called "Taunton"?—No.

14,776. Existing in fiction only?—I heard no reference at all to Taunton, or the names of "Barclay" and "James."

14,777. Now I ask you this question distinctly—whatever your own opinions were, I think you have stated them—was there not a feeling on the part of some of that meeting, and so expressed then or afterwards, that although the Lundy Island scandal, and the National Bank scandal, were a very good pretence on which to ask Mr. Vanderbyl to retire, the real reason why it was considered expedient that he should retire was that he was going madly to rush into a contest, and at that time was not prepared to spend, as he had done before, the money necessary to ensure

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success?—I never heard of any reference to the Lundy Granite Company afterwards, to the best of my recollection.

14,778. Answer my question. Dropping altogether Lundy Island, taking your own language, I will take any language you please to put in my mouth. You have said that you went to him that night to represent to him that he was a tainted character, or something to that effect; that there were rumours in the town about the National Bank, or the Lundy Island Company, or whatever name you like to call it; that there were rumours affecting his character, with respect to his dealings on the Stock Exchange in the city of London, or something of that kind; was there not a feeling on your part, or if not on your part, on the part of some of your set, expressed either that day or afterwards, that it was a very convenient pretext to put forward, but the real reason was—that Mr. Vanderbyl was going madly and blindly into a contest for which he had not provided the necessary bribery funds to ensure success, as he had done in the previous election?—Most certainly not. I never heard the expression from any man's lips.

14,779. Never to this hour?—Never to this hour.

14,780. And therefore the evidence of Mr. Barham, Mr. Cook, and of others upon that point must have taken you considerably by surprise?—Will you kindly refer to what they said?

14,781. I shall not waste the time of the court by reading the notes of other witnesses' evidence. I do not know that I should even read your own evidence over, after the way you have wasted the time of the court. But was it not your impression or the impression of anybody else, or has the evidence of Mr. Barham, Mr. Cook, and others on the point taken you by surprise?—I cannot answer for other people's impressions or their motives, and I am not responsible for them.

14,782. I am not asking you to be responsible for their impressions; but did the questions put to the witnesses, and their answers to those questions, take you by surprise?—Most certainly. I never heard of it before.

14,783. You say that this meeting, at which the deputation was selected to go to wait upon Mr. Vanderbyl, was called in consequence of a consultation which had taken place the night before between Mr. Sealy and Mr. Vanderbyl, that is, the Sunday night?—I was present at that meeting.

14,784. You have not told us of that. You were present at that meeting with Mr. Vanderbyl?—On the Sunday night was the deputation. On the Saturday night I was present. I was at Mr. Sealy's house and asked him that question.

(*Mr. Coleridge.*) Tell us what took place at Mr. Sealy's house?

14,785. (*Mr. Price.*) You should have begun with that?—I try to take it in order.

14,786. (*Mr. Coleridge.*) Mr. Sealy's meeting was before the deputation?—It was on the Saturday evening.

14,787. That would come first?—I attended that meeting and was on the platform, and was asked to go over to Mr. Sealy's house after it was over; I think there were about a dozen present. Mr. Sealy had received a communication from Mr. Fennelly which he read.

14,788. (*Mr. Price.*) What was that?—It was a copy of the resolution, I believe, passed by the National Bank relating to his retirement with Sir Joseph McKenna. This matter was taken up in the discussion, and it was generally felt that we had no position whatever to enter upon the question, to learn or ascertain its true merits; that we could not constitute ourselves in any way—I think I used those words: I said, "I do not see that we can constitute ourselves into a court of inquiry into this matter," and the nomination coming off on the Monday—I am speaking now of myself—the nomination coming off on the Monday, and the election on the Tuesday, that it was totally out of the question to urge him, or to press his retirement. As far as I can remember, I am not quite sure upon this point, there was no resolution come to, but it was a general feeling that such was the prudent and proper course to pursue. In justice to Mr. Vanderbyl I told them unless a searching and fair inquiry was made it was unfair to ask him to retire.

14,789. (*Mr. Anstey.*) This is on the Saturday night?—This is on the Saturday night.

14,790. And not on the Sunday. You were a prominent member of a deputation of four on the Sunday, asking him to retire on the very reason that you thought groundless on the Saturday night?—Pardon me, I did not take that view; I did not take the question of the Lundy Island Granite Company into consideration.

14,791. (*Mr. Price.*) Who was it mentioned it on the Sunday night?—Mr. Wilton; only with reference to his unpopularity with certain individuals in the town, and citing the case of Hammill's declining to nominate him on the Sunday morning, and Mr. Sully's declining to nominate him on the Sunday evening. It was only with reference to that. There was no question of the Lundy Granite Company taken up by us.

14,792. I understood that was the only argument you used?—Not at all.

14,793. What other argument did you use?—The argument that was used was the cause of the party; that if we withdrew one of our candidates, the probability would be that we should save the other seat; that the Conservatives would be most willing to accept one and one. I used that argument forcibly.

14,794. Did you suggest to him that he was the person who ought to retire in preference, because there was this report about his character?—Not directly.

14,795. It was urged upon him?—It was one of the reasons assigned.

14,796. Now I will just read to you Mr. Vanderbyl's own account of this, and ask you whether it is true or false?—I should be very glad to hear it.

14,797. "When the meeting" (in the Town Hall, that is the Saturday night, the public meeting) "was "over, Mr. Sealy, who had been entrusted with the "resolution and the letter from the bank by a Mr. "Fennelly, (who is a partner of Mr. Vanderbyl in a "second business carried on in London, and who had "been staying with Mr. Vanderbyl at Bridgwater for "a few days, Mr. Vanderbyl was in fact too ill after "his return from town to move about much, and "about whom more will be said by-and-by), asked a "few of the leaders of the Liberal party, and who "were present at the meeting, to meet at his Mr. "Sealy's house, to consider the resolution and letter "which had been placed in his hands. The docu-"ments were read, and a conclusion arrived at that "there was nothing which they need take any notice "of, and two or three persons were asked to call upon "Mr. Vanderbyl at the 'Globe' Hotel to state so, "which they did. The persons who attended were" who?—I really do not know.

14,798. Now not knowing who they were, do you confirm the rest of that statement, or do you contradict it upon oath?—Confirm what statement? As to what took place at that meeting?

14,799. Yes?—That is very much the same as I have stated.

14,800. It is very different to what you have stated. Do you contradict or confirm it?

(*Mr. Price.*) That you went to Mr. Vanderbyl, not, as you say, that you were not competent to form a judgment on Mr. Vanderbyl's conduct, but to state distinctly that having deliberated upon it, there was nothing in his conduct which rendered him ineligible.

14,801. (*Mr. Anstey.*) Or nothing which they need take any notice of?—My memory will not serve me as to what the message was that was delivered.

14,802. (*Mr. Price.*) It is different from what you say, namely, that you went to Mr. Sealy's meeting, and that you came to the conclusion that you were not competent to act as a court of inquiry, as it were,

upon Mr. Vanderbyl, and it was not discussed in any way whatever ?—All I can say is, I made use of those remarks, that I could not see that we could take the matter up, that we could not constitute ourselves a court of appeal for the purpose of the consideration of the thing.

14,803. Are you able to say that that did not take place, that a resolution was passed that you should wait upon Mr. Vanderbyl and tell him that there was nothing in his conduct that should render him ineligible for Bridgwater ?—I recollect no resolution which was come to, and really I am ignorant of what was the exact form of it, if there was a resolution.

14,804. Who were the gentlemen who went with the deputation to Mr. Vanderbyl to tell him that ?—That I cannot answer. I think I walked down the street as far as the "Globe," and stood at the entrance, but I did not go upstairs. I did not go up to Mr. Vanderbyl. I did not see him.

14,805. (*Mr. Anstey.*) If you went down with the others who went to Mr. Vanderbyl, you must distinctly recollect that you went down there to communicate to him the conclusion that was arrived at ?—I went.

(*Mr. Price.*) Or what did you understand you were going for ?

14,806. (*Mr. Anstey.*) What were you going to say just now ?—I went with them, but did not go upstairs.

14,807. Will you answer the question. When you went down with them, did you or not go with them to communicate the resolution which was arrived at ?—Most certainly.

14,808. What was the conclusion ?—I cannot remember what the conclusion was. I did not go upstairs. I was not upstairs.

14,809. (*Mr. Anstey.*) To refresh your memory, I will ask you this, was not the real reason of the meeting on Sunday night, which was confined to revoking the decision of the previous day, this circumstance, that to your knowledge, Mr. Vanderbyl having been whitewashed by the resolution of Saturday, had used that resolution for the purpose of promoting his coalition with Mr. Westropp, through the medium of Hennett and Spink, and that he was at the very moment when you were holding your meeting of 12 at one place, he was at that very moment in close communication with Mr. Fennelly and Mr. Westropp ?—I never knew anything of the sort, and I never knew or never heard of any active coalition on the part of Mr. Vanderbyl with the Conservatives, through Mr. Fennelly or Mr. Spink, until it was mentioned here yesterday.

14,810. You did not ?—I did not.

14,811. I will put it in another way, a more general way. Had you not heard some time that Saturday that Mr. Vanderbyl was trying a coalition of some kind with Mr. Westropp, the effect of which would be to return one Tory and Mr. Vanderbyl, and exclude Mr. Kinglake ?—I had not heard of any meeting at which it was spoken of as a thing very likely and probable to occur.

14,812. At what time on the Sunday was it spoken about ?—In the evening. It was one of the topics of conversation.

14,813. And was it not for the purpose of discussing that question that the meeting was held ?—It was not my view.

14,814. Was it not the object of others ?—I cannot tell. It was not the object of myself.

14,815. Will you really answer the question in a straightforward manner. Was it known before the meeting was held ?—No.

14,815*a*. What was known ?—Nothing was known.

14,816. Was the knowledge that it was "very probable," to use your own language, which I really do not comprehend, the knowledge that it was very probable that Mr. Vanderbyl and Mr. Westropp were going to coalesce, was that arrived at before the meeting of 12 which was held on that Sunday ?—I do not think it was arrived at at all.

14,817. Well, was it thought then ?—It was thought then at that meeting.

14,818. Before the meeting ?—No; it was not before the meeting.

14,819. On what did the meeting form their opinion that this step was a probable step, if they had not heard something about it before the meeting was held ?—I suppose some of the gentlemen who were present at that meeting, and who communicated with others and to me, must have been in possession of the information, otherwise it could not have been communicated.

14,820. And they must have been in possession of it before the meeting ?—Most certainly.

14,821. Then what is the use of this bandying backwards and forwards. When I speak of a meeting, I do not speak of a corporation or of yourself, I am asking you to answer me in reference to all the persons who were at it, if you can. I ask you again, so that it may be clearly understood. Had it not been before that meeting so held, esteemed, or thought, by some of the leaders of the Liberal party, or all of them in this town, that a coalition of the kind described, namely, between Mr. Vanderbyl and the Tories, to the prejudice of Mr. Kinglake, was a thing very likely to happen ?—Most certainly.

14,822. And was not one of the objects, if not the object, for which that meeting was held, to take into consideration the necessary steps to meet that danger ?—Most certainly. I wish to convey that.

14,823. You certainly have conveyed to me the contrary impression, and we have only arrived at your last answer after a very great deal of trouble and waste of time ?—I had no intention of deceiving you. I wished to convey that very thought.

14,824. (*Mr. Coleridge.*) Now, Mr. Nicholls, go on.—We left the "Globe," Mr. Wilton going to his own house, and Mr. Collins, myself, and Mr. Palmer returning to my house. Those who were there on our return were Mr. Lovibond, Mr. Symmons, Mr. Reed, and Mr. Cook; and we told them of our interview, and delivered to them the message that Mr. Vanderbyl would take time to consider of his retirement until the next morning, and that we were to see him at 10 o'clock.

14,825. (*Mr. Anstey.*) You did not tell us that, that Mr. Vanderbyl said he would take time to consider of his retirement. You said that Mr. Fennelly said that ?—Well, it was a joint arrangement between them.

14,826. (*Mr. Price.*) Mr. Vanderbyl at first, as I understood you to say, conveyed the impression to your mind that he was willing to yield to your suggestions, but Mr. Fennelly said, "Stop a bit, you had better take time to consider" ?—Just so.

14,827. Then Mr. Vanderbyl said nothing, and you went away ?—That is how it occurred.

14,828. Are you quite sure Mr. Vanderbyl did not adopt Mr. Fennelly's suggestion, and say he would take time to consider ?—The impression upon my mind was decidedly that he joined Mr. Fennelly in that view.

14,829. (*Mr. Anstey.*) You did not say so. You undertook to tell us all that Mr. Vanderbyl said at that meeting. Did Mr. Vanderbyl say anything more besides what you have already mentioned on the subject of the spending of money in illegal purposes at the last election ?—Not that I remember.

14,830. Or providing money; sending to London for money ?—Certainly not.

14,831. Or bringing somebody down with money ?—Certainly not.

14,832. Was anything said by him of that kind ?—Nothing.

14,833. Nor by Mr. Fennelly ?—Nothing.

14,834. When you got back to the meeting you delivered your message ?

(*Mr. Price.*) Before you get back to the meeting I want to ask you, do you remember Mr. Fennelly (he was standing up at the time) saying the word, "Be "honest, gentlemen. The true reason is that Mr.

FIFTEENTH DAY.

Mr. H. F. Nicholls.

8 Sept. 1869.

"Vanderbyl won't accede to the wishes of the solici-
"tors," or "of the lawyers."

(*Mr. Anstey.*) Or words to that effect.

14,835. (*Mr. Price.*) Or words to that effect. Those are remarkable words. Those are the very words, "Be honest, gentlemen. The true reason is that "Mr. Vanderbyl won't accede to the wishes of the "solicitors," or "of the lawyers."—Well, I think it is very possible that such words were used.

14,836. (*Mr. Anstey.*) Of course we know it is possible?—I cannot remember them, but I think it is very likely that such words were used; but I should say——

14,837. (*Mr. Price.*) Now then wait a moment. Did you yourself then say to Fennelly, "Are you a lawyer"?—I have not the slightest recollection of that.

14,838. (*Mr. Anstey.*) Did anybody say that?—I think someone asked him if he was a lawyer, but I am sure I did not say it. I think someone asked him.

(*Mr. Price.*) You know you wished to have it corrected, an impression that had gone forth from the evidence of Mr. Cook, that Mr. Fennelly had said at that meeting, in your presence, that the Lundy Island Granite Company was a pretext, and that the real reason was that he would not spend money, and you wished to be very particular to tell us that no such thing took place in your presence; and now I understand you to say that after you had urged all you could urge upon Mr. Vanderbyl, it is possible, and probable, that Mr. Fennelly did say, "Be honest, gentlemen. "The true reason is that Mr. Vanderbyl won't accede "to the wishes of the lawyers."

(*Mr. Anstey.*) You say also you distinctly recollect that somebody said to him, "Are you a lawyer"?

14,839. (*Mr. Price.*) Well now, Mr. Nicholls, would not you like to modify, in fairness to you would not you like to modify, the rather indignant denial which you gave early this morning, that anything was said at that interview as to its being a pretext, the question of the Lundy Island Granite Company, and that anything was said at all about the real reason being the want of money. Would you like to modify your recollection as to that, having said now that it is quite possible, you think, that something was said by Mr. Fennelly at that time like this: "Be honest, gentlemen; "the true reason is Mr. Vanderbyl won't accede to the "wishes of the lawyers," and that somebody did say —not yourself, but somebody—"Are you a lawyer?" Would you like now to modify your denial that that topic was discussed, the question of Mr. Vanderbyl's indisposition to spend money?—I can deny most distinctly that the deputation ever entered upon the question at all, and when it was raised, the question of the lawyers and the spending of money, we interrupted it. Mr. Fennelly spoke so continuously that I should not be safe in saying what he did not say. He said a great deal. He said everything in connexion with the lawyers it was possible to say.

14,840. (*Mr. Price.*) Pardon me. We understood you to say this morning that it was not true that when you were present anything was said by Mr. Fennelly to the effect that the real reason for wishing to get rid of Mr. Vanderbyl was his disinclination to spend money. I understood you to say that nothing of that kind took place in your presence?—I did not understand it in that sense.

(*Mr. Anstey.*) What could possibly be the meaning of the question, "Are you a lawyer," unless it had reference to something he had just been saying. What explanation can you give of that consistent with the truth of your first statement?

14,841. (*Mr. Price.*) Your first statement certainly conveyed to my mind the idea that nothing of the kind took place at that interview which could possibly show that Mr. Vanderbyl was under the impression that it was a question of money that was the bar and the impediment to his being a candidate, and not a question of character or of party or anything else. I understood you to say that nothing transpired at that interview which had that complexion at all. It was all a question of party, as you say, the benefit of the party. Now do you wish to retract or to do away with the impression upon my mind by stating that a great deal was said by Mr. Fennelly in this continuous observation of his, a great deal was said by him showing that Mr. Vanderbyl's friends thought the question of money was the real question?—Undoubtedly that was the impression on my mind.

(*Mr. Coleridge.*) That is just the contrary of ours.

(*Mr. Price.*) It is a new light upon the whole thing.

(*Witness.*) What I want to convey is that I do not remember those words which he used.

14,842. You were very anxious to deny it, and at first I was led away by your anxious denial. My learned colleague put it from the shorthand writer's notes of Mr. Cook's evidence, and put it as at the interview with Mr. Vanderbyl; and you wished it to go forth as a correction of that statement of Mr. Cook that the question of Mr. Vanderbyl's disinclination to spend money was never a question of conversation with you at all?—I had no desire to convey that feeling to you. It was in reference to the words of Mr. Cook.

(*Mr. Anstey.*) But you went further, Mr. Nicholls. When it was suggested to you, as a mode of explaining the discrepancy, that it might be, as was said, a parting or farewell shot hurled by Mr. Fennelly at the last member of the deputation as he went out of the door, you even went so far as to say that it did not occur for you did not hear it.

(*Mr. Price.*) What was put to you was this: could such an expression of opinion have been given as a parting shot, as the learned Commissioner calls it, by anyone leaving the room after you did, and you not have heard it, and you said distinctly you must have heard it, and nothing of the sort took place.

(*Mr. Anstey.*) Other questions were asked about that to show that you possibly might not have heard what took place.

(*Mr. Price.*) Now, then, let us have it quite clearly. I understand you to say that it is quite possible and probable, if not certain, that in the course of this conversation Mr. Fennelly did distinctly tax you gentlemen that the true reason was that Mr. Vanderbyl would not accede to the views of the lawyers on the question of money.

14,843. (*Mr. Anstey.*) And that he implied that you gentlemen were dishonest?—I cannot assent that he taxed us.

14,844. (*Mr. Price.*) You said, "It is quite possible"?—Did he say anything of this kind, because these are remarkable words, and very natural words, I think, to have been used by him?—I cannot remember. I think it is very possible he used such words, but I cannot remember.

(*Mr. Anstey.*) It is very "possible" that he told you something about the Duke of Wellington's death. We know all things are possible in this world except things that are absolutely impossible. This is not absolutely impossible. But you are asked the question, do you believe that such a thing took place, do you remember it?

14,845. (*Mr. Price.*) Carry back your recollection. I will ask you this, Mr. Nicholls, and I beg you to be careful before you answer. Now, you having stated as much as you have, have you any doubt on your own mind that something to that effect was said by Mr. Fennelly in your hearing?—The only answer I have is the answer that I made before, that I think it is very likely to have been said, but I do not remember the words.

(*Mr. Coleridge.*) Not the words, but the effect of them.

14,846. (*Mr. Price.*) Have you a doubt that Mr. Fennelly expressed himself to that effect in your hearing, and to you and the deputation there present, that the real reason why Mr. Vanderbyl was to be asked to resign was that he would not spend money in

accordance with the wishes of the lawyers?—No, I deny that most positively.

14,847. (*Mr. Anstey.*) Well, that he would not accede to the wishes of the lawyers. Which part do you deny?—That we put the question to him with a view to that.

14,848. (*Mr. Price.*) No, the question asked is this. Have you any doubt now, considering the way in which I have examined you about it, have you any doubt now that Mr. Fennelly said in your presence, and to you and the others who were the deputation there, something to that effect, that the true reason why you urged Mr. Vanderbyl or why he was to be urged to retire, was that he would not accede to the wishes of the lawyers. I won't say that he used the word "money" at all, but you knew what the wishes of the lawyers were?—I did not.

14,849. Have you any doubt that he said that, or words to that effect?—I do not think he said anything of the sort in connexion with our wish that he should retire. It was a separate thing altogether.

14,850. Did he say so at all?—I do not know.

14,851. Have you any recollection?—I think it is possible that he did. I have no recollection.

(*Mr. Coleridge.*) You said that he had been taken in and treated ill by the lawyers, that they had let him in for 3,000*l.*, and then wanted more. Was there anything then said by Mr. Fennelly about money being the object at that time, not your object, but the lawyer's object? You have told us that you know that took place.

14,852. (*Mr. Price.*) Mr. Nicholls, it is very painful to be obliged to say it to a gentleman in your position in this town, but I call your attention to the 7th section of the Act of Parliament relating to these commissions, to which I drew Mr. Lovibond's attention the other day, and there it is made imperative upon a witness, if he wishes to have a certificate, that he should answer the questions that are put to him, which we interpret to mean that he should give plain and specific answers to those questions. Now, let me ask you again, have you any recollection whether when you were urging upon Mr. Vanderbyl that the members of the deputation wished him to retire, Mr. Fennelly said in effect, *in effect*, "Be honest, gentlemen. The real reason is that "Mr. Vanderbyl won't accede to the wishes of the "lawyers?"—I have said before that I think it is very likely it was said.

14,853. Have you any doubt it was said?—Well, I will say that I have no doubt. I would gladly have said so if I could do it conscientiously.

14,854. You could not forget such a thing?—There was so much conversation. I wanted to remember the exact words.

14,855. Remember that this morning you wanted to correct a statement made by Mr. Cook, which was in effect that such a thing was said. Now you have no doubt that it was as he said?

14,856. (*Mr. Anstey.*) Were those words said by Mr. Fennelly after Mr. Vanderbyl had given utterance to the causes of complaint which he said he had against the lawyers, namely, that having let him in for 3,000*l.* extra above the 1,200*l.* before, or 3,000*l.* he had not bargained for, in bribing and corrupt expenditure, they wanted him now, they pressed him now, for a contribution of money for similar purposes, and that he would not accede to it. That you have stated now. I want to know whether, when Mr. Fennelly rose up, or was standing up, and made use of the expressions to the effect of which you have at length deposed, whether that was subsequent to Mr. Vanderbyl's having given utterance to that complaint. Was it after Mr. Vanderbyl had spoken about that or not?—I was going to explain that the whole of the remarks that Mr. Fennelly made were after the remarks that Mr. Vanderbyl made.

14,857. Then you can say?—After, if they were spoken at all.

14,858. Therefore you must have clearly understood that when Mr. Fennelly said "accede to the lawyers' wishes," he meant the lawyers' wishes as described by Mr. Vanderbyl in stating his grounds of complaint You must have understood him to refer to that?—Oh certainly. Whatever was said was in connexion with the complaint they made against the lawyers.

14,859. (*Mr. Price.*) Well, then, I ask you again, and I shall take the trouble to get the shorthand writer to refer to what you have said before, do yon wish to modify in any way the expression of denial which you gave us that anything of this kind took place in your presence, as to its being only a sham this reason which was alleged, and that the money question was the real question, because I understood your denial this morning to be as to the question of its being a pretext or a sham, and that the money, being the real question, was never mentioned at the interview. Do you mean us to understand that?—I do not understand that I ever led you to suppose that. What I wish clearly to be understood is this, that our object in going to that meeting was to endeavour to get Mr. Vanderbyl to retire. We had nothing whatever to do with any pressure to obtain money, I deny it most positively; but Mr. Fennelly and Mr. Vanderbyl brought up the question of the lawyers, and I told him at the very commencement that we did not want to know anything about the lawyers, but they continued to speak about them, and of course it was spoken in our presence.

14,860. (*Mr. Coleridge.*) That was spoken then?—It was.

14,861. Then you only want to deny that you went there for the purpose of which they spoke? They spoke of it, but you wish to convey to us that when you went there you had no idea of going about money?—Most certainly.

14,862. You do not deny in any way that that conversation took place incidentally when you were there?—The only thing I wish to deny was that those particular words were spoken.

14,863. (*Mr. Anstey.*) Before it passes out of your mind entirely, Mr. Nicholls, pursuing Mr. Fennelly's account given to Mr. Cook of this very important part of a conversation on Sunday night, I will ask you, is this true or is this untrue, to the best of your recollection, that no reply was given to that, namely, to Mr. Fennelly's words, "Gentlemen, it is all humbug," or, "Gentlemen, be honest," and so forth. Is it true or not that no reply was given to that by the deputation either one way or the other, but it was received in entire silence?—I do not remember the words being used.

14,864. You have already admitted that you did, or words to that effect?

(*Mr. Price.*) You have no doubt they were used, you say?

14,865. (*Mr. Anstey.*) Will you answer my question? Is this true or is this false that the deputation made no reply to the words which you have admitted in effect to have been said?—The deputation again and again replied that they did not wish to know anything of the lawyers or the lawyers' matters.

(*Mr. Price.*) Therefore some allusion must have been made again and again to the pressure of the lawyers upon Mr. Vanderbyl if you again and again said that.

14,866. (*Mr. Anstey.*) And you have already said that you have no doubt that the words read by my learned colleague the Chief Commissioner—those words or words like them—namely, "Be honest, "gentlemen; the real ground of complaint is that Mr. "Vanderbyl won't accede to the lawyers' wishes"—that those words were used, and in your presence and hearing. I want you now, without further evasion and in a straightforward way, to answer yes or no to this question: have you any doubt that Mr. Fennelly's further statement is also true, that no reply was given to those words by the deputation, either one way or the other, yes or no, have you any doubt about it?—I cannot answer further than I have already answered.

14,867. Then you have not answered a most material question?—I should be glad to do so.

FIFTEENTH DAY.

Mr. H. F. Nicholls.

8 Sept. 1869.

(*Mr. Anstey.*) Mr. Nicholls, you will understand that an answer which is not according to the tenor of the solemn oath which you have taken to tell "the truth, the whole truth, and nothing but the truth," is not an answer within the meaning of the Act of Parliament, and I wish now, as you tell me that you cannot answer farther than you have already answered (which is not at all). I wish now to record my opinion that you have not in this most material instance, not to speak of others, given answers within the meaning of the Act of Parliament, and are not, therefore, entitled, as far as I am concerned, to my humble signature to your certificate of indemnity without which it will not be complete. You understand the meaning of that?

14,868. (*Mr. Coleridge.*) Do you recollect any answer being given to some such expression?—I am anxious to tell you everything I know, and as far as I remember.

14,869. Well, go on and answer?—I should be most willing to do so.

14,870. (*Mr. Price.*) This is a very simple proposition. Did you leave that room, all of you gentlemen, at all with the idea conveyed to your minds that M Vanderbyl had been pressed upon by the lawyers to spend money?—I undoubtedly did.

14,871. How could that be conveyed except by something that had been said either by Mr. Vanderbyl or Mr. Fennelly?—Because he told us of the interviews which had been held with the professional men at the offices. We knew of it in that way.

(*Mr. Anstey.*) I hope every other member of this deputation will not take so long as yourself, or we shall not finish with it to-day.

14,872. (*Mr. Price.*) Well, go on with your story?—If I can throw any further light on this I shall be happy.

(*Mr. Anstey.*) Did you report this remarkable answer to the lawyers?

14,873. (*Mr. Price.*) Did you tell the lawyers when you got back, "The fact is that Mr. Vanderbyl is "under a strong impression that it is a question of "money, not a question of character"?—I think we told the professional men that Mr. Vanderbyl was very much in temper about their interviews with him which they had had at the offices. It was the first time we had ever heard anything of these meetings.

14,874. Who were the gentlemen present?—Mr. Cook, Mr. Reed, and Mr. Lovibond.

14,875. Mr. Barham was gone away?—Mr. Barham was not at the later meeting.

14,876. What did they say?—I do not remember any reply that was made. We told them that we had submitted the matter of retirement to Mr. Vanderbyl, and that Mr. Vanderbyl had consented to postpone the consideration until the morning, or rather that Mr. Fennelly had proposed it on Mr. Vanderbyl's behalf.

14,877. (*Mr. Anstey.*) What lawyers were present when you reported that?—There was Mr. Lovibond, Mr. Reed, and Mr. Cook. Mr. Symmons was there, and shortly afterwards, a few minutes after our return, Dr. Winterbotham and Mr. Mogg came in.

14,878. Mr. Mogg came in?—Yes.

14,879. Mr. Mogg told us to-day that he came there in the first place, and went away before the deputation returned?—He did go away, and I think he had his supper. He lives two doors but one from me, and he came back.

(*Mr. Price.*) He left us under the impression that he had nothing more to do with it.

14,880. (*Mr. Anstey.*) If your recollection is right he has again concealed a most material fact from the Commission. Are you quite sure, sir, speaking with due recollection, that you did not find Mr. Mogg there when you went back as one of the deputation to report what you had done?—He was not there.

14,881. Are you quite sure, speaking with the same recollection, that he did come back?—Certainly.

14,882. And stated that he had been to supper?—I do not know that he said anything about supper, but I assumed that he had.

14,883. Did he take any part in the conversation or discussion, or whatever it was, that ensued?—I think it is very likely, but I cannot remember.

14,884. Did you tell him or tell anybody what Mr. Fennelly had said over and over again, you know, to the effect that the real pinch or the real difficulty was Mr. Vanderbyl's determination not to spend money, not to accede to the lawyers' wishes?—I do not think we reported that.

14,885. Did you mention it to anybody there?—No, I think not.

14,886. Not one of them?—I do not think we did.

14,887. Then why did you not?—The question never came up to me in the way which——

14,888. Then if it is so utterly immaterial, as a Bridgwater man, why——?—I repeated everything which I could remember and which I thought it was important to mention.

14,889. Did you imagine that the question whether he should accede to the lawyers' wishes or not (the wishes which you have reported) was to stand over with the other question of retirement till the next morning?—We repeated the conversation.

14,890. Did you give them to understand that what Mr. Vanderbyl and Mr. Fennelly were to take till Monday morning to consider was not only the question whether he would retire, but whether if he did not retire he would accede to the lawyers' wishes, and that the whole was to stand over?—No, I did not understand that there was any question to stand over except the question of retirement.

14,891. Did anybody so state?—No, there was not the slightest allusion to it.

14,892. (*Mr. Price.*) Was there no suggestion given, nothing said whatever, when you got back, that Mr. Fennelly had continuously as you say, and very often, brought up the subject of money, and that you had very often deprecated discussing it, because you say whenever it was brought up you deprecated the discussion of the quarrel or difference between him and the lawyers. Did not you think it right to tell the lawyers when you got back that that was strongly the view which Mr. Vanderbyl took?—I spoke of the events as they occurred, as far as I thought they were important.

14,893. Did you tell them amongst other things that you had gathered from the interview that Mr. Vanderbyl was angry with them or indignant with them for the pressure they had put upon him with regard to the money? It was a very important matter?—I think I repeated the conversation with Mr. Vanderbyl, and that it had that bearing and meaning.

14,894. That is not an answer?—Then it is just a dullness on my part to understand your question, not an unwillingness to answer.

14,895. Then you did mention to the lawyers when you got back that Mr. Vanderbyl had expressed himself warmly as to the pressure put upon him?—I repeated some portion of the conversation.

14,896. (*Mr. Anstey.*) And that amongst the rest, that Mr. Vanderbyl felt warmly?—That was the conversation, that was the matter.

14,897. What did they say to that?—I do not think that any reply was made.

14,898. With regard to yourself and the deputation, first of all, at the interview with Mr. Vanderbyl, did you during the interview with Mr. Vanderbyl, when you declined to go into the question at all about the lawyers' wishes, that is, the wishes that he should spend money, you know, did anyone of you tell Mr. Vanderbyl, "Sir, we honour you for your determination, "and if you go to the poll we will support you on "purity principles." Did anyone of you say anything like that?—I do not think anything of the sort was said.

14,899. Did anyone of you when you got back (that is, the second occasion), when you got back to the meeting and met the lawyers, and told them that

very point had been raised by Mr. Vanderbyl; did anyone of you turn to the lawyers and say, "You "ought not to press Mr. Vanderbyl to spend money. "Let us go to the poll on purity principles"?—I do not think anything of the sort was said.

14,900. Then have you the smallest doubt, though you had not the courage or the audacity (whichever you like to call it) so to express it, have you the slightest doubt that the deputation generally, and yourself in particular, were quite prepared to accept Mr. Vanderbyl's determination to change his previous resolution, and to accede to the wishes of the lawyers by spending money in corrupting the voters at the poll, to accept it and submit to it if he chose to do it? Have you any doubt that you at that time were fully prepared to accept Mr. Vanderbyl's determination, supposing he were to form his determination between that and the next morning to spend money, as the lawyers wished him to do, in corrupting the voters?—As an alternative I admit that such a thing appeared possible, as an alternative; but we did not approach him with that view.

(*Mr. Price.*) Never mind what you approached him with. That is not part of the question?

(*Mr. Anstey.*) Then that will be the meaning of Mr. Lovibond's exclamation the next day, "Then the meeting of last night had its effect?"

(*Mr. Price.*) "That meeting of last night was not without its influence."

14,901. (*Mr. Anstey.*) Is that so?—I should think it was. I want to convey to you all I know in the simplest way I can.

14,902. (*Mr. Price.*) I am going to ask you a question, and therefore you will have an opportunity of stating all you know. Did you leave that room, and come away from Mr. Vanderbyl impressed with the notion that Mr. Vanderbyl did not want to spend money at the election?—Most certainly.

14,903. That he did not want to spend money?—It was so stated by him.

14,904. And you left the room with that impression?—It was so stated by him.

14,905. Did you leave the room with the impression that Mr. Vanderbyl objected to spend money?—Oh yes, certainly.

14,906. Now then, that being so, and you, I suppose, are anxious to have elections conducted on pure principles in Bridgwater?—Previous to this election I had always urged and pressed it.

14,907. Then having left Mr. Vanderbyl's presence impressed with the idea that he wanted a pure election, and you being a man desirous of seeing Bridgwater contested on pure principles, why did not you say to the lawyers when you got back, "Gentlemen, it is no "use attempting to squeeze Mr. Vanderbyl to get "money. Let us fight it out as a pure election?"—Well, I did wrong; I admit that I did wrong.

(*Mr. Anstey.*) And you have admitted already that you were prepared to accept that determination to spend money as an alternative rather than sustain defeat. That is what you mean by an alternative?

14,908. (*Mr. Price.*) Rather than be beaten?—What I meant by an alternative was, that if he did not retire there was no possibility of his contending for the election unless some arrangement was made such as the lawyers considered necessary.

14,909. And money be spent?—And money be spent.

14,910. (*Mr. Anstey.*) You were ready to accept that alternative if he did not retire?—I was not willing.

14,911. I say "ready"?—I was not ready.

14,912. You have said already you were ready?

14,913. (*Mr. Coleridge.*) Did you acquiesce in it?—I did not acquiesce in it.

14,914. (*Mr. Price.*) Why did not you express it at the meeting? Here you were, a body of gentlemen wishing to get the borough purified, wishing to get rid of the thraldom of the lawyers. Why did you not when you came back again say, "We will not "admit such an alternative as that of spending money. "Mr. Vanderbyl does not wish it, and we call upon "you to abandon the idea"?—There is no doubt that that is the course we ought to have pursued.

14,915. Did any one of you twelve pure gentlemen suggest——?—There were not twelve then; there were only four.

14,916. Well, did any one of you four gentlemen who, I suppose, were all actuated by the same desire to get rid of bribery, did any one of you say that to the lawyers when you got back?—No. I have replied that there was no such remark made.

14,917. (*Mr. Anstey.*) You have also replied you were prepared to accept the determination of Mr. Vanderbyl to spend money, supposing he made that determination by the morning. You said distinctly to me, as will appear by the shorthand writer's notes if you deny it, that you were so prepared as an alternative?—Yes.

14,918. One minute ago you said you were not prepared. You go on contradicting yourself at every stage?—I am not aware of it. I am trying to speak to the best of my mind.

14,919. (*Mr. Price.*) Can there even be any chance of a pure election under such circumstances as those you have detailed? You see, four gentlemen go as a deputation to argue the matter with a candidate as to his retiring, and so get rid of a contest; the candidate expresses his desire to fight the contest without expending money, and yet those gentlemen do not intimate that to the lawyers who control the money expenditure. Can there be any hope for Bridgwater that any election can ever be conducted on pure principles? Whenever you do get a candidate who objects to spend money it is the same thing?—I had stood up for it so many times before without success that——

14,920. Then can there be any hope that such a thing can ever happen as a pure election in Bridgwater when gentlemen in your position knock under to the lawyers?—There is no doubt that there is a certain amount of moral cowardice in Bridgwater, and if they had been manful and honest this would never have come about.

14,921. (*Mr. Anstey.*) Is there any doubt at all that there is a very infinitesimal amount of moral courage in Bridgwater?—I could narrate circumstances in connexion with these elections to show I have made efforts for the purpose of rectifying this.

14,922. (*Mr. Price.*) Is the ascendancy in a party point of view worth purchasing at such a sacrifice?—Most certainly not; and I am exceedingly vexed that I ever was found in the disgraceful and offensive position in which I have found myself as the result of that meeting; for when I entered it I had not the slightest intention of doing other than simply asking for his retirement. The best proof of that is, that the very first gentleman I asked to meet us was Mr. Francis Thompson, the last person in Bridgwater that I should have consulted.

14,923. As you have mentioned the name of Mr. Thompson, I will ask did he withdraw from all co-operation with the Liberal party on account of what took place on that day?—I am not aware he did. I believe he voted.

14,924. That is not co-operation?—I do not think he has taken any active part in the elections since the election of Mr. Bagehot.

14,925. He never expressed to you his disgust at the way in which you and others who professed to stand up for purity of election, and who signed that petition—you were one of them, I think?—No, I was not.

14,926. Well, those who signed the petition of 1866, had themselves gone deeply into corrupt practices at this election. Has he ever expressed his disgust at that?—He has not. Will you allow me to explain in connexion with Mr. Bagehot's election——

(*Mr. Price.*) We will come to Mr. Bagehot's election afterwards.

(*Witness.*) Then may I go on with this matter and finish it?

FIFTEENTH DAY.

Mr. H. F. Nicholls.

8 Sept. 1869.

14,927. I think you stated that it has become a matter of discussion that Mr. Hammill would not propose Mr. Vanderbyl?—It was stated that evening at that meeting.

14,928. Did you know Mr. Hammill's reason for not proposing him?—I did not.

14,929. (*Mr. Anstey.*) Did you know Mr. Sully's reason?—I think that Mr. Sully rather followed in the wake in consequence of Mr. Hammill's declining. He did not see why he should step into a gap which was not a very respectable one. That is just my own impression.

14,930. Then I will ask you, did anybody object to propose or second (no matter which) Mr. Vanderbyl besides Mr. Hammill and Mr. Sully?—I was not aware until I heard it yesterday, when Mr. Cook stated it, that he had invited Mr. Collins, until I heard yesterday from Mr. Cook's lips that he had asked Mr. Wilton and Mr. Collins.

14,931. Did any one of the persons who objected to propose or objected to second Mr. Vanderbyl ever state as his reason for so objecting that Mr. Vanderbyl was going to bribe?—I never heard Mr. Sully say so. I have never had any conversation with Mr. Hammill, and until yesterday I did not know that Mr. Wilton or Mr. Collins had been asked.

14,932. Did they either of them object to him on the ground of his alleged delinquencies in the National Bank and Lundy Island Granite Company matter?—I think that that was a very strong reason with Mr. Sully.

14,933. But not with Mr. Hammill?—I cannot tell. I have had no conversation with Mr. Hammill on the subject. It was reported that Mr. Hammill's reasons were the revelations that were made at the trial.

14,934. Were Mr. Hammill and Mr. Sully, or either one of them, present at a meeting on the Saturday where that very question was raised, and the conclusion come to which I read to you from Mr. Vanderbyl's brief, according to which Mr. Vanderbyl was cleared?—Mr. Hammill was not.

14,935. Was Mr. Sully there?—I think Mr. Sully was there.

14,936. And yet Mr. Sully stated that as his objection to propose or second Mr. Vanderbyl on the following Monday morning, not more than 36 hours afterwards?—I cannot remember any words Mr. Sully used. It is only an impression on my own mind.

14,937. If this was so, have you any doubt, Mr. Sully having concurred in the conclusion on Saturday night, and then having made that an objection to his proposing Mr. Vanderbyl on the Monday morning, that that could not have been his real reason?—I think he objected on Sunday night.

14,938. Well then, still more, do you suppose, having regard to the fact that you and the rest of you on Saturday night whitewashed Mr. Vanderbyl, and on the Sunday night raised the same imputation against him without any further evidence, that that was so done for some other reason than that which you were pleased to avow on the occasion, you and Mr. Sully?—Will you allow me just to explain that?

14,939. Was that so or not?—I did not follow your question.

14,940. Then I wish you would follow it. First of all Mr. Sully concurred in the conclusion come to on Saturday night, after having heard everything that had to be offered at that time, that the imputation against Mr. Vanderbyl was one not worth inquiring into, and there was no reason why he should not stand. On the following night, according to you, he raised that very imputation himself as something which ought to be inquired into, and a reason, without further evidence, why Mr. Vanderbyl should retire, or as a reason why he should not propose or second Mr. Vanderbyl. Have you any doubt that Mr. Sully must have had some unavowed reason for taking that course?—Will you allow me——

14,941. No, I wont. Answer my question. Have you any doubt about it? You can explain afterwards?—I cannot give you an opinion.

14,942. Well, it speaks for itself?—It appeared that Mr. Vanderbyl with Mr. Fennelly saw Mr. Hammill (at least I only speak of it from the report) on the Sunday morning with regard to Mr. Vanderbyl's nomination, Mr. Hammill declining; and as they came up the bank of the river from Mr. Hammill's they then saw Mr. Sully, and I believe Mr. Sully then assented; and it was a fact that this declining on the part of Mr. Hammill influenced Mr. Sully, I think, to a very considerable extent to decline to nominate.

14,943. (*Mr. Coleridge.*) Was the objection to Mr. Vanderbyl on the ground of the Lundy Island Granite Company, that he had done something that was disgraceful about rigging the market, or something of that sort? Was that so, yes or no? Was that the imputation against him?—It was an imputation against him.

14,944. Then if that was the imputation against him you thought he was not of sufficient purity to represent the borough of Bridgwater. Was that so?—He was not the most acceptable candidate.

14,945. Then the borough of Bridgwater required an exceptionally pure candidate to represent it, was that it? Did you require a better man here on account of the character of the place than had been required elsewhere?—I can hardly answer that question.

14,946. Was that so? Mr. Vanderbyl had stood at Yarmouth?—Of course that is the inference.

14,947. (*Mr. Anstey.*) The night before, when you whitewashed Mr. Vanderbyl from every charge to which my learned colleague has just referred) the meeting after the town hall meeting), did you then know, you personally, that Mr. Vanderbyl had determined not to bribe?—No, I did not.

14,948. But on the following night, when you did not whitewash him, you knew he was determined not to bribe?—It was spoken of at the meeting.

14,949. It will be for you to say whether there is any connexion between those two facts, that when you whitewashed him you did not know that he would refuse to bribe, but when you did not whitewash him, less than 24 hours afterwards, you did know it; is there?—There is no connexion as far as I know.

14,950. (*Mr. Coleridge.*) You said that it was better that Mr. Vanderbyl should do what the lawyers recommended as an alternative. You made use of that expression. Did you mean by that that if he would not withdraw altogether he must, if he was to have any chance of coming in, spend money? Is that what you mean by the alternative?—I did, most decidedly.

(*Mr. Anstey.*) He said so just now.

(*Mr. Price.*) That is the reason that I put to him whether there could ever be any hope of a pure election in Bridgwater while gentlemen like these were prepared, rather than be beaten politically, to accept the alternative of profligate bribery. That is the reason why I put it to him, could there even be any hope while there was such a want of moral courage about the place.

(*Witness.*) I do not wish to accuse others, but I am just in the posilion of many others in the town.

14,951. There is a want of moral courage in Bridgwater to stand up against the pressure of bribery?—Most certainly.

14,952. Therefore, all the Liberal party can do is to knock under to the lawyers?—I will explain to you that at the previous election an attempt was made to rectify this very thing.

14,953. (*Mr. Anstey.*) Is that all that took place that night?—As far as I can remember I have told you everything as truthfully as I can.

14,954. When did you learn that Mr. Vanderbyl had improved the night that you granted to him, so improved it as to come to the conclusion of acceding to the lawyers' wishes, and spending 1,500*l.* in bribery?—I never knew of any arrangement, but the next morning, while I was at breakfast, I saw Messrs. Reed

and Cook coming into my house. I got up from the table and went to the door, and Mr. Cook said, "You "need not see Mr. Vanderbyl; I have seen him."

14,955. (*Mr. Coleridge.*) Did he tell you Mr. Fennelly was going to town?—I must tell you exactly——

14,956. (*Mr. Anstey.*) Wait one moment, please, before you come to that. There is something that you have omitted on the night before. I asked you whether there was anything else that happened, and you said you did not remember. Now, it is perfectly clear from what Mr. Cook said that Mr. Vanderbyl was to communicate with you the next day?—I was to see him the next morning. I think I stated that. Mr. Reed, who was with him, just as he was passing away, used those words, "It is all right."

14,957. (*Mr. Coleridge.*) You knew what that meant?—I suspected.

14,958. Did you suspect that it meant that Mr. Vanderbyl would retire, or that it meant Mr. Vanderbyl would spend money?—I suspected that it meant that Mr. Vanderbyl would spend money.

(*Mr. Price.*) Well, really, Mr. Nicholls!

14,959. (*Mr. Anstey.*) Then there is something more you have not told us?—I have told you everything I know. I did not even open my mouth to that, and I had nothing more to do with that day's business, except, I believe, in the morning Mr. Cook came to me, which he forgot to mention yesterday (I have no doubt he forgot it), and asked me if I would nominate Mr. Vanderbyl, and I said I would rather not.

14,960. Why did you not do it?—I did not nominate Mr. Vanderbyl simply because I am not accustomed to public speaking, and I declined it.

14,961. Why did you not second him, which would require no speech?—I am not accustomed to coming before the public, and I declined it.

14,962. Did you give any advice to Mr. Cook or any of the lawyers, or furnish any information touching the disposal of that money?—I knew of no money.

14,963. Well, then, touching the best mode of dealing with voters who were dangerous, and who you were afraid would be bought up by the Conservatives?—I knew nothing about it.

14,964. Did you poll early, or did you not?—I am not quite sure. I think it was about 12 or 1 o'clock. I think about 12 o'clock, nearly.

14,965. Was the tide running against the Liberals or against the Conservatives then?—I think the Conservatives had a majority at the poll at the time I polled.

14,966. Then it was running against the Liberals?—Yes.

14,967. And increasing, was it?—No, I think not. Almost at that time there was very nearly a stand still. There was very little polling in the middle of the day.

14,968. (*Mr. Price.*) When you left the lawyers, the last thing on the Sunday night, you left without anything being resolved upon except merely you were to see Mr. Vanderbyl in the morning?—That was so.

14,969. That was really the conclusion to which you came?—Yes, it was; Mr. Wilton and I and Mr. Collins.

14,970. It stood in that way; that Mr. Vanderbyl was to announce to you in the morning his determination whether he would stand or not?—He was.

14,971. That was the result of this last interview you had on the Sunday night?—It was.

14,972. If so, how can you account for Mr. Reed saying, if there had not been any discussion about money, and the disinclination to spend money, how can you account for his saying to you "It is all right"?—Well, Mr. Reed frequently speaks very readily, and I was very much surprised at his want of discretion in using those words.

14,973. (*Mr. Coleridge.*) By "readily" you mean indiscreetly, don't you?—Well, he speaks hastily, and I thought it very great folly on his part to blurt it out. I thought if he knew anything he had better keep it to himself.

14,974. (*Mr. Anstey.*) All that he said was, "All right." Unless there is something which you have carefully and deliberately concealed from us about money which took place on the previous night the words would have conveyed the most innocent meaning to your mind?—I have not the least hesitation in saying that—I won't say the professional men as a body, but some of them—were desirous——

14,975. That is not the question. I am not asking you what they knew or what they desired, but I am endeavouring to obtain from you, by warning and interrogation and everything I can, the revelation of something not yet revealed by you. There must have been some secret of the night before to which those apparently innocent words of Mr. Reed, "It is all right," were the key, and which in its turn would be the key to the meaning of those apparently innocent but really guilty words, because they were so guilty that you blamed him in your heart for his indiscretion in blurting them out. Now, what is it that you have concealed from us?—Well, I have stated just now there was not the slightest doubt in my mind about the alternative proposition.

14,976. (*Mr. Price.*) Was it discussed?—No.

14,977. Then all I say is, what a marvellous thing if it was not before you left deliberately discussed, that Mr. Reed the next morning should take the trouble to say to you, "All right."

14,978. (*Mr. Anstey.*) I will put it to you in another way. Out of your own mouth you have betrayed yourself. You say it was arranged that you were on the following day at 10 o'clock to receive Mr. Vanderbyl's ultimatum; that is, his final determination on the matter proposed to him. Is that so?—Yes, it was.

14,979. Hitherto, you have told us that the only matter proposed to him was that he should retire, and retire because of his unpopularity among certain persons, who thought rigging the market was a disgraceful thing?—And in connexion with the certainty of our losing the contest provided we went to the poll with two candidates. The only way in which we could by any possibility save one of the seats was by the retirement of one of the candidates.

14,980. (*Mr. Price.*) Or by the alternative?—Yes.

14,981. (*Mr. Anstey.*) Do I understand you now at length to tell us what we have been so long endeavouring to obtain? When you left him on the previous night it was understood between you that the matter on which he was to deliberate during the night was, "First of all, shall I retire; and secondly, if I do not "retire, shall I accede to the lawyers wishes and "spend the money, the only alternative in order to "obtain success?"—No doubt that was apparent to his mind.

14,982. (*Mr. Price.*) Apparent to yours?—No.

14,983. (*Mr. Anstey.*) Was that the decision that he was to communicate to you?—No, it was not.

14,984. Then if it was not, how do you account for this, that when in the morning Mr. Reed or Mr. Cook came to you and told you, not "Mr. Vanderbyl is going to retire," but "Mr. Vanderbyl is going to bribe," for that is what he told you, though not in words, you at once agreed and saw it was unnecessary to go and see him at 10 o clock?—That is quite so.

14,985. Then you must have known that is one of the points on which Mr. Vanderbyl was going to communicate with you, you must have known that was one of the points on which he was going to accede to the lawyers' wishes?—It never entered my mind.

14,986. Then how do you account for your ready acquiescence in Mr. Cook's suggestion that you need not go to Mr. Vanderbyl, and Mr. Reed adding in words which to your mind conveyed bribery, "It is all right," you at once acquiesced, and did not go down to Mr. Vanderbyl to learn his decision?—(*No answer.*

14,987. How do you account for that?—There is no doubt I had the idea in my mind that that thing was possible.

14,988. (*Mr. Coleridge.*) You knew it?—No.

FIFTEENTH DAY.

Mr. H. F. Nicholls.

8 Sept. 1869.

14,989. (*Mr. Price.*) Mr. Vanderbyl was going to consider it during the night?—Not the question of bribery.

14,990. Do you mean to say that it never entered your mind that Mr. Vanderbyl or Mr. Fennelly having said something of the kind I have read to you about the real objection being that he would not acquiesce in the suggestion of the lawyers, and you having admitted that something to that effect was said—do you mean to say Mr. Vanderbyl was not going to reconsider his determination as to fighting the question on pure principles.

14,991. (*Mr. Coleridge.*) The alternative?—If you wish me to use another term I say I think there is no doubt Mr. Vanderbyl looked at it as an alternative, and I looked at it as an alternative.

14,992. Spending money?—Spending money.

14,993. (*Mr. Anstey.*) You expected to receive his decision about it in the morning?—No.

14,994. (*Mr. Coleridge.*) What then? You were going at 10 o'clock?—I was going at 10 to know whether he would resign. I do not think Mr. Vanderbyl would have told us he was going to spend money.

14,995. (*Mr. Anstey.*) Supposing he had said, "I am not going to retire," and told you nothing more, what would you have said to him?—Then in all probability he had made an arrangement with the professional men.

14,996. Then all this is just hypocrisy; all this concealment from the real business in hand is what Mr. Fennelly described to you as "real humbug and sham, and the reverse of honesty in you, gentlemen," as he expressed it. Is not that so?—No.

14,997. (*Mr. Price.*) You cannot see it in that light?—I do not. I found after we had got into it there was all this about it, and I regretted very much the position I was in.

14,998. (*Mr. Coleridge.*) Having all you have told us in your mind, when Mr. Reed said to you in the morning it is all right, did you not, by a sort of freemasonry of corruption, know that that meant bribery?—I did.

14,999. You knew it; you said just now you only imagined it.

15,000. (*Mr. Anstey.*) Having done that, what earthly scruple could you have had to strengthen the hands of your associates in the work of bribery by giving them all the information in your power as to the best and most economical mode of buying up the "cattle" that would be in the market on the following day? You said just now that you never did such a thing. What earthly scruple could you have had?—(*No answer.*)

15,001. (*Mr. Price.*) From that moment I suppose you had no doubt that money was going to be spent in bribery?—I had no doubt.

15,002. Then you still acted with the party taking an active part, or did you stand aloof?—No, I went on the hustings.

15,003. And stood by your candidate and hurrahed, I suppose, and held up your hand for him, which was voting for him at the nomination; and did you from that moment ever hint to any of the gentlemen acting that you objected to the course that was being taken, or that you should yourself withdraw as you say Mr. Thompson did? Did Mr. Thompson go to the hustings?—I do not think he did.

15,004. Then I want to know, if you had no doubt in your own mind that bribery was to be the only thing the next day, and you desired to keep your hands clean, and your conscience clean, why you did not say, "I will have no more to do with this transaction. I will "give my vote and that is all"?—I admit that evening that I was dragged into it without my knowledge; if the question had been raised at the commencement of the evening whether I would go and see Mr. Vanderbyl with the idea of pressing him to spend money, I would never have gone near the place. I had not the slightest idea at the time, and the best proof is the very gentlemen I asked to join me.

15,005. Is there any difference when the thing is countenanced by gentlemen like yourself in a moral point of view between the conduct you pursued and the conduct of Bussell and others who distributed the money? is there any difference that you can see on looking back on it?—No, there is no doubt that we are all equally at fault and equally criminal. I admit it.

15,006. (*Mr. Anstey.*) Then perhaps you will tell me that during the following day, being now in for it, did you give any advice or any assistance in any way as to the disposal of Mr. Kinglake's or Mr. Vanderbyl's bribe fund?—No.

15,007. Why not? You had been hurrahing at the husting where the Bribery Act was read, I suppose, was not it?

15,008. (*Mr. Coleridge.*) Or perhaps they do not read the Bribery Act at Bridgwater hustings, do they?—I think they do.

15,009. (*Mr. Anstey.*) Were you compromising with your conscience in saying, "Though I will employ another briber I will not bribe myself"?—I do not say I was compromising with my conscience, it is not one of those sort of things that one would like to appear in.

15,010. I do not think you did, if you ask me. Who were the persons you say dragged you in; I suppose it is the old story of "The woman tempted me, and I did eat;" is not it? Who are the persons who tempted you?—I do not blame anybody. If there is any blame due it is to me for having invited those gentlemen to join me at that meeting.

15,011. Speaking for myself, we have not found you a very tractable or docile person. If not already predisposed to it, it must have taken a great deal of pressing, quite equal to that of to-day, if your statement is true, and you had such a strong objection, before you were led into it. Now, who were the persons who pressed you?—No one.

15,012. Are you a native of Bridgwater?—Yes.

15,013. And I suppose you imbibed it with your mother's milk?—No, I never had to do with elections previously.

15,014. Is this the first one?—Except that I endeavoured to check and prevent it.

15,015. Are you one of the justices of this borough?—Yes.

15,016. How long have you been so?—I think since 1865.

15,017. Since the election petition?—Some four or five years.

15,018. Are you an alderman?—Yes.

15,019. Have you been mayor?—No.

15,020. I suppose this revelation will not in the least degree militate against your prospects of election to the mayoralty?—I do not desire the office.

15,021. (*Mr. Coleridge.*) Have you passed it?—No, I have not.

15,022. What did Mr. Mogg say when he came back the last time?—I think you asked me before, and I do not remember his saying anything, only he was present.

15,023. And heard all that had taken place?—He heard what was spoken, but I am not quite certain whether the conversation was repeated when he and Mr. Winterbotham came in, which was repeated on our return in the first instance.

(*Mr. Mogg.*) Will you have the kindness to ask whether I was present when he returned?

(*Mr. Coleridge.*) No, he said you were not, and you came in afterwards.

(*The witness.*) You came in with Mr. Winterbotham about 10 minutes after.

15,024. I believe in this borough the rule about cockades, and ribands, and that kind of thing is entirely disregarded?—I think so.

15,025. And when the Liberal party want colours they buy them of you?—I believe they have had colours at our place at times.

15,026. What was the amount last time ?—I was told on Friday night. I have been away from home for the last fortnight, but I do not think there was a penny on the last election.

15,027. In 1866 ?—I believe there was a bill then for some colors, and I believe it is 12*l.*

15,028. Anything in the other election of 1866 ?—I was not aware of that bill until Friday night.

15,029. In 1866, Mr. Bagehot's election ?—I cannot answer until I refer to the books.

15,030. Have not colours been had at your shop at every election since you have been in the trade at election times ?—No, at one election I heard that a large bill was sent in for colours, and directly I heard it I gave instructions on no account to allow another penny to be entered to an election committee.

15,031. How much was it ?—I heard there was a large bill of 60*l.* went in from one of the drapers.

15,032. Not from yourself ?—Not from myself, and immediately gave instructions on no account to let another penny be entered to an election committee.

15,033. (*Mr. Price.*) When did you give those instructions ?—I should think it was the last election ; I am not quite sure.

15,034. Had you ever had a bill of your own outstanding from one election to another ?—I believe there was ; I did not know it until Friday night. I do now from the statement which my brother has made to me of which I was not aware that those colours were furnished in our shop to an order, I believe, of Benjamin Lovibond's clerk, and they were furnished without my knowledge.

15,035. (*Mr. Coleridge.*) Was that Foster ?—Fletcher I think.

15,036. Who would be the person to enter the thing in the books ?—We have a clerk.

15,037. Who would he receive instructions from as to how they should be entered in your book if ordered by a clerk of Lovibond's ? Would he enter them to the debit of the candidates ?—I have not the least idea how they are entered.

15,038. There is a bill of '65 election committee, Kinglake and Shelley, debtors to Nicholls and Co., 12*l.* 12*s.* 1*d.* for flags, ribbons, cambric, and silk handkerchiefs, and that is not settled apparently until September 28th, 1866, which would be after the date of Vanderbyl's election ; how do you account for that ?—I cannot explain it ; I have never seen the bill before.

15,039. Here it is (*handing it to the witness*). The goods are ordered and debited to Shelley and Kinglake in 1865, and the bill is not paid until after Vanderbyl's election, and no doubt by his money, in 1866 ?—I did not know anything of it.

15,040. Who would be responsible for allowing an account of that kind to be debited, in the first place, and to remain unpaid. There is interest chargeable on your bill after six months' credit ; you do not seem to have charged interest upon it, though it was not paid uutil more than a year after ?—In our large business we have some hundreds of accounts, it would pass through the hands of our clerks.

15,041. In 1866 there is an account of 2*l.* 12*s.* 1½*d.* for ribbons debited to Walter Brogden, Esq., that does not seem to have been paid.

(*The witness.*) Allow me to see it. (*It was handed.*)

15,042. (*Mr. Coleridge.*) Was that included in the money afterwards paid by Mr. Vanderbyl's money ?—I do not know, and I did not know of those bills until I saw it reported the other day.

15,043. (*Mr. Coleridge.*) Do you keep a cashier ?—We keep a clerk.

15,044. Who is a cashier in fact ?—No, my nephew is cashier.

15,045. (*Mr. Price.*) Supposing instead of 12*l.* 12*s.* it had been 100*l.*, in your large business would you have thought there was any necessity for you to inquire about that ?—Such a thing could not happen without coming to my knowledge.

15,046. It is only the smallness of the bill which could escape you ?—I think so.

15,047. Suppose it was 50*l.* ?—I think I should have known it then.

15,048. How far would the limit be extended ; that you would charge the candidate, and leave it unpaid, and then some one should go and make a claim on your behalf upon the next candidate more than a year afterwards, and get it paid from his money ?—I think if a similar amount as that had been added to that the probability is that it would have come to my knowledge.

15,049. Twenty-five pounds ?—It is not so much, the amount, but the second transaction.

15,050. As a respectable man would you have sanctioned such a notion as this, that anybody in your establishment should have gone and compelled Mr. Vanderbyl to pay it by his money ?—Most certainly not.

15,051. Do not you think it as disgraceful a form of bribery and corruption in one sense as anything which has been proved before us, as to monies given to a mariner for instance ?—If I had known it.

15,052. (*Mr. Anstey.*) As a tradesman I will ask you further is not there a kind of extortion in it, that is to say, here I have a demand on a man who accepted a certain seat, with whom you are not in any way connected by blood or marriage or representation, to whom you say, "If you do not pay me this money I will do what I can to prejudice your election." Is not that the impression made on the mind of every candidate to whom the claim for a bad debt against a former candidate or member is presented ?—It would have had no effect on my mind.

15,053. Is not that the natural effect it would have on my mind if I came down as a candidate, and such a rascally demand was made on me ?—I only mention here that I did not know how the bills had been paid ; most decidedly it is most objectionable.

15,054. (*Mr. Price.*) I think it is due to you that you should tell us who would have the audacity to go down to Mr. Vanderbyl's committee, or the treasurer whoever the person was who distributed the money, and insisted on payment of that bill of yours ?—I never knew it was done.

15,055. Who gave the receipt to that, because we must have him here and know the stipulations he made, whether it was with regard to your vote ?—I shall be able to tell you. I think this is the writing of the young lady in our counting house.

15,056. We must have the young lady here, she may have said, "Mr. Nicholls will not vote for you unless you pay the bill."

15,057. (*Mr. Coleridge.*) What is her name ?—Miss Jones, I do not know her christian name.

15,058. (*Mr. Price.*) Is she in your shop now ?—Yes.

15,059. (*Mr. Anstey.*) Did your house supply in like manner ribbons and other trash of that kind to Mr. Vanderbyl's first election, the second election of 1866, because this is Mr. Bagehot's contest ?—Does not that bill say ? If you will allow me to refresh my memory I will gladly go and look at my books, and give you every information.

15,060. We should like to know, Mr. Vanderbyl having been called upon to pay in July 1866 12 guineas left unpaid by Mr. Bagehot in June, how many more was he called upon to pay on that occasion for stuff of that kind supplied to himself ?—I shall be able to look at my books and give you the particulars tomorrow. I do not attend to the book department in our house.

15,061. (*Mr. Price.*) Are we to understand from you that this is the first time you have ever heard of a bill of yours which you had against Mr. Kinglake and Sir John Shelley being paid by Mr. Vanderbyl ?—It is.

15,062. (*Mr. Anstey.*) Have you a partner ?—I have.

15,063. Has he a vote ?—Yes, and he is subpœnaed.

15,064. What is his name ?—Alfred Nicholls.

FIFTEENTH DAY.

Mr. H. F Nicholls.

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15,065. Have you any other partner?—No, I have not.

15,066. Did both yourself and your brother vote for Mr. Vanderbyl in 1866, and for Mr. Kinglake and Mr. Vanderbyl in 1868?—Yes.

15,067. It may be your brother that attended to this business of the bad debt of Mr. Bagehot?—We never regarded it as a bad debt.

15,068. You did not press it against Mr. Bagehot against whom you pretended to have the demand, and you do press it against one perfectly free from it?—I am not aware there was any pressure.

15,069. (*Mr. Price.*) But is it an ordinary transaction to debit one man and make him pay the debts of another?—I cannot answer you the question for I know nothing about it.

15,070. Did not you know there was a rule in this borough over and over again, that if any candidate should leave bills unpaid at one election, before the next man who came had a chance of being returned he must clear up the old score?—No, I did not.

15,071. You never heard of that?—No.

15,072. Your brother must have?—I cannot answer.

15,073. (*Mr. Anstey.*) Do you know where Mr. Bagehot stayed when he was in Bridgwater; what hotel?—I rather think he lodged at Allan's.

15,074. Where did Mr. Vanderbyl lodge when he came in July 1866, at the "Globe"?—I think at the "Globe."

15,075. Supposing that Mr. Vanderbyl had gone to Allan's room, would not you have thought it a very extraordinary thing if you or any person for you, had said to him, supposing this case that neither Mr. Bagehot nor Mr. Vanderbyl had come in quest of a seat, but merely to lodge, and Mr. Bagehot takes rooms in June, and vacates them and goes away and Mr. Vanderbyl, an entire stranger, comes in July and lodges, and after some time goes away, would any person in your establishment in that case, there being no seat in view or in contest, have said to Mr. Vanderbyl, "Mr. Vanderbyl, a gentleman of the name of "Bagehot last month occupied these rooms which "you occupy, and left a bill unpaid, of course you "will pay those bills because you now occupy those "rooms." Would anybody in your establishment have done such an absurd thing as that?—Most certainly not.

15,076. Then is it not the fact that it was plain proof that he was called upon to pay Mr. Bagehot's debts as a condition of his being allowed to succeed Mr. Bagehot as candidate in the Liberal interest for the borough?—So it appears, but I was not aware of it.

15,077. But is not that selling a vote?—Most certainly it is when it is done with a guilty knowledge, but so far as ourselves are concerned I do not believe we ever had it under consideration a moment.

15,078. But unfortunately your two votes followed the transaction. I do not say in consequence of it, but in date?—You may put whatever connexion you like; but I say that.

15,079. (*Mr. Coleridge.*) Now you got to the nomination in your story, and you proceeded, you went on the hustings, what else took place on that day?—Nothing.

15,080. No meeting with anyone?—No meeting that I attended.

15,081. Did you meet any of the lawyers?—I did not. I am not aware of having spoken to anyone on that day.

15,082. Then on the following day what took place? Look at your paper?—I have nothing further here. I must tell you on the polling day, I think about one o'clock, I met Mr. Lovibond in Fore Street. He said, "I am very weary and tired. I should like to go to your house and have some luncheon." I said, "So do." His son was with him. They came to my house and stayed there and took refreshment. After sitting some little while Mr. Lovibond said, "I never was so "easy and comfortable in my mind as I am to-day. "There is no doubt the election is lost, but we are "thoroughly clean handed."

15,083. Who said this?—Mr. Lovibond.

15,084. That was about one in the day?—I think about one o'clock, after he took luncheon.

15,085. That is before he sent Mr. Mogg for this 500*l.*?—Yes; I do not think it was his intention at that time to have left my room again, for he looked so weary. I said, "Why do not you sit here and take a cigar."

15,086. Your shop commands a view of the house?—I am speaking now of my house in King Square, and he took a cigar and lit it and was smoking the cigar, and remained there I should think until perhaps half-past two.

15,087. Who fetched him away?—Mr. Charles Bate and Mr. Mogg came to the house and asked if he was there.

(*Mr. Price.*) Now, Mr. Mogg never told us that.

(*Mr. Anstey.*) On the contrary we asked whether there was any other occasion, and he said "No."

15,088. (*Mr. Coleridge.*) Mr. Mogg and Mr. Bate came to your house and asked if you were there?—Yes.

15,089. Who saw you?—I saw them coming from the window. I have three windows in front, and there is a side door, and I immediately ran and opened the door myself, because I thought there would be some little delay in waiting.

15,090. What did either of them say, which spoke?—I think Mr. Bate spoke first. He said, "We have "been looking for you all over the town; we are "pulling up wonderfully." I think the words were "We are within an ace of winning; cannot you come "out?" Mr. Lovibond put down his cigar and went away.

15,091. Did he say nothing first?—I do not remember any observation of Mr. Lovibond's.

15,092. But he went away with them?—He went away with Mr. Mogg.

15,093. What became of Mr. Bate?—Mr. Bate remained with me; he said he was very heated, and threw off his coat and said, "Do give me a draught of sherry and water?"

15,094. Before Mr. Lovibond went away had he had any conversation with Mr. Bate?—Not the slightest.

15,095. He did not ask him to do anything at the bank for him?—Certainly not.

15,096. Then Mr. Lovibond and Mr. Mogg went away together?—They went away together.

15,097. When did you next see anything of them?—I do not remember seeing either of them until after the election.

15,098. After the election was won?—After the election was won, and then I am not quite clear whether I remember any incident. Of course I did see them, because I was about the town; but I do not recollect any incident to fix it.

15,099. When did you next have any conversation with Mr. Mogg on that day?—I had no conversation with him.

15,100. Or Mr. Lovibond?—Or Mr. Lovibond.

15,101. (*Mr. Anstey.*) I want you to fix with as much precision as the distance of the date will now admit of the hour at which these persons, Mr. Mogg and Mr. Bate, came to your house?—As near as I can say, I should say it was about half-past two or a quarter to three. I merely state it simply from the fact that Mr. Lovibond had told me previously that Mr. Kinglake had gone off by the express train, that it was after his leaving Mr. Lovibond came to lunch with me, the luncheon took some little time, half an hour or three quarters, and he had already lit a cigar, and smoked some time the cigar.

15,102. You are quite sure that Mr. Mogg and Mr. Lovibond went away together?—I am as clear as I can be. I have no doubt in my own mind.

15,103. If you were told by anybody that at the time when Mr. Mogg and Mr. Lovibond were in your house together, and walking away together, the one man was casually meeting the other for a minute or so somewhere in the street at a distance from the

house, you would not believe it. Supposing you were told at that very moment you had them in your house by someone that they were not in your house at all, but casually meeting on the bridge or in the High Street, at a distance from your house, you would say, "It is utterly absurd. I saw them with my own eyes"?—What I speak of is a thing there is not the slightest doubt about, certainly.

15,104. (*Mr. Price.*) It becomes very important to fix the time?—I cannot do it nearer than that.

15,105. Do you think it was as much as half-past two?—I think it was.

15,106. (*Mr. Anstey.*) Not three?—I do not think it was three.

15,107. (*Mr. Price.*) You think it was not three?—I should say the probability is nearer half-past two than three.

15,108. You fix it by the lunch?—Yes. I may be in error.

15,109. If anybody was to say, "The person you "see here cannot be Mr. Bate, because Mr. Bate a "minute before also met Mr. Lovibond quite accidentally and casually in the street," you would say, "No, this is Mr. Bate, I know him, he asked for a "glass of sherry and water," would not you?—Most certainly, what I said is what occurred.

15,110. How long did Mr. Bate stay with you?—I think not two minutes.

15,111. Did he follow them out?—No, I think Mr. Bate remained longer than that, for he appeared very warm and took his coat off, and I think must have remained five or seven minutes.

15,112. Did you hear Mr. Bate say anything of this kind, "No, I will not go to the bank"?—No, most certainly not.

15,113. Did you hear Mr. Mogg say, "Yes, I will go"?—No, certainly not. There was no conversation of the kind occurred in my room.

15,114. They went away together?—Yes.

15,115. (*Mr. Coleridge.*) And it was Mr. Mogg who fetched Mr. Lovibond?—Mr. Mogg and Mr. Bate; not one more than the other.

15,116. What occurred after that?—Some period later in the afternoon, I should think it was about a quarter to four, or a few minutes before a quarter to four, I went into the committee room at the "Globe," and Mr. Cook came over to me and said "I wish you "would go and see the Roberts. Mr. Vanderbyl "wants someone to go with him. I believe there are "three votes there," and there was some little difficulty about the permissive matter, and I said, "Oh yes, if necessary, I will go with Mr. Vanderbyl." He took me to Mr. Vanderbyl's room by a private passage, and I came down over the staircase, and we walked down about three minutes' walk perhaps and we saw Roberts.

15,117. The carriage builder?—The carriage builder.

15,118. Did you succeed in getting their votes?—I am not quite sure. My own impression is I believe I heard afterwards one had polled. I am not quite sure whether it was previous to our interview or afterwards. Mr. Cook said yesterday neither of them polled, but I believe I am correct.

15,119. (*Mr. Price.*) They never will vote except for the man who pledges himself to carry out their views; is that so?—Very much that. I did not join in the conversation; I knew them only personally. And that is all I know of that election.

15,120. Now you must go to the election before that?—That is the election of Mr. Vanderbyl. I know nothing at all in connexion with Mr. Vanderbyl's election in 1866. I took no part in it.

15,121. (*Mr. Coleridge.*) Except the bill being paid?—And that I was not aware of until Friday night.

15,122. (*Mr. Price.*) You were not what is called one of the leaders of the Liberal party, whatever that may be?—I suppose I am entitled to be called one of the leaders of the party, but the professional men usually keep everything to themselves.

15,123. Did you know of Mr. Vanderbyl coming down?—I did.

15,124. Did you know who he was?—We knew he came from Yarmouth.

15,125. Were the party at all consulted, you and other gentlemen in your position who were supposed to have some little control in one way and the other, as to Mr. Vanderbyl coming here?—No.

15,126. You did not know at all that they had gone to London for a candidate?—Well, by rumour only. I was not consulted directly.

15,127. Were you at any meeting of the party in the same sense that you had a meeting afterwards in 1868, at which the question of the candidate was discussed, and who was a suitable man, and so on, to your knowledge?—I do not remember. I have no doubt there were public meetings held when he came here.

15,128. But I mean were the party at all consulted as to whether they should have a contest, because it was thought at one time that there would be no contest against Mr. Patton under the circumstances, because he had been just appointed Lord Advocate, and there was a feeling on the part of some that it was not a handsome thing to contest, and others that it was not worth while, and so on. Was there a meeting at which the question whether there should be a contest or not was discussed?—I do not remember.

15,129. You did not take part in anything of the kind?—I do not remember it.

15,130. So far as you are concerned the contest was brought on the town by the lawyers going up and bringing down Mr. Vanderbyl?—Yes, with the general consent of the people that there should be a contest.

15,131. Including yourself?—I must take my share.

15,132. Were there public meetings?—No; whatever assent was necessary I must have given it.

15,133. (*Mr. Coleridge.*) Did any section of your party take the view of it that it was a hard thing to fight a man who was going into office?—I do not think so.

15,134. (*Mr. Price.*) Mr. Patten expressed himself strongly about it, did not he?—I have heard such was the feeling on the Conservative side.

15,135. Had not Mr. Kinglake at first rather shrunk from it?—It is the first time I think I have heard of it. I have heard the Conservatives have not treated this as a reason why.

15,136. It is generally thought an unhandsome thing to go down and contest against a minister who has been elected shortly before?—I heard that, and I think I knew it at the time that it was so considered, but there was a good deal of party feeling existing in the town at that time.

15,137. And there were a good number of unpaid bills at other elections, and 200*l.* to the lawyers, and things of that sort, which all had to be taken into account if there were no contest?—As that appears to you no doubt you are right in coming to that inference, but I knew nothing about it at the time.

15,138. When Mr. Vanderbyl came down did you take any part, did you know anything that was done?—I did not.

15,139. Any spending?—No, I knew nothing of it.

15,140. You knew money was spent; 4,000*l.* or 5,000*l.* was spent?—Of course I did. I did not know the amount, but money was spent.

15,141. A very large sum?—No, I did not know that a large sum was; it was notorious that the thing was done freely.

15,142. Was there a meeting held by any of those gentlemen whose names you have mentioned, who were anxious to get the Bridgwater election contested on pure principles, to which representation was made about not spending money?—No.

15,143. Was there remonstrance in any way whatever that you know against having Mr. Vanderbyl down, who was connected in rather a suspicious way with

FIFTEENTH DAY.

Mr. H. F. Nicholls.

8 Sept. 1869.

Yarmouth ?—I do not know of anything ; there may have been, but I do not know of it.

15,144. Did you know Mr. Pender was applied to, who was decidedly employed in corrupt practices at Totnes ?—I do not remember his name.

15,145. At all events, so far as you know, no impediment was thrown by any section of your party in the way of spending profusely at that election ?—There was no direct action taken in any way that I am aware of.

15,146. (*Mr. Coleridge.*) You as one of the heads of the party do not appear to have been consulted by the lawyers as to who should come down. Had you any voice ?—I believe Mr. Vanderbyl came here in the most extraordinary way possible, because I do not think the professional men knew he was coming.

15,147. Oh yes, they have told us ?—Did not Mr. Brogden put the address out of the train at Bath, or something of that kind ?

15,148. (*Mr. Price.*) No, they had been to Mr. Travers Smith, and they had been to Mr. Pender, and they had been to Mr. Campbell, and they had been to Mr. Brogden, and then they had been to Mr. Drake, who has just been knighted I see by the papers for his service in the Liberal cause. They had found some objection in getting a gentleman to come, and then Mr. Brogden, who had been asked, suggested his friend Mr. Vanderbyl, so there was nothing very wonderful about it.—You see you know a great deal more about it than I.

15,149. It could not have come by surprise on the lawyers, but there was a little difficulty about his coming, and Mr. Brogden thought, perhaps, that Yarmouth would be a cheaper place than Bridgwater, and he went to Yarmouth and afterwards suggested that his friend Mr. Vanderbyl should be bled, and he was brought down and bled, and Mr. Brogden came down and assisted. The lawyers were at Bath taking their chop, when they found Mr. Salmon in the train awaiting them, therefore they could not be surprised.

15,150. (*Mr. Coleridge.*) The lawyers did not consult you as one of the heads of the party about the candidates ?—No, not until he was here, when he was paraded at a meeting.

15,151. Before they went to London did they come to you and say, "We are going to look for a candidate ; what sort of man are we to look out for ?—No.

15,152. Did you know that they had gone ?—Not at that election. It was quite enough if they voted on the Liberal side for the Liberals, and voted on the Conservative side for the Conservatives.

15,153. And was a rich man ?—I do not know that it invariably follows that riches was a condition.

15,154. But "Mr. Most" was always the favourite candidate at this place; it was told to Sir John Shelley. Do you know anything about the previous election when Mr. Patton beat Mr. Bagehot ?—The only thing that I know about that election is that I made an effort to see in what way the system which you term bleeding the candidates could be put a stop to, and Mr. George Sully, our present mayor, I waited upon at his office, and asked him if it was true the professional men were going to London to see Mr. Bagehot in connexion with the election. He said he believed it was, and that they were going by the evening train. I said, "Now do let us make some "effort to see if we can secure an honest, clean elec- "tion. Have you any objection to go and see the "professional men ? Let us go and see Mr. Barham." We went to Mr. Barham's office ; he was not at home, but we were told that he was at the county court. We went together to the county court and called him out of the county court into the private room, and I then explained to him the object of our visit, and I asked him whether he would undertake to put Mr. Bagehot to a pledge that he would spend no money, and to do so before the professional men. Previously he had canvassed very warmly the object of our coming to him, and he said, "Most certainly I will do so with the greatest willingness ;" and I also asked him, "Will "you ask him whether he will share with the Liberal "electors of Bridgwater the cost of petitioning, providing our opponents spend money ?" and he said, "It is a very proper question, and I will do so."

15,155. (*Mr. Coleridge.*) Are you aware, after doing that, that he is one of the four people who guaranteed the borrowing of the 1,000*l.* ?—I was going to explain. I understood, not from Mr. Barham himself, but Mr. Sully, that the answers he brought back from London was that he did put those questions to Mr. Bagehot, and Mr. Bagehot answered them in the way he desired, but there was nothing surprised me so much that at Mr. Bagehot's election to find that corrupt practices were resorted to, and I must tell you that on the morning of the election Mr. Francis Thompson, Mr. Sully, and myself, and Mr. George Sully were ignorant of anything but honest conduct at that election.

15,156. (*Mr. Anstey.*) But you do not know that ?—Only from the incidents, and so far as I can judge from those incidents that Mr. Francis Thompson had never frequented the room, but he was in the room that morning, and took a part in checking the poll list, and so was Mr. Sully. During the morning, I think about 11 or 12, I went into the town from the committee room, and from something I heard, but do not know from whom, I learnt that it was reported that the Conservatives had got packets of money which were reported to have been spent by the Liberals. After a little time I met Mr. Henry Lovibond, and I said, "Is it possible that our people have been foolish enough to spend money this morning ?" and he turned to me and said, "I fear it is true." I immediately went into the committee room. I told Mr. Sully what I had heard, and I told Mr. Sealy ; Mr. Sully was writing at the time, and he threw his pen down on the table and said, "I will have nothing more to do with the election," and he went home to my knowledge, because he told me so afterwards. Mr. Sealy said, "I cannot believe it, and I will not believe it until I know more about it." He left the room, and I left the room. That was just the history, and the key to that remark which the mayor made to you the other day, which I saw in the papers ; that I told him our hands were not clean. That is all I know of it.

15,157. (*Mr. Anstey.*) Mr. Sealy is the banker ?—Yes. I do not wish of course to offer any extenuation of what we have done at Bridgwater, but I should mention whatever is favourable, and there was an effort on our part to do that.

15,158. (*Mr. Price.*) Did you find out afterwards how it had been controlled in the contrary direction to your wishes ?—I was so intensely mortified that I took a ride, and after I came back I went into Mr. Lovibond's, and saw him to know what the meaning of the election was. He was lying on the sofa after dinner, and I said, "Do tell me what the day's doings mean; "where does the money come from for carrying on "such a contest as this after what Mr. Bagehot has "promised ?" and he replied to me, "You must be a "very simple person to think a man would come to "Bridgwater without zealous friends."

15,159. (*Mr. Anstey.*) This Mr. Lovibond had only an hour or two before told you, when you asked him "Is it true that people are bribing on our behalf ?" "I fear it is." Are you quite sure he said, "I fear it is" ?—Those are the very words he used.

15,160. Expressing sincerely or hypocritically as the case may be entire sympathy with your horror of bribery ?—It was in this way ; I think he was afraid to announce to me the full revelations. I understood what it meant ; the manner conveyed the meaning.

15,161. (*Mr. Price.*) Did he look frightened ?—No, he did not.

15,162. (*Mr. Anstey.*) Just tell me this ; is not this the common form of speech when you meet one another in Bridgwater, conscious of what is going on, to say, "I fear we have been bribing ;" and is it not a common thing for one briber to say that to another, or a person equally aware of the practices with himself ?—No, I do not think it is.

15,163. We know that those who signed this petition of 80, and who, as far as we have gone yet, are not themselves deeply dipped in corrupt practices, were within a month or so after signing it in a most miserable minority. Is not hypocrisy of speech and action the way in which these detestable practices are concealed from public view so far as your experience goes of Bridgwater ?—There is no doubt there is a reservation.

15,164. For instance, this case of Mr. Henry Lovibond. At the time he spoke to you he was secretly, as it is said, and unknown to Mr. Bagehot, promoting bribery, and was the guarantor of a large fund for the purpose, and yet when asked whether it is true that people are bribing, he says, "I fear it is." Can you have the slightest doubt what the object of that was ?—I gave you the words that were spoken.

15,165. (*Mr. Price.*) Did his tone of voice convey to you that it was sincere expression of fright, or a stage affair ?—No, it was just an ordinary mode of conveying information to me.

15,166. (*Mr. Anstey.*) That being the result of your long experience here, would you attach the slightest weight to anything that anybody would say, even on an oath, against whom there was circumstantial or other evidence of bribery, that statement on oath being to the effect, "I am quite taken by surprise by what I "have heard this day ; I was not aware that there were "any corrupt practices." Would you believe any person who should so state against whom there was circumstantial evidence to the contrary ?—It is very difficult to say ; my own impression is that it would be very difficult to live in Bridgwater without recognizing.

15,167. I tell you frankly that I would not ; I do not care who it is.

15,168. (*Mr. Price.*) Have you anything more to tell us about the election ?—Nothing more in connexion with Mr. Bagehot's election.

(*Mr. Coleridge.*) Now, 1865.

(*Mr. Price.*) It was an attempt made once for all, the only attempt we have ever heard of, and a failure, to try and get in on purity principles by Sir John Shelley.

(*Mr. Anstey.*) And even that is denied to be true, that they even made such an attempt.

15,169. (*Mr. Price.*) Do you know anything of that ?—Only the incident in connexion with the petition.

15,170. Anything about the colours ?—No, I do not ; I should be glad to give any information to-morrow. In connexion with the petition, Mr. Benjamin Lovibond called the so-called heads of the party together for the purpose of considering the desirability of petitioning against Mr. Westropp. At a very early stage I took this objection, that I thought it was a mere accident their having their hands perfectly clean, and that it was an unfair thing to attack them on the hip as it were.

15,171. (*Mr. Coleridge.*) Because you were accidentally pure it was unfair to attack the other party. That is the most extraordinary reason I ever heard ?—Allow me to explain; and unless some pledge on the part of the professional gentlemen could be given to me to satisfy me that for the future the elections would be conducted differently, I would have nothing whatever to do with it.

15,172. You thought it was a piece of humbug on their part to attempt to unseat for bribery if they themselves intended to have recourse to it on the next occasion ?—Most certainly.

15,173. Did you take any steps to get an assurance from the professional gentlemen ?—I did.

15,174. (*Mr. Price.*) Before presenting that petition did they give you an assurance ?—They did. Mr. Lovibond said on no future occasion would he in any way commit himself to illegal practices.

15,175. (*Mr. Coleridge.*) Did anybody else say that ?—Mr. Bate said so, and I believe Mr. Henry Lovibond the second occasion. I raised this question again. That meeting was held at Mr. Lovibond's office, and the second meeting was held at Mr. Barham's. I raised the question, and Mr. Benjamin Lovibond was very indignant, and thought it great impertinence on my part to talk about this question of purity and not spending money, and he rated me rather severely for it ; but the result was that I pressed the point, and I believe there was one professional gentleman, I forget now which, who was not present the first meeting who also said for the future they would have nothing to with illegal practices.

14,176. Who was that ?—I am not quite sure whether it was Mr. Reed or Mr. Cook ; I believe one of the two.

15,177. (*Mr. Coleridge.*) You have been rather disappointed in their promise ?—This understanding, as I understood then honest and faithful, of the professional men was not carried out, and it destroyed the energy which I had.

15,178. (*Mr. Anstey.*) You saw the state of the town at that election ?—Which ?

15,179. The one you are speaking of now, in 1865. You saw the public-houses open there for the Liberals as well as for the Conservatives, did you not ?—I never go to a public-house, and I cannot answer the question.

15,180. Without ever going into a public-house, but as you pass them along the street, can you not tell whether they were streaming with electors or not on a given day, and that day the polling day of 1865, and streaming with electors bearing certain colours, some your own, and others your adversaries ?—The colours of each candidate are hung out of the public-houses, and people go in and out. I do not know it of my own knowledge.

15,181. But the voters who were running in and out ?—I cannot speak of my own knowledge.

15,182. Was not it a notorious fact that the town was given up to drunkenness on that day ?—I did not recognize it myself, but I have heard it since.

15,183. That house is supposed to be free at the expense of the candidate whose colours are hung out ?—I think it very likely it is.

15,184. Was not evidence given at the trial at that very election that was the meaning of it ?—I did not go to London.

15,185. I did not go either, but I have read the report ?—I have not read it, only some portion of it.

15,186. Do you not know that at some elections the town was given up to drunkenness, the Conservatives drenching the Conservatives and the Liberals the Liberals at public-houses bearing the respective colours ; treating on an organized and grand scale by both sides ?—No doubt there was a great deal of drunkenness that election.

15187. You have spoken of a few efforts by you personally to put down bribery, was any effort made by any person whether pretending teetotalism or not to put down this great disgrace ?—I do not know of any.

15,188. Have you set your face, as a justice of the peace, against granting licences to those who have been systematically so employed, the publicans at whose houses these practices have prevailed ?—I have never been asked to do so.

(*Mr. Price.*) The question has never been brought before the magistrates.

15,189. (*Mr. Anstey.*) That being so, can you say that any step has ever been taken in this town by anybody to put an end to this organized system of treating in your recollection ?—There was none except what I have stated.

15,190. You have not spoken of any except some few spasmodic efforts to put down bribery. As to the treating have you heard of any ?—No, never.

15,191. (*Mr. Coleridge.*) What is the constitution of the magistrates here ? How many Liberals and how many Conservatives ? — I cannot answer the question without inquiry.

15,192. Which have the majority ?—I think the Conservatives are the most numerous. This is the list which I have had handed to me (*handing it in*).

FIFTEENTH DAY.

Mr. H. F. Nicholls.

8 Sept. 1869.

15,193. (*Mr. Anstey.*) Do you know any instance of bottling voters at public-houses?—Never, no. I have heard of it on both sides.

15,194. Do you know the meaning of bottling?—Yes, most undoubtedly.

15,195. What is it?—That they should be kept until a suitable time for polling them.

15,196. How many hours or days before were they bottled?—As far as I have heard, not more than hours at Bridgwater.

15,197. The same day?—The same day.

15,198. Never over night?—I have not heard of it.

15,199. Have you not heard of a remarkable case of that kind at the "Clarence"?—No, I have not.

15,200. When there are those bottled up voters to be polled, is it the practice to give them drink as well as money?—I cannot say; I should think it was.

15,201. (*Mr. Price.*) These appear to be the justices. First, we know the mayor and his politics, then the ex-mayor is Conservative. Mr. John Browne?—Liberal.

15,202. Mr. James Haviland?—Liberal.

15,203. Mr. Charles Thompson?—Liberal.

15,204. Mr. Carey Bailey Mogg?—Liberal.

15,205. Mr. Henry Frederick Nicholls?—Liberal.

15,206. Mr. William John Ford?—Liberal.

15,207. Mr. Follett Charles Hennett?—A Conservative.

15,208. Mr. Robert Salmon?—Conservative.

15,209. Mr. Cuthbert Ritson?—Conservative.

15,210. Mr. William Henry Axford?—Conservative.

15,211. Mr. John Baptist Hammill?—Liberal.

15,212. Mr. Edward Lilley?—Conservative.

15,213. Mr. Frederick Farmer?—Conservative.

15,214. (*Mr. Anstey.*) Is that the Mr. Mogg who has been examined to-day?—Yes.

15,215. And Mr. Axford about whom there has been some question?—No, he is not; there must be a distinction drawn. Mr. Axford the magistrate is "doctor;" the other is only a surgeon, not a doctor.

(*Mr. Price.*) Mr. Frederick Farmer we had this morning.

15,216. (*Mr. Coleridge.*) Now the 1859 election, did you vote?—Yes, at every election I have since 1839 or 1840.

15,217. (*Mr. Price.*) So far as your knowledge of the town goes, with the exception of the abortive attempt by Sir John Shelley, assuming that it was pure on your side, has there been a single election since you have known politics actively which has been pure?—I should not like to say, because I have not accurate information.

15,218. What is your impression now, carrying back your recollection?—I mixed very little in politics for some time after I commenced business.

15,219. Still you would know?—I should think it would be a great novelty. I should be surprised to find either of the elections was quite pure. If anybody told me so, I should like to have very good proof.

15,220. (*Mr. Coleridge.*) Differing in degree, but always a certain amount of corruption?—Always more or less. I should require good proof, if anybody wished to convince me to the contrary.

15,221. (*Mr. Anstey.*) I want to bring you back to your efforts in 1865 and 1866 personally to put down bribery. I dare say you had very good reason for signing this petition?—I was not in town. I was in London. I think the probability is, if here, I should have signed it readily.

15,222. Would not you have been very much surprised at some of the names on it?—Whose do you refer to?

15,223. Some of those mentioned in the course of this inquiry, James Alway and Henry Cornelius White?—I was not aware at that election that Mr. White had anything to do with bribery.

15,224. And a number of others?—You stand at somewhat an advantage over us, because you look at things from a certain standpoint rather than the point of time when the things occurred.

15,225. There are some names of very ancient date here. Andrew Allan, would not you have been surprised?—I did not know at that time that he took any part in the election.

15,225*a*. Did you see anything of Mr. Kinglake or Mr. Vanderbyl on the day of the poll?—I did not, except that I saw Mr. Vanderbyl and Mr. Roberts with him, that is the only time I saw him or spoke to him.

15,226. Did not you see him that day after the poll, after the return?—I saw him on the hustings, but I do not think I spoke to him. I am not aware of having spoken to him.

15,227. How soon after that did you hear that there was a petition going to be presented?—I think it was spoken of the same night from off the balcony over the porch of the hotel, by some of the Conservatives, that they would petition against the return. I did not hear it myself.

15,228. Was it not known within a week after that Mr. Trevor had actually gone to town about it generally?—I think it is very likely.

15,229. Then there is no pretence for anybody saying it was not heard of for a long time afterwards?—I could not say so, because I thought it was a thing very well known to everyone almost immediately afterwards, as far as I know.

15,230. Can you throw any light upon the departure of no less than five persons to avoid the service of subpœnas?—No, I cannot.

15,231. Namely, three from Bridgwater and two from London?—No, I cannot.

15,232. You did not hear of it?—Oh yes, afterwards.

15,233. But you can throw no light on it?—No, I only heard of it as rumour that such persons were from home.

15,234. You had nothing to do with the indemnity for expenses incurred by such persons?—Not a penny.

15,235. You do not know from what fund those were to be paid?—I have not the least idea.

Miss M. Jones.

Miss Mary Jones sworn.

15,236. (*Mr. Price.*) You are employed in the establishment of Mr. Nicholls, the draper here?—I am.

15,237. Look at that bill, and tell us whether the entries are in your handwriting?—This receipt is in my handwriting.

15,238. And the other part of it?—That is not my writing.

15,239. Do you know it?—Yes.

15,240. Whose is it?—Mr. Davage's.

15,241. Is he still in Mr. Nicholls' employ?—Yes.

15,242. Looking at the receipt, it appears to have been given in 1866. Can you give us the circumstances under which you received the money or from whom or where?—From Mr. Henry Lovibond.

15,243. Where?—In the counting house.

15,244. Did he say anything about it at the time?—Nothing, any more than he handed me the bill.

15,245. Can you give us any reason why the bill should have been unpaid in 1865?—No, I do not know. I was not in Bridgwater when the entry was made.

15,246. You know this, that on a certain day of 1866 Mr. Lovibond came with that bill?—Yes.

15,247. Are you the cashier?—I am the entering clerk and book-keeper.

15,248. You would be the proper person to do it?—Yes.

15,249. He presented to you that bill, and paid you the money?—Yes.

15,250. That is all that passed?—That is all that passed.

(*Mr. Anstey.*) Would Mr. Davage know why the bill was made out in the form it appears there?

15,251. (*Mr. Price.*) It appears it is debited to Kinglake and Shelley; he would be the proper person to tell us why?—Yes, he might know.

15,252. It would be posted, of course, from your day book?—Yes.

15,253. That bill would be sent in some time after the entry?—It does not say.

15,254. The book would be the first entry?—Yes.

15,255. The bill might or not have been sent in at the time?—But this was not at the time I should say.

15,256. What is Davage's christian name?—Thomas.

15,257. (*Mr. Coleridge.*) Look at that bill (*handing another*) and see whether it is paid since. There is no receipt to it?—No, that is not paid.

15,258. Not all?—No.

15,259. Has it been applied for?—No, I believe not. It has been sent in.

15,260. Because this is of the date of 1866?—Yes, it has not been paid. That is the credit (*referring to a book*).

15,261. Is this the book the first entry would be in?—No.

15,262. That is where payment would appear?—Yes; I cannot give you the original entry.

Mr. Carey Bailey Mogg recalled.

Mr. C. B. Mogg.

(*Mr. Price.*) We wish to tell you that we do not intend to put any more questions to you, because on the first occasion you were examined, as I read to you myself, I entertained the opinion, which was coincided in by my colleagues, that you had not answered the questions put to you the other day in a manner which was satisfactory. To-day you have been under further examination, and you have fallen into the reprehension of one of my colleagues for the mode in which you answer. In addition to that, there certainly has come out from the last witness a very important statement with regard to the part you took that day in conjunction with Mr. Lovibond. You either purposely concealed that from us or not. We must judge of that. I have now to tell you that we shall not put any questions to you, but you may make any statements you like to explain away why you kept back from us that, when we pressed you over and over again to tell us everything. At the same time I am bound to tell you we shall consider very seriously whether you have any certificate, and therefore any statement which you will make now will not be one which we shall consider as an answer to the question within the statute entitling to a certificate, if your other conduct has not already entitled you to it.

(*The witness.*) I beg to explain that Mr. Bate came in the square at half-past two, I think, or something like that, and I think he came to my house and asked for Mr. Lovibond. I saw Mr. Lovibond, his son, and Mr. Nicholls going up the back street as I was going home to dinner. They were going in there, I suppose, to lunch. I came home to dinner. When Mr. Bate came in the square, he asked where Mr. Lovibond was. I said I thought he had gone in at Mr. Nicholls'. Whether I went to Mr. Nicholls or not I cannot say, but I walked with Mr. Bate towards the house, and he went in to Mr. Nicholls, but I do not recollect going in for myself, neither do I recollect walking away with Mr. Lovibond, no further than my house—that is the only explanation I have to give.

(*Mr. Anstey.*) I am not going to ask any questions from this witness, but I think it right to read in his presence and hearing, leaving him to make any comment on it he pleases, or to forbear if he please to make any comment at all, the statements he has just contradicted, made under the most searching examination on this point, in answer to questions addressed to him when he was first examined: "Did you go down "to the bank on the day of the last election?—I did. "How came you to go to the bank?—Mr. Lovibond "asked me to deliver a message for him. Did he not "tell you what the message was?—Yes, '500*l.* to "Allan." Then further on "You were in communica- "tion with the lawyers?" (which had been previously denied)—"Mr. Lovibond. How often?—Only that "once. Had you had any conversation with him "before you went down to the bank?—No."

(*The witness.*) Not respecting the election.

15,263. (*Mr. Anstey.*) "Nothing?—Nothing ex- "cept what I told you. Did he come to you?—He "came to me. Why did he select you to go down "with a note '500*l.* to Allan'?—He did not give me a "note. How came he to come and tell you to go?— "He came up to me in the street and asked me to "deliver a message to Mr. Prior for '500*l.* to Allan'" Then further on: "What o'clock was it?—I think "about a quarter to three. When you saw Mr. Lovi- "bond first?—Yes." Then again: "Had not Mr. "Lovibond spoken to you about making yourself "useful the day before?—No. When had you first "any conversation as to the part you should take? "Then. Did he come into the house?—He met me "in the street. And merely upon that representation, "you having voted and done with your own voting, "you went down and asked for this sum of money?— "I did. You knew perfectly well what this money "was for?—No doubt about it. Who told you these "men would not vote without being paid?—The report "was in the town." Then again: "You must give us "some reason why in your opinion Mr. Lovibond "selected you to become a bribe agent?—I do not "think he selected me first of all; he selected some "others first. Whom did he select first of all?—I "do not know. Why do you think he selected "others?—Because I have been told so. Who told "you?—Mr. Ford. Mr. Ford told you what?—That "he had asked a person before me. And who was "that person?—I do not know. Mr. Bate having "gone with Mr. Mogg there, and that person had "refused?—I suppose so." I have read those ques- tions and answers to you?

(*The witness.*) That is quite correct what you have read. If you wish me to give any explanation, I shall be happy.

15,264. (*Mr. Price.*) As I said before, we have no wish about it. We have on two occasions expressed to you our opinion as to the mode in which you answered the questions, and we had given to us to-day evidence which certainly, to say the least of it, is very inconsistent and almost irreconcilable with this story?—You will please to understand that Mr. Bate was asked before me to do a certain act; he refused; but you must not connect Mr. Bate with me only when he came to Mr. Lovibond. When he came to inquire for Mr. Lovibond at my house then I told him he was in at Mr. Nicholls'; he went to Mr. Nicholls to seek for him, and there he found him. Is that all you require of me?

15,265. (*Mr. Price.*) You know best whether you have told us all that took place?—Nothing at all. I give you my word of honour.

Miss Jones recalled.

Miss M. Jones.

15,266. (*Mr. Price.*) Point out to us the entry?—Page 108.

15,267. Read it out?—Kinglake and Shelley, four flags, at 23*s.* 6*d.*; three, at 23*s.* 6*d.*

15,268. That is July 8th?—July 8th, and then the 10th; four yards of ribbon, 4*s.* 3*d.*; three yards of cambric, at 8*d.*; one silk flag, 55*s.*; one canvass ditto, 23*s.* 6*d.*; 12th, one silk handkerchief, 5*s.* 6*d.*

FIFTEENTH DAY.

Miss Jones.

8 Sept. 1869.

15,269. Who made out that bill?—Thomas Davage.

15,270. There is no alteration in the entries or books?—No alteration; it stands exactly as entered.

15,271. (*Mr. Anstey.*) Is there no entry there of any kind in which the name of Mr. Vanderbyl or Mr. Lovibond appears?—There is on my ledger.

15,272. What is that?—The "Shelley" is struck through, and "Vanderbyl" is written over.

15,273. (*Mr. Price.*) Is the ledger a copy of that book?—It is the whole of the entry which is posted in, not the items.

15,274. When was it made?—The ledger would be posted a few days after these entries were made.

15,275. Therefore to be a correct representation of the transaction in the smaller book it would be just what you have read to us, "Kinglake and Shelley?"—"Kinglake and Shelley."

15,276. (*Mr. Anstey.*) Then the alteration would be made at the time of payment?—No, previous to the payment.

15,277. (*Mr. Price.*) How long previous?—I cannot say how long.

15,278. Would it be 1866? You remember Mr. Vanderbyl coming here; was it about the time of his election?—It was after the election.

15,279. (*Mr. Coleridge.*) And before it was paid?—Before it was paid.

15,280. Who told you to do that?—One of the Mr. Nicholls, but I am not certain which.

15,281. (*Mr. Price.*) Did he give any reason for it?—No.

15,282. Merely told you to strike "Shelley" through and put "Vanderbyl"?—Yes.

15,283. (*Mr. Anstey.*) Do both the Messrs. Nicholls interfere and give directions in that way of that kind?—Yes, they do.

15,284. (*Mr. Coleridge.*) In your journal there is 12*l.* 12*s.* 0*d.* to Kinglake and Shelley to which you have been referring, and the next entry is "Henry Lovibond, Esqre., 50*l.* by cheque"?—That is his own private account.

15,285. Then he paid you the election bill and his own private account at the same time?—On the same occasion.

15,286. This bill remains to the debit of Mr. Bagehot?—Yes.

Adjourned to to-morrow at 11 o'clock.

SIXTEENTH DAY.

Thursday, 9th September 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
HENRY FRANCIS PURCELL, Esq., Secretary.

SIXTEENTH DAY.

Mr. H. F. Nicholls.

9 Sept. 1869.

Mr. HENRY FREDERICK NICHOLLS recalled.

15,287. (*Mr. Price.*) You want to make a statement?—I wanted to make a remark, that I have anxiously reviewed the circumstances of the interview at the "Globe." I have endeavoured to fix the time and circumstances in connexion with those words, "Be honest; it is all humbug," and I have failed to do so.

15,288. (*Mr. Coleridge.*) You cannot recollect the words?—I cannot recollect. It has passed through my mind a great deal in the course of the night, and I cannot remember. I beg also to say that I think a remark I made was rather hastily made. When I said no such words were used I cannot, of course, be sure that no such words were used.

15,289. (*Mr. Anstey.*) You are still stumbling over words. We do not ask about words at all, but as to the substance and effect of the observations. You have already said you have no doubt that you do not recollect those words. Was it something to that effect that was said?—I wish to qualify my statement by withdrawing the remark which I made, and I think hastily made, when I said no such words were used. That was a hasty remark of mine. I think words of such import may have been made, but I cannot connect them with any event.

15,290. (*Mr. Price.*) The reason you were pressed about it was that Mr. Cook said when the deputation came back, a part of the report they made was that Mr. Fennelly had said, "It is all humbug, gentlemen, it is the money which is the thing you want." Mr. Cook could not have invented that, he represented it to us as part of the report they made when they came back?—If anything in the course of further evidence should come up by which my memory is refreshed I will state it.

15,591. (*Mr. Anstey.*) Then we shall not want it.—If I could remember it I would say so instantly.

15,292. You must not be under a false impression. It is not in our power to allow any statement of that kind to be retracted. All we can do is to allow your present answer to be recorded. That is all.—I do not retract anything. I say all I said before, only I wish to add that what I said I said hastily, that no such words were used.

15,293. (*Mr. Coleridge.*) You wish to withdraw that?—I wish to withdraw that.

15,294. (*Mr. Anstey.*) I do not understand you: you said just now you did not wish to retract anything? what do you wish to do now?—I have just stated the remark I made yesterday, I think I made hastily, that there were no such words used. It was a hasty remark, and on reflection, I think I was in error in making it.

15,295. That I understood you to withdraw yesterday.

15,296. (*Mr. Coleridge.*) You qualified it a good deal yesterday?—I wish to say so again, if you will allow me.

15,297. I understood you to qualify it yesterday to the extent that it might have been said, but you could not fix your memory that you had heard it?—There was another circumstance I overlooked yester-

day, and which is rather pertinent. In the afternoon of the polling day, I think it must have been after Mr. Lovibond left my house, in fact it was after he left my house, I was at the committee room.

15,298. (*Mr. Anstey.*) After three o'clock?—I should think it must have been about three, perhaps a little before or a little after three. As I went in, a gentleman was standing, Canon Rooker, he said, "Good "morning," and at once commenced a conversation with me to this effect: "Do you know the Lees?" I said, "What Lees?" He said, "George Lee." I said, "I know George Lee." And he said, "There is "George Lee and his son, some one must see them "or they will not poll." I immediately asked him whether he had seen them, and he said he had, he had seen them twice, and pressed them to vote. I said, "Surely they will not vote against our party or "against the party;" and he said, "No, I do not "think they would do that, but some one must go "and see them." I looked round the room and within a few steps, or rather within four or five feet, from where Canon Rooker and I were standing Mr. Bussell stood, and I said to Mr. Bussell, "Can any-"one go and see George Lee?" and he at once left the room and beckoned me towards him. I followed him down stairs, and at the bottom of the stairs there was a man there he spoke to. I stood there a moment. I never spoke to this person, but left Mr. Bussell and this man speaking together, and I then returned to the committee room.

15,299. (*Mr. Anstey.*) Was that man Lee?—This man I speak of, that I saw at the bottom of the stairs, I do not know that I ever saw him before.

15,300. Was it Lee?—No, it was not Lee; another man.

13,301. When you asked Bussell, and he beckoned you out, what did he say?—He said nothing, he made no reply, and as soon as I told him that some one must go and see the Lees went to the poll, he moved off and beckoned me to follow him, and I did.

13,302. And then he said nothing?—And then he said nothing to me or I to him.

13,303. Then why did you, being beckoned out in that way, and not having finished a matter of business about Lee, suddenly leave Bussell and return?—Simply because I thought Bussell was giving this man instructions to go and see the Lees, and that there was no more need of my presence.

13,304. He had beckoned you out?—He had.

13,305. Did he say anything when he saw you turning away?—Nothing.

13,306. Neither to you nor you to him all the time?—I think there was not a word exchanged further than I have narrated.

13,307. Anything afterwards?—I do not think I saw Bussell afterwards. I wish to tell all that I know. Afterwards, when passing up the Cornhill, I saw George Lee, on the pavement. As I passed quickly behind him, I said, "Lee, have you polled?" and he said, "Yes," I should think half an hour after this occurred.

(*Mr. Anstey.*) Is George Lee one whom you bribed, Mr. Bussell?

(*Bussell.*) I do not recollect anything of the circumstance which Mr. Nicholls is speaking about at all. I do not know the man. This is entirely new to me.

(*Mr. Anstey.*) Is George Lee one of the persons whom you bribed, Mr. Allan?

(*Allan.*) No, not on the last occasion.

(*Mr. Anstey.*) Was he promised anything on the last occasion?

(*Allan.*) Not to my knowledge.

(*Mr. Anstey.*) Do you remember this incident which Mr. Nicholls is mentioning, that some one had seen Lee?

(*Allan.*) I do not remember seeing Mr. Nicholls to speak to him that day.

(*The witness.*) I should like him to have time to think over this matter, because I think it occurred just as I have narrated it.

13,308. (*Mr. Anstey.*) Was your reason for speaking to Bussell that you understood first of all from what this gentleman said that he was likely to accept a promise or a gift of money?—From what Canon Rooker said to me, I understood these men, although supporters of the Liberal interest, required something.

13,309. Did you select Bussell, because you thought him a proper man?—Not expressly for that, but he was close at hand, and I spoke to him impromptu.

13,310. Had you also in your mind that he was a man employed that day and on all occasions to bribe?

(*The witness.*) I did not know that any money had been spent then, but thought if there was he would in all probability have it at his command.

13,311. Therefore you made that remark?—Yes.

13,312. Did Lee afterwards tell you that he got anything or a promise?—He did not. The only conversation between us is that which I have narrated.

(*Mr. Anstey.*) Perhaps you will endeavour to recollect by-and-by, Mr. Bussell.

13,313. (*Bussell.*) I wish to ask what this George Lee is?—I think he is a shoemaker, in Barclay Street.

(*Bussell.*) To the best of my knowledge he is a man I never spoke to in my life.

(*The witness.*) I do not represent that Mr. Bussell went.

(*Mr. Price.*) Did any such transaction take place without reference to your happening to go to the man.

(*Bussell.*) I do not recollect the circumstance at all. I did not catch where the conversation occurred.

(*The witness.*) In the "Globe" room.

13,314. (*Mr. Price.*) What time of the day?—A little before three, I think it must have been.

(*Mr. Price.*) Is Lee here?

(*Bussell.*) I do not know the man.

(*Mr. Price.*) You may not know his name, but may recognize him.

(*Mr. Allan.*) At Bagehot's first election, Bunter, plumber and glazier, in the same street, polled Lee.

13,315. (*Mr. Price.*) Was it Bunter?—I do not know.

13,316. We had better have the man here, you can identify him and see whether Bussell recognizes him?—I told Mr. Rooker that I did not know there was a son.

13,317. (*Mr. Anstey.*) This gentleman said, "Those Lees." How many are there?—He said something about father and son. I said I did not know that there was a son, and he said "Yes, there were two votes under one roof."

13,318. Whom did you know?—The old man.

13,319. And is he the man you intended to send Bussell to?—Certainly.

13,320. (*Mr. Price.*) You wish to explain to us that you dealt with these two votes in the way you have suggested, by getting Bussell to go down and get him to go to the poll?—Yes, and as Mr. Rooker represented to me, they were supporters of ours but wanted looking after, and I knew what that meant. It has always been a practice.

13,321. Having employed Bussell as you believe to do this matter, you thought it might tell against you if you do not explain it?—I had it upon my memorandum last night, and on looking through it found that I had forgotten to mention it.

13,322. (*Mr. Anstey.*) What is the son's name?—I do not know. I do not know the son at all.

13,323. (*Mr. Coleridge.*) Did Mr. Bussell make any answer to you when you spoke?—None whatever.

13,324. Did he go away as if he were going to do what you asked?—I think he understood what I mentioned to him.

13,325. (*Mr. Anstey.*) Canon Rooker would know?—He is dead, I am sorry to say. I wish he were alive, because it would be much more satisfactory to me to mention the circumstance while he was here.

15,326. Did Canon Rooker express his meaning more clearly, that they were voters but would not vote unless they had a payment of something?—He con-

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veyed to my mind what I tried to convey just now, that he had seen these men and pressed them to the poll. He also told me that they would not vote against us, but they wanted looking after, and some one must go and see them.

15,327. Those are the words he used?—Those are the words he used.

15,328. You understood him to mean that he wanted some gratification?—I understood if anything was going they would like to have it.

15,329. (*Mr. Coleridge.*) What did you say to Bussell?—I think the words, as near as I can recollect, were, "Canon Rooker tells me the Lees will not go to "the poll, they will not vote against us, but some one "must look after them." He moved off towards the door, and in gesture beckoned me, and I went to the stairs.

15,330. (*Mr. Anstey.*) Are you sure that the beckoning was not to some one else?—Well, yes.

15,331. And you followed him closely?—Yes, to the bottom of the stairs, but at the bottom I saw a man whom I think I should know, I do not know that I saw him before. He was a respectable man, and I should think 40 to 50 years old, but I do not know the man.

15,332. Not a seafaring man?—Not a seafaring man; he looked like a very respectable mechanic.

15,333. A stranger to the town?—There are a great many men of that class in the town who, not being much in the street, I am not familiar with.

15,334. Was he one of Brown's men?—I do not know.

15,335. Not Honeyball?—No. Miss Jones, who was here yesterday, has reminded me with regard to the payment of that account on the 28th of September 1866. She says at the time that payment was made I was in the counting house writing.

15,336. (*Mr. Coleridge.*) Mr. Lovibond paid his own private account at the same time?—He paid his own private account at the same time, and that bill, and that I was there, and spoke to him, but when I stated yesterday I knew nothing of the transaction it had really passed through my mind entirely, and until she refreshed my memory I spoke to the best of my knowledge.

15,337. (*Mr. Price.*) Having had your attention called to it, and your recollection refreshed, can you explain to us all the circumstances, or anything that was said by Mr. Lovibond if he did say anything when he paid this account?—Miss Jones tells me, I do not know anything of my own account, that he said that other bill must be charged to Mr. Bagehot.

15,338. The 2*l.*?—Yes.

15,339. Anything about this one of 12*l.* 12*s.*?—I know nothing I can speak of, and she has not told me anything.

15,340. (*Mr. Coleridge.*) About its being transferred from Kinglake and Shelley to the name of Kinglake and Vanderbyl?—I know nothing of that. I believe she said yesterday she had done that by my instructions.

15,341. Either you or your brother.

15,342. (*Mr. Anstey.*) It is made out to Kinglake and Shelley. Was it sent originally to Mr. Lovibond or to Shelley and Kinglake personally?—I cannot tell you; one of our clerks will be here this morning for the purpose of giving evidence on that point.

15,343. It is headed "Election committee," therefore it would probably be sent to Mr. Lovibond?—Yes. May I ask whether you are satisfied that that bill of 12*l.* 12*s.* has been paid by Mr. Vanderbyl, and Mr. Vanderbyl alone.

15,344. That we cannot tell?—Because if so, with your permission, I should extremely like to send Mr. Vanderbyl a cheque for that 12*l.* 12*s.* if you will allow me. I have not the slightest idea of having received it from him.

15,345. (*Mr. Coleridge.*) It was paid by Mr. Lovibond, who can perhaps tell you where he got it from?—It has been stated that it was so paid. I have not the slightest knowledge.

(*Mr. Price.*) No doubt it was paid with some money or other, and the debit in which your book was altered in some way or other to Kinglake and Vanderbyl so as to make them responsible in your ledger instead of Sir John Shelley, and after the election of Mr. Vanderbyl, it was paid by Mr. Lovibond.

(*Mr. Anstey.*) You must form your own conclusions. Mr. Lovibond is stated to have had more to do with the money accounts of Mr. Kinglake, and Messrs. Reed and Cook more to do with those of Mr. Vanderbyl. Mr. Lovibond paid that amount to you. You can draw your conclusions as to the person if it presses on your conscience to return the 12*l.* 12*s.*

(*Mr. Price.*) We cannot interfere in such a matter.

(*Witness.*) I was going to ask permission.

(*Mr. Price.*) We cannot take upon ourselves to do so.

(*Witness.*) May I ask, can Mr. Barham throw any light on the source that money came from?

(*Mr. Price.*) If Mr. Barham wishes to make a statement about it he is perfectly at liberty to do so.

(*Mr. Barham.*) I have no knowledge of that at all.

(*Mr. Coleridge.*) If you ask Mr. Lovibond out of court, perhaps he will tell you where it came from.

Mr. Alfred Nicholls sworn.

Mr. A. Nicholls.

13,346. (*Mr. Price.*) Tell us what you know about the payment of this bill, which is originally debited to the election committee of Kinglake and Shelley in 1865, and afterwards paid in 1866 by Mr. Lovibond, and in the meantime the entry in your ledger is altered?—No, the alteration in the ledger is an account of September 16th, 1868, it is the other account is supposed to be closed, and the young person will explain when she posted the 12*s.* 9*d.* in to Mr. Vanderbyl she struck out Sir John Shelley, that is the account she gave me.

15,347. By whose instructions?—She said yesterday one of ours, but I have spoken to her, and she said, "I must have done it without your knowledge or "sanction."

15,348. We cannot take that, you are retracting for her?—She will come back, and explain that.

15,349. (*Mr. Anstey.*) Do you mean that you would allow any young lady to make any such alteration in your books, which are sacred in every way, and which it is important in case of bankruptcy to prove have never been altered? Do you mean that you allow such a person to alter books?—It is not so, the book will show when, because the credit was made to Kinglake and Shelley in our journal.

15,350. Then why was the alteration made in your ledger? I should like to see the ledger. You voted?—I did.

15,351. After receiving this money?—No.

15,352. Just before?—Two months before.

13,353. You, in the meantime, between when that bad debt was incurred and voting for Vanderbyl and Kinglake, I believe had signed this famous petition of 80 to the House of Commons, setting forth the necessity of purifying this borough?—Yes, I signed it in all honesty of motive.

15,354. In the interval. Would you have allowed or sanctioned any such proceeding as this, the making a claim on Vanderbyl and Kinglake for a bad debt from Kinglake and Shelley of the preceding two years unless Kinglake and Vanderbyl had been candidates for your suffrage at this election?—I think the bill was never made out to Mr. Vanderbyl. I think the bill was never delivered until after Mr. Bagehot came to the town.

15,355. Answer the question. Would this claim have been made, which stands in your books to have been made on Kinglake and Vanderbyl, whereas the real persons were Kinglake and Shelley, would you have made any such change of claim as that, especially without the sanction of the respective debtors, unless those two persons to whose debit you substituted the

debit of Kinglake and Shelley had been candidates for your vote amongst others at the last election ?—The claim was never made to Mr. Vanderbyl.

15,356. Would you allow such alteration in your books ?—I did not know the alteration was made out yesterday.

15,357. Would you have asked for payment of it ?—Of whom ?

15,358. Of Kinglake and Vanderbyl ?—I did not know but what we were paid from Sir John Shelley.

15,359. Do you swear that now ?—I do.

15,360. Then your brother must have managed the matter, and not you, is that what you mean to say ?—No, I do not know that.

15,361. Your brother was in the counting house writing at the time the money was paid ?—The money was credited to Kinglake and Shelley, the entry in our journal, which I showed to Mr. Coleridge yesterday.

15,362. We have it in evidence that actually when the money was paid by the agent of Kinglake and Vanderbyl your brother was in the counting house. When this young person received the payment for you had you the slightest doubt in your mind that your firm, either you or your brother, authorized that transfer of accounts and that mode of payment ? Yes or no ?—I really cannot answer that question.

15,363. (*Mr. Price.*) But do you mean to represent that looking at this document you had the slightest doubt in the world that when it was paid in 1866 it was paid out of money of Vanderbyl and Kinglake, and not Sir John Shelley ?—I have no knowledge.

15,364. Sir John Shelley would not have paid that. I do not know that he was alive ?—I did not know the account was standing over.

15,365. Do you mean you were under the impression that it was paid out of Sir John Shelley's election ?—I should have thought so.

15,366. (*Mr. Coleridge.*) Was the reason you altered it because Sir John Shelley was dead ?—It was not altered then.

(*Mr. Anstey.*) Look at the alteration. You will see it was struck out there.

15,367. (*Mr. Price.*) Why did Mr. Vanderbyl's name enter into the transaction at all ?—It did not enter into the books until 16th November 1868.

15,368. Why ?—Because we had no idea——

15,369. (*Mr. Anstey.*) What book ?—My ledger.

15,370. We are not talking of your ledger but your journal ?—When the young lady posted that in she struck off Shelley and put Vanderbyl.

15,371. Why ?—Because this account was closed ; it was paid then.

15,372. But why put Vanderbyl instead of Shelley ?—Because this election was closed up.

15,373. Do you mean that there was another current account opened at the same time ?—Yes.

15,374. I would rather you spoke so that the public could hear you. That explains what ? why the alteration was made in your ledger ?—You have not begun with the journal which shows the original entry, the entry of 12*s.* 9*d.* in September 1868.

15,375. (*Mr. Price.*) 2*l.* 12*s.* 1½*d.*, where is that ?—This is Mr. Bagehot's, those are three items never paid, and the account was ruled off at the last stock-taking as a bad debt.

15,376. (*Mr. Anstey.*) What is it you mean to represent ? do you mean to say this, that when you made this claim on Kinglake and Vanderbyl for this money, and received payment of it from their agent, Mr. Lovibond, after the last election, you were actually aware that you had long before closed all account with Shelley and Kinglake ?—No, I say I had written that off at Christmas last.

15,377. Then Kinglake and Shelley's account with you was an open account to Christmas last ?—No, it was paid before Christmas.

15,378. Until it was paid by Mr. Lovibond it was an open account ?—It was.

15,379. Then the question returns ; what is the use of evading it ?—I have not.

15,380. Why was the alteration made which you yourself now see, if you have not seen it before, in your book, from Kinglake and Shelley to Kinglake and Vanderbyl ?—I beg your pardon, it is not altered so. Mr. Coleridge will be able to explain to you.

15,381. You are not to devolve the giving of evidence on any of the Commissioners. The young lady yesterday herself stated it was altered, and you say it is not ?—I do not deny the alteration ; there it is on the book.

15,382. (*Mr. Price.*) If any accountant went through this book for any purpose and looked at this, would not he conclude that the whole of those items were items which had been originally to the debit of Kinglake and Vanderbyl as it stands now ?—Yes, as it stands now, and it was a very incorrect manner of doing it no doubt, and done without my knowledge.

15,383. Then in point of fact, it appears in your books as if the whole account was Kinglake and Vanderbyl's ?—Of course it does.

Miss Mary Jones recalled.

15,384. (*Mr. Price.*) What is it you wish to correct in your evidence yesterday with regard to this alteration in the ledger ?—That I made it when the entry was posted, and should have stated so yesterday had I had time to look at the ledger before I left.

15,385. (*Mr. Anstey.*) When did you make the alteration ?—I made it between November and Christmas.

15,386. (*Mr. Coleridge.*) What made you do so ?—We transferred it to the gentleman who bought it.

15,387. Who told you ?—Mr. Nicholls told me to do that.

15,388. Which Mr. Nicholls ?—I cannot say.

15,389. One or the other told you to make that alteration ?—To make it by transferring it to the gentleman who bought it.

15,390. To Mr. Vanderbyl ?—Yes, but not to make the alteration in my ledger. I did that voluntarily.

15,391. (*Mr. Anstey.*) When were you to have done it, and where did he tell you ?—In my day book.

15,392. Is that produced ?—I have it here.

15,393. Will you show us that entry ?—There is the entry originally entered to Kinglake and Vanderbyl, and you will see the two gentlemen's names to it. Mr. Hammill and Mr. Clifford Symons.

15,394. When is the day book made up ?—Every night.

15,395. (*Mr. Price.*) This is the entry which you made you say after you had made the alteration here ?—I made the alteration in this book first.

15,396. What was it before you made it ?—To Kinglake and Vanderbyl.

15,397. No, it is Kinglake and Vanderbyl as it stands now ; Kinglake and Shelley ?—No.

15,398. But it is Kinglake and Vanderbyl now ?—No, that is ruled through in red ink, and you will see Mr. Hammill and Mr. Clifford Symons.

15,399. (*Mr. Coleridge.*) What does that mean ?—That I transferred it to their private account because they bought the goods.

15,400. (*Mr. Price.*) All you have done here is to put down 12*s.* 9*d.*?—Yes.

15,401. 6*s.* for rosettes, and 18 yards of ribbon 6*s.* 9*d.*, making 12*s.* 9*d.* together. That is the whole of that entry ; that does not explain the alteration of these 12 guineas ?—No, it does not refer to that ; that was made since.

15,402. No doubt this was properly debited, I suppose, to Kinglake and Vanderbyl ?

15,403. (*Mr. Anstey.*) The question I put to you had reference to the alteration ?—In my ledger you mean.

15,404. I asked you what was the book in which, if you had attended to Mr. Nicholls' instructions, you

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would have made the alteration from Kinglake and Shelley to Kinglake and Vanderbyl, and you said the day-book or journal?—The ledger.

15,405. You made the alteration in the ledger by mistake. You ought to have done it in the day book, and I ask you to show me the alteration you made in the day book. Where does that appear?—Allow me to explain. When I posted that entry, it was posted to the general account of "Election committee," and being a general account, I thought it was not worth while to open a fresh account to Mr. Vanderbyl. I simply ruled through the "Shelley" and wrote "Vanderbyl" over, still keeping the old folio open.

15,406. In what book?—The ledger.

15,407-8. I am asking about the day book?—I was coming to that. So it remained posted until November, and in November we did not wish to make any further claim on the committee, and we put it to each gentleman's private account who bought the goods, which were Mr. Hammill and Mr. Symmons, and in each of their private accounts you will find that entry is posted, and to each.

15,409. You are upon one thing and I am upon another. You are upon the orders given by Mr. Kinglake and Mr. Vanderbyl?—They were not.

15,410. But for them, and you put it to the private account of the one and the other?

15,411. (*Mr. Price.*) That is only the 12*s.* 9*d.*?—That is only the 12*s.* 9*d.*

15,412. (*Mr. Anstey.*) An outstanding claim of 12 guineas?—That was paid previously to my alteration.

15,413. We want to know all about that note of 12*s.* 9*d.*?—That remains as it was in the first place.

15,414. (*Mr. Price.*) Here is a summary of that account. It originally stood as "Kinglake and Shelley," and you put the pen with red ink through "Shelley" and "Vanderbyl" over it, and therefore Mr. Nicholls acknowledges that any accountant who would have to go through this account would find here, and naturally conclude, that goods to the amount of 12*l.* 12*s.* if not paid for, were owing by Kinglake and Vanderbyl, or if paid, that that had been a payment made by Kinglake and Vanderbyl. That would be the natural result, looking at this book. We want to know why you struck out "Shelley" in this book and put "Vanderbyl"?—Because it was a general account to the election committee.

15,415. From 1865?—From 1865.

15,416. Then having a new candidate coming into the field at the time you altered it, you were told to debit the new candidate?—I was not told; I did it on my own account.

15,417. But why?—Because Shelley was paid.

(*Mr. Price.*) No, it was not paid here; it is paid in 1866.

15,418. And when were the goods had?—In 1865.

15,419. But that was not struck out till November 1868. Why does it appear in this book that Kinglake and Vanderbyl are debited with 12*l.* 12*s.*, when Vanderbyl had nothing to do with it?—That is "Vanderbyl," the entry in the first place.

15,420. Which?—The 12*s.* 9*d.*

15,421. But not the 12 guineas?—No.

15,422. You have made it appear in these books as if Mr. Vanderbyl had ordered goods for 12*l.* 12*s.*, whereas, in point of fact, it was Kinglake and Shelley who ought to have been debited, and it appears that Shelley never paid it, and in 1866, after Vanderbyl has been returned as a member, the entry is altered?—No, it was not altered until 1868.

15,423. But that is after 1866?—Yes.

15,424. You may have altered the whole thing, because of 12*s.* 9*d.*; and then I understand you, because there was 12*s.* 9*d.* against Vanderbyl, you chose to make the whole thing stand against him?—No, certainly not.

15,425. (*Mr. Anstey.*) About the 12 guineas, who told you?—No one told me to do it.

15,426. You told us yesterday one of the Mr. Nicholls?—That is the very thing I came to contradict.

15,427. You have not yet. All you have said to-day is that hitherto one of the Nicholls told you to make the alteration; that you misunderstood his intention, which was that you should make the alteration in the day book, and you made it in the ledger also, and I want you to show me what the corresponding alteration in the day book is?—You have it in this book.

15,428. Have I not given your evidence correctly, that you mistook him; that was where he meant you to make the alteration—in the day book; you made it in the ledger?—No, he did tell me to make it there first.

15,429. Where?—In this day book; therefore if I altered it there, I am obliged to alter it in the ledger too.

15,430. (*Mr. Coleridge.*) That makes the books tally?—Yes.

15,431. (*Mr. Anstey.*) You made it in the day book?—I did.

15,432. You altered it by transferring it, as it were, from Kinglake and Shelley to Kinglake and Vanderbyl?—No; to Mr. Hammill and Mr. Clifford Symmons.

15,433. (*Mr. Price.*) That is the 12*s.* 9*d.*; I am talking of the 12*l.* 12*s.*?—I never altered the other.

15,434. (*Mr. Anstey.*) It speaks for itself; he made the alteration if you did not?—That "Vanderbyl" was written by me.

15,435. (*Mr. Price.*) Does not that to anybody looking at these books look as if Kinglake and Vanderbyl were responsible for the whole of this? Would not an accountant say that the whole account was an account for which Kinglake and Vanderbyl were liable?—Yes, I think he would, but not if he referred to the original entries.

(*Mr. Anstey.*) We refer to the entry, and cannot see any difference.

15,436. (*Mr. Price.*) Show us where the 12*l.* 12*s.* is in that book?—The 12*l.* 12*s.* is to the account of Kinglake and Shelley.

15,437. Is there a corresponding entry; this is copied from some book?—Yes; I have not got that book here.

15,438. We want to know the history of these 12 guineas, and in your book you acknowledge, as anybody must see who looks, or any accountant going through would find, the whole of this debited to Kinglake and Vanderbyl; not only the 12*s.* 9*d.*, but the 12 guineas?—It does appear in my ledger.

15,439. Then how is it that you make Vanderbyl responsible for the whole of that, instead of 12*s.* 9*d.*?—I have tried to explain it as nearly as I can.

14,440. (*Mr. Coleridge.*) These 12 guineas having been paid off, you then debited the smaller sums to the private account of Hammill and Symmons, and altered the name as regarded those smaller items only?—Yes, at the time that was posted.

15,441. (*Mr. Price.*) You altered it very imperfectly, because the entry there corresponds with the receipt; because it is perfectly certain that Sir John Shelley never paid this, and it is perfectly certain, to my mind at least, that Mr. Vanderbyl paid it?—Mr. Lovibond paid us.

15,442. But we know he did not pay it out of his own pocket.

15,443. (*Mr. Anstey.*) What is the meaning of your words just now, "the general election account?" referring to that unfortunate 12*s.* 9*d.*, you said something about your not thinking it necessary to open a new account, but to go on with the general election account?—I call it a general account, being a committee. Had it been a private individual I should have opened a fresh account.

15,444. Then why does that general account not show any of Mr. Bagehot's?—It does show it; those two intermediate entries are Mr. Bagehot's.

15,445. Which?

15,446. (*Mr. Price.*) The 2*l.* 8*s.* 4½*d.* and the 3*s.* 9*d.*?—Yes, 2*l.* 12*s.* 1½*d.*

15,447. (*Mr. Anstey.*) Then I understand now all these accounts were considered, and so treated in the books, by Messrs. Nicholls as forming one account, which the last comer into the borough as candidate would have to liquidate. Is that so?—No, certainly not.

15,448. Then what is your answer? You said you made a general account of it, but it comprised Sir John Shelley, Bagehot, and Vanderbyl. Shelley with Kinglake, Vanderbyl with Kinglake, Vanderbyl by himself, and Bagehot by himself; all forming one general account. Do you mean to tell me when this bill was presented for payment it was not presented for payment to Kinglake and to Vanderbyl considered as the last candidate?—No, it was not.

15,449. Were they the executors or administrators of the debt of Sir John Shelley, is that it? or the agents of Mr. Bagehot? In what capacity was it that they were asked to settle this?—We should have looked upon them as the agents of the candidates.

15,450. You therefore did present it to them as representing the whole body of Liberal candidates for this borough?—Not the whole.

15,451. The whole that had not paid their debts?—No, you will find a separate account.

15,452. Well, of those mentioned in that account, namely, Sir John Shelley and Mr. Bagehot, as well as Mr. Kinglake and Mr. Vanderbyl, they are all mentioned in the general account?—Yes, they are.

15,453. You considered them as agents or representatives of all those candidates whose names are in the general account?—We considered Messrs. Reed and Cook responsible for Mr. Bagehot, and Mr. Lovibond for Mr. Vanderbyl.

15,454. When the 12*l.* 12*s.* were paid to you, I suppose that was the whole then due?

15,455. (*Mr. Price.*) No, 2*l.* 12*s.* and 12*l.* 9*s.* as well; the whole thing would have been those three?—Yes, but that former was paid before that other was posted in 1866.

15,456. It does not appear that this 2*l.* 12*s.* was ever paid?—No, it is not.

15,457. (*Mr. Anstey.*) Is it debited?—No.

15,458. Then why was it not paid?—Because we did not wish to receive any more money.

15,459. Messrs. Nicholls did not?—No.

15,460. Who told you so?—Mr. Nicholls has told me so two or three times.

15,461. Which of them?—Both of them said they did not want to receive money for election colours any more, and the account was stopped.

15,462. But they had received money for election colours?—In the first place.

15,463. When was that?—Sir John Shelley's election.

15,464. 12*l.* 12*s.* they received last year?—Yes; Sir John Shelley's election.

15,465. I am not talking of when it was due, but when they received it?—In 1866.

15,466. That was when it was incurred, was not it?—No, it was paid in 1866.

15,467. Then it is still more extraordinary. Do you mean to say that having received payment in 1866, you in 1868 made the alteration shown by your book?—I did.

15,468. For what purpose?—Because we considered Sir John Shelley's name as void.

15,469. (*Mr. Coleridge.*) He was dead, was not he?—He was dead.

15,470. What time in the year 1866 was this 12*l.* 12*s.* paid?—In September.

15,471. Therefore it was paid by Mr. Vanderbyl?—Mr. Henry Lovibond.

15,472. From Mr. Vanderbyl?—I cannot say; we have made no claims since 1866.

15,473. (*Mr. Price.*) If Messrs. Nicholls had desired to enforce payment against Mr. Vanderbyl by putting him into the county court, then of course it would have been necessary for you to produce your books to show it was debited?—Yes.

15,474. Would you have this book produced to show he was debited with it at that time?—No, not Vanderbyl.

15,475. Then I do not see the object of your putting it in if it was not to make the book as if it was a debt incurred by Vanderbyl, and not Sir John Shelley. I cannot understand why you altered it?—It was not my intention.

15,476. I can imagine that it might be by mistake, and that you found afterwards that Mr. Vanderbyl ought to pay it as his debt, and that you put it to Mr. Vanderbyl, and I can only suppose that you did that to make it tally with the receipt of the money, so as to show if any inquiry took place that it was Vanderbyl's debt, and not Sir John Shelley's?—No, it was not my intention to do so.

15,477. (*Mr. Coleridge.*) Did I catch you to say just now that you looked to Mr. Lovibond for Mr. Vanderbyl, and Mr. Kinglake to Messrs. Reed and Cook?—No, we had sent in that claim of Kinglake and Shelley to Lovibond, and the claim of Kinglake and Bagehot, sent in to Messrs. Reed and Cook.

15,478. (*Mr. Price.*) There would not be a claim of Kinglake and Bagehot, only Bagehot 2*l.* 12*s.*?—Kinglake and Bagehot, we have the account.

15,479. That could not be, because they never stood together. There never could be a joint debt incurred by Kinglake and Bagehot?—You have the bill.

15,480. The bill is Walter Bagehot, Esq., election committee, and that you say you sent to Messrs. Reed and Cook?—Yes.

15,481. (*Mr. Coleridge.*) Did Messrs. Reed and Cook refuse to pay that bill?—They have not refused, the thing has gone on unpaid.

15,482. How is it?—We have not made the claim within the last——

15,483. (*Mr. Price.*) I understand you have received orders since not to press their claim?—We have not done so. We did not press Kinglake and Shelley's claim, Mr. Lovibond came into the counting-house and paid it voluntarily, quite unexpectedly.

15,484. And Mr. Nicholls did not say he would not take it?—No.

15,485. Knowing it was a debt incurred by Kinglake and Shelley?—He was there at the time, he did not take particular notice.

15,486. If he had taken the trouble to inquire he must have known that Mr. Lovibond in 1866 was paying Sir John Shelley's debt in 1865?—Yes.

15,487. Mr. Lovibond paid his own bill of 50*l.* at the same time. Did he give one cheque for 62*l.* 11*s.* or a separate cheque for this?—I do not think it was a cheque, as far as I remember it was cash for the 12 guineas, and his own private cheque for the 50*l.*

15,488. (*Mr. Price.*) The only other thing is to show where these items are debited, to whom?—To Kinglake and Shelley.

15,489. Can you tell when this bill was sent in?—I should think it would be sent in about Christmas 1865.

15,490. Therefore then, it would be an exact transcript from your book of "Mr. Kinglake and Sir John Shelley"?—Yes.

15,491. (*Mr. Coleridge.*) Do you send in your bills yearly or half-yearly?—Half-yearly.

15,492. (*Mr. Price.*) This would be an exact copy of what you read out?—Yes; I read to-day exactly what I read to you yesterday.

(*Mr. Price.*) That would be so. You made no demand, and Mr. Lovibond came and paid it under the circumstances; and then, for rather an inexplicable reason, you altered the name of Sir John Shelley to Mr. Vanderbyl in your book.

15,493. (*Mr. Anstey.*) What was it that made you contradict your evidence of yesterday; through whose information?—Because I said that Mr. Nicholls authorized me to make that alteration, and I remember he did not do so.

15,494. What caused you to make that contradiction?—Because I have been home since, and looked at my books.

SIXTEENTH DAY.

Miss M. Jones.

9 Sept. 1869.

15,495. Your books would not tell you whether you got the order from Mr. Nicholls ?—No; I did it from my memory.

15,496. What has refreshed your memory ?—The dates, and referring to the ledger.

15,497. What has refreshed your memory ? The fact of Mr. Nicholls having or not ordered you to do that does not appear in your ledger at all ?—Nothing more than having had time to consider it. I had some conversation.

15,498. With whom ?—With Mr. Alfred Nicholls.

15,499. And it was in consequence of that you changed your opinion ?—It was in consequence of his reminding me in what way it was done.

15,500. (*Mr. Anstey.*) But he was not present ?—He was not present.

15,501. How could he remind you of how the thing was done, if he was not there when it was done ?—Because he knew that I occasionally made alterations of that kind.

15,502. That would not lead you to do it; your occasionally making alterations of that kind. Did he say you had got Mr. Nicholls into a scrape by what you had said ?—No; I was sorry for what I said yesterday.

15,503. He did not say you had got Mr. Nicholls into a great scrape ?—I did not.

15,504. But did he say so ?—No, he did not. I volunteered to explain myself this morning.

15,505. You are quite clear now that it was not at the suggestion of Mr. Nicholls that you did it ?—No, it was not.

15,506. You did it. You thought you would, by altering the thing, make it more clear and straight ?—Well, it was clear to myself.

15,507. (*Mr. Anstey.*) I understand you still to say (do not let us get into any confusion about it) that he told you to make the alteration in one of your books ?—In my day book.

15,508. But the mistake consisted, not in making the alteration, but in making it in your ledger ?—He asked me to make the transfer.

15,509. Was it your mistake, or was it not, that which I have just mentioned, of carrying the "transfer," as you call it; I call it an alteration or mutilation of the book. Did he ask you to make that alteration in your day book ?—He did.

15,510. And the only mistake that you made was that you made it in your ledger too ?—Yes, I did.

15,511. (*Mr. Price.*) And the only alteration he suggested referred only to the 12*s.* 9*d.* ?—Yes.

15,512. That is so ?—Yes.

15,513. (*Mr. Anstey.*) Not as to the 12 guineas ?—No; not a word about that.

15,514. (*Mr. Price.*) That is quite clear; and therefore you altered it, not only with respect to the 12*s.* 9*d.*, but you altered it in respect of the whole transaction ?—Yes, to the whole.

15,515. Including this ?—Yes; that was paid I considered.

(*Mr. Anstey.*) I should like to ask Mr. Nicholls a question.

Mr. H. F. Nicholls.

Mr. Henry Frederick Nicholls recalled.

15,516. (*Mr. Anstey.*) May I ask you, this mistake being made by Miss Jones, why now, nearly a year afterwards, you have not corrected this mistake, a very important one to a person who wishes to keep his books right ?—I did not know till yesterday that the name of Mr. Vanderbyl was over the account.

15,517. You do not seem to examine your books very carefully then ?—I did not know till yesterday afternoon, when the clerk called for it, that the alteration had been made.

(*Mr. Anstey.*) It is an extraordinary thing altogether.

15,518. (*Mr. Coleridge.*) How often do you audit your books ?—Twice a year.

15,519. (*Mr. Anstey.*) And you must have seen it twice in the first year ?—Twice a year.

15,520. Well, you have seen it once in the course of the year, if not twice ?—No, sir. The amount of the debts are taken off. I do not run through every account in my books. We have thousands of accounts.

15,521. (*Mr. Coleridge.*) Have you an accountant in your employ ?—A young man.

15,522. (*Mr. Anstey.*) I must ask you the same question as to the tradesmen's books in Bridgwater, that I asked Mr. Sealy and Mr Prior with reference to bankers' books in Bridgwater. Is there any single instance of the like irregularity not connected with an election ?—It is a most irregular proceeding. This is a thing I have never done.

15,523. Is there a single instance of the same sort of irregularity not connected with an election ?—There may be so.

15,524. But is there ?—I do not know.

15,525. Do not tell me any such nonsense as "there may be." There may be entries about menageries of wild beasts in your books, and probably there may not be. To tell me "there may be" is not to tell me anything ?—I cannot tell at the present moment about this entry in my book.

(*Mr. Anstey.*) I have my own opinion about the matter.

15,526. (*Mr. Price.*) You were not present when Mr. Lovibond came and paid the account ?—I was not.

15,527. There was nobody but Miss Jones and your brother ?—No.

(*Mr. Price.*) I should like to ask your brother about it.

(*The witness.*) I think I could make that a little clearer to you.

Dr. F. Farmer.

Dr. Frederick Farmer recalled.

15,528. (*Mr. Price.*) What is the state of Mr. Cook's health this morning ?—He is better this morning; and I think it is quite clear that if he is kept quiet throughout the day, that by to-morrow morning he will be able to come here.

(*Mr. Price.*) Then he may be kept quiet to-day. We do not require his attendance to-day.

Mr. E. Barham.

Mr. Eustace Barham recalled.

(*The witness.*) I desire to claim your attention for a few minutes. I was present yesterday in court, when Mr. Henry Frederick Nicholls was giving his evidence, I could not very clearly understand what he said, but I did gather that he spoke to an interview taking place just before a certain journey to London made by Mr. Lovibond, Mr. Reed, and myself, a certain interview taking place between myself and Mr. George Bryant Sully at the county court. He stated that they went first to my office, and finding me at the county court, they called me out, and they then asked me, on seeing Mr. Bagehot in London, to extract from Mr. Bagehot a pledge that he would not in the coming contest have recourse to any corrupt practices; and Mr. Nicholls, I understood, also added that they exacted from me at the same time, personally, a pledge to the same effect.

15,529. (*Mr. Price.*) I will just look. I do not quite remember that ?—I heard it very imperfectly.

15,530. Yes; he spoke very indistinctly; but I remember his saying he had impressed upon you and the other gentlemen going to London that you should

extract that undertaking from Mr. Bagehot?—I do not think he said that he impressed it upon the other gentlemen, I think he said he impressed it expressly upon me.

(*Mr. Price.*) I will look at the transcript of yesterday's proceedings with respect to it.

15,531. (*Mr. Anstey.*) What do you want to correct in it?—I want to correct that point which applies personally to myself, and to give at once the most distinct denial of my having entered into any such pledge; and I have written a note to Mr. George Bryant Sully, and also to Mr. Nicholls, merely stating that I intended to draw your attention to it this morning, and ask you to be so good as to put certain questions, because if I did enter into that personal pledge I broke it within three weeks afterwards, and it is a very gross thing.

15,532. (*Mr. Price.*) Wait a moment and I will see. It is towards the close of his evidence, was it not, when he got to the election of 1866?—Yes; the election of 1866; Mr. Bagehot's election.

15,533. (*Mr. Anstey.*) While the Chief Commissioner is referring to the authentic notes of the evidence given by those two witnesses, I will ask you a question on another point. You remember you told us of that extraordinary idea that took possession of Mr. Kinglake's mind, that in point of law an authority to act at an election is revoked by the departure of the person giving it from the place where it was given, and the impossibility you found in persuading him that that was not so; you remember that?—Quite so.

15,534. Mr. Cook, in his evidence, has stated the same thing, only that Mr. Kinglake communicated the point to him many days before, or some days before, the last day of the trial of the petition, about the 4th of January he thinks it was, that would be, you know, more than a month before Mr. Justice Blackburn closed the inquiry. Now I will ask you what was the earliest period at which Mr. Kinglake informed you or gave you to understand that he had any such idea in his mind?—I will tell you, sir, in a moment. He had told me of it before, but it was when I saw him in London. I am trying to give you the date. (*The witness then referred to a paper.*) On the 14th or 15th of December 1868.

15,535. Where?—In London.

15,536. At his own hotel?—I dined with him at the Reform Club. Mr. Lovibond and I were in London together. Mr. Lovibond did not dine with us. I and Mr. Kinglake dined together, and one of the topics of conversation was that very point at dinner that day.

15,537. I want to know this: did he tell you that he had left Bridgwater before these corrupt practices began?—No; I do not think he told me that. That was assumed.

15,538. Between you?—Between us. That was the assumption on which we were arguing the point of law.

15,539. Now which commenced the conversation? Did he commence by telling you of his point of law or did you commence it by suggesting that it would be very difficult for him to make out that he was not answerable for the acts of his agents, which was it?—Oh, I feel certain that he commenced it, because I remember another circumstance, and that was that that very same morning, we had then got to London, Mr. Lovibond and myself, we were at Mr. Kinglake's chambers, his private residence, not his chambers, but his residence, in the morning, and while we were there Mr. Vanderbyl came in. He had come in to see Mr. Kinglake to invite joint action in the defence of the petition, not knowing that he should find us there. He found us there, and Mr. Kinglake then told him that he declined joint action, because he considered his position entirely different from Mr. Vanderbyl's, inasmuch as he hed left the town and given up the election before any corrupt practices took place.

15,540. That was in the morning?—That was in the morning.

15,541. And in the evening when you dined with him he started the subject again?—Yes.

15,542. What did he say on that second occasion?—Well, it is a very difficult thing to say that, but it was the subject of conversation; and I should tell you this, that in the course of the day Mr. Lovibond and myself had had a consultation with counsel, and counsel had stated this, that it was at that time a matter of conversation and consideration in Westminster Hall whether or not, now that the trial of these election petitions came before a common law court, whether or not the old doctrine with respect to agency might not receive some modifications, and I think that I told Mr. Kinglake at dinner that I had received an intimation of that kind from counsel.

15,543. Then this point of law was started afresh?—Then this point of law was started afresh. It had been the subject of conversation in the morning and it was referred to again.

15,544. I forgot to ask this question before, but what had Mr. Vanderbyl said that morning when Mr. Kinglake told him of that point of law and the difference in their position?—I do not think Mr. Vanderbyl entered into it all. When Mr. Vanderbyl found that he was unwilling to co-operate he went away.

15,545. I suppose you endeavoured to explain to him at dinner how much he was in error about that point?—I told him so all through, that I thought so.

15,546. And he would not see it?—Well, sir, he did not see it.

15,547. I want to ask you this question. There was a discussion, I suppose, of more or less length, it lasted some minutes, on this point of law?—I dare say there was; I do not remember exactly.

15,548. And you may have had other conversations with him since on the subject?—No, I do not think I saw him again.

15,549. Take what I am going to ask you generally. In any of these conversations or discussions with Mr. Kinglake, or in any letter that you received from him, did he ever give you to understand that he left Bridgwater in order that he might not be made responsible for the illegal acts of inferior agents?—Most certainly not; and I feel quite satisfied that that was not so. Whatever might be the legal effect of his leaving Bridgwater, I feel certain it was a *bonâ fide* act.

15,550. You were not with him when he left?—No, I was not.

15,551. We are not asking you what you are satisfied about. Did he ever say this to you in any conversation or in any letter to you, "I took good care to "leave Bridgwater before anything of the kind could "go on"?—No, certainly not.

15,552. Nothing of the kind?—Certainly not.

15,553. But the fact is that he did leave Bridgwater before these corrupt practices began?—That is so.

15,554. And not only did he leave before, but just before?—Yes.

15,555. What date in November was the election?

(*Mr. Anstey.*) The 17th November.

(*The witness.*) No; December.

15,556. The election?—The election was in November.

15,557. The 17th of November?—Yes.

15,558. As early as the 14th December he had already made up his mind to rely upon that point of difference, as he had said, between his case and Mr. Vanderbyl's, that he had left Bridgwater actually before, though but a few minutes before, the corrupt practices began?—That is certainly so.

15,559. (*Mr. Coleridge.*) Now at the time that this conversation and this point of law was being argued at the Reform Club——?—I said "in Westminster Hall," I beg your pardon.

15,560. Did Mr. Kinglake know of the transaction between his brother and the bank about that 1,000*l.* cheque?—I do not know that.

15,561. But did he mention it?—I never heard of that transaction until I heard it in this court myself.

SIXTEENTH DAY.

Mr. E. Barham.

9 Sept. 1869.

15,562. You did not know of it?—No, I did not know of it.

15,563. Did Mr. Kinglake know of the 500*l.* got from the bank by Mr. Allan?—I had not the slightest knowledge of the kind. My assumption in the argument was this, that the money which had been spent after Mr. Kinglake had left was Mr. Vanderbyl's money. This was our assumption, after that money had been spent by persons, or by the privity of persons, who, at all events up to the time when Mr. Kinglake had left, had been the agents of both, and whose authority had not been revoked.

15,564. I suppose you scouted Mr. Kinglake's point of law?—I certainly was always against it; I always said so.

15,565. Since these proceedings have been going on Mr. Kinglake has gone to the Crimea. Have you had any correspondence with him?—No; no correspondence at all.

15,566. (*Mr. Anstey.*) Has he gone to the Crimea?—I do not know. I believe he has.

15,567. (*Mr. Coleridge.*) Do you know whether Mr. Lovibond has heard from him?—Mr. Lovibond has received a letter from him, stating that he made a communication to you on the subject of his going there.

15,568. Where was that letter written from?—I believe it was written before he left London.

15,569. And you do not know whether any account of these proceedings have been sent from time to time to him to the Crimea?—I have not the slightest knowledge whether any account has been sent or not.

15,570. (*Mr. Anstey.*) In fact, you do not know whether he has gone to the Crimea or not?—No. He may be in London for what I know.

15,571. Can any one inform us whether he has gone to the Crimea or not?—I do not know. I have no knowledge.

15,572. (*Mr. Price.*) Probably his brother could tell us?—His brother probably could; but I do not know myself.

15,573. (*Mr. Anstey.*) To finish what I was asking you about, I will ask you this: At all events, on the 14th of December, twice on the 14th December, if not subsequently also, there were conversations between you and Mr. Kinglake, in which Mr. Kinglake betrayed or assumed a knowledge of corrupt practices having been laid to the charge of his and Mr. Vanderbyl's agents at the election, and upon which they were going to proceed?—Unquestionably.

15,574. And the general nature of those practices?—Well sir, that is to say, not apparently the general nature, because it appears by the evidence, that the impression we were going on then was erroneous. Whether Mr. Kinglake had knowledge I do not know.

15,575. Not erroneous, incomplete you mean?—I beg your pardon; incomplete.

15,576. (*Mr. Coleridge.*) At the time of this discussion of the point of law, had the petition been filed?—Oh yes, the petition had been filed.

15,577. So of course he knew what was charged?—And I remember another thing that it was on that very same day that the point first became known in London about the giving sufficient security.

15,578. And I suppose you took out a summons for further particulars?—I think so.

15,579. (*Mr. Anstey.*) I do not think you quite understood the question which was just now put to you by Mr. Coleridge, if I may judge from your answer to it. You say he told you he was going to stand on that point, that is to say, that he left before they began those corrupt practices. You say there was an assumption, by which I suppose I am to understand what you call down here an "understanding," between you and him, or else that it was generally understood, that the corrupt practices were not those which were merely stated in the petition, but those which appear to have been actually committed at a certain hour of the day; otherwise how could he have fixed upon that point in his own mind, if he left before they began, unless he was aware that the corrupt practices in question were generally those to which you have particularly spoken, namely, the corrupt practices conducted from the "Globe"?—Why, sir, I think for this reason, that it was after he left that that wonderful change took place in the borough.

15,580. No matter how he got at it, but he was aware of it at the time he had that discussion with you, not only that the petition contained the verbiage necessary to make a good formal petition against a return, but that there was going to be evidence of practices which would account for that wonderful rise in his favour after he left the town?—Well, sir, I think he must have had such an amount of suspicion of it as amounted to next door to a certainty.

15,581. But it was an assumption as I understand you?—Yes.

15,582. His point of law which he persisted in with such tenacity was grounded upon what you call the assumption of that as a fact?—Yes.

15,583. That being so, I must ask you this, do you think he would have taken so extreme a measure where either his own interests or those of his colleagues were concerned as to sever from Mr. Vanderbyl, unless he was thoroughly aware that the petitioners were not going to proceed with any corrupt practices earlier than his departure from the town of Bridgwater?—Well, I should think that was probable.

15,584. That is evident?—Well, I think that is a fair inference to draw; but I have no more means of drawing it than you have.

15,585. (*Mr. Price.*) Do you say that you proceeded on the assumption at that time that no corrupt practices had been used for him, except in the way of joint agency, which of course would make him liable; did you proceed on the assumption that there had been no direct corrupt practices on his behalf?—Yes.

15,586. No spending of money on his behalf?—That is what I mean, that no money of his had been spent by his friends.

15,587. On the 14th December, when you had this conversation, were you unaware of the bank transaction of the 500*l.*?—Entirely. I never learnt the particulars of that bank transaction until I heard them in this court.

15,588. (*Mr. Anstey.*) Mr. Lovibond never informed you?—I never learnt the particulars of it, but I did hear shortly after the petition (after the petition and before this Commission) that there was a question of 500*l.* having been taken of Sealey's bank under some very extraordinary circumstances.

15,589. But you had not heard of it at the time of this discussion between Mr. Kinglake and you?—No, certainly not.

15,590. And therefore, Mr. Lovibond concealed it from you?—Certainly.

15,591. And Mr. Kinglake, if he knew it, concealed it from you also?—Mr. Kinglake, if he knew it, concealed it from me also.

15,592. (*Mr. Price.*) His brother would know it. I dare say he was in constant communication with his brother?—Well, sir, you understand you are precisely on the same footing that I am.

15,593. This is what Mr. Nicholls said yesterday. He stated that he saw Mr. Sully, and persuaded Mr. Sully to go and see the professional gentlemen, and to try to secure a pure election. Then they called upon Mr. Barham. "We went to Mr. Barham's office, he "was not at home, but we were told that he was "at the county court. We went together to the "county court, and called him out of the county court "into the private room, and I then explained to him "the object of our visit, and I asked whether he "would undertake to put Mr. Bagehot to a pledge "that he would spend no money, and to do so before "the professional men. Previously he had canvassed "very warmly the object of our coming to him, and "he said, 'Most certainly; I will do so with the "greatest willingness;' and I also asked him,

" 'Will you ask him whether he will share with the " 'Liberal electors of Bridgwater the cost of petition- " 'ing, providing our opponents spend money,' and he " said, 'It is a very proper question and I will do so.' " Then Mr. Coleridge says, 'Are you aware, after " 'doing that, that he is one of the four people who " 'guaranteed the borrowing of the 1,000*l.*?"'—Then, sir, it does not amount to a statement that he exacted a pledge from me personally.

15,594. Then his answer to that question is, "I " was going to explain. I understood, not from Mr. " Barham himself, but Mr. Sully, that the answer he " brought back from London was that he did put " those questions to Mr. Bagehot, and Mr. Bagehot " answered them in the way he desired, but there " was nothing surprised me so much that at Mr. " Bagehot's election to find that corrupt practices " were resorted to, and I must tell you that on the " morning of the election, Mr. Francis Thompson, " Mr. Sully and myself, and Mr. George Sully, were " ignorant of everything but honest conduct at " that election." Therefore, what he seems to have said was this, he asked you to put Mr. Bagehot to a pledge, and that you said you would do so with the greatest willingness?—Quite so. I did not clearly understand what he said. I thought he said that he put me under a pledge personally. I may say that this was a thing that escaped me, but having had it drawn to my attention by Mr. Nicholls's evidence it brings to my mind this circumstance, which I will mention at once, that on the journey to London with Mr. Reed and Mr. Lovibond a discussion was commenced, either by Mr. Reed or Mr. Lovibond, with respect to the arrangements that should be made for the providing the money; and when that discussion arose I, knowing that I was charged with this message to Mr. Bagehot, felt myself placed in an anomalous position, and I stated to Mr. Reed and to Mr. Lovibond the pledge I had given, and that immediately occasioned a very considerable discussion, which lasted during a considerable part of the journey, as to whether or not I should make good this pledge, and I insisted upon making good this pledge, but at the same time I wish to state that the result of those very arguments which then took place was the very beginning of that alteration of my opinion and of my view and of my action which took place so shortly afterwards. It was in the course of that contest of opinion which took place then that the difficulty of conducting that election was brought home to me, and although I carried out faithfully my promise to Mr. Sully and to Mr. Nicholls, I must state that I did it to the letter only, and I am afraid that a great deal of the spirit of the thing had gone out of it.

15,595. (*Mr Coleridge.*) You said when you were examined before, that as Mr. Lovibond was an older hand than you were, you deferred to him?—Yes.

15,596. (*Mr. Price.*) Did Mr. Lovibond wish to dissuade you from exacting that pledge from Mr. Bagehot, as you had promised Mr. Sully and Mr. Nicholls you would?—He certainly did.

15,597. After you told him that you had given the pledge to these gentlemen that you would do it?—He certainly did. I remember he endeavoured to bring me round to his view that night, and he said, "Well, " it is perfectly clear that if Mr. Patton's friends " are going to spend money it will not do to go and " talk to Mr. Bagehot about not spending money."

15,598. (*Mr. Coleridge.*) Did you go and tell Mr. Bagehot of the pledge you had been requested to exact for him?—I do not remember what I said, but undoubtedly I did.

15,599. (*Mr. Price.*) After Mr. Bagehot had been let in for this sum of money for illegal expenditure, did not he turn round and say, "What is the meaning " of your coming to me and asking me to conduct the " election on pure principles, and then, after all, " coming down upon me for this money for illegal " purposes?"—No, he did not. After the close of the poll he said, "Mr. Barham, I am afraid there has " been an illegal expenditure." He never said he would not recoup anybody. He behaved very much better than I had any right to expect.

15,600. (*Mr. Anstey.*) Was there not also this further point in it. You had got a pledge from Mr. Bagehot, which I suppose he understood to be a pledge to those who he supposed had requested you to obtain it?—Quite so.

15,601. When he discovered he was let in for a sum of money avowedly spent for bribery purposes, do you mean to say that he did not object to you, and say, " How can I pay this money, seeing that I am bound " by a pledge to the electors, which you have yourself " extorted from me, that I would not be a party to " any corrupt practices?"—He certainly did not, and I do not think I saw him on the subject. We only saw his lawyer, Mr. Robins.

15,602. When he said to you, "Mr. Barham," &c., &c., did not he say, " if there has been money spent " in corrupt practices, I certainly shall not recoup " anybody who has paid the money, for I am bound " by a pledge"?—No, he certainly did not.

15,603. Does not that give rise to a suspicion that, like yourself, Mr. Bagehot had pledged himself as to the letter and left himself entirely free as to the spirit of it?—I cannot say. That is my statement. There is another thing I wish to mention. I am made to state in the paper, I suppose I did say it, that Mr. Kinglake had gone upon the circuit. That is not so.

15,604. (*Mr. Price.*) That was in answer to my question whether he had had a legal education; and that was when, I think, we were on the point of his being bound by the acts of his agents?—In point of fact he was at the equity bar.

ANDREW ALLAN recalled.

A. Allan.

15,605. (*Mr. Price.*) I want you to be very particular as to how you answer this question. We wish to know from you whether you paid any of the bribe money which had been entrusted to you for the purposes of the last election after you had heard of the proceedings which were likely to be taken, either by way of election inquiry or the inquiry before the Commissioners?—Not one shilling.

15,606. That you are quite clear about?—All the money I paid was paid at the "New Inn" on the afternoon of the polling day. It was all paid in half-an-hour's time. I never paid a shilling to any one since.

15,607. I must now ask you this question, which I put to you the other day, it is not for the purpose of inquiring too curiously into your private affairs, but it is necessary that I should ask you. You became the purchaser of a property at Wembdon?—That was four years ago, before Mr. Bagehot's first election; before I had had anything to do with electioneering.

15,608. With your own money?—With my own money; before I had anything to do with electioneering.

15,609. Before you had had anything to do with any election at all?—Before I had had anything to do with any election at all.

15,610. You have purchased no property since? Have you laid out such a sum of money as 1,300*l.* since you began bribing for the purchase of property?—No.

15,611. Nothing like that?—That is the last property I have purchased, and it was before Mr. Bagehot's first election, and before I had had anything to do with electioneering. I effected some mortgages since.

15,612. How much have you lent on mortgage?—I may have lent more than 1,000*l.*

15,613. In what year? In one year?—I am quite prepared to show you every list of items connected with it.

15,614. We are not actuated by an impertinent curiosity. It is a public duty, and a painful duty, at

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A. Allan.

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the same time, we are required to perform it. You are perfectly prepared to explain it if necessary?—Perfectly prepared.

15,615. (*Mr. Coleridge.*) At the time you had lent this money on mortgage, had you retired from what you call the "Scotch" trade?—Yes.

15,616. And you had the money which came out of that business on hand, and you lent it on mortgage, instead of investing it in property?—Yes. I am quite prepared to show my banking account, and everything connected with any transaction I have had in my life.

15,617. (*Mr. Anstey.*) Did I understand you to say in your former examination that you did not sign the petition of 80 because you thought it was bad taste?—I did sign it. It was before I had anything to do with electioneering matters.

15,618. One witness, I do not know whether it was you, gave such a reason for not having signed the petition?—It was John Smith.

(*Mr. Anstey.*) Yes; it was John Smith.

15,619. (*Mr. Price.*) Your hands were clean at that time?—Yes. If the prayer had been granted I should not have been in the position I am here to-day.

(*Mr. Price.*) Your answers to the questions we have put to you are satisfactory, and therefore we shall not trouble you any further upon that. We were obliged to put the questions to you in consequence of certain rumours about the town.

Mr. Henry Kingston Reynolds sworn.

Mr. H. K. Reynolds.

15,620. (*Mr. Price.*) You are an accountant in the Newport branch of the West of England Bank?—Yes, I am one of them.

15,621. Were you, in the year 1866, at the time of Mr. Bagehot's election, cashier at the Bridgwater branch of the same bank?—Yes, I was.

15,622. Do you remember Mr. Barham drawing cheques on the bank on the polling day?—I do.

15,623. To whom were those cheques debited?—To Mr. Eustace Barham.

15,624. Had he a private account there?—He had.

15,625. Were those cheques entered in the ordinary way to his private account?—They were not.

15,626. To what account were they entered?—To a separate account.

15,627. How was that account headed?—I have the books here.

15,628. Have you the books here?—The books are all here.

15,629. You had better show them to us. Were they entered by you?—They were.

15,630. Then you will be able to speak to it?—That is the account (*pointing to the account in a book*).

15,631. How were the cheques entered there in your book?—"1866, June 7th." Shall I read the heading exactly?

15,632. Yes?—"Eustace Barham, solicitor of Bridgwater. Separate account."

15,633. That is the way it is headed?—That is the way it is headed. "1866, June 7th. To self."

15,634. We do not care about his private account?—The cheque was payable to self. It was payable to payee, 500*l.*

15,635. (*Mr. Coleridge.*) In gold?—I do not know. It is not entered here as such.

15,636. (*Mr. Anstey.*) Go on reading it?—"Ditto, 200*l.* Total, debit balance, 700*l.*"

15,637. (*Mr. Price.*) Was there any payment made by him?—On the 9th he is credited "By cash, 100*l.*," leaving a debit balance of 600*l.* On the 30th June, "By cash, 600*l.*" clearing the account.

15,638. (*Mr. Coleridge.*) Then he paid in nothing before drawing on that account. It was an imaginary account when he drew upon it?—Oh, exactly, in that sense.

15,639. (*Mr. Price.*) You made him draw on credit?—Exactly.

15,640. Did he ask that it should be done in that way, not to be credited to his private account?—I believe so.

15,641. (*Mr. Anstey.*) What authority did he give you for paying the money, a cheque I suppose?—Oh, exactly.

15,642. He brought cheques?—Yes, two cheques.

15,643. Are you sure there were no memoranda?—I will send for them if you like. In my own mind I am perfectly satisfied they were cheques.

15,644. (*Mr. Price.*) In the first place they were handed to Mr. Ford?—Not on that occasion. That was the second election.

15,645. The cheques were first handed to Mr. Ford, and Mr. Ford gave you the gold for them from time to time?—For the 200*l.*

15,646. (*Mr. Coleridge.*) I suppose Mr. Barham's own private account was quite sufficient to have met those sums?—I cannot say. I will refer. I suppose I need not do that.

(*Mr. Coleridge.*) You need not see the particulars.

15,647. (*Mr. Price.*) At all events, he asked to be allowed to draw upon a separate account?—So I understood.

15,648. And, in the course of the day, were the cheques which were signed by Mr. Barham given to you?—Yes, no doubt.

15,649. To square the cash account?—Yes, exactly.

15,650. Did they go through the books in the regular form, all those cheques?—Yes, certainly. The cash book is the first.

15,651. (*Mr. Coleridge.*) Will any book show whether that was in gold or notes?—I think not.

15,652. (*Mr. Price.*) I thought you were prepared to say all the advances were made in gold, because Mr. Ford had gone to Bristol the night before and got gold. Let me remind you. Do you know what the money was for?—I certainly did.

15,653. Was that from information that Mr. Ford had given you?—Certainly.

15,654. And had he gone to Bristol the night before for gold?—He had.

15,655. (*Mr. Anstey.*) Did he bring back gold?—I think he brought back 500*l.* I could tell you by the cash book.

15,656. Does that lead you to say that these cheques were paid by gold?—Well, no doubt about it.

15,657. (*Mr. Price.*) I believe you were in no communication with anybody but Mr. Ford, and you acted under his instructions?—I did.

15,658. At the time of Mr. Vanderbyl's election in 1866 were you in charge of the Bridgwater branch when Mr. Ford was out of town?—I was.

15,659. Now, before Mr. Ford went away did you ask Mr. Ford what course you should adopt if Mr. Barham applied for another advance?—I did, or if he should want any money. I cannot tell you the exact words of course.

15,660. Exactly. Mr. Barham is the solicitor for this bank?—He is one of them.

15,661. What did Mr. Ford say?—He said, in substance, that I was to let him have what he wanted.

15,662. (*Mr. Coleridge.*) Did he put any limit to it?—No, I am not aware that he did.

15,663. You were not to let him have a couple of thousand pounds if he wanted it?—Oh, certainly, I should say.

15,664. Who were the other solicitors?—Mr. Carslake. It is Carslake and Barham.

15,665. (*Mr. Price.*) On the following day were you sent for at your lodgings by Mr. Barham?—I cannot remember.

15,666. Did you see Mr. Barham?—I did.

15,667. Did he ask you for anything?—Yes.

15,668. What for?—For money.

15,669. For how much?—200*l.* or 300*l.*

15,670. Did he ask for it in gold ?—I believe he did.

15,671. In the course of the day, did you supply Mr. Barham with money to the extent of 1,500*l.* ?—Yes.

15,672. How was that money recouped ?—By two cheques on Manchester.

15,673. Signed by whom ; by Mr. Brogden ?—Yes.

15,674. (*Mr. Anstey.*) On a Manchester bank ?—Yes. We have them here properly entered.

15,675. First of all, on whose authority did you pay the money out ; did they draw cheques, or did they sign memoranda if you wanted them ?—Mr. Eustace Barham, I believe ; I cannot speak positively, because you must remember it is three years ago. I believe he gave me, at various times in the day, memoranda.

15,676. Not cheques ?—Not cheques.

15,677. Have you any of those memoranda ?—Certainly not.

15,678. Have you destroyed them ?—They were destroyed at the time. Of course when I received the cheques I had no further necessity to keep them.

15,679. What was the nature of the memoranda, as well as you can remember their contents ?—Simply, I suppose, "E. B.," or "Eustace Barham," a certain amount.

15,680. And anybody who brought a memorandum got the amount ?—He gave me cheques to recoup me for those amounts.

15,681. Yes ; but if anybody brought such a memorandum he got the amount described in it ?—Nobody but himself. I paid every farthing to him personally.

15,682. Then Mr. Barham is somebody. Mr. Barham personally brought you a memorandum, and you gave him the sum you mentioned on it ?—I did.

15,683. (*Mr. Coleridge.*) Do you recollect anything about a guarantee of Mr. Bate's, Mr. Lovibond's, and Mr. Barham's for 1,000*l.* ?—I do not.

15,684. (*Mr. Price.*) You say Mr. Barham gave you no cheque that day ?—Yes.

15,685. Do you not remember that he gave you a cheque for 700*l.*, and a cheque for 800*l.* that day ; just see ?—Those entries are not in my handwriting. They are in the handwriting of a junior clerk. That is for the 800*l.*, and on the next day, 700*l.* (*pointing to the entries in a book*).

15,686. On that same was it, the 800*l.* ?—The 800*l.*

15,687. And the 700*l.* ?—On the next day.

(*Mr. Price.*) The first day is, "Manchester and "County Bank, Alexander Brogden drawer of "cheque, payable to self, 12th July, 800*l.*" And the next is, "Manchester and County Bank, Manchester. "Drawer's name, Alexander Brogden, 13th July. "Payable to self, 700*l.*"

15,688. (*Mr. Anstey.* Were those cheques honoured at Manchester ?—They were.

15,689. (*Mr. Price.*) Is that all you know of the transaction ?—That is all.

15,690. (*Mr. Anstey.*) Did you know, with regard to that sum, as you did with regard to the former election, for what purpose the money was wanted ?—Certainly.

15,691. For bribery ?—(*No answer.*)

15,692. (*Mr. Price.*) Did you yourself vote at that election ?—I have no vote, and never had.

15,693. Did Mr. Barham, when you saw him, say that he would hold you harmless for any pecuniary loss, either to yourself or to anyone else ?—Certainly ; most distinctly.

15,694. Did you ask him for that assurance ?—Yes. I thought I would make assurance doubly sure.

15,695. (*Mr. Coleridge.*) Did you not take anything like a guarantee when he asked to be allowed to draw against an imaginary account ?—Do you mean in the first instance ?

15,696. Yes. Did you not take any guarantee ?—Oh, no.

15,697. (*Mr. Anstey.*) Then Mr. Barham gave you cheques on that occasion ?—Yes, cheques.

15,698. Now, supposing you had not got the second cheque that day, what security would you have had that the second sum of 700*l.* would have been made good to you ?—Mr. Barham's word.

15,699. Supposing he had died over night ?—Well, I really cannot say.

15,700. Then the shareholders in your bank would have suffered ; is that so ?—I presume they would.

Mr. JOHN HAWKEY BINGHAM CARSLAKE called.

Mr. J. H. B. Carslake.

15,701. (*Mr. Price.*) That is a list of magistrates you have in your hand ?—It is a list of magistrates.

15,702. Just read it, and then our shorthand writer will get it on the note ?—I have prepared the list in accordance with your directions. "Justices of the "Peace for the Borough of Bridgwater. When ap- "pointed. Names. Occupation as stated in the "Commission. Politics. Remarks. 22nd January. "1836. Thomas Withy Inman, Esquire, Liberal, "Left the town. John Chapman, Esquire, Liberal. "Dead. John Brown, merchant, Liberal. Joseph "Thompson, ironmonger, Liberal. Dead. Those are the old commission. Then the new commission, dated "16th November, 1867. The mayor for the "time being. John Browne, merchant, Liberal. "John Chapman, Esquire, Liberal. He is dead. Thomas Whitby Inman, Esquire, Liberal. He has "left the town. Joseph Thompson, ironmonger, "Liberal. He is dead." The same names as I read before. They are repeated. "1841. George Browne, "captain in the Royal Navy, Liberal. He is dead. "Robert Ford, merchant, Liberal. He is dead. "Robert Bate, conveyancer, Liberal. He is dead. "1842. Robert Bagehot, Esquire, Conservative. He "is dead. Frederick Axford, Esquire, Conservative. "He is dead. John Sealy, Esquire, Conservative. "He is dead." I have put what I suppose to be their politics. I am not quite sure about what I have said of Mr. Sealy, but I believe he was a Conservative. He comes in the batch of Conservatives.

15,703. It does not always follow that the gentlemen who are nominated in one particular Government are all of the politics of that Government. My experience is, that they generally take a majority of their own side, and throw some of the other side in ?—There is a very small majority thrown in now and then. "Edward Anstie Stradling, Esquire, Conservative. "He is dead. Jonathan Toogood, Esquire, Conser- "vative. He has left the town. Richard Woodland, "Esquire, Conservative. He is dead. 1851. Abraham "King, surgeon, Liberal. He is dead. Robert Russell "Sewell, bachelor of medicine, Liberal. He has left "the town. Charles Thompson, ironmonger, Liberal. "He has left the town." He has property rated in the town, and I believe he has a right to act. "Thomas "Sully, merchant, Liberal. Dead. 1852. William "Baker, Esquire, Conservative. Dead. John Far- "quhar, merchant, Conservative. Left the town. "Thomas Ford, Esquire, Liberal. Dead." He was a Liberal, appointed in that Conservative batch. "William Dean Bath, Esquire, Conservative. Dead. "1859. Richard Reynolds Woodland, Esquire, Con- "servative. Dead. John Woodland, Esquire, Con- "servative. Left the town. 1864. James Haviland, "gentleman, Liberal. Carey Bailey Mogg, gentle- "man, Liberal. William John Ford, gentleman, "Liberal. Henry Frederick Nicholls, gentleman, "Liberal. 1866. William Henry Axford, M.B., "Conservative. Robert Salmon, banker, Conser- "vative. Follett Charles Hennett, ironfounder, "Conservative. Captain Ritson, merchant, Conser- "vative. Joseph Richard Smith, alderman, Conser- "vative. 1868. Frederick Farmer, doctor of physic, "Conservative. Edward Lilly, land agent, Conser- "vative. John Baptiste Hammill, merchant, Liberal." He was the one Liberal of that batch. Then there is the recorder for the time being under the Act of Parliament, Ernest Haythorne Reed, Esquire. Then

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Mr. J. H. B. Carslake.

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you asked me to give you a list of the county magistrates resident within the borough. There are only two living. "George Browne, captain in the Royal "Navy, Liberal. He is dead. 1851. John Lovell Sealy, "banker, Liberal. 1861. John Browne, merchant, "Liberal." Those are the whole of the magistrates.

15,704. (*Mr. Anstey.*) Is that Mr. John Browne, the same person who is the justice of the peace for the borough?—Yes.

15,705. (*Mr. Price.*) Now, with reference to what you mentioned to me yesterday, we may as well state it to you publicly, that we shall be obliged to you if you will make out for us what portions of the parish of Bridgwater are not within the parliamentary borough, with a view to the question which may arise hereafter, a very important one, as to the expense which will fall upon the borough in connexion with this inquiry; so that we may be prepared, if we think it right, to lay a statement before Her Majesty's Attorney General, to show what portions of this borough would be rated to this inquiry, which are not portions of the peccant borough?—Yes, exactly; and that relates to the parishes of Wembdon and Durley.

15,706. Exactly; all those places which would be rated to the public rate, but which have nothing to do with the parliamentary borough?—I suppose you wish to know the number of houses, and the rateable value?

15,707. Yes?—I have that all prepared in Bridgwater.

(*Mr. Price.*) Very well. Will you let us have that at some time or other. Mr. Winterbotham had better be here now.

(*Mr. Carslake.*) He is in Bristol now, and it was in consequence of that, that I volunteered to make that statement about him.

(*Mr. Anstey.*) I may here remark, what it is right that everybody should know, that I am not at all satisfied myself with the practice of a general retainer being given by a witness to a medical man to come here every day on his behalf as often as his name is in the list, and so often to state that he cannot come.

A. Allan.

ANDREW ALLAN recalled.

(*Witness.*) On referring to my bank book, I find that I am in error. It was on the 1st of June 1868 that I paid for that field at Wembdon.

15,708. (*Mr. Coleridge.*) What did you give for it?—260*l.* was the purchase money.

15,709. What was that about the 1,300*l.*?—I bought a property in Wembdon on which I paid a deposit of 200*l.*, and there was a dispute about the acreage, and it was referred to arbitration, and afterwards the deposit was returned.

15,710. What was the amount of that property, if you had bought it?—1,200*l.*

15,711. If you had bought that property, should you have had the money on mortgage?—No, I should not. I beg to hand in my bank book. I will show you the documents relating to any item in the bank book. The 200*l.* that I paid on deposit was returned; that is, part of the 200*l.* That makes up the money I had on mortgage.

15,712. I suppose I need hardly ask you; you never paid a bribe by cheque?—Never in my life; and I never paid a shilling of my own money for electioneering purposes.

15,713. You never were so unfortunate as Mr. Cornelius White and Mr. Smith, who said they were out of pocket?—No, I never paid a shilling.

15,714. I suppose nobody ever is out of pocket?—I never lost anything.

(*Mr. Price.*) Very well. You knew, as I told you this morning, you should have a thorough opportunity, having been in a peculiar position, of explaining anything. We did not intend that anything should be brought to our knowledge, in which your character was involved, which you should not have the fullest opportunity of meeting. For that reason we have called you, and it is possible that we may call you again.

(*Witness.*) The reason I said nothing about the Wembdon purchase was the fact that I did not buy. The purchase was not completed. It went off.

Mr. J. G. Sully.

Mr. JOHN GEORGE SULLY sworn.

15,715. (*Mr. Price.*) Are you the son of Mr. James Wood Sully?—Yes.

15,716. I understand you want to say something about your father's state of health. The doctor is not here who attended him?—No.

15,717. How is that?—A message was just sent to my father that his medical man should appear here. I was sent for from the office, and when I saw my father he requested me to see Dr. Winterbotham with that end in view, and I find he is out of town, and won't be home till late at night.

15,718. (*Mr. Coleridge.*) He has gone to Bristol, as we have heard?—I do not know where he has gone.

15,719. (*Mr. Price.*) When did he last attend your father?—Yesterday.

15,720. Has he been in constant attendance upon him?—Yes.

15,721. What is your father suffering from?—He broke one of his ribs two weeks ago; last Saturday fortnight, I think it was.

15,722. Is your father confined to his bed?—No.

15,723. You cannot tell us, I suppose, when he will be able to come? Does he go out at all?—No, not at all yet.

15,724. (*Mr. Anstey.*) Has Dr. Winterbotham been atending him all this time?—Yes; he was there yesterday, I think.

15,725. Had Dr. Winterbotham been attending your father before this Commission opened?—Yes. It was on a Saturday the accident to my father occurred; the Saturday before you opened the Commission on the Monday.

15,726. I want to know why Dr. Winterbotham, when he came here to offer himself to speak to the health of another witness, did not tell us about your father's state of health, your father having been then summoned, and having had notice that he should be wanted?—I cannot tell at all.

15,727. When did your father request him first to appear here on his behalf?—I do not know.

15,728. Do you know that your father has requested him to attend on his behalf?—I asked my father yesterday, knowing that his name was on the list, whether it was all arranged for Mr. Winterbotham to speak for him when he should be called upon; and I understood from my father that it should be so.

15,729. Whenever he should be called upon?—I think so.

15,730. How long is that arrangement to last?—I suppose if he had been at home he would have spoken to-day, when he was called upon.

15,731. Are we to understand that this is to be done day after day, or how long is it likely to last?—I do not quite understand your question.

15,732. Dr. Winterbotham, you say, is to appear whenever your father is called upon?—No, I did not understand that. My father knew he would be examined, being subpœnaed, and I understood Dr. Winterbotham would state, the first time he was called upon, that he was unable to appear.

15,733. (*Mr. Coleridge.*) How long do you expect it will be before your father is about?—I do not know.

15,734. He is up and dressed, I believe?—Yes.

15,735. He is perfectly fit to be examined if we went to his house?—I do not know that he is.

15,736. You say that what is the matter with him

is a broken rib. That would not be so very much harm?—He is an old man, and it has been a great shock to his nervous system.

15,737. (*Mr. Anstey.*) Do you mean to say that you contemplate that we are to close our inquiry here, and perhaps in London too, without having the advantage of your father's testimony?—That depends upon when you close it, I suppose.

15,738. What prospect do you hold out?—I do not know. I have not asked Dr. Winterbotham. He is very desirous to give you his statement.

15,739. Has he gone out yet?—No; he only came downstairs on Monday.

15,740. That is something to know. Monday last?—Monday last.

15,741. And he has not since been confined to his bed?—No.

15,742. He is moving about the house?—No, he does not move much. He just walks up and down the house.

15,743. He walks about the house?—Yes.

15,744. And he attends, I suppose, to his daily affairs?—No, he does not.

15,745. Writes letters?—No.

15,746. Converses?—Yes, he talks a little, of course.

15,747–8. And takes his meals?—Yes.

15,749. (*Mr. Coleridge.*) What is his age?—Sixty-three, I think.

15,750. (*Mr. Price.*) A broken rib may be a very serious thing. Has the broken rib affected any vital part, the lungs or anything of that kind?—I believe not. The only thing is that in the case of a man of my father's age it is a shock to the nerves. Dr. Winterbotham said at first, and he says so still, that it is just quiet and rest that he wants.

15,751. (*Mr. Coleridge.*) How did the accident take place?—He fell from a pair of steps.

(*Mr. Price.*) Perhaps you will communicate with Dr. Winterbotham when he comes back to-night, or leave a message, that we should like to have his evidence to-morrow?

15,752. (*Mr. Anstey.*) And you will also remember, Mr. Sully, that it is at this particular period of the inquiry that we would rather have your father's evidence, because if we took it later it would break the chain?—Yes.

Mr. Charles Robert Bate recalled.

Mr. C. R. Bate.

15,753. (*Mr. Price.*) What we want to ask you is with reference to this piece of information. I think, to do you justice, if I recollect right, you were asked principally the other day about your father's connexion with Mr. Kinglake?—I was.

15,754. I cannot quite recollect whether you were asked to give us any information as to any part you took in the election of 1868 or not?—1868; oh yes.

15,755. And as to being asked to go to the bank?—Yes.

15,756. Now, we learned yesterday from Mr. Nicholls that you and Mr. Mogg, upon inquiry, found Mr. Lovibond at Mr. Nicholls's?—Yes. (*A pause.*) I beg your pardon; I said "Yes." I am not quite sure that Mr. Mogg went with me to Mr. Nicholls's.

15,757. We understood yesterday from Mr. Nicholls that you and Mr. Mogg arrived at his house to inquire for Mr. Lovibond?—Yes; but I do not think that Mr. Mogg went into Mr. Nicholls's house with me.

15,758. Then give us your version. In the first place, what induced you to go and look for Mr. Lovibond?—The report that Mr. Lovibond and Mr. Barham had both deserted their rooms. They were in charge of different wards. Then hearing that they were constantly asked for—I do not know whether I was asked to go and look for them, or whether I volunteered to go and look for them, but I went. I went first to one room and then to the other, and found both rooms vacant; or if there was anybody there it was merely the check clerk in charge of the sheet. Having been in the separate rooms, I then asked one or two persons in the street what had become of Messrs. Lovibond and Barham. Some one, I cannot tell you who, told me that he thought he was gone up in the square.

15,759. Mr. Lovibond was it?—Yes. I went to Mr. Mogg's house, and asked if he was there, and he was not there; and I think, I cannot say for certain, but I think Mr. Mogg told me he had seen him pass with Mr. Henry Nicholls.

15,760. Then you went up?—Then I went to Mr. Nicholls's, and there I found him.

15,761. When did you see Mr. Mogg?—Just before I saw Mr. Nicholls.

15,762. Before?—Yes.

15,763. Therefore you went to the house together?—No; I say I went to Mr. Mogg's house. They are close together, the two houses are, and to go to Mr. Nicholls's house you would pass Mr. Mogg's house, to go round the square.

15,764. Then you saw Mr. Lovibond?—Yes.

15,765. Tell us what passed?—I can hardly say what passed. I think, as far as I recollect, "they had deserted their post and the election was altering."

15,766. You said so?—That the election was altering, the position of the candidates was altering, and that Mr. Kinglake was gradually catching up. Upon that he got up immediately, and I stayed back with Mr. Nicholls.

15,767. You remained behind?—I did.

15,768. Did you see him go away with Mr. Mogg?—No, I cannot say that I did. Mr. Nicholls's front door is round the corner; it does not face the square at all. I believe I walked round the corner by myself. I do not think Mr. Mogg went with me at all.

15,769. Did Mr. Lovibond leave you then?—He did.

15,770. Did he say what he would go and do?—No, nothing.

15,771. He merely got up?—I cannot say. He might have said, "I will see to it." I cannot say that he said anything to me.

15,772. How long did you stay with Mr. Nicholls?—Ten minutes or a quarter of an hour.

15,773. When did you see Mr. Lovibond again; when he told you to go to the bank?—Over the bridge, the "Globe" side of the bridge.

15,774. You had gone away from King Square and walked towards the bridge?—Yes. There is a large room at the "Globe," not actually in the "Globe," but somewhere leading out of the coach entrance, the carriage entrance.

15,775. Then you saw Mr. Lovibond in the street, did you?—Yes, between the "Globe" and the bridge.

15,776. Then he asked you to go to the bank?—Yes.

15,777. (*Mr. Anstey.*) Are you quite sure, now, that that is all that took place? Nothing was said by Mr. Lovibond to you about what he would do?—Not the slightest.

15,778. Were not you very much surprised when he asked you to go and get the money at the bank?—Well, as I told you the other day, I was taken aback for a moment, and even turned to go, and then I thought and refused to do so.

15,779. What did you mean by saying the election had altered?—The position of the candidates on the poll. Mr. Kinglake, instead of being 160 behind, was drawing up to within about 40, I think.

15,780. Then Mr. Lovibond went. How long before this was it that you had seen Mr. Mogg first?—Between the time I saw Mr. Henry Lovibond and the time I saw Mr. Mogg it must have been about five minutes from the time I left Mr. Mogg's house. I walked straight from one house to the other.

15,781. You found Mr. Mogg at home?—I did.

SIXTEENTH DAY.

Mr. C. R. Bate.

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15,782. You stayed there five minutes?—I think so.

15,783. What took place?—I merely told him of the alteration, and said the agents had deserted their posts.

15,784. And what did he say?—I cannot tell. I cannot recollect the conversation at all.

15,785. You can tell us the substance, cannot you?—No, I cannot; I have not the slightest recollection.

15,786. Did he say anything about Browne's men?—Not the least.

15,787. Or about men who would not vote unless they were paid?—No, I never heard a word about it. I was looking for Mr. Lovibond, and I was annoyed to think the agents had deserted their posts.

15,788. Then you remained five minutes?—I think I did.

15,789. (*Mr. Coleridge.*) You had polled at this time?—I polled the first thing in the morning.

15,790. (*Mr. Anstey.*) Then you went with Mr. Mogg from Mr. Mogg's house——?—No, I do not recollect Mr. Mogg going with me except to go out at the door.

15,791. Mr. Nicholls says ——?—I have heard that he said so.

15,792. Listen. He said that Mr. Mogg and you came together to his house, that you went upstairs?—Oh, no, there is no upstairs. We went into the dining room.

15,793. Well, you went into his house (it does not signify about going upstairs), and the other did not?—I do not know which you said just now. Did you say that Mr. Nicholls said that Mr. Mogg and I went into his house?

15,794. No; that you went to his house, and then one of you went inside?—That is what I say.

15,795. Was that Mr. Mogg?—Mr. Mogg stayed out and I went in.

15,796. Where did he go to?—I do not know the least.

15,797. Did Mr. Lovibond join him before you yourself left Mr. Nicholls?—I tell you I cannot say whether they met each other outside or not.

15,798. You did not see them in the street?—I do not recollect seeing them at all in the street together.

15,799. Did Mr. Mogg, when you called upon him that day, tell you that he had seen Mr. Lovibond just before?—I think he said that he saw him pass with Mr. Nicholls.

15,800. If Mr. Mogg did not tell you that he had seen him just before, did he tell you that he had seen Mr. Nicholls. You say you went to ask Mr. Mogg "Where is Mr. Lovibond?"—I did.

15,801. What did he say?—I think he said, "He has passed with Mr. Henry Nicholls."

15,802. Did he tell you that he himself (Mr. Mogg) had spoken to Mr. Lovibond some time before that?—Not that I recollect.

15,803. Well, then, tell me one thing more, Mr. Bate; how long after you left Mr. Nicholls's house was it that Mr. Lovibond asked you to be the bearer of this money?—Well, I think about five and twenty minutes. I cannot say.

15,804. Was it in the street, or was it in the "Globe"?—In the street, on the rising of the bridge, the other side of the bridge.

15,805. You were going then to the "Globe"?—No, I was coming from the "Globe."

15,806. Where was Mr. Lovibond?—There were crowds of people on the bridge, and he was standing and talking there.

15,807. Talking to the crowds of people?—No; I did not say to the people.

15,808. Whom was he talking to?—I do not know.

15,809. You are quite sure that he was not then talking to Mr. Mogg?—I cannot swear that he was not. I cannot recollect.

15,810. Did you see Mr. Mogg anywhere about there when Mr. Lovibond made you that proposal which you refused?—I cannot say that I did, but my impression was that Mr. Mogg was with him when I told Mr. Lovibond that I would not go.

15,811. That is your impression?—Yes, but I cannot say that I saw him.

15,812. About what time was that?—It was about half-past 2. I cannot say for certain.

15,813. Your first coming to Mr. Nicholls's house was about half-past 2, was it not?—No, that must have been soon after 2, a quarter past 2 or 20 minutes past 2.

15,814. The whole of what is described by you to have taken place from the time of your first going to Mr. Mogg's house to the time when you refused to be the bearer of that message about 500*l.* did not last up to 3 o'clock?—I believe it was between 2 and half-past, but I cannot say.

15,815. Certainly it was before 3?—I should think so.

15,816. (*Mr. Price.*) Mr. Bate, may I ask you what was your motive in going? The election was then on the balance, as it were; what did you go to Mr. Lovibond for?—Because he had left his post.

15,817. Had you any idea that Mr. Lovibond was the man who would pull the purse strings?—Oh, not the slightest. I had no idea that he was mixed up in any way. The first I heard of it was——

15,818. Deserting his post is one thing; but how was he to get voters up?—There were no voters at all.

15,819. What did you think he would do?—They generally arrange to go to the places and bring them in in tallies of five or six.

15,820. You knew that a number of men were hanging back?—I was told the new constituency was supposed to have held back, advised by the old hands, and they went to the poll on the supposition that the whole thing was lost when Mr. Kinglake went away.

15,821. You say they were nearly equal when you went to Mr. Mogg?—That was after.

15,822. The election having changed as you say, the numbers being nearly equal, why did you come to the conclusion that your people were wanted, and that you should go to Mr. Lovibond?—I did not suppose that they were hanging back for Mr. Lovibond.

15,823. You must have supposed there was a great number of unpolled voters?—I did.

15,824. And that they were hanging back?—No, they were beginning to poll by twenties, only no returns were coming.

15,825. (*Mr. Anstey.*) Is not this the fact, Mr. Bate, that you went to Mr. Lovibond to let him know that Reed and Cook's men were coming up, and had already changed or were changing the fortune of the day, and that Mr. Lovibond was expected to do the same with his men?—No, certainly not.

15,826. Then, without Mr. Lovibond's presence at all, the election, to use your own strong expression, was already changed?—Yes.

15,827. And yet you went to reproach him with deserting his post, and not bringing up the voters. Who had brought up the voters?—I do not know. He was not bringing them.

15,828. How did you know Mr. Lovibond was not?—Because there were constant complaints at the "Globe," that the other two committee rooms were deserted.

15,829. The "Globe" being the head-quarters of Reed and Cook?—Yes.

15,830. And not Mr. Lovibond at all?—Yes.

15,831. Then it did amount to this, that the "Globe Hotel" people were doing their utmost, and had already changed the fortune of the day, and it required only that Mr. Lovibond should do his utmost?—I had no idea that there was anything wrong going on.

15,832. (*Mr. Coleridge.*) You doubtless knew that Mr. Lovibond succeeded to your father's shoes in the management of these matters?—I had no knowledge of the conduct of these election matters at all.

15,833. You knew the part your father took in the elections?—I knew he was Mr. Kinglake's personal friend.

15,834. And agent, too, for election purposes?—You may call him his agent.

15,835. And after your father's death you knew Mr. Lovibond took his place?—Yes.

15,836. You said just now you knew nothing about it?—I considered my father was Mr. Kinglake's prime agent, head agent.

15,837. And then that Mr. Lovibond has taken his place?—Yes; but you said "paid agent."

(*Mr. Coleridge.*) No, I did not.

15,838. (*Mr. Price.*) Now, look here at your father's book. There is an entry here under the date of September 1859, headed "John Hamilton Kinglake, M.D." That is the brother of the member?—Yes. I know the entry.

15,839. It is 1,070*l.* And then there is 55*l.* And then there is on the other side, "By cash, 1,100*l.*" What transaction is that?—I have no knowledge of it.

15,840. (*Mr. Coleridge.*) What is the date of it?—It is in 1859.

15,841. (*Mr. Price.*) You cannot tell us at all what that is?—No. I told the secretary the other day that this book is his own private book in which he entered loans made by himself out of his own cash. This book used to be kept locked up.

15,842. Do you know anything or not which would induce you to suppose that your father advanced 1,070*l.* to Dr. Kinglake for any private purposes of Dr. Kinglake?—Do you know at all from the relations between your father and Dr. Kinglake whether there was any other transaction, any ordinary business transaction?—Oh, yes. I told the secretary the other day. I showed him another item of a heavier amount many years ago.

15,843. (*Mr. Coleridge.*) Whom was that to?—Dr. Kinglake.

15,844. (*Mr. Price.*) In July and September 1853?—Very likely. It was received in 1854. I gave it to the secretary.

15,845. And Mr. Kinglake was first a candidate in 1852?—Yes; but I think he only polled 101 votes. I do not think that can have to do with it.

15,846. You cannot tell us what that means?—I think that was some family arrangement. I think the old gentleman died just before.

15,847. Why do you think so?—By casual conversation with my father about it.

15,848. Has your father left no papers of any kind accessible to you which would throw light upon that?—The day that I was examined I opened a drawer which contained the whole of the papers, to the best of my knowledge and belief, relating to any transactions with Dr. Kinglake. That drawer I gave to my managing clerk, and told him to schedule the papers. He did so, and tied them up in bundles and gave them to your secretary.

15,849. That is not an answer to my question. Did your father leave any books or papers which if consulted might throw light upon these entries?—No. I say I have produced everything I know of.

15,850. Then this I understand to mean a confidential arrangement between your father and Dr. Kinglake?—This one which you are speaking of here?

15,851. Of course. The entry which you cannot explain?—Certainly.

15,852. If that had not been a confidential arrangement there would have been, I suppose, some trace of it among your father's books and papers?—Well, I can hardly say that. There are several entries, if you look through this book, where he has lent friends of his own money merely just on a note.

15,853. And those entries you cannot explain?—Those entries I cannot explain.

15,854. Therefore this is not a single transaction?—I should say not by many, from the book.

15,855. Were there no costs charged?—There was nothing charged for doing it, therefore it would not appear in the general books. I have looked through the bill book, and there would be no charge at all.

15,856. You say your father was not a solicitor?—He was a conveyancer practising under the bar as I am.

15,857. Therefore he would have no costs?—He would in drawing a mortgage.

15,858. You mean fees?—Yes.

15,859. (*Mr. Anstey.*) Do conveyancer's bills of costs differ materially from the bills of costs of attorneys?—I should say they are precisely the same.

15,860. (*Mr. Price.*) You do not charge attendances and letters, and so on?—Yes, we do.

15,861. (*Mr. Coleridge.*) Just the same as an attorney?—Yes, in conveyancing only.

15,862. (*Mr. Price.*) Now, there is a letter sent from Mr. Kinglake to your father, speaking about the payment of 100*l.* to Mr. Lovibond?—Mr. Purcell has seen that letter.

15,863. Can you explain that at all?—Not the slightest.

15,864. (*Mr. Coleridge.*) That is to Benjamin Lovibond, I suppose?—No, I think not.

15,865. To Henry?—To Henry Lovibond, I think. I do not think I have read the letter.

15,866. (*Mr. Price.*) It was just after the election of 1863?—I cannot speak from memory to the date. I gave it to the secretary at the time.

15,867. On the 13th of October 1866 he says something about Smith being settled with, and Hamilton doing the needful. Can you explain that?—No. The secretary has seen all these letters.

15,868. But there is the letter?—There is the letter in the bundle.

15,869. Speaking of Smith being settled with, and in which the expression is used that "Hamilton will do the needful?"—Yes.

15,870. (*Mr. Anstey.*) I think you were asked this before. You were asked to explain any circumstance which made you look for Mr. Lovibond on the day of the poll. We know now the reason why you went to stir him up to his duty?—I never thought of this at the time.

15,871. I should have thought you would remember it?—If you remember, I did not know you were going to call me then, or that my name was on the list for the day, until I came up here from luncheon, and when I was called I answered every question you asked me.

15,872. (*Mr. Coleridge.*) You went in very tired, and took off your coat and had some sherry and water and went away again?—Yes, or brandy and water.

15,873. More than that. You went in and told Mr. Lovibond in the words which have been used?—I was asked whether I sat down and had some sherry and water, and I said yes.

15,874. (*Mr. Anstey.*) I can only say it ought to have been told us before, when we asked the question several times over, "Had anything occurred that day?"—I told you I did not recollect. I did not see that that would be any reason for his asking me.

15,875. We asked Mr. Nicholls and he said nothing to it?

15,876. (*Mr. Price.*) "Hamilton" is one of the christian names of Dr. Kinglake?—It is his brother.

15,877. Is there anything else you recollect?—Nothing. I can give you no more information. I should have told you that as a matter of course if I had thought of it at the time. Can I take this book?

(*Mr. Price.*) Yes.

Mr. JOHN PRIOR recalled.

Mr J. Prior

15,878. (*Mr. Anstey.*) I want to ask you this question. You have stated, you know, that Mr. Sealy on the occasion of the election of 1866 had given you pretty clearly to understand that any money transactions of yours with reference to that election, ought to be concealed from him. His words were, "Why the devil did you let me know anything about it?" and you were asked on a subsequent day, "Did you under-

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Mr. J. Prior.

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"stand that to imply disapprobation, or did it simply "mean not to let Mr. Sealy know anything about it?" and you said the latter; and you were the person who had charge of what we may call the cashier department. I ask you this question. You have stated that you did not make any entry of the 500*l.* at the last election, either at the time or afterwards, nor till long after the opening of our Commission. Let me ask you, was that omission on your part occasioned by your recollection of Mr. Sealy's understood wish, that any transactions of that kind should be kept to yourself, and that no knowledge of them should be obtruded upon him?—In my reply to your former question I stated that I had done it in an incautious manner, and I did not wish for Mr. Sealy to know anything about it, and therefore I concealed it from him. I never thought about Mr. Sealy's instructions about that cheque. In fact it never operated upon my mind.

15,879. Your answer to my question is no; that it was not for the purpose of carrying out Mr. Sealy's understood wishes that he should be kept in ignorance of these matters?—I never thought anything about such a thing.

15,880. Do I understand you, whether you thought about it or not (I want a plain answer to my question), that the plain answer to my question is "No"?—Well, it is "No."

15,881. Now let me further ask you, did you never hear it stated or rumoured in the borough about that time, soon after the last election or during the last election, that a guarantee of some kind or other, whether a legal guarantee or an honourable guarantee matters not, had been given to you or to your bank, on the faith of which you relied, that you would have repayment made to you at the proper time of the 500*l.*?—I have not.

15,882. Never heard that rumour?—I never heard that rumour.

15,883. Well, then, I will ask you, was it the fact that Mr. Lovibond, Dr. Kinglake, and another, or any one of those gentlemen, either jointly or with others, ever gave you that or offered you that sort of security for the repayment of the money?—No one ever gave me any security whatever.

15,884. Not even in honour?—Not even in honour.

15,885. You had no promise from anyone that if you advanced the money it should be made good to you?—I had not.

15,886. And after you made the advance of money, after the transaction was over so far, did anybody ever tell you that you should have repayment made of the money which you had so advanced?—No.

15,887. Nor gave you so to understand?—Well, some time after the transaction I called on Mr. Lovibond, and he would not enter into it with me.

15,888. He would not enter into it with you?—He would not enter into it with me, but he said words like this, "all right." That is all I know about it.

15,889. How long was that after the polling day?—Perhaps two or three weeks.

15,890. Did he say, "I won't enter into it with you"?—"Say nothing to me about it," or words to that effect.

15,891. "Say nothing to me about it." "All right"?—Yes.

15,892. And that conveyed to your mind a sufficient assurance that you would have the money back?—I thought I should have it from some one or other.

15,893. Is that consistent, or is it inconsistent, with what Mr. Lovibond stated on oath in court the other day; that if you were to apply to him for repayment of the money he should defend the action?—That I must leave Mr. Lovibond to answer.

15,894. Do you think so?—I do not know what took place then; nothing more than that.

15,895. Then is your recollection consistent with that?—I understood that Mr. Lovibond would see me made right at all events.

15,896. Then you think that Mr. Lovibond may have meant this, "I will get it from the person," or "I will take care that the person who is to repay it "will repay it"?—Most probably I thought so.

15,897. And not Mr. Lovibond himself?—Well, I could not charge myself to call upon him individually.

15,898. Now, after the recollection of all these matters, and particularly that important conversation with Mr. Lovibond, which we now hear and for the first time, who in your mind is the person to whom you would look to make it in Mr. Lovibond's language "All right"?—Well, I expect that Mr. Lovibond would see me made right in some way or other.

15,899. From whom?—I cannot say. I do not know. He has never told me.

15,900. No; but whom do you understand by this conversation to be the person that Mr. Lovibond meant as the person that was to make it all right?—I have no idea at all.

15,901. You said you did not think it to be Mr. Lovibond?—From what Mr. Lovibond said to me I believed that he would see it made right, but through whom I do not know.

15,902. Had you the slightest doubt it was Mr. Kinglake?—Well, I could not tell. Mr. Kinglake's name was never mentioned.

15,903. No, it was not. We know that; but you said you knew enough to make you know that Mr. Lovibond was not the person. Who else was the person whom you supposed instead of Mr. Lovibond would make it all right?—Well, I should first look to Mr. Mogg, of course, as he gave the order.

15,904. Just so; and if he declined?—Well, then I should take Mr. Lovibond next.

15,905. And if he declined?—Well, then of course I must seek further advice upon that. I have not consulted my solicitor upon it.

15,906. I am not saying what you are going to do; but whom did you understand at the time, either when you paid the money over or when you had this conversation with Mr. Lovibond a fortnight afterwards, whom did you understand you would have to look to in case Mr. Mogg and Mr. Lovibond were not in funds to recoup you?—Well, I thought I should be made right by some one, but I was not prepared to say who.

15,907. Have you the least doubt that it was either Mr. Kinglake, or his brother, Dr. Kinglake?—With regard to Mr. Kinglake I am quite sure of this, that I did not look at all to him.

15,908. Then to the Dr.?—Well, the Dr. may have been implicated in some way or another with Mr. Lovibond; I cannot say.

15,909. Did not you think he was a likely person to pay Mr. Lovibond the money or to hand it over to you?—Well, it is very probable he may.

15,910. No; but did you think so?—Well, I did not think much about it.

15,911. Much or little, did you think so?—I thought I should have the money repaid through Mr. Lovibond, by some means or other.

15,912. Then, in point of fact, you look to Mr. Lovibond in the last place?—To assist me in the matter.

15,913. (*Mr. Coleridge.*) I think you have already told us that if Dr. Kinglake had not had that transaction about the cheque on the night before you should not have given that 500*l.* out?—I should not; that threw me off my guard.

15,914. Did not that rather lead you to the inference that Dr. Kinglake was the person to whom you would go?—I cannot say that I would apply to him directly.

15,915. Did not it appear to you that it was a sort of sequence of the affair of the cheque?—I never thought about it, I assure you.

15,916. You have told us already that you would not have given the 500*l.* unless there had been that affair of the 1,000*l.* Did not the natural sequence of affairs show, even supposing you had forgotten about the cheque at the time, that it was upon Dr. Kinglake's responsibility?—Well, it was never explained to me.

15,917. No; all you had was "Allan, 500*l.*" You did not give it to them on Allan's responsibility?—Oh no.

15,918. Was not it Dr. Kinglake's responsibility? Unless he had been to you about the cheque you would never have given the money at all?—That may have led me to do it.

15,919. It did lead you to do it?—It threw me off my guard.

15,920. Except for the affair of the cheque you would never have advanced the 500*l.*?—Certainly not.

15,921. (*Mr. Anstey.*) Did you ever see Mr. Lovibond on any subsequent occasion about it?—No; but——

15,922. Nor hear anything about it?—No.

15,923. Now tell me what you were going on to say?—Of course I see him every day.

15,924. Nor had you any letter about it?—No, no letter.

15,925. Not even since this particular inquiry was instituted?—I have not.

15,926. (*Mr. Coleridge.*) Have you heard from Dr. Kinglake since he was here?—I have not.

15,927. Or seen him?—I have not.

15,928. (*Mr. Anstey.*) You have told us of one sort of assurance you had at the time from one of the actors. Did anybody else about that time—at the time of the election or soon after, or at any time after the election—give you any kind of assurance that it would be all right, or words to that effect?—I have not had any.

15,929. Neither Mr. Kinglake nor Dr. Kinglake?—No.

15,930. Nor anybody?—Nor anybody.

15,931. Had you any reason at that time, or when Mr. Lovibond spoke to you after that time, to suppose that more than one person would make it all right?—No, I had not.

15,932. (*Mr. Price.*) But now, Mr. Prior, you say that Dr. Kinglake, after he had given you that cheque, came back and told you to consider it as a cancelled affair?—He did.

15,933. Then the next day you let this 500*l.* go. Supposing you had made a claim upon Dr. Kinglake and said, "Now, I shall look to you for payment of "the money," and Dr. Kinglake had said, "Oh, you "cannot do that, because I told you it was cancelled; "I told you to consider my cheque cancelled;" how would you have got over that difficulty?—Well, I do not know that I should have got over it.

(*Mr. Price.*) I should think not.

15,934. (*Mr. Anstey.*) Would not you think that Dr. Kinglake had cancelled the cancellation; had rescinded on the morning of the poll his desire of the night before that the affair should be considered as cancelled?—It was the day of the polling that he cancelled that cheque.

15,935. (*Mr. Price.*) The very day of the polling?—The day of the polling that he cancelled it.

15,936. (*Mr. Anstey.*) What time?—About 12 o'clock.

15,937. *Mr. Coleridge.*) Before you sent the 500*l.* out?—Yes, about three hours before.

15,938. It was the more extraordinary that you should have done it after that, that you should have risked the bank money to the extent of 500*l.* when only a few hours before Dr. Kinglake should tell you it was cancelled, unless you had some intermediate communication with him?—I told you at my first examination that I did it unguardedly.

15,939. (*Mr. Anstey.*) Did not you understand really, Mr. Prior, that all that was cancelled was the cheque?—I knew the cheque was cancelled, because I saw it put in the fire.

15,940. Was not that all that was considered as cancelled?—Yes.

15,941. (*Mr. Coleridge.*) In all your long life had you had anything of the sort occur before?—Never.

15,942. (*Mr. Price.*) And you considered that Dr. Kinglake still intended that there should be a kind of open credit affair for his brother's election?—No, never.

15,943. (*Mr. Anstey.*) Not a minute ago, in answer to my question, "Did not you consider that all that "was intended to be cancelled was the cheque?" you said, "Yes, I did"?—Well, the cheque which he gave me he cancelled, but he never kept any account with us, nor opened any account with us but on that occasion giving me that cheque.

15,944. Nor did Mr. Mogg?—Nor did Mr. Mogg.

15,945. Nor Mr. Lovibond?—Mr. Lovibond keeps an account with us.

15,946. But there was no cheque drawn on that account?—No, not for that purpose.

15,947. (*Mr. Coleridge.*) You say not for that purpose. Was there for any other? Did he draw any other cheque that day?—Not that day that I am aware of.

15,948. On the day before?—I will show you the books.

15,949. Did he the day before. You said, "Not "for that purpose"?—I mean in connexion with the election.

15,950. (*Mr. Anstey.*) I must ask you another question. Did anybody else, not Dr. Kinglake, anybody besides Dr. Kinglake, draw a cheque and leave it in your hands either that day or before the day of election?—No.

15,951. Nor in the hands of the bank?—No.

15,952. You still mean to say that you cannot explain why you honoured Mr. Mogg's unauthorized demand without cheque, without security of any kind, for the sum of 500*l.*?—As I have told you already, I did it incautiously.

15,953. On the contrary, it was done with the greatest caution, was not it; not a word spoken. The communication which passed between him and you was in writing upon a memorandum which he drew at the counter?—Yes.

15,954. All that he said was, "Give me pen and "ink and a piece of paper"?—He took his pencil out.

15,955. He says himself that he asked for a piece of paper or something, and that then he wrote these few words only, in figures, "500*l.*;" then "for Allan"?—Yes.

15,956. Not saying "to me for Allan," to "Mr. "Lovibond for Allan," "or Mr. Lovibond says that "it is to be given to Allan;" but he cautiously wrote no more than "500*l.* to Allan;" and you understood him to mean, "We want 500*l.* for Allan to employ in "bribing. It is to be kept secret from Mr. Sealey. "It is not to be entered in the books; and nobody "is to know anything about it." You mean to tell me that all that was done in the heat of the moment?—Mr. Mogg did not make those remarks to me.

15,957. No; but I say you understood those magical words of his to imply all that, because you said that you did, you know?—I really did not understand.

15,958. Well, I ask you the question whether it is consistent with your present statement that you did it in the heat of the moment, when you took all these precautions?—I did not take sufficient precautions.

15,959. I have asked you all this which I have taken from your own evidence. I will repeat it to you. You did not put him to the necessity of drawing a cheque, of mentioning Lovibond's name, of giving you security in his own name, of speaking with you, of leaving any receipt for the money; on the other hand, you yourself took away the bag, and to prevent any evidence of the fact, you give bag and all, not merely the money but the bag; you designedly omitted all entry of it in the books; and then for nearly 12 months afterwards, when surely the heat and excitement had all passed away, you continued this system of caution and concealment. How is that consistent with your statement that what you have done you account for on the theory of heat and excitement; can you explain it?—I can only say what I said in my answer the first time I was examined here. I stated that I did it incautiously, and without duly thinking what I was about.

15,960. That is all you say?—Yes.

15.961. And, on the contrary, you show that you took every possible precaution to prevent its being

SIXTEENTH DAY.

Mr. J. Prior.

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known, do you not?—Well, I was ashamed of what I had done.

15,962. No, but at the moment, your going to get the money and not emptying the bag, but giving him the bag, gold and all, was not that designedly done to prevent the clerks in the bank, who were present, knowing what was done?—No, my son knew it.

15,963. But the other clerks?—There were no other clerks present.

15,964. It is stated by some one. I think Mr. Mogg states that he took his pen and paper and wrote these words because he did not want the clerks in the room to hear it?—He may mean my own son by the clerk; but the other clerk was out in the street at the time.

15,965. Then you do not agree with Mr. Mogg in his statement?—Mr. Mogg very possibly makes a mistake.

15,966. Had you any conversation with Mr. Mogg when he came into the bank at the time?—I had none with reference to this matter.

15,967. Had you any conversation with him at all?—He was speaking of the state of the election, that the Liberals were going ahead, and all that sort of thing, but I cannot charge myself with the exact words which Mr. Mogg may have said to me.

15,968. No, I do not want them; but that was the substance of what he said?—Yes.

15,969. And then he wrote those words down?—I think he wrote them down previously.

15,970. Before he got this money he made this statement to you? He says as soon as he deliverd the message, as soon as he had written the message he went away?—Well, he did.

15,971. Therefore the conversation with him must have been before he actually wrote this down?—Probably whilst he was writing it.

15,972. Therefore his communication to you was not, as we have understood from him, a purely written one, but a mixed one, partly in writing and partly oral. The oral part of it was this, "We are getting "on, the election is turning;" and the written portion of it is, "500*l.* for Allan," whom you knew to be the bribery agent. Is that so?—That is so.

15,973. Then of course there can be no doubt at all now that it was a perfectly understood thing between Mr. Mogg and you that that was the way the money was to go. Is not that so?—Well, I understood so at the time, certainly.

15,974. Then I put it to you: it is, therefore, not true that Mr. Mogg came into the bank, and that the only words he said were, "Give me paper," or "Give "me pen and ink," that he spoke not another word, wrote down these words, handed the paper to you, and without a word more to you, turned and went away?—Oh, that is not true, because he said that the Liberals were winning, or something of that kind.

(*Mr. Anstey.*) Is Mr. Mogg in court? It is right he should hear this. I do not want to ask him any question about it.

(*Witness.*) Whilst I am here, there was a West of England Bank question to-day, about some cheques of Brogden's, and I have the book here, and a copy of those cheques, if you want that information.

15,975. (*Mr. Coleridge.*) You showed me the entries before?—I showed you the entries, but in those entries it does not appear what Brogden it was that gave the cheque.

15,976. It appears that it went away through Williams and Deacon, and went to Manchester?—Went to Manchester; yes.

15,977. And was there honoured?—And was honoured.

G. Lee.

GEORGE LEE sworn.

15,978. (*Mr. Price.*) Where do you live?—In Dampiet Street.

(*Mr. Price.*) Now, is Mr. Nicholls here?

(*Mr. Nicholls.*) Here I am.

(*Mr. Price.*) Now, Mr. Nicholls, is that the man?

(*Mr. Nicholls.*) That is the man.

(*Mr. Price.*) That is the man that you told Bussell to go and look up?

(*Mr. Nicholls.*) That is the man, I believe, that Dr. Rooker spoke to me about, and the man that I intended and that I wished Bussell to send somebody to see.

(*Mr. Price.*) Now then, Bussell, you turn round. But wait a moment, I will ask him a question. You may sit down Bussell for the present.

15,979. Now, Mr. Lee, attend to me. Did anybody come to you on the day of the election about your vote?—Yes, several.

15,980. Give us the names of anybody that came, or of all?—Well, I cannot tell you, because there were several.

15,981. Do you know any of them?—Yes.

15,982. Did that man come to you (*pointing to Bussell*)?—No.

15,983. Not at all?—Not at all. I never spoke to him for the day.

15,984. Do you know him?—Yes.

15,985. Have you known him long?—I have known him from a boy.

15,986. You are sure he never came to you?—I never spoke to him all that day, and did not see him.

15,987. (*Mr. Coleridge.*) What did you get for your vote at that election?—Nothing.

15,988. Were you offered anything?—No.

15,989. (*Mr. Price.*) Promised?—No.

15,990. (*Mr. Coleridge.*) Had you asked for anything?—No.

15,991. (*Mr. Price.*) What time in the day did you vote?—Between three and four.

15,992. (*Mr. Coleridge.*) What made you so late?—I was at work until three.

15,993. (*Mr. Anstey.*) What made you vote at all?—I should have thought I was not doing my duty if I did not vote.

15,994. (*Mr. Price.*) Did you hear there was money going?—No, not on the day.

15,995. (*Mr. Anstey.*) Did you vote at the previous election?—Yes.

15,996. You got money for voting then?—No.

15,997. Nor asked for any?—No.

15,998. Nor were promised any?—No.

15,999. (*Mr. Coleridge.*) Nor were paid any afterwards?—Yes, I was paid some time afterwards.

16,000. (*Mr. Price.*) When was that?—Vanderbyl's election.

16,001. (*Mr. Coleridge.*) Who promised you money before you voted?—No one.

16,002. Who paid you money after you voted?—Mr. Bunter.

16,003. What did he pay you?—He gave me a packet. I did not know what it was till some time afterwards.

16,004. What did it turn out to be? How much was it?—I think it was ten sovereigns.

16,005. (*Mr. Price.*) You did not throw it away in the dusthole?—No, but I put it away some time.

16,006. How long after the election was it?—Some days after.

16,007. How many days?—I cannot tell.

16,008. What did he say?—Nothing. He only put it into my hand, and away he went.

16,009. (*Mr. Anstey.*) When you voted at this last election between three and four, did you know that money was going?—No.

16,010. Or that money was about to go?—No.

16,011. (*Mr. Price.*) Did you expect another Bunter?—No.

16,012. (*Mr. Coleridge.*) Were you paid anything at the last election?—No.

16,013. Did you vote at the election before, Mr. Bagehot's election ?—Yes.

16,014. Did you get anything then ?—No.

16,015. Did you get nothing after ?—I cannot tell whether I did afterwards.

16,016. Try and recollect. Was it ten sovereigns ; out with it ?—I do not know.

16,017. Who gave it to you ? Come, out with it ?—I do not know, except I received it from the same person. I do not know that I ever spoke to anyone else.

16,018. How much was it you received ?—I do not know ; I have forgotten about it

16,019. Was it ten sovereigns, or more, or less ?—I cannot tell.

16,020. What did you do with it ?—Used it.

16,021. Have you got a wife ?—Yes, I have.

16,022. Did you give it to her ?—I believe I did.

16,023. Very well, then, we will have her. What is her name ?—I do not think you will be able to get her here, for she is too ill.

16,024. What is her name ?—(*No answer.*)

16,025. (*Mr. Price.*) What is her christian name ?—(*No answer.*)

16,026. (*Mr. Coleridge.*) What is her christian name ?—(*No answer.*)

(*Mr. Price.*) Now, do you understand this, that if you do not answer the questions which are put to you you will most undoubtedly be in peril of being prosecuted by the Attorney-General. Therefore do not laugh about it.

(*Witness.*) I was not laughing.

(*Mr. Coleridge.*) Why don't you answer what your wife's christian name is ?

(*Mr. Price.*) Undoubtedly you won't receive a certificate, and you will be reported as a person who ought to be prosecuted.

16,027. (*Mr. Coleridge.*) What is your wife's christian name ?—My wife's name is Elizabeth.

16,028. How much did you get ?—I suppose it was the same.

16,029. Was it from Bunter ?—Yes.

16,030. On both occasions ?—Yes.

16,031. Was that paid before or after the election ?—After.

16,032. How much after ?—Some time after.

16,033. How much ?—I cannot say.

16,034. Was it before Mr. Vanderbyl's election ?—Yes.

16,035. And the other you were paid after the election ?—After the election.

16,036. What did you get at the election of 1865, Mr. Kinglake and Sir John Shelley's election ?—Nothing.

16,037. Nothing at all ?—No.

16,038. Neither before nor after ?—No ; never heard of anything.

16,039. What did you get in 1859 ?—Nothing.

16,040. When was the other time that you got money ?—Only twice.

16,041. You only had it twice altogether ?—Yes.

16,042. Will you swear that ?—Yes.

16,043. And nothing at all last time ?—No.

16,044. What made you hang back with your vote ?—Because I was at work.

16,045. You could have voted at 8 o'clock in the morning ?—No, I could not.

16,046. Where were you at work ?—At my own workshop.

16,047. (*Mr. Price.*) Where were you ?—At work in my own workshop.

16,048. (*Mr. Coleridge.*). How far from the polling place ?—As far as from here to the church.

16,049. You could not find time to vote before half-past 3 ?—I suppose it was.

16,050. You were one of the last who voted ?—No.

16,051. How many voted after you ?—I do not know. I went, for my own convenience, when I finished the work I was about.

16,052. (*Mr. Price.*) What did people say when they came to you ?—They did not see me, many of them.

16,053. Whom did they see ?—My wife. I was upstairs at work.

16,054. Did many see you ?—After they got to the town.

16,055. What did they say to you ?—They asked me to go and vote.

16,056. What did you say in return ?—That I would vote when I thought proper.

16,057. You did not promise to vote ?—No.

16,058. (*Mr. Coleridge.*) You are quite sure that Bussell never came near you ?—Yes.

16,059. Nor Allan ?—Nor Allan.

16,060. Nor Garratt ?—No.

16,061. Did you see Bunter ?—Yes, that day.

16,062. Did he ask you to come and vote ?—Yes, he came across.

16,063. What did he say ?—"I suppose you will not leave us this time, but go as before," and I said, "Yes."

16,064. He said you would go and vote as before ?—Yes.

16,065. And you said yes ?—Yes.

16,066. That voting was voting Liberal, and receiving 10*l.* a few days after the election ?—No, that was nothing to do with voting.

16,067. You did that before ?—Yes, I did that before, but that was nothing to do with voting.

16,068. (*Mr. Coleridge.*) You know it was your vote perfectly well ?—No, I think not. They knew I had always voted Liberal.

16,069. (*Mr. Price.*) You knew Canon Rooker ?—Yes.

16,070. Had he been to you about voting on that day ?—No ; he came to me several times that day.

16,071. Did he come about voting ?—No, not about my own vote at all.

16,072. What then ?—He came to tell me the state of the poll at different times of the day.

16,073. He never asked you whether you had voted ?—No, because he knew I should vote, and knew I was very busy at work.

16,074. (*Mr. Coleridge.*) What are you ?—A shoemaker.

16,075. Has your son a vote ?—I think he had at the last election.

16,076. Did he see Canon Rooker ?—No, he did not know him then.

16,077. Did any of the people who came to see you that day see him ?—I do not know ; he does not live with me.

16,078. What is his christian name ?—Alfred.

16,079. Where does Bunter live ?—Opposite me, in Dampier Street.

16,080. Do you know a man named Buttle ?—Yes.

16,081. Did Buttle never come to you about your vote ?—No.

16,082. Did you not get any money from Buttle ?—No.

16,083. Never in your life for voting ?—No.

16,084. (*Mr. Anstey.*) What time of the day was it upon the last election that Bunter came to you ?—About 8 o'clock in the morning, I think. It was just as I had been at breakfast, and got to work.

16,085. You did not see him in the course of the day ?—Not for the day after that.

16,086. (*Mr. Coleridge.*) Did he give you anything ?—No.

(*Mr. Anstey.*) Did he tell you it would be all right if you went to the poll ?

16,087. (*Mr. Coleridge.*) Were you not disappointed after having had it at two elections before ?—No, because I did not know that anything was going, not till two days after.

16,088. When you did hear of it did you try ?—No.

16,089. Did you ask him if he could do something for you ?—No.

16,090. How was that ?—I understood there was no money at all going.

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G. Lee.

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16,091. You say you heard it a few days after?—A week or a fortnight after.

16,092. Why not ask him then?—I did not give him any credit, because I understood it was to be a pure election. I did not think there was any money going.

16,093. (*Mr. Coleridge.*) When was the first election you ever voted?—I do not know; some years ago.

16,094. Did you vote in 1837?—(*The witness referred to a paper.*) 1841 I first voted.

16,095. (*Mr. Coleridge.*) What did you get then?—Nothing.

16,096. Not before or after?—No.

16,097. No promise?—I had a promise then, but I did not receive it.

16,098. Who promised you?—Mr. Murlis.

16,099. You voted for the Conservatives on that occasion?—I did.

16,100. What did he promise you?—20*l.*

16,101. Have you got any of it?—No.

16,102. Not a farthing?—No.

16,103. Did your wife get anything?—No.

16,104. When was the next election you voted?—1847.

16,105. What did you get then?—Nothing.

16,106. Was anything promised you?—No. Old Smith, now present, promised to see me all right; I lived in a house of theirs then.

16,107. How much was he to see you all right to the tune of?—Nothing at all.

16,108. Did he promise to get the 20*l.* you had been promised before?—No, he did not mention any sum.

16,109. (*Mr. Coleridge.*) But to see you all right?—Yes.

16,110. Who did you vote for?—Tynte and Broadwood.

16,111. You voted one and one on that occasion?—Yes.

16,112. (*Mr. Anstey.*) Mr. Smith, the Conservative, canvassed you for Broadwood?—He wished me to vote for those two.

16,113. Mr. Smith himself was Conservative?—Yes.

16,114. When he promised to see you all right, it was on condition that you voted for Broadwood?—Yes.

16,115. (*Mr. Coleridge.*) When was the next time you voted?—1859.

16,116. Not between 1847 and 1859?—No, I was out of a house.

16,117. In 1859 what did you get?—Nothing.

16,118. What was promised you?—Nothing at all.

16,119. That was a bad election, then?—Yes.

16,120. Was it ever made all right to you?—No.

16,121. How was that?—I do not know.

16,122. In consequence of the Conservatives having broken their promise at two elections, one when Murlis promised you 20*l.*, and in 1847 when Mr. Smith promised you that it should be all right, you became a Liberal?—No, I was always a Liberal, only they wished me.

16,123. (*Mr. Price.*) You had strong political views?—Yes, as a Liberal.

16,124. Who is your favourite candidate, Mr. Most?—No, I never voted in my life for Mr. Most.

16,125. (*Mr. Coleridge.*) You voted Conservative in 1841, and in 1847 you split your vote between Conservative and Liberal. In 1859 you voted Liberal. How did you vote in 1865?—I voted in 1859 for the Liberals, and in 1866, and at the last election.

16,126. And in 1865 too?—Yes.

16,127. How often have you voted for the Tories?—Only twice; then I was put under the screw, and obliged, and I lived in a Tory house.

16,128. What have you received altogether during the whole time you have had a vote for Bridgwater?—I told you.

16,129. How much?—Two 10*l.*

16,130. Nothing more?—Nothing more at all.

16,131. (*Mr. Anstey.*) Promised?—The promises were broken.

16,132. 20*l.*, and an undefined amount you called all right?—No.

16,133. (*Mr. Coleridge.*) Have you done anything in taking money with the other people?—No.

16,134. Never asked?—Never been mixed up with them in anything of the sort.

16,135. (*Mr. Price.*) Have you been employed in any way to make shoes for those people?—No.

16,136. For Mr. Smith?—No.

16,137. Or Canon Rooker?—No.

16,138. (*Mr. Coleridge.*) Where is Bunter to be found?—He lives opposite me.

16,139. Where does he work?—In the same place.

16,140. Is he in court now?—I do not know.

H. C. Bussell.

HENRY C. BUSSELL recalled.

16,141. (*Mr. Price.*) Did you ever see this man before?—I have seen him only, but never spoke to him upon election matters in all his life.

A. Allan.

ANDREW ALLAN recalled.

16,142. (*Mr. Price.*) Is this a man you say you thought was on Bunter's list?—On Bunter's, the two elections I had to do with—Shelley's and Vanderbyl's election. George Lee was on Bunter's list on each occasion.

16,143. (*Mr. Coleridge.*) Was he on Shelley's election too?—Shelley's election I had nothing to do with.

16,144. Then it is Bagehot's and Vanderbyl's?—Those are the only two.

16,145. How did he happen to come on the list last time?—There was no list.

16,146. (*Mr. Anstey.*) Do you know anything about this man's vote at the last election?—No, nothing at all.

16,147. (*To the witness.*) Do you remember Nicholls coming to you in the street and saying, late in the day, "Lee, have you voted"?—No, I did not see Mr. Henry Nicholls for the day.

(*Mr. Nicholls.*) It happened just as I stated, just opposite where Mr. Soper's shop is. He stood on the kerb, and as I passed I said, "Lee, have you voted," and he said, "Yes, I have." I should think about half-past 3.

G. Lee.

GEORGE LEE recalled.

16,148. (*Mr. Price.*) Is that true?—No, I did not see him for the day.

16,149. (*Mr. Anstey.*) You know Nicholls?—Yes; I saw his brother Alfred.

16,150. (*Mr. Coleridge.*) Were you drunk or sober?—I was not likely to be drunk, working hard all day.

16,151. But were you?—No, I had nothing all day from the party.

16,152. (*Mr. Price.*) After you had been at work, did you drink as much as you could for the party you voted for?—No, I did not get a glass of beer for the day.

16,153. Were you drunk?—No; it is many years ago since I was drunk, or anything like it.

16,154. Had you been about to the public-houses that day?—No.

16,155. Not at all?—Not at all. I was not in one public-house that day.

16,156. Then surely you would be able to say

whether you saw Nicholls, and had that conversation with him ?—No.

16,157. Will you undertake to say you had not?—Yes.

16,158. Positively ? — Yes, positively. I saw Alfred.

16,159. You positively swear you did not see the other?—Not that I am aware of.

16,160. (*Mr. Anstey.*) Did Alfred say that to you ?—He asked me if I had been to vote, and I said no, I had not ; I should go presently.

16,161. At what time ?—Between 3 and 4.

16,162. It is very possible you mistook one for the other ?

(*Mr. A. Nicholls.*) To the best of my knowledge I did not see him for the day.

(*The witness.*) Yes, you were standing with Mr. Whitby at his shop, together.

16,163. (*Mr. Anstey.*) Is Alfred Lee in court ?—No.

16,164. (*Mr. Price.*) If we find out in the course of this inquiry that you have been deceiving us——?—I have not one word, that I am aware of.

16,165. We shall see ; we do not take it for granted at present.

16,166. (*Mr. Coleridge.*) You did not tell us about this 10*l.* until it was screwed out of you?—Yes ; I told you the truth, that I did not get anything at the election, but some time after I did get a present.

16,167. You did get it?—But not till some time after.

(*Mr. Price.*) You must stand down for the present, but must not leave the court.

16,168. (*Mr. Price.*) Did Bunter return him, Mr Allan, as a man being paid?—Yes, on his list, and I. returned it.

(*Mr. Anstey.*) That is the election of 1866.

(*Mr. Allan.*) The election of 1866.

(*Mr. Anstey.*) Has anybody returned him, to your knowledge, as having been paid at the last election ?

(*Mr. Allan.*) I have no knowledge what anybody has done at the last election except myself.

Mr. Thomas Collins sworn. *Mr. T. Collins.*

16,169. (*Mr. Price.*) What are you ?—A cheese factor.

16,170. In Bridgwater ?—Yes.

16,171. And a voter for the borough ?—Yes.

16,172. And a member of the Liberal party ?—Yes.

16,173. And one who has taken an active part from time to time in different elections ?—Yes.

16,174. At the last election, were you one of the deputation who waited on the candidate, Mr. Vanderbyl ?—I was.

16,175. Before you had met at Mr. Nicholls' house, where the deputation was collected, had you had any conversation with anybody about the mode in which the election was to be conducted ?—No.

16,176. None at all ?—With no one.

16,177. Then the first part you took in it was going to the meeting in Mr. Nicholls' house ?—I had conferred with the candidates one day before.

16,178. (*Mr. Anstey.*) Which ?—Both.

16,179. (*Mr. Price.*) Had you heard from either of them that they wished to have the election conducted on pure principles or not ?—No.

16,180. You were requested to go to Nicholls' house ?—I was.

16,181. And you formed one of the deputation who waited on Mr. Vanderbyl ?—Yes.

16,182. Without giving me the trouble to put questions, let us have your account of what took place as near as you can, tell us who were the different spokesmen in order of time ; first of all you found Mr. Vanderbyl at the "Globe," and with him Mr. Fennelly ?—Will you allow me to state the conversation, and what passed previous to our waiting on him ?

16,183. All that took place that you recollect that night before you went, and when you were there, and afterwards ?—I was perfectly ignorant the Sunday night of anything of the plan, or what had been adopted by the lawyers on both sides or parties, in reference to this election. I tell you at once, gentlemen, that I had concluded in my own mind that the last election would be contested just in the same way as the former election ; that it would be conducted by the expenditure of money, I imagined, on both sides. It was not until I was found in company with the gentlemen Mr. Henry Nicholls had asked to his house on that Sunday evening, that I knew that the lawyers were at all baffled in their plans, or that anything like purity of election was about to be conducted by one or both candidates on the Liberal side. I found from what took place at that meeting at Mr. Henry Nicholls' that the lawyers, that is Mr. Henry Lovibond and Messrs. Reed and Cook, appeared to be at loggerheads. I should tell you, gentlemen, that previously, for some time at the election, some weeks, long before the candidates came down, there were sundry rumours afloat in the town that these three solicitors, Mr. Lovibond and Messrs. Reed and Cook, were not pulling together with reference to the anticipated forthcoming election. There was also in connexion with it a rumour then prevailing that there was an attempt being made to form an alliance or coalition between Westropp and Vanderbyl. We exchanged our views, many of the electors, men like myself, on the subject, and simply allowed it to pass just for what it was worth ; but I discovered that night at Mr. Nicholls' house that there must have been some foundation for that rumour, or at least that the lawyers were not agreed on their plan of operations. I ascertained at that meeting for the first time that it was only Mr. Vanderbyl who was determined not to spend any money at the forthcoming election. It was at that meeting also that I ascertained for the first time that Mr. Kinglake was providing to spend money at the forthcoming election.

16,184. Who did you discover those two respective propositions from, first that Mr. Vanderbyl would not spend any money, and secondly, that Mr. Kinglake was prepared ?—I think I may speak of one person as giving me information with reference to both gentlemen. Mr. Henry Lovibond informed the meeting that the Liberal party were in a fix, that he could no longer take the responsibility of affairs, and he preferred to throw off the responsibility, or rather to ease himself of his responsibility, by throwing upon gentlemen outside the cabinet, if I may use the expression, some of the onus of a forfeited or a defeated election. I ascertained from the general conversation at that meeting after, that Mr. Vanderbyl had determined not to spend money, but Mr. Lovibond assured me in conversation directed to me alone more than to gentlemen present, as we sat next to each other : "You see, Mr. Collins, we are provided. Mr. "Collins, Mr. Kinglake is provided ;" but I said, "Let "us fight a pure election, Mr. Lovibond, and if we "are defeated let us go and petition against it. Damn "it," says he, "how can we do that with unclean "hands." Gentlemen, I should not have referred to this, but I find if anything of this sort had transpired or come up after you would have censured me for not telling the whole conversation.

16,185. (*Mr. Coleridge.*) You are bound to tell us all ?—I hesitate to tell of virtuous actions, because we have been told to betray our guilty actions.

16,186. (*Mr. Anstey.*) Who told you that Mr. Vanderbyl was determined to spend money ?—Mr. Lovibond had intimated to me in private conversation in connexion with Mr. Kinglake, and by-and-by it became a conversation with Messrs. Reed and Cook and Mr. James Sully. I was not at the afternoon meeting on Sunday, but Saturday night after the public meeting in this room. I was taken quite aback. I was simply asked to come there as a friend, and to join in this affair. The meeting then had to consider what should

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be done under the circumstances. It was suggested, and suggested I believe by Mr. Lovibond, that Mr. Vanderbyl should certainly be requested to retire. Messrs. Reed and Cook, who had come into the meeting somewhat late, or after the conversation commenced, demurred to such a proposition or to such an arrangement.

16,187. (*Mr. Coleridge.*) You say "demurred;" what did they say?—It amounted to this, this is in substance what they meant, they gave us no reason why Mr. Vanderbyl should retire, simply because, I presume, he would not spend money. I am not aware that he referred to it in that way, but that is what I understood.

16,188. (*Mr. Price.*) There is no other reason you heard of?—No.

16,189. (*Mr. Coleridge.*) Nothing about the granite company?—No, it was not then, but still the question of the granite company and the National Bank, and Sir Joseph McKenna, all came up in conversation, and it was for the first time I had heard of the seriousness of that scandal, a newspaper report, with regard to Mr. Vanderbyl; and without making any pretensions to great purity or anything of the sort, I felt annoyed and disgusted that we had to deal so close on the eve of an election with a candidate who could have these things staring him in the face from the public press. It was ultimately agreed, I am not aware that it is very essential for me to relate, but I will simply state the upshot of the conversation of that night was this, that four of us rather volunteered than that the thing was proposed, one might suggest it to the other, but there was no formal proposition put to the meeting, that we should wait on Mr. Vanderbyl at the "Globe." You are aware that the time of this meeting has been given before. Mr. Nicholls with myself, Mr. Wilton, and Mr. Joseph Palmer were the deputation. We went to the "Globe;" we entered about the same time, and saw Mr. Vanderbyl and a stranger sitting with him.

16,190. The stranger was Mr. Fennelly?—I did not know him at that time.

16,191. (*Mr. Price.*) You know him now to have been?—Perfectly well. We took our seats, and my friend, Mr. Wilton, opened the object of our waiting upon him. He will state more particularly what he did say, but it referred to the conversation which had passed, and which I have told you already, and after Mr. Wilton had done, Mr. Vanderbyl became considerably excited and nervous, and could scarcely express himself, very much like myself when I stood before you first, from want of breath, and there was no doubt he was very earnest in the matter, and he begged to assure us that this, and I want to be particular here, and, so far as I can, to be distinct in my recollection, so far as my memory will serve me; he says, "Gentle- "men, I am being served or used badly by my lawyers; "they are putting pressure upon me; what they want "is my money, and they wish to compel me to fight "this election upon impure principles."

16,192. (*Mr. Price.*) Was that said loud enough to be heard by Mr. Nicholls and all of you?—Oh dear, yes; it was a small room we were in.

16,193. (*Mr. Anstey.*) In fact he began by saying "Gentlemen"?—Yes.

16,194. What else did he say?—I merely refreshed my memory by this memorandum which I made this morning only, with reference to the conduct of the lawyers with one honorable exception which you have heard, and without mentioning the name of that gentleman. He also told us he had determined to contest this election upon pure principles, but would spend money; he said it was not a question of money, he had determined to contest this election upon pure principles, but should it require, I would not be certain of the amount, but I know it was some thousands, should it require thousands of pounds to unseat upon petition should he get defeated, he would willingly and readily spend his money. He also stated that he would issue a circular on the morning of the polling day announcing a reward of 50*l.* to any individual who would bring any proper information, or any information he could act upon, of any case of bribery or any improper act on the Conservative side, which, if proved, would vitiate the election on that side. He also offered in his explanation to the opening address of Mr. Wilton, he endeavoured to offer an explanation of the Lundy Island Granite Company affair, as well as the National Bank affair, and also more particularly the matter with Sir Joseph McKenna. "Now, gentlemen," he says, "this is nothing but spite," or something of that sort, "on the part of Mr. McKenna." He says, "We have been identified or "we have been acting together in many matters, and "he stands at this moment my debtor to the amount "of either 7,000*l.* or 9,000*l.*," and that debt was incurred by some speculations between him and Sir Joseph McKenna; I think others also, a kind of company with reference to some house property in London, and what I gathered from what Mr. Vanderbyl said about that matter, I may be wrong in my inference, but I think this was the impression he wished to make: it was a bad speculation, and Sir Joseph McKenna had left him entirely in the lurch with the burthen of some 7,000*l.* or 9,000*l.* on his shoulders, and he was at that moment suing him for the amount by action at law, that Sir Joseph McKenna was doing all he could just at that nick of time to ruin his prospects at the forthcoming election at Bridgwater. Gentlemen, we heard these remarks and listened attentively and respectfully to the remarks as they were being made. I was totally at a loss to know how or when this change had taken place, if a change had taken place, in Mr. Vanderbyl's views as to what he intended to be done to secure his election at Bridgwater. No one could inform me, but I did conclude in my opinion that Mr. Vanderbyl was a man who intended to do as he had done before, to spend money and carry his election. It would have been folly on my part to ask either of the attorneys. I never did it or attempted to do it. I never attempted to share their secrets or confidence. I never thought of asking either of them, "How is this election to be conducted?" I should get just such an answer perhaps as I should deserve: "Oh, "we shall go in and win, Collins; we are going in to "win," or it would be "all right." I should infer from those remarks things were to go on as usual, and I must express my surprise to have found, at Mr. Nicholls's house, when I went there for the first time that it was to be, at least on the part of Mr. Vanderbyl, a pure election, and when I heard of the deputation to Mr. Vanderbyl, and I have now come to the point I left off at, about Sir Joseph McKenna; for my own information (for I had not asked a question then) I said to Mr. Vanderbyl, referring to this coming election, "Sir, "have you determined in your own mind, and have "you given your solicitors to understand as your "determination, that the forthcoming election, so far "as you are concerned, shall be a pure election?" "Well, no," he said nothing about it. "Did you "understand, or was it your impression, that your "agents or solicitors understood that they were to "make their plans or arrangements for the election, "whether you spoke to them openly and candidly, or "whether they understood it tacitly, were they to "prepare for the election as though the contest was to "be conducted like the last?" Well, he believed he did. "Then all along they had been making their "arrangements with the idea that they were to con- "test the election as before?" He believed they had done. "Pray," I said, "when did you alter your "mind, sir? When did you determine you would not "contest the election as you had done before, but "upon purity principles?" Well, he said he was in London not very long, I thought he said a few days; I will not be positive with regard to that, but I understood him to say, a few days ago he was in London, and his friends urged him not to peril his position, and so on, by spending a shilling illegally at the next election; more especially Mrs. Vanderbyl's father had extorted from him what amounted to a pledge and solemn word, that he would not do so; that is why

he was determined that he would not spend money at the forthcoming election. I do not know whether I am too wire-drawn in my remarks.

16,195. (*Mr. Price.*) No, go on?—I took up the conversation after Mr. Wilton had done, and I said, "Well, Mr. Vanderbyl, all that I feel concerned "about in this matter is the losing of the two Liberal "seats. We are assured by our solicitors, and it is "the impression upon our own minds, that both seats "are in jeopardy, and if we can by possibility save "one, it appears to be the utmost we can do under "the circumstances."

16,196. (*Mr. Coleridge.*) You did not believe in purity principles in Bridgwater, then?—Certainly not. "Our mission or business with you to-night is to save one seat;" I said, "I presume, Mr. Vanderbyl, that "you have sufficient interest in the Liberal cause as "not to wish us to lose both seats. He says, "Cer-"tainly not. I would rather retire myself than that "both seats should be lost." "Well," I said, "thank you; the object of our calling on you is answered." I said, "That will meet the case." "Stop," says the stranger, "stop, sir." Mr. Fennelly I think was the name of this gentleman who stopped Mr. Vanderbyl from finishing what he was about to say. I had accepted that as meeting our case. I said to Mr. Vanderbyl, "Is this gentleman your lawyer and legal adviser?" "Oh no," he says, "he is a friend of mine. I may say perhaps that he is half a lawyer." Gentlemen, these are the facts, and all that related to the facts about the word "lawyer" being employed at that meeting. I could have spoken, of course, but it was not my place to interfere yesterday, but that was the form in which "lawyer" was brought up, and that is the reply to it.

16,197. (*Mr. Price.*) Had this stranger at this point of time said anything before that "Stop, stop, Mr. Vanderbyl?"—That is the first time to my recollection that this gentleman interfered. All this took place in a short time. Then Mr. Fennelly expressed it as his opinion that this was after all nothing more than a trick of the lawyers. He assured us, as Mr. Vanderbyl had done in the commencement of the meeting, that the lawyers had brought heavy pressure to bear on Mr. Vanderbyl.

16,198. Did he say anything to this effect, "Be "honest, gentlemen; it is not the Lundy Granite "Company, it is money?"—No, not that form of words; yet you may put it, and after all it is very much the substance of it. The word "humbug" was never used at the meeting at all. Mr. Fennelly assured us that Mr. Vanderbyl was desirous of carrying this election on purity principles. Many other things passed, but it came to this, "Gentlemen, what "do you suppose it cost Mr. Vanderbyl at the last "election?" "Impossible to say." "Over," I think I am correct in the figures, "over 4,000*l.*" The first time I heard it Mr. Vanderbyl said 5,000*l.* That was said in a very affecting sort of way, to me it was at that moment, and I had a queer feeling come over me, and I felt very inclined to be weak in my conduct; but if I had known then as now, I should have felt strong in another way before I left the room. In less than an hour that gentleman had left Fryern Street, where he had been endeavouring to effect an intrigue with Mr. Westropp, and many other things had taken place then which I did not know until the last few days in this court. Well, those things were stated, and various other things were stated in conversation. I will give you the substance. Mr. Fennelly said he conceived there would be no necessity for Mr. Vanderbyl or Mr. Kinglake to withdraw. He felt morally certain in his own mind that the election would be won on the Liberal side on purity principles. I said, "I fear, sir, you do not know the borough of Bridgwater so well as the gentlemen here." He said, "I am as certain as I can be; I have had it from the very best source," and almost as good as intimated that he had it from the Tory side, that there would be no bribery on their part. Very queer, I thought, this; Mr. Vanderbyl's legal adviser, if sincere, ought not to be gathering information of that kind from the Conservative side. I must say it induced a kind of suspicion which I checked rather, and hoped against hope, that it might not be the case.

16,199. (*Mr. Anstey.*) A suspicion of coalition?—Yes; he persuaded Mr. Vanderbyl to withhold his answer till the morning. We shook hands and left. I think I was the last of the four. Nothing could be said after shaking hands without the four hearing it. We went downstairs; I do not recollect returning with the deputation to Mr. Nicholls. They tell me I did. If I did I omitted it. If anything passed I may as well take my share of the responsibility, but I do not remember.

16,200. (*Mr. Coleridge.*) When did you next see the lawyers after this interview you had had with Mr. Vanderbyl?—I only saw them the same night. If I did return I imagine it must have been there. The next morning was Monday. Mr. Cook, who would have to pass my window—I was then living in St. Mary's Street—passed by, and I opened the door, and he said, "Mr. Collins, just one moment to tell you the thing is smooth and all right," and I did not wish to ask——

16,201. Monday morning this was?—No, Sunday; yes, it was Monday morning of course. He merely said, "I have called to tell you, Mr. Collins, it is all right." Of course I knew what he meant by that, and so he left. I do not know whether the Commissioners remember, but this morning, when Mr. Henry Nicholls wished to make a retractation of something which he had said with regard to the expression, "It is humbug, gentlemen, you want money," there appeared to me to be a deal of confusion and twisting in putting that matter. What I objected to was not simply the word "humbug," or anything of the sort, but in that sentence, "Gentlemen, then you mean money"—we four waiting as a deputation. I say if that was the understanding it was a trick of the lawyers. We never meant money, we four who were there; at least, speaking for myself, I did not.

(*Mr. Coleridge.*) But it was Mr. Fennelly who said it.

16,202. (*Mr. Price.*) The position was this: Mr. Fennelly knew what the lawyers were trying to do. You gentlemen, no doubt, came there with an honest intention to see whether Mr. Vanderbyl would conduct it on pure principles, or retire?—Yes.

16,203. Or Mr. Fennelly may have thought, "Well, you are only acting a part," and had the same views as the lawyers, and therefore may well have said to you, "Gentlemen, it is all nonsense," or "humbug." "What you mean is money." It may have not been what you meant, but Mr. Fennelly may have said so; and I think he would have been most excusable in saying so myself. I do not mean as to you gentlemen, but after all that past with the lawyers, he thought you came with the same view?—You would be correct in your view, but then Mr. Fennelly has not stated in this box to give any evidence. What he was supposed to have said has come through the medium of Mr. Cook, the lawyer, in evidence.

16,204. Mr. Cook's evidence is to this effect, that Mr. Fennelly said to the deputation "It is all hum-"bug," or "nonsense." "What you mean is money;" and Mr. Cook represented that to us as having been said to him by Mr. Fennelly, and Mr. Fennelly said that he had said so to you gentlemen; and the only thing we want to have is whether he said so, and not whether you were humbugging him?—I shall make my case clear if you will allow me to qualify this.

16,205. (*Mr. Coleridge.*) You are in contest here with one of your own party; therefore it is very material you should tell us exactly what transpired. Mr. Nicholls says he cannot recollect anything of the sort, though he does not doubt it was said?—The learned Chairman this morning stated that the deputation had stated in Mr. Nicholls' house that night, after they had left Mr. Vanderbyl, that Mr. Fennelly said it was all humbug.

16,206. (*Mr. Price.*) No, I never said so. You

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quite misunderstood me. What I said was read from the shorthand note. It was not my own statement; but I read it from Mr. Cook's evidence, that he said to you, "Gentlemen, it is all humbug, money is what you want." — That is perfectly correct as you state it now. I merely wish to put it in that form.

16,207. What do you say to that; Mr. Cook's evidence is that Mr. Fennelly said that to him?—I do not believe that Mr. Fennelly could have put it in that form.

16,208. (*Mr. Coleridge.*) You have already said something to that effect?—I object to Mr. Fennelly's "you" meaning "us."

16,209. (*Mr. Anstey.*) We cannot help that. What Mr. Fennelly said may have been well deserved or may have been most unjust, may have been true or may have been untrue. The question is not as to that, but whether or not he said it, or anything like it?—He made reference to money, and it amounted to it.

16,210. Then he says no answer was made to that?—We did not answer many things he said.

16,211. (*Mr. Price.*) Mr. Fennelly, according to Mr. Cook, made that remark, and no answer was made to him; that is Mr. Cook's account of what Mr. Fennelly said. Is that true? Was any answer made to such an observation?—That justifies my insinuation that he never was present. He did not refer to us, and how could that apply to us? He used the word "lawyers."

16,212. Then he did not say, "It is money you want"?—No, that is what I want to put right. I have stated what Mr. Fennelly said, making use of the names of lawyers just as Mr. Vanderbyl had done before, but he made no insinuation.

16,213. (*Mr. Coleridge.*) The point is, whether he said anything about money?—The point is whether I am implicated as one of the deputation.

16,214. (*Mr. Price.*) Then he did say that, not imputing it to you, as you understood, but imputing it to the lawyers?—Yes, most distinctly. Then the polling took place. I was applied to to propose Mr. Vanderbyl. I declined to do it. I was at the hustings the morning of the election, and recorded my vote early. I moved about until 10 or half-past 10, or 11. I saw things were looking very queer, and could not understand it. I put a question to Mr. Lovibond, "How are things going on?" I think about 9 o'clock. Mr. Lovibond said, "Well, we cannot find "that the Tories are spending any money at all." "Oh, indeed; well, it is all right;" and he says, "I have got my information from a very good "source." "What is your source?" "Bussell," he said, "the bailiff at the county court." "Well," I said, "Do you call that a good source?" "Well, "look you, Collins, it is not every man who will take "Bussell's word, but I can take his word; Bussell "would not deceive me. He assures me nothing has "passed." That is the only conversation I had with regard to how things were going on, until I found many parties were polling; Liberals getting behind, and the Tories getting ahead, and I went into my room and never came out until 2 or half-past 2. Then things were turned; the election was accomplished. I began to feel exultant with triumph. I felt sure all was pure, and I did not know to the contrary at the time.

16,215. (*Mr. Price.*) I should rather think not. Mr. Cook had called on you, and you knew what that meant?—Yes, I understood afterwards—"no money "passed."

16,216. On the Conservative side?—And on the other side also. That is the position of things, and there the matter ended as far as I am concerned.

16,217. Is there anything else you wish to say to us about the last election?—No, nothing at all; but many things may occur, and I shall be most happy, if you call me again, if I can discover anything.

16,218. (*Mr. Anstey.*) Have you ever seen anything of Mr. Kinglake since?—No, not since the election, to speak to. I have seen them of course. I shook hands with Mr. Vanderbyl, but made no reference to the election, nor he to me.

16,219. Nor either of them?—Nor either of them.

16,220. No conversation with either of them on the subject of the election business?—No conversation on the election that I am aware of.

16,221. (*Mr. Coleridge.*) Did you know anything about the election before, Mr. Vanderbyl's single-handed election?—That is the first election?

16,222. Yes?—Nothing whatever, more than it was a corrupt affair.

16,223. Nothing to your personal knowledge?—No.

16,224. Nor Mr. Bagehot's election?—No; I believed it was one of the purest elections imaginable, though it turned out corrupt. I believe Sir John Shelley's was a corrupt one, although I have heard it stated here that he intended to fight it purely. I never heard the expression, but he gave the electors to understand that he was coming down to win, and I know the impression was among the electors that he did intend to bribe, and they were thrown on their backs on the morning of polling at no money being spent.

16,225. (*Mr. Anstey.*) Have you heard of the alleged honourable obligation with Mr. Benjamin Lovibond that Sir John Shelley is stated to have entered into with him before he came down from London, that no bribery should be used?—I have heard of it.

16,226. Did you believe it to be sincerely intended, or only a blind, or not?—I believe it myself sincerely.

16,227. Then you do not contradict what you have heard about its being intended to be a pure election by Sir John Shelley?—It was said that Sir John Shelley, in an election speech, had said so much; he never did.

16,228. It has not been stated so at all?—Then I am mistaken.

16,229. (*Mr. Price.*) But you understood, and the people in Bridgwater, that Sir John Shelley having used the expression "I intend to win," gathered from that that any person coming to Bridgwater intending to win meant to spend money?—That is how they understood it—the meaning in Bridgwater.

16,230. (*Mr. Coleridge.*) Did you do anything at the election before that in 1859, Colonel Tynte and Mr. Kinglake?—Nothing of any consequence whatever.

16,231. We know that Mr. Kinglake spent 100*l.* besides his legal expenses?—I believe it was corrupt.

16,232. When was the first election you ever voted?—I think the first I ever voted at was Colonel Tynte and Mr. Follett's.

16,233. Not at Leader's?—No, that was before my time.

16,234. From the time of Colonel Tynte and Mr. Follett, have you ever known a pure election by repute?—Comparatively pure. Sir John Shelley's was, all but the treating.

16,235. But comparatively pure?—That was the purest. There was a coalition, I believe, between Mr. Broadwood and Colonel Tynte. I did not vote. It was before I came to Bridgwater.

16,236. You cannot tell us about the elections between 1835 and 1840?—No, 1841 was when I first came here.

Mr. G. Wilton.

Mr. George Wilton sworn.

16,237. (*Mr. Price.*) What are you?—A general merchant.

16,238. Carrying on business at Bridgwater?—Yes.

16,239. We have heard that you were one of the deputation that waited upon Mr. Vanderbyl?—I was.

16,240. Just tell us as shortly as you can what is

your recollection of what took place at the interview? —Shall I repeat to you what took place before?

16,241. Yes?—About 3 o'clock on the Sunday afternoon, or half-past 3, Mr. Henry Nicholls called on me and said that Mr. Henry Lovibond had seen him, and he wished to make a communication to a few of the leaders of the Liberal party respecting the position of the Liberal candidates for the forthcoming election. Without entering into details as to what he had heard, I walked away with him, he having asked me to go and see Mr. James Wood Sully on the same subject, for it was Mr. Lovibond's wish that a few friends should get together about half-past 4 or 5 on Sunday afternoon. We went to Mr. Sully, and he consented to be there at the appointed time. We met at Mr. Nicholls' about half-past 4 or 5. There I found Mr. Henry Lovibond, Mr. Francis Thompson, Mr. James Wood Sully, Mr. Henry Nicholls and myself.

16,242. (*Mr. Price.*) Were Messrs. Reed and Cook there?—No, they were not. Those were the only persons there to the best of my belief. For the first time I then learnt that both seats of the Liberal party were in jeopardy. I was never more astonished at anything in my life, seeing the acclamation with which Mr. Kinglake and Mr. Vanderbyl had been received in this hall from time to time, and the various demonstrations that had been made in their favour by the people of Bridgwater. Mr. Lovibond assigned as his reason for coming to that conclusion that we were going to fight a pure election, and, so far as he could gather from persons outside, the Tories were bent on spending money, and moreover that a great many of our men, not only the old balance men, but some of the new voters, were also tainted with the desire for money, and that it would be utterly impossible under the then existing circumstances to retain even one seat if that state of things continued. I should have mentioned to you before that I attended a meeting on the Saturday night I had been off for a journey, and on my return was informed by my wife that there was to be a public meeting held at this hall that evening, and after a cup of tea I hastened here to the meeting, and the meeting had just broken up. After the meeting, Mr. Sully touched me on the shoulder and said, "Will you come to Mr. Sealy's presently to hear a letter read." I did not know what the subject was at all, for I had been busy on my journey that week, and to tell you the truth I had not heard to that moment of these scandals in the papers about Mr. Vanderbyl. I wish to explain that to bring me up to the point. Mr. Lovibond began speaking of this in Mr. Nicholls' house. He recapitulated these things, and said they had a very damaging effect upon the minds of very many of Vanderbyl's supporters, and he cited as an instance, that Mr. Hammill, who had personally consented either to nominate or second his nomination, had withdrawn from his bargain, and Mr. Vanderbyl at that moment was adrift, so far as proposer or seconder were concerned. Those were the two reasons urged by Mr. Lovibond why either one or the other of the members should be called upon to resign. This was at the first meeting. Mr. Thompson, I must say that for him, steadily set his face against either of the members being called upon to resign. He said, I think, to use his own words, that he would have no shilly-shally, so far as he was personally concerned; and up to that point Mr. James Sully, I think, was along with him, if not quite so far, still that was the bent of Mr. Sully s mind so far as I could gather. And the whole of that meeting ended in this, that we could not agree on anything, and it was decided we should have another meeting in the evening at 8 o'clock, when a larger number of gentlemen should be called together for the purpose of going more fully into the matter.

16,243. (*Mr. Anstey.*) Was that at the meeting at which, according to some evidence we have had, a conclusion, not a resolution exactly, was arrived at with regard to the charges against Mr. Vanderbyl?—No, there was a smaller meeting previously to that. I had forgotten one thing. Mr. Henry Lovibond urged as another reason, and I can bear out the words of Mr. Collins respecting the difference that existed between the lawyers; Mr. Lovibond urged as another reason that he had some suspicion that Mr. Vanderbyl was coquetting with Mr. Westropp in order to effect a coalition, and that in all probability the result would be that Mr. Kinglake would at last be thrown overboard. There is another reason. I remember I inquired where Messrs. Reed and Cook were. I wanted to know how it was they were not at this meeting. Mr. Lovibond said he had sent a letter to Messrs. Reed and Cook during the day, and he could not tell why they were not present at this meeting; and I suggested to him whether I should wait on Cook and invite him to come to that meeting at 8 o'clock, which I did. Mr. Lovibond also asked me if I would wait on Mr. John Smith, and desire him to come, which I did, and he came. I think those were the only two persons I invited to come there. Being anxious myself to form a pretty correct opinion of how things stood as to what I ought to do, I made up my mind without saying a word to anyone else, that I would consult Mr. George Sully. I therefore did not go to the 8 o'clock meeting when the others went, but I waited first of all in the street near to the Independent Chapel, trying to intercept Mr. Sully when he came from his place of worship, but I could not find him. I met Mr. Thomas Ware, and told him there was a meeting to be held at 8 o'clock, and asked him if he would go, being a man of considerable weight. He declined to go. I then walked to Wembdon, and got there I should think some time after 8 o'clock, perhaps pretty well half-past 8. I had a consultation with Mr. Sully. I told him that Mr. Henry Lovibond thought that Mr. Vanderbyl should be called upon to retire, for the reason I have just assigned to you. Mr. Sully was very straightforward and explicit in his answer to me on that subject. He said, "Mr. Wilton, I tell you candidly I do not think "the Tories will spend money. I think, looking "at the stringent Bribery Act which is now just "passed, that they will not spend money."

16,244. (*Mr. Coleridge.*) Who said that?—Mr. Sully.

16,245. (*Mr. Anstey.*) Is that the mayor?—Yes.

16,246. He was at this time mayor, was he not?—Yes. "Well, I think they will not spend money, and "my advice is that Mr. Vanderbyl should proceed "with his election." I remained there until I do not know what time, I suppose a little past 9, and returned to Bridgwater to the meeting. When I came back to the meeting I found the gentlemen there who have been described to you before. I think 11 or 12 persons. I think the statement given to you was about correct. I got back to the meeting about half-past 9 or a quarter to 10.

16,247. (*Mr. Coleridge.*) Tell us as shortly as you can?—I hope you will not break the thread of my thoughts, otherwise I shall not be able to get them back again.

16,248. Only be as short as possible?—When I got to the meeting I found there was then going on a general kind of conversation. People were speaking about it in twos and threes, and presently, when I had an opportunity, I delivered my speech in respect of what Mr. Sully's advice was about the position of things; and the whole of that ended in our being—I can speak for myself that I did not volunteer to go, but was asked by some one, I do not know who, and I consented to go with three other gentlemen to the "Globe," to see Mr. Vanderbyl.

16,249. Before that had you heard Mr. Lovibond say anything about "Damn it, how can we do that with dirty hands"?—No, I was not present. Mr. James Sully was then invited to go, if my memory is right, but he declined. He said, "I will go, but I shall go before you," and he went before us.

16,250. (*Mr. Price.*) He went down about seconding or nominating the candidate?—Yes, he went to say he should decline to nominate him. When we got into the

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room I commenced the conversation with Mr. Vanderbyl by saying that we had come to him upon unpleasant business. I then related to him how Mr. Lovibond had called us together in the way I have described to you. I told him it was the opinion of Mr. Lovibond that the Tories would spend money, and that some of our men were disaffected. Moreover, I related to him those circumstances about his position with the Lundy Granite Company and the National Bank, and then Mr. Vanderbyl, as Mr. Collins has described, flew into a bit of a temper and rage, and was so much excited that for ever so long he could scarcely deliver himself in a proper manner. He said in respect to the Lundy Granite Company as Mr. Collins has said, I cannot remember the exact words, but blamed Sir Joseph McKenna for these rumours and reports circulated respecting him, and he said it was all done out of spite and ill-feeling towards him, and he accused some person in the bank, who had been the means of surreptitiously, as he said, getting this information and sending it to the papers. He also spoke, and here I wish to be very particular about what I say; Mr. Vanderbyl did say that his friends in London had urged on him the necessity of not spending any money at the forthcoming election, and he waxed so warm about it until I had to pull Mr. Vanderbyl up, for he really talked as though we were there to make him spend money; he did not say that in words, but the tenor of his remarks was so strong that I had to pull him up, and I said, "We are not here for the purpose of asking you to "spend money, but we are come here for the express "purpose of asking you, under all the circumstances, to "be good enough to resign in favour of Mr. Kinglake." I had forgotten one little circumstance which that brings to my recollection. Previously to going so far as that, when I said it was thought needful that one member should retire, Mr. Vanderbyl jumped instantly at the remark, and said he thought it would be a very good and proper thing, but when he was told he himself was called upon to resign, he did not see it in that light, and then he began to raise objections.

16,251. (*Mr. Price.*) Naturally, after spending 5,000*l.* ?—He referred to the 5,000*l.*

16,252. (*Mr. Anstey.*) When you said this to him, which you have just mentioned, "You mistake, we "are not here to ask you to spend money, we are to ask "you to retire," had you heard what Mr. Lovibond had but a few hours before stated at the meeting at which you were present, and which Mr. Collins has detailed to us, namely, that Mr. Vanderbyl was not going to spend money, but is determined not to spend money; and, as we see he afterwards stated that Mr. Kinglake was prepared with the money ?—I did not hear that.

16,253. Did you know that ?—I did not know that, but I must tell you that I understood it most distinctly at that meeting that Mr. Vanderbyl was not going to spend money.

16,254. And that Mr. Kinglake—— ?—No, I did not.

16,255. Nothing about Kinglake ?—No, I was not present when that was said.

16,256. If you had known it when you had made that repartee to Mr. Vanderbyl, "We are not here to ask you to spend money, but to ask you to retire," it would have lost all its point, because it would have meant this, "Do you retire in favour of the man who is prepared to spend money" ?—But I did not know it. In respect of what Mr. Vanderbyl had to say respecting the lawyers, he abused them in pretty good round terms. He said they were putting a tremendous pressure upon him in order to get him to spend money and he would not do it, and I think it was just about that point of conversation where Mr. Fennelly joined in and said, "It is not the case of the Lundy Granite Company," or words to that effect. He might have said those words, I do not know, "But it is money they want." It was most decidedly in that way, "It is money they want."

16,257. Was any answer made to that remark by the deputation ?—Yes, I think even to that remark, although it was not spoken to by Mr. Nicholls; whether I made a similar rejoinder to what I have just related to you I do not know, but either the one or the other of us did.

16,258. Mr. Collins said, "It was left unanswered; what answer could we make ?" Mr. Nicholls says no answer was made, and Mr. Cook says in his, Mr. Fennelly's, account of it that night to him at his house he laid stress on the fact that there was no reply ?—Well, sir, I will not undertake to swear what reply was made to that, but the reply which I gave previously, which I have stated, was correct.

16,259. Was this just before the deputation left ?—No, it was at the commencement of the meeting.

16,260. No, no, this remark to which, according to these three witnesses, there was no reply; was this just at the close of the deputation ?—It was at the commencement. It was almost the first thing which Mr. Fennelly said after he began to speak.

16,261. That was the commencement ?—Yes.

16,262. Did Mr. Fennelly speak often and long after that ?—He spoke several times, he joined more especially in regard to the conversation respecting the lawyers, and respecting the promise which Mr. Vanderbyl had made his friends in London, that he would not spend money. I should think we were there half an hour, and did not leave until possibly 10 minutes or a quarter past 11, but I am not quite sure about that.

16,263. Now, I want to ask you a question, which probably you will answer more satisfactorily than any other witness. Frequent allusion was made by Fennelly and Vanderbyl, you say, to the opinion of friends in London, and one or two of the witnesses have said his partners in London were the persons who had expressed their opinion that he ought not to spend money. Did Mr. Fennelly or Mr. Vanderbyl, in making those representations, state whether the objection of the partners and friends in London was to the imprudence of so large an expenditure of money as would be necessary in Bridgwater, particularly at that time, the crisis in the money market; or did they object to the impurity and the wickedness of the thing ?—I understood it in the latter sense.

16,264. (*Mr. Price.*) I understood you to say they objected to the peril he was going to put himself in by the Act of Parliament ?—Most decidedly.

16,265. Not a question of extent, but what a serious thing it would be to bribe at all under the existing circumstances ?—Yes, that is the fact. I wish to refer to these words, because a great deal has been made of that respecting the word "lawyer" being used.

16,266. "Are you a lawyer ?"—"Are you a lawyer." I cannot improve on the words which Mr. Collins has said, because he said them, but they are strictly true.

16,267. We understand it now. The way it was used was, that when Mr. Fennelly first broke into the conversation it was with a view to know whether he was the legal adviser of Mr. Vanderbyl that the question was put ?—Yes; and more, I say this with some feeling, that if Mr. Fennelly had not stepped between us and Mr. Vanderbyl, I believe we should have taken his resignation back in our hands. Mr. Fennelly was the man, when Mr. Vanderbyl said he would retire, who stopped him and said, "No, no, do not do it."

16,268. (*Mr. Anstey.*) What did Vanberbyl say to that when he said "No, no ?"—Mr. Fennelly added, "It is a very important thing to decide on, and I advise "you to take time until the morning to consider it."

16,269. Did Mr. Vanderbyl say anything to that ?—He said he would take time.

16,270. And that was the time the deputation left ?—That was the time.

16,271. (*Mr. Price.*) You do not deny that it was a very important thing for Mr. Vanderbyl to consider ?—I do not deny it.

16,272. And was worth a night's consideration surely to a gentleman who believed that he had gone through a most successful canvass, and honestly, we will suppose at that time, intended to fight it on purity principles. He is suddenly called on to resign. Surely

it was not bad advice on the part of Mr. Fennelly, without referring to spending money at all, to say take a little time to consider it?—Perhaps not.

16,273. (*Mr. Anstey.*) What was the alternative?—The alternative was, I know of no alternative.

16,274. At that time you had been labouring to convince Mr. Vanderbyl that he had no chance if both stood, that one of the candidates, it was not himself, might have a chance, but that two would not. You had satisfied him, had not you, at that time that his canvass was not a successful one, and he was deceived in that?—I do not know whether he was himself satisfied; I suppose he was.

16,275. (*Mr. Price.*) Did he say so, or did he say, "Gentlemen, I have had a very successful canvass?"—Yes, he did; I had forgotten that he said this, "I "have been through the whole canvass myself, and "have made it up, and I think I know my position "there as well as the lawyers." He did say it.

16,276. (*Mr. Anstey.*) I only want to have your statement intelligible and plain. No doubt that was said at the proper time, but I am taking you to the last moment of the deputation; by that time he must surely have been satisfied that his canvass had not been successful, when you had undeceived him, because he said to you, taking your statement, that he would resign?—Yes.

16,277. He would retire. Do you think, at that moment, when he came to that resolution to retire, he was of opinion that he had a majority of votes?—I cannot say.

16,278. You think that if he believed himself in the possession of a majority of votes at that time he would have consented to retire?—No, I should think not.

16,279. You think not?—Well, I should think possibly the view you take of it might have influenced him, but I cannot say.

16,280. Supposing that were so, what other alternative was there, in case he should not retire, to be considered during the night?—Either to fight the election purely, or to fight it impurely. There was no other alternative.

16,281. (*Mr. Price.*) You did not argue the question of the canvass with him at all, I understand?—No.

16,282. What you put to him was that which you thought the argument of most weight, whether he had the interest of the Liberal party at heart?—It was.

16,283. Then he said he had. Then you said, "Under all the circumstances we respectfully desire "to press on you, in the interest of the Liberal party, "that you shall retire"?—Yes.

16,284. And that was the whole amount of pressure which you put on him?—Yes.

16,285. You never argued his canvass, or went into the question, it was only a canvass, or he had a chance of success, but thought the way he could best show his regard for the Liberal party was to accede to your wishes to retire?—Yes, I did.

16,286. (*Mr. Anstey.*) Then I have misunderstood the whole of your evidence from beginning to end, because, if so, I am mistaken in supposing that you yourself believed, and that you had communicated your belief to Mr. Vanderbyl, that the Tories would bribe so extensively as to destroy altogether the effect of the nominal majority which the Liberals had; and therefore not one but two must fall if they were to go to the poll on purity principles?—If I have not said that in my evidence I should have said it. I ought, instead of describing it generally, to have said particularly what we said to Mr. Vanderbyl at the commencement. We told Mr. Vanderbyl precisely what we had received from Mr. Lovibond. We told Mr. Vanderbyl that in Mr. Lovibond's opinion the Tories would bribe, and that moreover a great portion of the electors on our own side were tainted with the desire for money.

16,287. (*Mr. Price.*) As I understood, Mr. Vanderbyl still persisted in saying he thought he knew as much about the borough as the lawyers; that he had gone carefully through his canvass, and believed if he fought it on pure principles he would succeed?—He certainly said that.

16,288. (*Mr. Anstey.*) When?—At the commencement.

16,289. I am asking about the end?—He did not say it then.

16,290. (*Mr. Price.*) Because you put it to him whether he should retire for the interests of the Liberal party?—Exactly.

16,291. (*Mr. Anstey.*) But in what way could it be to the interest of the Liberal party that he should retire, if he was sure of getting in?—Ah, I was not so sure of that. We thought he would not get in.

16,292. And he did too, I suppose, by that time?—Perhaps he did.

16,293. (*Mr. Price.*) What did you say to convince him?—Just these very statements I have named.

16,294. That there would be money spent?—Not at all; on the Tory side?

16,295. Yes?—Yes.

16,296. How would it secure the success of one of your candidates unless you had entered into a compromise with the Tories?—That was suggested by Mr. Lovibond.

16,296*a*. Therefore it was a question who should be the person to be sacrificed of the two?—Of course it was.

16,297. And the result of it would be that a compromise would have to be effected on their side?—Exactly so; and this question was asked of Mr. Henry Lovibond by some one, I do not know who, "How do you know Mr. Gray will retire?" And Mr. Lovibond said he thought from the part Mr. Gray had taken in the general business of the election he was only a catspaw, and that he thought he should be able to arrange; he did say he was not sure about it, but he thought he should be able to arrange that with the Conservative party.

16,298. Was not Mr. Vanderbyl indignant at the notion first, knowing he had spent this large sum of money at the last election, and believed that he would be a successful candidate, that he should be the one to be sacrificed?—I do not know that he was very indignant about it. He certainly, when it came to his knowledge that he was the one of the two to be sacrificed, he certainly did not like it, I must confess.

16,299. (*Mr. Anstey.*) Do I understand you to say at that meeting it was known before you went up to him that he had been attempting a coalition against Mr. Kinglake?—I had only heard it in the most indirect manner.

16,300. Indirectly or directly?—I heard it from Mr. Lovibond as I have stated in my evidence.

16,301. Supposing Mr. Vanderbyl had expressed very considerable indignation against the proposal that Mr. Kinglake should coalesce with Mr. Westropp, would it have been retorted by you upon him: "It is "no more than you were doing this very day with "Mr. Westropp against Mr. Kinglake"?—I cannot say that.

16,302. Therefore would not the knowledge of that intrigue in Mr. Vanderbyl's mind have prevented him expressing much indignation; the counterpart proposal for a coalition between Kinglake and Westropp?

16,303. (*Mr. Price.*) You cannot answer?—I cannot answer.

16,304. It was diamond cut diamond?—Yes, it was.

16,305. (*Mr. Coleridge.*) After you came away from Mr. Vanderbyl did you go back to Nicholls' house?—I did not.

16,306. You know nothing about that?—No. Going back to Mr. Nicholls' house the deputation passed my door, and I wished them good night.

16,307. (*Mr. Anstey.*) The last words said at that meeting were those you mention; "Take time to consider," said by Mr. Fennelly, and "I will do so" by Mr. Vanderbyl?—Yes.

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16,308. (*Mr. Coleridge.*) When did you first vote?—I do not know. I came in 1846.

16,309. Probably in 1847?—No, I had no vote in the first year.

16,310. Has there been a pure election in your belief since here?—I believe the only pure election was Sir John Shelley's.

16,311. And that we know was not, because large bills were paid for treating.

16,312. (*Mr. Price.*) And there was bribery on the other side?—I did not mean that.

16,313. As far as money on your side went?—Yes.

16,314. (*Mr. Coleridge.*) Do you know anything particular about other elections?—I do not. I can tell you honestly I deeply regret having been called to that meeting on Sunday night, but it was the first time, if I may call it a secret meeting, which it was not, but the first private meeting of that kind I was ever called on in my life to attend. I have known, as Mr. Collins has described, that the borough is corrupt and most corrupt, and we have been powerless, with lots of others, to do anything to remedy the evil.

16,315. (*Mr. Anstey.*) Have you anything more to tell about this election of 1868? Do you know anything that took place on the polling day?—Yes.

16,316. You are one of the most active members of the Liberal party?—Well, I have taken an active part.

16,317. We have it in evidence that on the nomination day Mr. Vanderbyl's intention to bribe was well known; did that intention reach your ears?—It did.

16,318. On that day?—Yes, Mr. Cook came to my house about 9 o'clock in the morning.

(*Mr. Price.*) We will adjourn your examination until to-morrow.

J. Bunter.

JOHN BUNTER sworn.

16,319. (*Mr. Price.*) What are you?—A plumber and painter.

16,320. A voter?—Yes.

16,321. Did you take a part in the election of 1868 in getting up voters; had you a list given to you?—I had.

16,322. Of voters you were to look after?—Yes, parties I had to see.

16,323. Was a man named Lee one of them?—Yes, George Lee.

16,324. Did you see him?—I did.

16,325. Did you canvass him?—No.

16,326. What did you see him about; did you ask if he would go and vote?—No, I never asked him to vote at all.

16,327. What did you see him for; about a pair of shoes?—Well, we are neighbours.

16,328. Was he one of the persons you were looking after?—Yes, he was.

16,329. (*Mr. Coleridge.*) Who told you to look after him?—It came about in this way——

16,330. Who told you?—It came about that there was a meeting previous to the polling day at Andrew Allan's house.

16,331. Did Andrew Allan tell you to look after him?—No.

16,332. Who did then?—I do not know that anyone particular did. I will explain how it came about. There was a public meeting at Mr. Bagehot's election. I think it came about in this way——

16,333. We are talking of the last election; who told you to look after George Lee?—No one.

16,334. (*Mr. Price.*) Then why did you?—Because I looked after him before.

16,335. What did you say to him?—I did not see him the last election.

16,336. You said just now you looked after him at the last election because you had before?—No, it was just in this way——

16,337. Did you pay him any money at the last election?—No.

16,338. Did you promise him any?—No.

16,339. Had you any money to pay anybody?—No.

16,340. None at all?—No.

16,341. Did you not get anything yourself?—No.

16,342. At the last election before Vanderbyl's?—Yes.

16,343. You gave him 10*l.*?—I did.

16,344. Who told you?—I received it from Andrew Allan.

16,345. When did you give it to him?—It would be three or four days after the election.

16,346. Had you told him when you polled him that he should have it after the election?—No; he spoke to me on the nomination night, and said, "How "is it, Mr. Bunter? I do not want to go against my "party, but I have been promised at a previous elec- "tion and been disappointed;" and I said, "If you "go to the poll like a man, if there is anything going "on our side I will see you shall get something."

16,347. You told him that, and three or four days afterwards gave him 10*l.*?—Just so; on the faith of my word he went to poll.

16,348. Who else did you bribe?—Two others.

16,349. Who were they?—Cavill, a man in my own employ; and also another man in my employ named Richard Glanville.

16,350. Did you do it in that way by promising something to them?—Yes.

16,351. At Bagehot's election you also gave Lee 10*l.*?—I did after the election, perhaps three or four days. I said, "No, I will not give it you until you "go to poll; they shall not say I bribed you until you "go to poll."

16,352. That is the distinction you drew?—I did; I said, "Go to poll first."

16,353. Who else did you bribe at that election?—No one.

16,354. What did you get yourself?—Nothing at all.

16,355. At neither election?—Never in my life.

16,356. Did you bribe anybody at Mr. Kinglake's election?—That was Mr. Kinglake's election.

16,357. No; we are not talking of 1865. Old Lee says you bribed him at Vanderbyl's in 1866, and Bagehot's election in 1866?—Yes.

16,358. In 1865, Kinglake and Shelley's, did you bribe him then?—No.

16,359. Did you have any money from anybody?—No.

16,360. (*Mr. Anstey.*) Did you promise him any thing?—No.

16,361. (*Mr. Coleridge.*) In 1859 did you bribe anybody?—No.

16,362. Did you promise anybody?—No.

16,363. (*Mr. Price.*) How did Allan get hold of you as his bribe agent?—When Mr. Bagehot came early in 1866 there was a public meeting in the public rooms, George Lane; after that meeting was over, I cannot say who it was, but some one tapped me on the shoulder and said, "Come into Allan's; there are "about a dozen of us who are going through the "voters' list." I, of course, being mixed up with my party, went in, and we went and sat down, and went through the list, and the object of going through that list was to see what parties would be likely to require money; when they came to this name they said, "That man is in your employ, will you take him?" "Well," I said, "it is a thing I do not like to do; it is a thing I have not mixed myself up with before." They said, "Everyone must put their shoulders to the "wheel, and do what they can for the party; it will "be a tight run." At last I consented to see those parties.

16,364. How many?—Three.

16,365. Those are all you ever had on your list?—Those are all.

16,366. Now at the last election, you said at first you did go and look after Lee, did you or not?—No, I never looked after Lee.

16,367. But you said you did, because you looked after him on former occasions?—I made a mistake as to the election.

16,368. Did you see him that polling day?—I might have seen him in the morning time at his door.

16,369. Did you say anything to him; "Have you voted?" or "Are you going to vote?"—I think not.

16,370. But he would know you to be a man from whom money would be likely to come?—Yes.

16,371. Did you say anything to him during the day, "Have you voted," or "Are you going to vote?" or any thing of that kind?—It is quite likely I may have said in the morning, "There is no money going, Lee; you must go and poll which way you like." It is quite possible I may have said that.

16,372. Did he say anything about it?—I think not.

16,373. Later in the day did you ask him whether he had voted?—No.

16,374. (*Mr. Coleridge.*) Did he ever tell you about having been promised 20*l.* and not getting it?—No; he told me he had been offered money at Mr. Westropp's election in 1865.

16,375. For the Tories?—Yes.

16,376. Who did he say offered it to him?—He did not say.

16,377. How much?—I cannot say.

16,378. Did he say anything about Murlis's in 1847 promising money and his not getting it?—No; I cannot go back so far as that.

16,379. (*Mr. Anstey.*) George Lee says you called upon him and saw him that morning at 8 o'clock?—That I called upon him?

16,380. Yes?—Well, it is quite possible I did, because we are opposite neighbours.

16,381. Are you the only John Bunter in the town, plumber, &c.?—Yes.

16,382. Then you bribed both in June and July 1866, after having signed on the last week in May preceding the celebrated petition of 80 to the House of Commons?—I did.

SIXTEENTH DAY.

J. Bunter.

9 Sept. 1869.

Mr. Henry Frederick Nicholls recalled.

Mr. H. F. Nicholl

16,383. (*Mr. Price.*) You dragged a subject in this morning, we did not ask you about it. I do not think it very material, but still as you have mentioned it I should like to hear you explain it?—I cannot explain anything more than I have stated this morning; it occurred just as I have stated it.

16,384. It must be a mistake somehow or other?—It is no mistake on my part, having known Canon Rooker, seeing Bussell speaking with him, and my going with him to the bottom of the stairs, and he speaking to some other man on that matter; there is no mistake about it.

16,385. You cannot tell us who that man was?—I cannot; in fact I have tried again and again to see the man, but I have never seen him in the town.

16,386. (*Mr. Anstey.*) I do not understand the sequel of the story; why should you go away having been beckoned to go out, merely because of the hundreds of people who were then about who saw Bussell talking to a man whom you did not know, and to whom he might be talking about a thousand other subjects than the one in question?—There was no person directly in the way except Bussell and this man.

16,387. But the way was open to the Queen's subjects?—It was not out in the street.

16,388. Where was it?—In the "Globe" yard.

16,389. But hundreds might be going that way?—But there were not hundreds in sight.

16,390. Not at that moment, but they might have been coming in on some other business?—Just so; I may be deceived, but I speak of the thing as it occurred.

Adjourned to to-morrow at half-past 10 o'clock.

SEVENTEENTH DAY.

Friday, 10th September 1869.

Present:

Edwin Plumer Price, Esq., Q.C.
Thomas Chisholm Anstey, Esq.
Charles Edward Coleridge, Esq.
Henry Francis Purcell, Esq., Secretary.

Mr. Robert Ambrose Steele recalled.

SEVENTEENTH DAY.

Mr. R. A. Steele.

10 Sept. 1869.

16,391. (*Mr. Anstey.*) You hold a paper in your hand; what is it?—A brown paper in which a parcel of minutes of evidence and other papers in connexion with the Bridgwater election petition of 1866 were contained and forwarded by Messrs. Baxter, Rose, and Norton.

16,392. What is written on the label?—"Bridgwater election petition, 1866; all the papers."

16,393. Were the briefs on either side amongst those papers?—No.

16,394. Or any drafts or memoranda?—None.

(*Mr. Price.*) I wish to state that we shall require to be satisfied, and shall be glad to receive information as to the state of health of Mr. Richard Smith. No doubt we had his medical man here the other day, but we understand that he is seen about, and can go about wherever he likes and when he likes, and if it is proved to us that he cannot come here we shall most undoubtedly go down and see him, and we shall arrange with our secretary to fix some day next week on which we shall pay him a visit. In the meantime, if anybody can give any information as to his state, and whether he is able to go about and converse, we shall be glad to have it. There are two other matters which I wish to mention. I have had a letter from Mr. Baxter, who was the chairman of the committee which sat in 1865 in the House of Commons, and it is due to Mr. Baxter, as no doubt some observations were made

SEVENTEENTH DAY.

10 Sept. 1869.

by some of us as to whether it was the right course for the committee to have pursued, not to move for a commission, as it showed a certain amount of supineness on their part, that this letter should be read in which he has explained very satisfactorily his reasons for not moving. (*Mr. Baxter's letter was read.*) Then another letter I have had, containing a personal explanation from Mr. Morley; and perhaps the correspondent of the "Times" will have the goodness to take notice of what I am going to say. Mr. Morley, who is a member for Bristol, and who was represented to us by Mr. Cook the other day as a gentleman who had been asked to stand, or had been mentioned as probable candidate for Bridgwater; and upon that being mentioned I made the observation, "That is the same gentleman who was unseated for direct bribery." Mr. Morley is afraid that that expression of mine will give rise to the idea that he was guilty of personal bribery. I should be quite unjustified in saying that, and I did not intend to convey it by any words I used. I had the best reason for knowing the decision of the committee, which, although he was unseated for, I still say, direct bribery, acquitted him of any personal implication in it, but my observation was not made with reference to Mr. Morley personally, but it seemed to me that the great qualification for any other candidate for a seat here to possess was that he should have been unseated on a former occasion for bribery, or was in some way or other tainted with bribery. That seemed to be the great qualification for a candidate amongst those who recommended him in London.

Mr. W. L. Winterbotham.

Mr. Washington Lafayette Winterbotham recalled.

16,395. (*Mr. Price.*) What have you to say with regard to Mr. Sully?—Mr. James Sully met with an accident last Saturday fortnight by falling over some steps and breaking a rib and bruising his side very much. He has been confined to his bed till Monday last. Since then he has been able to come down to his drawing room. He certainly is not able to be examined just yet, though he is very anxious to be, and I have very great difficulty indeed in keeping him at home, but I told him that I could not let him come here. Talking is as bad for a broken rib as walking is for a broken leg, and therefore talking either here or there would be very detrimental to him. I think on an early day next week, I cannot say the day, but before the middle of the week, he will be in a fit state.

16,396. You think that talking is dangerous to him?—It is just the part that is broken which would be moved by talking. Perhaps, as I am here, you will allow me to say something as to the state of health of Mr. John Brown and Mr. Edward Murch, neither of whom are in a state in which they could appear here, but either of them is in a state in which he could with safety be examined at his own house. Mr. John Brown's health has been failing for the last five years. He has been suffering a great deal from congestion of the brain, and rupture, and so on.

16,397. What difference is there between an examination here and at home?—That the excitement of coming here and being examined in public, with the excitement which a court always causes, would tend to produce that congestion of the brain, which might be detrimental to him, in fact fatal. Sitting quietly in his own room, I do not think that is to be feared, and no harm would accrue to him. I may mention that his memory is almost gone. He is almost imbecile as regards the recollection of dates.

16,398. (*Mr. Anstey.*) When you tell us this you merely say what you have understood from himself?—What I have observed myself from long attendance. I have been almost daily in attendance upon him for the last six years, I think. I do not think there would be any harm, although I confess in my own mind there would be a little risk, in examining him in his own house. Then as to Mr. Murch, he has been suffering from what is called shaking palsy for something like eight years. He is incapable of walking or moving. I think he has lost all power over the legs except just to totter along, but his intellect and mind are perfectly free and clear.

16,399. Does not he go about at all?—I do not think so. I have not seen him out for years.

16,400. Does not he drive out?—I will not be sure about that; I have never met him out.

16,401. I understand that he has merely lost the use of his legs. His mind is as fresh as ever it was?—His mind is fresh, but a long standing disease of that nature makes people exceedingly fidgetty. I can only say medically that I think it would do him harm to come here, although I do not think it would if his examination were taken in his own arm chair.

16,402. (*Mr. Price.*) I think, under those circumstances, if we find it necessary to examine Mr. Murch or Mr. Brown, we will communicate with them or examine them in their own houses; and with regard to Mr. Sully, perhaps some day next week you will come and tell us in what state he is?—I have a great difficulty in keeping him at home. He was anxious to come to-day. I could not recommend him; indeed I forbade him as far as I could.

16,403. I understand you to say that in all probability you think some day next week he will be able to attend?—Certainly; I should say positively.

16,404. (*Mr. Anstey.*) We are very anxious that he should come?—Yes, and I think I may say that he is equally anxious.

16,405. For my part I am very anxious that what he has to say should be said in the hearing of the public?—Yes, and that is a point which, if I may be allowed to mention, that he especially mentioned to me this morning. He said, "If consistent with your "opinion, I leave it to you, but do not if you can help "it suggest that I should be examined at home. I "should very much prefer to be examined in court."

(*Mr. Price.*) That being so, if you tell us how he is on Monday that will be satisfactory. The probability is we should like to examine him as early next week as possible, because we hope to have concluded the Liberal case, and shall then go into the case of the Conservatives. Therefore we would rather take him before we begin the Conservative side than have to break into it.

16,406. (*Mr. Anstey.*) I may as well ask you, have you seen Mr. Smith about whom we were asking questions; the ex-solicitor, brother to Mr. Smith the paralytic; have you seen him about in the streets?—Oh, I have in his carriage. I do not know that I have lately.

16,407. How lately?—Within the last few weeks I have certainly.

16,408. On week days?—Yes.

16,409. Have you spoken to him at all?—No, I have seen him go past my house. He lives almost next door to me.

16,410. Have you seen him frequently out in his carriage?—Well, I should think I must have seen him; I do not recollect the last week or two, but certainly within two or three weeks' time I have seen him two or three times a week.

16,411. Being of opposite political opinions probably you are not intimate?—Well, we are not, but I do not think it is that.

J. Deacon.

Jesse Deacon sworn.

16,412. (*Mr. Price.*) You are a sailor?—A master mariner.

16,413. And want to go to sea?—To-morrow evening.

16,414. Are you a voter for this borough?—I am.

16,415. Did you vote in 1865?—I voted in 1865. Kinglake and Shelley.

SEVENTEENTH DAY.

J. Deacon.

10 Sept. 1869.

16,416. Did you receive any money for it?—None.

16,417. Were you promised any?—Nothing.

16,418. Neither before nor after?—No, neither before nor after.

16,419. In any shape whatever?—In any shape or kind whatever.

16,420. Either money, or in any other form?—No.

16,421. Treating, or anything of that sort?—No.

16,422. (*Mr. Coleridge.*) Nor expenses?—No.

16,423. (*Mr. Price.*) In 1866 whom did you vote for?—Bagehot.

16,424. Did you receive any money then?—I received about 5*l.* a month or six weeks afterwards.

16,425. Who from?—Bussell.

16,426. Perhaps Bussell will wish me to put the same question to you which I did the other day with another witness. Had you any idea that Bussell had kept back 5*l.* when he ought to have given you 10*l.*?—Not the slightest.

16,427. You were under no impression of that kind?—No.

16,428. In 1866, the second election, whom did you vote for?—Vanderbyl.

16,429. What did you get?—10*l.*

16,430. Who from?—Bussell.

16,431. Where did you get it?—As I was going to poll, in the morning about 10 o'clock.

16,432. Before you voted?—Just.

16,433. In 1868, did you vote?—Yes.

16,434. Who for?—Kinglake and Vanderbyl.

16,435. Did you get anything then?—Nothing.

16,436. Were you promised anything?—Nothing at all.

16,437. Did you expect to get anything?—No.

16,438. Was anything said to you about it would be all right, there is money going?—Not a word.

16,439. Did you say anything to anybody of that kind?—No.

16,440. How was it you went and voted without money in 1868?—Because I had seen in a public print and I thought I should be committing a guilty action. That is the reason I did not do it.

16,441. (*Mr. Coleridge.*) Were you offered anything?—No, nothing at all.

16,442. How did you get the 10*l.*?—I was going on my way to the poll, and he asked me and gave me a parcel which contained 10*l.*

16,443. What did he say?—He asked me if I had been to the poll, nnd I told him I had not.

16,444. What then?—I do not believe scarce a word passed besides.

16,445. Did you get that 10*l.* to vote for Vanderbyl?—Undoubtedly that is what it was intended for.

16,446, And the 5*l.* before, what was that for?—For my expenses, I suppose, coming from Cardiff.

16,447. It cost you 5*l.* to come across by the 1*s.* 6*d.* boat?—No, it did not cost me that.

16,448. (*Mr. Anstey.*) Did you hear at the last election on the polling day that there was going to be money?—I did not.

16,449. (*Mr. Price.*) What time did you poll?—Between 10 and half-past.

16,450. Before there was a change in the poll at all?—Yes.

16,451. (*Mr. Anstey.*) Afterwards did you not hear that there had been a change?—I did not until I heard Mr. Palmer had delivered 10*l.*

16,452. Did you hear that those who had voted were also to have their share?—No, I did not, anything of the kind before.

16,453. Did you think that they would according to former practices?—I could not form any idea myself. I never had anything to do with the election, but merely to record my vote.

Mr. James Cook recalled.

Mr. J. Cook.

16,454. (*Mr. Anstey.*) Did I understand you to say the other day that there were no split votes, and no plumpers at the last election?—I did not understand you to put it to me at the last election, speaking of the last hour at which money was spent.

16,455. If it was not from you it was from some one?—Not from me.

James Press sworn.

J. Press.

16,456. (*Mr. Price.*) Are you a pilot?—At present.

16,457. It is a loss to you to stay here any longer?—Yes.

16,458. You were formerly captain of the steamer Vanderbyl?—I was.

16,459. Trading between Highbridge, and the Lundy Island?—Yes.

16,460. Employed by the Lundy Granite Company?—Yes.

16,461. Are you a voter?—No.

16,462. Did you take any part in the election when Vanderbyl first came out, in 1866? Were you then in his employment?—I was.

16,463. On the steamer at Highbridge?—I was.

16,464. Did you come down to meet Mr. Vanderbyl at Bridgwater station?—I did.

16,465. Were you the only person that knew him at that time?—I do not expect he knew many.

16,466. Did you point him out to people?—I met him at the carriage door; no doubt they knew who it was.

16,467. Did you canvass for him?—I went round about to the shipping men, captains and so on.

16,468. Were you frequently asked by the voters if any sugar was going?—No.

16,469. Not at all?—No.

16,470. Were you asked by them anything?—I asked them to favour my own employer.

16,471. Did you say anything about money?—No.

16,472. Nothing about anything of the kind?—No.

16,473. (*Mr. Coleridge.*) Never told them that Mr. Vanderbyl was a very rich man, a good man for the borough?—I knew that.

16,474. Did you tell them so?—No doubt I told them he was a gentleman.

16,475. (*Mr. Price.*) Did you tell them he was a rich man, and could spend a great deal?—Well, I could not tell them very much, because I was only here one day.

16,476. But you can tell a great deal in a day, I have no doubt, though you do not tell us much. But did you say anything about Mr. Vanderbyl being a rich man?—I did.

16,477. Did you say he would be likely to spend money? Did you say he was rich?—Yes.

16,478. Did you say he was a charitable man?—I cannot say that I did say that.

16,479. (*Mr. Coleridge.*) Or that you did not?—Or that I did not.

16,480. (*Mr. Price.*) Is that all you said? Did they say they would not promise to vote until they knew something about it?—No.

16,481. Have you made a statement to our secretary?—Yes.

16,482. Then just recollect that, you are come to ask a favour to be set at liberty, and then distinctly deny what you have told our secretary?—If the chairman would allow me to make a statement I would give it.

16,483. It will depend on your answer to this question whether we allow you to go away. Were you asked by the voters frequently whether any sugar was going?—No.

SEVENTEENTH DAY.

J. Press.

10 Sept. 1869.

16,484. Did you state that to our secretary?—Not that I am aware of.

(*Mr. Anstey.*) You had better come again.

16,485. (*Mr. Coleridge.*) Tell us what you know about the matter?—When I head that Mr. Vanderbyl was about to put up for Bridgwater (my vessel was then lying at Highbridge) I came into Bridgwater expecting to see Mr. Vanderbyl here. When I came here I heard he was about to come by the 4 o'clock train. I met him at the station with various gentlemen, and when I saw him pass by in the carriage I went to the carriage door and spoke to him, and no doubt when the gentlemen saw me speak to him they knew it was Mr. Vanderbyl. We came from there to the Cornhill in his carriage, I did not get into the carriage but some other gentlemen did, and on the following day I remained at Bridgwater, but the day of the nomination I left it, and so I was not in Bridgwater on the day of the nomination, neither was I on the polling day on the first election, but I say I did do my utmost with customers.

16,486. (*Mr. Price.*) You say you did not come here on the nomination day?—I did not, I left it by the 9 o'clock train.

16,487. (*Mr. Coleridge.*) You are speaking of Vanderbyl's first election?—Yes.

16,488. We were asking you as to the last election in 1868?—That is where the mistake is.

16,489. Go on in your own way?—I left Bridgwater on the nomination morning by the 9 o'clock train in 1866, and I saw Mr. Vanderbyl no more from that time for some years, it might be one or two years. That is all I know about that election.

16,490. (*Mr. Price.*) Then it is not true that you were canvassing for him and were frequently asked by the voters whether there was any "sugar" going, and you replied you could not answer for that, and they then said they could not say they would vote?—Yes.

16,491. Did that take place?—I could not say anything about sugar.

16,492. Did you say "money"?—Well, it might have been that.

16,493. Were you frequently asked by the voters if there was any money going?—I told them I knew nothing about money.

16,494. Were you asked by them?—Yes, I was.

16,495. Did you reply that you could not answer to that, and did they then say they would not promise you to vote?—Yes.

16,496. Who are those to whom you said it?—Various.

16,497. (*Mr. Price.*) Seafaring men you know?—Yes.

16,498. (*Mr. Coleridge.*) Can you give their names?—I really could not give the names.

16,499. Of some?—I could not.

16,500. Not one?—No.

16,501. (*Mr. Anstey.*) Why should you not?—Because I knew them by merely passing; that is all.

16,502. Do you mean to say that you did not know their names?—Yes.

16,503. Do you mean to say that everybody you spoke to that day was a person whose name you did not know?—Well, I might have ascertained at the time, but I did not know.

16,504. (*Mr. Price.*) You cannot recollect the names?—No, I really cannot.

16,505. Now we come to the election of 1868, what did you do?—On the Monday morning, the nomination day, I came to Bridgwater of my own free will.

16,506. Where did you go?—I was walking through Eastover towards the bridge and saw a lot of flags, and said, "Is there no band?" and someone said, "No, we have not engaged one." "Well," I says, "I will not allow my own master to have the flags "carried through the town without a band if I pay "for it myself." I went into Mr. Smith's,

16,507. John Smith's?—Yes; and says, "Is no band engaged?" He says, "No." I says, "Well, I will engage one." I went out and engaged one, and I met what they pointed out to me as a bandmaster. I engaged him for 42*l.* for two days; and as to payment he wanted one day's pay in advance, and I told him "No, I would pay the first day's bill as soon as they had done playing." In the evening I paid him 21*l.*

16,508. Out of your own pocket?—No.

16,509. Where from?—I had it from John Smith, and the next night I did not see the bandmaster, but the following morning as I was going to the station he met me, and he says, "How about my money?" I says, "I have made arrangements for you to go to Mr. Smith's, and there you will get your money." That made the 42*l.*

16,510. (*Mr. Coleridge.*) Then you did not pay anything yourself?—Not out of my own pocket.

16,511. Did the bandmaster give you anything back?—No.

16,512. (*Mr. Price.*) What did you do on the polling day?—Well, I exerted myself as much as I could.

16,513. Did you see the men hanging about on the bridge?—I did.

16,514. What were they waiting for?—I do not know what they were waiting for; leaders I imagined.

16,515. Or to be paid; which?—I did not know there was any money out.

16,516. Did you urge them to go to the poll?—I did.

16,517. Did you see men you knew to be old voters as well as those who were new?—I knew the town pretty well, being born in it, and knew they were old electors.

16,518. Did you see any new amongst those old ones?—I could not tell who were electors that day; I saw a great many who I supposed were.

16,519. Did you know the new were kept back by the old?—I believe they were.

16,520. Did you go to the "Globe"?—I did.

16,521. Did you see anybody there?—I saw a great many there.

16,522. What did you say?—I got on the table and told them it was disgraceful to see a lot of men outside, about 300 or 400, between that and what we commonly call the jail, that is, each side of the bridge, waiting, and I thought it was merely for merchants or gentlemen of influence to take them in to the poll, and I told them so then.

16,523. What did they say?—They consulted amongst themselves quietly.

16,524. Did they say anything to you?—No.

16,525. Did they say you were not to dictate to them; that you had no right to dictate to the men of Bridgwater?—That is about it.

16,526. (*Mr. Coleridge.*) Do you mean that a Bridgwater voter cannot go to the poll without being taken?—Sometimes they do not know how.

16,527. (*Mr. Price.*) Do they care so little about it that they wait?—Yes. I waited until half-past 1 or thereabouts, and got the captain of a vessel who was very ill in bed, by the assistance of his doctor, to the place in a carriage.

16,528. Who paid for it?—I do not know.

16,529. Where did you get the carriage from?—I really cannot say.

16,530. Did you hire the carriage?—I think Honyball was in the carriage, but where he got it from I cannot say.

16,531. (*Mr. Anstey.*) Is that the servant of Mr. John Browne?—It is.

16,532. Who was very active in the election?—Yes.

16,533. And was accused himself of having bribed a man named Harwood at the last election?—I cannot say that.

16,534. Did you afterwards hear that money was going?—Not till about half-past 3, or somewhere about that.

16,535. What did you do?—I went from there to the "Anchor," and while I was there with various

others I met Bussell in the passage, and he says, "Call out Crocker." I held my finger up to him; he came out. I asked him who he was going to vote for, and he told me Vanderbyl and Westropp, and I says, 'You may as well vote for the two." After that Bussell called him away, and that is all I know about that, not knowing then there was any money going.

16,536. (*Mr. Coleridge.*) But shrewdly suspecting it?—Well, I did then, when he was called from us.

16,537. (*Mr. Price.*) Is that all you have to tell?—That is all.

Mr. George Wilton recalled.

Mr. G. Wilton.

16,538. (*Mr. Anstey.*) You are a partner, I believe, in the firm of Browne & Co.?—I am.

16,539. Were you examined as a witness before Mr. Justice Blackburn?—I was not.

16,540. A question was raised before Mr. Justice Blackburn as to that form of corrupt practices called undue influence, said to have been exercised by your firm over some voters?—I do not remember the circumstance.

16,541. At all events there was such a question raised before the committee of the House of Commons in 1866. Do you remember that?—Not as referring to my firm, as I understood it.

16,542. How many voters had you in the employment of your firm this last election?—We have 68 men in the various yards, three clerks in the office, myself, Mr. Brown, and Mr. Holland; altogether 74. I have prepared a list of them, as I thought you might like it (*handing it in*).

16,543. (*Mr Coleridge.*) I observe that, with three exceptions, they all voted for Liberals?—I do not know what the exceptions are exactly, but I think you will find more than three. It is not a great number though.

16,544. (*Mr. Anstey.*) I find none in the first page, two in the second, one in the third page with a cross before it, the meaning of which I do not know, and none in the fourth page?—I mean that as a man who stated to have been bribed; that is the reason I put that cross there.

16,545. Was he bribed by the Conservatives?—No, by the Liberals.

16,546. And who voted, nevertheless, for the Conservatives?—No, I think he voted Liberal.

16,547. The cross is against Dyke?—Yes, the one is Hobbs. If you will give me the paper, I think I can point it out.

16,548. The two names on the second page are J. Gratton, sawyer, and A. Cousens, ditto, with this note, "These two men are only occasionally employed," and they voted for the Conservatives; and then on the third page there is, "Charles Hobbs, old voter, still at work at Hamp," who voted for the Conservatives. There is not a single entry in the other column. Any other name?—But I think you will find on another page three names not in a column.

16,549. I see. "Alfred Yard, voted Conservative; "is still at work. Nathaniel Evans, Conservative; "left Dunwear in May. Joseph Letheby, Conser- "vative; left for insulting foreman; has asked to "come back again, and most likely will do so; is now "in our Paulet yard." All that I have read to you is true?—Yes.

16,550. Why did Evans leave Dunwear?—I suppose for the reason assigned.

16,551. In May last?—Yes.

16,552. That is since the election?—Yes.

16,553. What was the reason for his leaving; no reason assigned?—I cannot tell you.

16,554. Anything in connexion with his vote?—I should say certainly not; most decidedly not.

16,555. (*Mr. Anstey.*) So much for intimidation. With regard to persuasion, did you canvass the remaining voters in your employment?—No. If you will permit me to make a statement——

16,556, Will you answer the question?—Decidedly not; I never canvassed one.

16,557. Did any of your firm canvass them?—They did not.

16,558. Did anyone in your employment canvass them?—We gave instructions that the men should not be pressed to vote either one way or the other, and to my belief they were not.

16,559. I am separating you from people in your employment. You say to the best of your belief nobody in your employment canvassed. Is it not the fact that at the last election two persons in the employment of your firm, or one of the partners in the firm, were accused of bribery at the last election, one of them, Badger; was he not in your employment?—Yes.

16,560. And was he not accused of bribery before Mr. Justice Blackburn with regard to one Hayward?—I believe he was, but the circumstances did not occur to me at the moment.

16,561. You know that Mr. Justice Blackburn found that one James Hayward was found guilty of bribery for accepting the sum of 10*l.* for his vote. Is that the man whom Badger, in your employment, bribed or attempted to bribe?—I really cannot tell. I think he is not working for us.

16,562. I am asking you about one not only working for you, but a clerk in your employment?—Badger is the man referred to, beyond all question.

16,563. Is the person so described in the evidence the same person as the one with regard to whom Mr. Justice Blackburn found that he was guilty of taking 10*l.* for his vote?—I think so.

16,564. Do you remember Honeyball? Mrs. Langdon, if you recollect, was the first witness, and said that he offered to bargain for a bribe with a person unknown. Do you know who that person unknown was?—No, I do not.

16,565. Was not it that same Hayward? Do you remember Mrs. Langdon being threatened with personal violence of a very serious description if she ever gave evidence against Hayward?—I did not hear the evidence given; I believe it was given.

16,566. Did you hear also that her husband was obliged to make complaint on the subject to Mr. Justice Blackburn, which Mr. Justice Blackburn has reported?—I did not know that.

16,567. Is that Honeyball the coachman of your senior partner, Mr. John Brown?—He was our stableman.

16,568. He is now Mr. Browne's coachman?—He has gone to Mr. Brown since then.

16,569. We have it in evidence that he was Mr. Browne's coachman at the election of 1865 also?—He was not; he was in the employ of the firm as stableman, looking after two horses and carriages.

16,570. Did he drive carriages?—Beyond all question, for the firm and its partners.

16,571. You do not know that he was in the habit at the election of 1865, and also, as now appears, in the election of 1868, of driving persons about who were active on the side of the Liberals?—It was so.

16,572. Having drawn your attention particularly to those two, and not troubled you particularly with the rest, have you still reason to believe that two such persons as these, Honeyball and Badger, did obey your very proper injunctions, and did abstain from corruptly influencing persons under them in your employ to vote for the Liberals?—I cannot answer the question. I have not the slightest idea whether they did or not.

16,573. That is sufficient, because just now you had no doubt that nobody in your employ used corrupt influence. Now you properly state that you have no means of answering the question. Now, with regard to the election of 1865, I merely wish to give you an opportunity, in justice to yourself. I must not say that I have formed any opinion of it one way or the other; but do you remember a man of the name of Roberts?—I do.

SEVENTEENTH DAY.

Mr. G. Wilton.

10 Sept. 1869.

16,574. Who was examined before a committee of the House of Commons ?—Yes.

16,575. With reference to the election of 1865?—Yes.

16,576. Is it true or not true that he had been in the employment of your firm 16 years?—Yes.

16,577. And you knew him well ?—Yes.

16,578. Did you meet him on the poll day of 1865?—I did.

16,579. In the Cornhill ?—I did.

16,580. Did you ask him whom he was going to vote for ?—I did.

16,581. Did you say to him, "Do not leave the old "party" (that is, your party), "vote for them. I "have been speaking to your brother about you. "You know I am awkwardly situated at present, but "I will look round this afternoon, and see what "arrangement I can make. In the meantime, go "home. Rest satisfied; there is work for you"?—I told him words to that effect.

16,582. He was then out of your employment ?—He was.

16,583. Did he after that vote for the old party, that is, your party ?—He did.

16,584. Are you aware that he had previously to that promised Mr. Westropp ?—I was not.

16,585. It is not very material, but I suppose you are aware of it now, because the poll book would show that ?—I was not aware of it.

16,586. You are not aware now ?—I really do not know now. I thought he had voted entirely Liberal.

16,587. He voted then for Kinglake and Shelley ?—Yes, I think so.

16,588. About six weeks or two months after that, did you telegraph with reference to your promise of work that you had no chance of giving him any work yet ?—Yes, I did.

16,589. In the following month of January did you get a note from him ?—I did.

16,590. Have you the note ?—No.

16,591. Are you aware it was proved before the committee of the House of Commons ?—I was.

16,592. What have you done with the note ?—The note I received from Roberts ?

16,593. Yes ?—I really cannot tell you ; destroyed it, most likely.

16,594. Listen to this. Is this the nature of it ?

"Dear sir, January 5th, 1866.

"I have taken the liberty of writing to you. I "beg to remind you of your promise at the last election, "when I had an interview with you on the Cornhill. "You asked how I was going to vote ; I told you I had "not made up my mind, but did not like to leave the "old party ; if I voted blue I thought I should be able "to obtain work. You said my brother had been "speaking to you about me ; that you was awkwardly "situated then, but you would look round, and make "arrangements for me. I have spoken to you twice "since then, but up to the present nothing have "offered itself. I cannot ask with boldness at the "carriage sheds or the foundry, consequently I am "done out of a job.

"Your humble servant,

"Mr. George Wilton. JAMES ROBERTS."

Is that correct ?—That is.

16,595. Why should not he ask with boldness either at the carriage sheds or the firm of the foundry ?—The only difference between Roberts's statement and mine——

16,596. No, I want you to answer the question ?—Because he had told me they had promised him a situation if he would vote for them.

16,597. For Westropp ?—Yes.

16,598. Did you write a letter to Roberts in reply:

"Dear sir,

"If you will come to the office at 3 to-day, I "will see if I can give you a job.

"Yours truly,

"G. WILTON.

"Perhaps you had better come up at half-past 5."—Yes.

16,599. Did you see him in consequence of that note ?—I did.

16,600. Did you ask him about some work you had to remove from one of the brickyards ?—Yes.

16,601. And did you thereupon give him to understand if he came to you he would receive employment?—I did.

16,602. He did come to you, I believe, and worked five days for you, but left you, because the wages you gave him were insufficient?—Yes, and because he wanted to go back to his old situation, which I had already filled with another man.

16,603. The situation being a higher one than the one to which you had thus appointed him?—Yes.

16,604. Which, of course, was of less emolument?—I think the wages were about the same, but it was better work.

16,605. I have taken you through that vote. It appears from the poll books that he voted for Kinglake and Shelley. He said on oath before the House of Commons that he had previously promised Westropp. He stated that he broke his promise and changed his vote in consequence of your promising work to him. Have you any remark to make on that?—I was desirous of getting on my legs to ask permission of the chairman to modify a statement.

16,606. Will you answer this, if you please, first? Have you any remark to make on the evidence I have shown you ?—That is the very thing I am coming to. I had a remark to make on it. I confess I offered Roberts a situation. I was not able to give him a situation until the time when he wrote, and then I wrote to him what you have already described ; that the difference between Roberts and me is this—that Roberts did tell me he would not forsake his old party, and then I did say, and I intended to ask permission to say that on this morning, "I will give you "a situation ;" there is no question about it.

16,607. (*Mr. Coleridge.*) Had not he told you at that time that he had not made up his mind how he should vote ?—He had ; he told me he had not made up his mind how he should vote, but he thought he would not forsake his old party.

16,608. The reason you promised him a situation was because he had not made up his mind ?—No, I did not so understand, but I am free to confess this, that if he had put the other alternative I should not have given him the situation.

16,609. (*Mr. Anstey.*) You had previously got rid of him out of your employment ?—That was on the score of wages.

16,610. You had anyhow ?—Yes.

16,611. It is not likely that you would take him back unless he gave you a promise of his vote, is it?—(*No answer.*)

16,612. Tell me another case. I believe you had a foreman at or shortly before that time named George Berry ?—Yes.

16,613. Do you remember his leaving your employment or being about to, about that time or it being contemplated that he should leave ?—Mr. Berry contemplated leaving.

16,614. Do you remember it?—I do not know whether about that time.

16,115. I will refresh your memory. It was quite an amicable arrangement by which Berry was to leave you ?—Yes.

16,116. Just about the time do you remember telling George Berry, or any of your firm telling him to go to a man named George Hooper, and speak to him about taking George Berry's place when George Berry left ?—Yes.

16,117. You are aware that George Hooper was examined before the committee of the House of Commons ?—I believe he was, but the circumstance does not strike me now.

16,118. He stated that one Berry came to him, in consequence of what you have just admitted, you told him about going to take the situation, and he said

this: "I was sent to tell you if that was the case," that is to say, if the screw was put upon him, "there "was a situation waiting for you. As I am going to "leave my place, there is a situation you can have if "you like to vote for our party." That is Kinglake and Shelley. Were you the person to whom he refers, when he says, "I was sent to tell you"?—I was not.

16,619. Which of the partners did he mean?—I believe neither of them ever said any such word or intended to.

16,620. But which did he mean?—I do not know.

16,621. You mean to say that if anybody sent him it was none of you?—We might have sent him to tell Hooper possibly; I really do not know whether myself or Mr. Holland.

16,622. What was it you told him to tell Hooper?—I cannot charge my memory that either I or Mr. Holland sent him, but this I swear, that if he was sent to tell him neither of us suggested or hinted or thought, I speak for myself, of ever inducing Hooper to leave on such pretences.

16,623. At all events he voted Liberal?—I really do not know.

16,624. Do you know a man named William Onion, whose name we have had largely connected with bribery?—I do.

16,625. Did you ever authorize Onion at that election or before it to promise voters that there should be something for them if they voted for the Liberal cause?—I never did.

16,626. Do you remember his coming to you after the Speaker's warrant was served upon here?—Onion coming to me?

16,627. Yes?—I do not remember. Possibly he did, but I do not remember the circumstance just now. Did you mean the Speaker's warrant with reference to this Commission?

16,628. There has been no Speaker's warrant with reference to this Commission, but in 1866 with reference to the election of 1865, you know there was an inquiry into all these things?—Yes.

16,629. Do you remember the Speaker's warrant being served here to bring up Onion and the others as witnesses?—Yes.

16,630. Do you remember his speaking to you about that?—Possibly he might, but the circumstance does not strike me now.

16,631. Do you remember a conversation taking place in which this point was proposed to be raised by Onion, that he was able to say with truth, "I never "bribed any person, I only promised to get the "money"?—I have no recollection of such circumstances.

16,632. Do you remember his saying to you, when called upon to say anything he should say it was you who sent him, but it was a sham and not intended to be carried out?—That might have been the fact, and I believe it was so.

16,633. Did he tell you so?—I think he did.

16,634. What did you say to him when he said that?—I told him it was a vile thing that he should ever have gone there. I understood he went there and got chalking on the table.

16,635. When was it he told you that, that he was going to say that you sent him, but that it was a sham and not intended to be carried out?—I really do not know what I said to him. I could not charge my memory.

16,636. Did you ever before authorize or, which is the same thing, connive at his going to voters to tell them this by way of sham?—I never did.

16,637. You are aware, I suppose, that Sir John Shelley was stated by Mr. Lovibond to have obtained from him a declaration on honour, that there should be no practices of that kind at the election?—It was so, I believe.

16,638. And you have heard, I dare say, that notwithstanding that the principal bribe agent of the Liberal party thought it better to conceal that fact from the knowledge of the bribable voters, and tell them to wait to the day of the election, and it would be all right?—I have heard of that.

16,639. Recalling those facts, is not this a similar transaction? Onion goes and tells them that money will be going, and goes as he says himself merely to induce them to vote, and leaves to himself the right afterwards of saying "It was all a sham, it was Mr. "Wilton who sent me; I should never have done it "if it had not been for him, and it was a sham"?—I really cannot be answerable for what Onion said.

16,640. But he saw you about it and told you afterwards, and you cannot recollect his telling you a word on the subject?—I do recollect his telling me I did send him for the purpose, and I did send him there, but not with the intention, purpose, or desire of asking him to speak to Poole, who is the man you refer to.

16,641. I am speaking of voters generally?—I swear I did not.

16,642. Send him to voters?—I swear I did not, except Poole.

16,643. But Poole, unfortunately, is the only man whose name you disclosed?—That is the only man I sent him to.

16,644. Are you sure that you did not tell him to pick up any other voter?—I swear I did not.

16,645. Did he come back to you after he had seen Poole?—He did not.

16,646. Did you, when you sent him to Poole, tell him what he was to do with Poole?—I did.

16,647. What was that?—I am glad you asked me that question. I was on the bridge with three or four persons, and someone said——

16,648. Never mind that. What did you tell him to say to Poole? I must have an answer to my question; you can explain it afterwards?—That is what I am coming to.

16,649. I only want the words to be used to Poole?—"Onion, you know Poole very well, do try to get him to alter his mind and set it right with him."

16,650. What is the meaning of "altering his mind"?—Poole was vexed with the Liberal magistrates of this borough, because they would not grant him a spirit licence when he applied for it, and therefore Poole said, I understand out of pure spite, he would vote for the Conservative party.

16,651. He had promised to vote for the Conservative party?—Yes.

16,652. You knowing that, said to Onion, "For goodness sake go and get him to alter his mind"?—Exactly.

16,653. Onion was, I believe, at the time known to be on former occasions a participant in bribery, in giving bribes?—Well, I was not aware of it.

16,654. How came he, Onion, to be the person you selected out of all those present?—Because Onion did business with him; that was my sole reason.

16,655. Had Onion an influence over him?—I do not know.

16,656. You must surely have had some better reason for the selection. It could not have been accidental for a bribe agent to ask a man who had promised his vote to the other side to change his vote?—I knew nothing at all at that time about Onion being a bribe agent, and the only reason I selected him to go, was, I supposed that he was on good terms with Onion.

16,657. (*Mr. Price.*) What was Onion?—He travels for Mr. Knight, the brewer.

16,658. And therefore would be a person brought into contact with him?—Yes.

16,659. (*Mr. Anstey.*) You yourself frequently went to electors' houses canvassing during that election?—I did.

16,660. And accompanying the Liberal candidates?—I did. I accompanied them one afternoon only for, I suppose, about one hour.

16,661. Have you anything to add to what you yourself or your firm did at that election?—Yes.

16,662. What was it?—I intimidated a man early

SEVENTEENTH DAY.

Mr. G. Wilton.

10 Sept. 1869.

in the morning, and I confess it with a great deal of pain of mind. I went early to the poll, and when I got there I found the Conservatives were in possession of one of the polling booths, that is to say, they were taking care to get their own men polled very early, and to prevent those of the other party getting in, and there is one gentleman in particular, whose name I will not mention unless obliged, was standing pretty much in the way, and it led to a severe altercation.

16,663. I should like his name?—Mr. Lilly, the auctioneer. We had a severe altercation for a minute or two about what I considered his blocking up the way, and he thought he had a right to be there. I went away in a perfect fury and temper about this, and as I stepped down over the steps, I saw a batch of men who had been brought up from the celebrated "Golden Lion" to vote for Westropp. They looked like men who had been up all night, and one was Captain Rees. I said, which I regretted afterwards, "Well Rees, is that you;" he looked up and said, "Yes." "I suppose you will want another freight some day or other." He was a master mariner. I did it and deeply regretted it five minutes after having said it.

16,664. (*Mr. Coleridge.*) Did he vote for you in consequence of that?—No.

16,665. Then you did not succeed in intimidating him?—I did not do it with that view.

16,666. Did you succeed in doing it?—No.

16,667. Did he vote for you?—No.

16,668. (*Mr. Anstey.*) Did Poole vote for you?—I cannot say; I think not. I think he voted Conservative.

16,669. (*Mr. Price.*) Who commands the freights here in this borough, your house and the mayors?—The mayor does not command any freights in that capacity. He is a shipbroker only.

16,670. He fixes freights?—Certainly; he is the man who fixes freights, that is to say, he engages vessels.

16,671. But he and another house have the real control. He fixes the rate of freight in this borough?—Not absolutely so, but generally so it is.

16,672. Who is the other firm, yours?—No.

16,673. Who are the other firm of shipbrokers?—Hunt and Son.

(*Mr. Coleridge.*) You are customers.

16,674. (*Mr. Price.*) You go to them to engage vessels. If you want a rate of freight you go to the shipbrokers?—Yes.

16,675. (*Mr. Anstey.*) You have a captain named Turner, I believe?—No, we are not shipowners at all; we are merchants.

16,676. (*Mr Price.*) What did you mean by this man would want a freight some day or other?—That he would require a freight, he was a man continually working for us.

16,677. (*Mr. Anstey.*) Have you nothing to do for ships then?—I own a quarter of a vessel called the "Onward."

16,678. Is that the entire name?—The "Onward" is the entire name.

16,679. Is that commanded by a Captain Turner?—I think not. I really could not give you the name; Chenning is the name I understand.

16,680. There was a question about a mariner on board that vessel; do you recollect anything about that being raised with regard to your firm?—Yes; not with regard to our firm, I think.

16,681. Have you anything else to tell about any of these elections?

16,682. You are speaking of 1865?—Yes.

16,683. Any of the former elections?—Yes; you read a paper one day which I signed, containing an accoun of expenses at Colonel Tynte's election of 1858 or 1859. I should say on that occasion I was asked by Mr. Benjamin Lovibond if I would audit the account for Colonel Tynte (I believe it was 1858 or 1859), and I did so. I believe the accounts, to the best of my recollection, were brought to me by Mr. Lovibond, his agent.

16,684. You were election auditor?—Yes.

16,685. You speak of it with reference to being accustomed to return certain expenses and not others?—Yes.

16,686. (*Mr. Anstey.*) When you signed that, were you aware there were other expenses not mentioned in that paper?—I was aware there were, acccording to best of my belief. I had no knowleege of any bribery, no guilty knowledge of any bribery; but still everybody knew that money had been spent.

16,687. Not specified in that account?—Not specified in that account, most certainly.

16,688. Now, did you read the declaration accompanying that account? I will read it to you. Was this declaration true at the time you signed it, according to the best of your conscience and belief: "I have "not knowingly made, authorized, or sanctioned, and "I will not knowingly make, authorize, or sanction, "any payment on account of this election otherwise "than through the election auditor," I see you were not the election auditor, you were the election agent; "save as excepted and allowed by the Corrupt "Practices Prevention Act, 1854." That you signed, you know, and declared before a justice of the peace, your own partner Mr. Browne, on the 3rd May 1859?—I did.

16,689. Now that your attention has been called to this declaration, and having regard to your last answers, that it did not contain certain expenses, which nevertheless were provided for, or would have to be provided for, was this stautory declaration of yours made according to what was actually the case?—I believe it contained all and every expense, so far as I know, that was incurred, excepting those expenses that were incurred for bribery, which I knew nothing at all about.

16,690. You did not mean to authorize, nor did you mean to allow——?—I do mean to say so.

16,691. Nor to "sanction," not "allow," to sanction any payment on account of them?—Yes.

16,692. But payments were made on account of them at that election?—I believe they were, but not by me.

16,693, (*Mr. Price.*) All that you authorized and sanctioned were those which you have stated?—They were.

16,694. (*Mr. Anstey.*) Did you purposely avoid knowing anything about the others?—Well, I must confess to you that I did not take the trouble to inquire.

16,695. And you took care not to inquire or know anything about it?—Well, I did not inquire. I was quite ignorant in those days of those things.

16,696. (*Mr. Coleridge.*) You were not so much enlightened in those days as you are now?—When I say I was ignorant of them, everybody knew that corrupt practices prevailed, but I never knew what was done.

16,697. (*Mr. Anstey.*) Did any attorney draw up that document for you? I suppose he did?—If you will allow to look at it for a moment, I dare say I shall be able to tell you. It is a great many years ago; the thing has almost gone from my mind now. (*The declaration was handed to the witness.*) No. I think that is in Mr. Foster's handwriting.

16,698. Mr. Lovibond's clerk?—Yes.

16,699. Is there anything which you recollect about any election prior to the last election?—No.

16,700. I will ask you generally; at any of those elections has your firm, besides the cases which I have specified already to you, been accused either of promising employment as an inducement to vote, or, which is the same thing, using threats or undue influence to deter from voting?—We have often been accused of undue influence.

16,701. At all the elections?—Yes. Well, the thing has been spoken of at public meetings, as though the men themselves had not the right, and——

16,702. I will ask you this next question. Have you as a matter of fact ever used either influence to persuade people to vote by promises, or to induce people not to vote against you by threats?—Most certainly

not. You will have an opportunity of bringing our men before you, I dare say.

16,703. At any election ?—At any election. I defy any living man to say I did.

16,704. (*Mr. Coleridge.*) There is an extraordinary unanimity in the way in which 68 out of 71 all vote for the Liberals ?—Yes. I handed in this paper this morning on purpose that you might have an opportunity of testing this.

16,705. (*Mr. Price.*) Before you engage men, do you inquire of them which way they have voted or are going to vote ?—No.

16,706. How do you account for the feeling so strongly influencing your men ?—Well, I suppose it is from the fact that they vote our way so many of them. I must tell you first of all that we do not engage the men ourselves. The engagement of the men in the brickyards is left to the foreman of the yards.

16,707. (*Mr. Coleridge.*) Who is the Bussell of your establishment ?—I do not understand you.

16,708. Who is the man who does the paying of the money to the men for their votes ?—Nobody. I do not believe there has ever been anything of the kind.

16,709. I suppose you do not mean to say that your men do not get paid for your votes ?—Well, I did not know it before I heard it here, and I was very much astonished at it.

16,710. Who is the man in your establishment who pays ?—I do not know. I do not know whether he is in my employ.

16,711. I do not ask you whether he is in your employ. I ask you who is the man who principally acts in your establishment ?—I really cannot tell you.

16,712. (*Mr. Anstey.*). You told us of one, at least I told you one, and you admitted it, the man Badger, who bribed at the last election ?—This man, Hayward, that he bribed is a master mariner.

16,713. Listen to this. It is a remarkable thing that when you first appeared this morning, and were asked the question whether you have ever influenced the men in your employ, you answered generally, as you do now, "Most certainly not ; we never influenced anybody ;" and when I drew your attention to the few particulars which my humble industry has enabled me to collect, of the names, dates, and places, and so on, you did remember every one of them ; and then you are asked again by my learned colleague, Mr. Coleridge, following a question of mine much to the same effect, as to what your general practice is, and how it is all your men go with you, you again say, "Most certainly not ; none of us ever did anything of the sort." Why, you admit the case of Poole, and the man who had been in your employment, I forget the name ?—I admit that case.

16,714. That was the only name I could give you in detail. There were letters to prove it ?—I wanted to get on my legs this morning to tell you that fact.

16,715. I do not require to be told that, because it is all in print. It has been printed by order of the House of Commons, and I daresay you went over it at night or had seen that document ?—I had not, I confess to you.

16,716. You have given a universal denial, which is shown to be untrue, at least in that one particular. Is there any other instance in which you have not acted upon that rule of yours not to interfere ?—I think not.

16,717. Do you mean to say that is the only one ?—It is.

16,718. You did not tell me even of that one when you were first asked the general question. You handed in that list, on the contrary, to show that the Conservatives were free to vote ?—I thought you would have allowed me to make the admission fully and perfectly, and of that fact you have asked me about, this morning.

16,719. You were asked the question, and when you were asked the question you denied it ?—I am sorry ; I did not understand you.

16,720. You are aware that Messrs. Reed and Cook took an active part with you in the different meetings and so forth on behalf of your and their candidates, Mr. Kinglake and Mr. Vanderbyl, at the last election ?—Yes.

16,721. Now, I am reading from a paper which they prepared themselves and adopted. I want to ask you if you can say that it contains anything other than the truth. It is the brief of their counsel at the last election. "The extension of the franchise added "something like 1,000 new voters to the previous "list of about 600. Out of this number nearly 200 "were struck out by reason of nonpayment of poor "rates, for which they had been summoned and re-"lieved on the ground of poverty, so that the total "polling strength of the town was about 1,400 to "1,500. There can be no doubt whatever that "Bridgwater is essentially a Liberal place, as the "following observations will conclusively prove : "The staple trades of the town are brick and tile "manufactories. The manufacturers are Messrs. "Browne and Company (the firm consisting "of Mr. John Browne, an old gentleman who is "an alderman of the borough, and has been mayor "on several occasions), Mr. William Thomas Holland, "Mr. George Wilton, the latter being a member of "the town council." Then follow similar observations with regard to the firm of Colthurst, Symmons, and Co., Mr. John Baptiste Hammill, and Messrs. J. and H. Major, and so on. "The whole of the manufac-"turers are Liberal, with the exception of Mr. "Charles Major, who does not influence a single voter "in the employ of the firm, but on the contrary the "employés usually vote Liberal. Those employers "employ a large number of voters, whose politics "are Liberal, and invariably vote for the Liberal "candidates." Do you agree in that statement ?—I do.

16,722. Now you will perhaps tell me if you see any reason to alter your answer to the Chief Commissioner's question, which was, "Are your men selected with reference to their politics ?"—They are not.

16,723. Then how is it they invariably vote for the Liberal candidates, not at one election, but at all elections ?—Well, I suppose that they preferred them.

16,724. At all events you agree that this is a true statement ?—I do.

16,725. (*Mr. Price.*) There are Conservative brickmakers in Bridgwater, I presume ?—I think not.

16,726. Not any ?—No.

16,727. You cannot get any such thing as a Conservative brickmaker in Bridgewater ?—Only with the exception of Mr. Major.

16,728. I mean a brickworker, a man who works at making bricks ?—No.

16,729. That is what I want to know. Is there such a thing in Bridgwater as a man who make bricks and who also is a Conservative ?—There just happened to be two or three mentioned in this paper. I do not know what Messrs. Major and Messrs. Colthurst have got.

16,730. Is there anything in the labour of a brickmaker which tends to make a man Liberal in politics ?—I do not know.

16,731. *Mr. Coleridge.*) Can you account at all for these two or three men voting Conservative ? For instance, how did Mr. Gratton, a sawyer, come to vote Conservative ?—I do not know.

16,732. Do you know of any influence brought to bear upon him by the Conservatives ?—It is supposed that they had promised, but I cannot tell.

16,733. There is a report to that effect ?—Yes.

16,734. And then A. Cousens, also a sawyer ?—The same thing was said about him.

16,735. Then there is Charles Hobbs ?—I believe that man is a consistent Conservative, and has been for a number of years.

16,736. He is an old voter ?—Yes.

16,737. And he has always voted Conservative ?—Yes.

16,738. At every election ?—Yes.

SEVENTEENTH DAY.

Mr. G. Wilton.

10 Sept. 1869.

16,739. (*Mr. Price.*) Would not any person reading that statement in that brief conclude that because the great employers of labour were Liberals, therefore the men whom they employed were Liberals?—Well, I daresay it would be.

16,740. Is not that the construction that any person on reading that, and being at all acquainted with the English language, would put upon it?—I think they would.

16,741. (*Mr. Anstey.*) And that is a statement in which you concur?—That is the statement, that they are Liberals, and they have voted.

16,742. (*Mr. Price.*) That is the conclusion which is arrived at by the lawyers who drew that brief, instructing counsel, that the employers of labour are Liberal, therefore all the workmen are Liberals, and consequently that makes it a Liberal borough?—I should like to ask the Chief Commissioner to permit me to say what we did at the last election in that respect.

16,743. (*Mr. Price.*) I have not the least objection. —About a fortnight before the election Mr. Holland and I made a point of getting the respective foremen of the yards to our office, and we solemnly pledged them that they should not use their influence with the men, directly or indirectly, to dissuade them from exercising their franchise contrary to their wishes and desires. I say that on my oath, and I meant it when I said it.

16,744. (*Mr. Anstey.*) Yes, but Mr. Wilton, you have also admitted that a clerk having influence in your firm then, and now in your employment, was accused, and according to your statement was found by Mr. Justice Blackburn not only to have influenced a vote, but to have done so in the corruptest form, the vulgar form of giving a bribe?—I was not aware of Badger's having done so until the sitting of the petition here.

16,745. But you did not immediately remove him from your employment, where he has so much influence over your men?—No, he is the son of a very old and faithful foreman of ours.

16,746. (*Mr. Coleridge.*) And you have not thought any of the worse of him?—No, I do not think we have.

16,747. (*Mr. Anstey.*) Now, supposing an election took place (a great supposition) for this borough again, what earthly confidence would your unfortunate men have in any notification of that kind addressed to them with the knowledge that the text of it was to be interpreted to them with the gloss and comment of a man like Mr. Badger, to whom they looked and not to you?—Mr. Badger has no control over the men. I give you my word he has no control over the men in the world; he is a young man in the office.

16,748. (*Mr. Price.*) And coupled with the fact that you influenced a man of the name of Poole at the last election, and you also admit that you threatened and intimidated a voter if he used his vote against you, do you not think that in commenting on the text preached by you, they would say what is often said of preachers, "They do not practise what they preach." Is not that the inference to be drawn, and would be drawn?—I am sorry you think that is the inference to be drawn.

(*Mr. Anstey.*) There is a very old story which is probably well known to you, it is a matter of history; I dare say you have heard of the mob orator who, wishing Lord Castlereagh's windows to be broken, therefore asked the mob not to do it.

Mr. J. Cook.

Mr. James Cook recalled.

16,749. (*Mr. Anstey.*) There is a question which I may as well put to you now, as I did not interrupt you at the time when you were making your statement. You said that Mr. Kinglake, in a conversation which you had with him in London, gave you to understand that he did not hold himself responsible for your acts, Mr. Lovibond's acts, and the other corrupt acts done in the borough at any time after the minute at which he quitted the town by train that day for London?—I do not remember having said so to you, as having been stated by Mr. Kinglake upon that occasion. I do not remember that I did.

16,750. You said something about it?—What I said about it was this, that Mr. Kinglake was present on the 4th December in London, when Mr. Westropp was present, and on which occasion one seat was offered, and then it was that Mr. Westropp said he would have it communicated to the association, and he raised a question as to whether, if it fell to Mr. Vanderbyl's lot to retire, it would be kept, upon which Mr. Kinglake expressed his willingness to place a letter undertaking that it should be carried out in the hands of Mr. Gore Langton or any other person that should be selected; but I have no recollection that Mr. Kinglake did state that; I have no recollection of it at all.

16,751. The point is this: Do you remember anything being said by anybody about Mr. Kinglake's not considering himself as being responsible for corrupt acts done after he left Bridgewater?—I do not remember it; but I have heard it over and over again that Mr. Kinglake did so consider.

16,752. At what period did you first hear it?—I cannot fix the first date. I did hear it but very shortly after the intention to petition. Oh yes, very shortly afterwards.

16,753. Before the petition was presented?—I would not be positive of it.

16,754. Before you went to London?—On the very eve of it.

16,755. Before you went to London?—Oh, yes.

16,756. And you know that must have been bruited about in Bridgwater?—Oh, certainly, and some comments are made by me in the brief about it.

16,757. Do you remember whether they are at the end of the brief or the beginning?—I cannot remember, but if you will kindly allow me I can put my hand upon them.

16,758. Now, did you have any conversation at any time with Mr. Kinglake about that?—That was the only conversation which I remember having with Mr. Kinglake in reference to the last election since the election, except that on one occasion I remember meeting him in Parliament Street, and shaking hands, and saying just a word or two, "Good morning," or something of that sort; but with those two exceptions, I have no recollection of having any conversation with Mr. Kinglake.

16,759. Do you remember his saying anything to that effect?—Not to me.

16,760. Certainly another witness, a witness who followed Mr. Barham, said something about that. I understood him to say it was said to you?—I do not think it was said to me. As I said before, there are remarks in the brief about it. It was bruited about that Mr. Kinglake took up that position, and there were some comments made about it in the brief. If you will permit me, I dare say I shall be able to find it in a short time.

16,761. Very well. (*The brief was handed to the witness.*) Had you any conversation with Mr. Vanderbyl about it?—I have no doubt that in one of my interviews I mentioned it.

16,762. Not he to you, but you to him?—I have no doubt that I mentioned it to him.

16,763. Have you any reason to believe that Mr. Kinglake left the borough with that thought in his mind, that "if anything is going to happen now, I shall not be responsible for it"?—Well, I confess to you, sir, that when I heard Mr. Kinglake had gone, and knowing the preliminary arrangements made with regard to it, I had the suspicion in my mind; I am bound to confess it.

16,764. On what was that founded?—It was founded upon the knowledge which I then had that

there had been a proposition made that the sum of 1,500*l.* should be provided by Mr. Vanderbyl, as there would be 1,500*l.* provided by Mr. Kinglake's friends.

16,765. Knowing that Mr. Kinglake was prepared to bribe, you thought his going out of town at that critical moment was done for the purpose of avoiding responsibility?—Whether rightly or wrongly, I confess I had the suspicion.

16,766. Did you communicate that suspicion to Mr. Lovibond at any time?—I do not know that I did. I know that I have spoken to my partner about it.

16,767. I will put the converse case to you, not as to what Mr. Kinglake's intention was, but have you any reason to believe that Mr. Lovibond, at all events, delayed bribing until Mr. Kinglake should be out of the town?—Well, I never viewed it in that light at all.

16,768. (*Mr. Price.*) Taking the other alternative, what led you to suppose that he possibly had gone away intending to get away in case corrupt practices should be had recourse to?—Well, as I say, whether rightly or wrongly, I founded the notion upon the knowledge I had of the proposal which had been made.

16,769. Was it this, that you could not otherwise account for his running away?—Yes. I thought, as he was a man who had been connected with the borough for so many years, that it was strange he should have run away, and I could not account for it except in that way

16,770. It does seem strange that he should turn round and run away?—Yes.

16,771. Do you know of any reason why Mr. Kinglake should depart North, while his brother Dr. Kinglake went South?—I do not know. I have no notion.

16,772. But as a fact they did depart within five minutes of each other?—Oh certainly, I heard so. I find these are the words in which it appears to be treated: "It now becomes necessary to call counsel's "attention to some facts as respects Mr. Kinglake's "movements on the day of election. The brother of "Mr. Kinglake, who is a doctor residing at Taunton, "was at Bridgwater on the morning of the poll, and "stayed with Mr. A. W. Kinglake the member, at "Allan's, during a part of the morning. Both Kinglakes had interviews no doubt from time to time "with Mr. Henry Lovibond, but they had none with "Messrs. Reed and Cook. It is reported that about "1 o'clock. in the day that Mr. Kinglake was advised "by his friends that his election was lost, and that "in consequence, Mr. Kinglake, the member, made "up his mind to return to London by the express "which left Bridgwater at half-past 1, and which he "did, and Dr. Kinglake returned to Taunton by the "down express, which leaves Bridgwater a few "minutes after the up express; in fact, both Mr. "Kinglake and Dr. Kinglake were upon the platform "together, waiting for their respective trains. No "previous intimation had been given by Mr. Kinglake to Mr. Vanderbyl of his intention to leave, "nor to anyone else who had been acting for Mr. "Kinglake, except no doubt that Mr. Henry Lovi-"bond and Mr. J. L. Sealy knew it." That was a surmise of our own. We had no positive instructions on which to state that. "It is understood that "Mr. Kinglake will take up a position that having "regarded his election as lost and left the town, "he cannot be responsible for what afterwards occurred, if there was anything wrong. It is submitted that this proposition cannot hold water "(assuming there was anything wrong), as he gave no "previous notice, except as before-mentioned, and "the very next day, the 18th, he returned to Bridgwater from London by mid-day express, and was "received in a triumphant manner by the Liberal "party. There is no necessity here to enter into "the question as to whether Mr. Kinglake's going "away was *bonâ fide* or not, as it must be contended, "if really necessary, so as to place Mr. Vanderbyl in "his proper position, that the law knows no part of "a day for agency, that the agency, if any, had not "been determined, and that therefore Mr. Kinglake "was responsible for the acts of those who were really "his agents. No imputation is intended by these "remarks to be made on Mr. Kinglake personally; "but there are reasons, and special ones too, why "this distinction should not be drawn."

16,773. (*Mr. Anstey.*) Was that passage prepared under your direction at the time you were drawing the brief?—It was.

16,774. And of course you read the draft before it was copied?—The draft of this was in my own handwriting.

16,775. And then it was copied and delivered to counsel?—And then it was copied and delivered to counsel.

16,776. And you adhere to that statement?—Certainly.

16,777. How long before the trial was that brief delivered, do you suppose?—This is Mr. Serjeant Sargood's brief. This is a copy. I should think within a week before.

16,778. (*Mr. Price.*) Mr. Edlin would have one?—Mr. Edlin had one.

16,779. I believe you have told us, or somebody has told us, that Mr. Edlin was thoroughly aware of everything that had taken place?—I was told this on the day on which Mr. Edlin arrived in Bridgwater. We said to him, "This is an exceedingly unpleasant "matter for us; we have used every possible effort "in our power to avoid this inquiry, and were "anxious to make any terms we could, as we are "placed personally in a very awkward position;" and other things were then mentioned, and I then remember——

16,780. I really do not care about these details with respect to what passed between you and Mr. Edlin. It is so, is it not, that Mr. Edlin was thoroughly informed; you gave him the fullest information?—We gave him certainly the information. Will you allow me to say this, that on the Monday, at all events, in the evening, when Mr. James arrived, I remember his coming to the house where Mr. Edlin and Mr. Serjeant Sargood had got their lodgings, and in consequence of something which Mr. James said to Mr. Serjeant Sargood he asked, in fact, if we had made a full disclosure, and if not he advised the serjeant to ask us what we knew; and after that there was a consultation as between ourselves and the counsel, in which we did state our knowledge that money had been spent upon that occasion. I do not know that it was gone into, not into detail, but at all events we said sufficient——

16,781. (*Mr. Coleridge.*) Is that the occasion on which Mr. James said he thought he was brought down to fight a good case, but found he had been deceived?—No. He did not say so in my hearing.

16,782. (*Mr. Price.*) That was not a joint consultation?—No.

16,783. (*Mr. Anstey.*) Did you state in Mr. James's hearing that Mr. Vanderbyl and Mr. Fennelly had, between the Sunday night and the Monday morning, or at all events before the election, themselves procured the money with which to bribe?—I forget the exact words in which I stated it, but at all events I did state on that occasion that money had been procured by Mr. Vanderbyl's partner, Mr. Fennelly and that I knew it, and in fact was a party to it. That is the substance of it.

16,784. And no doubt Mr. Vanderbyl's name was mentioned?—I could not say now. It was mentioned in this way, "Mr. Vanderbyl's partner, Mr. Fennelly."

16,785. You have no doubt that either Mr. Vanderbyl or his partner Mr. Fennelly was named by you to counsel?—Yes, in that way, his partner.

16,786. (*Mr. Coleridge.*) Did Mr. Vanderbyl know that Mr. Fennelly was going to town that day?—That is what I was going to state.

16,787. (*Mr. Price.*) I do not know whether you

SEVENTEENTH DAY.

Mr. J. Cook.

10 Sept. 1869.

have seen the proceedings which have taken place here. I understood you to say the other day, it is on our shorthand writer's notes, that you gathered from what Mr. Fennelly said to you, that he said to the deputation, I do not give you the exact words, "It is "all humbug; it is money you want." Did you understand Mr. Fennelly to say that?—Mr. Fennelly did say to me, when he saw me that Sunday evening and asked me if I knew that the deputation had been down to the "Globe" and had talked about the Lundy Island Granite Company, that he had said in reply to them, "It is all humbug about the Lundy "Granite Company; be honest, gentlemen, you mean "money."

16,788. That is the fact. Not that the lawyers meant money, but "you mean money"?—Yes.

16,789. (*Mr. Anstey.*) If he said "you," he could not have meant the lawyers, because no lawyers were then present?—No; no lawyers.

16,790. (*Mr. Coleridge.*) Did Mr. Vanderbyl know that Mr. Fennelly went to town on the Monday?—I was coming to that. That Sunday evening or night it was arranged that I should go and have breakfast with Mr. Fennelly the next morning at the "Globe Hotel," where he was then staying, at half-past seven, and I went at half-past seven, and I said, before going to Mr. Fennelly, "What excuse are you going to make about being absent," and he said, "We do business in Bristol," and I believe he mentioned some other place; and he said arrangements should be made to send to the post office to know if there was any letter to prevent the necessity of his journey, knowing, in fact, that there would be no letter. That was to be the excuse for his journey. I went to Mr. Vanderbyl's bed-room) he had been in a weak state), and we had breakfast together; and Mr. Fennelly left Bridgwater by the train about eight or a quarter past.

16,791. In the morning?—Yes.

16,792. Which would get to town at two?—Yes.

16,793. (*Mr. Anstey.*) Was anything said about money matters?—No.

16,794. (*Mr. Coleridge.*) Did you know that Mr. Fennelly had written the letter to Mr. Redfern, which has been spoken of?—I had no knowledge whatever that Mr. Fennelly had written Mr. Redfern the letter which Mr. Redfern spoke of in this box as having been written to him; and I should think that that letter in order to reach London by Monday morning, it must have been posted in Bridgwater at the latest at 10 o'clock.

16,795. Then Mr. Fennelly must have made up his mind to spend money before the deputation came to him?—Well, I have no knowledge of that letter having been sent, as I have said.

16,796. Is that the latest time you can post a letter with two stamps?—Yes, 10 o'clock.

16,797. Then it is quite clear that Mr. Fennelly must have written that letter before 10?—Yes.

16,798. So that at the time that Mr. Fennelly threw it in the teeth of the deputation that all they wanted was money he had already prepared to get the money?—That was the inference.

(*Mr. Coleridge.*) Undoubtedly it was.

16,799. (*Mr. Price.*) If it went as a parcel by the mail train, could it have gone so as to have been delivered the next morning?—Yes.

16,800. How could it go by parcel, by what train?—A quarter after 11. The mail train is due at a quarter after 11.

16,801. What time do you believe the deputation left him?—The deputation must have been nearly 12.

16,802. Before they left him?—I think so.

16,803. Then it might have gone by the early post the next morning?—There is no post from here early in the morning. There would be a mail up by the same train by which Mr. Fennelly left. There is no train till quarter after 11.

16,804. (*Mr. Anstey.*) Mr. Redfern's statement is that he received that letter on Monday morning, the nomination day, and also a telegram. The letter he believes came first, and that it was in that letter that he was told to keep the secret of the word "bales," that was to be used in future communications?—Yes; I remember his evidence.

16,805. The writer therefore of that letter must not only have made up his mind to obtain money, but must have made up his mind how to spend it, having used the word "bales," and told his correspondent in London to use it too; and this must have been posted by 10 o'clock if received on the Monday morning?—If posted.

16,806. Not if posted. If received in London on Monday morning it must have been posted either on Saturday or Sunday?—Yes.

16,807. (*Mr. Price.*) Or sent by parcel?—Yes.

16,808. There was no other way of its getting up to London except by post or as a parcel?—Certainly not.

16,809. (*Mr. Anstey.*) I think it right to tell you that I have received a suggestion, which I will state to you for what it is worth. I must not, of course, say from whom it comes. The suggesion is this, that Mr. Vanderbyl means to say, or it is said for him, that all that he meant to do with that 1,500*l.* was to raise that money under your pressure and that of the other lawyers, and then to hand it over to you, not knowing what you were going to do with it, leaving it to you to spend it for legal and for proper purposes; but if you chose on your own responsibility, and at your own peril, to do otherwise, he had left it to you to do so, and leaving him entirely ignorant from first to last of what was to become of that money, and that you and your firm and the other lawyers accepted that arrangement. Is that suggestion according to the facts or contrary to the facts?—I would certainly say that from that moment——

16,810. Is it contrary to the facts?—We never had any idea——

16,811. Will you answer the question? Is it according to the facts or contrary to the facts?—Contrary.

16,812. Then why not say so at once, and add your explanation afterwards?—It is contrary to the facts for this reason, that on the Sunday evening it was spoken, and it occurs to me to remind you what Mr. Lomas himself said, that prior to Mr. Fennelly's leaving town he said there was a possibility of his requiring him down here, and on the Sunday night he said he had got a very shrewd man in his office, who would do what was necessary, and act under his instructions. That was on the Sunday night.

16,813. (*Mr. Price.*) Who said that?—Mr. Fennelly.

16,814. You say it is contrary to the facts, that is to say, it is contrary to what you understood the arrangement to be?—Certainly.

16,815. But whether Mr. Vanderbyl meant that of course you cannot say?—No, I cannot say.

16,816. You did not gather from him anything of the kind?—No.

16,817. Nor from Mr. Fennelly, nor from anybody?—I had no idea that the letter was sent.

(*Mr. Anstey.*) You understand what the Chief Comissioner is asking you. You say "No" before you hear the question. The Chief Commissioner asks you whether from Mr. Fennelly or anybody else you gathered anything of the kind.

16,818. (*Mr. Price.*) Resembling the statement made?—No.

16,819. (*Mr. Anstey.*) I thought you had told us the other day that Lomas was present when the conversation passed about tying up the money into 10*l.* packages for the purpose of distribution among the voters?—He was present.

16,820. Then how can you say you did not learn from Lomas or Mr. Fennelly, or anybody, that they were perfectly aware of the distribution of the money, and that they did not mean to shirk their share in the bribery, in what was going on but on the contrary, were willing to assist you in tying it up in 10*l.* packages?—I understood the Chief Commissioner to say whether I had not heard.

16,821. You do not listen to the questions?—I am sorry if I have misunderstood the question.

16,822. (*Mr. Price.*) When you said it was contrary to the facts, I wanted to know if you knew of any fact which you relied upon as contrary to it, or whether you relied upon anything that fell from Mr. Fennelly or Mr. Vanderbyl which conveyed the impression to your own mind that it was contrary to the facts?—Exactly. What I heard from Mr. Fennelly and Mr. Vanderbyl on that Sunday night gave me the impression.

16,823. There was nothing thrown out which would give you the idea that Mr. Vanderbyl never meant to spend this money, or meant to have the responsibility?—No.

16,824. (*Mr. Anstey.*) Would you have done it on those terms?—No: I do not believe I should.

16,825. (*Mr. Price.*) There is one link wanting; that is always assuming that Mr. Vanderbyl really did know that Mr. Fennelly had gone. That Mr. Fennelly went nobody doubts?—Yes.

16,826. Then the only question would be whether Mr. Fennelly did it on his own hook, or whether he did it after consultation with Mr. Vanderbyl. If he did the latter, then it would be absurd to say anything about Mr. Vanderbyl's ignorance. If Mr. Fennelly did it without anything being said to Mr. Vanderbyl, or any hint being given to him, or any consultation with him, then it is a different matter.

16,827. (*Mr. Anstey.*) You say you saw Mr. Fennelly and Mr. Vanderbyl after Mr. Fennelly's return here?—On the night of the Monday here.

16,828. No matter when it was?—No; it was Mr. Fennelly and Mr. Lomas.

16,829. Did you ever hear that Mr. Vanderbyl expressed the slightest disapprobation of Mr. Fennelly's going to town, or his return?—Never.

16,830. Did you hear it at all referred to with approbation?—No.

16,831. Neither with approbation or disapprobation?—No.

16,832. Was there anything in Mr. Vanderbyl's conduct after Mr. Fennelly's return at all inconsistent with the theory that he went up to town in concert and with the knowledge of Mr. Vanderbyl?—No.

16,833. Then have you the slightest doubt about it, that it was with Mr. Vanderbyl's knowledge and to promote Mr. Vanderbyl's interest, and not his own, that he went up to London that morning?—Well, I cannot say what communication he made. He was at the breakfast there, and no doubt the circumstances were very suspicious.

16,834. You cannot say you did not form any belief then?—I say it was suspicious.

16,835. Do you mean you were going to act upon this as being Mr. Fennelly's authority, and not Mr. Vanderbyl's authority?—I cannot say that he knew it, but at the same time the circumstances were suspicious.

16,836. You were going to incur all these penalties, without, after all, having Mr. Vanderbyl's authority to rely upon?—No doubt at the moment we were placing reliance on Mr. Vanderbyl. Undoubtedly that is so.

16,837. (*Mr. Coleridge.*) Did you ever hear Mr. Vanderbyl refer to this visit of Mr. Fennelly's to town on any occasion?—Never.

16,838. (*Mr. Price.*) Judging in some degree by Mr. Vanderbyl's shutting himself up in that extraordinary manner the whole day, did you not come to the conclusion from that that it was a wilful blindness, that he would not appear to be knowing anything of the thing?—There is one thing I should state. One, two, or three occasions on that day, I think I stated when I was here last, that I communicated with Mr. Fennelly from time to time, and I remember now I went and knocked at the door where Mr. Vanderbyl was staying, and on two or three occasions Mr. Fennelly answered me, in the same room where Mr. Vanderbyl was.

16,839. (*Mr. Coleridge.*) They were occupying a joint room?—Yes; this room at the "Globe," I may state, is a very large one, immediately over the porch, the main entrance to the "Globe," and in that room is a very large window, which gives you a view of everything which goes on in the street below.

16,840. (*Mr. Price.*) You can see away over the bridge?—Yes.

16,841. Into the street as well?—Yes; you can see everything that is going on. There are two other things I forgot to mention, and that is that I called on that day upon Mr. Nicholls, and asked him to nominate Mr. Vanderbyl, and I also remember calling upon Mr. Nicholls, Mr. Wilton, and Mr. Collins, being three members of the deputation which had gone down the night before, and stated it was all right. I remember very well that I did that on the morning. I had entirely forgotten that when I was here on the Monday; I see on looking at the report of the evidence—so anxious am I to give everything I know on this matter—on looking at the evidence which was given before Mr. Justice Blackburn on the election inquiry, I find Mr. Halliday stated that as he was coming up the stairs he saw me in company with Dr. Kinglake. Now, I cannot undertake to deny that. I have no recollection of being in company with Dr. Kinglake in the way he describes. Then, sir, I find that we made a payment of 3*l.* 15*s.* 0*d.* to Mr. Hodge, at the "Railway Hotel," for carriage hire upon that occasion, and the payment was made on the 17th March last, through a Mr. George Dyment, who was requested to hire them.

16,842. (*Mr. Coleridge.*) Was that for taking voters to the poll?—Yes.

16,843. Then you did not care about the law as to not providing carriages?—No; I am afraid it has been broken in many respects, no doubt about it. That is not the only one.

16,844. The system was to borrow carriages from friends, and not to hire them, thinking in that way to evade the Act of Parliament?—Well, it was done more boldly than that, I am afraid. That was not thought much of. There is another thing which Mr. Halliday spoke of, and that is, his having seen me in the stable of the "Globe Hotel" that day with Mr. Nicholls and Mr. Mogg. I certainly remember seeing those two gentlemen there, but I cannot fix the hour; it might have been between 11 and 12 that day. A discussion took place as to what the meaning was of the Conservatives being in the state in which they then were, and asking me to express my opinion as to how it could have been done, and I said, "I have no doubt it must be by money," and I also said, "I have no doubt the election is gone." That was the conversation with them on that occasion.

16,845. Mr. Kinglake and Mr. Vanderbyl appeared separately on that petition?—Yes.

16,846. Who appeared for Mr. Kinglake?—Mr. James.

16,847. And for whom did Mr. Edlin and Mr. Serjeant Sargood appear?—For Mr. Vanderbyl.

16,848. Have the costs of the last petition been paid yet?—No; they have been taxed only three weeks, and there was a letter from Messrs. Travers with reference to it; and we find that Mr. Kinglake has paid his moiety within the last three days, and the other moiety is not yet paid.

16,849. And the other moiety is to come from Mr. Vanderbyl?—Clearly.

16,850. (*Mr. Price.*) I want to ask you this: We had a bill before us of Mr. Nicholls', which we had some discussion about, which was paid in 1866, of Sir John Shelley's. Now, amongst other papers which you have given in to our secretary is a bill of 27*l.* 8*s.* 3*d.*, which appears to be an account which originally stood to the debit of Messrs. Kinglake and Shelley. It is headed "Payments made by Messrs. "Reed and Cook in reference to Messrs. Kinglake "and Shelley's election." Now, the first item is, "June 26th, 1865. Paid for telegrams to London, "3*s.* 6*d.* Expenses to Dunwear, 5*s.* 6*d.*" Then, "June "30th. Paid for telegrams 3*s.* 6*d.*" Then, "Paid Mr. "Thomas Searle amount of his account for 1857 and "1859, arranged to be paid on canvass, 11*l.* 13*s.* 3*d.*"?—Yes.

SEVENTEENTH DAY.

Mr. J. Cook.

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16,851. Does that mean you arranged to pay that on the canvass for Sir John Shelley?—Well, sir, I do not know. I remember this, that Mr. Searle——

16,852. "Amount of his account for 1857 and 1859"?—Yes, I was going to explain that. To the best of my recollection, it was in 1865 that Mr. Searle said there was an outstanding account of his, amounting to between 11*l.* and 12*l.*, with respect to previous elections which had not been paid. As I understood, it was for payments which had been made up in different ways. I think the amount is 11*l.* 13*s.* 3*d.* My attention has been recently called to it, and I intended to mention it to you. It was made up in different ways, and, as far as I remember, it was mentioned to the solicitors, and it was paid by us, I believe, by a cheque to Searle.

16,853. Who would that be debited to?—I think at the time it was debited to Mr. Kinglake and Sir John Shelley. I cannot tell at the moment.

16,854. Can you tell us whether it was paid out of money of Mr. Kinglake's and Sir John Shelley's?—No, it was not. That account was sent once or twice to Mr. Bate as representing Mr. Kinglake in the year 1868 I think, and was paid, so far as that portion of the account is concerned, I think, in the month of October last year. I think so.

16,855. By Mr. Kinglake?—By Mr. Kinglake.

16,856. The whole lot?—Yes. There are several items there.

16,857. (*Mr. Anstey.*) Did Mr. Vanderbyl pay any portion of it?—No.

16,858. Or you on his behalf?—No.

16,859. Have you been asked to pay it?—No.

16,860. (*Mr. Coleridge.*) Mr. Kinglake had been the member both in 1857 and 1859?—Yes.

16,861. And so part of it might have been incurred by him?

16,862. (*Mr. Price.*) "Paid amount of Lott's account "for 1859, and arranged to be paid by Mr. Henry "Lovibond, through Messrs. Symmons, 7*l.* 3*s.* 6*d.*"?—That occurs to me in this way, that there was an account outstanding for ribbons and things of that sort, due by Mr. Symmons and some of his men in the 1859 election which had been unpaid, and there had been some other payments——

16,863. (*Mr. Anstey.*) What is this Mr. Searle?—He is a builder in the town.

16,864. Thomas Searle?—Yes.

16,865. He is one of the 80 petitioners for purity?—He is.

16,866. (*Mr. Price.*) Then I see, "Paid fees, &c. on "initiation as a forester at the 'Lamb,' 2*l.* 12*s.* 6*d.*"?—Yes.

16,867. (*Mr. Coleridge.*) Who was it that was initiated?—I do not know. It is the general thing.

16,868. Is it the general thing for members to pay for the initiation fees of these masonic bodies?—Not the masonic bodies, the forester bodies.

16,869. Then I find this curious item, "Paid for "use of Mrs. Cooze in accordance with arrangement "on her giving up 10*l.* received from the Conservatives, 3*l.* 6*s.* 6*d.*"?—Yes, I remember that very well. She was seen on several occasions with regard to the evidence which was given. She was a very blunt sort of person, and this was after the election, and she asked for a hogshead of beer as she considered she was entitled to it for what she had done, and she received that amount, 3*l.* 6*s.* 6*d.* That was after the election.

16,870. "To sundry accounts for drink, ribbons, "and cash paid to men at 1857, as per accounts "rendered at the time, 5*l.* 16*s.* 6*d.*"?—What is that?

16,871. This is "Received by cash," but there is no person's name to it to show by whom it was received.—I do not know anything of the last item you have mentioned.

16,872. It comes amongst your papers?—I do not know anything of that. Perhaps you will allow me to see it?

(*Mr. Price.*) I am told it is not one of your papers.

16,873. (*Mr. Anstey.*) Was that Mrs. Cooze the same lady who, in 1865, sold 10 sovereigns for that sum, or a larger amount, to Mr. Kinglake, or rather to Mr. Kinglake's committee, she having received the money which she sold from her husband, upon a statement of his own, made to her, that he had received the 10 sovereigns from Mr. Westropp?—It is the same person.

16,874. And there was a good deal of discussion, was not there; a good deal of difficulty on the question of whether or not Mrs. Cooze, or those who contradicted Mrs. Cooze on that occasion, told the truth?—Yes, I think so.

16,875. And do you remember what the finding of the committee was on that subject? Do you know with regard to Mr. Cooze whether he was found to have had the offer of a bribe, or not?—He was found as having had money.

16,876. Yes. I see it was proved to the committee that he was bribed.—Yes.

16,877. (*Mr. Price.*) Will you go on with your statement?—At this moment, I do not know that there is anything more particularly, with reference to the election of 1868, that I want to draw your attention to, except that I will state that the letter books and what correspondence we have we shall be very happy to place before the Commissioners.

16,878. (*Mr. Coleridge.*) Now, Vanderbyl's election we come to?—Yes, sir, if you please. Then with regard to Mr. Vanderbyl's election, which was in the month of July 1866, I cannot at this moment charge my memory as to whether, prior to Mr. Lovibond's going to London and asking Mr. Barham to meet him there, as Mr. Barham has related, there was any communication made to me, but I think there was not. At all events, on the Saturday prior to Mr. Barham's reaching Bridgwater there was a report that Mr. Lovibond and Mr. Barham had gone in search of a candidate, and on the Monday morning my partner saw Mr. Lovibond and Mr. Barham, or one of them, and I remember he made a report to me that Mr. Vanderbyl had been selected, and he had been informed by Mr. Lovibond that Mr. Vanderbyl was a rich man. Mr. Vanderbyl, as you have heard before, arrived in Bridgwater on that Monday afternoon, and was received in the way in which Liberal candidates are usually received in Bridgwater, as you have heard, with banners and a large number of people going down to meet them.

16,879. Was there a band on that occasion?—Well, I have forgotten it. It would not be perfect without it, according to Bridgwater ideas. At all events I have forgotten it.

16,880. At all events one of the witnesses here has told us that he was not going to see his old master go without a band?—I cannot say whether there was a band or not. Mr. Vanderbyl came down on the Monday, and I cannot charge my memory with any circumstance prior to the day of the election, except I remember writing a letter to a Mr. Bottomley. We wrote a letter on that occasion to a Mr. Bottomley, in July 1866, who had previously been living at Bridg water, but had left. He had a vote for the borough, and had previously been up to vote at Mr. Bagehot's election. Not receiving an answer from him, I think it was upon the day of the nomination, that Mr. Haviland, a solicitor in the town, was asked to go down and bring him up. I believe I asked Mr. Haviland myself to go down and bring him up; and I believe I told him also to pay his expenses.

16,881. Mr. Haviland was not one of the regular company of lawyers engaged upon the election, but he was an outsider?—No, he was not. This is the letter to Bottomley:

"Dear sir, Bridgwater, 9th July 1861.

"Mr. Patton having accepted office under "Lord Derby, a vacancy has occurred in the repre- "sentation of the borough, and Mr. Philip Vanderbyl "is the candidate in the Liberal interest. We send "you a print of his address. The polling day is fixed "for Thursday next, and, if you can consistently do so,

" we shall be glad if you will record your vote as " early as possible on that day. Please let us hear " from you per return as to your movements.

" Yours truly,

" Mr. Jonas Bottomley, " REED & COOK.

" Draper, Tiverton."

A previous communication had been made as to Mr. Bagehot's election. I will refer to it. We received no reply.

16,882. Was he under any pecuniary obligations to you?—He was under pecuniary obligations to me personally at that time; there is no doubt about it. I do not remember any reply coming from him. On the nomination day, I believe it was, Mr. Haviland was asked to go down, or on the morning of the polling day, I do not know which, and pay his expenses, and I have no doubt Mr. Haviland did do so, and then he came up to poll; and then I cannot charge my memory, in every way I have tried to refresh my memory on the point, but I cannot remember seeing Mr. Bottomley on the morning of the polling day. That he came up I know, because I have heard a statement in this witness box that he was sent to Allan, that Mr. Hurman took him, and that he polled. I cannot remember any interview with him on that occasion; if I could I would be pleased to place before you the nature of that interview with him; but I do not remember having any conversation with him. He was the only person who was written to on that occasion. Another circumstance I remember connected with that election was this, a Mr. William Rookley, a baker, a highly respectable man in Bridgwater, was at Wimbledon.

16,883. On the rifle business?—Yes, with the rifle corps; and a Mr. William Dyment, whose name I have mentioned before, who was an old friend of his, was asked if he would go to Wimbledon, to ask him if he would come down and vote for Mr. Vanderbyl, knowing he was a consistent Liberal; and Mr. Dyment went for him.

16,884. Why was it necessary to send anybody for him if he was a consistent Liberal, and was willing to come? Why not have written to him to come down, and have sent him a post office order?—Well, whether it was expected he would not come without being sent for, and they sent for him at the last moment to ensure his coming, I do not remember.

16,885. (*Mr. Anstey.*) Was not Mr. Dyment at that time known to have been a bribery agent?—No.

16,886. His name has been mentioned very frequently in connexion with these elections?—Yes.

16,887. D Y M E N T, is it not?—Yes. I have no recollection of how it was that Rookley was sent for at that time. Mr. Dyment was sent for him. It was known that Rookley was a very intimate friend of Dyment's, and he went for him, and he had to post off in a cab or hansom to Wimbledon to get him. Rookley was suffering from the effects of the heat of the sun, and I believe he was taken exceedingly ill. He came back with Dyment from Wimbledon to London, but he could not get on to Bridgwater, and Dyment had to go without him. An account was made out by Dyment of the expenses he had incurred, which he was paid, and he also made out an account for services he had rendered in preparing cards and things of that sort, and Dyment was paid a sum of 7*l.* by us for that. That is the only thing which occurs to me with reference to that election, with the exception of Mr. Symmons, which I have mentioned previously.

16,888. (*Mr. Coleridge.*) When did you hear that Mr. Vanderbyl was coming down? Had you anything to do in connexion with the arrangements for bringing him down, and also with the money arrangements?—No, I took no part in them. I had not the slightest knowledge of any kind with respect to any money arrangements. I took no part in them, nor was I consulted with reference to them.

16,889. When were you first introduced to Mr. Brogden on that occasion?—I do not remember. I remember his coming down with Mr. Vanderbyl on the afternoon of the Monday, and taking a part in the address to the public. He came down on the Monday, and I believe the nomination was on the Wednesday.

16,890. And the election on the Thursday?—And the election on the Thursday. I was not consulted in any shape or way about money matters on that election. Mr. Barham had the management of them.

16,891. (*Mr. Price.*) With regard to the money matters in the election of 1868, in which election I understand you took an active part, have you any reason to believe that Allan, or any of those persons who were entrusted with the distribution of money, have kept back any portion of it?—I have no reason to believe it. I was not present on the occasion of any accounts being made up, and I do not know they were made up between them.

16,892. As far as your impression is concerned, you have no reason to believe that Allan, and Bussell, and others have stuck to any money?—No.

16,893. With the exception of the 130*l.* we have heard of. Are you the private solicitor of Mr. Allan?—No; I am not professionally connected with him in any way. Then upon that election of Mr. Vanderbyl's I do not remember any other feature. I should mention to you, as I before mentioned to you, that we received on the 22nd August 1866, six weeks after the election, the sum of 50*l.* each for the services we had rendered, making together 100*l.*; and there was 12*l.* for payments made by us, and which we received through the election agent, in respect of that election; but I do not at this moment remember any other feature in connexion with that election.

16,894. (*Mr. Price.*) Has Mr. Vanderbyl anything to do with Stuckey's Banking Company?—Not the slightest that I am aware of.

(*Mr. Anstey.*) Was not Mr. Kinglake a partner in that bank?

16,895. (*Mr. Price.*) I made a mistake. It was Mr. Kinglake I meant to ask you about, and not Mr. Vanderbyl?—It is unknown to me if he is.

16,896. (*Mr. Anstey.*) You do not believe it?—It is unknown to me if he was a partner.

16,897. If he was at any time?—If he was at any time. I never knew that he was in any way interested in Stuckey's bank. That brings me back, I think, to Mr. Bagehot's election, which was a month before.

16,898. (*Mr. Coleridge.*) You mean to say, you knew nothing at all in connexion with Mr. Vanderbyl?—As I said before, I knew money was going, but I had no part or connexion with procuring it.

16,899. It was all managed by Mr. Barham?—It was all managed by Mr. Barham. I have here a large number of papers with reference to Mr. Bagehot's candidature to represent this borough; and one which I have here, and which bears date May 7th, 1866, contains a list of persons at a meeting.

16,900. (*Mr. Price.*) Just let me ask you this first of all. Did you or your firm on any occasion get retainers from any of the candidates, or were you called in to act jointly with Mr. Lovibond and Mr. Barham?—Just so.

16,901. There was never anything like a retainer?—No. Then, as I say, the first document I have here is dated May 7th, 1866, and contains the names of persons who were present at a meeting at the house of Mr. George Bryant Sully in reference to election matters. There is a list of them here. It contains the names of 40 persons. At that meeting, I have also here in the handwriting of the mayor ——

16,902. Who was the mayor at that time?—The mayor of 1866.

16,903. (*Mr. Coleridge.*) By "the mayor" you meant the present mayor?—I mean the present mayor. There is some document in his handwriting in which he speaks of the election of 1865, and that " the Liberal party at Bridgwater were so fully con- " vinced of the return of Mr. H. Westropp having been " secured by grossly corrupt bribing, that they at " once took steps to procure the needful funds for

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" obtaining information thereon with a view to move " the House of Commons for a commission of in- " quiry." There seems to have been reasons which were urged upon them by Sir Harry Verney, for previous to this meeting he, Mr. George Bryant Sully, and Mr. Francis Thompson had been to London, and had seen Sir Harry Verney, and had seen the report of the evidence on the trial of the election petition against Mr. Westropp ; and I find also a document here, in the handwriting of Mr. Thompson himself, which is the same thing in an abbreviated form as that of Mr. George Bryant Sully's which I have just alluded to ; and I have also an original letter of Sir Harry Verney's, and addressed to Mr. George Bryant Sully and Mr. Francis Thompson:

" 5, Tilney Street, Park Lane,
" Gentlemen, London, May 4, 6 p.m.

" I have just been informed that Colonel Taylor " will not move the writ for Bridgwater to-night. I " shall give notice to-night that on Monday I shall move " thatthe evidence be laid on the table of the House, and " that no writ be issued until the House has had the " opportunity to consider it. I understand that a " petition from the most respectable inhabitants of " Bridgwater is in course of preparation to the same " effect, and I take the liberty of suggesting that it " should be sent to me at the House of Commons (if " the petitioners will do me the honour of entrusting " their petition to me) early enough to enable me to " present it on Monday.

" I am your faithful and obedient servant,
" HARRY VERNEY."

Then I find here an original petition to the House of Commons, no doubt prepared, so far as I can now charge my memory, by Mr. Sully and by Mr. Thompson, when in town for presentation there ; but I suppose it was considered that it should be drawn up in a more formal manner, and so it was not used. " To the " Honourable the Commons of Great Britain and Ire- " land in Parliament assembled." It is upon this half sheet of paper, the form being the usual sort of thing.

16,904. In whose handwriting is it ?—Mr. Francis Thompson's. " To the Honourable the Commons of " Great Britain and Ireland in Parliament assembled. " The humble petitition of the undersigned electors of " the borough of Bridgwater, Sheweth that your " petitioners deplore the corrupt and illegal practices " which have notoriously prevailed in Bridgwater at " the last and at previous elections of members to " serve in your Honourable House. Your petitioners " therefore pray that no new writ be issued for " Bridgwater, but that a commission be appointed to " inquire into the corrupt practices that have pre- " vailed. And your petitioners will ever pray." And it is signed " Francis James Thompson, George B. " Sully." Those papers were produced at the meeting to which I referred ; and I remember perfectly well that the persons present requested Mr. Lovibond, myself, Mr. John Lovell Sealey and Mr. Barham to draw up a more formal document than this, but to embody the views expressed in that document, and to embody the views expressed in the document in the handwriting of Mr. Sully.

16,905. (*Mr. Price.*) Did you understand that the object of those present was to have a commission of inquiry, which might result in the disfranchisement of the place, or that it was merely to have a sufficient inquiry, and that the writ might be suspended, as it was done in the case of Gloucester? Was the disfranchisement ever present to their minds as the possible result of the commission of inquiry ?—Not so far as I can charge my memory.

16,906. Was it the question whether, if they got a commission of inquiry, that it might be for the suspension of the writ, as in the case of Gloucester ? —I cannot remember. I remember on the production of the documents, it was considered it should be in a more formal shape; and at last we four were asked to prepare one.

16,907. (*Mr. Coleridge.*) Was not the real reason that you wanted to get time to counteract the corruption which the Conservatives had practised at the former election ?—I am not aware of that.

16,908. Because several witnesses have said that it was with a view of getting time ; that the Conservative element should die out by effluxion of time ?—I do not think it was ; but there are some circumstances confirmatory of that view, because a few days afterwards there was a meeting held with respect to the election of Mr. Bagehot. No doubt that was a suspicious circumstance. But I believe the people who took part in that meeting were honest and sincere in their view.

16,909. Mr. George Bryant Sully was present?—Yes.

16,910. That is the mayor ?—Yes. I remember Mr. Sully being there, and we said we would act up to whatever they wanted us to do ; and we retired to Mr. Barham's offices, with Mr. John Lovell Sealey and myself; and I hold in my hand the original prayer of the petition, which has been referred to by Mr. Anstey several times during this inquiry. It is in my handwriting, and I remember sitting at Mr. Barham's desk on that occasion, and it was written from dictation. At first it got into one form and then into another, as you will see when you look at it. This is the original draft of the petitition to which reference has been so constantly made (*producing the document*).

16,911. (*Mr. Anstey.*) It is not only the draft, but the form in which the petition was originally presented ?—As originally presented.

16,912. As you know all about this, how is it that, perhaps with one exception, I do not think more, that every person that has hitherto been called before us whose name is to that petition has either declared utter ignorance of the facts to which the petition refers, or, as it has been suggested by my colleague, Mr. Coleridge, has stated that the real object of the petitition was to prevent an election going on, so that the Conservatives should not have the benefit of the past bribery ; or else that he merely signed it because Mr. Benjamin Lovibond had told him so-and-so, that that was the ground on which he went ; how is it that nearly everyone seeks to get rid of the responsibility of the very serious allegations as far as he himself is concerned to which he gave his adherence in signing his name to that petition ?—Mr. Benjamin Lovibond ?

16,913. No ; every witness we have had before us. Everybody tries to get rid of it, and says, " I know nothing," and will not give us any information with regard to what he avers in that petition. What is the meaning of that ?—I cannot give you the reason, I can only explain the course I took in it.

16,914. (*Mr. Price.*) Surely when you were asked to put this in a more formal shape there must have been some discussion as to the view on which this petition was to be presented to the House ?—I say there was nothing from which to infer insincerity on their part with respect to what they were doing ; but I say there was something suspicious, confirmatory of the suggestion of Mr. Coleridge.

16,915. (*Mr. Anstey.*) Now, Mr. Sealy in this place has stated, and repeatedly stated, with respect to this petition, first of all, that it was not his drawing ; and secondly, that he was not a promoter of it ; that he did not promote it in any way ; the term " promoter " was used to him. It has since appeared, on the distinct evidence of Mr. Barham, that he not only was a promoter, but that he was one of the committee who drafted it. How can you account for Mr. Sealy's desire to disown it ?—I cannot account for it. After that petition was drawn up in the way which I have described, on the 7th May, there was a meeting at Mr. James Wood Sully's house or Mr. George Bryant Sully's house (my impression is that it was at Mr. James Wood Sully's house), and at which meeting this resolution was proposed by R. O. Backwell, seconded by J. Rossiter, " That a committee, consisting " of the following gentlemen, Messrs. Bate, Rossiter, " Barham, Lovibond, Reed and Cook, J. L. Sealy, " F. Thompson, G. B. Sully, Hammill, be formed for

" the purpose of ascertaining the political opinions of " Mr. W. Bagehot and Lord Bury, and any other " gentlemen who may be willing to become candidate " on Liberal principles for the representation of the " borough, and report thereon to a larger meeting of " the party." I remember, sir, at this meeting, that Mr. Lovibond stated that he had been in town a day or two previously, and had heard from a friend of his of Lord Bury's name, and in the course of the discussion Mr. Bagehot's name was mentioned. On the 7th May, when that meeting was held, a letter was written to Mr. Bagehot, a copy of which I have here, or rather the draft from which the fair copy was made.

16,916. (*Mr. Coleridge.*) How long would that be after the unseating of Mr. Westropp?—I forget the date that he was unseated, but this was after the unseating. This is the letter:

" Dear sir, Bridgwater, 7th May, 1866.

" There has been a meeting this afternoon of " several of the Liberal electors of this borough, at " which a resolution was passed appointing a com- " mittee, and requesting them to ascertain from you " your political opinions upon the various questions " of the day. We were afterwards deputed to convey " to you the substance of the resolution. We shall " therefore feel much obliged if you will have the " kindness to send us *per return* such a statement as " we may lay before the committee at an adjourned " meeting to be held on *Wednesday* next. We need " scarcely add that it would have been premature on " the part of the meeting to have adopted you as a " candidate for the representation of this borough " without first knowing your political views, and " whether the same were acceptable to the Liberal " electors generally; but the information, when " received, will be laid before the committee for their " consideration. We trust we have made ourselves " intelligible, and remain,

" Yours truly,

" W. Bagehot, Esq. Reed & Cook."

16,917. How many of the 600 electors do you suppose cared anything about politics at that time; about the same number as were reputed to be pure on that side?—Yes, about that.

16,918. (*Mr. Anstey.*) It was the last Russell administration, about two months before the Russell administration went out?—No, Lord Derby's administration.

16,919. No; that was not till two months afterwards?—You are quite right. I remember that Lord Palmerston died shortly after the assembling of Parliament in 1865.

16,920. This was Lord Russell's administration?—Yes.

16,921. Was not that a period of great political deadness, as far as your party were concerned?—Oh yes.

16,922. And is it not the fact (we have had it already in evidence) that in selecting candidates for the last previous election, certainly a previous election, Mr. Travers Smith sent to Mr. Lovibond the list which has been read of rich and available candidates, all to be proposed by the Liberals, one who is described as " very moderate," one as very Radical, one as Palmerstonian, and two without any declared opinion at all, but all agreeing in this, that they were rich and in a good position?—Yes. I was not aware of that letter which was read till I heard it in this room.

16,923. Having that in your mind, and taking into consideration the political deadness of the Liberals as it is called in this borough, I ask you what was the object of the little salvo about the " great body of opinion being Liberal" here?—It was in accordance with the petition as proposed.

16,924. Was it not to give a decent cloak to the whole thing?—No, I do not think it was, not with the persons who attended that meeting, as far as they were concerned. Then on the 8th of May there is a reply from Mr. Bagehot, it is rather a long one; and then on the 8th of May there is another letter from him; in fact, there are three letters from him bearing that date; and on the 9th of May I find there was a meeting of the committee held at Messrs. Reed and Cook's offices: " Present, Messrs. H. Lovibond, E. " Barham, P. O. H. Reed, F. J. Thompson, J .Cook, " jun., G. B. Sully; and Mr. J. B. Hammill, Mr. T. " Collins, and Mr. H. F. Nicholls were also present."

16,925. (*Mr. Price.*) We really want to spare your time, and the time of the public. What is all this to tend to? We see you are prepared to give us every document you have got there. You know well enough that what we have to inquire into is only with respect to corrupt practices of the borough at elections. Do those documents which you have now in your hands tend to throw any light on the manner in which elections have been conducted?—No.

16,926. You know best. We do not want to weary you by reading through all those documents, nor is it worth while having them upon the notes, unless they have a bearing upon what we are here to inquire into, that is, not only as to how the last election was conducted, but also as to how former elections were conducted with respect to corrupt practices. You know best, and we leave it to your judgment to refer only to those documents which throw light upon the subject in hand?—I observe that Mr. Anstey has asked repeatedly as to the cause of the division of the Liberal party as to the issuing of the writ on that occasion; there are one or two letters among these documents which we received, and which, with your permission, I will read, as they will explain themselves. There is one of the 30th May, addressed to Mr. Kinglake:

" Dear sir, " Bridgwater, 30th May 1866.

" It was rumoured here to-day that Col. " Taylor had given notice of his intention to move " that a writ may issue for Bridgwater to-morrow " night, and hence the reason of our sending you the " telegram." That was a telegram (which I shall find) asking if there was any truth in it. " Should " Col. Taylor do so, and be successful, we should have " very little time indeed to make arrangements, and " therefore it is very desirable that we have the earliest " intimation of his movements, and, if not troubling " you too much, we shall feel obliged if you will " kindly send us a telegram directly the *notice of* " *motion* is given, if not already done.

" We are, dear sir, yours faithfully,

" Reed & Cook."

There was a similar letter to Mr. Bagehot, and I find this telegram from Mr. Bagehot, and it says, " I expect the writ will go." That is dated 31st May 1866; and then this one from Mr. Kinglake on the 31st May, saying, " Writ will be moved about midnight, and will probably issue." Then there is another one from Mr. Kinglake, dated June 1st, saying, " The writ will issue."

16,927. (*Mr. Coleridge.*) That was on the Friday?—I believe so.

16,928. (*Mr. Anstey.*) All those documents confirm your statement that Mr. Bagehot was the candidate selected for the contest, before the debate began on the important question as to whether there was to be a writ or not?—Clearly; because there is a telegram bearing date June 1st, saying, " The writ will issue," and all the rest follows.

16,929. (*Mr. Coleridge.*) Was Lord Bury suggested as a candidate?—I was at a meeting at which Mr. Lovibond reported that he had heard through a friend that he thought it likely that Lord Bury would not object to become a representative, and that Mr. Bagehot would not object also. Mr. Bagehot is living in the neighbourhood, some 12 miles off.

16,930. (*Mr. Anstey.*) I suppose you are aware that his celebrated work on the Constitution was not published for two years after that?—Certainly, a year ago.

16,931. It could not have been on that account that he was selected as a candidate?—No.

16,932. Is he a wealthy man?—I believe he is.

16,933. (*Mr. Price.*) He married a daughter of Sir James Wilson, at that time Finance Minister in India, and who was at that time proprietor of the *Economist*?—Yes.

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16,934. He was dead then, but Mr. Bagehot probably was known, as he married the daughter of Sir James Wilson, and was connected with the *Economist* newspaper?—Yes, that he was connected with it.

16,935. (*Mr. Anstey.*) You have also said that it was in contemplation of the election of 1865, if not before, that he was named as one of the five men of "wealth and position," and Sir John Shelley, who was selected in preference, was another man of wealth?—Yes; Mr. Wilson's name.

(*Mr. Price.*) No; Mr. Bagehot's name was mentioned in the letter of Mr. Travers Smith as a person likely to be a candidate, on account of his being an able man and good candidate, and also on account of his wealth.

16,936. (*Mr. Anstey.*) I will read it to you: "Sir "John Shelley, a rich country baronet, advanced "Liberal, &c.; Sir Frederick Halliday, late Governor "of Bengal, very moderate, rich, and good candi- "date; Mr. Walter Bagehot, an able man and good "candidate; Lord Milton, eldest son of Earl Fitz- "william, intelligent young candidate, but not expe- "rienced, highest social and family position. All the "above are men of wealth and position, and would do "credit to almost any constituency."—I remember it now.

16,937. Have you any doubt that that last suggestion, a man of "wealth and position," was the real reason why Bridgwater selected Mr. Bagehot?—I have no doubt that a man of wealth has a far better chance in Bridgwater than a man who is not wealthy.

16,938. Supposing he had been a poor man, would he have had any hope of success? In accordance with the views of the Liberal party in Bridgwater would they not have said, "We will put his communications at once in the waste paper basket"?—I believe so.

16,939. (*Mr. Coleridge.*) I do not believe any barristers or lawyers have represented this borough of Bridgwater?—Not in my recollection.

16,940. Except Mr. Kinglake?—Mr. Kinglake.

(*Mr. Anstey.*) Just refresh your memory about this; I will not read this letter all over again: "Sir John Villiers Shelley, advanced Liberal, a can- "didate for the abolition of church rates," and so on; "rich country baronet, advanced Liberal," &c., &c. And then, "Sir Frederick Halliday, late Governor of "Bengal, very moderate, Palmerstonian, rich and "good candidate." Then "Walter Bagehot, able man," not stating what his principles are. "Lord "Milton, intelligent young candidate, but not expe- "rienced;" all of them men of "wealth and position, "and would do credit to any constituency."

(*Mr. Coleridge.*) This is Mr. Travers Smith's letter.

16,941. (*Mr. Anstey.*) This is called Mr. Travers Smith's paper; and out of this list Sir John Shelley had been selected the year before; have you any doubt that his being a rich country baronet had more to do with it than his being an advanced Liberal, and a candidate for the abolition of church rates; and that Sir Frederick Halliday was named more because of his wealth than his being a Palmerstonian in politics; have you any doubt of that?—No doubt at all.

16,942. You know that a Palmerstonian was something less Liberal than a Liberal of the present day?—Yes.

16,943. "An advanced Liberal," we know what that meant?—Yes.

16,944. And they were equally acceptable to the voters of this borough, provided they were men of wealth?—Yes. On June 2nd, in anticipation of this election of Mr. Bagehot's, I find we wrote four letters to voters; the four being, James Wood, Esq., who formerly resided here, and is now living at Clifton; Mr. Callow, who also lived here, but has now left the town; the same Mr. Bottomley I mentioned just now, and I shall have something more to say about him; and a Mr. Samuel Freeman, who also lived in the borough, but has gone away. "The election is fixed "for Thursday next, and if you can consistently do "so, we shall be glad if you will record your vote as "early as possible on that day. Please let us hear "from you per return." I think on that occasion Mr. Freeman did not return any answer, and I think it was on that occasion or another occasion that he was sent for by Mr. Tamlin, and was paid a guinea for his trouble. This same Mr. Bottomley was sent for upon this occasion to vote, and I remember during the day, he came to me and he asked if his expenses coming up ought not to be paid. Some little conversation took place between us on the subject, and I remember very well asking him, "Well, what are your expenses?" And he said, "Well, I think they should be paid on a very liberal scale." And some conversation took place between us on the subject, and whether he mentioned the sum or not I will not be sure, but at all events there was some suggestion which he made which made me rather angry at the moment, and he said, "I shall have nothing to do with you." Whether he voted then I cannot say, but I remember afterwards meeting a Mr. Dyment, and telling him what had taken place, and I said, "Well, "you had better see him, and offer him a couple of "guineas for his expenses."

16,945. (*Mr. Coleridge.*) Where did he come from?—From Tiverton.

16,946. Those expenses would be no more than 5*s.*?—More than that.

16,947. (*Mr. Anstey.*) It is about 20 miles?—I cannot say that. Perhaps 25 miles.

16,948. (*Mr. Coleridge.*) He could have come up and voted and have gone back in about three or four hours?—No doubt about it. And I remember Mr. Dyment afterwards going to offer him the two guineas, and he refused to accept it, and he was very much annoyed about it. Then Mr. Callow was present on that occasion, and Mr. Bull. I do not remember anything in connexion with either of those two names that I think it necessary to call your attention to. On June 2nd, I think it was, that my partner told me he was going to London. He had seen Mr. Barham, and he told me he was going to London about making some arrangements respecting the election.

16,949. (*Mr. Coleridge.*) What sort of arrangements?—Money, I understood. He returned on the 4th, and he told me that he had not succeeded in making any arrangements. I, of course, understood perfectly well what he meant. The explanation as far as I remember did not come out to me then; I have entirely forgotten, but I am quite sure it was drawn to my attention. I do not think my partner told me that he had done this, that, and the other, but merely gave me the result of his journey there. But on the 5th there was this letter, which I do not recollect seeing at the time, nor can I tell the time when I did, from Mr. Travers Smith to Mr. Reed:

"The bearer is the person to whom I alluded on "Sunday; I wrote last night under cover to Mr. "C.," (I have asked Mr. Reed who that means, and he thinks that alludes to Mr. Carslake,) "who will "explain the fact of no letter from me having been "received.

"I am, dear sir, yours very truly,

"J. Travers Smith."

"The bearer," as I understand from my partner, which I was not aware of until recently, if I ever knew it I had forgotten it, was sent down by Mr. Travers Smith according to an arrangement with my partner to watch the doings of the Conservative party. I have no recollection of any conversation with him.

16,950. (*Mr. Coleridge.*) Do you know the individual's name?—I have not the slightest idea.

16,951. Or what sort of looking man he was?—I do not know, and I do not think I saw this letter at the time.

16,952. This was before Bagehot's election?—In anticipation of Bagehot's election, my partner having returned from town on the 4th, on that occasion Dyment was paid for his expenses. I had forgotten that Dyment went down for Bottomley, and did not bring him up, or whether he did I forget, but he was paid

4*l.*, and that sum was afterwards paid us by the election agent for that election, and 12*l.* 5*s.* 2*d.* we received on the 13th of August respecting payments made at Mr. Bagehot's election. I find it was on February the 5th, 1867, when we received, through Mr. Barham or Mr. Lovibond, I forget which, the sum of 50*l.* for services rendered by us the previous June, at Mr. Bagehot's election.

16,953. 50*l.* each ?—No, 50*l.* together.

16,954. It seems that what Mr. Barham and Mr. Lovibond received was always, I think, double or four times as much as you ?—Well, it was so. There has just at this moment crossed my mind, whether at that election or Mr. Vanderbyl's first election I am not sure, but I remember well a thing which I will explain to you. A man of the name of Abbott was reported as not having polled. I knew him very well, and I remember going down Eastover way, the precise point at which I met him I do not know, and said, "Why, Abbott, you have not polled." "No." "Why do not you go to poll?" He had been drinking, but was not tipsy.

16,955. (*Mr. Price.*) Nobody ever yet got a correct definition of what was tipsiness.—I am afraid I am not in a position to give it, but he certainly was not what I should call drunk, but from the man's manner he had been drinking.

16,956. (*Mr. Coleridge.*) He knew what he was about ?—He knew what he was about. I said, "Why not go to the poll," and so on. He said, "I will follow you." I said, "Then come along;" and I walked a long distance, and I may not have seen him, being in advance of him, and every now and then persons would meet him, and he would stop, and I would call out, "Come along, Abbott," and then we came right on to the Cornhill. They saw what was going on, that he was following me to the poll, and at last a mob gathered round, and in fact completely pushed me towards the "Clarence," that being regarded as the head quarters at the time of the Conservatives. I certainly felt annoyed at being followed by them, and I recollect in the tussle I had my coat torn off on the occasion. I certainly tried to get him to the poll, but if I had promised him money I should now tell it unhesitatingly, but I have not the slightest recollection of it, nor did I intend that he should have any.

16,957. Is he living here still ?—He is living here still.

16,958. What is he ?—James Abbott, a plasterer, living in St. John Street in this borough. There is another feature it occurs to me to mention, that Mr. Nicholls stated here yesterday that he had sent to our office some two or three times an account of some things had at Bagehot's election.

16,959. (*Mr. Price.*) Yes, 2*l.* 12*s.* 4½*d.* and 12*s.* 9*d.* were the items ?—I have no recollection of ever receiving such accounts. I could not undertake to deny it, because if he says he sent it I imagine it must have come, and if received, as we had nothing to do with the accounts, the possibility is that it was sent on to Mr. Lovibond.

16,960. It has been produced before us, but I do not know by whom ?—I have no recollection of it.

16,961. Would it have been sent to you as solicitors for or agents of Mr. Bagehot, or as agents afterwards for Mr. Vanderbyl, because the object of our examination about it was to show whether this account, which is debited apparently to Bagehot, which does not appear to have been paid, for there is no receipt on the bill, was sent to you at the time of Mr. Bagehot's candidature here, or whether it was sent to you at a subsequent period, when Mr. Vanderbyl was standing, with a view of your liquidating it for him ?—I have no recollection of any account having been received either before or after.

16,962. Would you know the bill if it was shown to you ?—There are some initials, if you will permit me to look at it. (*Referring to the bill*) I do not recognize any initials at all.

16,963. We know what the initials are now ?—I do not recognize it.

16,964. It is endorsed at the back ?—There is an endorsement on the back; I do not recognize that writing. I have no recollection of giving any order myself on that occasion.

16,965. (*Mr. Anstey.*) Have some bills come in to you incurred at former elections, but not presented until after the canvass of Mr. Vanderbyl had commenced ?—I do not remember any bills.

16,966. Phelps, for instance ?—I was coming to Phelps directly.

16,967. Did any of those come in ?—I remember Phelps coming up and seeing us about it, and I remember that was arranged after Mr. Vanderbyl's election, when, as Mr. Barham said, the bills were put down and divided into proportions.

16,968. That is a bill *ejusdem generis* with this ?—Yes.

16,969. If this did come into you then from Mr. Nicholls, it would be no more than any other unpaid claim which Sir John Shelley, the previous candidate, was prepared to meet, and which you on behalf of the then candidate were prepared to consider and satisfy ?—No doubt they came. As we really have nothing to do with making up the accounts, if they came the possibility is they would be sent under cover to Mr. Henry Lovibond, but I have no recollection of doing it.

16,970. (*Mr. Price.*) John Abbott is on the register as voting for a house in Polden Lane ?—But he now lives in St. John Street. I do not know, as far as the best of my recollection goes, that there is anything with reference to Bagehot's election I need trouble you with.

16,971. Do you remember anything of this kind, any statement made on the Sunday night at the election of 1868 to the effect that the money was to be left with the lawyers by Mr. Fennelly, and that nothing was said at all about any distribution amongst the voters ?—No, it was not so. On the contrary, on the Sunday Mr. Fennelley arranged to bring down this Mr. Lomas, who he said was a very shrewd man in his employ, for him to distribute the money.

16,972. Is this at all in accordance with your recollection, that the 1,500*l.* was offered to be given if you and the other lawyers would fight a pure election; not in distribution amongst the public, but literally to be given for the lawyers ?—No, I do not remember that, but I remember this what Mr. Fennelly said; I have answered that question. I think that Mr. Vanderbyl did not mind money, and that he would rather have fought a pure election, and if it had been fought he would have paid the lawyers very handsomely for it.

16,973. (*Mr. Anstey.*) That is all ?—That is all.

16,974. (*Mr. Price.*) It was not said that he would rather give or offered to give 1,500*l.* amongst the lawyers if they would only fight a pure election ?—No.

16,975. You are sure of that ?—Yes.

16,976 Still you say the substance of it was that Mr. Vanderbyl would pay the lawyers handsomely if they would fight a pure election ?—Yes, he would. He said if the election had been fought purely he would have remunerated the lawyers handsomely.

16,977. On what occasion did he say that ?—That is on the Sunday night.

16,978. There were several important interviews on that day, at which of them was it ?—That was at night.

16,979. (*Mr. Price.*) The last thing ?—The last thing.

16,980. (*Mr. Anstey.*) Before the deputation went up ?—No, after.

16,981. This was at that nocturnal meeting at your house ?—Yes.

16,982. You have conjugated the verb "to give" two or three ways, and I could not make out what he said, was it "If you lawyers will manage to fight a "pure election I shall pay you handsomely," or whether he said it in the past tense ?—It was.

16,983. If you had agreed to fight a pure election he would have paid you handsomely ?—I believe it was the past tense.

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Mr. J. Cook.

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16,984. Treating it as an affair past and gone ?—I believe so.

16,985. (*Mr. Price.*) Now try and recollect. Do you believe it was at any of the previous interviews which you have spoken of, in which he said he would undertake to pay the lawyers handsomely if they would fight a pure election; he gave you the option; that is the question I want you to speak to, whether your recollection is clear that night that Mr. Fennelly, on the part of Mr. Vanderbyl, gave you an option as it were: "Mr. Vanderbyl is perfectly prepared to " pay the lawyers handsomely if they will fight a pure " election "?—If they did it must have been on the Friday before.

16,986. On the Saturday you think he did say something to that effect ?—On the Sunday.

16,987. If the lawyers had agreed to fight a pure election Mr. Vanderbyl would have paid them handsomely ?—Yes.

16,988. What was the reply ?—The reply was that " You see there was a very strong opinion of the " probability of the Conservatives resorting to money, " and it was impossible to fight."

16,989. Was not Mr. Fennelly distinctly given to understand, in answer to that observation of his on Sunday night, that that was a thing which would not be entertained at all, and that it was no use his saying so, or he might have been left under the impression still, that the 1,500*l.*, or whatever was the sum, the lawyers would take it, and not spend it in bribery? —He could not have been left under that impression.

16,990. Could not possibly ?—No.

16,991. Then something must have been said to disabuse his mind. Suppose he put it in the past tense, "If you lawyers had only agreed to fight a pure " election Mr. Vanderbyl would have paid you hand- " somely "?—To the best of my recollection the reply was, "You see there is a very strong opinion on the " probability of the Conservatives spending money; " if they do our chance is hopeless." I believe that was the substance of the reply.

16,992. Mr. Fennelly did not give any of you to understand that if they got the money down the lawyers were to have the keeping of it, and either to put it in their pockets or distribute it ?—No.

16,993. No alternative given to them that the 1,500*l.* was to be at the disposal of the lawyers ?—No, except what I have before referred to.

16,994. Amongst the electors ?—Yes.

16,995. (*Mr. Coleridge.*) I suppose Mr. Vanderbyl's credit was good in the borough at this time ?—Yes.

16,996. If Mr. Fennelly wanted to spend 1,500*l.* amongst the lawyers, there was no need for him to go to town and bring down this gold ?—No.

16,997. If he had promised his cheque three months afterwards, you would just as soon have had it as cash ?—Quite so.

16,998. Therefore it was quite impossible that his object was to get 1,500*l.* to distribute amongst the lawyers ?—It could not have been so.

16,999. (*Mr. Anstey.*) At the time he said this to you, "If you lawyers had agreed to it Mr. Vanderbyl " would have," &c. &c. &c. At that time he must unquestionably, either by parcel or post, have despatched to town his instructions, or forwarded telegrams. " When you refer to money, describe the " money under the name of bales for hundreds "?— Certainly.

17,000. Would he have done that if it had been merely for the purpose of raising funds to pay lawyers for their professional services ?—No.

17,001. (*Mr. Price.*) Therefore there would be no reason for supposing that the money was brought down to be given over to you, with an impression on Mr. Fennelly's mind that the money was distinctly for the lawyers, and not to be given to the public ?—No.

17,001*a*. (*Mr. Anstey.*) On the following day, the Monday I think it was, but on the day when the 10*l.* packages were made up and described as tea, could that possibly be with the intention that the lawyers were to divide that as they pleased on the condition that they were to fight a pure election ?—(*No answer.*)

17,002. (*Mr. Coleridge.*) Had Mr. Fennelley been down at Mr. Vanderbyl's first election ?—Not to my recollection.

17,003. (*Mr. Price.*) You mentioned Mr. Drake in connexion with this matter the other day, was he a person with whom you were in communication at all? —I had seen Mr. Drake.

17,004. Was it as to the election of a candidate when Mr. Bagehot would not stand ?—No, this was whilst the negotiation was going on for the settlement of this thing, the compromise.

17,005. (*Mr. Coleridge.*) This very last one ?— Yes.

17,006. Mr. Drake interfered in that ?—No. I said I happened to be in his office after the last election here, whether before the presentation of the petition or afterwards I will not be sure.

17,007. (*Mr. Price.*) Mr. Drake has recently had a signal mark of Her Majesty's commendation for his services presented to him. I want to know what is the proof of his service to the party, was it in connexion with that compromise about the retiring of both candidates previous to Mr. Justice Blackburn coming down ?—He was consulted about it.

17,008. Therefore, so far as you know, that is the last act of his in connexion with the Liberal party ?— It was.

17,009. Effecting a compromise by which the election inquiry should be stifled would be the effect of it, and this Commission not issued, both seats to be given up to the Conservatives, Kinglake and Vanderbyl to retire, rather than have any inquiry into the matter. That was the subject on which he was consulted, was not it ?—I was in his office; Mr. Kinglake came in with Mr. Lovibond. What the nature of their conversation was I do not know.

17,010. But that was the subject of discussion amongst you at that time, was not it ?—I had not a conversation with him in the presence of Mr. King- and Mr. Lovibond.

17,011. The object of your visiting London was with reference to such a compromise ?—We had several visits for the express purpose.

17,012. And amongst others you consulted was Mr. Drake ?—I saw Mr. Drake once.

17,013. (*Mr. Anstey.*) What passed between you and Mr. Drake on that occasion; state shortly as near as you can recollect ?—It was about the desirability of coming to an understanding about it.

17,014. What did he say; did he say it would be desirable ?—His answer was, " I do not see what can be done;" something of that kind.

17,015. What did he mean by that?

17,016. (*Mr. Price.*) What could be done except giving up the seats, or what ?—Whether it was told to him at the time there had been an offer made of the seats. I imagine that to be so.

17,017. The whole tendency of the thing was, was it possible to stave off inquiry by way of election petition and the possible results of an election petition ?—Certainly.

17,018. (*Mr. Anstey.*) First of all distinguish between the consultations you had amongst yourselves during that period, and then the consultation at which some of the Conservatives were present, Mr. Trevor frequently, Mr. Westropp once. On those occasions was one of the materials of judgment which you had before you, the danger that if the election trial took place, that would be followed up by an address, which would lead to a commission, and that to an inquiry, and that to disfranchisement ?—It was repeatedly said in the course of negotiation, that a commission would more than probable be the result.

17,019. First among yourselves, secondly at the meeting at which Mr. Trevor was present ?—Yes.

17,020. Mr. Westropp or anybody connected with the Conservative party; was it urged on them at all or not in this way, " What shall we gain by it supposing

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"you unseat our members; the result will be the "suspension of the writ and a commission." Was that ever suggested?—I believe it was certainly.

17,021. And therefore was one of the materials of judgment common to you and to them, that there would be no advantage to either party from the election trial proceeding, but probably the borough being incapacitated for all time to come from indulging in these practices?—It certainly was talked about.

17,022. (*Mr. Price.*) And this rich and fruitful pasture would be turned into a dry and barren desert?—Speaking for myself, whatever the consequences might be, I should be exceedingly pleased that it should be so.

JAMES ABBOTT sworn.

J. Abbott.

17,023. (*Mr. Price.*) What are you?—A plasterer.

17,024. Are you a voter for the borough?—I did.

17,025. At the last election?—Yes.

17,026. Did you get anything for voting at the last election?—No.

17,027. Nothing at all?—No, not a farthing.

17,028. Any promises?—No.

17,029. From anybody?—No.

17,030. No offer and no promise?—No one at all; no offer and no promise.

17,031. (*Mr. Coleridge.*) By neither side?—By neither side.

17,032. Either before or after?—Either before or after.

17,033. (*Mr. Price.*) And you voted for whom?—Vanderbyl and Kinglake.

17,034. What time of the day did you vote?—About 10 in the morning.

17,035. Did you vote in 1866 at the second election, when Mr. Vanderbyl stood first here?—I believe I did.

17,036. Who for?—I voted then, I believe, for Mr. Westropp.

17,037. No, this time Mr. Vanderbyl stood against Mr. Patton?—I do not think I had voted at all then.

17,038. (*Mr. Coleridge.*) Had you a vote?—Yes.

17,039. Then why did not you vote?—Because I was not able to go. I was not very well, I think; I am not certain.

17,040. Did you get paid anything for not voting?—No.

17,041. (*Mr. Price.*) Did anybody say if you would not go and vote as you happened to be ill that you would be paid to stay away?—At that second election?

17,042. Yes, of 1866?—That was 1865, was not it?

17,043. (*Mr. Coleridge.*) No, 1866, the last election; the first time Mr. Vanderbyl came?—I am not sure.

17,044. Did you get anything for not voting; did anybody pay you any money at all at that election?—Yes.

17,045. Who?—Mr. Jarman.

17,046. (*Mr. Anstey.*) Frederick or Henry?—He keeps a baker's shop.

17,047. (*Mr. Coleridge.*) What did he pay you?—He sent 10*l.* to my house.

17,048. When did you get it?—I got it on the morning of the polling day.

17,049. Did you vote after you got it, or abstain from voting?—I did not vote at all.

17,050. And was not in order that you might not vote?—No.

17,051. Had not you voted for Mr. Westropp before?—I had voted for Mr. Westropp before that.

17,052. Then you were Conservative at the time of Mr. Westropp's election, and was not this 10*l.* given to you to prevent your voting against the Liberals on the present occasion?—I do not know.

17,053. Why did you get it?—He brought it to my house.

17,054. (*Mr. Price.*) Was it the 10*l.* made you ill?—No, 20*l.* would not.

17,055. (*Mr. Coleridge.*) Who gave it you?—Jarman brought it there, I believe.

17,056. But who gave it to you, your wife?—Yes.

17,057. Had Jarman been to you and arranged to pay you before this?—No.

17,058. Do you mean you did not expect to get it at all?—I did not expect to get it all, it was brought to my house.

17,059. On the day of the poll?—On the day of the poll I believe it was.

17,060. Is that the only 10*l.* you got?—No.

17,061. What other one?—I had 10*l.* before that, at Mr. Westropp's election

17,062. That is 1865; but the other election in 1866, when Patton and Bagehot stood, what did you get then?—I do not think I got another.

17,063. How did you vote for Bagehot or Patton?—I think it was Mr. Bagehot. I am not sure.

17,064. Which was the election which you went with Mr. Cook, and Mr. Cook tried to take you up to the poll, and the Tories got hold of you?—He did not take me up at all. I would not be taken up by anybody.

17,065. Did you walk a good way with Mr. Cook, and when by the "Clarence" you were taken in to the "Clarence"?—I went to the "Clarence."

17,066. What election was that, Mr. Westropp's?—I think it was.

17,067. What did you get then?—At Mr. Westropp's I had 10*l.*

17,068. Who gave it you?—Jarman.

17,069. (*Mr. Price.*) Were you ill then?—No.

17,070. (*Mr. Anstey.*) Was that the same Jarman, the baker?—Yes.

17,071. You got 10*l.* from Jarman the baker for voting for Mr. Westropp?—Yes, that is the first time he put up.

17,072. (*Mr. Coleridge.*) That is the first time you told Mr. Cook you would go and vote for him?—No, I do not recollect. I recollect that he came up to me, but did not catch hold of me to lead me.

17,073. What did take place?—Nothing.

17,074. Did he ask you to go to the poll?—No.

17,075. What took place?—Nothing.

17,076. Did he speak to you?—No.

17,077. Will you swear that he did not?—I will swear I cannot remember he did.

17,078. You cannot recollect?—I am sure he did not.

17,079. Did he take you by the arm?—I think he may have just taken me by here.

17,080. Did you follow him?—No.

17,081. How far did you go with him?—I cannot say how far.

17,082. Did you walk up the street with him?—I did not walk but a few yards.

17,083. Who took you away?—Not anyone, I consider.

17,084. Who was it who stopped you?—No one took me away at all.

17,085. Who was it spoke to you, and so on, who induced you not to follow Mr. Cook?—Nobody at all.

17,086. None of the Tory party?—No.

17,087. Do you swear that?—I do.

17,088. How came you to leave Mr. Cook after going with him?—I went a few yards with him and then left; there was no difference in my walking with Mr. Cook or anybody else.

17,089. Do you mean that nobody induced you to leave him?—No.

17,090. You went of your own accord?—Yes.

17,091. Had you made up your mind how to vote?—Yes.

17,092. How long before?—Perhaps a few hours, perhaps a day.

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J. Abbott.

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17,093. Who persuaded you to vote for Mr. Westropp?—Nobody.

17,094. Had not you been canvassed?—I had been canvassed.

17,095. Had Jarman been to you?—No, he never came to me at all.

17,096. Who canvassed you?—Mr. Westropp came to my house.

17,097. Did you promise him at once?—I did.

17,098. Did you tell any of his agents afterwards that you wanted some money?—I did not see his agents afterwards.

17,099. When were you told first that you would get 10*l.*?—I was not told at all, it was brought to my house four or five days after the election.

17,100. (*Mr. Anstey.*) Perhaps if you wait here until the end of the day your memory will be refreshed. You wanted to go to Cannington?—Yes.

17,101. Perhaps you had better defer that until you have told the truth. When did you vote before this? Did you vote in 1859 for Kinglake and Tynte?—(*No answer.*)

(*Mr. Price.*) I do not know whether you appreciate the position you are in, but you are called here as a witness, and if you do not answer the questions which are put to you by the Commissioners, which are intelligible questions, and which you do not say you do not understand, then you will be in this position, that you will receive no certificate, and be liable to be prosecuted by the Attorney General, and also probably prosecuted for perjury as well. Understand that and take care what you are about.

17,102. (*Mr. Coleridge.*) You have to tell everything you know, not only what we ask?—I will what I know about the election.

17,103. Did you vote in 1859 for Mr. Kinglake and Tynte, the election at which Mr. Padwick and Mr. Westropp were the other two?—Yes.

17,104. How often did you vote for Mr. Westropp altogether?—I think twice.

17,105. What did you get for voting for him the first time, 10*l.*?—That is what I said.

17,106. No, that is the last time; how many 10*l.* had you had altogether in your life?—I cannot say that.

17,107. Have you ever voted at an election in your life without being paid?—Yes, the last election I did.

17,108. Is that the only one which you voted at?—No, a good many before.

17,109. Without being paid?—Yes.

17,110. You have told us that you were paid in 1866, 1865, and 1859, and you voted for Mr. Westropp and got 10*l.* then, did not you?—I think three times I have had 10*l.*

17,111. Who did you get the 10*l.* from in 1859? You have told us twice from Mr. Jarman, was he your friend then?—It was from the Tories I got it.

17,112. But who paid you?—Jarman, no one but Jarman.

17,113. Has Jarman always paid you whenever you have been bribed?—Yes, he has.

17,114. Did you vote in 1847?—I cannot say. In 1847?

17,115. Yes?—No, I cannot say.

17,116. How long have you had a vote? When did you first vote?—I have had a vote, I suppose, 20 years or more.

17,117. The first time you ever voted what did you get?—Nothing, I believe.

17,118. What did you get?—I did not have anything the first time.

17,119. Very well. What did you have the second time?—Upon my word, it is so long ago, I could not be answerable to say, if I was to swear it.

17,120. How many times have you been paid on the whole?—I think about four times.

17,121. You have only told us of three. When was the fourth? Was it 1847?—Upon my word, I do not recollect the year. I am no scholar.

17,122. Mr. Kinglake's first election; do you recollect that?—Yes.

17,123. Did you have a vote then?—I cannot recollect.

17,124. Well, Mr. Kinglake is not a Tory. You have been paid three times, you have told us, for voting for the Tories. Tell us when you were paid for voting for the Whigs. The same person cannot have paid you for voting for the Tories who paid you for voting for the Whigs?—Upon my word I cannot say.

17,125. But you are not always getting 10*l.*, are you?—No.

17,126. (*Mr. Price.*) Was it Bussell or Jarman?—No, never any of them.

17,127. (*Mr. Coleridge.*) Who paid you for voting for the Whigs when you were paid?—It is some years ago, is not it?

17,128. I know it is, but who paid you then? It was not Jarman, you know, who paid you for voting for the Whigs?—No, no.

17,129. You are clearly a balance man?—I think it was Mr. Thomas Ford.

17,130. What Ford is that?—A solicitor, I think he is. He is dead now.

17,131. What year was it?—Oh, I cannot say what year.

17,132. What did he pay you? How much?—I think it was 15*l.*

17,133. Is 15*l.* the most you ever got?—I believe it was; I am sure it was.

17,134. Did not you once get 20*l.*?—I do not believe I did; never 20*l.*

17,135. How often have you had 15*l.*?—Never but that once.

17,136. You have told us of three tens?—Yes, Mr. Jarman brought me three tens.

17,137. You have had probably seven elections, and you have only told us about four. You say you were not paid at the last one?—No, not a farthing.

17,138. You were not paid at the first one. Have not you received money five times? Was not there another time when you were paid?—I do not believe I was but three times.

17,139. Four times you have told us of, three tens and fifteen; 45*l.* you have received. Is that all you have received?—That is all I have received to the best of my knowledge.

17,140. Have you ever been promised anything you did not get?—Not to my knowledge.

17,141. Murlis, did he ever promise you anything?—No.

17,142. Did Heal ever pay you anything?—No.

17,143. Did he ever promise you anything?—He never promised me anything.

17,144. Then Ford and Jarman have been your chief friends in these matters?—Mr. Jarman brought it to my house. He never asked me for my vote, and I never asked him for money.

17,145. How did you vote at the last election?—Liberal.

17,146. How came you round? You voted first Liberal, then Tory three times running, then you came round to the Liberals. How came you to come round?—Because I picked up more work from the Liberals.

17,147. (*Mr. Price.*) Is there more work going amongst the Liberals, more employers of labour than amongst the Conservatives?—No, not more work in particular, but the Liberals knew me. I had more work from them.

17,148. I suppose you would lay a brick for a Tory as well as for a Liberal?—I am a carpenter.

17,149. (*Mr. Coleridge.*) Did Mr. Cook promise you anything if you had voted that time, if you would go to the poll?—He never promised me anything.

17,150. Did he offer you anything?—Never.

17,151. (*Mr. Anstey.*) Do you mean to say that he put his hand upon your arm and said nothing?—He asked me to go to the poll.

17,152. Tell us what he said to ou?—I believe he said, "Jim, are you going to poll?" something like

that. I said, "No, I am not going to poll," and away I walked right up towards the town, and went into the "Clarence."

17,153. (*Mr. Price.*) Had you heard anything about money going at the "Clarence"?—No.

17,154. Why did you go into the "Clarence"?—Well, I did go in as I often do.

17,155. Is it a house that you frequent? Is the "Clarence" your house where you go to?—No, it is not.

17,156. Then why did you go into the "Clarence"?—I do not think I had any particular use for it.

(*Mr. Price.*) You do know why you went in, only you won't tell us. You went in there because you thought you would hear something about Conservative money.

(*Mr. Anstey.*) Perhaps you will remember better at the end of two hours' time; perhaps you will recollect then.

17,157. (*Mr. Price.*) Was not it because you heard that was the place to inquire if money was going on the Conservative side?—At the "Clarence"?

17,158. Yes?—That is the time that Jarman brought the 10*l.*

17,159. No, no; when you parted from Mr. Cook, when Mr. Cook asked you if you were going to poll, and you said "No." You said you left him and went into the "Clarence"?—Yes, I did.

17,160. Why did you go into the "Clarence"? Was it because you had had money from the Conservatives, or expected to get it?—Oh, dear no. I had it in the morning. Mr. Jarman brought it.

17,161. Therefore you went in there. What for, just to pass away the time?—Just to pass away the time.

17,162. (*Mr. Coleridge.*) I suppose you had plenty of drink?—No, I can swear I never drank a shilling's worth of drink from any party in my life, never. I never used to go to any party for anything of the sort.

17,163. (*Mr. Price.*) What was the illness you were labouring under?—I caught cold.

17,164. (*Mr. Coleridge.*) Too bad a cold to enable you to vote?—Yes.

17,165. (*Mr. Price.*) Did any doctor tell you that he would send you some stuff that would keep you at home?—Not to my knowledge.

17,166. (*Mr. Anstey.*) It did not prevent you from going to the "Clarence," but from going to the poll?—No, it did not prevent me.

17,167. Speak the truth.—I am speaking the truth now.

(*Mr. Coleridge.*) Speaking it now?

17,168. (*Mr. Anstey.*) It did not prevent you going to the "Clarence," where you say you had nothing to do, but it did prevent you going to the poll where you had a great deal to do?—I did not go to the poll.

17,169. (*Mr. Price.*) Did you take any medicine?—No.

17,170. What was the cold you had?—Only a cold caught by getting wet.

17,171. (*Mr. Coleridge.*) Was not the 10*l.* given you that you might not go and vote for the Liberals?—No.

17,172. Was it given you to vote for the Tories?—I considered so.

17,173. Yet you did not go?—No.

17,174. (*Mr. Price.*) Did they get you at the "Clarence" and say, "You have got a bad cold," and then get you to bed?—No.

17,175. Were you ever bottled up?—No, never locked up.

17,176. Were you put to bed on account of your cold, and had a posset?—No.

17,177. Were you put in the beer cellar with the tap left in the cask?—If I were it would be a long time before I should touch it.

17,178. But were you?—No.

(*Mr. Anstey.*) If we are going on with Mr. Cook's examination I daresay this man's memory will come back to him. (*To the witness.*) If you want to reap a good character you had better wait here for a time and try and recollect.

17,179. (*Mr. Coleridge.*) Have you ever voted at the municipal elections for the town council?—No.

17,180. Never voted at all?—I do not believe that I did.

17,181. Never in your life?—I do not believe that ever I did.

17,182. Have you ever got anything for voting or not voting there?—Never.

17,183. Not half a crown and a breakfast, or anything?—No, not half a crown or a breakfast. I never voted like that in my life.

17,184. (*Mr. Price.*) We do not consider that you have told us the whole truth about this 10*l.* that you got not to vote. You are keeping back something, because it is perfectly certain that you could tell us why you got the 10*l.*?—Please, your honour, I have not kept anything back.

17,185. (*Mr. Coleridge.*) At the time you got the 10*l.* from Mr. Jarman to vote for the Tories you promised him you would vote?—I never see him.

17,186. Who did see him?—My wife.

17,187. Did she promise for you?—Very likely she did.

17,188. Did somebody on the Liberal side come and give you anything not to vote at all?—No.

17,189. Was not there one election when you were paid by both sides?—I don't believe there was.

17,190. Was not there an election when you were paid by both sides, and that was the reason why you did not vote at all? Was it the last election? The last election you say you were not bribed at all?—No, I was not.

17,191. Was not there one election at which you were paid by both sides, and did not vote in consequence?—I cannot recollect. I do not think there was.

17,192. Is there not an election in which you were paid by both sides, and therefore you did not vote?—I do not believe I was.

17,193. (*Mr. Anstey.*) What did your wife tell you when she gave you the 10*l.*?—When I came home my wife told me that Mr. Jarman had been there and left 10*l.*

17,194. Had left a message for you?—Left a message? No, left no message.

17,195. You say "left a message," and "did not leave a message?"

(*Mr. Coleridge.*) In the meantime, whilst we go on, go and wait and just try if you cannot recollect the circumstances under which you were paid on both sides.

17,196. (*Mr. Price.*) You could not go and vote because you had a bad cold, and yet you were walking about the town, according to your own account?—I walked up through the town.

17,197. And you had a bad cold, and could not go the poll? Well, go down now.

(*Mr. Anstey.*) You are not to go away; you are to remain till your memory comes back. You are not to go out of the court; you are to remain here.

Mr. James Cook recalled.

Mr J. Cook.

17,198. (*Mr. Price.*) I only want just merely to ask you this question. How many interviews had you with Mr. Drake?—I only remember one or two. That is the most.

17,199. How was it that you went to Mr. Drake at all; do you remember that?—I do not remember how I went first to him.

17,200. I mean how was it you were brought into communication with Mr. Drake? That is what I want to know. Had you known anything of Mr.

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Mr. J. Cook.

10 Sept. 1869.

Drake in connexion with Bridgwater elections before you went to town?—Nothing whatever.

17,201. So I understood?—None whatever.

17,202. How was it you were put into communication with Mr. Drake; was it through Mr. Henry Lovibond, or how was it?—I really forget how it was at this moment.

17,203. But at all events, in some sort of way you were put into communication with Mr. Drake as a person who ought to be consulted in the matter?—Yes.

17,204. And who was the person to be consulted?—Yes.

17,205. And you so understood in seeing him?—Yes.

17,206. And he heard all that had to be said, and there was some considerable discussion about it?—Very little indeed.

17,207. Did he appear to have been informed before you were there of the position in which matters stood with regard to Bridgwater?—He appeared to have a knowledge of it. He appeared to have a knowledge, certainly.

17,208. Then would you concur, or would you be surprised to hear, that Mr. Drake should state that he had no connexion whatever with Bridgwater election. Having been put in communication with him upon this very delicate topic of the compromise of this petition, the last petition, and having had a discussion in which he appeared to know all about it, would you be surprised to hear Mr. Drake said he had no connexion with Bridgwater elections?—I should. As I say, I don't believe I saw him then but for a short time, and once.

17,209. You understood from what he said and what transpired that he had been consulted before about the Bridgwater election?—He appeared to have a knowledge of it.

17,210. Therefore you would be surprised to hear that he said he had no connexion whatever with Bridgwater elections?—Yes.

17,211. I think, Mr. Cook, that really is all.

(*The witness.*) There are two or three things in connexion with 1865. I have not gone back into that.

17,212. (*Mr. Coleridge.*) Were you engaged in the 1865 election?—Professionally, we were.

17,213. (*Mr. Anstey.*) Before you go to that, I have a question to ask you. At the last two elections for Bridgwater, the election of 1868 and the election of 1866, I believe your firm had the assistance of Thomas Boys, commonly called "Tom Boys," who had formerly been one of your most active dangerous foes?—Mr. Boys came into our office.

17,214. Is not that the fact?—But not in electioneering matters.

17,215. Cannot you answer the question and then make the explanation? I am obliged every time to say that?—I am sorry for it. It is not the fact that he has been engaged in electioneering matters at all. Then I will follow up the explanation by saying that in the month of August 1866, after the elections were over, we were then badly in want of a clerk; and I may say at once there is a great difficulty in getting a clerk in this part of the country. We have recently experienced that again. He then applied to us, knowing we wanted a clerk, asking if we had any objection to take him, alleging as his reason for leaving Messrs. Smith and Boyle (as I think the firm then was) the increase in his family and the increase in wages which he required, and that they did not feel disposed to comply with it; therefore it was his duty to better himself if he could.

17,216. Have you heard, either from him, from them, or from any other quarter, that there was a charge affecting his honesty regarding a sum of money, which was the cause of his separation from their office?—I had not heard it.

17,217. (*Mr. Price.*) Respecting 400*l.*; as large a sum as 400*l.*?—No, I had not.

17,218. (*Mr. Anstey.*) Have you heard of it since?—I have heard of it in this court, but never before.

17,219. (*Mr. Price.*) Here for the first time?—For the first time.

17,220. (*Mr. Anstey.*) By "this court" you mean this inquiry?—This inquiry.

17,221. Havs you ever heard there was any question affecting his honesty in pecuniary matters until you heard it mentioned the other day in the course of the inquiry before us?—That is the first time.

17,222. Are you quite clear that he has not helped you in electioneering matters?—Quite clear. If he has, it is certainly contrary to our direction, contrary to our expressed wish and desire in every respect.

17,223. Had he seen any of the witnesses that had to be marshalled, or the persons who were to be spoken to, with a view of seeing whether they would become witnesses or no in defence of the late petition?—No doubt during that time, in his capacity as clerk, he would assist in taking the proofs, and in various ways.

17,224. And you know taking of proofs means getting up that part of the case; as an attorney, you know that?—Clearly. For instance, if he was in office, and a person came in and wanted a proof taken——

17,225. On the former occasion, when he was in the office of Smith and Boyle, or whatever it was, there were imputations upon him, as we know from the evidence given before us as well as the evidence given before the House of Commons, to the effect that he had been putting forward, and the person who got up the evidence then persons as witnesses to swear to statements which were not true, and which he had extorted from them by getting their signature to the so-called proof, and then saying, "If "you do not support this on oath, you know, I shall "show your signature, your autograph, and so con-"vict you." Had you heard of it when you employed him or allowed him to be employed in getting up the proofs in support of Mr. Kinglake's and Mr. Vanderbyl's seat?—We were entirely, completely ignorant of it.

17,226. You have heard William Heal's statement, that when he went up to perjure himself, as he declared that he did deliberately do, at the bar of the House of Commons, "Tom Boys," as he calls him, was the cause of it, having procured his signature to an unsworn statement to the same effect, which he brandished in his hand, and said, "If you do not go and "swear to it, this will be produced against you "before the House of Commons, and you will be "convicted?"—I heard that Heal has said so. I was not in the court at the time.

17,227. Had you not heard of anything of that kind? I do not say of that particular incident, nor of that incident as he told it, but anything like it, having occurred before in the course of Mr. Boys' employment as lawyer's clerk, either with you or any other firm of solicitors?—Nothing with reference to the evidence or anything of that kind.

17,228. You know that refers to anything?—Certainly, in connexion with the election of 1865.

17,229. What had you heard?—This about his bribing the man Cooze.

17,230. I am talking about his getting up evidence?—Not about that.

17,231. You know he was examined as a witness before that committee?—I do.

17,232. You were one of the attorneys or agents employed?—We were, but took very little part.

17,233. Was it not part of the instructions which you gave to counsel on that occasion that Boys' evidence which he was expected to give, more particularly with reference to the case of the Osborne family, an old man of the name of Osborne with two daughters, that that story, which he was prepared to support on his oath, was a false story; that his oath if given would be given falsely. Now, was that the case you instructed your counsel to make?—I may say we gave no instructions to counsel excepting so far as our names were formally indorsed on the brief in conjunction with Mr. Benjamin Lovibond and Mr.

Henry Lovibond. We took very little part except at the beginning.

17,234. Now that was part of the case made against Boys on that occasion?—I heard it was.

17,235. And you heard that on that occasion Miss Osborne and Mr. Osborne were contradicted as completely as one oath can contradict another by Boys as to what took place at his house when Osborne said and Boys denied that he went to bribe?—I have no doubt it was on that occasion.

17,236. Then having heard in 1866 that Boys was a gentleman who was not particular in tampering with truth, whether sworn or unsworn, how came you to allow him to have anything to do with the getting up or the marshalling of proofs in support of Mr. Vanderbyl's seat at the late election? Did you think he had become reformed of that vice?—I do not know whether he had become reformed. He had never taken any part, and sheer necessity compelled us, as it were, to have his assistance.

17,237. Do you mean the sheer necessity of supporting a thoroughly rotten case by any evidence, right or wrong?—No.

17,238. What is the sheer necessity then?—The necessity of taking down and arranging the thing as a clerk in the office. It became necessary to employ him.

17,239. Was there no other person?—There is only one law stationer here, and the great difficulty is to get assistance.

17,240. I am speaking about talking to the witnesses and saying to A. and B., "What will you "swear if you go before Mr. Justice Blackburn? Can you go up to this mark or beyond it? Cannot you go further than that?"—It is unknown to me that he did so.

17,241. You know that is what is meant by "getting up proofs." You have drawn briefs yourself?—Many.

17,242. As a matter of fact, you know that in drawing your brief you proceed upon a number of raw materials collected in the form of little bits of paper of different shapes and sizes stuck together which contain the notes put down at the time by the clerk who has been talking to the witness. Well then, supposing in talking with the witnesses he tampers with the witnesses and gets this down, and then gives it to his master, his master has no means, has he, except his confidence in the personal integrity of the clerk, no means whatever to incline him to decide whether he shall incorporate these notes with the draft brief or not?—No; that is the principle.

17,243. Therefore you see the grave importance of the act you committed when you authorized this man, Tom Boys, stained with all these former practices of his own, authorized him to get up the defence of a case which you yourself declare to be so thoroughly hollow, a case that the counsel when they came down, even with these proofs before them, found that it was impossible to defend it. Do you not see that now?—Oh no doubt.

17,244. (*Mr. Price.*) What were the stains that you knew upon Mr. Boys' character?—All that we knew of was the report of the committee about his examination in April 1866.

17,245. Was it that it was supposed that Osborne was telling the truth and Boys was telling a lie?—Yes, and that Cooze was bribed.

17,246. That was all?—That was all.

17,247. Therefore you did not form a judgment excepting what you learned at that time. Your party were instructed that Boys was going to perjure himself?—Yes.

17,248. But you had no means of testing whether he had perjured himself or not?—No.

17,249. Did the committee believe him or not?—They could not have believed him, at I least infer from the fact that evidence was given to the effect that Boys bribed Cooze, and the committee reported Cooze as having been bribed.

17,250. (*Mr. Anstey.*) Now I want to know this; it appears to me very material. When you took a young man, or whatever he may be, into a confidential employment, which every attorney's clerk is more or less, did you make any inquiry as to how he left his former employer?—I did, and I went and saw Mr. Bealy Smith upon it, and asked him, and he corroborated what Boys himself had told me of the reasons of his leaving—the increase of family, and the increase of expenditure, and a desire for larger salary. They were giving him 30*s.* a week, and we have been giving him 2*l.* ever since.

17,251. (*Mr. Price.*) You understood that he had discharged himself from Mr. Smith's service?—Certainly.

17,252. And had not been a discharged clerk?—Certainly.

17,253–4. (*Mr. Anstey.*) Mr. Cook, you must not dispose of this so lightly. I thought you said you were perfectly familiar with the whole conduct of Boys before the committee? The Chief Commissioner mentioned one case; I will give you another?—There is the case of Cooze which I have quoted.

17,255. You remember that in answer 2832, Boys on that occasion distinctly denied upon oath John Cooze's statement that he had received 3*l.* from that witness as a bribe to vote for Westropp, and the committee disbelieving Boys found the fact of Cooze's having been so bribed?—Yes.

17,256. That is another case. The same day he denied having accompanied Cooze to the poll. He stated that John Staples, who was another witness, and who declared on oath that he had been bribed, had told him that the money had been received for freight, and not for a bribe. "The committee find John Staples was bribed by the payment of 10*l.*;" again discrediting Boys. Then there is a question as to which there is a conflict of testimony. William Gilbert, that is the case of conflict of testimony. Therefore I shall not trouble you with it. Now there are three clear cases, you see, and not one, of an oath taken to a fact within Mr. Boys' knowledge on that occasion, and taken falsely, not to speak of what William Heal, who is another witness on the occasion, and who states that he perjured himself under compulsion of the arrangement made with Boys as stated before us. That makes four; therefore you see you answered very lightly when you said that there was only that one case about the Osborne family?—I beg your pardon. I think I did to the learned Chief Commissioner say that the report of the committee was that Cooze was bribed.

(*Mr. Price.*) Oh yes.

17,257. (*Mr. Anstey.*) That makes two only?—Yes.

17,258. Therefore it is more than that. Therefore you had all this knowledge of the man in the first instance when you took him?—Yes.

17,259. (*Mr. Coleridge.*) As I understand, there is very great difficulty in getting clerks?—Yes.

17,260. I suppose you have not much pick and choice?—No; and we have recently experienced a like difficulty.

17,261. Do you mean you wanted a clerk lately?—Some two or three months ago we were advertising for a long time, and during the time Boys was with us, which was at least three or four years. We had clerks coming down from a distance, and stopping a short time and going.

17,262. What is the reason of the great difficulty? Are the wages particularly low?—No, I do not know what it is. In the first place I found their habits of life objectionable. In one instance a man was a drunkard.

17,263. Is there the same difficulty in Bristol, for instance?—I do not know.

17,264. (*Mr. Price.*) You have other establishments besides the one you have here?—We have one at Taunton.

17,265. Is that conducted by a clerk or a partner?—That is conducted by myself. We keep no clerk there.

17,266. I mean do you live at Taunton?—No.

SEVENTEENTH DAY.

Mr. J. Cook.

10 Sept. 1869.

17,267. You go over from time to time?—The practice is to go over twice or three times a week.

17,268. How many clerks do you keep?—We have five, as well as an articled clerk.

17,269. Do the other solicitors in large practice here keep about the same number?—Yes.

17,270. Therefore you absorb all the ability there is in the way of clerks?—Yes, and as far as I know there is only one law stationer here, and he has no clerk.

17,271. (*Mr. Coleridge.*) In these five do you include office boys?—Yes, they sit down the same as the other clerks, and do copying.

17,272. (*Mr. Price.*) As far as I understand, you understood that Mr. Boys would not have left Mr. Smith's employment unless he had required increased salary?—Yes.

17,273. Mr. Smith would have kept him in his employment if he had not wanted more money?—Yes.

17,274. (*Mr. Anstey.*) You ascertained that from Mr. Smith—from Mr. Richard Bealy Smith—he told you so?—He told me so. Perhaps I should follow it up by saying that before this Commission sat Mr. Boys made a communication to me, which is the first time he ever made a communication to me upon this subject of his knowledge of electioneering matters before he reached us, upon which I eventually said, after hearing a very few words from him, "Whatever "you know, you had better go and immediately communicate to Mr. Purcell, the secretary." I believe he did act upon that, but what his communication is I do not know.

17,275. (*Mr. Coleridge.*) Now you are going on with 1865?—Yes, 1865; that took place in July.

17,276. (*Mr. Price.*) In reference to 1865 you will bear in mind, Mr. Cook, we really only want to know whether you can throw any light upon the question of corrupt practices; we do not want to go into a mere professional connexion with it. You have exhausted those payments of Searle, and Lott, and Forester, and Cooze?—That you have got.

(*Mr. Coleridge.*) Yes.

(*The witness.*) These are matters more within the acquaintance of my partner than myself. After the election on July 20th, there was a payment of 5*l.* 10*s.* to a man of the name of Charles Day; and on November 6th Kerle had of Mr. Reed two guineas. What I understand that to be is, that it is the same man Kerle to whom I referred in reference to the Bagehot election of 1866. He came down upon that occasion and voted, and afterwards, in the month of November, my partner remitted him two guineas for the expenses attending his coming to vote upon that occasion.

17,277. Were you in partnership in 1865?—This election was in July, and I had joined my partner on the previous 1st of May—two or three months. On the 1st of November a man of the name of Hobbs had a sum of 5*l.* paid to him.

17,278. What was that for?—It was a loan or advance to him at the time, and all these three sums, 5*l.* 10*s.*, 2*l.* 2*s.*, and 5*l.*, representing the amount given to the Chief Commissioner this morning, have at length been charged to Mr. Kinglake, and paid by him.

17,279. Charged to his party as election expenses?—Yes. I find that on July the 4th, 1865, a letter was written to Mr. George Reed, who was then living in Burnham, as to his canvassing two voters then in the employ of the Somersetshire and Dorsetshire Company at Highbridge.

17,280. Who is Mr. George Reed?—He has recently died.

17,281. Is he any relation to your partner?—Not that I am aware of.

17,282. A letter was then written to Mr. George Reed?—It is dated "4th of July." I will read it:—

"Dear sir, 4th July 1865.

"Bridgwater election.

"We enclose you the names and addresses of two "voters in this borough who are at present in the "employ of the Somerset and Dorset Railway Com-"pany, and if not asking you too much we shall feel "very much obliged if you would endeavour to get "them to vote in favour of the Liberal candidates, "Mr. Kinglake and Sir John V. Shelley. The elec-"tion will take place on Wednesday next. We have "reason to think that Mr. Westropp, the Conservative "candidate, and Mr. Lilly have been to Highbridge "to solicit the votes of the two men. An answer "will be esteemed a favour.

"Yours truly

"George Reed, Esq. Reed & Co."

There was no answer from that, and two days afterwards he was again written to on the subject, and it was those two men that Sir John Shelley, Mr. Kinglake, and myself afterwards went to canvass, and I think there are two or three other letters upon the same. There is a letter to Mr. Mole, and, curiously enough, Mr. Barham has referred to him in his evidence, and I find I wrote to him a letter on the occasion.

17,283. Did you promise to pay his expenses?—No. He wrote back in reply a letter which was in effect to say he had promised his vote. This is the answer of Mr. Mole:—"Dear sir, I was away on "Saturday from business, and in consequence did not "get your letter till this morning. I was written to "yesterday asking me to redeem a promise made "some months since to vote for Mr. W., and if I can "get away I can do no other than vote for him now. "I beg to thank you for your good wishes, and "should have been happy to have done as you solicit "had it not been for the reason above given." So that, as far as I know, was the——

17,284. He promised to vote for Westropp?—Yes. Then upon that occasion this man Kerle lived at Chard. He had recently removed from Bridgwater, and not having heard from him I was uncertain as to whether he would come. I asked Mr. George Rowe, who is a grocer in this borough, to go for him, and I believe on that occasion, in fact I have no doubt, I said, "You pay his expenses;" but when Mr. Rowe got up there he found that he had taken his ticket, and he did not pay his expenses. Then in the month of November my partner remitted the two guineas for the expenses. Then I find on September 7th we received 26*l.* 5*s.* each for our professional services.

17,285. For Kinglake's election?—For Kinglake and Sir John Shelley. Then there were some other expenses paid to us for money paid to bill posters, and other things. I have no doubt on my own mind that on that occasion I called at Messrs. Nicholls's establishment and gave orders for some colours; I am not quite sure, but I believe I did the same at Mr. William Hurman's, the draper. At election times there is no doubt there are on the part of captains of vessels many who are anxious to show colours, and there are people who are anxious to hang colours out of their windows, and they come and ask, "Why may I not have some colours?" and the consequence is that two or three weeks before, wherever there is an opportunity, a colour is exhibited showing which way the people will go. Therefore I say I did give an order at Nicholls's for colours, and also at Mr. Hurman's; and there was another draper in the town at the time, Mr. W. C. Simmons——

17,286. Were you ever met on that occasion by a tradesman who said he would not vote till he had a bill paid?—I do not know.

17,287. Or any other election?—I do not know.

17,288. Were you aware of any sums of money expended in corrupt practices other than treating at the election of 1865?—No.

17,289. (*Mr. Price.*) Any bribery on the part of the Liberal party?—No.

17,290. (*Mr. Coleridge.*) Were you one of those four who had entered into the guarantee for 1,000*l.*?—No.

17,291. At the subsequent election, Bagehot's?—No, I was not.

17,292. Who were they?—My partner, Mr. Bate, Mr. Lovibond, and Mr. Barham.

17,293. You do not know of any actual bribery on the Liberal side?—No.

17,294. Was it your opinion at the time there was bribery on the Conservative side?—Yes.

17,295. At the election time?—Yes. The impression, no doubt, was that money was going.

17,296. Was there no attempt made to stamp out all bribing on your side?—No. That brings me to a meeting that was held at the house of Mr. Benjamin Lovibond, very late on the evening of the nomination day.

17,297. If there has been no attempt to pretend purity on the Liberal side, it is hard to understand why they let the election slip in the way they did as regards one seat?—Perhaps it is; and perhaps what I am going to say will in some way answer it. I remember very late on the evening of the nomination day of the election of 1865, a meeting took place at the house of Mr. Benjamin Lovibond. I know that my partner, myself, Mr. Henry Lovibond, and many others were present. I cannot enumerate them. It was in his dining room it was held, and perhaps 20 or 25 people were there; and they were then going through the lists, as is usual at election times, for the purpose of taking them out into districts, to give A. half a dozen names, and B. half a dozen, and so on. I remember well being there, and I should think it was till midnight; and then when that work was apparently finished, I think the question was raised (that is my impression as far as I can charge my memory) as to money matters. Who raised it at this precise moment I cannot venture to tell you; but I know this, that Mr. Lovibond said, "Well now, gentlemen, it is right "I should tell you that it is intended to fight this "election purely." Now, as far as I know, money matters, either in one shape or the other, had not been discussed at that election until that announcement was made, as late as midnight on the eve of the election; and then there had been from 20 to 25 people in his room for some two hours at least taking out these lists in the way which I have described. Now, speaking of that election of 1865, I have spoken of those orders for colours, and so on.

17,298. (*Mr. Price.*) Then was there no money spent either for Kinglake or Shelley?—None that I am aware of.

17,299. There would be no object in spending money for Kinglake in a one and one election of that kind?—Not that I am aware of.

17,300. It would only have been a struggle for one candidate?—As far as I know. There was only one Conservative candidate.

17,301. That is what I say. Therefore the struggle would be for the second seat?—Yes. Then in 1865 there are two accounts to which I beg to call your attention, and about which I was examined before the House of Commons in the month of April 1866. One was in reference to Mr. George Heal.

(*Mr. Price.*) The man we have had.

(*Mr Anstey.*) No, another.

(*Mr. Coleridge.*) It is William Heal we have had.

(*Mr. Anstey.*) It is the other brother on the opposite side.

(*Witness.*) I said then, and I say now, that I never gave that man any order for drink of any sort or kind. He was examined before the committee, and I heard nothing more of him as respects any account which he had in respect to that election until the month of January 1868, when his wife came to me some two or three times in great trouble, and alleged, and it was no doubt the fact, that Messrs. Carslake and Barham had then been pressing them for payment of a bill of about 16*l.*, which had been standing for some years against Heal in their books, for professional services rendered by them to him; and I may state that I had known Heal for some years, and he had not this money. His wife alleged that he had two or three cows die, and pigs. He was a dairyman in a small way, and it was impossible for him to get the money. Then they sent in that election account for 15*l.* 10*s.*, and then I inquired how it was incurred, and I found this—that a Mr. George Berry, who was at that time living upon the Bath Road, and near the "Bath Bridge" Inn, kept by Heal, and who was a man of some means (he lived not 100 yards from the "Bath Inn,") was in the habit, as I found from Mrs. Heal, of visiting Heal's house and acting as chairman when persons were present at night times at meetings held there, and he gave orders for drink from time to time, and promised to see them paid. Now, when Mrs. Heal made that statement to me, I said, "Well "then, if that is the case, the very best person you "can apply to is Mr. George Berry," upon which she left to see him. Or I should tell you this, that she told me that she had seen him once or twice before, and he said, "It cannot be paid now, you shall be "paid by-and-by with interest." I said, "You had "better tell him the trouble you are in with Messrs. "Carslake and Barham wanting this long outstanding "account paid." She saw him again, I think twice, and he said, "I have no money out of which it can be "paid." At length she induced me to pay this 15*l.* 10*s.* Now, if I am asked what I should have done with that, this particular item would have been charged in the account.

17,302. You are out of pocket at present?—Yes, I am.

17,303. Personally, or the firm?—Personally. I had known Heal, and I knew that his representations of trouble were correct. And then there is another thing in reference to that same election—Phelps's account. Upon that I still adhere to the evidence which I gave before the committee on that occasion. Phelps's account came, I think, to us, or he brought it, I believe, after Mr. Vanderbyl's first election, when there was a gathering of outstanding accounts for the purpose of their being liquidated, and there was a negotiation between ourselves and Mr. Henry Lovibond upon the subject, and as far as I can now charge my memory that account, part of which had been paid before, was struck out. I cannot tell what it was then. At all events, whatever his then claim was, it was liquidated by the payment of 10*l.* I believe that was the sum, for which sum we had a cheque from Mr. Lovibond, and that was paid over to Phelps in satisfaction, and afterwards the receipt was sent to Mr. Lovibond for it. Well, these are two things in particular arising out of that election.

17,304. (*Mr. Anstey.*) You have nothing further to add about that election?—No, I do not think so.

17,305. (*Mr. Coleridge.*) Had you anything to do with 1859?—Nothing whatever. I was then a clerk in Messrs. Carslake and Barham's office.

17,306. (*Mr. Anstey.*) If you have finished your account about that election of 1865, I will ask you this. You say that Kinglake was safe, that the contest was between Westropp and Shelley?—No, I said there was only one Conservative candidate.

17,307. Then I will alter my question. You have said on a former occasion that Kinglake was safe at 10 or 11 o'clock that day—on the former occasion, not here?—Oh, I beg your pardon.

17,308. That the contest was between Westropp and Shelley?—Yes.

17,309. You told the House of Commons that, you know, several times; the contest was over as far as Kinglake was concerned as early as 10 or 11?—Yes.

17,310. Soon after that hour you received an application, did not you, from George Heal, of whom you spoke just now?—Yes.

17,311. For a bribe?—There was a message from him.

17,312. Just so. A message or an application is the same thing, and I believe you have several times mentioned it, three or four times, in examination-in-chief, cross-examination, and re-examination. You have mentioned, there is no doubt about it, that you sent him back this message: "Tell him if he wants "money he had better vote for Mr. Westropp, as the "Liberals cannot think of anything of that kind"?—Yes, I believe that was the message.

17,313. Now, why did you advise this man who

SEVENTEENTH DAY.

Mr. J. Cook.

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was going to vote, or pretended that he was going to vote, for Sir John Shelley for a consideration, to go and vote for Westropp for one?—Well, the application or message, whichever it may be called, which I had to my mind no doubt showed that he wanted money.

17,314. Yes, but why? because your attention was drawn repeatedly and at length by the honorable election committee itself to these words, and you very properly, that being the truth of the case, adhered to your statement; you were asked again and again, why tell him not merely that you were not going to give money, but that he had better go and get money from Westropp? Why tell him that, and why tell him to go and vote for Westropp?—The message was, if he wanted money he had better vote for Westropp, for the Liberals would not think of giving it him.

17,315. Remembering the kind of man to whom you gave the message or to whom the message was to be delivered, and the air of the place, can you have any doubt that that would have been interpreted by this man Heal when it reached him into a positive recommendation on the part of Kinglake or on the part of Shelley to go and vote for the single Tory candidate, and to split his vote with the other Liberal?—Well, I do not know. I cannot answer for what impression it might have made upon his mind.

17,316. Would not it naturally produce that impression, "Go and vote for Westropp," or "Go and "vote for Westropp and Shelley, or Westropp and "Kinglake?"—It is possible that a man in his station of life might so understand it.

17,317. That is not what you meant to convey?—Oh, no.

17,318. (*Mr. Coleridge.*) What I understand is, "If "he wants money he must go to Westropp. We won't "give any?"—Yes.

17,319. It was not meant as a trap?—No.

17,320. You believe that to the best of your knowledge, on the part of the Liberals, the election of 1865 was a pure election?—To the best of my knowledge.

17,321. Did you claim the seat on the petition?—Yes.

17,322. Why did not you go into it if there was nothing against yourselves?—I cannot tell.

17,323. What was the majority?—A very large one; I suppose 90 or more.

17,324. It would be a tremendous expense for a scrutiny, and you had got a large number of bad votes?—Yes.

17,325. You did intend a scrutiny?—Yes.

17,326. Did you begin a scrutiny?—No.

17,327. (*Mr. Anstey.*) Now I will call your attention back to the first meeting at which you and your partner, Mr. Lovibond, and Mr. Barham were together?—Yes.

17,328. When objection was taken by Mr. Barham to any corrupt practices, and when something was said about a determination, if possible, to have an election without corrupt practices, I will fix it on your mind by reminding you that you admitted, when you were asked the question, that Mr. Reed, your partner, in taking an opposite view expressed himself very warmly. I asked you whether he was not angry, and you said he certainly was warm?—Yes.

17,329. That was the first meeting you had. That was the meeting at Mr. Lovibond's, the meeting on Friday. There were only you four present?—Yes.

17,330. Very well, now just fix your thoughts upon that time, not upon the present time. Remembering what Mr. Barham said; what you were prepared to do and say, if Mr. Reed had not taken that strong line of opposition, is it your opinion or is it not your opinion that the result of that day's deliberation would have been, at all events for the time, a determination not to avail yourselves of Mr. Lovibond's provision of 1,500*l.* from Dr. Kinglake, but to fight the battle upon purity principles?—I do not think it would.

17,331. You do not think that if he had not been warm upon that occasion —— ?—I do not think it would have stayed the course. I do not think that if he had not been warm upon that occasion it would have had any other effect.

17,332. Supposing Mr. Reed had acquiesced in the proposal to fight upon purity principles. For instance, Mr. Barham would have been one vote, Mr. Reed would have been another. Which way would you have gone, supposing Mr. Reed had said, "I will agree"?—Indeed I confess I cannot tell which way I should have gone, but I had before my mind a firm conviction that the Convervatives would spend money, and it would have been a hopeless contest, and I certainly should have been unwilling to go in for purity of election, subject to no qualification as to what the Conservatives would do, believing, of course, that the Conservatives would have got in and we should have been thrown and scattered to the winds.

17,333. What effect would Mr. Reed's acquiescing in Mr. Barham's proposal have had upon Mr. Lovibond?—I do not think Mr. Reed's statement would influence Mr. Lovibond very much, because he has had much more experience, and he is a man of strong mind in that respect.

17,334. But I put it to you in this way. Mr. Barham was a kind of neutral, a friend of both candidates, or the representative of both candidates?—Yes.

17,335. Between Mr. Lovibond representing Mr. Kinglake, and your firm representing Mr. Vanderbyl, there was a coldness; and Mr. Barham was the bridge of communication between you. Supposing Mr. Reed, the senior partner in your firm, had acquiesced in Mr. Barham's view, and said, "Well, I quite "agree with what Mr. Barham says; I do not agree "to the proposal that Mr. Vanderbyl shall raise a "farthing to be spent in corrupt practices;" would that have influenced Mr. Lovibond, do you think, and induced him to give up the proposal to bribe on Kinglake's side, from what you remember of that interview?—I do not think it would. Perhaps Mr. Lovibond would have succeeded in a suggestion which he made of having a coalition between Westropp and Kinglake; and as far as I could judge from his mind at the moment he might have succeeded in bringing about a coalition between Mr. Westropp and Mr. Kinglake.

17,336. You think if Mr. Reed and Mr. Barham had stood firm, there would have still been a coalition on Mr. Kinglake's part?—Speaking from recollection.

17,337. You think that Mr. Kinglake's friends would have spent that money in bribing?—If his seat rendered it absolutely necessary.

(*Mr. Price.*) Now, Mr. Cook, I do not know that there is anything more we have to ask you; but, of course, as I have said to other witnesses, if anything occurs in the course of this inquiry we shall be glad to hear it from you. At present I am bound to say, speaking for myself, and I believe for my brethren, we are very much indebted to you for the statement you have made.

(*Mr. Anstey.*) I quite concur in that.

(*Mr. Coleridge.*) So do I, thoroughly.

17,338. You said that at the time of the election of 1859 you were a clerk in the office of Barham and Carslake?—Yes.

17,339. Did you take no part in the election as their clerk?—No. I was the chief assistant to Mr. Carslake, who acted in his capacity of town clerk, and his practice was to take no part in the elections.

17,340. But did you not attend to the registers?—No, except as regards the notices in respect to the revising barrister. I remember on one occasion, whether in 1859 or 1857 I cannot say, I showed my colour in the shape of having a green and purple necktie on the day of the election.

17,341. What colours were they?—That was indicative of being a Liberal. I remember Mr. Carslake in a very gentle way rebuking me for showing my colours, as I was with him assisting the mayor on the hustings. On that occasion I thought it was a rather severe rebuke from Mr. Carslake.

17,342. How did you vote yourself?—Liberal. It is just possible that other things will occur to my

mind. There is one thing which occurs to my own mind which I should mention. There has been a great deal of inquiry during these proceedings about municipal matters. Some papers just caught my eye as I passed out of the box. I have put them together for the purpose of showing them to you. For the last four years we have aided and assisted in the election of town councillors on the 1st of November in each year, and I have here the four sets of accounts relating to the election of town councillors from the year 1865 up to and including the last. They are the original accounts. I find that in November 1865, there was a total expenditure of 5*l.* 17*s.* That was made up of Farmer's bill for printing 1*l.* 14*s.*, Palmer's bill for use of room 4*l.* 3*s.*, total 5*l.* 17*s.* That was divided between the three candidates, Mr. Nicholls, Mr. Rossitter, and Mr. John Smith, 1*l.* 19*s.* each. That was how it was made up.

17,343. Do you know of any corrupt practices at municipal elections?—I have known of none except on the last occasion.

17,344. That immediately preceded the parliamentary election, and I have no doubt was extensively used in connexion with it in many places?—The last time, one way and the other, I find that innkeepers' bills and other expenses are over 50*l.*

17,345. (*Mr. Price.*) Is that in one ward?—No, the entire election.

17,346. (*Mr. Coleridge.*) As against 5*l.* at the previous election?—As against 5*l.* in 1865, as against 7*l.* 9*s.* 6*d.* in 1866, and as against 13*l.* 12*s.* in 1867.

17,347. (*Mr. Price.*) But, Mr. Cook, do you know of any practice—I do not know whether it is the habit, or whether it has been practised at only one election—of putting voting papers under men's doors with half a crown rolled up in them, with the name of the man for whom they are going to vote?—No.

17,348. And the presiding alderman rejecting a vote because they had got this paper with the name of a Mr. Somebody with half a crown, the man handing in a voting paper apparently intending to vote for Mr. Jones, and declaring that he wants to vote for somebody quite different, and the presiding alderman rejecting a vote under such circumstances?—I have never heard of such a practice.

17,349. We may attribute that rise in the cost at the last municipal election to the imminence of a general election?—Yes, there was great excitement.

17,350. Do you remember any case at the last municipal election of a vote having been secured by promises, or presents, or treating, or what not, with a view to the getting of the same vote at the then approaching parliamentary election?—No, I do not know of anything of the sort.

JAMES ABBOTT recalled.

J. Abbott.

17,351. (*Mr. Price.*) Is your wife here, Mr. Abbott?—No.

17,352. Where is she?—At home.

17,353. We have sent for her. How is it she does not come?

(*Mr. Anstey.*) We will send again. We must send a policeman for her.

17,354. (*Mr. Coleridge.*) Have you recollected anything more since you went down about being bribed on both sides and not voting at all?—Yes, I have.

17,355. Do speak out and tell the truth?—I am speaking the truth.

17,356. Did you not on the last occasion get bribed on both sides?—No.

17,357. Did you not on one occasion get paid on both sides?—I believe I had 10*l.* from Mr. Henry Cook. I was a little drunk at the time.

17,358. And 10*l.* from Mr. Jarman?—10*l.* from Mr. Jarman.

17,359. Ten pounds from Mr. Cook?—From Mr. Henry Cook.

17,360. Then you were bribed on both sides?—On both sides.

17,361. Why did you not tell us that?—I was in liquor.

17,362. (*Mr. Price.*) You were not in liquor when you were in the box before?—I was when I had the money.

17,363. You did not recollect it?—No.

17,364. (*Mr. Coleridge.*) It is only since you have sat down under a threat that you have remembered this?—I would not speak of it if I did not know it.

17,365. (*Mr. Anstey.*) When Mr. James Cook laid his hand on your arm what did he say to you?—He said "Jim, are you going to poll?" I do not know exactly what, I was tipsy at the time. I believe that was all.

17,366. (*Mr. Price.*) Where had you got drunk?—Down at Gilbert's.

17,367. Did you get drunk at your own expense that day?—I did.

17,368. (*Mr. Anstey.*) Go on with what you were going to say. He laid his hand upon your arm and said, "Jim," or whatever it was, "are you going to poll?—I said I should not go to vote for no one. I had had money on both sides, and I would not go and vote for no one.

17,369. You told that to Mr. Cook?—I do not know whether it was Mr. Cook.

17,370. But this last witness?—This last gentleman.

17,371. What did he say to that?—I cannot make answer. There were so many round me.

17,372. You then went to the "Clarence"?—The "Clarence" Hotel.

17,373. What room did you go to, the taproom?—No.

17,374. Or the bar?—I went upstairs to the dining room or the drawing room, and sat there nearly an hour.

17,375. (*Mr. Price.*) "Sat" or "soaked" there nearly an hour, which did you say?—No, I did not.

17,376. Have you been drinking to-day?—No, I don't drink at all.

17,377. (*Mr. Anstey.*) You were drunk that day?—I was drunk that day, at election time.

(*Mr. Anstey.*) Very well, you must have been drinking that day.

17,378. (*Mr. Coleridge.*) Now just let us understand for the simplicity of our report, you got nothing last time, you swear?—I swear.

17,379. At Mr. Vanderbyl's election in 1866 you had got 10*l.* from Mr. Jarman?—I had three tens from Mr. Jarman.

17,380. Twice in 1866, and also in 1865, you had 10*l.* That was the Conservative side?—Yes.

17,381. Who gave it to you then, Mr. Jarman?—No, Henry Cook gave me 10*l.*

17,382. He gave it to you the same time that Jarman did? That was in 1866. But in 1865 you had 10*l.* from Jarman too, and voted for Westropp?—Yes.

17,383. Then you have told us there was another time before that when you had 15*l.* Who were the candidates?—I cannot tell, it is so long ago.

17,384. Who did you vote for, Mr. Kinglake I think you said?—I do not know.

(*Mr. Anstey.*) Yes, he did say that.

17,385. (*Mr. Coleridge.*) Who sent it to you?—Mr. Tom Ford, the attorney.

17,386. That makes altogether three tens and one fifteen, 45*l.* for your vote; is that all you have had?—I do not know.

17,387. Cannot you recollect?—I am no scholar at book.

17,388. Try and recollect whether there was not another election at which you were paid, some time between 1841 and 1859. At Mr. Kinglake's first election, which was in 1857, you got 15*l.* Between that time, 1857 and 1841, which I think is the time

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J. Abbott.

10 Sept. 1869.

you say you first had a vote, did you never receive anything?—I know it is a great many years that I never received nothing.

17,389. Was the 15*l.* you received to vote for Kinglake from Mr. Ford the first bribe you ever received?—I believe it was.

17,390. Are you sure about that?—I would not swear it.

17,391. What will you swear? Will you swear it was not?—No, I would not swear it was not.

17,392. What do you think about it, because receiving ten or fifteen pounds is not such a very common thing?—No, it is not.

17,393. Try and recollect whether you had not besides that 15*l.* received something else?—I do not think I did.

17,394. (*Mr. Price.*) Did you ever vote without getting money?—Yes.

17,395. (*Mr. Coleridge.*) When?—The last time.

17,396. Did you ever before?—Yes, I believe I have.

17,397. How often have you voted without getting money?—I believe I have only got three tens from Mr. Jarman, and 15*l.* from Mr. Ford.

17,398. (*Mr. Price.*) And it was that double dose that made you so ill you could not get to the poll?—I do not know about the double dose. I was in liquor on that day.

17,399. (*Mr. Anstey.*) What was the message which your wife delivered on that morning from Mr. Jarman when he left the money?—I did not see my wife that morning when he brought the money.

17,400. I did not ask you anything about seeing your wife. You told me that she gave you the money and said Mr. Jarman had left it?—Yes.

17,401. What message did you get with it?—That Mr. Jarman brought the money and said, "I suppose he is going to vote for Westropp?"

17,402. The loss of your journey to Cannington has been very helpful to your memory. You did not recollect that 10*l.* until we spoke about it?—No.

17,403. You believe that 15*l.* was the first thing you received?—I believe it was. I cannot recollect any before.

Mrs. Mary Abbott sworn.

Mrs. Abbott.

17,404. (*Mr. Coleridge.*) How long have you been married?—Nearly 35 years.

17,405. When your husband got bribed at elections used he to give you the money?—I generally used to take it.

17,406. How often have you taken it?—I cannot say that.

17,407. About?—Perhaps I have so many as three or four times.

17,408. More than that?—Sometimes we have been promised and never had it.

17,409. When were you promised and did not get it?—I cannot remember that; it is so long ago. I have got different things in my mind.

17,410. Was it a Mr. Murlis who promised you?—Mr. Murlis? No, never.

17,411. Who promised you and did not pay you?—I cannot say.

17,412. Try and recollect?—I cannot recollect, because I do not know who it was. There were several people came to my house. We expected to have it after the election was over, and did not have it.

17,413. What did you get at the last election?—Nothing.

17,414. Were you promised anything?—No, never; neither fee nor reward.

17,415. In 1866, when Mr. Vanderbyl came in, what did you get?—10*l.*

17,416. Who from?—Frederick Jarman.

17,417. Did you get another 10*l.* from Mr. Cook?—No, never.

17,418. At the election before, Bagehot's election, what did you get from Mr. Jarman then?—10*l.*

17,419. What did you get from Mr. Cook?—Not a farthing.

17,420. Your husband has sworn that he got 10*l.* from him too?—Never, never. Mr. Cook has never promised us fee nor reward.

17,421. Your husband has sworn to it to-day that in Bagehot's election he got 10*l.* from Mr. Jarman, and 10*l.* from Mr. Cook. Is that so or not?—Then he has said wrong.

17,422. It was the election he did not vote at all at?—I do not think he had anything that election from either side.

17,423. That was in Bagehot's election of 1866?—Yes.

17,424. He has told us that he was poorly and did not vote?—He did not.

17,425. And he has told us that he told people that he had got money on both sides, and that was the reason?—If he has said so it is not true.

17,426. If he did get it he did not give it to you?—No.

17,427. He has sworn on his oath to-day that he was bribed on both sides, and that he did not vote?—That is a mistake. It is no such thing. I have generally had command of the money, and generally had the conversation with the gentlemen when they came; but as to Mr. Cook coming he did not.

17,428. Did your husband ever get a mysterious 10*l.* from Mr. Cook?—No, he never got it; or if he did he squandered it away.

17,429. He only gave you the 10*l.* from Mr. Jarman?—I took that myself.

17,430. Then if he took the other he never gave it to you?—I don't think he did.

17,431. In 1865 what did he get?—Nothing.

17,432. He has told us that he got 10*l.* at Shelley's?—Yes, he had 10*l.* from Mr. Westropp's election when he was defeated; the next when Mr. Bagehot came, then he had it from Mr. Jarman for Mr. Patton, and 10*l.* from Mr. Jarman at the next election, and he did not vote at all; and I don't believe he had any more.

17,433. Then he has told us that at some former election, he cannot exactly fix what, he got 15*l.* to vote for Mr. Kinglake. When was that?—I do not know. Some years ago. I cannot remember anything of that. I cannot tax my memory as far back as that.

17,434. As far as you can tax your memory, how much has he received altogether to your knowledge for his vote since you have been married to him?—I could not pretend to count.

17,435. Cannot you recollect anything about 15*l.*?—No. I am sure he has not had 15*l.*

17,436. He swears he has?—Well, then he tells wrong.

17,437. You do not believe he ever got 15*l.* What is the most?—If he did he kept it back; he did not give it to me.

17,438. What is the most he ever got for any election?—10*l.* That is the most to the best of my knowledge he ever got.

17,439. What was the first time he was ever bribed? How long ago?—That I cannot tell.

17,440. Was it 20 years ago? Do you recollect about 20 years ago his having a bribe?—That I cannot recollect. He has had a vote 40 years.

17,441. But a bribe?—He has not been bribed every time.

17,442. How long has he been bribed?—I cannot recollect his being bribed except at those elections.

17,443. Don't you recollect the time he got 15*l.*?—No, not to my knowledge.

17,444. He said Mr. Ford the attorney gave him 15*l.* in 1857 to vote for Kinglake?—Well, I believe he has told wrong. He is a gentleman I never spoke to in my life.

17,445. Who has ever bribed you besides Mr.

Jarman that you know of?—I do not believe anybody ever did.

17,446. How much has he got altogether? Has he got 100*l.* for bribes altogether?—No.

17,447. Not much less?—I do not know.

17,448. He has told us of 45*l.* himself?—Then I know nothing about it.

17,449. Did you ever get anything without telling him?—I was for the Liberals. I was very angry with him. I knew money was very brisk, and I thought I might as well take it. I do not think Mr. Jarman solicited him for his vote.

17,450. You cannot recollect about the 15*l.* from Mr. Ford?—No, I cannot.

17,451. Or any promise?—No.

17,452. How long ago was it when he first got money?—I do not know.

17,453. Was it 20 years ago?—No, I should not say it was.

17,454. Who was it that promised him when he did not get it?—That I cannot tell.

17,455. How much was promised? You can tell that?—I do not know whether it was 10*l.* or 15*l.* I cannot tell.

17,456. Was it 10 or 15 or more?—I do not know that he ever got it. It is useless for me to try and go back to any further elections, because I cannot remember the time when he was promised and did not get it.

17,457. Did you go and try and get it for him?—Oh no!

17,458. Who promised you?—He has been obliged to vote for interest both sides because of his business, to please different parties. I do not say that he has ever been compelled to do so, but still he has a desire to do so, to please his employers.

17,459. Unfortunately when there was only one member to be returned, and he got bribed on both sides, he did not vote either way, to please both parties?—I do not remember only one member being returned, without it was at the last election.

17,460. Do not you remember when Mr. Patton was returned, there was only one member returned?—No, I know there was not.

17,461. You know he has said that he got 10*l.* on each side. Do you know any other time when he was bribed on both sides?—No, I do not.

17,462. (*Mr. Anstey.*) Mrs. Abbott, you said that when the gentlemen came to you about your husband's vote you generally have spoken to them?—Yes, I have.

17,463. Who were the gentlemen that came to you?—I cannot say anyone that came when they came for the purpose of getting the vote. It was in the canvass.

17,464. We were talking about the bribes, you know. You were asked what was the amount paid for his vote at this and that election, and then you said you settled about his vote, and you saw the gentlemen who came. Tell us who they were that settled with you how much money he was to have for his vote?—No one but Mr. Jarman.

17,465. That was only on that side?—On that side.

17,466. On the Liberal side who came?—No person at all. No one ever came at all.

17,467. Not Mr. Henry Cook?—No, never, never.

17,468. But Mr. Jarman used to come and settle with you, did he, and say, "Your husband shall have "10*l.* if he votes?"—Mr. Jarman has been a neighbour by us a great many years, and he may have come and given it to me, and perhaps the first he gave me two or three days after the election was over.

17,469. Did Mr. Westropp ever come to you?—No more than when he canvassed.

17,470. Did Mr. Veysey the lawyer?—Oh yes, Mr. Veysey came.

17,471. Did Mr. Veysey the lawyer ever say anything to you about paying for your husband's vote?—Oh no, never.

17,472. Are you sure?—Sure. Never, to the best of my knowledge.

(*Mr. Price.*) Now, Mr. Abbott, you may go. You may settle that difference with your wife about that other 10*l.* You may go now.

Mr. Joseph Palmer sworn.

Mr. J. Palmer.

17,473. (*Mr. Price.*) What are you, Mr. Palmer?—An agent.

17,474. You are a voter for the borough?—I am.

17,475. What part did you take in the last election, 1868?—The only part that I took was attending a meeting at Mr. Nicholls's on the Sunday evening.

17,476. That is the meeting of 12?—Well, it was the meeting that was held about half-past 11 or 12.

17,477. But it was a meeting of about 12 of you?—I think it was. I may state here that Mr. Barham has stated in evidence that I was present at the afternoon meeting; I was not at that meeting in the evening. Mr. Nicholls left word for me to go to his house, and I had no knowledge what the meeting was for. I had no knowledge that it was a meeting at all, nothing more than a private interview with him; but when I got there I found a number of gentlemen assembled.

17,478. Was that all the part you took, being at this meeting?—That was the only part I took.

17,479. Had you anything to do with the bribing or distributing money, or the knowledge it was going to be distributed?—Nothing whatever at that or any previous election.

17,480. (*Mr. Coleridge.*) Did you go to Mr. Vanderbyl on that night?—Yes.

17,481. You were one of the deputation?—I was one of the four.

17,482. (*Mr. Price.*) You have heard the account which has been given?—Yes.

17,483. Do you agree with that?—Yes.

17,484. (*Mr. Anstey.*) Whose account?—Mr. Wilton's, and Mr. Collins's.

17,485. (*Mr. Coleridge.*) What did Mr. Fennelly say to you about money matters; that is the important part of it?—Mr. Vanderbyl commenced it, and said he had been pressed very much by the lawyers to spend money, and he had declined to do so; and he said there was one honourable exception. He mentioned that.

17,486. Who was the honourable exception?—I do not know.

17,487. (*Mr. Price.*) He did not give you the name at all?—I can only form my own opinion.

17,488. (*Mr. Coleridge.*) Who do you imagine it was?—I thought it was Mr. Barham.

17,489. (*Mr. Anstey.*) Were you going to say something about Mr. Fennelly?—Mr. Fennelly did make a remark, but I do not remember exactly the words of it.

17,490. Do you recollect some conversation about the Lundy Island Granite Company?—I do.

17,491. Do you recollect his saying something about its being not the Lundy Island Granite Company but money that you wanted?—I did not understand that it was applied to the deputation.

17,492. No, no, but what did he say about it?—He said, "Well, gentlemen, is not it money that you want?" or something of that sort, a remark of that kind.

17,493. There was certainly a remark of that kind?—Yes.

17,494. After the deputation was over you went back to the others?—I did.

17,495. Did the deputation relate what had taken place?—They did.

17,496. And, amongst other things, did they relate this remark of Mr. Fennelly, "Well, gentlemen, is not it money you want"?—I do not remember whether they made that remark, but I remember perfectly well that Mr. Vanderbyl had given the

SEVENTEENTH DAY.

Mr. J. Palmer.

10 Sept. 1869.

lawyers a pretty good character, and said they had put a great deal of pressure upon him to induce him to spend money, and we told him it was not to get him to spend money but to retire.

17,497. Leaving Mr. Kinglake, who would spend money, to stand?—No, it was not with that view. Our wish was that Mr. Kinglake would stand, in conjunction with Mr. Westropp, and avoid the expenditure of money at all.

17,498. Without troubling you to give an account of your views, I wish to know what took place when Mr. Fennelly made the observation, "Well, gentlemen, is not it money you want?" Did any of you make any answer to that?—I was under the impression, till I heard the evidence of former witnesses, that it was again stated that we did not go with a view of putting a pressure upon Mr. Vanderbyl to spend money, and we discarded the idea of money altogether.

17,499. It is clear what Mr. Fennelly the same night told Mr. Cook, the solicitor, that there was no reply to that. Mr. Cook has sworn to that. Does that consist with your impression?—That was not my impression, but I am not prepared to swear.

17,500. You are quite right. Well now, the only reply made to Mr. Fennelly, at all events, was what you mentioned that it was not a question about spending money, but about Mr. Vanderbyl's retiring?—Yes, but we were anxious to secure one of the seats at least for the Liberals.

17,501. That was on the assumption that no money was to be spent?—On the assumption that no money was to be spent.

17,502. But if money was spent, did you then persist in calling upon Mr. Vanderbyl to retire?—Well, we wished to get him to retire altogether.

17,503. That was on the assumption that no money was to be spent; but supposing money was going to be spent?—We still wished him to retire.

17,504. It has been stated positively by one of the witnesses, if not two, that the alternative was presented to him at one of the meetings, "Either you "must go on and spend money, or else one of the "candidates must retire;" and that that was the alternative, and that next morning you were to have met him again to receive his determination?—Certainly not. That was not my impression in the least.

17,505. One of the witnesses has distinctly sworn that he was prepared to have gone to him on the following morning at 10 o'clock, only Mr. Cook said to him, "It is all right," by which he knew that Mr. Vanderbyl was going to spend money?—I can only speak for myself that I had no such idea.

17,506. Was not the whole conversation with Mr. Vanderbyl and Mr. Fennelly on the assumption which you have mentioned, that there was to be no money spent. Was not it put in this way, "If we are to "have an election contest on purity principles we "shall lose it altogether, if there is to be a contest; "therefore we had better have an election of one and "one?"—Certainly.

17,507. "Otherwise we shall lose both?"—Certainly.

17,508. But the other alternative, what was to be done if money was to be spent, had that occurred to your mind. I am speaking of you?—Certainly not.

17,509. (*Mr. Price.*) Was that ever discussed?—It was not discussed.

17,510. (*Mr. Anstey.*) Was it mentioned, if not discussed; was there any mention made of that as an alternative?—No.

17,511. Then what do you say now to the witness, I forget his name, I forget which witness it was, but I have a distinct recollection of his evidence, that next morning—I think it was Mr. Nicholls himself—that next morning when Mr. Cook came to him and said, "It is all right," he knew by that that Mr. Vanderbyl was prepared to accept the other alternative, and was prepared to spend money?—We never went there with that view at all.

17,512. You did not?—I did not, and I am sure that none of the others of the deputation did.

17,513. You did not hear Mr. Nicholls's evidence?—I did not.

A djourned to Monday, September 13th, 1869, at 12 o'clock.

EIGHTEENTH DAY.

Monday, 13th September 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
HENRY FRANCIS PURCELL, Esq., Secretary.

EIGHTEENTH DAY.

Mr. J. Cook.

13 Sept. 1869.

Mr. JAMES COOK recalled.

17,514. (*Mr. Anstey.*) You and other witnesses have spoken so strongly to your opinion that this borough is essentially a Liberal borough, assuming purity of election on both sides, that I will ask you to refresh your memory by reading over that portion of the brief prepared by you on the late election which relates to that matter, and having refreshed your memory I will ask you now, keeping the brief by you to assist you, in fewer words of course than you have used there, the points which you have there stated, in proof of your assertion that this was then a Liberal borough?—One of the allegations contained in the brief is, "That the staple trades of the town are brick and tile manufactories," and that "all the merchants en- "gaged in the manufacturing and selling of those "articles are Liberal in politics, with one exception, "namely, Mr. Charles Major, of the firm of Henry, "Charles, and James Major," he is also in the same trade, but he takes little or no part in political matters in the town, I believe. Then, in addition to that fact, there is also, as I have always understood, the larger proportion of the owners and masters of ships belonging to and frequenting the port, as well as the principal tradesmen of the town, and it is from the belief that those persons, particularly the brick and tile manufacturers, employ a large number of persons, that that sort of influence which no doubt the fact of the employers being Liberal indirectly exercises over the employés,

would to a certain extent induce them to vote in the same manner in which the employers invariably do.

17,515. Can you state, first of all, with respect to Liberal manufacturers, what votes in the present constituency would be likely to be affected by that indirect influence that you speak of, in their case?—You are confining it to the manufacturers?

17,516. Yes?—In round figures I should have thought a couple of hundred votes.

17,517. And next with regard to the seafaring and shipowning interest?—I scarcely can form an estimate of that; but I believe it to be the fact, at all events it is generally believed now in the town, that a large proportion of the owners and of the captains of sailing vessels are liberally inclined, in the way in which I have indicated.

17,518. And then, when you speak of that indirect influence exercised by employers, whether manufacturers or shipowners, ship masters or ship agents, and so forth, do you mean that kind of indirect influence which is called in the statute of the 31st and 32nd Victoria, "corrupt practices," "undue influence"?—No, I did not mean it in that sense.

17,519. But is it open to that, is it open to be abused in that way?—No doubt, if the employers chose, there is a power which could be abused, no doubt.

17,520. Does it go to this extent, do you think, whether direct or indirect, that it interferes practically with the independent exercise of the franchise?—I should think it is very likely that it did.

17,521. There is another thing I wanted to ask you about, with respect to another matter which I had forgotten to ask you when you were examined before. Mr. Lomas has told the Commission that he kept the money which he had by him during the whole of the forenoon after receiving it, in vain expecting someone to come to him with the password, "Eureka," and not being applied to by anybody with that password, he gave it up to Mr. Fennelly, who came for it himself early in the afternoon. Now, was any arrangement made of which you know anything touching the use of that password "Eureka"?—No; the word was not mine; but the communication which was made by Mr. Fennelly to Mr. Lomas at about perhaps 11, or something of that sort, in the morning of the polling day, was the result of my communication to him, by which I said, "Well, we look upon this thing "as gone, and we had better communicate with Mr. "Lomas where he is, to let no money go to anybody." Then the word "Eureka" was not mine, but it must have been Mr. Fennelly's; but I must say this, I did not understand Mr. Lomas, I might have misunderstood him, I did not understand him to say that Mr. Fennelly had the money at half-past two. What was done was, that Mr. Fennelly, by a suggestion of mine, sent or went to Mr. Lomas, who was still at that time at the "Railway" hotel, and had him up at the "Globe."

17,522. Well, it is the same thing?—Yes, that was the thing.

17,523. He got the money at all events?—Yes.

17,524. Out of Mr. Lomas' hands?—Yes.

17,525. Nobody using the password "Eureka" having come for it?—Oh, no. While I am here I may say that there are two or three matters which, between my last examination and to-day, I have thought of, and which I should like to refer to.

17,526. One point I want to ask you about first. Mr. Hennet appears in evidence to have been a principal agent or go-between in connexion with Mr. Vanderbyl's proposal of the Saturday and Sunday to coalesce against Kinglake and with Westropp?—Mr. Vanderbyl and Mr. Westropp.

17,527. Yes?—Yes.

17,528. Well, you acted for Mr. Vanderbyl, you know?—Yes.

17,529. Did you have any communication about that with Mr. Hennet?—Not one single word.

17,530. Therefore, if Mr. Hennet received any authority it was not from the firm of Messrs. Reed and Cook?—Clearly not.

17,531. It was unknown to Messrs. Reed & Cook?—It was unknown to Messrs. Reed & Cook until Mr. Fennelly himself made a communication at midnight on Sunday.

17,532. Stating that it had taken place?—Stating that an interview had taken place that evening.

17,533. Did Vanderbyl ever say anything to you afterwards about it?—I have not the slightest recollection.

17,534. I mean by "afterwards," at any time after his interview with Mr. Westropp took place?—I have no recollection of his doing so.

17,535. (*Mr. Price.*) It was mentioned the other day, I think by Mr. Wilton and Mr. Collins, that either you, or somebody had said in your presence, that when the change of determination was announced by Mr. Lovibond that Mr. Vanderbyl was ready, or Mr. Fennelly was ready to spend money, that somebody said, "Then the meeting last night has not been without its effect"?—Yes.

17,536. That was Mr. Lovibond?—That was Mr. Lovibond.

17,537. Then did you understand Mr. Lovibond by that to refer to the meeting of the deputation with Mr. Fennelly and Mr. Vanderbyl?—No; the meeting which had taken place at Nicholls' house.

(*Mr. Price.*) That is what I wanted to know.

17,538. (*Mr. Anstey.*) You mean the meeting which sent the deputation?—I mean the meeting which sent the deputation.

17,539. (*Mr. Price.*) Mr. Wilton and Mr. Collins repudiated very strongly the idea that they said anything about money matters to Mr. Vanderbyl, or in Mr. Vanderbyl's presence, and it struck me that that part of your evidence was ambiguous; it might refer to the meeting of the deputation or it might refer to the other, but you now say that you understood Mr. Lovibond to refer to Mr. Nicholls' meeting?—To Mr. Nicholls' meeting; and that view was confirmed, because, as I before told you, I did not tell Mr. Lovibond when I met him that morning of the meeting between Mr. Fennelly and Mr. Hennet, for the reason that I was bound not to do so. Up to the moment when Mr. Lovibond made the observation that "last night's meeting was not without influence," I had not communicated to him the fact of the meeting between Mr. Fennelly and Mr. Hennet on the Sunday evening. As I said before, he referred to masonic matters which I was bound not to communicate. There is something else I wish to state. I omitted to state on my last examination that I was one of the persons who was initiated as a Forester a few days prior to the election, at the Mansion House here in this town. It was a few days prior to the election. It was upon the election of Mr. Kinglake—Mr. Vanderbyl, Mr. Lovibond, Mr. Barham, Mr. Reed, and myself. We were all initiated at one time; some few days prior to the election. I cannot fix the day now, and the initiation fee was, I think, a guinea, which we each of us paid; and there is no doubt, after the initiation took place, there was refreshment or rather grogs supplied. There was a large attendance of the members of the order there, and there was a free supply of grog I think for at least an hour after the initiation took place. I forgot to state that fact the other day, and it is the fact; and either the next day or a day or two after a bill was sent down to us for, I think, 10*l.*, as representing the cost of what had been had at the time of the initiation; but as I felt we had not been giving any orders, I stated, "We did not give any "orders, and therefore you must not look to us for "any payment of any money." I think that was also prior to the election. I will not be sure of it.

17,540. (*Mr. Anstey.*) Do you know anything of the "Shepherds"?—Oh, I beg your pardon, I think it was the "Shepherds." I misquoted the order—that was the order—the "Shepherds."

17,541. They all voted for the Liberals?—I do not know how they did vote.

17,542. They had voted at former elections for the

EIGHTEENTH DAY.

Mr. J. Cook.

18 Sept. 1869.

Liberals?—I do not know, it is very likely that they did, but it was at this meeting that this Palmer was present that Bussell mentioned.

17,543. Palmer *alias* Fackerell?—Yes.

17,544. What was he doing there?—He was in some office in the order, and he was taking a part. I do not remember anything more, except this, I remember after the initiation took place he was one of the first called upon by the chairman to sing a song, and he did so. Then I find I omitted to state in my evidence the fact of my having called upon Mr. John Smith on the Friday to ask him to assist in the way in which Mr. John Smith has stated in getting out the list, as we were behind in our work, and it is true what he said with respect to the conversation he had with me about money matters, because we had had two or three meetings before, as far as I remember, and it was agreed with Mr. Vanderbyl that there should be no money.

17,545. (*Mr. Price.*) As to Mr. John Smith, were any of your party aware that Mr. John Smith had had any communication with Mr. Westropp of the character I have read to you?—No, I was not certainly aware of it myself.

17,546. And as far as you know, none of the party were aware of it?—No, not as far as I know.

17,547. That Mr. John Smith had been begging favours of Mr. Westropp?—No.

17,548. (*Mr. Anstey.*) Had you not heard that some people here read out his letter from a window in a public street, his letter to Mr. Westropp?—No, but I have heard it said so since.

17,549. That must have been pretty well known in the town?—I should have thought so, but I did not hear of it at the time. As far as I can charge my memory the first time I heard of it was on the 4th December, in London, at the interview that I had with Mr. Westropp, when he referred to it. I believe that was the first time I heard of it.

17,550. What did he say about it?—That Mr. John Smith, had been asking him about some favours, or something of that sort, and he did not think he had acted quite fair about it; he rather complained of the way in which Mr. John Smith had acted towards him. I believe that was the first time I heard it.

17,551. (*Mr. Anstey.*) Did you find Mr. John Smith, when you went to him on the Friday, or sometime afterwards, showed a reluctance to take an active part in the election?—Well, he certainly was reluctant, and as I understood had made an appointment to go away.

17,552. And not to be at the election?—And not to be at the election.

17,553. (*Mr. Coleridge.*) Did you know anything about a disputed account between Mr. Kinglake and Mr. John Smith, in which Mr. Kinglake thought he had been very ill-used, and wrote afterwards to say that he thought it was a blackguard claim, but he thought it had better be paid, at the prior election?—No.

17,554. You do not know anything about that?—No, we had very little to do with what I call subsequent accounts after the election. I omitted to state in my evidence given with reference to municipal matters——

17,555. (*Mr. Price.*) I was going to ask you a question about that?—I said when I was in the box on Friday that there had not been treating during the time I have been in partnership with Mr. Reed, but before that, four or five years ago, there was an election in which Mr. Clifford Symons got in as a member of the town council, and there was a good deal of treating at the time, and I believe there was an expenditure of about 20*l.* to secure his election.

17,556. The only question is, whether you believe that that expenditure was done in any way to influence the election of borough members?—No.

17,557. Has it ever been thought worth while in this borough to get a majority (it is so in many boroughs), as tending to create a majority also on the burgess roll?—I never heard of that in that light, but there is a fact existing in Bridgwater for some years; there is an arrangement that there should be 14 Liberals. As you know, the corporation consists of 24 members, and it has been considered better (in answer to the question put to me by Mr. Anstey just now as to the borough being a Liberal one) that there should be 14 Liberals in the town council and 10 Conservatives, and to a certain extent there should be one mayor one year, and that on every alternate year there should be a change, and that has been acted on for many years past.

17,558. (*Mr. Anstey.*) Has there been any contest between the Liberals and the Conservatives as such at the municipal elections, or only between persons who want to get in, without reference to Liberal or Conservative politics?—There has been a contest between both parties.

17,559. How do you mean there has been an arrangement that they should be 14 to 10?—There has been that arrangement, and parties on both sides have complained of the arrangement, and attempts have been made every now and then to break through it.

17,560. Do you know any instance, at any time, of a consistent Liberal supporting a prominent Conservative in the town council?—Politics are not much brought into play at the elections for the town council.

17,561. Since the franchise has been extended under Mr. Disraeli's Act, have you seen any tendency to work the municipal elections with a view to the working of future parliamentary elections?—No, I have not.

17,562. (*Mr. Price.*) I forgot to ask you this: do you know of any transaction of a sum of money being put in a paper and put under the doors of the electors at the municipal elections, and their being asked in the paper to vote for a particular individual?—No, you asked me that question, but I was not aware of it. I propose to make copies of any correspondence I have, and to place it in the hands of the Commissioners. That shall be done at once.

17,563. (*Mr. Anstey.*) Have you been able to tax your memory as to whether Mr. Kinglake was ever a partner in Stuckey's bank?—I have not made any inquiries; nothing has transpired since my last examination, to make me give a different answer.

Dr. W. L. Winterbotham.

Dr. Washington Lafayette Winterbotham recalled.

17,564. (*Mr. Price.*) You wish to state something about Mr. Sully's state of health?—He will be able to be here on Wednesday, I think, if you will kindly take him first, so as not to keep him long about.

(*Mr. Price.*) Oh yes, we appoint him for 11 o'clock.

Mr. G. Wilton.

Mr. George Wilton recalled.

17,565. (*Mr. Price.*) Mr. George Wilton, you have written us a letter in which you say you wish to make an explanation to save time. I have no objection to that, but you say that you thought you were confined to answering the questions. In point of fact you were not asked hardly any questions. You were asked to make your statement; however, there is no reason that you should not be allowed to add to your statement. Both you and Mr. Collins were told to make statements; you were asked at the end whether you had said all you had to say. There is no objection to your adding to what you have already stated?—Well, sir, I have more particularly referred to my examination on Friday morning. It will be in your recollection that I made one or two attempts to say something which you did not catch perhaps. That is what I

want to say. I wanted to commence with the Monday morning, and go through the Monday and the Tuesday. I am sorry if I have misunderstood.

17,566. I thought you had told us all. Tell us about the Monday and the Tuesday. I thought you said that on the polling day, you said to a man, "You will "want some freight some day?"—Yes, that referred to the election of 1865.

17,567. What do you say about the Monday and Tuesday, the last election?—With respect to the Monday, I wish to state that just before going from the Town Hall to the hustings, Mr. Vanderbyl spoke to me in this hall, and he took me on one side, which is just on this spot, and said, "I have arranged to pro-"ceed with my election. Are you going to nominate "me?" I said, "I am not, but I understand that "your nomination is arranged." He then asked me if I would support him, and I said I would.

17,568. (*Mr. Coleridge.*) Did not he ask you why you would not nominate him?—He did not, but I should say that I told Mr. Vanderbyl on the Sunday evening that I would not nominate him, when we were present together in the "Globe" hotel.

17,569. Did he ask you the reason then?—Well, I think Mr. Vanderbyl ought to have concluded why I would not nominate him.

17,570. But did he ask you?—No, he did not.

17,571. (*Mr. Anstey.*) Did you tell him why?—No, I did not tell him why; I told him I could not nominate him.

17,572. (*Mr. Coleridge.*) Why?—I will tell you. In the first place I am not accustomed to public speaking, and secondly, I must confess to you I did not like the look of things. I did not like it at all. Things were not going on all right. That is the reason.

17,573. You did not want to nominate a losing man?—No, I did not, and when I speak now of the words used by Mr. Vanderbyl, I could not swear whether those were positively the exact words that he used, but that is the sense that I believe he intended to convey. Then on the polling day, I do not know whether there is any point of interest particular, I met Mr. Lovibond in the High Street, I should think between 9 and 10 o'clock in the morning, and he asked me if I could tell what the Tories were doing. I said I had been told that they were polling men whom I had been informed never went to poll without being bribed, and the fair conclusion was that they were spending money. Mr. Lovibond left me, and I did not see him again until about 12 o'clock, and that was the first time that I had entered the large room at the "Globe" hotel. I entered the room, and I said to Mr. Lovibond, "The election is lost; I hope our hands have been clean." Mr. Lovibond asked me if I could tell what could be done to bring the men to poll, if I could give him any advice. I said, "I can give you none," and I parted from him, and to the best of my belief I did not speak to Mr. Lovibond again on that day.

17,574. (*Mr. Anstey.*) Can you give me the names of those persons who, having been reported to you as voting for the Tory candidate, were immediately identified by you as persons who never voted without being bribed?—I cannot give you the names. It was in the mouths of 20 people, I think.

17,575. Cannot you give us the names?—I cannot. I would not hesitate for a moment if I could tell you.

17,576. (*Mr. Price.*) Are they any of them men in your employment?—They might have been; I cannot say.

17,577. Did Mr. Lovibond say anything to you to that effect, "Why some of them are in your employment; cannot you get some of them up to vote"?—He did not.

17,578. (*Mr. Anstey.*) I am speaking of those who had voted, you understand?—Yes.

17,579. I am not talking of those you were to bring up. You say that you informed Mr. Lovibond that, it being reported to you that certain persons had voted for the borough candidates, you immediately knew that the Tories must have taken to bribing, because such was the character of those persons who had voted. I want their names?—No. What I reported to Mr. Lovibond was the information that I had received that the Conservatives were polling men who were supposed never to go to the poll without money. It was not to my own knowledge that they never went to the poll without money, but it was that which was commonly reported, that they were men of that description.

17,580. Cannot you tell us of any person who gave you that material information?—I cannot; I would give that information to you with the greatest of pleasure if I could.

17,581. (*Mr. Price.*) Is that all you wish to say?—No. At 12 o'clock I returned home, and did not leave my house again until a quarter-past 3. I then went into the street, and found it in the greatest possible state of excitement and uproar, and I heard several persons say that the election had turned, and I think there was only a difference of from 10 to 20, or somewhere between 10 and 20; there was only that difference between the Liberals and the Conservatives, and I then went a second time into the large room at the "Globe," and as I was passing I came near to Henry Bussell. I asked him if he could tell me how this state of things had been brought about, and if any money had been spent in order to accomplish it, and he said no, to the best of his ability not a penny had been spent.

17,582. (*Mr. Anstey.*) What o'clock was that?—I should think it was about a quarter to 3, but I am not certain to a few minutes either one way or the other. I then looked over the poll sheet—I forget which it was, there were two there—I looked over the poll sheet and I saw that John Bouchier had not polled, and I said as much to Mr. Samuel Perrett, a grocer, who was standing near me, and we both went to John Bouchier to ask him to go to poll. He hesitated for some time, and then he said he would go presently, and we left him.

17,583. Did he say anything else?—No, he did not, not a syllable.

17,584. You say he hesitated?—He hesitated to give a reply whether he would or not. I also went to see Mr. Charles Torr in company with Mr. Robert Hayman. Torr's reply was, when we asked him if he would go to the poll, that he had made up his mind in the morning that he would not poll, and we left him.

17,585. (*Mr. Anstey.*) Mr. Torr?—Yes.

17,586. That was the man who was bribed on the former occasion?—Well, I do not know whether he was bribed.

17,587. Who is reported to have been bribed?—Yes, that is the same man.

17,588. Did he vote, do you know?—He did not, my belief is that he did not. When I returned to the "Globe" hotel for a third time I again saw Henry Chapman Bussell standing near to the "Globe," and I asked him how the poll stood then.

17,589. What o'clock was that?—Well, it was past 3 I should think it was then, pretty nearly a quarter past 3, for I had to go three quarters of a mile between the time when I had first seen him and then, and he gave me the state of the poll, and said, "50*l.* will win the election."

17,590. (*Mr. Price.*) Who did?—Henry Chapman Bussell; he said 50*l.* would secure the election, and he said to me also that Mr. Lovibond was then going to see somebody about money. My reply to him was this, as near as I can recollect, "Bussell, don't "you say a word to me about money, and my serious "advice to you is not to touch it." I then left the room and wended my way through the streets as well as I could towards the polling booth up in this quarter. As I was passing the bridge a man was thrust in my way, or rather by seven or eight others, and he said, "Master, here is a man who has not polled." And my reply to him was, "I think if he has not polled he had better do so." I quite believe that that man

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was put in my way as a trap, or that he intended to ask for money.

17,591. (*Mr. Anstey.*) Who was he?—I do not know. The man was a perfect stranger to me, as were those who were around him. I then came into the High Street, this street here, and someone told me that Mr. Tilley the barber had not polled, and Mr. Rookley the baker said he would go and see Mr. Tilley. We both did so; Mr. Tilley's reply was he was with us heart and soul. I think those were his words, but he had had an intimation that if he voted against the Conservative party he must leave his house.

17,592. From whom?—He would not say from whom.

17,593. Of whom does he hold his house?—Mr. Joseph Richard Smith.

17,594. Mr. Joseph Richard Smith?—I think so.

17,595. The late retired pawnbroker?—I think so. He said that his house was his bread and cheese, and my reply to him was that under the circumstances I could not ask him to vote. That, sir, was the statement I was desirous of making to you this morning.

17,596. (*Mr. Price.*) The John Bouchier you speak of is the boot and shoe maker in Eastover?—Yes, he is.

17,597. Did he tell you he would not go to the poll on account of previous charges made against him?—No, he did not.

17,598. Did he say, "I will not go to the poll again, "except in the case of an emergency or a very near "run"?—No, he did not.

17,599. He did not say anything to you?—No, nothing more except that after hesitating he said he would go.

17,600. He said he would go?—He said he would go.

17,601. What time was that?—Well, I should think that must have been within a few minutes of 3 o'clock.

17,602. Did you see him leave his house?—I did not.

17,603. Did you hear him say before us that he left about half-past 3, and that Mr. Reed had called upon him in the meantime?—I was not present in court when he said it.

17,604. He was not quite sure whether it was Mr. Lovibond or Mr. Reed, and he afterwards got 10*l.* from the "Globe"?—I saw it printed in evidence, but I did not hear him say that.

17,605. It was before he saw Mr. Reed or Mr. Lovibond that you saw him, I suppose?—I cannot say that; I saw him about a few minutes to 3 o'clock.

17,606. Mr. Reed said he called upon him and asked him to poll, and he said it was getting a "near run." It was about half-past 3 he voted, or 20 minutes to 4. Did you know that he had been bribed on a former occasion by Mr. White?—I did not; I did not know it till I heard the evidence come out in this court.

17,607. What influence had you with Bouchier, any?—I had none.

17,608. Did he make boots and shoes for you?—He did five or six years ago; he has not done so for five or six years.

17,609. And you merely asked him to vote?—I did.

17,610. (*Mr. Anstey.*) Is that all?—That is all.

Mr. F. C. Hennet.

Mr. Follett Charles Hennet called and sworn.

17,611. (*Mr. Price.*) What are you?—An engineer and ironfounder.

17,612. Where do you carry on your business or employment?—Near Bridgwater.

17,613. On your own account?—Yes, on my own account.

17,614. (*Mr. Coleridge.*) You have no partner?—In partnership with Mr. Daniel Spink.

17,615. (*Mr. Price.*) A gentleman of whom we have heard in the course of this inquiry?—Yes.

17,616. What are you by politics?—Well, I am a Liberal-Conservative.

17,617. Which way do you generally vote?—Conservative; I always have voted Conservative.

17,618. Did you vote at the last election?—Yes.

17,619. For the Conservative candidates?—Yes, for one.

17,620. Which?—Mr. Westropp.

17,621. Not for Mr. Gray?—Not for Mr. Gray.

17,622. (*Mr. Coleridge.*) Who else did you vote for?—No one.

17,623. You plumped for Mr. Westropp?—I plumped for Mr. Westropp.

17,624. (*Mr. Price.*) Had you voted for Mr. Westropp before?—I had voted for Mr. Westropp before.

17,625. We are informed you took some part in trying to effect a compromise at the last election, as between Mr. Westropp and Mr. Vanderbyl?—Yes.

17,626. Tell us what you did do?—I will tell you what I know about it. On the Sunday afternoon I got home about 5 o'clock, and I found Mr. Spink at my house, and he told me that he had come to see if we could not arrange——

17,627. Is Mr. Spink of the same politics as yourself?—Well, he used to be, but he was not at the last election.

17,628. He was on the other side on the last election?—Yes; he came to me and told me that he thought it would be a very good thing, or words to that effect, at least, if we could effect a compromise between Mr. Westropp and Mr. Vanderbyl, because Mr. Vanderbyl was a friend of ours, and so was Mr. Westropp. We thought that would avoid a great deal of trouble and annoyance in the town if there could be a compromise effected.

17,629. Did Mr. Spink give you in any way to understand that he was in any way authorized by Mr. Vanderbyl's friends, by his legal advisers, or any of the prominent members of his party, to make that overture?—I do not quite recollect that, but I think he said it was Mr. Fennelly who told him about it.

17,630. Not anybody in Bridgwater?—Not anybody in Bridgwater that I know of.

17,631. (*Mr. Anstey.*) Were you not further informed about that same matter by Mr. Westropp himself?—When I agreed with Mr. Spink that we would go and find Mr. Westropp, we went into Mr. William Brice's, and there we saw Mr. Westropp, and we arranged with him that he should meet Mr. Fennelly.

17,632. (*Mr. Price.*) Tell us what day that was?—That was on the Sunday.

17,633. You arranged with him, as I understand?—We arranged with Mr. Westropp that he and Mr. Fennelly should meet and try to effect a compromise.

17,634. (*Mr. Anstey.*) Did Mr. Westropp on that occasion tell you that he had already had a communication from Mr. Fennelly himself on behalf of Mr. Vanderbyl, stating that Mr. Vanderbyl had put himself in his hands, and had had a row with his agents, Messrs. Reed and Cook, and offered Mr. Westropp to meet him half way, from which Mr. Westropp inferred that Mr. Vanderbyl would join him in bribery?—No.

17,635. Did Mr. Westropp tell you that?—No.

17,636. (*Mr. Price.*) Just tell us what passed?—Well, I cannot recollect all the words,

17,637. Well, but as near as possible give us the substance of what took place when you had arranged with Mr. Westropp that he should meet Mr. Fennelly. Did Mr. Westropp say anything about it? What did he say?—Well, he agreed to do so; and then Mr. Spink went off to see Mr. Fennelly to arrange.

17,638. Is that all that you recollect that passed between Mr. Westropp and you and Mr. Spink, before the interview with Mr. Fennelly?—That is all of any importance that I recollect.

17,639. We must judge of the importance. If

there is anything else tell us what it was?—Well, myself, Mr. Spink, and Mr. Westropp were talking over the matter together.

17,640. Tell us what was said?—I cannot recollect the exact words he said.

17,641. Tell us the substance of what Mr. Westropp said, when you suggested to him that he should meet Mr. Fennelly?—I believe Mr. Westropp was very much against having any bribery.

17,642. Tell us what he said?—He explained himself so in my house previously, that it was a very serious thing under the new law having any bribery, and everybody had better keep out of it.

17,643. What did he say about this proposed meeting with Mr. Fennelly?

17,644. (*Mr. Anstey.*) How did he connect that about the bribery with the proposed meeting with Mr. Fennelly?—I do not think anything was mentioned about bribery in our conversation with Mr. Westropp.

17,645. (*Mr. Price.*) Tell us what Mr. Westropp said, when you had arranged with him to meet Mr. Fennelly. Tell us as nearly as you recollect the substance of what he said. What was the inducement you held out to him in the first place that he should do so?—Well, I do not think we held out any inducement.

17,646. (*Mr. Anstey.*) Do tell us what took place. You must surely recollect the substance of what you said and what he said. You went in and spoke to him first, I suppose?—Yes, I went in and spoke to him and asked him if he had any objection to meet Mr. Fennelly.

17,647. (*Mr. Price.*) For what object?—For the object of effecting a compromise.

17,648. Did you mention that it was for the purpose of getting rid of bribery that you were desirous of effecting a compromise, or anything of that sort?—I do not know. I think it is very likely we did. I think it is very likely we said that the compromise would get rid of bribery, and that kind of thing, and would have saved any election petition, and would have saved this inquiry as well.

17,649. Go on. What did Mr. Westropp say to that?—Mr. Westropp fell in with our plans, and arranged to meet Mr. Fennelly at a later hour in the evening at my house. About half-past 8 or 9, Mr. Westropp and Mr. Fennelly, I forget which came first, at any rate they met, and myself and Mr. Spink left them in the dining room, and we went into another room, and what passed between them I do not know at all.

17,650. Unless either of them alluded to it afterwards in your presence. Was that Mr. Fennelly and Mr. Vanderbyl?—We left Mr. Fennelly and Mr. Vanderbyl together in a room by themselves.

17,651. I thought you said Mr. Westropp and Mr. Fennelly?—I beg your pardon. I mean we left Mr. Fennelly and Mr. Westropp by themselves.

17,652. Mr. Vanderbyl was not there?—No. It was understood Mr. Fennelly came there as Mr. Vanderbyl's representative.

17,653. (*Mr. Anstey.*) Did he tell you so?—Yes.

17,654. (*Mr. Price.*) Tell us what passed after the interview. Did you see them again? Did Mr. Westropp tell you anything of what passed?—It was agreed that they should not both leave the house together because we thought people might be looking about.

17,655. (*Mr. Anstey.*) Did not they tell you what had been agreed upon?—They did not tell me what had been agreed upon.

17,656. (*Mr. Price.*) Neither of them?—No; but Mr. Westropp said he thought that from what had passed there might be a chance of the compromise being made.

17,657. Did he tell you that?—Yes, to that effect.

17,658. (*Mr. Anstey.*) Did Mr. Westropp tell you then, or afterwards, anything to the effect of that which I have read to you from this brief, namely, that Mr. Fennelly had told him that Mr. Vanderbyl had put himself in his hands; that Mr. Vanderbyl had had a row with his agents, Messrs. Reed and Cook, and that he offered Mr. Westropp to meet him half way, from which Mr. Westropp inferred a proposal to join in bribery?—No.

17,659. Did you never hear the whole or any part of that from Mr. Westropp?—It is very likely that Mr. Fennelly might have stated that he was authorized by Mr. Vanderbyl to act for him.

17,660. (*Mr. Price.*) But did Mr. Westropp tell you that? The question is, when Mr. Westropp came back to you, after parting from Mr. Fennelly, did he say that anything of the kind had passed between him and Mr. Fennelly?—He did not tell us what had passed.

17,661. He did not?—No, he did not.

17,662. (*Mr. Anstey.*) Did he say at any time after that, that he understood from Mr. Fennelly that Mr. Vanderbyl had put himself in his hands?—Not that I know of.

17,663. Did he tell you at any time that Mr. Fennelly had told him that Mr. Vanderbyl had had a row with his agents, Messrs. Reed and Cook?—Not that I know of.

17,664. Did he at any time tell you that Mr. Fennelly had offered him, Mr. Westropp, to meet him half way, or words to that effect?—I cannot recollect that he did.

17,665. (*Mr. Price.*) Now, then, tell us what he said to you about it?—The substance of what Mr. Westropp told us was that he thought the matter might be effected.

17,666. (*Mr. Coleridge.*) But how?—By himself and Mr. Vanderbyl coalescing.

17,667. And letting Mr. Gray go to the wall?—Leaving Mr. Gray and Mr. Kinglake out in the cold.

17,668. (*Mr. Anstey.*) Was there anything like animosity or feeling expressed by Mr. Fennelly with regard to Mr. Kinglake?—By Mr. Fennelly? Not that I am aware of.

17,669. (*Mr. Price.*) As I understand you, you saw Mr. Fennelly, but had no communication with him?—I saw him, but had no communication with him.

17,670. You saw him?—Yes.

17,671. You never saw Mr. Fennelly afterwards?—No, except on that occasion I have told you.

17,672. (*Mr. Anstey.*) Are you quite sure you did not promise to vote for Mr. Vanderbyl and Mr. Westropp?—No. I had promised Mr. Vanderbyl to vote for him before that.

17,673. When had you seen Mr. Vanderbyl before this?—I should think a week before this.

17,674. What did Mr. Vanderbyl say to you when you saw him then?—I think the last occasion I saw Mr. Vanderbyl was at the "Globe" hotel.

17,675. That is no answer to my question. I want to know what did Mr. Vanderbyl say to you when he saw you about this?—About voting?

17,676. About anything connected with the election. I do not want to confine you to the voting?—He asked me not to attend a meeting of the Conservatives, or not to go on the platform at least.

17,677. Did he ask you to vote for him?—I do not know whether it was on that occasion or not. I had promised on a previous occasion.

17,678. Tell us when you first promised to vote for him. What took place then? That is what I want to know. What took place then; where was it, for instance?—I do not recollect. I know I promised to vote for him.

17,679. Did you promise to vote for him alone, or him and Mr. Westropp?—For him and Mr. Westropp. I said I could not vote against Mr. Westropp. I told him all through I could not vote against Mr. Westropp.

17,680. Did he ask you to vote for him and Mr. Westropp?—He rather pressed me to vote for Mr. Kinglake as well. I refused to vote for Mr. Kinglake, and I promised to vote. I intended to vote for Mr. Westropp and for Mr. Vanderbyl.

17,681. And did he then tell you that he was going to coalesce or wished to coalesce with Mr. Westropp?—Not at that time, no.

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Mr. F. C. Hennet.

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17,682. When did he first after that tell you of his wish to coalesce with Mr. Westropp?—He did not tell me. I had it from Mr. Spink.

17,683. You never heard it till Mr. Spink mentioned it?—No.

17,684. Then had Mr. Vanderbyl seen Mr. Spink?—I believe he had.

17,685. When?—On the night before, on the Saturday.

17,686. Where is Mr. Spink now?—He is residing at Walton-on-the-Naze.

17,687. (*Mr. Coleridge.*) Has he left here altogether?—Yes.

17,688. (*Mr. Anstey.*) I understand you to say from Mr. Vanderbyl himself you heard nothing about this?—No, I did not from Mr. Vanderbyl himself.

17,689. Only from your partner, Mr. Spink?—Only from my partner, Mr. Spink, and Mr. Westropp, and whatever Mr. Fennelly said, when he met at my house.

17,690. (*Mr. Price.*) Did you understand from Mr. Spink, your partner, that it was with a view to prevent a contest, and to prevent money being spent, that this compromise was suggested?—Yes.

17,691. (*Mr. Anstey.*) I thought you said it was to prevent money being spent, to prevent an election petition, and to prevent a commission of inquiry?—That is the same thing I think.

17,692. (*Mr. Price.*) It was to prevent a contest, and to prevent bribery?—It was to prevent a contest, and to prevent bribery.

17,693. And that, as you understood, was Mr. Westropp's desire, he having expressed his fear as to the result of any bribery, in consequence of the late statute?—Yes.

17,694. Was that the way in which the thing originated, as far as you know, with regard to a compromise?—Well, so far as I know, it was; but, in fact, Mr. Spink was the active agent in trying to effect this compromise, and I do not know very much about it, except that they had the use of my house.

17,695. And that you saw Mr. Westropp there?—And that I saw Mr. Westropp there, and Mr. Fennelly.

17,696. (*Mr. Anstey.*) And neither Mr. Westropp nor Mr. Fennelly told you anything about it, except that Mr. Fennelly was acting as Mr. Vanderbyl's agent; that was all they told you?—That was all they told me.

17,697. And you also heard that, to prevent a contest, and to prevent bribery, they were trying to effect a compromise?—That was the understanding.

17,698. How many interviews had Mr. Spink with Mr. Vanderbyl before they came to you?—I cannot tell. As I was on the Conservative side I did not go to Mr. Vanderbyl before the election. I kept away from seeing him. I thought it might do him more harm than good by seeing him.

17,699. Was Mr. Spink's voting on that election in connexion with this treaty which you speak of?—Mr. Spink did not vote for Mr. Vanderbyl.

17,700. I thought you said Mr. Spink had been a Conservative until then, and on that occasion he went with the Liberals?—Yes, he had, so far as supporting the candidates went, so far as his principles went. Mr. Spink had not any vote.

17,701. (*Mr. Price.*) Why did you not tell us that before, that Mr. Spink had no vote?—No, he has no vote.

17,702. He never had a vote for Bridgwater?—He never had a vote for Bridgwater.

17,703. And he is still your partner?—He is still my partner.

17,704. And when he comes here he comes on business?—Yes.

17,705. (*Mr. Anstey.*) How long had he been in Bridgwater on that occasion before he saw Mr. Vanderbyl, how many days?—At that time he was residing at Wembdon.

17,706. (*Mr. Coleridge.*) When will he be here again in the way of business?—I do not know.

17,707. This month?—I do not expect him. He is residing away now, and he does not come down to business at all.

17,708. When did he leave Bridgwater last to go to Walton-on-the-Naze?—I think about the month of March.

17,709. Do you mean to say he has not been in Bridgwater since?—Oh, he has been in Bridgwater since. I think it was in July his family left.

17,710. That was the time that the commission issued, was it in consequence of that?—I think not.

17,711. (*Mr. Coleridge.*) Has he given up his house at Wembdon?—He has given up his house at Wembdon.

17,712. And gone away altogether?—Yes.

17,713. How many voters have you in your employ?—I cannot say exactly.

17,714. But about?—Well, I should think about 100.

17,715. And how did they vote at the last election? How many of them voted, except in the same way as you did?—I cannot tell.

17,716. Surely you can tell?—I have not looked to see how they voted.

17,717. You do not know at all?—No.

17,718. You do not know whether the greater part voted Liberal or Conservative?—I have heard the greater part voted Conservative.

17,719. How many?—I cannot tell.

17,720. Was there half a dozen out of the whole 100 who voted Liberal?—I cannot tell. I have never inquired, and I have never looked.

17,721. (*Mr. Price.*) How many voters are there in your employ?—I believe there are about 100 voters.

17,722. (*Mr. Coleridge.*) It is very desirable that we should know how they voted. I suppose you could tell us from the poll book?—Yes, I could tell you from the poll book.

17,723. Have you a poll book of the last election?—I had one sent me at the last election, I think.

17,724. Will you look over it and tell us how they voted, because we find in another case that the whole voted for their master except three, and we should like to know whether it was the same with your men?—I may say that, previous to the last election, we issued a placard stating that our men were to vote as they liked.

17,725. (*Mr. Anstey.*) The question is, who are the intermediaries between you and the men?—The foreman.

17,726. What is his name?—Well, we have several foremen.

17,727. Tell us their names?—Walter Shears, Henry Dunn, Matthews.

17,728. What is his christian name?—Thomas.

17,729. Thomas Matthews?—I am not sure of his christian name; and there is John Hooper and Thomas Brawley.

17,730. Anybody else?—There is one called Pearse.

17,731. What is his christian name?—I do not know.

17,732. (*Mr. Coleridge.*) Are you quite sure—be careful—that the placard said they might vote as they liked?—Yes.

17,733. Be careful, because I have seen it; what did it say?—That is as near as I recollect.

17,734. Did it not say they might vote for Mr. Vanderbyl, Mr. Westropp, or Mr. Gray, but leaving out Mr. Kinglake's name altogether?—That was the first placard which was issued. I was away. I came home on the Sunday.

17,735. Who issued the one which left Mr. Kinglake's name out?—Mr. Spink.

17,736. I thought you said Mr. Spink was a Liberal?—Yes.

17,737. Spink was always a Liberal, was he not?—No; he was not always a Liberal. He used to call himself a Conservative; I do not think he was much either way.

17,738. What was his reason for leaving Mr. Kinglake's name out? Do you know of any personal

reason that he had for leaving out Mr. Kinglake's name?—No, I do not.

17,739. When you came home did you have that placard altered?—I spoke to Mr. Spink about it, and said I was annoyed at the placard, and I was particularly annoyed, because it seemed to cast a slur on the foremen. It said that "no person in our employ was to use any undue influence."

17,740. Have you one of those placards?—No, I have not.

17,741. Have you one at home?—No. It stated that "no person in our employ was to use any undue influence." Now I thought that cast a slur on our foremen.

17,742. Do you mean it took away from the foremen some of their natural perquisites?—No.

17,743. What do you mean then?—I thought it cast a slur on the foremen. I thought it seemed to insinuate that the foremen would exercise undue influence.

17,744. Well, what was substituted for it?—We substituted a placard stating that the men were at liberty to vote for whom they pleased.

17,745. Without mentioning any names?—I believe so.

17,746. But did it not follow the old form, leaving them the option of voting for Mr. Vanderbyl, Mr. Westropp, and Mr. Gray, and not allowing them to vote for Mr. Kinglake?—No, I do not think it did.

17,747. The first one did, because you acknowledge that Mr. Kinglake's name was omitted?—Yes.

17,748. You say you recollect you altered it, because it cast a slur on your firm. Cannot you recollect whether Mr. Spink said anything about Mr. Kinglake's name being left out?—I do not think he did.

17,749. Because if nothing was said, how did it come not to be inserted in the second placard?—Because we altered it.

17,750. Some conversation must have taken place about the missing name being inserted in the second placard?—The second placard was issued in this manner. When I saw Mr. Spink at our office on the Monday morning we had a conversation about it, and we agreed that we should issue another placard; but Mr. Vanderbyl called on us that morning, and it appeared that he had written out another placard leaving out the part I objected to.

17,751. The undue influence part?—Yes, leaving out that, and I believe putting in all four names. That placard was exactly as I wanted it, and I ordered it to be issued.

17,752. Then you say it was Mr. Vanderbyl that inserted Mr. Kinglake's name, and not Mr. Spink?—I think it was.

17,753. (*Mr. Price.*) How was it that Mr. Vanderbyl had any control over your placard?—He had not any control over it. We were acting friendly with Mr. Vanderbyl.

17,754. Were you doing any work for Mr. Vanderbyl at that time, were you executing any contract for him?—No, not at the time.

17,755. But had you been under any obligation to Mr. Vanderbyl in giving you employment, or a contract?—Mr. Vanderbyl had given us one contract, one small contract, not a very large contract.

17,756. Connected with the Lundy Granite Company?—Not connected with the Lundy Granite Company. The work we did for the Lundy Granite Company had no connexion, as far as we knew, with Mr. Vanderbyl.

17,757. How long before the election had Mr. Vanderbyl given you this contract, whether it was a large or a small one?—I think I have the particulars now before me. I have just put them down. It was on March 13th 1867 that we completed the contract for some girders for him. He also gave us an order—I think it was after the election—I will not be sure whether it was after or before the election, he also gave us a small order then, about the end of last year.

17,758. Was that the only friendship you had with him? Was that the only thing which had brought you into contact with Mr. Vanderbyl at all?—No. I had met him several times. I had been to his house.

17,759. (*Mr. Coleridge.*) He knew you were an employer of 100 men?—Yes.

17,760. He knowing you were an employer of 100 men, have you any doubt that he gave you that order to get the interest of your firm?—I believe he did.

17,761. And was not that the reason you added "Liberal" to your previous denomination of "Conservative," and called yourself "Liberal-Conservative"?—No.

17,762. Had you ever voted "Liberal" before in your life?—No, I had been always Liberal-Conservative.

17,763. A sort of epicene gender. (*No answer.*)

17,764. (*Mr. Price.*) Had you voted Liberal before?—I had voted three times before.

17,765. And for the first time you called yourself a "Liberal-Conservative"?—The first time I called myself a "Liberal-Conservative" was in 1865, I think.

17,766. (*Mr. Coleridge.*) Something of an epicene gender?—Yes.

17,767. (*Mr. Anstey.*) What is Mr. Spink's christian name and address?—Daniel Spink, Lower Farm, Walton-on-the-Naze.

17,768. Is he carrying on business there?—No, he is not carrying on any business.

17,769. (*Mr. Price.*) Well, he cannot attend much to his business here if he is living at Walton-on-the-Naze?—No. He does not attend to his business here.

17,770. You undertake the whole thing here, do you?—Yes.

17,771. (*Mr. Anstey.*) That is only since the summer or spring of this year?—He never did attend to it.

17,772. (*Mr. Coleridge.*) Has he any other business to attend to?—No, he has no other business.

17,773. He does not care for business at all?—No.

17,774. If you can, let us have a list from the poll book of your men who voted. Just tick them off. We can tell for ourselves how they voted at the last election?—Yes; I will send you up a list of the voters at the last election in our employment.

17,775. And the poll book as well. If you will mark off your men on your own poll book, then we can see how they voted?—Yes.

17,776. (*Mr. Price.*) Just take the poll book you have got and go through the list alphabetically, and tick off the names of those who were in your employ at the last election?—Yes.

17,777. Is there anything more you want to say?—Shall I be examined again?

17,778. (*Mr. Anstey.*) No, not necessarily?—Then I wish to state one or two circumstances which occurred at previous elections.

17,779. (*Mr. Coleridge.*) On the Conservative side?—Yes, on the Conservative side.

17,780. (*Mr. Price.*) We had better postpone that. We shall probably avail ourselves of your assistance on a future occasion. You live here?—Yes. I wish to be away to-morrow.

17,781. Yes, you can be away; but you have information to give us which you think will be of importance to us as to former elections?—Yes.

(*Mr. Price.*) Then you can communicate to our secretary the information.

(*Mr. Anstey.*) He says he is going away.

17,782. (*Mr. Price.*) But you are coming back again?—I am coming back to-morrow evening.

(*Mr. Price.*) We shall be able to hear you in the course of next week, I suppose.

EIGHTEENTH DAY.

C. Bulpin.

13 Sept. 1869.

CHARLES BULPIN called and sworn.

17,783. (*Mr. Price.*) Are you traveller for Brown & Co.?—I am.

17,784. How long have you been their traveller?—About six years their traveller.

17,785. You have a paper there before you. Perhaps you had better answer my questions, or if you wish to make a statement in preference you may make it, and I may have to ask you some questions upon it. Which do you prefer?—To make a statement.

(*Mr. Coleridge.*) Beginning at the last election, 1868.

17,786. (*Mr. Price.*) Beginning at the last election, 1868, and what part you took in it?—The last election in November 1868, I returned from my journey a day or two before the election, and Mr. Barham called at my house. He talked to me about the coming election; he said a few words about the coming election, and appointed for me to meet him at his house on the Sunday afternoon.

17,787. (*Mr. Coleridge.*) Was this on the Saturday?—Either the Friday or Saturday, I am not sure. I called on the Sunday afternoon. Mr. Barham was out. I called again in the evening and saw him, and we had a cup of tea together, tea or coffee, I do not know which. I saw Mr. Barham Sunday evening, and we had a cup of tea together.

17,788. (*Mr. Price.*) You have told us that before?—And had a talk about the election. He told me that it was quite decided that no money would be spent on the Liberal side, and I told him that I was very glad of it. That is all I recollect that evening. On the morning of the poll——

17,789. (*Mr. Coleridge.*) Did nothing take place on the nomination day?—Not between me and him, nor anybody that I know, for in fact I had only just come from my journey; the thing is quite new to me.

17,790. (*Mr. Price.*) On the polling day what occurred?—On the morning of the poll, about 9 o'clock, I saw that the town looked very quiet. I met Mr. Badger and Mr. Bussell, and we went to poll together, and recorded our votes. I saw Mr. Barham during the morning, but no interview took place whatever.

17,791. Did you see several voters that morning?—I did.

17,792. Did they say anything to you?—Yes.

17,793. Now tell us what they said?—Several of them asked me if any money was going to be spent.

17,794. Tell us their names if you can?—I cannot.

17,795. Were there any of them in the employment of Messrs. Browne & Co.?—Possibly there may have been, I do not know.

17,796. (*Mr. Anstey.*) Had they previously known you to be a reputed Liberal?—They might have been aware of it, they might or might not have been.

17,797. I can answer you precisely the same question in precisely the same sensible manner, without knowing anything about it, "they might or might not," but were they aware of it?—I cannot tell you.

17,798. Then why not tell us so, without making an evasive answer of that sort?—I mean to tell you the truth.

17,799. Did they say that they were sure money was going, and that they ought to have their share?—Some of them considered there was money going.

17,800. Did they say that they were sure money was going, and that they ought to have their shares?—I believe there was such a statement made.

17,801. You have made a statement to our secretary—what an extraordinary thing it is that a man in your position cannot recollect. Did you go then to the "Globe" in consequence of that to see if it was so?—Yes.

17,802. Who did you see?—Mr. Smith, Mr. Bussell, and several others were there.

17,803. Did you see Mr. Lovibond?—Yes, I did.

17,804. Then why did you leave his name out? What was said when you saw Mr. Smith, Mr. Lovibond, and Mr. Bussell?—We went into a little inner committee room, and it was mentioned about a sum of money which would win the election.

17,805. Who spoke?—I do not know whether it was Bussell or Smith.

17,806. What did they say?—There was some conversation about 2,000*l.* or 3,000*l.*

17,807. Did someone say the election could be still won with about 3,000*l.*?—I believe so.

17,808. Was that between 12 and 1 o'clock?—Yes.

17,809. Who said it, Bussell?—I do not know whether it was Bussell or not.

17,810. What did Mr. Lovibond say?—That he would go and see the lawyers.

17,811. "Wait a few minutes. I will go and see the lawyers?"—Yes.

17,812. Did he return again in about half-an-hour?—He returned again in about half-an-hour.

17,813. What did he say then?—It was quite decided that no money was to be spent, and the Tories might win as they liked.

17,814. Then did you then go away?—Just afterwards.

17,815. Did you then tell persons who had spoken to you about money what you had heard?—Yes.

17,816. Did any of them go and vote then?—I believe it was just after that time that the change took place on the Liberal side.

17,817. Just after that?—Just after that.

17,818. Did you hear anything later in the day about money?—Yes, somewhere about half-past 3 I heard that one of the voters had taken money to the "Clarence" hotel.

17,819. Did you hear about that time that Palmer had taken money to the "Clarence"?—Yes.

17,820. Which it was said he had got from Bussell?—Yes.

17,821. Did several voters come to you and ask you for money?—During the morning.

17,822. After that?—I do not remember after that.

17,823. Do you know whether some of those who had asked you had not yet voted for the Tories?—I do not.

17,824. Were those any of them men who never went without money. You have made a statement to that effect; recollect yourself?—Will you repeat the question?

17,825. Those men not getting it, did they go and vote to your knowledge for the Tories?—I do not know.

17,826. Why did you ever say so then. Were those men who you know never went to vote without money—were there any that day?—Yes. During the day I saw people who came and asked if money was going. There were several who came to me in the morning and asked if money was going, and after that I found by the list that they had voted for the Conservatives.

17,827. After you heard that Palmer had taken money to the "Clarence" which he got from Bussell, what else did you do, or say, or hear?—I had nothing more to do with it after that.

17,828. Nothing at all?—Nothing more to do with that election.

17,829. Did you receive anything?—Not a penny.

17,830. Note for your vote, but to spend?—Not a penny.

17,831. Is that all you have to tell us?—That is all I have to tell you.

17,832. (*Mr. Anstey.*) Was there no arrangement or promise of your having money which you were to spend in the expenses of the election?—Not at all.

17,833. When did you see our secretary, do you recollect, and make your statement?—Last Saturday.

17,834. Since you made it have you conversed with

anybody upon the subject of the evidence you are to give to-day ?—No.

17,835. Are you quite sure ?—Nor yet before.

17,836. (*Mr. Coleridge.*) Do you mean neither before nor during the last election you paid any voter money for his vote ?—At the last election ?

17,837. Yes ?—I had not a penny to pay on the last election whatever.

17,838. Neither before nor after ?—No.

17,839. Nor at any time between that and this ?—No, not a penny.

17,840. (*Mr. Anstey.*) Nor promised any ?—No.

17,841. Nor held out any expectation that money would come ?—No.

17,842. (*Mr. Price.*) Do you know John Smith ?—Yes.

17,843. Did you know there was a question raised as to whether John Smith had made a claim in 1868 for money which he had spent in 1866 for bands and colours ?—I knew nothing about it.

17,844. Were you present when Smith made any statement of that kind ?—No.

17,845. It has been stated that Allan repeated to the principals his knowledge that there was no previous bargain to pay to his sub-agents 25*l.* each, but Smith mantains that there had been a promise? —You speak of the bands of colours.

17,846. No, in reference to this agreement; did you make a claim of 25*l.* ?—No.

17,847. Then it is not true that you made a statement to that effect in Allan's presence ?—Allan promised 25*l.* I never claimed it. I spoke to him 20 times about it, but I never made a claim.

17,848. (*Mr. Coleridge.*) You are quibbling on the word "claim"?—No.

17,849. (*Mr. Price.*) Did he say there had been no previous bargain to pay 25*l.* each ?—No.

17,850. Were you present then ?—No, he did not tell me about there being no previous bargain.

17,851. What did he tell you ; did he refuse to pay you 25*l.* ?—He told me on the day of the election——

17,852. Now answer the question ?—He said he would.

17,853. Did he ever refuse ?—Unless I would have my name down.

17,854. Did he ever refuse ?—Yes.

17,855. Why did he refuse ?—Because I would not have my name put down for it.

17,856. (*Mr. Coleridge.*) When did he say he would give you 25*l.* ?—On the day of the election.

17,857. What were you to do ?—It was for what I had done.

17,858. When ?—On the day of the election.

17,859. The last election ?—No.

17,860. (*Mr. Price.*) Did you make a claim in 1868 for 25*l.* for what you had done in 1866 ?—No.

17,861. (*Mr. Coleridge.*) Did you ask for it ?—No.

17,862. Did you remind Allan of it ?—No, not in 1868.

17,863. In 1867 did you ?—I do not remember.

17,864. (*Mr. Price, to Allan.*) When did this man make a claim, or when was this question about the 25*l.* raised by you ?

(*Mr. Allan.*) The day after Vanderbyl's election; the day after the election was the first time I heard of it.

17,865. In 1868 ?—No, never. I never remember seeing him in 1868.

(*Mr. Coleridge, to the witness.*) About the 1866 election of Vanderbyl. What was it you did in that ?

17,866. (*Mr. Price.*) Did Allan ask you in 1866 to assist on the morning of the election ?—He did I believe ; it was the morning of the election.

17,867. Did you have 100*l.* of him ?—I believe I had 100*l.* in the morning. I am not certain I gave Allan my list of what I had of him, and the men I paid.

17,868. How many did you pay ?—About 20, to the best of my recollection.

17,869. How much per head ?—The sums varied 10*l.*, 15*l.*, 20*l.*, and 25*l.*

17,870. Have you their names there ?—Yes.

17,871. You had about 250*l.* altogether, had not you, during the day ?—About that.

17,872. Now give us the names of those you bribed ? —Some I can remember the amounts I paid, some I cannot. John Hellard, Valetta Place, 20*l.*; Charles Mogridge 15*l.*; William Reece, Barclay Street, 15*l.*; Henry Pearce 20*l.*; Joseph Reeves, a veterinary surgeon, 10*l.*; William Snell, West Street, 25*l.* I cannot recollect the others.

17,873. You recollect the other people's names ?—Yes, not the amounts. James Bate, Barclay Street ; Joseph Bidgood, printer ; Edwin Bigwood, St. John Street; John Clavey, Valetta Place; John Davis, dyer, Polden Street ; Philip Headford, Salmon Lane; William Hex, Pig Cross ; Charles Hobbs, St. John Street ; William Hill, St. John Street; Thomas Mogridge, St. Mary Street ; William King, Valetta Place ; Going Murray, Angel Crescent; Charles Wills, a captain, I do not know where he lives ; William Francis, Valetta Place. That is all I can remember.

17,874. How much did you distribute amongst the whole lot you bribed ?—All I received.

17,875. How much was that ?—I consider it was about 250*l.* ; it might be over, I cannot tell now.

17,876. Amongst those you have mentioned not giving any particular sum to, do you know whether you gave any as much as 25*l.* ?—I do not know ; I cannot tell.

17,877. What was the largest you gave ?—25*l.*

17,878. The smallest ?—10*l.*

17,879. Then you must have had a great deal more than 250*l.* ?—It might be a little over ; I cannot tell, because I think I had 100*l.* from Allan in the morning.

17,880. (*Mr. Price.*) Were several paid twice at that election ?—Some were.

17,881. Not by you ?—No ; they were paid first by one of the other agents, and as they found that more money was given they would not go unless they had more.

17,882. Or perhaps they had 10*l.* or 5*l.* from some one else, and then came and found the price was higher, and got more from you ?—They would not go unless.

17,883. Did you give any of them who had already been paid ?—I did one of them.

17,884. Joseph Reeves is a veterinary surgeon, how much did he get ?—20*l.*

17,885. Did he tell you to give his name in as a person not bribed ?—Yes.

17,886. That he should swear the contrary ?—I saw him going down the street since the Royal Commission has been sitting, and he said, "Do not say you gave me money, because I shall say you did not."

17,887. (*Mr. Coleridge.*) It is just as well that you should tell us now how and where you gave it to him, because there may be corroborative evidence ?—I paid it to him in Allan's own house.

17,888. Who was present ?—I do not think anybody but myself, but I fetched the money especially for him.

17,889. Did you mention to Allan when you fetched it that it was for him ?—I did.

(*Mr. Coleridge.*) Is that so ?

(*Mr. Allan.*) Yes.

17,890. (*To the witness.*) When do you say that Allan promised you 25*l.* ?—During the afternoon of the election.

17,891. Was it before you had been distributing money ?—I am not sure.

17,892. What time had you been distributing money ?—It might be about 3 o'clock.

17,893. Was it before or after 3 that Allan promised you the 25*l.* ?—I am not sure.

17,894. But you are sure that it was the polling day ?—Yes.

17,895. Before the poll closed ?—I believe it was, but I am not sure.

17,896. (*Mr. Price.*) Did he say he would give

EIGHTEENTH DAY.

C. Bulpin.

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you the money if you would allow your name to appear on the list?—He did after the day of the election.

17,897. But on the day of the election he merely said he would give you 25*l.*?—Yes, I believe he said he could get the money for me if I would let my name go on the list.

17,898. That was afterwards?—Yes, and I said I would not do it.

17,899. (*Mr. Coleridge.*) When you asked for 25*l.* from Allan, and he said he would not do it, because you would not let your name go on the list, did he offer you or anybody besides anything?—Some time after that he said I ought to be remunerated, and he would make me a present of one of his own horses.

17,900. (*Mr. Anstey.*) How long after that was it?—I cannot tell; some days after.

(*Mr. Price.*) Was that so?

(*Allan.*) I had a pony that I had no use for, and I did.

(*Mr. Anstey.*) Did that pony represent the difference in value, or not?

(*Allan.*) No, it was worth about 6*l.*

(*Mr. Coleridge.*) But if you had not given him that pony should you have returned him as having received 25*l.* in the list?

(*Allan.*) No, I should not, certainly.

(*Mr. Anstey.*) I understand you to say that you had no use for the animal?

(*Allan.*) I had no use for it.

(*Mr. Anstey.*) It was entirely useless?

(*Allan.*) No, it was a useful pony, but not to me.

17,901. (*Mr. Price, to the witness.*) Is that all you have to tell us?—That is all I know of that election.

17,902. (*Mr. Coleridge.*) Did you promise any other voter whom you had not the money to pay at that election?—No, not that I am aware of; I might have paid money, I cannot tell. This is to the best of my recollection. I gave Allan my list.

(*Mr. Coleridge.*) What sum do you say you gave him, Allan?

(*Allan.*) The sum would be in the account.

(*Mr. Coleridge.*) It is 255*l.*, assuming all the unknown figures to be 10*l.* That is what he accounts for. Assuming that the 14 men to be ten pounders it comes to about 255*l.*?

(*Allan.*) About that.

17,903. (*Mr. Anstey, to the witness.*) Had you anything to do with the system of treating at the last election, or Mr. Vanderbyl's election in 1866?—I might have in Vanderbyl's, but not——

17,904. Do answer the question one way or the other. Do not tell me such nonsense that you might have done; did you?—Not at the last election.

17,905. The former election of Vanderbyl first?—I promised at the last election I would have nothing to do with money matters or treating.

17,906. At the first election of Vanderbyl's, in 1866, had you anything to do with treating?—I might have done so, but nothing I can remember now.

17,907. (*Mr. Price.*) With regard to 1868, did you use any influence to get any of Brown's men to get them to go up and vote?—No.

17,908. (*Mr. Anstey.*) Or any men?—No, none at all.

17,909. We come to the election in 1866 when Bagehot and Patton stood. Had you any money then?—I believe I had 100*l.* then.

17,910. Did you pay Joseph Reeve, the veterinary surgeon, anything for his own vote on that occasion?—Yes.

17,911. How much?—10*l.*

17,912. You say you had 100*l.* from Allan?—That was about it I believe.

17,913. (*Mr. Coleridge.*) Whom did you bribe with it? Was it the day of the election?—No, most of them were paid afterwards.

17,914. (*Mr. Anstey.*) When did you promise the bribes?—On the day of the election.

17,915. Not before?—No.

17,916. You mean the polling day?—Yes, the polling day.

17,917. Who besides Reeves did you pay?—Henry Pearce, 10*l.*; Thomas Mogridge, of St. Mary's Street, 10*l.*; Joseph Bidgood, printer, 10*l.*; William Hill, St. John Street, 10*l.*; John Hellard, Valetta Place, 10*l.*; William Hex, Pig Cross, 10*l.*; William Snell, West Street, 10*l.*; James Champion, St. John Street, 10*l.*; James Bate, Barclay Street, 5*l.*

17,918. Why did he get less than the others?—I believe I got that for him after the election.

17,919. Was that Henry Pearce the same person mentioned by Mr. Hennet this morning as one of the foreman in his employ?—I think not.

17,920. (*Mr. Coleridge.*) Are there any others besides, that you can recollect; you have not accounted for all?—I let James Alway, grocer, of Pig Cross, have 20*l.*

17,921. For himself, or to give away?—To give away.

17,922. (*Mr. Anstey.*) How did you know?—Because I took it to him with that intention.

17,923. Do you know what he did with it?—I forget what he did with it.

17,924. (*Mr. Coleridge.*) Do you know who the voters were?—No, I forget.

17,925. (*Mr. Price.*) Did you get anything for your trouble at that time?—No.

17,926. Were you engaged in treating the voters at the first election in 1866?—I cannot remember; very possibly I may have been, because I was mixed up with it.

17,927. How were you mixed up with it?—By paying them money, and I daresay treating some as well as paying them.

17,928. Did you poll any voters in the employ of Brown & Company?—No.

17,929. Did you never suggest to any of the voters that their masters went Liberal, and they ought to as well?—No.

17,930. Never in your life?—Never in my life.

17,931. Why? What distinction do you draw of corrupt influence of one kind or another?—The reason of my not doing it is that I know very well they would not interfere in any such practices whatever. I mean that Messrs. Brown would not.

17,932. I suppose you were aware, were not you, that in both elections in 1866 they really did interfere?—I do not believe they did.

17,933. And were proved before the committee of the House of Commons to have done so. I suppose you know that at both elections in 1866 their firm, through one of its partners, Mr. Wilton, and one of its clerks, Badger, not only had interfered with the election of 1865, but had been convicted by the committee of the House of Commons for having unduly influenced a vote?—Not to my recollection.

17,934. You did not know it then?—I knew nothing of it.

17,935. Do I understand you to say that if you thought the lawyers would have backed you, and would have interfered, you would have told the voters that in their employment, "Your masters are going to interfere, therefore look out for yourselves"?—I did nothing of the kind.

17,936. Would you have done it if you had thought the masters approved of it?—No. Well, I might have done it then if I thought they approved of it.

17,937. (*Mr. Anstey.*) Now, going to the election of 1865, had you not in the interval between those two elections, and about a month before this election of Bagehot's, when you bribed to this extent, put your name down Charles Bulpin to the famous petition of 80 for inquiry into impure practices?—I had forgotten that I had signed that until you reminded me the other day.

17,938. Now you remember it?—I really do not now.

17,939. Is not your name Charles Bulpin?—Yes.

17,940. Are you not an accountant?—Yes.

17,941. Is not that a common name for bribers in this borough?—Not now it is not.

17,942. Was there any other Charles Bulpin an accountant, not you, in 1866, in this borough?—Not to my recollection.

17,943. Therefore, if that name appears to the petition presented about a month before your wholesale debauching and bribing of these voters in the contest with Bagehot, do you mean to say that your name has been put down by some one else, and not by yourself?—I do not mean to say that. I mean to tell you this, I forget having done it.

17,944. (*Mr. Coleridge.*) Before we go to 1865 tell me this. In Vanderbyl's election, in 1866, did you receive money from no one except Allan?—No.

17,945. Did you in 1866, in Bagehot's election, receive any money from anyone besides Allan?—No.

17,946. At Vanderbyl's election, in 1866, at the end of the day, had you any money over besides what you had paid away?—Not to my recollection.

17,947. But you must know whether you were in or out of pocket at the end of the day?—I had not anything left; I know that.

17,948. Had you spent anything out of your own pocket in addition to what Allan gave you?—I cannot tell now.

17,949. Might not you have spent a sum of money Allan gave you in treating on that day?—I do not remember it.

17,950. As a general rule the treating was paid by bill afterwards, so, probably, you did not. But at the end of the day when you had paid away the money at Bagehot's election, which you say was a day or two after the polling day, had you any money in hand then?—No, not that I am aware of.

17,951. Had you paid every farthing entrusted to you?—Yes.

17,952. And any in addition of your own?—I cannot tell now. Allow me to explain this, that the morning of the election I believe I had 100*l.* from Allan, that was to pay voters 10*l.*

17,953. Is this Vanderbyl's election?—Vanderbyl's election. After that the voters would not go but for higher prices. A day or so after the election I made up my account with him.

17,954. When did you get the money from Allan at Bagehot's election?—Some time afterwards.

17,955. Had you no money on the polling day from Allan?—I really forget.

17,956. Had you money at Bagehot's election on the polling day at all?—I believe I had.

17,957. How much?—I cannot tell.

17,958. Who from?—I must have had it from Allan, whatever I had.

17,959. How much afterwards did you have from Allan?—I do not know; I forget.

17,960. How many times at Bagehot's election had you money from Allan?—I believe twice.

17,961. How much altogether?—About 100*l.* to the best of my recollection.

17,962. Cannot you tell the sums which you had it in?—No, I cannot; but Allan had my account of what I paid.

17,963. Was it in gold or notes?—I believe in gold.

17,964. And that you paid away after the election to people you had promised on the election day?—Yes.

17,965. Did not you pay away any of it on the election day?—I should have paid it all away I believe. It was the election day I let Alway have some.

17,966. But you cannot say whether Vanderbyl or Bagehot's election?—I am not sure. I believe it was Bagehot's. I gave my account to Allan, and he knew well that I accounted to him for all that he had let me have, and there was no dispute about it at that time.

17,967. Have you ever made any claim since the time that you had the conversation about the 25*l.* which Allan, you say, promised you in 1866?—No.

17,968. Have you mentioned it to anybody?—No, not the last election.

17,969. At any time between the second election of 1866 and the last?—I believe I mentioned it to Mr. Lovibond, but I saw in Mr. Barham's evidence that he stated I had mentioned it to him, and as he said so I will not contradict but what I may have done.

17,970. Then you may have mentioned to both Mr. Barham and Mr. Lovibond?—I might have done.

17,971. By way of making a claim for it?—No.

17,972. (*Mr. Coleridge.*) You felt it a grievance not getting it?—Not at all.

17,973. Then why did you mention it?—Because when people promise anything they ought to perform it.

17,974. Then you did feel it a grievance?—Not at all. I only say, if anybody promises anything they ought to perform it.

17,975. Then you did consider it a grievance that you did not get it?—Not on my part.

17,976. (*Mr. Price.*) Why did you mention it to Mr. Lovibond?—I just mentioned that such a thing had taken place.

17,977. What?—That 25*l.* had been offered.

17,978. Then why did you mention it to him if it was not in the way of a grievance, and you had a claim?—Because Bussell and Smith had spoken previously that they had been promised, and I think before the election; but I did not expect anything, and I did not get anything, and in fact I am glad I did not.

17,979. (*Mr. Coleridge.*) Did you do anything in 1865?—Yes.

17,980. What?—Voted for the Liberals; that is all.

17,981. When did you first act for the Liberals?—In 1866.

17,982. How came it about?—Mr. Allan came to me through Mr. Lovibond.

17,983. How came he to think that you were a malleable tool?—I cannot tell; I daresay I was spotted by some one or other to do so.

17,984. Did you vote in 1859?—Yes.

17,985. Did you have any money then?—No.

17,986. Neither for yourself or anybody else?—No.

17,987. How did you vote?—Liberal.

17,988. In 1857?—I think 1859 was the first time I had a vote.

17,989. Did you get any money in 1859?—No, not a penny.

17,990. You were not trusted?—1866 was the first time I had anything to do with it, and then I should not unless I had been sought after.

17,991. Were you in the town on the last election?—Yes.

17,992. On the polling day?—On the polling day.

17,993. Were not you asked to do anything yourself?—No.

17,994. By anybody?—No.

17,995. (*Mr. Anstey.*) Is there any person who calls himself accountant by occupation who has not bribed?—By the same name as myself?

17,996. No, any person who being asked what his occupation is gives for answer "an accountant;" is there a single one on the Liberal side who has not bribed?—No, I cannot tell that.

(*Mr. Coleridge.*) Is the meaning of "accountant" one who accounts to Allan after the election?

17,997. (*Mr. Anstey.*) Or one who does not account?—The meaning of accountant to my name is that I have to account to my employers.

17,998. You are not a public accountant, but only to Brown and Company?—No.

18,999. You are not in a general sense called an accountant, to be employed by anybody on his books?—No.

18,000. (*Mr. Price.*) Then you are a clerk in their employment?—I am.

18,001. Or a traveller?—Traveller now.

18,002. (*Mr. Anstey.*) You are not in the nature of an actuary, or anything of that sort?—No.

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18,003. Nor, I suppose, is any accountant in Bridgwater in that position, but they are all employed by particular persons?—I do not know what the others are.

18,004. Do you know, as a matter of fact, all the others who are in the Liberal interest have been at various times employed as bribe agents?—I do not clearly understand you.

18,005. Have all the accountants like yourself, who are in the Liberal interest in Bridgwater, been to your knowledge at some time or other employed as bribe agents?—I do not know.

18,006. Can you tell whether or not?—I do not know.

18,007. (*Mr. Price.*) I understand you to accept the position which you have been put in by my learned colleague, that accountant meant the same as bribe agent in Bridgwater?—I do not accept it in that way.

18,008. (*Mr. Anstey.*) You said "it does not mean that now;" and I asked whether it did mean it, and I understood you to assent to?—I thought you meant by my signing that petition. If I have signed as an accountant my meaning was that I was in employment as I represent.

18,009. Then you do recollect that you signed it?—No.

18,010. If you do not recollect that you did sign it, how can you recollect the animus that caused you to put the word "accountant" to your name?—Because I could not put any other meaning than that.

18,011. (*Mr. Coleridge.*) Is that the way you always describe yourself?—Yes. I have been in their employment many years, and I have had to work my way up, and I call myself so as I rise in their employment.

18,012. (*Mr. Anstey.*) Have you been a foreman of work?—No.

18,013. Or had anything to do with the employment or dismissal of workmen?—No.

18,014. Or ever had anything to do with reporting men's conduct and behaviour to employers?—Not particularly.

18,015. But generally?—No, I do not know that I have.

18,016. Have you ever been in a position in which your word would have been of service or disservice to a workman in their employ according as you gave it for or against him?—No.

18,017. (*Mr. Price.*) When you were first engaged in this matter, did you express any repugnance against doing it, or did you accede at once to the suggestion?—I forget now what I did in that respect.

18,018. (*Mr. Anstey.*) Did not Honyball speak to you about it?—No.

18,019. Or did you speak to him?—No.

18,020. He was a great bribe agent, was he not, in your time?—Not to my recollection.

18,021. In your recollection he has been in the service of that firm, has he not?—He has been in the service many years. I never consulted with him.

18,022. Did not you consult with him as to the best mode of bribing people?—No.

18,023. (*Mr. Price.*) You cannot give us any reason why he consulted you?—No.

18,024. And you expressed no disinclination to take the office when it was first proposed?—Well, I did not look at it in the light in which it really was at the time. I did not look at it as so much harm at the time.

18,025. You got so indoctrinated with the views of the bribery people here that you thought there was no harm in it?—No. I did not look at it at the time.

18,026. That was the general feeling of people at Bridgwater, that there was no harm in bribery, that it was a perfectly inoffensive thing?—We have not looked upon it so severely as some.

18,027. As not being any offence at all?—Not so much as some.

18,028. (*Mr. Coleridge.*) Not so much as robbing an apple orchard, I suppose?—Not much more.

18,029. (*Mr. Anstey.*) In four weeks you had ceased to be anxious to prevent the recurrence of corrupt practices which prevailed in the above borough at the last election of members to serve in Parliament; is that so, had you, or not?—It appears so.

18,030. (*Mr. Price.*) I suppose that is all you have to tell us?—That is all I have to tell you. If anything more occurs I shall be glad to do it.

J. Alway.

JAMES ALWAY sworn.

18,031. (*Mr. Price.*) Are you a grocer?—I am.

18,032. And you signed this petition of which mention has been made?—I signed a petition in 1866, I think.

18,033. We come first to the election of 1868; had you heard before the election came off anything from Allan and John Smith as to the spending of money?—I had not.

18,034. Not before the election?—Not before the election.

18,035. Did you on the day of the election?—No. I saw them at the "Globe" hotel the day of the election.

18,036. Did you hear anything from either of them about their being prepared to spend money if the Conservatives should?—Not by them.

18,037. Did you make a statement to our secretary?—I did.

18,038. Is it true that before the election you heard from Allan and Smith that they were prepared if the Conservative side spent money to do the same? It is a strange thing that you should make one statement to him——?—I do not believe that I heard them say so; the only thing I heard was that money was at the "Globe" hotel.

18,039. Tell us what you heard at the "Globe?"—As I was passing over the bridge I saw Mr. Henry Lovibond at the yard gates.

18,040. What time of day?—About 11 in the morning, and he asked me if I had been upstairs. I told him I had not. He told me to do so, and to turn to a room on the right. I went up into the assembly room, and turned into a little room on the right, a back room. There I saw Mr. Cook and Mr. Reed, Mr. John Smith, Mr. Allan, and Mr. Bulpin. I believe that is all.

18,041. What were they doing?—Conversing about money matters.

18,042. Who spoke?—Mr. Reed and Mr. Cook went away just as I came in, and had a consultation by themselves or something else. I do not know where they went; they were away some time, and on returning Mr. Reed said it was decided there would be no money spent at all.

18,043. Was anything said before that about money, before they retired and came back?—No.

18,044. They said it was decided no money should be spent?—Yes, that is, they were too far behind the Tories. Henry Bussell was there too, and they seemed rather upset about it. I walked away after that, and went home.

18,045. Do you mean to say you did not hear that day from anybody (Allan, Smith, or anybody earlier in the day that they were prepared) if the Conservatives should spend they would do the same?—No.

18,046. Or anything of the kind during the day?—No.

18,047. Had you heard it before the polling day? Just recollect.—I had not.

18,048. Did you attend a meeting at Mr. Lovibond's?—I did.

18,049. And another at Mr. Smith's?—Yes.

18,050. When they were going through the list of voters?—Yes.

18,051. And arranging for the candidates?—That is what they were doing.

18,052. When?—That was the Sunday evening previous to the election.

18,053. Did you hear anything then as to the reason why they were going through the list then?—I did not, any more than as they were going through the list one man would say, "I will take so-and-so." It seemed to me that one man would know another the others did not know.

18,054. You never heard anything more said about money than what you have told us?—I did not.

18,055. Namely, that Mr. Reed, after retiring from the room, came back and said it was agreed that no money should be spent?—That is all I heard about it.

18,056. On the nomination day it has been said by Mr. Smith you engaged the band?—I did not.

18,057. What is your version of that story?—Mr. Henry Jarman came to me and told me I was to go to Wembdon to see Mr. Robinson. I went, and Mr. Robinson told me about the band. They wished me to go and see a man named Daly, a bandsman, who had been spoken to respecting the band. I went and saw Daly, and was waiting at Henry Bussell's. He had been told that I was coming by some one, and he said he wanted to play for the Liberals in opposition to a man belonging to the same works, Williams, a bandmaster, and he should like to play in opposition to him. I said I should have nothing at all to do with engaging him. "Oh," he says, "I will get a band." I said, "Mr. Robinson told me to come to you and ask "the number of instruments, and what they would "consist of;" and he gave me the number of instruments, and he guaranteed to get a band himself if he did it at his own expense, and it was by going down to see Mr. Robinson at Mr. Smith's on the Sunday evening respecting this band that I was at that meeting, and these men were waiting for me to bring back an answer of the engagement of him. Mr. Smith and Mr. Robinson kept me in tow until early in the morning, and then they laughed at me and said, "They "will not follow you up now, Jim, they have gone to "bed." I went to the man's house up at the railway station, and rapped at his door, and told him, "No "one has engaged you, remember. I have nothing "to do with it at all, and if you allow an instrument "to be blown it will be at your own cost." He said, "Thank you, sir; I now know what to do." Then after that, on the nomination day, Allan and Smith came to my door, and said, "Get the band down." I said, "I have nothing at all to do with it." It is not very likely I should have anything to do with a band. Afterwards Smith told me a man named Press, of Burnham, had engaged it. He is a sailor or pilot, or something of that sort.

18,058. (*Mr. Price.*) What Mr. Smith stated about it that you had engaged it is not correct?—It is not correct.

18,059. Did you hear him make that statement?—I did not. I was not here. I saw it in print.

18,060. You voted yourself on the polling day?—I did.

18,061. When you went into the "Globe" and found all these people there, did not you find that the object of the meeting was to know if there was any money before Mr. Reed declared there would not be any spent?—That was the object, not the slightest doubt of it.

18,062. How long were they away before they came back?—I should think they must have been gone from a quarter of an hour to twenty minutes; some considerable time.

18,063. Did they come back and state that?—Mr. Reed came back and said it was decided there should be nothing spent, there was no money. I left to go home, and afterwards went to town by the express.

18,064. Did you do anything more that day?—Nothing at all.

18,065. (*Mr. Anstey.*) Not the polling day?—Not the polling day.

18,066. Did not you bribe a voter of the name of Vearncombe?—I did not.

18,067. That is untrue then, is it?—It is not true that I bribed him. I did not bribe him.

18,068. (*Mr. Price.*) Did you promise him anything?—I did not see him that day. I will not swear that I did not pass him in the street. I would not swear I did not or I did.

18,069. Do you know the man?—I do perfectly well.

18,070. Do you know he is a man who would take a bribe if he could get one?—I will not say that, because I do not know sufficient of him for that. I know I never offered to give him or gave him any.

18,071. (*Mr. Anstey.*) Were you called before Mr. Justice Blackburn?—I was not.

18,072. Were you down to be called?—I was.

18,073. By whose advice were you not called on that occasion?—I do not know that there was any person's advice whatever. I was at the court waiting.

18,074. Outside the court I suppose?—No, inside here.

18,075. You did not hear the witnesses examined, I suppose?—I did.

18,076. Then there was no intention to call you as a witness?—They never attempted to do so.

18,077. There would be no intention to call you if you were allowed to be in court and heard the witnesses?—I believe everyone heard then the same as now what each other said.

18,078. Did you hear John Vearncombe examined?—I did.

18,079. Did you hear him say he had received 30*s.* from you, put it back on your counter, and that you gave it to him, Vearncombe, again?—I heard him say he put 29*s.* on my counter and authorized me to take it up and give it to him, which I did do—29*s.* of my money.

18,080. (*Mr. Price.*) Explain how it was?—It appears that a man named Harwood was in a public-house and Vearncombe went to have a glass of beer, and he told Vearncombe, more out of joke than anything else, that I had received 10*l.* from the bribery agents on the Liberal side to give to him, and I had only given him 7*l.* Vearncombe knew very well that was untrue. Therefore it appears Vearncombe simply came to my house to carry out this joke, as he calls it.

18,081. Was it part of the joke that he went to swear that before Mr. Justice Blackburn?—It was done to deceive Harwood.

18,082. Who is Harwood?—William Harwood, a master baker and shopkeeper.

18,083. Is he a Conservative?—He is a Conservative; it was a matter of chaff between the two—that is what it was.

18,084. To make Harwood believe that he was being bribed?—It was.

18,085. (*Mr. Anstey.*) At all events you admit this, that in joke circumstances passed between you and Vearncombe which not in joke would have amounted to bribing?—Never to a bribe.

18,086. I thought you said it was done to satisfy Harwood you had a bribe?—Not to satisfy me.

18,087. (*Mr. Price.*) I do not see how he would be satisfied if he asked to have the money back again?—He told me that Harwood was looking through the window, and I took up the money and gave it to him back. If he was looking through the window he could see.

18,088. I do not see how it could be playing off a joke upon anyone. Is that all you have to tell us with regard to the last election?—It is.

18,089. Now the election of Mr. Vanderbyl in 1866, what part did you take in that election; were you employed on the polling day?—Yes.

18,090. In what?—On the polling day I was not engaged at all. I was walking through the street and met a man named Bidgood just below the hall here, and he said, "Mr. Alway, here are two men; they "are good Liberals. they have been to poll; see if you

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"can get something for them." I said, "Who are they?" and he told me.

18,091. What were their names?—James Bowering and Thomas Palmer. I went where I saw Allan, and told him the circumstance, and Allan said, "What "do they want?" and said, "You had better serve "them as you have the rest," and I said, "10*l.*," and he gave me 10*l.* for them.

18,092. What did you do with them?—I took it into Palmer's shop. He is a hairdresser as well as a publican, and I saw a basket in his barber's shop, and I put the money in that basket and left again.

18,093. (*Mr. Price.*) Did Bowering and Palmer see you put it there?—They saw me in the shop.

18,094. Did they see you put the money in?—I do not believe they did.

18,095. Did you say anything to them?—I asked them whose basket that was. Perhaps they might have known what I meant by that.

18,096. But they heard what Bidgood said to you?—No, they did not. Vearncombe saw me in the street, and they were in Palmer's house.

18,097. Afterwards, were you addressed by Culliford?—I was.

18,098. A cabinet-maker?—Yes.

18,099. What did he say?—"Mr. Alway, I have a "man here who will not go to poll without the "money."

18,100. What was the man's name?—Charles Wilkins.

18,101. Did you go and get money for him from Allan?—I did.

18,102. How much?—I got 14*l.* for him.

18,103. Who gave it to you?—I did not give it to him. I put it between—there was some furniture in Culliford's shop, and Culliford saw me put it there, and gave it to the man.

18,104. Did Wilkins afterwards acknowledge he had had it?—Yes.

18,105. How much did he say?—He told me 14*l.* He asked me for 15*l.*, but it was 14*l.*, and as I received it so I gave it.

18,106. But he said he ought to have 15*l.*?—Yes.

18,107. Is that all you did at the election of 1866?—Yes.

18,108. How was it you happened to be employed in this sort of work?—Being acquainted with Allan.

18,109. You knew that Allan was a bribe agent?—No.

18,110. You must have known, because you went straight to him for the money?—I never knew he was any more than any other man, only that election. I did not know it then until I went to ask him.

18,111. Directly Bidgood asked you, why did you go straight to Allan's?—Because I had been told by some gentlemen before if any voters were looking out to bring them there.

18,112. In 1866, when Mr. Bagehot stood, did you have any money at that time?—I did.

18,113. How much?—I believe it was 70*l.* altogether.

18,114. Who from?—I gave 10*l.* to a man named Charles Scott.

18,115. Whom did you have it from?—From Allan and from Smith.

18,116. Then that is the reason you went to Allan in 1866?—Yes; but that money was given to me in Smith's house. I did not know whether it was his or Smith's.

18,117. (*Mr. Coleridge.*) You did not know which it came from?—One of the two; they were both together.

18,118. (*Mr. Price.*) How much did you get?—I believe it was 20*l.* from Allan and Smith, and Ambrose Dyer gave me 10*l.*

18,119. Who did you give the 30*l.* to?—Charles Scott 10*l.*, George Webber 15*l.*, and 5*l.* I spent in treating, and one thing and another.

18,120. Are you sure you gave Webber 15*l.*?—I am; it was given to him twice. I gave him 10*l.* first.

18,121. Have you always been equally sure that you gave him 10*l.*?—I am.

18,122. Did he never say you had only given him 10*l.*?—He did the first time, and he would not go to poll unless he had the rest.

18,123. Your statement is you had 20*l.* from Allan?—Yes.

18,124. And now you say you had 30*l.* The statement I have here, that which you made to our secretary, is that you had 20*l.* from Allan, and gave 10*l.* to Webber and 10*l.* to Scott; now you say you had 30*l.*?—No, 10*l.* Dyer gave me, which made 30*l.* altogether.

18,125. Are you quite sure that you gave 15*l.* to Webber?—I am.

18,126. That would be 15*l.* to Webber and 10*l.* to Scott?—Yes, 25*l.* out of the 30*l.* I did not give Scott the money; he owed me an account, and I gave him credit for the account, and he gave me a receipt for the money.

18,127. You paid yourself with the bribe money?—Yes. I should not have had anything otherwise.

18,128. You paid yourself out of Mr. Bagehot's money?—I did.

18,129. Do you call that honourable and straightforward?—I did it because he told me to do so.

18,130. Who, Mr. Bagehot?—No, Mr. Scott.

18,131. (*Mr. Coleridge.*) You had a pecuniary interest in getting this money for him?—Yes; because I never should have got it else. He owes me about 6*l.* odd now.

18,132. That transaction puts you in the double category of briber and bribee?—Well, he said I could pay myself with it.

18,133. (*Mr. Price.*) That gave you a direct interest in the money spent in bribing?—No, not a direct interest, because it was owing by the man before.

18,134. Did you go straight in and offer him 10*l.*, knowing that he owed you money?—No, I went in and asked him who he would poll for; he said he was always a Liberal, and I said if there was anything going I would try and get it for him.

18,135. You went to canvass his vote?—Yes.

18,136. You told him you would get him some money?—I told him I would endeavour to do so.

18,137. And then he said if you do so you may put it to my account?—He did.

18,138. Therefore you had a direct interest in money spent in bribing?—I do not know whether he had a direct interest or not. He received two fifteens from another man afterwards.

18,139. You knew you would never get your account from Charles Scott in any way?—I do not believe it was possible. It was money I spent out of my pocket for him.

18,140. Then you had a direct interest in getting the candidate to spend money?—I did not think it was.

18,141. What do you think of it now; do you think it was a creditable transaction? Would you do it again to-morrow?—No.

18,142. Why would not you?—Because I would have nothing more to do with bribery in any shape or form.

18,143. Why, because you think it discreditable, or for fear of a prosecution from the Attorney-General?—No; I thought it discreditable before this last election, and expressed a desire to have nothing more to do with it.

18,144. (*Mr. Coleridge.*) But they would not let you?—Oh, yes, they would, there is not the slightest doubt if I had wished.

18,145. (*Mr. Price.*) Having done this at Mr. Bagehot's election, it did not strike you as being discreditable when Mr. Vanderbyl came to bribe again. Had you any bad debts at Mr. Vanderbyl's election which you paid yourself out of Mr. Vanderbyl's money with?—I did not pay myself with any. I did not keep any money at that time for any debts. Scott

owed me money at Vanderbyl's election too. I did not go and look for him then. He owes me money now.

18,146. Did you tell several voters if anything was going they would be sure to have it?—No, I did not.

18,147. Did several voters, whose names you cannot recollect, come to you afterwards, and did you tell them if anything was going they would be sure to have it?—Four men came up afterwards—10 o clock.

18,148. Did you tell them?—I told them I did not believe there was any money going.

18,149. (*Mr. Coleridge.*) Did you tell them if there was any money going you would get it for them?—I did not tell them I would get it for them.

18,150. (*Mr. Price.*) Did you say, "If there is "anything going you will be sure to have it?"—I did not promise.

18,151. Did you?—I did.

18,152. Did Dyment come to you and tell you not to promise anything, for you would have to pay it yourself?—He did.

18,153. Because your side had put the drag on?—Yes, that is correct.

18,154. And the others were not spending a penny?—Yes, that is correct.

18,155. You did not spend any money out of your own pocket?—No, I did not; not any. When I say not any, perhaps a pound. I know I was out of pocket.

18,156. Did Bulpin come to you and bring you some packets?—He did.

18,157. And tell you to get what men you could, because you were losing?—Yes.

18,158. Did you go and see anybody?—I went and saw if I could see anybody, and could not find any.

18,159. Did you see Mr. Evans?—I saw Mr. Evans.

18,160. Who is Mr. Evans?—A gentleman I believe, and formerly a shopkeeper.

18,161. Did you offer him a bribe?—No.

18,162. Did you ask him to go and vote?—I did.

18,163. Did you say anything about getting anything for it?—No, nothing at all.

18,164. Nothing whatever?—Nothing whatever. I should be sorry to offer a man like that any money.

18,165. Did Charles Hyden go with you?—He did.

18,166. Did you find anybody you could dispose of this money to?—No.

18,167. No one at all?—No one at all.

18,168. Did you make any claim to have anything yourself for what you had done at Bagehot's election?—I did send in a bill.

18,169. How much did you claim?—15*l.*; not Bagehot's election; none at all.

18,170. (*Mr. Coleridge.*) Which?—Mr. Vanderbyl's.

18,171. Was that for your services?—It was. I did not get anything, but I was recommended to send in my bill by Mr. Haviland the attorney.

18,172. Did you consult Mr. Haviland, the attorney, as to your bribery practices?—No, never in my life.

18,173. How came he to advise you then?—I was asking him about my expenses running about.

18,174. (*Mr. Price.*) What were your expenses, except shoe leather?—There was my treating and one thing and another.

18,175. How much for treating?—1*l.* is not long going with a band and men about.

18,176. Is this your claim: Philip Vanderbyl to James Alway; to services rendered during the above election, including expenses paid out of pocket, 15*l.* 15*s.* 0*d.*?—It is.

18,177. What expenses do you say you were out of pocket, how many pounds?—I cannot say how many; I never kept account.

18,178. (*Mr. Coleridge.*) I trust you never got paid that amount?—No, nor expected it if I sent it.

18,179. Then why did you send it?—Because Mr. Haviland recommended me.

18,180. (*Mr. Price.*) To send that to Mr. Vanderbyl?—No, but to the agent. I believe I sent it to——

18,181. Mr. Lovibond?—I do not know.

18,182. Did you tell them you had already paid yourself a debt of Scott's?—No.

18,183. Did Allan tell you that as Mr. Bagehot's election was lost you must not expect anything?—He did.

18,184. Did you expect anything?—No.

18,185. How came Allan to say it?—Before that he said he would see I was not anything out of pocket.

18,186. How much did you claim then?—Not anything.

18,187. How much did you intend to claim?—I should have left it entirely to Mr. Allan.

18,188. If Mr. Bagehot had won, how much should you have claimed?—I should not have claimed anything at all.

18,189. Would you have sent in a claim for 15 guineas then?—No. I should have had no idea of sending in a bill.

18,190. Do you say if Allan had not said that to you, you should have expected something?—Well, it was Allan told me before of it; he put it in my mouth. If he had not told me I should not have expected anything at all.

18,191. (*Mr. Coleridge.*) Then Allan made you do it at one time, and Mr. Haviland another. Anybody else?—No, that is all.

18,192. (*Mr. Price.*) Did you say you had sent that bill in? Did you never ask for it except when you sent in that bill by Mr. Haviland's advice?—No, I did not.

18,193. Do you mean to say that you never asked Mr. Allan what you were to have for your trouble?—No.

18,194. Never?—Never.

18,195. And Mr. Allan replied the thing was not settled?—Was that Mr. Vanderbyl's election?

18,196. Yes?—Yes, I did ask him.

18,197. Why did you?—Because he promised me.

18,198. Did you ask Allan what you were to have for your trouble in Mr. Vanderbyl's time?—Yes.

18,199. Before Mr. Haviland said anything to you?—Yes.

18,200. Did he reply the thing was settled?—He did.

18,201. Did you ask for it several times?—I believe twice.

18,202. Did Allan say, "If you take it for your "vote you shall have it in five minutes?"—He did.

18,203. Had you voted then?—This was six weeks after.

18,204. Did you then indignantly decline to take that?—I did.

18,205. In that form?—I did.

18,206. And you thought it was a great difference whether it was taken for services or for a vote?—I did think it a great difference, and do now.

18,207. Did you ever get anything?—I never did in my life, not a penny.

18,208. (*Mr. Price.*) Now, with regard to a man named Webber at Bagehot's election, did you give give him 10*l.*?—I did.

18,209. Did you give him another 5*l.*?—I did.

18,210. Did he say he would not vote without another 5*l.*?—He did.

18,211. Had you got that money from Ambrose Dyer?—10*l.* from Ambrose Dyer, and 20*l.* from Allan, down at Mr. Smith's house.

18,212. What was Webber's christian name?—George.

18,213. (*Mr. Coleridge.*) Whom did you bribe at Bagehot's election?—James Bowring, 10*l.*, and Thomas Palmer, 10*l.* They had both been to me before, and I fetched the 14*l.* for Wilkins. I fetched it for Culliford for Wilkins.

18,214. Is that all you did?—All in my life.

18,215. Did you give him the whole 14*l.*?—I did.

18,216. That was at Mr. Vanderbyl's election?—Yes.

18,217. You have told us that you bribed Webber

EIGHTEENTH DAY.

J. Alway.

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at Bagehot's election ?—Yes, I did, not at Vanderbyl's ; those two elections.

18,218. You said they were all you had done in the world ?—Yes, two elections.

18,219. (*Mr. Coleridge.*) Webber and Scott were at Bagehot's election ?—Yes.

18,220. Is that all you did ?—All in my life.

18,221. Is that all you had from Allan ?—It is all I ever had from Allan.

18,222. (*Mr. Price.*) Are you quite sure about that, that you gave the money ? Are you quite sure you paid Scott at Bagehot's election ?—Yes.

18,223. Was it at Bagehot's election you paid yourself out of Mr. Bagehot's money ? I thought it was Vanderbyl's ?—No, Bagehot's.

18,224. Did you spend any money besides in bribing ?—No.

18,225. No other money ?—No other money at all.

18,226. Now, do not answer me in too great a hurry. Did you spend any other money that you got in bribing ?—I spent 5*l.* that I got in treating, running about, and one thing and another.

18,227. How do you mean, running about, throwing the money about ?—No, I met with the bandsman and people carrying flags and colours.

18,228. (*Mr. Coleridge.*) How much did you pocket out of it ?—I do not believe I pocketed a penny.

18,229. Do you mean that you spent every pound of it ?—Yes.

18,230. (*Mr. Price.*) How much do you consider you spent in treating ?—I consider 5*l.*

18,231. That is what you received from Ambrose Dyer ?—Yes, it was. People were treating in all directions. I recollect standing four glasses of brandy and water at one place, down at Mr. Bussell's.

18,232. Did you not have it put down to the candidate ?—No, I did not. I never had a penny put down to the candidate in my life.

18,233. (*Mr. Price.*) But the houses were all open for treating at Bagehot's election, were they not ?—I do not think they were.

18,234. Were there plenty of houses opened for treating at Bagehot's election ?—I do not know whether for treating ; I saw a great many open and people going in and out. I did not myself.

18,235. Did you say there were plenty of open houses for treating at Bagehot's election ?—There were a lot of houses open.

18,236. What occasion was there then, if there were plenty of open houses where publicans gave drink away on spec ?—That was the last election ; I believe they were on spec.

18,237. Some houses give it on spec, do they not ?—I do not know.

18,238. And it is put down to the candidate at other houses, is it not ?—I do not know ; I presume it is. I do not remember being at a house where it was put down to the candidate.

18,239. What house did you spend it at ?—Different houses. At the "Commercial Inn" I spent a sovereign.

18,240. What name ?—Phelps. The band was in the street, and there were colours.

18,241. (*Mr. Coleridge.*) Did you buy the colours ?—I did not. It was Mr. Smith who provided the colours.

18,242. Then what was it ?—There were 40 men, I suppose. I went round with them playing.

18,243. You did not throw the money about the streets ?—No ; but 5*l.* would not go far.

18,244. (*Mr. Price.*) Do you mean to say that you spent 5*l.* in treating ?—Yes.

18,245. Give us the houses ?—I cannot ; it was spent in the streets. Gallons of beer given to the people all round, parties who were following.

18,246. Do you mean to say you put nothing in your own pocket ?—I did not.

18,247. You, a man who paid a debt of your own out of the candidate's money and made a claim for other occasions, did not put a farthing in your own pocket. Is that what you mean to say now ?—I did not.

18,248. Not a farthing ?—Not a penny, or a penny's worth.

18,249. Do you know anything of the election of 1865, Shelley's ?—No. I know that I voted for Shelley.

18,250. (*Mr. Coleridge.*) Had you nothing to do with money ?—No.

18,251. Nor treating ?—No.

18,252. Nor colours ?—No.

18,253. Did you vote at the election of 1859, when Kinglake and Tynte were returned, and Patten and Westropp stood ?—I did vote.

18,254. Had you anything to do with treating ?—No.

18,255. Band ?—No.

18,256. Or colours ?—No.

18,257. Then how came you to be first entrusted with money ?—Because Allen asked me how much I would have.

18,258. How came he to ask you ?—I do not know; we were at Mr. Smith's together.

18,259. (*Mr. Price.*) What were your antecedents, that he should think you a suitable instrument ?—I have known him since I have been in this town. We were neighbours together, and he was partly in my line of business.

18,260. What business ? — Tea dealer, and china, Allan is.

18,261. He had what he calls a Scotch business ?—Yes ; but he was next door to me.

18,262. (*Mr. Coleridge.*) Did not he say he would see that you did not lose anything ?—No ; he told me I should not work for nothing if we won the next election.

18,263. That is how you came to have the 15*l.* claim ?—It was.

18,264. (*Mr. Anstey.*) Is that your first election ?—1857 was my first election.

18,265. Do you know anything about that ?—I voted for Kinglake and Follett.

18,266. Had you anything to do with money ?—No.

18,267. (*Mr. Coleridge.*) How came you to vote one and one ?—Because I had commenced business, and some of my customers are Liberals, and some Tories.

18,268. You are not like Mr. Smith, who did not gain anything but lost. You got that bad debt ?—It was a bad debt saved, or a portion of it.

18,269. (*Mr. Anstey.*) In 1857 there were two Liberal candidates, were there not ?—Yes.

18,270. Why not vote for them ?—Because I voted to oblige my customers ; one portion of them Conservatives, good customers, and the other portion of them Liberals. I had just commenced business, and thought that would oblige the two.

18,271. (*Mr. Price.*) To see which way the wind blew ?—Yes.

18,272. Which side were the best customers you would stick to ?—No, not like that ; I was always a Liberal, and my father before me.

18,273. (*Mr. Anstey.*) Was that your commencement of electoral life ?—Yes.

18,274. (*Mr. Coleridge.*) Then your voting for Follett was a backsliding ?—Yes.

18,275. (*Mr. Price.*) You know others like you are said to have kept money for themselves ?—Yes. I have heard them say that they had 300*l.* at the last election.

18,276. You know best whether you did or not ?—I never saw the colour of a penny.

18,277. (*Mr. Coleridge.*) Or a promise ?—Or a promise.

18,278. (*Mr. Price.*) You know best. If it should turn out before us that you had it will be an awkward predicament for you to be in ?—I give you every information in my power.

18,279. If you have done it and have kept it back

from us, and it should appear hereafter, the fact of your being examined will not protect you in any way. Therefore do not come to-morrow morning and say, after your conscience has pricked you, something you do not remember to-day ?—My conscience will not prick me for anything I do.

CHARLES BADGER sworn.

18,280. (*Mr. Price.*) What are you?—Clerk at Brown and Co.'s.

18,281. Are you a voter for Bridgwater ?—Yes.

18,282. Did you vote at the last election ?—I did.

18,283. Besides voting, did you take any active part in the election ?—Not in the way of bribing. I did not take any active part until late in the afternoon, in trying to get men to vote.

18,284. What was the active part you took then ?—Simply seeing men and asking them to go to vote.

18,285. Did you promise them any money ?—No, I did not.

18,286. Whom did you go and see ?—I do not know that I went to anyone.

18,287. Did you see any of Mr. Brown's men ?—I remember seeing one whom I could not get to vote.

18,288. Why not ?—Because he would not go.

18,289. Did he say he wanted money ?—He did not say so ; I understood he did. He said he would not vote.

18,290. Did he vote on the other side ?—I do not know. I think he went.

18,291. What is his name ?—Stuckey.

18,292. What is his christian name ?—I think it is William.

18,293. Now, were you employed by Allan in any way ?—I was not.

18,294. You say you had nothing whatever to do ?—No.

18,295. In any way ? — No, not in the way of bribing.

18,296. Beyond what you have told us ?—No.

18,297. Had you any money entrusted to you ?—No.

18,298. Were you asked to see people and tell them they would have money ?—No, I went voluntarily.

18,299. To whom ? — I spoke to a good many during the day ; I cannot say to whom.

18,300. Did you promise them money ?—I did not.

18,301. What did you say to James Hayward ?—I simply asked him to vote. He said he would not unless his expenses were paid. He came from Swansea or Newport, I don't know which. I told him I could not get his expenses, and he would have to go without it.

18,302. Was that all that took place ?—Yes.

18,303. Did you ever promise him anything ?—No.

18,304. At that time or any other ?—No.

18,305. Did you say you would try and get him some ?—I did not.

18,306. Were you in communication with Allan at all that day ?—No, I did not see Allan all the day. I saw Bussell. I do not know that I spoke to Bussell about the election.

18,307. Are you sure that you did not ?—I cannot say I did not. Of course running about in the excitement all day I might have spoken to him.

18,308. (*Mr. Anstey.*) Did not you meet James Hayward on the road or bridge that day ?—I met him by the gaol somewhere.

18,309. You saw him ; was it on the road ?—I suppose it was on the road somewhere.

18,310. Did you walk along the road with him ?—I did.

18,311. Did you promise him that if he would vote for your side he should have his expenses ?—I did not.

18,312. Then did he say to you, "Damn your "expenses, I could always pay my own. Could I "not, Harry ?"—He did not.

18,313. You deny the whole of it ?—I do.

18,314. Did you see Hobbs when you were walking with Hayward ?—I did not see Hobbs, but I suppose he was there, from the evidence he gave at the Commission.

18,315. James Hayward, I think, was examined before the Judge ?—He was.

18,316. Do you remember what he said before the Judge ?—I do.

18,317. Did he tell the truth ?—He did not, because he said he had not spoken to me. I know he had spoken to me.

18,318. When you spoke to Hayward, did you ask him for his vote ?—I did.

18,319. Did you then know that he had not only promised to vote for Westropp, but had received a promise of his expenses if he came over from Cardiff, I think it was ?—I did not.

18,320. Eh ?—I did not.

18,321. You know it now, of course ?—I know it now.

18,322. Very well. What did he say to you when you asked him for his vote ?—He said he would not go unless I paid his expenses.

18,323. What else ? What did you say to that ?—I told him I could not pay his expenses.

18,324. What else ?—I told him he would have to go to vote without it.

18,325. Did you tell him where he could get his expenses ?—No.

18,326. Did you say no doubt they would pay his expenses ?—I did not. I told him plainly he would not get it.

18,327. You had canvassed other people at that election, before the day and on the day ?—I had asked some people to go to vote during the day, late in the afternoon.

18,328. I daresay you had no scruple in asking the people in your master's employment to go to vote ?—Most decidedly I should not.

18,329. You would have no objection to it ?—I should have no objection to ask them to go to vote.

18,330. And would you have any objection to tell Hayward that if he applied he would get his expenses ?—I did not tell him so.

18,331. But would you have had any objection to say so ? Is there anything in your mind which would prevent your saying so ?—Simply that I could not pay it, and did not know where he could get it.

18,332. That was all ?—That was all.

18,333. There are two against you, both Henry Hobbs and James Hayward. What would you say then ?—I say the same as I say now. Bussell has said himself that he paid Hayward.

18,334. That has nothing to do with it. It is not that you really bribed Hayward actually, but that you tried to bribe Hayward, and that Bussell was more successful. That is the statement against you ?—I did not. I told him I would not give it.

18,335. You are aware that he was proved guilty of bribery before Mr. Justice Blackburn ?—Yes.

18,336. And by Bussell ?—I did not know it till then.

18,337. What hour of the day was it you saw him ?—It was after dinner. I could not say what hour.

18,338. You knew he had voted on previous occasions for the Conservatives ?—I did not. I always thought he was a Liberal.

18,339. On this occasion he voted for the Liberals ?—Yes, I believe he did.

18,340. Did you hear him say, "Damn your expenses ; I can always pay my own ?"—I did not.

18,341. What did he say ?—I do not know. I cannot undertake to recall all the words.

18,342. Why did he leave you ?—I believe Bussell was coming down the street, and that he left me to go to Bussell. There were several of them there, all of whom I knew.

17,343. Did you say "hush" to him, and tell him not to speak too loud ?—I did not.

EIGHTEENTH DAY.

C. Badger.

13 Sept. 1869.

18,344. Did anybody in your presence say "hush?"—I do not know.

18,345. You did not hear it?—I do not remember it.

18,346. This conversation took you right up to the gaol, just opposite the gaol?—It did.

18,347. Very well. When you were just opposite the gaol you met with Bussell?—Yes, I think so. Bussell was coming down Fore Street.

18,348. At that moment was Hobbs along with you and Hayward?—I did not see Hobbs.

18,349. Did you or Bussell say to Hayward, "Here, come here, Hayward, I want you?—I think Bussell held up his finger. That was enough for Hayward, he went off at once.

18,350. Very well, then he left you. Now, perhaps, you can tell me with reference to another point, that of undue influence; why has one of the Conservative voters in your master's employment—why has he left the employment since the election?—I cannot tell. I do not know that any Conservative has left us.

18,351. Wilton has told us that there were some half dozen?—Evans I believe has left. I had nothing to do with him. I suppose he left for some quarrel with the foreman. He voted for the Conservatives, I believe, because he was paid for it.

18,352. You cannot say that he was not dismissed on account of his having voted for the Conservatives?—I had nothing to do with his dismissal.

18,353. Who was the foreman with whom he quarrelled?—I do not know that he had a quarrel; I suppose he had. The foreman takes them on or discharges them at the several yards.

18,354. And you are not the foreman?—No, I was not.

18,355. You had nothing to do with recommending the employment or dismissal of men?—Nothing whatever.

18,356. Who was the foreman? There are a great number of foremen?—Four or five.

18,357. William Dite, I think. That was a man who left. He has a cross to his name?—I do not know him.

18,358. Has he left?—I do not know him.

18,359. Joseph Letherby, do you know him; has he left?—I do not know him, but I believe he has left through a quarrel with the foreman.

18,360. Tell me the name of the foreman?—Samuel Manchip.

18,361. I believe there are some negociations going on for restoring him to the service?—I cannot say; it has nothing to do with me.

18,362. Are you the son of Mrs. Badger who was examined before the election committee in 1866?—I am.

18,363. (*Mr. Price.*) Is there anything you wish to say now?—I may say I saw Hayward a day or two before the Commission sat, and he asked me if I was subpœnaed. I said I was. He said, "In all "probability you will be examined on my case. I "shall tell the truth as I did last time." I did not make any reply because I knew he had not told the truth, and I heard the following day that he had been to make a statement to your secretary. That is all I know.

18,364. Is there anything else you wish to say?—No.

18,365. If there is you had better say it now, because it will come no doubt now to a conflict of testimony between you and Hayward in all probability?—I cannot help that. I have told you all that I have done with Hayward. I never promised him anything.

18,366. What is the christian name of Manchip?—Samuel.

18,367. Now, was there anything in the connexion between you and Hayward to give you a right to try and influence him in his vote?—Nothing whatever. I had no influence over him; I had never seen the man scarcely.

18,368. Did you point out Bussell to him?—I did not. He saw Bussell before I did.

18,369. You are quite sure?—Oh, I am certain of that.

18,370. (*Mr. Anstey.*) Where does this man live? What is Manchip's address?—He lives at Dunwear.

W. Dyment.

WILLIAM DYMENT sworn.

18,371. Are you a clerk to Thompson and Collins, cheese factors, Bridgwater?—I am.

18,372. Have you been employed by Mr. Lovibond for some years to attend to the registration of this borough?—I have attended to the registration voluntarily, not as employment.

18,373. Not employed?—No.

18,374. (*Mr. Anstey.*) You say voluntarily; are you paid for it?—No, I am not.

18,375. (*Mr. Price.*) Have you been asked by Mr. Lovibond?—More particularly at the last election. There was some meeting called.

18,376. This is about the registration?—Previous to the registration. There was a meeting called, and the town was divided into districts, and I was asked to take one of the districts, in order to get the information as to the claims and objections to the names.

18,377. Were you appointed one of the executive committee to establish the Liberal Working Men's Association in October last?—I was.

18,378. Who asked you to take that office?—Well, I can scarcely reply. I had been on a journey, and I came home, and I found a meeting announced in this hall for a Saturday evening; and during that day I think it was Mr. Thomas Hill told me that my name had been suggested by Mr. Lovibond, in conjunction with him and Mr. Bowden, to form an initiatory committee, who were to form an association. I made objection to it, and went behind that screen and told Mr. Lovibond that my time was so much taken up that I could not take part in anything of the sort. He overruled the objection and said I must give the best assistance I could; and I came down here and——

18,379. Did you act on that committee?—I did.

18,380. Did Mr. Lovibond ask you to make out lists a week before the election, so that he might know the doubtful voters?—Yes; he came to my house and asked for an interview, and we went into a room together, and he was rather guarded in his conversation, but he said that the town was divided, as I knew, and that he wanted some one in each ward to take charge of the lists, and to ascertain how many doubtful voters there were, and make out lists for those who would know the men and converse with them, and get the information; and I asked him who was to do this in the other wards.

18,381. When he told you "doubtful voters," what did you understand by doubtful?—I hope I did him no wrong, but I understood it was men that would have to be bribed if they voted. I asked him who was to do it in the other wards, and he told me in the north ward it would be very likely entrusted to Charles Bulpin, and in the east ward no one had yet undertaken it, but the probabilities were that Mr. John Smith would be asked to do it.

18,382. Did you know at that time that Bulpin had been employed as a bribe agent?—I did.

18,383. And Smith also?—I did.

18,384. And in consequence of that did you decline to do the work that was asked of you?—I did not positively decline then. I said to Mr. Lovibond, "Well, I don't like this, and you must be careful. I "must not be implicated, for I have taken such an "active part in the formation of this Liberal Associa- "tion, and have been so closely in communication "with yourself, that if I am caught in any illegal act "it is my impression, although I am not a legal man, "it would be taken as constructive agency." He said, "I do not wish you to do anything that is illegal." I

then consented to make out these lists, and after he was gone—I had been working hard before, and was rather poorly, and perhaps that caused nervousness; about two days afterwards I went to Mr. Lovibond and said I could not have anything more to do with it.

18,385. On the polling day did you see Mr. Lovibond and tell him that the other party were polling their doubtful voters?—I did. Before that I saw him, and I asked him had he made any other arrangements. That was about 11 o'clock.

18,386. Did you understand from him that the Tories were going to fight purely?—I did, about 9 o'clock on the polling day. He had received some information from Robert Bussell and other sources; I do not know where. He said he believed they were going to fight without money, and that was then apparent by the slack way in which they were polling. About 11 o'clock, however, I met him in the High Street, and I said, "They are now polling their doubtful votes," and he said they were.

18,387. Did you ask him about his intentions?—I did. He said, "We mean to win the election." I said, "It is time something should be done."

18,388. What did you mean by that?—That money should be spent; but there was great vacillation through it all. You could not say "Yes" or "No" to anybody.

18,389. What did he say?—He said he would see about it. About 12 o'clock I saw him again, and said, "This is a queer way of going on; you can't answer the men when they come to you." He told me to go to the "Globe."

18,390. And that you would hear something there?—Yes.

18,391. Did you see Bulpin, Allan, and Smith there?—I did. I went into a room and saw some of the solicitors there, and apparently they were undecided as to what course to take.

18,392. Did you see Mr. Lovibond afterwards, and say there was a majority, and the election would not be won?—I did.

18,393. And begged him to do something?—I did.

18,394. Did you tell him to spend money?—I said, "For goodness sake do something."

18,395. He was not spending money at that time?—No; but no positive good could be done without. The men were hanging back in consequence. I said for every four left unpolled, three of them the Tories would not dare to meddle with.

18,396. (*Mr. Coleridge.*) Would not attempt to bribe them?—For fear of their being found out. They would give up the money, and tell them that they were in favour of the Liberals.

18,397. (*Mr. Price.*) At 3 o'clock did you hear that men were being got together?—I did.

18,398. And you knew money was going?—I did not go near the place, but I thought so.

18,399. Did you see a man named French, the landlord of the "Rose and Crown"?—I did. There was a committee room at his house. I was in that the greater part of that day. I was engaged in the ward giving information as to who the men were to poll; and about 3 o'clock, when they were running neck and neck, I thought I would ask French to poll. I went down, and I saw him at the front door talking to a gentleman who was urging him to go and poll, and I joined in the conversation and asked him to poll.

18,400. Did he ask if anything was going?—After that gentleman had left.

18,401. Did you say, "I think there is"?—I said, "Judging from how things are going I think there is."

18,402. Did you go to the "Globe" and see Mr. Cook, the solicitor, about it?—I did.

18,403. Did he tell you to make the best terms you could with French?—He did.

18,404. Did he ask you whether the man would go on your promise?—He did.

18,405. Did you say "Yes"?—I was going off, and I stepped back and I said, "Promise him how much"? and Mr. Cook said, "Promise him 10*l.*"

18,406. Did you go afterwards and see French?—I did.

18,407. Did he say he would not take a promise, but he would have the money?—Yes.

18,408. Did he say why?—Because, he said, as times then were he would have the money first.

18,409. Did he say he would not take a promise, because on former occasions he had been promised and had not got his money?—He did not.

18,410. Nor that the agents sometimes stuck to it?—He did not.

18,411. However he would not take your promise?—He would not.

18,412. Did you send your wife for the money?—At the moment I was talking to him on the pavement my wife came in towards my house from the Taunton road with the two children after a walk, and an unfortunate thing it was for me. The thought struck me——

18,413. Never mind your thought. Let us come to your actions. The thoughts do not matter. Did you send your wife for 10*l.* of your own?—I did.

18,414. And pay it to French?—I did.

18,415. Did you speak to Mr. Cook about it afterwards?—About three or four days afterwards I attempted to begin a conversation about it, and he said, "I cannot hear anything about it." I understood what that meant.

18,416. Do you look for your money?—Yes.

18,417. From whom?—From Mr. Cook.

18,418. Would you put him in the County Court for it?—No.

18,419. Was that all you did in the way of bribing that day?—That was all.

18,420. I want to know if you had such a horror of being on the executive committee when you were asked. How was it that you persuaded your wife afterwards to go and get 10*l.* to bribe French?—It was a mad act, but it is a fact. One thing is that my name would be sure to go forth if I was on the committee, and my employers would know it. It was not a matter of purity, I admit, on my part.

18,421. Your employers are Thompson & Co.?—Yes.

18,422. Did they know of this?—Not till Mr. Cook gave his evidence.

18,423. Have they reprehended you or reproved you?—They have not actually done that. They have expressed their sorrow and regret; that is all.

18,424. Are they of the Liberal party?—They are.

18,425. Is that all you have to tell us with regard to the part you took in 1868?—Yes, that is all. I had a great deal to do with the Liberal Association, but there were no illegal acts connected with it. I was at many meetings.

18,426. When you attended to the registration have you ever done anything in the way of paying the rates of people?—Never heard of such a thing.

18,427. Was no such thing done?—No such thing done as I am aware. Mr. Barham in his evidence spoke of some lists that I had prepared. You will allow me to explain that they were not prepared with any intention of being used for bribery purposes. When this association was formed I became an active member of the committee, and the thought entered my mind (it was entirely my own idea) that it would be a good plan to get the members together, as it was a new constituency, and get lists prepared for all the polling districts, and go through the lists, so that some one present might give us information as to how the men were likely to go. I made lists and called different meetings in the different wards of some 60 or 70 belonging to the ward, and no name came up but what some man present knew something about them, and from that information the lists were made. In that interview that I had with Mr. Lovibond I presented him with a paper with a summary of the totals that were given, and I said to him, "If this is put "honestly before Mr. Westropp and Mr. Gray, this "return which is not made from a canvass, it is not "at all likely that they will attempt to use illegal

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"means or money on their side against such a man "as Mr. Vanderbyl."

18,428. Why not?—Because I had heard and knew that Mr. Vanderbyl had spent a great deal of money before; and this list gave us a majority of 120, and if the same means were used on both sides I could not see any chance for the others.

18,429. You thought Vanderbyl would out-trump Westropp and Gray?—Yes.

18,430. He had the longest purse?—I thought so.

18,431. (*Mr. Anstey.*) This association of which you spoke, Mr. Jones, did it hold its meetings at five public-houses? I will give you the names. The "Globe," the "Mansion House," the "New Inn," the "Rose and Crown," the "Masons' Arms"?—It did at those five houses.

18,432. We have it in evidence that those are amongst the public-houses which were opened for treating at the last election. Do you agree with that or not?—Some of them were.

18,433. How many of these five; all of them, were they not?—No. At the house which I was in, the "Rose and Crown," I do not think there was a drop of beer drawn for the election. The only treating there, was done by myself. I ordered a bottle of sherry and some biscuits for the clerks.

18,434. You did treat?—Yes, the clerks.

18,435. No matter whom. You did treat. Then with this exception were these houses open?—Not according to my own recollection. The "New Inn" and the "Masons' Arms" I believe were.

18,436. And the "Mansion House"?—I am not aware about the "Mansion House."

18,437. Instead of "some of them," then your answer is only two of them?—Yes. That would be some of them.

18,438. You do not contradict the other witnesses, I suppose, if they swear that all these were open for treating?—Well, if they swear that the "Rose and Crown" was where I was. With the exception of that reservation I would not.

18,439. At all events you speak to two. You were in the habit of being there at these meetings at the public-houses?—Yes.

18,440. You were also, I believe, the getter up of the meeting, if it were a meeting, at which Vanderbyl and Kinglake and their patrons, the four lawyers, Lovibond, Barham, Reed, and Cook, subscribed to the funds of the Shepherds' Society, and became members of that body?—No, that is an error.

18,441. Will you swear that you did not yourself ask the candidates to become members of that body?—I will, if you will allow me, explain. My name is not Jones; it is Dyment. You have called me Jones.

18,442. I was under the impression that you were Mr. Stephen Colin Jones?—No; I thought you had made a mistake. I am not a Shepherd, and know nothing of them. I never was.

18,443. What is your christian name?—William.

18,444. (*Mr. Price.*) I was going to ask you, Mr. Dyment, this, French is the landlord of the inn?—He is.

18,445. Were you not surprised that a man of that kind wanted 10*l.*?—Honestly, I was. I went down with no more intention of talking to him about the 10*l.* than——

18,446. Have you got it back?—No.

18,447. Assuming for a moment that there should ever be a fresh election for Bridgwater, should you think yourself justified in demanding that 10*l.* from any unfortunate candidate who might be deluded into coming here?—No; the only one I should think myself justified in demanding it from is Mr. Cook.

18,448. We have heard of a stipulation being made, or a bargain, for a candidate when he came, to pay claims arising from a former election. Should you think yourself justified in stipulating that your vote and interest should not be given to any unfortunate gentleman who was deluded into coming here unless he would pay your claim?—No; I should think I should deserve to lose it.

18,449. That idea has not crossed your mind?—No.

18,450. You have not had the idea presented to you about another election for Bridgwater?—No.

18,451. (*Mr. Coleridge.*) You have told us in respect to the election of 1868 the part you took in it yourself?—Yes.

18,452. Tell us anything else you knew or saw in connexion with it?—Two or three circumstances came across me in getting up rebutting evidence as to the other side.

18,453. You got information in that way?—When they talked about a scrutiny I tried to get up rebutting evidence.

18,454. That would be evidence against the petitioners who prayed for the seat?—Yes, they did so at one time.

18,455. That would be after the election?—Yes, after the election.

18,456. (*Mr. Anstey.*) Did you canvass any of Browne & Company's brickmakers?—No.

18,457. Did you see Honeyball about at that election?—Yes, I saw him about. I saw him the night after, in the evening. I remember a conversation with him after the polling.

18,458. Did you see him bring up a number of voters to poll?—I did not.

18,459. Is that all you have to tell about the election of 1868?—Yes.

18,460. (*Mr. Price.*) You have something to tell us about the election of 1866?—Yes.

18,461. Now then tell us about the second one, Mr. Vanderbyl's?—I heard Mr. Vanderbyl was coming down on the Monday or on the Tuesday I think it was. I attended a meeting and they asked me if I would see two parties and get them to the poll if I possibly could. Those persons were named James Harrington and James Richards. On the day mentioned Mr. Allan told me that there was money, and if I would promise these two men money to go to the poll he would see me right afterwards. He told me I could promise them 10*l.* each. I consented to do it, and in the evening I saw the two men and told them to go to the poll the next day.

18,462. What were their names?—James Harrington and James Richards. About 9 o'clock I should judge, on the nomination night, Mr. Cook saw me in the Fore Street. He said, "We are in trouble. We "have telegraphed to Mr. Rookley at Wimbledon, "and we can get no reply. You must go." I consented to go. He gave me 5*l.* for my expenses to London. I went up by the mail train at about half-past 11, which arrives at Paddington about 4 o'clock. I then took a cab and drove to Wandsworth Common which is very near Wimbledon. I there found him ill with a slight sunstroke, which he had had two days before, and which prevented him returning the telegram. I tried to get him to come home. I persuaded him very strongly to go to Paddington. He got about half way on the road, and I found him very ill; and I said I would not take the responsibility of advising him to go any further. He went back, and I came to Paddington and telegraphed and said I could not get him home; and, for myself, I came home about 2 o'clock, and took no further part in the election.

18,463. Well, then, what part did you take in the election of May 1866?—That is Bagehot's election. At that election I was asked first by Mr. Reed or Mr. Cook, I do not know which, to go to Tiverton to see a man of the name of Bottomley. He said he was a Liberal. I think it was Mr. Cook, and I was to bring him up. He was a very respectable man, a man I did not know before. I went down there and saw him. He was a schoolmaster here, and a draper, and a draper there; and he agreed to come. I told him I should pay the expenses. I took his and my railway tickets; and on our journey up he was exclaiming very much against bribery, how much he detested bribery, but he did think that people ought to be paid for their time; if they came from their home and left their business he thought they ought to be paid.

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W. Dyment.

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18,464. (*Mr. Coleridge.*) A suggestive conversation?—Very. When I came to Bridgwater I took him to the Railway Hotel, and I believe I told Mr. Hodge that I would pay the bill, and I left him, and he promised that he would go to the poll the first thing in the morning, and I said I would pay his expenses and for his time. The next day about 12 o'clock, I should judge between 11 and 12 possibly, Mr. Cook came to me in the room in which they were polling, the public room in St. John Street, and said, "That man Bottom-"ley has been coming to me for his expenses and "insulted me." I went and found him and said, "Why don't you go to the poll?" He said, "I did not see clearly how I should get my expenses." I said, "You go to the poll, and I will pay them." I then went to the bar of the "Anchor," which is kept by Bussell, and I said to Bottomley, "What do you want for your expenses?" He hesitated for some time; then he said he did not think he should be properly repaid unless he had 10*l.* Bad as I was, I was simply disgusted with him. I said I did not anticipate anything of that sort, or I should have had nothing to do with him.

18,465. (*Mr. Price.*) What is he?—A draper.

18,466. In a good way of business?—I should judge so from the style of shop I saw. I said, "I thought from what you said a guinea would be enough." He said, "Oh no, that won't do." I said, "Well, as you "have gone from what you said, I will give you two "guineas for the day's work." He said he was not satisfied with that, it was not a just recompense, and he would rather take nothing than that. I said, "If "you would rather get nothing than that, you had "better give it to me again, and if I can get more for "you, you shall have it." I then took it away from him, and I have never seen him from that day to this. On the morning of the polling day Mr. Lovibond saw me in the room and said, "I wish you would go down "to Bussell and tell him to stop, either from paying "money or promising; I think the Tories have laid "a trap for him," or something to that effect; and I did so. I went down to Bussell according to his wishes. That takes me to something else. When I came home from Tiverton at night late I went into a room at Mr. John Smith's, where there was Mr. Allan, Mr. Henry Cornelius White, and Mr. John Smith, and some two or three others; and from them I understood that they had 500*l.* to fight the election with, and the other was to be done by promising as much as they could. He asked me whether I would do the same as I did at the other election of 1866. James Harrington I went and saw, and I promised to pay him the next day, and I afterwards paid him the money.

18,467. Is that all you had to do with that election?—That is all I had to do with it.

18,468. Did you pay Harrington afterwards 10*l.*?—I did.

18,469. As to 1865. Did you do anything in 1865?—No, I did not. I met Harrington on the morning of the election. I suppose he wondered why I had not been to him.

18,470. (*Mr. Coleridge.*) Why should he wonder that you had not been to him? Had you been to him at earlier elections?—One earlier election. He asked me if money was going, and I said, No, if money was his only object, he had better go to the other side and get it.

18,471. (*Mr. Anstey.*) You did not sign the petition of 1866?—No.

18,472. Why did you not sign it?—I was never asked.

18,473. (*Mr. Price.*) In 1859 did Bussell tell you to promise Harrington?—Yes.

18,474. And did you promise him 10*l.* and afterwards pay him?—Yes.

18,475. Did you get it from Bussell?—Yes.

18,476. In 1857 did you take any part in the election?—I was merely a check clerk in the polling booth.

18,477. (*Mr. Coleridge.*) In 1859 what did you do?—Promised Harrington.

18,478. Who gave you the money that time?—Bussell. He gave it to me a fortnight after in each case. I promised the men, and Bussell gave me the money a fortnight afterwards.

18,479. That is all you have to tell us?—Yes, except that I have to tell you that these poll sheets of three different wards were used, and the lists were given in for this Working Men's Association, and other papers.

S. C. Jones.

STEPHEN COLIN JONES sworn.

18,480. (*Mr. Price.*) What are you?—A tailor.

18,481. Are you a voter for Bridgwater?—I am.

18,482. Did you vote at the last election?—I did.

18,483. Did you take an active part on the Liberal side?—Very.

18,484. Tell us, if you please, what you did either before the election or close upon it, or on the day of election, or on the following day?—Before the election I was active in making claims for the foremen on the other side of the bridge.

18,485. That is the registration you mean?—The registration.

18,486. Never mind about that. We do not care so much about that. Come down to the time of the last election. You know when it was known there was going to be a contest?—On the 29th October I went with Mr. Kinglake and Mr. Vanderbyl, Mr. Reed, and Mr. Lovibond, showing them where the new voters lived.

18,487. Did you go?—Yes, on the 30th and 31st. Some little time after that I rather pressed the gentlemen to join our society of the Shepherds, the Working Classes, and they very kindly promised to do so, and we made them Shepherds I think some time in November.

18,488. Where do you meet?—Our lodge is held at the "Mansion House."

18,489. Did they come there?—Yes.

18,490. Mr. Kinglake and Mr. Vanderbyl?—Yes.

18,491. How long before the election?—A week before the election.

18,492. What did they do when they came?—They were made members in the ordinary way; that is all.

18,493. Did they pay their subscription?—Yes.

18,494. And treated you all?—I do not know that they treated us all.

18,495. Did they never at their expense?—We had what I gave the order for.

18,496. Was it at their expense?—It is not paid for yet.

18,497. How much?—I think it must have been more than 10*l.*

18,498. How many Shepherds were there?—200.

18,499. Is that all that was spent?—That is all.

18,500. 10*l.*?—It may be more than that.

18,501. And what was the subscription of the candidates?—They were a guinea each, but the gentlemen gave three guineas. They left it in the hands of me. Sometimes gentlemen will give more than others. Such as you gentlemen, if you were going to be members, if you chose to give more than a guinea we should be glad to receive it.

18,502. Is it a usual thing for the candidate to be taken about to these places and to be made to pay?—They made Mr. Gray and Mr. Forester in the "Albion," and I thought, as I was an active supporter and a Liberal, I had a right.

18,503. Are the Shepherds Liberals or Conservatives?—There are as many Shepherds voting Conservative as Liberal. It was not as a political point that I pressed them to join.

18,504. It is not a political society?—No.

18,505. It is a Friendly Society?—It is a Friendly Registered Society.

18,506. Do the candidates become members of all

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these Friendly Societies?—Generally speaking, I think they do.

18,507. Was Mr. Westropp a member of the Shepherds?—No, but I think he was asked. There is a Shepherds' lodge held at the "Lion," the blue house, and I think he said he would not be until after his return as member for Bridgwater.

18,508. That was the last time?—He has been returned once.

18,509. Was he made a member at that time?—No, he was not.

18,510. As to the 10*l.*, do you know whether the landlord claims it from you?—I do not know whether he has claimed it yet.

18,511. What was his name?—Palmer.

18,512. You ordered it? Do you feel yourselves bound to pay it?—It is to be paid. We shall pay it in the lodge; we are very friendly.

18,513. Is it to come out of the box?—No, out of our own pockets. Mr. Tidd Pratt would not allow us to touch the box.

18,514. How many are there that subscribe?—About 200.

18,515. Is it a society peculiar to this town, or all over England?—All over the world.

18,516. Something like the Freemasons?—Similar to the Freemasons. More like the Freemasons than any society I have heard of.

18,517. Was that all that took place that night?—That was all.

18,518. Now tell us what other acts you did?—Getting men to go to the poll on the following day.

18,519. Promising money?—Oh no, I had no right and no authority to promise money.

18,520. Never mind the authority or the right. Did you?—I did not.

18,521. Did you pay any money?—I did not. I never knew there was any money going till after the election was over.

18,522. You had nothing to do with the spending of money or holding out promises?—No; and I did not know there was any money going.

18,523. On either side?—On either side. I did not know there was a penny going.

18,524. You were not about the town?—Yes, I was, all poll time. I was advising them to go to the poll, and after Mr. Westropp and his friends went round with Mr. Gray returning thanks that they were returned, the men went in droves; there was no keeping them away; the working men felt rather annoyed at it and went up as fast as they could and polled for Kinglake and Vanderbyl. There was no mistake about it; there was one running after the other to see which would poll first.

18,525. They thought there was no money going I suppose?—I suppose that was about it.

18,526. They expected to be paid the same as the others?—Not one.

18,527. Do you know whether afterwards, when the election was over, some of these men said that if money was going they should expect to be paid the same as the others?—No, not one.

18,528. (*Mr. Anstey.*) Don't you know a man named Francis Dyment?—Yes.

18,529. Did you offer him 9*l.*?—I did not.

18,530. Did you show him some money?—No; I had none to show him, neither my own nor anyone else's.

18,531. Will you swear you did not say anything to him about money?—I will swear I did not see him to speak to him that day or the day before.

18,532. At any other time?—No, no other time.

18,533. Is this the first time you have heard it said that you are accused of offering him money?—No; some of the blues have told me that I was accused of offering money. I never offered any money at elections.

18,534. What account does he give?—I have never spoken to him about it.

18,535. Sure?—Quite sure.

18,536. We shall have him before us.—Very good.

18,537. What is he?—He is a hauler; he has got a horse and cart, and hauls coal about.

18,538. (*Mr. Price.*) Goes to the quay side I suppose?—Yes, and different places; anyone's house.

18,539. (*Mr. Anstey.*) You took an active part in the formation of the Liberal Working Men's Association?—I did.

18,540. You heard the question that I put to Dyment in mistake (supposing it was you), as to the places of resort, the public-houses where that association held its meetings?—Yes.

18,541. Have I named those public-houses correctly?—You have.

18,542. Were they not all open——?—They were not.

18,543. I shall rate your answer at its true value. I shall rate your answers at their true value when you contradict without hearing what the question is which you are going to say "No" to. Were they all open for treating during the last election—those houses; I do not mean your rooms, your association rooms, but those particular public-houses?—Well, first of all——

18,544. Yes or no; were they all open?—No, not to my knowledge.

18,545. We have witnesses who have distinctly sworn that it was so?—Very good; then I am not aware of it.

18,546. Will you contradict those witnesses?—To my knowledge they were not open. I cannot say what they have seen, but certainly there was no drinking going on in the room.

18,547. Tell us which of them you know to be open?—I do not know one that was open at our meeting which we had drink in.

18,548. I am not asking you about your meeting; I am asking you a very plain question to an honest man. Which of these public-houses was not open for treating during the last election?—Well, the only one that I know was open was the "New Inn."

18,549. I will take that one; that is in Eastover?—That is in Eastover.

18,550. Did you ever hear of the Eastover tallies?—Yes.

18,551. Do not they consist in the rallying of a number of working men or operatives who have votes at the different rooms or head-quarters of the association, and then marching them off to the poll?—No.

18,552. What is the meaning of it?—The meaning of the Eastover tallies is simply this——. You mean at the last election, of course?

18,553. I said nothing at all about the last election?—Well, the meaning of the Eastover tallies is that the tradesmen generally meet together and go in procession; 30, or perhaps not so many of them, may go to the poll arm in arm, in pairs.

18,554. Do not they go from some place of meeting?—Some from one house and some from another.

18,555. But then they have some place fixed from which they start?—I am not aware that they have a place fixed.

18,556. How can they go together unless they meet?—They meet together in the streets; one time I believe they met at the "Commercial."

18,557. Is it not the fact that these houses which I have named to the last witness, and which you remember the names of distinctly, were all points of rallying for the Eastover tallies at the last election?—Not to my knowledge.

18,558. Was any one of them?—The "New Inn;" some went from there, but I was not aware there was any tally went at this last election.

18,559. Was there a tally went from the "New Inn"?—Not that I know of.

18,560. What did you mean by saying just now the "New Inn" was one?—I was not aware that the tallies went at the last election.

18,561. Then we will change the name of the "tally" altogether, and we will adopt the new-fangled name of Working Men's Association. Did they not go from these houses?—If they did, they did not in my presence.

18,562. Did they not meet at the "New Inn"?—Not in my presence. I will defy anyone to say that they did.

18,563. You did not see on the polling day any voters at the "New Inn"?—I did not see them going in tallies.

18,564. Answer my question as I put it to you. Did you see any voters on that day from the "New Inn"?—I did.

18,565. Did you see them go from the "New Inn" to poll?—Yes, I took some myself, one or two together.

18,566. How many did you take?—I might take six or seven.

18,567. At what o'clock?—Soon after three.

18,568. When did you cease to take them from the "New Inn"?—About half-past three. It may be a little more than that.

18,569. You are aware, of course, that it has been distinctly stated in evidence that it was about that time, and at that very place, that the bribery of the Eastover men began?—I could tell you who I took to poll from the house.

18,570. (*Mr. Price.*) Did you know that bribery was going on?—I did not.

18,571. (*Mr. Anstey.*) You know it now?—Yes.

18,572. And that is the only inn from which you took voters that day?—No, it is not the only inn.

18,573. It is the only inn you have stated?—There was a man from the "Queen's Head" that came to poll with me.

18,574. Did you take any others?—Not from public-houses. I am a teetotaller myself.

18,575. You are aware Andrew Allan has stated it was from the "New Inn" you went?—I was not with Andrew Allan.

18,576. Did you know he was there?—I did not see him.

18,577. Did you know he was there?—Not at the time; I have heard it since.

18,578. Did you not inquire at the time who was in the house, and what was going on?—No, I did not.

18,579. (*Mr. Price.*) Is that all you know about the last election?—Yes.

18,580. You never saw Allan at the "New Inn"?—I was not where Allan was; neither was I aware he was there at all.

18,581. Did you see him go there?—I did not.

18,582. Did you see a great many voters hanging about at the "New Inn"?—Well, there was a great many.

18,583. More than at any other house?—Yes, more than at any other house that side of the bridge.

18,584. Did it excite your astonishment that they were all congregated at the "New Inn"?—I was only there a few minutes.

18,585. How many did you take to the poll?—About six or seven.

18,586. You did not hear from these men that money was going?—I never heard of anything going.

18,587. Did you ask them to go to poll?—They had previously promised me.

18,588. Did they say anything to you?—Not about money; they never asked me for money.

18,589. Did they say they were waiting to see whether money was going?—They never said so to me.

18,590. You had not the slightest suspicion that the "New Inn" was the head-quarters of the bribery of your party?—No, I had not; neither was I aware that any men were there until three o'clock.

18,591. Three o'clock is the critical time. You say there was a number of men there who had abstained from voting at that time?—I was at another part of the district—Polden Street and Church Street.

18,592. But you got there at the critical time?—I was told there were such voters there, and I went in and they came to the poll with me.

18,593. Did they go with you?—Yes.

18,594. Did you poll them all?—I polled seven.

18,595. All you asked?—Yes.

18,596. Where were they?—In the "New Inn;" some in the yard, some in the kitchen.

18,597. You never heard about bribery going on? No, I did not. I did not see Allan there. He was upstairs, I believe.

18,598. Did you do anything at the election of 1866—Vanderbyl's?—I did.

18,599. Did you take any part then?—I did.

18,600. In the way of bribing?—Yes. I bribed one man. He gave it to me back again.

18,601. Who was he?—I had three five pound notes from Mr. Thomas Hill, at Mr. Andrew Allan's house. I had them to give to a man of the name of John Richards, a butcher.

18,602. A master butcher?—A master butcher. I took him these three five pound notes. I had five sovereigns in my pocket of my own. I gave him that, and he took it in his hand.

18,603. That was 20*l.*?—That was 20*l.*

18,604. Had he asked you for 20*l.*?—He had not asked me for anything.

18,605. What made you select him?—He was a friend of mine, an acquaintance, and I thought he was holding back for a little money.

18,606. What made you think he was holding back? Did he say he wanted money?—Not exactly that. People do not speak openly at those times.

18,607. Well, nobody else seems to have been the least ashamed. Did he say he wanted this money?—He did not say so.

18,608. What did he say when you gave him the money?—He looked at it, and gave it me back, and shook his head and said, "That won't do."

18,609. Did you understand from that that it was not enough, or that he rejected the idea of a bribe?—There were two ideas struck me; one was, that he was renting under Mr. Smith.

18,610. What Smith?—I do not know whether it is Mr. Joseph Smith or Mr. Richard Smith. I do not know which Smith it is.

18,611. (*Mr. Anstey.*) You mean the Tory Mr. Smith?—Oh yes, not the Liberal. He was out behind, in the back part of his house. It is just here in the next street, and when I was in talking to his wife with a few more that was there he went out and polled on the opposite side, and, of course, I kept the money until Andrew Allan called at my house.

18,612. Did you gather from him that it was not enough, or that he did not wish to be bribed?—Well, I took it in two ways; that it was not enough, and another was, that he being an honest man would not keep the money and vote against his conscience.

18,613. Did you give that back to Allan?—I gave part of it back. I gave the three five pound notes back to Mr. Allan, and he said, "Will you keep some for your expenses?"

18,614. What did you keep?—10*l.*

18,615. (*Mr. Price.*) What do you call your "expenses?"—I suppose he found that I was only a poor man, and it would do me good as well as anybody else. He did not say it was for a bribe.

18,616. What do you mean by expenses?—No particular expenses.

18,617. What expenses had you been at?—Oh nothing.

18,618. (*Mr. Anstey.*) Consuming ale?—That was the word Mr. Allan made use of.

18,619. You voted at that election for the same party?—Yes.

(*Mr. Coleridge to Andrew Allan.*) Mr. Allan, you never told us that.

(*Andrew Allan.*) I did not know until this morning but what Thomas Hill had the money from me. I remember Jones tendering me the 5*l.* and keeping 10*l.* back. The 5*l.* was all I could get of it.

(*The witness.*) I put it down on the board.

(*Mr. Price.*) How was it?

(*Andrew Allan.*) In making up the cash account with Thomas Hill he said Jones had 15*l.* of his money. That is how he accounted for the money he

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had from me. I went to Jones about it, and he said he would keep 10*l.* for himself and give me 5*l.* of the 15*l.*

(*Mr. Coleridge.*) Did you say anything about his expenses?

(*Andrew Allan.*) I do not know anything about his expenses.

18,620. Did you say anything about his expenses?

(*Andrew Allan.*) No.

(*Mr. Anstey.*) Did you know anything of Mr. Jones having had money to bribe with, or for himself, at the last election?

(*Allan.*) No, he never had any money from me in his life.

18,621. (*Mr. Anstey.*) Do you know anything of it, Mr. Bussell?

(*Bussell.*) No.

18,622. (*Mr. Price, to witness.*) You had 5*l.* in your pocket, which you were willing to advance on behalf of your favourite candidate to this man, this butcher?—Yes.

18,623. Then you thought it right to keep back 5*l.*?—I assure you that Mr. Allan asked me if I was going to give it all to him, or have a present for myself.

18,624. (*Mr. Coleridge.*) What Thomas Hill is it you are speaking of; there are five here?—He is a baker in Back Street.

18,625. (*Mr. Price.*) You think Richards voted for the Conservatives?—Yes, voted for Mr. Patton.

18,626. Had he been a Liberal voter before?—Some years ago.

18,627. Had he voted for the Conservatives more than once?—Yes, he voted for Patton both times.

18,628. How did he vote in 1865?—For Westropp.

18,629. He was a Conservative then?—Yes.

18,630. How did he vote in 1859?—I was not in Bridgwater then.

18,631. How did he vote at the last election?—Conservative.

18,632. Every time he has voted in your knowledge he has voted Conservative. At the last four elections you say he voted so. You do not know how he voted before?

18,633. (*Mr. Coleridge.*) When do you recollect his voting Liberal?—I think it was for Mr. Drew and Mr. Robinson.

18,634–5. Were they candidates for the town?—For the borough of Bridgwater.

18,636. How long ago?

(*Mr. Price.*) Some one says it is 1841.

(*The witness.*) Yes.

18,637. Do you remember as far back as 1841?—Yes.

18,638. Who were the candidates in 1841?—Drew and Robinson were the Liberals.

18,639. It would be the general election, no doubt.

18,640. (*Mr. Anstey.*) Who were Drew and Robinson?—They were Liberals.

(*Mr. Anstey.*) What was Drew's christian name?

(*Witness.*) I do not know.

(18,641. What was Robinson's christian name?—I do not know his christian name.

(*Mr. Coleridge.*) Where was Tynte at that time, because he always stood; there was always one of the Tyntes?

(*The witness.*) No, there could not be at that time.

(*Mr. Price.*) Is Mr. Carslake here? (*To Mr. Carslake.*) What do you know about this, Mr. Carslake?

(*Mr. Carslake.*) The names were Edward Lengrove Drew and Augustine Robinson. Those were the two Liberals.

(*Mr. Price.*) Both wealthy gentlemen.

(*Mr. Carslake.*) I believe so.

18,642. (*Mr. Price, to the witness.*) Well, then, in that election in 1841, you say your friend the butcher voted for the Liberals?—I believe that was the election.

18,643. After that has he gone steadily?—After that I was away for 17 years.

18,644. When you came back to the borough you found him in 1859 voting for the Conservatives, and so on to the last time?—Yes.

18,645. You said about his living in a house of Mr. Smith?—Well, Mr. Smith receives the rent of it. I do not think it is Smith's property. I think it is some of his relatives.

18,646. (*Mr. Anstey.*) Was that the only case of bribery that you were guilty of in 1866?—The only one.

18,647. No other?—No other.

18,648. Were you asked for money?—No.

18,649. Did you promise any money?—No.

18,650. Had you anything to do with treating at that election?—No.

18,651. (*Mr. Coleridge.*) At Bagehot's election of 1866, what did you get then?—A fortnight or three weeks afterwards Mr. John Smith gave me 5*l.*

18,652. What for?

(*Mr. Price.*) For expenses again?

(*The witness.*) No, voting for Bagehot. The 5*l.* he gave me after that election.

18,653. Had you asked him for it?—Never.

18,654. Had you been promised before you voted?—No.

18,655. Having acknowledged that you got this money on one occasion distinctly for your vote, on another occasion you kept 10*l.* back for your expenses. If there had been money going at the last election you would have done the same thing?—No, I should not.

18,656. Why not?—Because I understood there would be a different law, and a man would have imprisonment if he took it or gave it at the last election.

18,657. Do you know any other cases at Bagehot's election?—Not bribery cases.

18,658. Treating cases?—No.

18,659. Did you promise anyone at that election?—No.

18,660. Did anybody ask you for money?—No one asked me for money.

18,661. You promised none?—I promised none.

18,662. But you kept that money all the same yourself after the election?—Yes.

18,663. You had not, I suppose, any bill against them for clothes?—No.

18,664. You are a tailor, I believe?—I am.

18,665. (*Mr. Anstey.*) I believe a few weeks before that election, or a few weeks after it, you received this money; so a few weeks before it you put down the name of S. C. Jones, tailor, to the famous petition of 80, praying the House of Commons to inquire into the condition of the borough of Bridgwater?—I put my name down to it, but I understood it was to suspend the writ for a bit. I never read it.

18,666. You did not think it was to put down corrupt practices?—I did not.

18,667. You thought it was a good march to be stolen upon the Tories, so that they should not have the benefit at the next election of their past bribery?—I did not think anything about it.

18,668. What did you want them to suspend the writ for?—To get a man.

18,669. A man with money?—It would not matter to me whether it was a man who had money or who had not money, as long as he was a follower of Mr. Gladstone.

18,670. Do you suppose Mr. Gladstone would approve of practices such as you have deposed to?—I should think not.

18,671. Why do you endeavour to link your reputation with his?—Because I hold his views, and I would support any man that would support him.

18,672. It is pretty clear from your last answer that he does not hold your views?—Yes.

18,673. Had not you got a man in the person of Mr. Bagehot?—No.

18,674. We hear that Mr. Bagehot was brought here before that petition was presented?—We little tradesmen do not know anything of such matters until two or three days beforehand.

18,675. (*Mr. Price.*) You mean to say that if the law was not altered you would have gone on taking your 5*l.* and your 10*l.* whether Mr. Gladstone or anybody else would be prime minister?—No, I would not.

18,676. (*Mr. Coleridge.*) In 1865 how did you vote?—I voted for the Liberals.

18,677. What did you get?—Nothing.

18,678. Neither before nor after?—Neither before nor after.

18,679. In 1859?—I was not here in 1859.

18,680. When did you first vote?—In 1865.

18,681. Did you give any money on that occasion?—No.

18,682. Or promise any?—No.

18,683. You had nothing to do with any other?—No; I was subpœnaed on a trial in 1838; a trial for bribery in 1838.

18,684. (*Mr. Price.*) At Taunton assizes?—Yes. Mr. Richard Smith gave my father 10*l.* I think the election was in 1837 if I am not mistaken.

18,685. You were going to be a witness when Mr. Smith was prosecuted to prove that?—Yes.

18,686. (*Mr. Coleridge.*) Did he give your father 10*l.*?—Yes.

18,687. Were you called as a witness?—I was not called as a witness.

18,688. (*Mr. Price.*) You were put down to be a witness?—Yes.

18,689. And taken there?—Yes.

18,690. (*Mr. Anstey.*) You were there to corroborate your father?—My father was called; Isaac Jones.

18,691. And your mother too, I believe, Elizabeth Jones?—Yes.

18,692. I presume you did not hear the evidence given by your father, did you?—No, we were not allowed in court then.

18,693. Perhaps you will tell us how much of that case against Mr. Smith did you yourself know?—Well, my father was coming downstairs. He was too ill for some time to go to poll. He gave Mr. Smith back the money, and I was stood back by the front door, and a tradesman in the street says, "What, have you got him at last?" and Mr. Smith said "No, "he have acted as an honest man. He has give back "the money, and I will support him to the hustings."

18,694. You were not present in Murlis's house, I suppose?—I watched a man there.

18,695. Tell us that part of it?—I was put to watch a man of the name of Bennett go out of Murlis's house the Sunday evening before the election.

18,696. What did you see?—I saw him go in, and when he came out and turned the corner he took out a paper with some money in it, and looked at it.

18,697. (*Mr. Coleridge.*) How old are you?—Forty-three.

18,698. Then you were a boy at this time?—Between 11 and 12.

18,699. (*Mr. Anstey.*) Did you see anything else?—No.

18,700. Your father was examined. Your mother was examined. Was Mr. Smith the Defendant at that time in Taunton? Did you see him in Taunton that day the trial was going on?—I did not see him in Taunton that I can remember.

18,701. Did you hear the jury give their verdict?—Of course I heard of it.

18,702. Were you present when they gave their verdict?—I was not.

18,703. Your father, of course, is dead?—Yes.

18,704. And your mother, too?—Yes.

18,705. These are the words which are reported to have been used to your father by Mr. Smith. Just attend to them, please, and say whether they are what you recollect. "When I got home I showed the "money to my wife," your father says. "The next "day Mr. Smith again came, about three o'clock, to "my house. I had not polled. I had not gone out. "Smith came alone. I said to him, 'So, Mr. Smith, "I am going to poll. My wife has got your money "to take it up to you again at Murlis's.' Mr. Smith "said, 'Are you going to poll against us?' I told "him I was. He said, 'What is the use of that when "we are so much above the half?' With that my "wife came downstairs, and I said, 'Here's my wife, "she'll give you your money." He said, 'Keep that "money and do not vote at all.' At last Smith said, "'Keep that money, and do not vote at all.' Then your father said, 'I told him I should vote. My "wife handed him the money, and said, 'Let him vote "according to his conscience; I wish it.' He said, "'I know it Mrs. Jones.' My wife gave him the "money; he took it, and said, 'Well, you've acted "like an honest man. I'll go with you to the hust-"ings.' I went and voted for Sheridan." Was that exactly what took place in your presence?—No, that did not take place in my presence.

18,706. I thought you were there?—I was not called to prove that. That did not take place in my presence. What I have stated was outside, and I believe Mr. Ricks heard it.

18,707. I understood you to say in answer to my first question, what you were to be called for, was to prove that Mr. Smith that now is (the defendant in that action), said to your father, "You have acted like "an honest man, and I will support you to the hust-"ings?"—That was outside the door. He was asked a question by a man who is now dead.

18,708. A subsequent conversation took place outside the door?—This was after that. I believe it was Mr. Walls. He is now dead. He said, "Well, have you got him?" Mr. Smith said, "No, he has "acted as an honest man, and I will support him to "the hustings." I believe those were the words. I believe I can be carried out with that.

18,709. (*Mr. Price.*) Is that all you have got to tell us?—That is all I know.

RICHARD GOLD sworn.

18,710. (*Mr. Price.*) What are you, Mr. Gold?—Smith and founder, brass and iron founder.

18,711. Master?—Yes.

18,712. How many men do you employ?—Nine or ten, and some apprentices.

18,713. Some apprentices?—Yes.

18,714. Are you a voter for the borough?—Yes.

18,715. What part did you take in the last election, 1868?—None.

18,716. None at all?—No.

18,717. In no way?—No way.

18,718. Did you vote?—Yes, just before 9.

18,719. (*Mr. Coleridge.*) Were you at some meeting with Bulpin, and a lot of others?—No.

18,720. Have you got a brother, W. B. Gold?—Yes.

18,721. (*Mr Price.*) You really have nothing to tell us about the last election?—No, I was away by 1 o'clock.

18,722. (*Mr. Coleridge.*) Had you anything to do with bribery the day before; the nomination day?—No, nothing.

18,723. (*Mr. Price.*) In 1866 had you?—In 1866 I had.

18,724. Your own ten men, are they voters?—Three of them.

18,725. How did they vote?—Two of them voted for Kinglake and Vanderbyl, and one of them voted for Westropp. He told me in the morning that he had money promised for Westropp, and he was out all night.

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18,726. Just give us those three names?—One of them is James Hunt.

18,727. Which is the one that had money promised him?—John Gooderich.

18,728. Who is the other man?—John Peach.

18,729. (*Mr. Price.*) Have you anything to tell us about any of the other elections in which you took part yourself?—Yes.

18,730. Mr. Vanderbyl was elected in 1866, did you know anything about bribery then?—Yes, I bribed three men.

18,731. Who were they?—One of them is John Stevens——No, no. I forget; he is a gardener.

18,732. What did you give him?—30*l.*

18,733. Where did you get it from?—10*l.* I got from Mr. Allan, and 10*l.* from his wife, and 10*l.* from Culliford.

18,734. (*Mr. Coleridge.*) This man had 40*l.*, this gardener?—Not that I am aware of.

18,735. You gave him thirty?—Yes.

18,736. (*Mr. Price.*) His name is not Powell?—No, Webber is the name.

18,737. And who were the other two you bribed?—The other two? I gave 10*l.* to Mr. Bond, a shoemaker, to give to Wittridge.

18,738. Where did you get it?—From Thomas Searle.

18,739. Who was the third you bribed?—Henry Hobbs.

18,740. How much?—10*l.*

18,741. Where did you get it?—From Thomas Searle.

18,742. Was that all the money you had at that election?—That is all the money.

18,743. Did you claim anything for your own services?—Not a farthing.

18,744. Did you get anything for your expenses?—Not a farthing.

18,745. At the other election in 1866 did you do any bribery?—No.

18,746. Not at Bagehot's?—No.

18,747. 1865?—No other election.

18,748. How came you to be let into it last time?—I felt rather anxious I suppose.

18,749. (*Mr. Coleridge.*) You were carried away, I suppose?—Yes.

18,750. (*Mr. Anstey.*) What are you?—Richard Gold.

18,751. You signed this petition against bribery?—If my name is there I did do it, but I have no recollection of it.

18,752. "Richard Gold, smith," is that it?—That's me.

18,753. Are you a blacksmith?—I am black and bright, iron and brass founder.

18,754. Then you see you bribed in July 1866 and in the month of May 1866, not two months before you were praying the House of Commons "to prevent "the recurrence of the corrupt practices which pre- "vailed at the last election"?—If my name is there I suppose I did sign it, but I have no recollection of it.

18,755. Had you any real wish to do what you say here, to put an end to these corrupt practices?—I do wish it was done away with.

18,756. Did you then?—I suppose so.

18,757. And two months after you repeated them yourself?—If my name is there I suppose I did it, but I have no knowledge of it.

18,758. Do you remember anybody coming and asking you to sign it?—No, I have no recollection of it, not the least. I have racked my memory twenty times.

18,759. Do you mean to say that the promoters of this petition put your name to it without authority?—I do not know.

18,760. Because you are described as Richard Gold, smith?—I should not call myself a smith; I call myself black and bright smith.

18,761. You do not say that you did not sign it?—No.

18,762. That is all you have got to tell us?—That is all I have got to tell.

18,763. You have nothing to tell us of any former elections?—No.

18,764. Is your brother here?—Yes.

W. B. Gold.

WILLIAM BRADFORD GOLD sworn.

18,765. (*Mr. Price.*) What are you?—A tailor and draper.

18,766. Were you a voter?—I am.

18,767. Did you vote at the last election?—I did.

18,768. Did you get anything for it?—I did not.

18,769. Will you take your hand from your mouth, we shall hear better. Did you bribe anybody?—I did not.

18,770. Did you promise anything?—I did not.

18,771. Nothing of the kind?—Nothing of the kind.

18,772. Did you take any part in the election then, except voting?—I did; I tried to get men to the poll.

18,773. Did you bribe at any former elections?—Yes.

18,774. (*Mr. Coleridge.*) Did you not bribe at the last election?—I did not.

18,775. Nor promise?—Nor promise.

18,776. (*Mr. Price.*) Those men that you got to go to the poll, did they know you had been employed to bribe at former elections?—No, I do not know hardly who did go to the poll, there were so many of them.

18,777. You say you got them to go and poll at the last election?—I merely walked about and tried to get them to go to the poll, nothing more; that was all.

18,778. What did you do in the way of bribing at the elections previous?—Well, I bribed four men.

18,779. Give me their names?—Thomas Gaine.

18,780. (*Mr. Coleridge.*) How much?—10*l.* William Morris.

18,781. How much?—10*l.*

18,782. Yes?—Mr. Thomas Redman.

18,783. How much?—10*l.*, and John Denman, that is by Samuel Taylor the younger.

18,784. Where did you get the money from?—I got it from Andrew Allan.

18,785. Did you keep anything for yourself?—I did not

18,786. Did you make a claim for your own services?—I did not.

18,787. Or expenses?—I did not.

18,788. Were any of those men those whom you got to go and poll last time?—No, not one of them.

18,789. Do you know whether they did poll last time?—Oh, I expect they did.

18,790. Not without money, I suppose?—Oh, they did not have money, sir.

18,791. (*Mr. Price.*) Now, the election before that, did you bribe anybody?—Yes, I took 10*l.* from Thomas Searle and handed it to William Priest for Thomas Gaine. I did not do it myself. It was the same man I mentioned before.

18,792. Did you have anything yourself?—I had not.

18,793. (*Mr. Coleridge.*). Is that the only one you bribed?—Yes.

18,794. Did you promise any others?—I did not promise anyone.

18,795. In 1865?—I did nothing.

18,796. In 1859?—In 1859 I did nothing.

18,797. In 1857?—In 1857 I did nothing.

18,798. At any other election?—At no other election. I never had a farthing in my life.

18,799. (*Mr. Price.*) Do you say you never had

anything in any way?—Oh, I have had 16*l.* 10*s.* for colours.

18,800. Now, do you mean to say that you have had anything like 16*l.* worth of colours supplied in July 1866?—Well, you know it runs away with money.

18,801. Just answer the question?—I should say it was supplied.

18,802. At fair prices?—At fair prices.

18,803. There are election prices, you know?—No.

18,804. What do you call "out-door expenses"?—Spending among men when you are about. If you go into a public-house where there are a lot of men they will have a bottle of sodawater and brandy.

18,805. I don't believe there is much sodawater drank except on the morning after. How much of the 16*l.* 10*s.* went in treating?—I really cannot tell.

18,806. And how much in colours?—I cannot tell.

18,807. You can tell by your books, can't you?—I do not know that I can.

18,808. (*Mr. Anstey.*) I suppose the whole of it, except a few shillings, was in every sense of the word a colorable demand?—No, it was not.

18,809. (*Mr. Price.*) What kind of colours did you supply?—Pocket handkerchiefs and ribbons.

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18,810. 16*l.* worth of handkerchiefs?—And ribbons.

18,811. That is the second election of 1866?—In the first election did you bring in a bill of 9*l.* 10*s.*?—I did.

18,812. And supply colours to the amount of 6*l.* according to your account?—I do not know.

18,813. Then you put down "out-door expenses" at 3*l.* 10*s.* Is that expended in sodawater?—I do not think 3*l.* 10*s.* is put down there.

18,814. You see (*pointing to receipt*) 3*l.* 10*s.* is put down for out-door expenses?—Oh yes, I might do so.

18,815. You might have spent 100*l.* Do you mean to say you spent 3*l.* 10*s.*?—Yes, I daresay. I have been out for months, and I have nearly ruined myself with electioneering.

18,816. But this is a question of June 7th?—June the 7th it is. It would not last a night, going amongst the men.

18,817. You must have sat up all night to do it?—Not a bit of it. 3*l.* won't last very long when you are out like that.

Adjourned till 11 o'clock to-morrow.

NINETEENTH DAY.

Tuesday, 14th September 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.

HENRY FRANCIS PURCELL, Esq., Secretary.

Mr. JOHN PRIOR recalled.

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Mr. J. Prior.

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18,818. (*Mr. Price.*) You want to make a statement?—I wish to correct a statement that I made the last time I was here. I stated that Mr. Mogg had said that the Liberals were winning, or words to that effect. I believe that is an error on my part. I have considered the thing since, and I cannot bring it home exactly that he said any such thing; and for this reason, that he was not there long enough; directly he wrote the memorandum which I gave you he left.

18,819. (*Mr. Coleridge.*) Is this your own recollection, or what Mr. Mogg has told you?—My own recollection since.

18,820. (*Mr. Price.*) Have you seen Mr. Mogg about it?—I told Mr. Mogg the day I gave my evidence that I had said so much; and he said directly it was a lie, or something of that sort, he never said such a thing.

18,821. I hope that a gentleman in your position, because Mr. Mogg, whose truthfulness is a doubtful point with us, happens to tell you that you have told a lie, is not frightened by that to come here and retract an important piece of your evidence. I trust that is not the state of mind to which you have been reduced?—No.

(*Mr. Coleridge.*) We want the impression of your own mind.

18,822. (*Mr. Price.*) And not what Mr. Mogg says about it?—I have given my attention to it since, and I cannot remember myself to believe really that it was so. At the time I gave my evidence there was an impression on my mind.

18,823. I think, if I remember right, it was not the first time that you were examined that you made that statement, but the second or third?—The fourth occasion; the last time I was here.

18,824. Therefore it was rather deliberately made, because you had had your attention fully drawn to it on former occasions, particularly the first time you were examined. Now you come after an interval and say that it was not so. I think, if you ask me, the probabilities are that Mogg did say it, and I should judge your recollection is an imperfect one; but it may be imperfect and yet at the same time highly probable that he said something of that kind. You say he was not long enough; what time would it take to write out the paper and say, "The Liberals are winning," because you had to go downstairs and get the bag, and he must have been in the bank long enough for you to go down to the strong room and get it, and give it to him?—I did not give it to him.

18,825. To your son; well, he was there?—No, he did not remain, he was gone.

18,826. (*Mr. Coleridge.*) Still while he wrote three words he could have said that?—Yes.

18,827. (*Mr. Anstey.*) You will please recollect that it was in answer to me that you made that statement, and you will please to recollect that in putting my question I fairly and honestly, towards you and towards Mr. Mogg, told you what Mogg had said, and asked you a second time whether you were saying that that had passed; and having your attention called to the fact that you were there to

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contradict Mogg, you nevertheless for the second time contradicted him deliberately and unequivocally. What more information have you received since than I gave you on that occasion, I should like to know?—At the time I was questioned by you I did not give it a thought what had passed, and I was taken by surprise.

18,828. You were recalled to answer some questions, and I asked you these questions on another point. Mr. Coleridge put to you some questions after mine, and then I put these questions to you with reference to Mogg's case. "Mr. Mogg states he took his pen "and paper and wrote those words because he did not "want the clerks to hear it?—He may mean my own "son by 'the clerk;' the other clerk was out in the "street at the time. Then you do not agree with "Mogg in his statement?—Mr. Mogg may possibly "make a mistake. Had you any conversation with "Mr. Mogg when he came into the bank at the time? "—I had none with reference to this matter. Had "you any conversation with him at all?—He was "speaking of the state of the election, that the Liberals "were going ahead, and all that sort of thing, but I "cannot charge myself with the exact words. Mr. "Mogg may have said to me——. No, I do not want "that, but was that the substance of what he said?— "Yes. And then he wrote those words down?—I "think he wrote them down previously. Before he "got this money he made this statement to you?— "He says as soon as he delivered the message, "and as soon as he wrote the message, he went "away. Well, he did. Therefore the conversation "with him must have been before he wrote this down? "—Probably whilst he was writing it. Therefore "his communication to you was not, as we understood "from him, a purely written one, but a mixed one, "partly in writing and partly oral. The oral was "this, 'We are getting on; the election is turning,' "and the written portion is, '500*l.* are wanted for "Allan,' whom you knew to be a bribery agent; is "that so?—That is so. Then, of course, there can be "no doubt at all now that it was a perfectly understood "thing between Mr. Mogg and you that that was the "way the money was to go; is not that so?—Yes, I "understood so at the time, certainly." Then I put to you, "It is therefore not true that Mogg came into "the bank, and that the only words said were, 'Give "me paper,' or 'Give me pen and ink,' and that he "spoke not another word, wrote down those words, "handed the paper to you, and without a word more "to you turned and went away?—Oh, that is not "true, because he said, 'The Liberals are winning,' or "something of that kind." And I ask again, "Is Mr. "Mogg in court; it is right he should hear this; I "I do not want to ask him any question about it." Then you pass on to the West of England Bank. Now you see nothing could be more prolix and wearisome even, than my references to the point after point in this statement of yours, and Mr. Mogg's statement in opposition to it, and you see you persisted in it, and at last with a kind of alacrity denoted by your ejaculation "Oh," you say that is not true, because he did say the Liberals were winning. You had, therefore, the fullest information from me of what Mogg says in contradiction of you, and you did not then accept his contradiction; why do you accept it now?—Because I have turned my attention and thoughts to what passed.

(*Mr. Price.*) You cannot say that your attention was not fully called to it. Look at the series of questions put by my learned colleague, one after the other, directed to the very subject matter, and then, as he says, you yourself say something Mogg said is not true, because he used the expression, "The Liberals are winning." You cannot tell us now that that is not so.

18,829. (*Mr. Coleridge.*) If Mogg had not seen you between this and that you would not have come here to make this explanation?—My attention was drawn to it.

18,830. You talked it over and made the explanation?—I met him in the street.

18,831. (*Mr. Price.*) I must say that I ought to express great surprise that a person in your position should allow himself to be turned from, and induced to come here and retract an important statement because the person who is implicated by that chooses to say afterwards, "You have said that which is untrue." I am astonished, quite astonished. Who was in the bank at the time besides yourself?—My son.

(*Mr. Price.*) I had sent for him to be here, but as he has been in court during your explanation I do not wish to put a father and son in unpleasant conflict. Certainly, if he had not been here and heard your statement, we should have had him in the box, but I do not know that it is worth while to hear his statement now.

(*Mr Anstey.*) No.

(*Mr. Price.*) It is not at all a satisfactory state of things.

18,832. (*Mr. Anstey.*) Have you done anything in the interval between your examination and now to obtain the missing information?—I do not understand you.

18,833. Yes, you were to consider and reflect whether you would not tell us something more to account for your being consulted by Lovibond and Mogg on that occasion, to give 500*l.* without a warrant, or cheque, or security?—As I told you in the first instance, I was taken by surprise, and incautiously did it.

(*Mr. Price.*) You seem to be a man, and it is especially remarkable in the case of a banker, who is constantly subject to the most unnatural surprises. You are taken by surprise and pay 500*l.* over the counter; and taken by surprise when asked a question about it; and taken by surprise when you make statements over and over again; therefore, no one knows when you will be in any state in which you will not be in a surprise or in a flutter, or really be able to give us some account which we can rely on.

18,834. (*Mr. Coleridge.*) You know this is not the first election you have had to do with; you have advanced money on former occasions?—No.

18,835. Your bank has?—No.

18,836. On no former election?—No one has advanced money.

18,837. (*Mr. Price.*) But drawn out of your bank? Those two cheques were cashed.

18,838–9. Two of Mr. Brogden's?—Yes, two of Mr. Brogden's.

18,840. I mean to say you pretty well knew what was up; you were not a novice in the matter.

18,841. (*Mr. Anstey.*) We have had evidence since you were here showing that your partner, Mr. Sealy, down to the very moment, was taking a most active part in meetings, some of them meetings, we have it in evidence, convened, I do not say anything was said there, but convened for the purpose of carrying into effect the secret combination of the patrons of the borough, to promote bribery, and your partner has told us that he took no particularly leading part; he was a strong Liberal, and so forth, but you told us nothing of that. Then the next fact we have in order of chronology is that which you told us some days ago, namely, that on the day of the election you did this extraordinary business with 500*l.* Of course men of common sense draw their own conclusions; those conclusions may be erroneous, unless persons who know the facts make a frank disclosure of those facts, and tell us which is the most guilty man, and which is the less guilty, and which, if any, is innocent. If you do not choose to do that, I say again you must leave me, as a man of common sense, to draw my own conclusions, both as to you and Mr. Sealy?—With regard to Mr. Sealy's movements, I am no party to them. I know nothing at all of his movements at committees, or anything of the kind.

18,842. (*Mr. Coleridge.*) But supposing he had been a warm supporter of the Conservative party, would you have cashed that bit of paper?—Well, I cannot say whether I should.

18,843. Think a moment and tell us whether you would. Was not it because it was more likely that he would have overlooked it, if done to further the Liberal cause, that induced you to do so?—I never thought about Mr. Sealy at the time.

18,844. Then what was it, you have told us it was done in a hurry?—It was done in a hurry.

18,845. Then supposing that Mr. Trevor sent some one to get 500*l.* for the Allan of the other side?

(*Mr. Price.*) Bussell's brother.

18,846 (*Mr. Coleridge.*) The Conservative Bussell, or Murlis, to get 500*l.*, should you have given it?—I suppose he would have sent his cheque.

18,847. No, supposing that he had sent exactly the same thing as you had; a bit of paper was brought in by a friend of Mr. Trevor's, saying give the Conservative Bussell, whatever his name may be, 500*l.*, should you have cashed it?—Oh no.

18,848. (*Mr. Anstey.*) And still less it was not "Give Bussell," but "500*l.* for Robert Bussell"?—I should not unless it came from Mr. Lovibond.

18,849. Why not?—Because I had no instructions in the first instance, and I was thrown off my guard by that.

18,850. (*Mr. Coleridge.*) It was Dr. Kinglake did it?—It threw me off my guard.

18,851. (*Mr. Price.*) You mean that the Kinglake cheque drawn two or three hours before?—Two or three hours before.

18,852. I should have thought, so far from being thrown off your guard, the thing would have been distinctly on your mind, because you say he came the next morning and told you the matter must be considered cancelled?—Yes.

18,853. Therefore, it must have been as fresh on your mind as the fact that you have had breakfast this morning. He tells you that, and about an hour or two afterwards you are taken in an unguarded moment and hand 500*l.* on account of that very thing which ought to have prevented you doing it.

18,854. (*Mr. Anstey.*) You told me just now, in answer to my question why not, "Because I had no instructions." That is to say, the context is this, you say, "If the Conservative Bussell had been named in "the instrument instead of Allan, I should not have "paid it." Why not, I ask; "Because I had no instructions." I want to know what instructions had you with reference to the 500*l.*, because here it is admitted that you had instructions; from whom had you instructions?—I had instructions in the first instance from Dr. Kinglake, and I had lost sight of his destroying the cheque at the moment when this 500*l.* was given.

18,855. That is a new statement you see. You never told us before that you had lost sight of the little incident of the destroying of the cheque; when did you recollect that first?—I recollected that very shortly after this transpired.

18,856. No; when did you recollect, for you had not told us that little incident with your forgetfulness?—I think I said as much on my first examination.

18,857. No, no, on the contrary; you said nothing about it. I asked you whether there was any connexion between Dr. Kinglake and that 500*l.*, and you over and over again told me nothing at all; but I have been putting a number of questions to you to find out whether there were any renewed instructions in the interval. It now appears that you mean me to understand, that you did hand over 500*l.* on account of the conversation the night before, having forgotten the more important conversation in the morning. Is that so?—If you would be kind enough to turn to my first examination——

18,858. Now do you mean to say you handed over the 500*l.*, on the face of what passed between you the night before, having forgotten what passed befcre between you only that morning?—I must have been unguarded.

18,859. Did you do it?—I did not do it on the faith of that, but was unguarded when I let the money go.

18,860. From whom did the instructions come that you speak of?—From Mr. Mogg bringing that writing.

18,861. You say, if it had come from anybody with reference to Robert Bussell, the Tory, you would not have attended to that in considering your instructions?—Well, I should not.

18,862. Then I ask you again, on what instructions did you act when you honoured Mogg's oral statement, for it amounted to that?—Well, I honoured Mr. Mogg's instructions, believing it to come from Mr. Lovibond.

18,863. Why did you believe it to come from Mr. Lovibond. You told us distinctly that he did not mention Mr. Lovibond's name?—No, he did not.

18,864. Then why imagine it had come from Lovibond?—Well, I believed him to be Mr. Lovibond's friend, therefore I did it.

18,865. (*Mr. Price.*) Nonsense, about friend! You could not have believed it on that account. You must be keeping something back with reference to Mr. Lovibond?—Nothing.

18,866. Why did you believe the message to have come from Mr. Lovibond, 500*l.* for bribery, not merely because Mogg was his friend, surely.

18,877. (*Mr. Anstey.*) You are putting yourself in peril of something yet to come. It is possible, and even probable, that we may find out all about this from another source. I warn you of that; and if you do, you will remember that Mr. Justice Blackburn, in this very case of the Bridgwater election, told a witness who came before him, and stated as you say, "I cannot recollect; I do not remember;" that it was a great mistake for witnesses to suppose that they would escape prosecution for perjury by making answers of that kind; but it would still be a question for a jury to determine, when the fact is proved, whether they told the truth in saying they did not recollect. That was in the case of the man Harwood and his alleged bribe, and the witness who was called to speak to that, the man concerned in the case of the 30*s.* which we heard of yesterday, and the trick which was played with reference to that. Mr. Justice Blackburn so told the witness. I will find the passage for you, because it is right that you should know that. The question put is this: "Will you swear you did not?—I will swear I did not, to my recollection." Mr. Justice Blackburn: "It is a very mistaken idea that you can avoid the "consequences of a falsehood by saying not to your "recollection, such a matter as that cannot be forgot-"ten. I cannot recollect that I did say so. It will "come entirely to the same thing." That is from the judge. "For if there is sufficient evidence to show "that you did say such a thing, and there is an indict-"ment for perjury, no jury would for a moment accept "your statement that you had forgotten it." I think it right to warn you of this. Now please say again whether you mean to persist in your answer, that you cannot tell me on whose instructions you handed over the 500*l.* without Mr. Lovibond's name being mentioned, to a man who was not a customer of the bank, who drew no cheque on the bank, who did not even direct you to give the money to Allan, but merely put a memorandum on paper "500*l.* for Allan"?—Mr. Mogg wrote that, and I took his instructions then certainly.

18,868. (*Mr. Price.*) Are those all the instructions you got?—Yes, it was.

18,869. (*Mr. Coleridge.*) Had you not a general understanding with Mr. Lovibond at elections that you would honour any bit of paper or anything he sent for money?—I had not.

18,870. At no time whatever before?—At no time.

18,871. (*Mr. Anstey.*) Nor from Dr. Kinglake?—No, not after that cheque was destroyed.

18,872. But before?—Before he destroyed that cheque I was to abide Mr. Lovibond's instructions.

18,873. He came to destroy the cheque; in destroying the cheque did he give you any instructions?—He gave me no instructions, but simply said, "This is as if nothing of the kind had taken place."

18,874. Do you mean that he said nothing about hearing from Mr. Lovibond, or looking to Mr. Lovi-

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Mr. J. Prior.

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bond, or Mr. Lovibond would speak, or write, or send to you?—Well, he did not.

18,875. Did he leave you under any impression that you might possibly be applied to in the course of the day, either through Mr. Lovibond, or anybody else?—Well, he did not.

18,876. What were you going to say?—He did not give me any instructions.

18,877. Did he leave you under the impression that you might, could, would, or should expect in the course of the day some application for the money through Mr. Lovibond, or somebody else?—No, he left no such thing; he did not lead me to believe anything of the kind.

18,878. (*Mr. Price.*) Tell us exactly what Dr. Kinglake said to you. Now, do not be taken by surprise, or off your guard; there is a deliberate question put to you, now give me a deliberate answer?—He asked me for that cheque about 12 o'clock, and he said, "Give it to me," and I gave it to him, and he tore it up, and he said, "Now this is destroyed it is as though nothing had taken place between us," or words to that effect.

18,879. (*Mr. Coleridge.*) Was your partner in the bank at that time?—No.

18,880. Was he when Dr. Kinglake gave you the cheque?—No, he gave me the cheque the night before.

18,881. (*Mr. Price.*) You say you were taken by surprise, and did this in an unguarded moment, therefore I conclude that you would not do it if it had to be done again?—Certainly not.

18,882. Then, when did you first recollect after you had given this 500*l.* that Dr. Kinglake had been with you an hour or two before, and, as you say, gave you instructions which should have prevented your paying the 500*l.*?—It occurred to me the next morning.

18,883. Did you then write to Dr. Kinglake to explain what you had done?—I did not, nor have I spoken to him since.

18,884. Why did not you?—I did not believe that I could call upon him for the payment of it.

18,885. (*Mr. Coleridge.*) Mr. Lovibond, you say, you looked to to pay you?—Well, Mr. Lovibond and Mr. Mogg between them.

18,886. Not to Andrew Allan?—No.

(*Mr. Price.*) Well, it is not at all a satisfactory statement.

(*Mr. Anstey.*) You had better, before the Commission leaves the town, find out an answer to my still unanswered question.

18,887. (*Mr. Price.*) You have nothing more to say?—No.

Mr. W. J. Ford.

Mr. William John Ford recalled.

18,888. (*Mr. Anstey.*) I forgot to ask you, and I am not sure whether either of my colleagues did; during this period, I mean the time from the commencement of the canvass, or even before that, down to the present moment, are you aware of any arrangement either made or proposed, by which your bank was to come in any way to the assistance either of Mr. Kinglake or Mr. Vanderbyl, or both?—No; I am quite certain there has never been any arrangement whatever made with our bank.

18,889. Nor any instructions as to cashing the cheques drawn on foreign banks—I mean banks out of Bridgwater—Taunton, or Manchester, or the like?—No instructions. Would you like me to explain now?

18,890. If you please?—You examined the cashier, who was then in command of the bank during my absence at Wimbledon. Shall I tell you what induced him to cash those cheques to Mr. Barham,

18,891. (*Mr. Price.*) Was there any cashing of cheques in like manner as Mr. Brogden's were cashed at Sealy's?—Yes; we cashed two of Mr. Brogden's cheques on that occasion.

18,892. (*Mr. Anstey.*) Was there anything of the sort done at the last election?—No.

18,893. Before it, or after?—No, nothing before.

18,894. Now make your explanation?—You asked whether any arrangement was ever made with our bank. I am simply going to say to you, before I went away Mr. Reynolds asked me if it was likely our friend Mr. Barham would call upon us again at the coming election. I said, "Really, I have not the least "idea, but if he does you cannot refuse to cash any "cheques for Mr. Barham, as he is a very old "customer of the bank."

18,895. (*Mr. Price.*) That is with reference to the last election?—No, Mr. Vanderbyl's first election. We had nothing whatever to do with the last.

18,896. (*Mr. Anstey.*) Have you heard anything that can throw light on this transaction of Mr. Prior and Mr. Mogg?—No, I have not heard a word of anything at all except in this court.

18,897. (*Mr. Coleridge.*) Should you, under any circumstances whatever, for any customer whatever, give 500*l.* over the counter without a proper cheque?—Certainly not; nor should I, have done so in this matter unless a customer.

18,898. For a customer should you?—Not without his cheque.

18,899. Merely "500*l.* for Allan." You would not for the best customer in the world?—Certainly not. I have no power. You see there is a little difference between Messrs. Prior's bank and myself. I could not cash any cheque without its going through the books immediately. I am responsible.

18,900. (*Mr. Coleridge.*) Unless you do it on your own private account?—I was not likely to do that.

18,901. (*Mr. Anstey.*) But how does that differ from Messrs. Sealy's?—Well, if Messrs. Sealy and Prior pay 500*l.*, they have only to account to themselves for it. If I do it I must account to the directors for it.

18,902. Messrs. Prior and Sealy have sworn that the transaction was quite as irregular in their bank as in your bank, and that Mr. Prior had concealed it at his own risk and peril from the other partner?—You see they are responsible to themselves only.

18,903. And to their customers, I hope?—Certainly, to a degree; but I should be to our directors.

18,904. (*Mr. Coleridge.*) Would there be anybody having access to the strong-room who would know that 500*l.* was missing besides yourself?—The cashier would. He would always know every night.

18,905. Every night he counts the cash?—Every night, and I once a week, and make a declaration, so much on hand.

18,906. Then if you did such a thing as Mr. Prior did, your cashier must have known it?—Undoubtedly, at night.

18,907. If he had done it without telling you, you would have known it at the end of the week?—On Saturday night I should have known it, because I keep it every week, and we have to send in a declaration.

18,908. Supposing, for the sake of hypothesis, that the manager, himself a shareholder and a large depositor and customer also, having withdrawn a sum of 500*l.*, used his official position to enable him to take it, and to conceal the fact for twelve months or thereabouts, and then enter it on the day the discovery took place?—We could not do such a thing as that in our bank; it would be utterly impossible.

18,909. If it were it would end in what?—Instant dismissal of the manager at once. I do not hestitate to say so for a moment, for 1*l.* just as much as for 1,000*l.*

18,910. (*Mr. Price.*) Is Gold in court?—Gold? Yes.

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GEORGE BOND sworn.

G. Bond.

18,911. (*Mr. Price.*) What are you?—A bootmaker.

18,912. Are you a voter for Bridgwater?—Yes.

18,913. Gold stated yesterday that he gave you a sum of 10*l.* to give a man of the name of Wittridge; is that true?—No, he never did in his life.

18,914. Did he give you 10*l.* at all?—No, not at any time.

18,914*a*. At the election?—No.

18,915. This is the election of 1866?—I deny it. He never did in his life.

18,916. No such transaction took place?—Never.

18,917. What is Wittridge?—He is a man who works for me, and has done this 30 years.

18,918. Is he in the town?—He is.

18,919. Had you 10*l.* to give him?—Never.

18,920. Did you bribe him with 10*l.*?—Never.

18,921. Did you offer him 10*l.* for his vote, or bribe him?—Never.

18,922. Did you deal with him in any shape or way in bribery for his vote?—Never.

18,923. (*Mr. Coleridge.*) Do you know of his getting 10*l.* from any one at the election?—No.

18,924. Then what Gold has said is absolutely untrue?—That is untrue.

18,925. Did he ever ask you to give him 10*l.*?—On my oath he never did.

18,926. He never suggested to you that you might do it?—No, I never had any conversation with the man. I never spoke of any bribery money.

18,927. Then you mean it is a sheer invention?—It is a scandal, that is what it is.

18,928. What view do you put upon it; that he has kept the money himself, and says he has given it to you?—Yes, he must have kept it. I do not know what he has done with it. I never had it.

18,929. (*Mr. Price.*) Are you a master shoemaker?—Yes.

18,930. How many hands do you employ?—About 25.

18,931. As your name has been brought up, did you ever receive anything for your votes?—Never in my life, and I have been a voter 35 years. I never received a shilling in my life.

18,932. (*Mr. Coleridge.*) When you were a younger man, had you anything to do with distributing money at elections?—Never; I always acted on the Liberal side, and was never biassed in any way.

18,933. I suppose you know there was always money going about?—I have understood there was money flying about.

18,934. Ever since you recollect, every election?—Yes, I think always.

18,935. But amongst your men I suppose there are a good many who take bribes?—Some of them. I do not know.

18,936. Tell us Wittridge's christian name, and where he is to be found?—He lives on the Mount.

RICHARD GOLD recalled.

R. Gold.

18,937. (*Mr. Price.*) What have you to say to that?—That he had the money; and I think I will bear it out by four or five that knowed he had the money to give the men. As to being together, we were 20 times together that day the last election.

18,938. Who is going to support that, that you gave him the 10*l.*?—He was given the 10*l.* over at my own house.

18,939. (*Mr. Coleridge.*) Who saw it?—I believe my wife did, and I believe Searle can bear all out, and I believe Culliford.

18,940. How can he?—I had some money from him to give.

18,941. (*Mr. Price.*) It does not follow at all that because you got it from Searle to give it to Bond that therefore you gave it to him. This is a very serious matter. Bond has come forward and begged to be relieved from the scandal of your statement, and he says deliberately it is untrue. I do not know whether your respective positions in life may be any means of judging between one and the other in Bridgwater whether you are speaking the truth or not, but it is incumbent on you when you make a grave charge to come supported, because if we should come to the conclusion that you have told a falsehood, we shall not only refuse you a certificate but shall certainly recommend the Attorney-General to prosecute you for perjury. Decidedly I have no hesitation in saying so—one or the other, of course. You come here to account for a sum of 10*l.* by saying you gave it to Bond to hand over to Wittridge, and he declares positively that it is untrue, that it is an entire fiction and a scandal as he says, and so it is on him if it is untrue. You are bound to bring us some corroboration of your testimony.

(*Bond.*) This man has had a spleen against me for some time.

18,942. (*Mr. Coleridge.*) Bond is in a different position from you. He has to prove a negative and you an affirmative, therefore the proof is on you and not Bond?—Very well, sir, I must bring proof that he had it.

(*Mr. Anstey.*) Your wife and Searle.

(*Mr. Coleridge.*) You must send for them, but do not go out of court yourself.

(*The witness.*) I have had no animosity against the man.

18,943. (*Mr. Price.*) We have nothing to do with animosity, but having heard your statement yesterday, he says he wishes to deny it on his oath, and he has, and it is a question of perjury between you, and we have to find out between you which has committed the perjury?—Then I must have my witnesses to whom I gave the money.

18,944. Will you give us their names?—Thomas Searle, Culliford, and my wife.

18,945. If Searle is only going to say he gave you the money, that has nothing to do with it?—I believe that Searle quite knows that I gave it.

18,946. Did he see it?—I will not swear that he did.

18,947. Unless he saw it, he cannot say?—But as for Bond, he was at my house four or five times.

18,948. (*Mr. Anstey.*) What are you?—A black and white smith, and iron and brass founder.

18,949. And what is Bond?—A shoemaker.

18,950. And had Bond any business in your house on that day for calling four or five times there?—Only as a friend on electioneering.

18,951. Only electioneering?—Only electioneering; a friend, both of one party, and both about together.

18,952. Before you go I want to ask you, have you a brother-in-law or an uncle of the name of Henry Bradford, who lived in Bridgwater in 1838?—No, an uncle of mine married his sister by the name of Bradford.

18,953. Is he alive?—Well, I think he is at Weston-super-Mare.

18,954. Henry Bradford?—Yes.

18,955. What is he doing at Weston?—I do not know; I have not heard anything of him for these years.

18,956. Do you know what age he is?—He is a man upwards of 70, I should say. He was crippled when I knew him.

18,957. Can you tell me where I should find out his address?—I do not know his address. He is living at Weston, I am told.

18,958. Is he doing anything there?—I do not know.

(*Mr. Price.*) Now I think that this question having arisen we shall be obliged to examine how you spent

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the rest of the money; therefore we shall want Culliford and the rest here.

18,959. (*Mr. Anstey.*) Bradford was a pig jobber?—Yes, a pig jobber.

18,960. Is he now?—I do not know.

18,961. (*Mr. Price.*) You still stick to it that you gave the 10*l.* to Bond?—Yes.

(*Mr. Price.*) You must not leave the court, but we must have Culliford and the other persons to say whether you really did spend this money on them.

A. Allen.

ANDREW ALLAN recalled.

18,962. (*Mr. Price.*) He says he got 20*l.* from you and 10*l.* from your wife, is that so?—No, he had 20*l.* from me altogether.

18,963. He says, 20*l.* I got from Allan and 10*l.* from his wife?—My wife was present. It was two 10 pounds. That is all he had.

R. Gold.

RICHARD GOLD recalled.

18,964. (*Mr. Price.*) What do you say?—I had 10*l.* from Culliford out of this 30*l.*

18,965. You had 30*l.*; where did you get it from?—That is the 30*l.*

18,966. "20*l.* I got from Allan and 10*l.* from his wife?"—I think I said 10*l.* from Allan and 10*l.* from his wife and 10*l.* from Culliford.

18,967. Then you had 10*l.* from Allan, 10*l.* from Culliford, and 10*l.* from the wife?—That is it.

(*Mr. Coleridge.*) Then he gave Wittridge 10*l.*, Hobbs 10*l.*, and Bond 10*l.*

18,968. (*Mr. Price.*) Whom did you bribe with that 30*l.*?—John Webber.

18,969. The whole 30*l.*?—The whole 30*l.*

(*Mr. Coleridge.*) Then you have told us you gave 10*l.* to Bond and 10*l.* to Searle.

18,970. (*Mr. Price.*) You got back 10*l.* from Searle?—Yes.

18,971. And the third man you bribed was Hobbs?—Yes.

18,972. Where did you get that?—From Searle.

18,973. That is all the money you had?—That is all the money I had.

A. Allan.

ANDREW ALLAN recalled.

18,974. (*Mr. Price.*) Did he account to you for the 20*l.*?—I have seen in the statement of particulars I only charge him 10*l.* I got 10*l.* more than I charged him.

18,975. But he says he got 10*l.* from your wife; did you know that?—No, I did not until I heard him in court yesterday.

(*Mr. Coleridge.*) I think we must have Mrs. Allan here to ask her about this.

R. Gold.

RICHARD GOLD recalled.

18,976. (*Mr. Price.*) Do you mean to say you got 10*l.* from Allan's wife?—Yes, I got 10*l.* from Allan's wife.

18,977. Did you account to anybody for that expenditure?—I told Allan what I had done.

A. Allan.

ANDREW ALLAN recalled.

(*The witness.*) That must be an omission in my statement.

18,978. (*Mr. Price.*) Then he may have told you that. Did you inquire of your wife?—She told me this morning he had it not from her, but he had it from me, and that she was present.

19,979. He had two tens?—Yes.

S. C. Jones.

STEPHEN COLIN JONES recalled.

18,980. (*Mr. Anstey.*) Attend to these names, and tell me if you know whether either of them is now alive. An attorney called Jackson——?—He is in London.

18,981. Pray attend to my question, and do not answer before I have completed it. An attorney called Jackson, who was living in London in the year 1838, and was examined on the part of the plaintiff at the trial at Taunton assizes in that year against Smith?—That was the gentleman that examined me at Taunton.

18,982. Is he alive?—I do not know whether he is or not. I heard some time ago that he was living in London.

18,983. Do you know his christian name?—No, I do not.

18,984. Do you know the name of his firm?—I do not.

18,985. Or where his offices are?—No, I do not.

18,986. He took your evidence, did not he?—He did.

18,987. Where, down here?—At Taunton.

18,988. Your father and mother are both dead. George Fackerell, sawyer, of Bridgwater?—He is dead.

18,989. William Fackerell, his brother?—I do not know where they are. They have left the town.

18,990. Is there any means of finding out their addresses?—Mr. Palmer, who gave evidence of receiving the 10*l.* could tell you. They brought him up.

18,991. William Fackerell brought Palmer up?—Yes; I believe it was William Fackerell. Oh, yes, it was. He was in the employ of Charles Thorne.

18,992. Then Henry Bradford, pig jobber?—I remember him as a pig dealer, that used to live in Gold's Buildings, but I do not know whether he is living there now.

18,993. Thomas Bennett, who kept a beer-house. He is in Wales?—He is dead.

18,994. James Southwood, a brickmaker, here?—I cannot tax my memory at present, but I will try to find out for you.

18,995. Those are the names I should like you to find out?—Southwood you say is the last.

18,996. Southwood, the brickmaker?—I will try and find him out in the course of the day.

18,997. And also those other names?—The pig dealer?

18,998. Bradford, a pig jobber, and William Fackerell, in the employ of Charles Thorne, brother of the George Fackerell who you say is dead.

(*Mr. Price.*) Did you say yesterday that you got 10*l.* for your expenses?—That is the 10*l.* out of the 15*l.* I received from Thomas Hill for Richards.

18,999. That Allan allowed you to keep for your expenses?—Well, he allowed me 10*l.* Allan says he gave it me for my vote. I do not remember it.

19,000. (*Mr. Coleridge*). Allan says he could not get it back from you?—That is a mistake.

19,001. You stuck to it?—No, I went upstairs and brought down three five-pound notes.

Mr. James Cook recalled.

19,002. (*Mr. Price.*) We wish you to understand that we presume you have told us everything that you recollect with regard to the election, and more especially that all the statements that you have made in which your partner's name is mixed up with you in matters are statements which you are prepared to abide by?—Yes.

19,003. I only say that because we are about to proceed afterwards to call your partner, and we shall not think it right, unless there be some very special ground indeed made for it, to allow you to come afterwards, and say that some portion of your statement is incorrect, in consequence of anything that your partner may have divulged?—No.

19,004. Because we think that you have had a sufficient opportunity of making the statement with as much deliberation as you required, and without the interruption of many questions from the court, and therefore you must be prepared to tell us that you abide by that in substance and in fact, the whole of that statement which you have made?—Yes; I mentioned to you yesterday that there is a correspondence which has taken place between ourselves and Mr. Vanderbyl which has now been copied, and is rather lengthy, and upon that, when it is before you, it is possible I may have some further observations to make.

19,005. That is new matter?—Yes. With regard to Bussell Mr. Coleridge asked me if I knew anything more about it than my partner did, and I said I did, and I abide by that.

19,006. (*Mr Coleridge.*) Although we should like to have the copies of that correspondence, we should also like to have the originals?—Yes, you shall have them.

Mr. Paul Octavius Haythorne Reed sworn.

19,007. (*Mr. Price.*) It is my duty to inform you that the majority of the Commissioners have, after considerable hesitation and doubt, come to the determination to examine you as a witness. I say that deliberately; the majority have come to that determination, and after considerable deliberation as to whether they should put you in a position which might entitle you, according to the mode in which you gave your evidence, to a certificate. And having told you that, I need not do more, I think, than caution you, and beg you to be explicit, so that we may feel that the majority are justified in having given you an opportunity of telling us all you know about these matters. With that caution, we are ready now to hear you make your statement, with respect to which, of course, those of us who feel inclined to do so will put whatever questions to you we think necessary.

19,008. (*Mr. Coleridge.*) You can make your statement in whatever form you like, beginning with the first election and ending with the last, or beginning with the last and ending with the first. Our general practice is to begin with the last?—I will begin with the last; and I may state that I commenced business in 1849, and continued in practice alone until the 1st of May 1865, when Mr. Cook, as he in his evidence has said, joined me as my partner, and we have continued together ever since. Mr. Cook has also stated to the court as to the manner in which the eastern district fell to our lot during the registration of 1868 and the last election; and Mr. Cook has also stated the result of our canvass of the eastern division. I agree with that, and I also agree with Mr. Cook's statement as to the figures made up at our office, or at Mr. Lovibond's, when we were all together.

19,009. As to the probability of the election?—Yes, I quite agree with those as facts. Now as to money matters at the last election. The first thing that came under my notice occurred on the Friday before the poll. That morning Mr. Cook and myself were at Mr. Lovibond's office on general matters connected with the election, and Mr. Barham came in; and Mr. Barham stated that he had just seen a friend——

19,010. In Mr. Lovibond's presence?—Yes, we were all there; that he had just seen a friend of Mr. Vanderbyl's, who had stated that Mr. Vanderbyl intended to fight the election on pure principles. That announcement—I am speaking for myself, the rest may speak for themselves—came upon me with surprise; and I do admit that Mr. Barham's statement as to my being warm is perfectly correct. I did speak out at the moment; and my explanation of so doing is this, that it was perfectly clear to my mind, and there was no doubt that it was perfectly clear to all the other Liberal agents, that if money was not used at that election by our side, we should lose the election. We fully believed that Mr. Westropp and Mr. Gray would use money, and that we stood no chance without money; and if they spent money we must do so ourselves, or there would be no chance, and I spoke out the words much to the effect spoken to by Mr. Barham. We further discussed the question, if no money was used what would be the result; and we all came to the conclusion that if the Conservatives bribed, that unless we did the same both seats must be gone, and Mr. Barham was requested to take back that message to Mr. Vanderbyl's friend. At that time, as far as I recollect, no name was disclosed as to who that friend was; and I think it is right also to state, that up to that time Mr. Barham and Mr. Lovibond had made no communication at all to our firm, or to either of us, that they had been endeavouring to raise 3,000*l.* between Mr. Vanderbyl and Mr. Kinglake for the purpose of the election.

19,011. Just for one moment I will ask this question. Did you consider at this time that you were acting more immediately for Mr. Vanderbyl than for Mr. Kinglake?—Certainly not; I never made the slightest distinction between one and the other. Mr. Barham then agreed to go back and place our views before Mr. Vanderbyl's friend, and Barham left for that purpose. Mr. Barham shortly afterwards returned, and stated his having placed those views before Mr. Vanderbyl's friend, but still the friend expressed the same determination that no money should be spent. Well, then it was discussed. I recollect perfectly well a coalition being suggested between Mr. Westropp and Mr. Kinglake, but that was objected to.

19,012. (*Mr. Price.*) Who suggested that?—As far as I recollect, truthfully, I think it was Mr. Lovibond, and Mr. Cook was stoutly opposed to it; he would be no party to it at all. He said it was selling his party behind their backs, and he would be no party to it. It is quite true what Mr. Barham has stated that somebody suggested that we should send to Mr. Trevor, to say to him, "I will tell you what it is, if you are going "to fight at all you must fight on pure principles, or "not fight at all;" and the opinion of the major part of the meeting was this, that it would do no good, but it would be simply putting the Conservatives on their guard, and make them more cautious, and you could not prevent bribery on their side; and it was then suggested that some one else should go back with Mr. Barham, and see this friend, and place all those facts before the friend.

19,013. (*Mr. Coleridge.*) Was the friend still unnamed?—Still unnamed, and Mr. Barham said, and no doubt Mr. Barham believed it to be the fact, but it was no such thing, that Mr. Barham and Mr. Lovibond went back to see this gentleman. It was no such thing, the interview was between Mr. Barham and Mr. Cook.

19,014. You say the mistake was as to who went back?—Yes, as to who went back. It was I who

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alone remained with Mr. Lovibond, and I said to Mr. Lovibond, "Is Mr. Kinglake ready?" and Mr. Lovibond's reply was, "Most certainly."

19,015. This was on the Saturday?—On the Friday before the polling day Mr. Cook and Mr. Barham came back and said they had seen the friend, and that he was of the same mind that no money would be spent at all. Then it was suggested that we should all see this friend in the evening, and Mr. Barham was to make an appointment for our being there. That appointment was made and kept. The appointment was at Mr. Barham's office, and we went there, Mr. Cook and myself went there, and found Mr. Lovibond, and Mr. Barham about 7 o'clock as far as I recollect. Mr. Vanderbyl's friend soon afterwards came in. No doubt by that time I had been informed by Mr. Cook as to who the friend was, the friend was Mr. Fennelly. I cannot say I did not know Mr. Fennelly, my impression is that I had met him before out at some dinner, but I am not clear about it. When I went there in the evening, soon afterwards, Mr. Vanderbyl, and Mr. Fennelly came in.

19,016. You are still on the same evening, the Friday?—The same evening, the Friday, 7 o'clock, and the matter was discussed, and no doubt it was discussed very warmly. I spoke no doubt very much the same as I had done in the morning. No doubt it is the truth that I spoke much to the same effect that I did in the morning; and it was suggested, I think I was the person who suggested it, that Mr. Vanderbyl had better leave the room, and Mr. Vanderbyl went out I think and went into an adjoining one.

19,017. You suggested that?—Yes.

19,018. Because you wanted to say things you did not want him to hear?—Yes; I spoke warmly again. I said one thing after Mr. Vanderbyl had left the room, and that one thing is this, "I am perfectly clear Mr. "Fennelly that the Conservatives will use money, and "unless you are prepared to do so, I am prepared to "put my head on a block, and it shall come off, if you "get either of the seats." The other solicitors took a part in the debate as far as I know. Mr. Barham said the least. There is no doubt I talked, and the rest talked. Mr. Fennelly was very firm, very determined, very resolute. In fact we were held at a distance, he could quite keep his own ground; and he said Mr. Vanderbyl did not look at the money, it was not the money; that he was prepared to petition if the Conservatives were returned by bribery, and he would spend no money, and at length the meeting ended in this way; we said, "Well, will you consider what has "has passed, and give us your ultimatum in a certain "time"—one hour afterwards. Mr. Fenelly agreed to do so, and we left.

19,019. Just whilst you are there I will ask you this question. Did he not say at that time, or was it at a subsequent time, that he said he would give 1,500*l.* amongst the lawyers, but he would not spend it in bribery?—I never heard that in my life from Mr. Fennelly; never in my life.

19,020. Where was that said?—I have heard it stated in court.

19,021. But any where else?—I have never heard it before.

19,022. (*Mr. Price.*) It was a question of mine?—Yes; Mr. Fennelly said, "Mr. Vanderbyl does not value money; we will pay the lawyers handsomely;" but there was no mention of the sum he would give as far as I recollect. One hour afterwards was appointed for his reply, and Mr. Barham read us a letter from Mr. Fenelly, still coming to the same conclusion, that no money should be spent.

19,023. Where was that read?—My impression is at Mr. Barham's.

19,024. The first meeting was at Mr. Lovibond's, and the other meeting was at Mr. Barham's?—The first meeting in the morning was at Mr. Lovibond's, and the other two meetings were at Mr. Barham's. The meeting at which the letter was read was at Mr. Barham's, and after that letter was read we left; and I felt fully convinced from that letter that no money would be spent; and I went away fully with that idea. That was the Friday. The next day Mr. Vanderbyl was not very well; he was very weak, and I canvassed slightly in the morning a few people for Mr. Kinglake. In the evening there was a meeting at this hall; it was a very crowded meeting; Mr. Kinglake did the principal part of the talking; he spoke for himself, and he spoke for Mr. Vanderbyl. Mr. Vanderbyl spoke but very little. Mr. Vanderbyl was in a very feeble state.

19,025. (*Mr. Coleridge.*) Did Mr. Fennelly speak?—No, Mr. Vanderbyl spoke, but very little. Well, it was a very crowded meeting, and there was a unanimous feeling in favour of the two Liberal candidates, and a resolution was come to in their favour. I was about to leave the platform when I was requested to attend a meeting at Mr. Sealy's—who it was told me I cannot tell—and I went, and when I came there—it is in evidence before you as to who the gentlemen were who were at that meeting; and it is also in evidence that a copy of the resolution was read at the meeting, which was passed by the National Bank, as to matters connected with Mr. Vanderbyl and Sir Joseph McKenna, and it was discussed.

19,026. (*Mr. Price.*) One moment; was that the first time that you had had the matters brought to your notice as to the position in which Mr. Vanderbyl stood with regard to the National Bank, Sir Joseph McKenna, and the Lundy Island Granite Company?—No. As to the National Bank, that was the first time I heard about it, but I remember some days before reading in the paper a report as to the Lundy Island Granite Company, and strips were struck off and put all over the town, and strips were put into your hand.

19,027. Was that discussed before you went to this meeting?—No.

19,028. Not in any way?—No.

19,029. At any meeting?—I attended no meeting before.

19,030. There was the meeting which you have just alluded to?—That was the night before.

19,031. Was that subject alluded to then?—Not a word.

19,032. Therefore the whole conversation you had with Mr. Fennelly was simply confined to the question of whether Mr. Vanderbyl would spend money or not?—Yes, it was, entirely.

19,033. (*Mr. Coleridge.*) Who printed those slips?—My impression is that Ingram's name was to it.

19,034. Was he the person who did the Conservative printing?—Yes. My impression is that "Ingram, Steam-printing Office, Bridgwater," was on it. I was mentioning that I was at Mr. Sealy's on the Saturday evening, and I had got so far as the resolutions being discussed that had been passed by the National Bank. Then there was a resolution come to that there was no reason why the meeting should depart from that vote of confidence in Mr. Vanderbyl that had previously been arrived at.

19,035. (*Mr. Price.*) Was there any other subject discussed at that meeting at Mr. Sealy's except the question as to how far this matter of the National Bank should induce anybody to retire from supporting Mr. Vanderbyl?—No.

19,036. No other subject?—No.

19,037. (*Mr. Coleridge.*) No other question as to the position Mr. Fennelly had taken as to spending no money?—No.

19,038. You are quite sure about that?—Yes.

19,039. (*Mr. Price.*) Be particular about this, as it is very important?—I am quite sure no such thing took place.

19,040. Are you equally clear that on that occasion nothing of that kind was discussed; nothing about what Mr. Fennelly had told you previously?—I do feel quite clear upon that point. The next day was Sunday; I had been to church in the evening, and in coming out or going I passed Mr. Cook's house, and whether I made the communication to him or he

made it to me I do not know. It amounted to this: "There is a meeting at Nicholls' this evening, and "we are requested to attend." We went to that meeting; we went at the same time.

19,041. (*Mr. Coleridge.*) You were late?—We were late; and I may say the only person I recollect coming in after us was Mr. Wilton, and when we came there it was a quiet meeting; they were discussing the Lundy Island Granite Company, and they were also discussing as to the National Bank. Now, I sat near Mr. Cook. Mr. Collins hesitated. It appeared to me at the time that it was all nonsense and humbug they were discussing, and that it was to lead to something else, and it soon began like a whisper, and then it went all round: "Vanderbyl is going to spend no money."

19,042. (*Mr. Price.*) To the best of your recollection, was that started by you legal gentlemen, or was that whisper circulated from the mouths of the other members of the Liberal party?—It is my impression, and I am quite certain, that that whisper was started by one of the legal gentlemen.

19,043. You have no doubt about that?—I have no doubt about that.

19,044. You do not know who it was who started it?—No; I was here in court, and heard the evidence of Mr. Collins and Mr. Lovibond, but I have no doubt it was the legal gentlemen; and a discussion then took place as to the determination of Mr. Vanderbyl to spend no money, and it was discussed as to what the result would be.

19,045. By all persons?—Yes.

19,046. By Mr. Nicholls?—I will not say; but there is no doubt Mr. Nicholls must have known what was the real intent and purpose of the meeting, and we all came to the conclusion that if they used money we should have a decided majority, but if they did not, the whole thing would go.

19,047. (*Mr. Coleridge.*) You have no recollection whether it was the conclusion of that meeting that Mr. Vanderbyl should be asked to retire or not?—Pardon me for a moment; then it was agreed that a deputation should wait upon Mr. Vanderbyl, and ask him to retire, saying, "You have damaged the Liberal "party by the disclosures which have lately come "out about the Lundy Island Granite Company."

19,048. (*Mr.* (*Price.*) Was that discussed and that resolution come to with the understanding that that should be made the pretext of getting rid of Mr. Vanderbyl?—I certainly looked upon it in that light.

19,049. Your real object being at the time to get rid of him because he had come to the determination to spend no money?—Yes, I certainly looked upon it in that light; they had passed a resolution the day before expressing confidence in him.

19,050. Which cleared him entirely?—Yes, which cleared him entirely.

19,051. Therefore, as far as you know, the deputation must have gone from that meeting to Mr. Vanderbyl, knowing that they went there with the object of trying to get rid of Mr. Vanderbyl, not on the ground of the disclosures with respect to the Lundy Island Granite Company, but the real object being to get rid of him because he had come to the determination not to spend money?—Certainly, that is my impression. The deputation went down late, and it was very late when they came back; I should think it was midnight, and when they came back all the people composing the original meeting had left. As far as I recollect, when they came back, Mr. Collins and Mr. Nicholls were two out of the four composing the deputation who came back, they found Mr. Lovibond, Mr. Cook and myself there. I believe we were the only three.

19,052. (*Mr. Coleridge.*) Did either Mr. Collins or Mr. Nicholls tell you anything about Mr. Fennelly's having told them it was all humbug about the Lundy Island Granite Company, and that all they wanted was money?—I will tell you about that. They said when they came back that when they arrived at the "Globe," Mr. James Wood Sully was upstairs with Mr. Vanderbyl, and when he came down they went up and placed before him their views, and they said Mr. Vanderbyl spoke a good deal of the lawyers as to the money which had been spent in the election of 1866, and he said he knew himself that he was the popular candidate of the town, that he knew as much of the town as the lawyers and he would not retire. I do not recollect a word being said that evening about Mr. Fennelly having said, "It is all nonsense and humbug "about the Lundy Granite Company; all you want "is money." They said that the deputation ended like this.

19,053. (*Mr. Coleridge.*) There were only two of them who came back, Mr. Collins and Mr. Nicholls. Mr. Nicholls has given us a very different account to what you have just given?—Mr. Collins, my impression is, spoke the most; he was the most clear upon it. They said Mr. Vanderbyl retired, and then Mr. Fennelley stood up, and it was then arranged that they should call the following morning for an answer. I left with Mr. Collins; I went some way with him. I live some little distance beyond Mr. Collins. Mr. Collins stopped talking with Mr. Nicholls or somebody else, and I went on. That was the Sunday. The next day, the Monday, that was the nomination day, on coming into town I passed Mr. Cook's house. He came out at that time, and stated to me that on arriving home on the previous evening he found that some one had called, that afterwards the same person called, that it turned out to be Mr. Fennelley. Now I was not present at that meeting, but what Mr. Cook told me at that meeting was as follows, that Mr. Fennelly, having stated that having attended a meeting that evening at Mr. Hennet's, it was suggested that a compromise should be made between Mr. Westropp and Mr. Vanderbyl; that Mr. Westropp, with a view of carrying that out, had gone down to Mr. Brice's house, which was just below, and there found Mr. Brice and Mr. James Trevor, and Mr. Trevor said to Mr. Westropp, "Well, if this is to be done, it is to be "done through the lawyers, and you had better see "Mr. Cook;" and Mr. Cook stated that Mr. Fennelly informed him, "It is in consequence of that I have called upon you;" and Mr. Cook also stated that the communication was received as a masonic communication, as he has stated; and Mr. Cook stated he thereupon said, "That being so, I will be no party to the coalition," that it would split the party to pieces, and in fact it would be a kind of sale. He said that Mr. Fennelly said, "You are aware of the proposition made by Mr. Barham," of which Mr. Cook gave evidence the other day in court; and Mr. Cook said, "I did not say yea or nay." That proposition was that a certain sum should be found, a moiety by each candidate; and Mr. Fennelley said to Mr. Cook, "Do "you think I can depend upon Mr. Barham, or if "Mr. Barham has made such a proposal, that I can "depend upon him?" and Mr. Cook said, "If Mr. "Barham has made such a proposition you can "thoroughly depend upon Mr. Barham."

19,054. (*Mr. Price.*) Did you understand at all, up to that period, when this compromise with Mr. Westropp was suggested at this meeting at Mr. Hennet's, that anything had been said by Mr. Vanderbyl, which would leave the impression upon Mr. Westropp's mind, that if Mr. Westropp was prepared to coalesce, and would meet him half way, that he would meet Mr. Westropp half way?—Certainly not.

19,055. You did not gather that that was any part of what had transpired?—No.

19,056. You were not at the meeting, you know?—I perfectly follow you.

19,057. You did not understand in any way from what Mr. Cook told you, that that sort of thing had passed between Mr. Westropp and Mr. Vanderbyl?—Certainly not. Well, I was speaking as to Mr. Cook's observation, when Mr. Fennelly said, "May I rely upon Mr. Barham?" and that then Mr. Fennelly said, "You may tell Mr. Barham that I'll accept his proposition," or words to that effect. Mr. Cook also stated, that upon that interview it was, that Mr. Fennelly referred to the deputation the night before, and

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his saying, "It is all humbug, gentlemen, your coming "down here about the Lundy Granite Company; it "is money you want." Mr. Cook certainly stated that Mr. Fennelly upon that occasion used words to that effect. Mr. Cook also informed me—this was in the morning, I should say about nine—"Mr. Fennelly "is now on his way to London for the money, and it "is arranged he shall bring it down, and that he "shall bring some one with him to arrange it, and "take care of it when it is here."

19,058. (*Mr. Coleridge.*) Mr. Cook told you this?—He did. Mr. Cook came into town.

19,059. (*Mr. Price.*) Did he tell you how he had got that information?—Oh, yes, from Mr. Fennelly. I understood there was no other person to give that information.

19,060. Not from Mr. Barham?—Certainly not. Mr. Barham was not mixed up with the matter after that that I am aware of. This was about nine o'clock in the morning. My impression is that I met Mr. Lovibond coming in the town. My impression is, I met Mr. Lovibond when I was going to his office, and I said there would be money; and Mr. Lovibond, my impression is, said, "That comes from last night's meeting," or something like that.

19,061. The meeting which Mr. Lovibond referred to was the meeting at Nicholls'?—Yes. I also saw Mr. Barham on the way to this hall to attend the nomination; I told Mr. Barham of it; and it is fair that I should say that Mr. Barham seemed rather cold about it then. That is all that took place between us. I will go back the same morning to a statement made by Bussell. Bussell's statement is perfectly true. I did meet Bussell, and used the words he stated, "All right," and "There will be money." It arose in consequence of this; a few evenings before, on my way to or from the post, I met Bussell accidentally, and Bussell had been rather grumbling that no arrangement had been made to bring home the master-mariner's, and I made the statement to Bussell that morning, that if money was wanted it would be found. We attended the nomination, and after the nomination—or rather myself and Mr. Cook, saw Mr. Lovibond during the day, and an arrangement was made that Mr. Lovibond should attend at our office in the evening, so as to arrange as to what was to be done the next day with the money, if it became necessary to be used. Mr. Lovibond came to our office at about 7 or 8 o'clock,—something like that, and was accompanied by Mr. George Lovibond, his son. We all went into the room. Mr. George Lovibond is a young man, and I said, "George, I think we will go downstairs, and leave these gentlemen alone." We did so, and we left Mr. Cook and Mr. Lovibond upstairs. When Mr. Lovibond left, Mr. Cook informed me of what had taken place, that is, that they had discussed matters, and they were to await the events of to-morrow; that would govern their movements. That brings me say to about 9 o'clock on the nomination day. After that, I met Mr. Fennelly and Mr. Lomas ——

19,062. (*Mr. Coleridge.*) Where?—That was at Mr. Cook's house; and they came down by the express; I understood in the evening that the key-word, or key-stone, when a person wanted money, was, "What is tea a pound?" And when Mr. Fennelly and Mr. Lomas attended the meeting, Mr. Fennelly said, "Well, this is Mr. Williams, and he has brought down what was arranged," or words to that effect.

19,063. (*Mr. Coleridge.*) Who started the word "Eureka"?—We will come to that by-and-by. I never heard it mentioned before I heard it in this court. I will explain that. I never heard it till I heard it here. Mr. Cook said, "Business generally "begins early here, you must be up early in the morn-"ing;" and Mr. Cook suggested it should be made up in "ten ounce parcels."

19,064. Ten pound parcels?—Ten pound parcels. There was nothing more that occurred that night, and Mr. Williams, or Mr. Lomas, left us to go the "Railway Hotel," where he was staying, and where he was to stay the following day to await orders. Mr. Fennelly went soon afterwards, and I went home. The next morning was the poll. The poll commenced at 8. I was, on the opening of the poll, in the return room in Eastover; and, it is in evidence before you as to the eastern district, and as to that room, that it was the room to which three wards made their return. Mr. Lovibond's south ward, merely one booth, and Mr. Barham's, the north ward, one booth there. The polling was very slack indeed for some time. The Liberals were in a majority, I think, until close upon 9, or say half-past 8, or a little after. I saw Mr. Lovibond at the return room at the "Globe" early in the morning, and I walked up through the town with Mr. Lovibond on my way to vote. My booth was in Mr. Lovibond's district; and on the way through the town we passed Robert Bussell, and Robert Bussell said, "Well, sirs, "there will be no occasion for your clerks doing much "to-day; we have found out some flaw in some Act "you have not complied with; you may poll as many "as you can, but it will be a void election."

19,065. What did you suppose that meant?—I cannot tell. My impression is it was to throw us off our guard.

16,066. It was a dodge of Bussell's?—I cannot say I mentioned it to Mr. Barham afterwards. We thought there was perhaps some act of neglect on our part; but we could not think of any act of omission on our part. That was close upon 9; and I went down to the "Globe" again, and soon after 9 the Conservatives not only became on a par, or equal with us, but they began to take a decided lead—a decided majority; and I remember it was said in our room—I cannot say by whom, but I remember at the time it was said by some one—and I could not believe it; I thought it was most improbable, and Mr. Barham has stated that he thought so too, that Mr. Westropp had said, in addressing a meeting at the "Clarence," "Well, gentlemen, we "cannot spend money now. It is a very serious thing. "We should get sent to prison for two years; but if "you go to poll, 14 days afterwards you shall be "paid."

19,067. (*Mr. Price.*) It seemed so improbable that you could not believe it?—It did. I could not believe it.

19,068. But it is said he went about the town triumphing over you?—Quite so. I saw him out of the window; and saw him shake hands with every man, woman, and child in the town. Shortly after that, Mr. Lovibond, who was in the return room at Eastover—and it is fair to Mr. Barham to say, I do not remember seeing him again till the return of the poll ——

19,069. Are you speaking now of the time when Mr. Barham said he came in, and found the room in a bustling condition?—No; I did not see Mr. Barham till the end of the day, at the hustings.

19,070. He said he saw you before then?—That is a mistake. I am sure Mr. Barham did not come here intentionally to say that which was wrong. It is a mistake. Mr. Lovibond was at the return room at the "Globe," and we talked it over, and we went into an adjoining room, and Smith, Allan, Bussell, Bulpin, and Alway were there, and then it was discussed. We were all convinced that either money was going on the other side, or promises. They came to the same conclusion, and it was inquired, "Well, what will it cost to win the election now?" And some one said "3,000*l*." We went out—when I say "we" I mean Mr. Lovibond, Mr. Cook, and myself—and considered the matter over.

19,071. Now wait a moment. When you went out, did you go and see anybody?—Not a soul.

19,072. Are you quite sure of that?—Oh yes, perfectly.

19,073. You did not see Mr. Vanderbyl?—No. I am telling you. You will find my statement is correct.

19,074. I will take it for granted that it is correct. I am only drawing your attention to it. When you retired out of the room in which Bussell, Allan, and

the other men were, you did not retire to see the candidates ?—No.

19,075. (*Mr. Coleridge.*) Knowing, as you did, from your partner Cook, that Mr. Fennelly was gone up to London in the morning to receive money, knowing that Mr. Fennelly had returned to town, and having seen Lomas, and heard all about the money, how do you account for the fact that no money was spent on the morning of the polling day, when the other side were getting ahead of you ?—I will tell you that. Then we discussed as to the propriety of spending money then.

19,076. What time was this ?—This was about ten as near as I can recollect, and we discussed it, and said "We will wait a bit, and see how things run on;" and the majority still increased, and between 10 and 1 no doubt two or three meetings took place between the other parties in the other room.

19,077. (*Mr. Price.*) Will you say that up to that time no money had been spent ?—That is my impression.

19,078. And after what you had been told about the sort of men who had gone up to the poll, and seeing that the Conservatives were gaining upon you, why did you not open your pursestrings early in the morning? I ask you, when were you prepared to open the floodgates ?—I will tell you. The Conservatives were in so large a majority that in discussing the matter we said, "If we now commence to spend "money with such a large majority against us, it is "not simply knocking down the majority, but every "man, save and except here and there, afterwards "must be bribed."

19,079. (*Mr. Coleridge.*) I want to know why you let all the time between 10 and 1 slip by without spending money ?—Because from 10 to 1 the majority grew greater and greater. The majority got so bulky.

19,080. I cannot understand why you did not draw the pursestrings before ?—Because the Conservatives, having once got a majority, having the advantage of that majority, they thrust up every man as fast as they could. My opinion is, that they pushed up every doubtful man as fast as they could in the morning.

19,081-2. (*Mr. Price.*) Was this the reason that somebody said, "How much will it cost to win the election." And it was replied, "3,000*l.*," and then Bussell, or somebody said, "Three might have done it this morning, but it will take five to do it now" ?—It was. I remember it perfectly.

19,083. Was that the reason, because you were alarmed at the largeness of the sum ?—No doubt the majority had grown so large, that although 3,000*l.* might have done in the morning, a much larger sum would be wanted to alter the facts as they then existed.

19,084. Then you came to the determination, as facts had altered so greatly, not to spend any money ?—I did.

19,085. (*Mr. Coleridge.*) As I understand, you only spent 740*l.* to win the election ?—No doubt. Mr. Allan has stated in the box that I made this statement, "It is no use to make any bones, here is 3,000*l.*, if "that will do to go in and win with." I solemnly state that no such words came from my lips, or anything to that effect. I remember about 12 o'clock Mr. Lovibond came up again in the return room, and no doubt it was very full, and we went downstairs to talk the matter over.

19,086. (*Mr. Price.*) Is there any doubt; it may be only a mistake as to the mouth from which the words proceeded, and no more; but did anybody use those words in your presence ?—No.

19,087. There probably would be a great deal of confusion when a number of gentlemen were speaking ?—Yes.

19,088. Are you prepared to say, when Allan was in the room, that that expression was never used by anybody ?—The only expression ever used by anybody at all was something like this, "Will 3,000*l.* do ?" I do not know who said it. My next impression is that Mr. Lovibond said so. I will not say that as a fact, but that is my impression.

19,089. I have not got the exact expression, but was it followed up by an expression like this, "Here is 3,000*l.* for you, if that will be enough" ?—"Will 3,000*l.* do" ?

19,090. Not put in this way, "Here it is" ?—Certainly not.

19,091. "Here is 3,000*l.*, if you can do it" ?—No.

19,092. What is it that Allan said, that you say you deny ?—That what I said was this—"It is no use to "make any bones about it. Here is 3,000*l.*, if that "will do."

19,093. I ask you if anybody else said that, if Allan was under a mistake as to you ?—No doubt it was said, "Will 3,000*l.* do" ?

19,094. But was it put in the other way, "Here is 3,000*l.*" ?—No.

19,095. Merely put interrogatively ?—Yes, will 3,000*l.* do ?

19,096. What time was that ?—That was about the time, I think, Bussell said 4,000*l.*

19,097. (*Mr. Coleridge.*) It was Bussell said 4,000*l.*?—There were so many people brushing about, that I cannot say who did say it. I come to a little after 12. Mr. Lovibond came into the room, and I went downstairs with Mr. Lovibond; outside the "Globe" I saw Dr. Kinglake and Mr. Mogg. We walked from the front——

19,098. (*Mr. Price.*) Now just fix that time as near as possible ?—I will fix that time as near as I can.

19,099. What is your lunch time here; about 12 o'clock ?—We took no lunch that time.

19,100. But the ordinary time; Mr. Nicholls went home to lunch, and Mr. Lovibond went with him ?—It was before that.

19,101. Was it before that that you saw Dr. Kinglake and Mr. Mogg ?—Certainly not. I fix that time, because I know Dr. Kinglake would not lunch before half-past 12, and that is the reason I put it between 12 and half-past 12. My impression is that we saw Dr. Kinglake and Mr. Mogg, and we joined them, and we walked round from the front of the house down to Salmon Lane, a kind of angle, and on the way the election was discussed, and we gave an opinion that the election was gone—it could not be saved; and then some question was put as to what money would save it, if it could be saved at all.

19,102. Who put that question ?—My impression is, it was put either by Mr. Lovibond or myself.

19,103. (*Mr. Coleridge.*) This was said while you were walking with Mr. Mogg and Dr. Kinglake ?—Yes.

19,104. You say that either the one or the other of you put some question as to how much money would be required ?—Yes.

19,105. You did not put that by way of interrogation to Dr. Kinglake, but by way of information ?—It was by way of information going along.

19,106. Because you had discussed the matter before, and had had the amount put to you ?—Yes.

19,107. Therefore you put it by way of information to Dr. Kinglake that that sum was wanted ?—Yes.

19,108. What was said by Dr. Kinglake ?—I knew very little of Dr. Kinglake. I had seen Dr. Kinglake at different times before at Mr. Lovibond's office, and I thought Dr. Kinglake would be more free with one instead of four; and I walked before with Mr. Mogg, so as to leave Mr. Lovibond and Dr. Kinglake to walk behind and talk matters over.

19,109. Has Dr. Kinglake taken an active part in Mr. Kinglake's elections ?—No. I have seen Dr. Kinglake coming from Mr. Lovibond's office from time to time.

19,110. (*Mr. Price.*) When you made that observation to Dr. Kinglake, did you make it to him because you thought that Dr. Kinglake was in that position towards his brother, that if money was to be found, that he would be the medium of getting it ? No, I cannot say I did.

19,111. Then what was the object of talking it

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over with him?—It was a mere discussion as to how the election stood, and if it was absolutely gone.

19,112. But when you came to money matters, and to specify a sum, it surprises me that you should be so particular in doing that with Dr. Kinglake, unless it was with the knowledge that Dr. Kinglake would attend to the money part of the business for his brother. What makes me think so is the evidence we have before us, that Dr. Kinglake had been to the bank the night before about the 1,000*l.*, and saying it might go to 1,500*l.*, and that about 12, at the time of your meeting, he had been to Prior's bank, and cancelled the transaction. And then we have the evidence you know of Mogg's going afterwards for the 500*l.* That is the reason I press you upon that, whether that must not be the reason for discussing the amount of money with Dr. Kinglake?—I cannot say it was, because all that is new to me. I never heard of it till I heard it in this court the other day. I had no idea where the money came from.

19,113. Therefore you would not have the same reason to mention that to Dr. Kinglake, because you did not know those facts?—No; it was all new to me. I heard it in court the other day for the first time.

19,114. At all events, somebody mentioned the sum to Dr. Kinglake?—Yes, certainly.

19,115. Was anything said about a lesser sum than the sum that was mentioned?—No.

19,116. (*Mr. Coleridge.*) Was there anybody who knew where that came from? Does Mr. Lovibond know everything about the matter?—Mr. Lovibond has always declared from first to last that he never knew anything about the money, and nothing of Allan's money. He has declared that over and over again.

19,117. Nothing of Mr. Fennelly's money?—Yes; over and over again he has informed me, and I have always been informed, if anybody is to blame, it is Reed and Cook.

19,118. (*Mr. Price.*) That is a very serious allegation that Mr. Lovibond has always told you, that he had not the slightest idea where Allan had his money from?—Yes.

19,119. (*Mr. Coleridge.*) Not even Kinglake's money?—Yes.

19,120. (*Mr. Price.*) What! not even the 500*l.*?—Yes, over and over again.

19,121. Since the election petition?—Yes, over and over again.

19,122. And since the Commission began?—Yes, over and over again, and told my partner also.

19,123. Therefore, according to the state of your knowledge, you thought this money dropped from the clouds; that it came from the "Man in the Moon," to adopt a figure of speech?—No.

19,124. You knew of Mr. Fennelly's money?—Yes.

19,125. When did you hear any money had been spent on Mr. Kinglake's behalf?—I have not the slightest knowledge.

19,126. We are perhaps interrupting you?—I may say, going back, Mr. Lovibond then left Dr. Kinglake, and took my arm. We walked back to the "Globe," and Mr. Lovibond said to me, "Do you know that "Mr. Kinglake's friends look to the seat as of so much "importance that they are prepared to spend 2,000*l.* or "3,000*l.*?"

19,127. Mr. Lovibond said that?—He did, and I then, with Mr. Lovibond, went up into the "Globe" room, and saw Mr. Cook, and then it was that Mr. Cook said, "With such a majority, if you flood the "streets with money it is certain what will be the "result." I came to the same conclusion, and so that ended, I did not see Dr. Kinglake again that day.

19,128. (*Mr. Coleridge.*) What time would that be, 1 o'clock?—I should think it would be close up to that time.

19,129. (*Mr. Price.*) Where did you part with Dr. Kinglake?—Outside the "Globe."

19,130. Did Mr. Lovibond go away with him?—No; Mr. Lovibond accompanied me upstairs.

19,127. Upstairs?—Yes.

19,132. And did you stay, or did you leave Mr. Lovibond there?—Mr. Lovibond went upstairs. Now, whether Mr. Lovibond went out then and there I cannot tell, but I certainly saw Mr. Lovibond, and talked with him subsequently.

19,133. How long after was it that you heard that Mr. Kinglake and his brother left the town? You know now, even if you did not know it then, that they did leave the town. How long after you parted from Dr. Kinglake was it that they left?—It was a day of much excitement, and I should not like to say; but it was about 12 or half-past. I thought the election was dead and gone, and I was very much dejected, and I left my books and went into a corner and smoked a cigar, and I remember while lying by idle in the day, Mr. John Smith called me across the room, and Mr. Lovibond was next to Mr. John Smith, and Mr. John Smith said, "Mr. Reed, what is the "meaning of this? Mr. Lovibond says he has been "prepared all the morning, and you are not." Mr. Cook said, "No such thing; we were prepared, but "not to flood the streets with money." Well, the next thing that took place was, as far as I recollect, the Liberals began to poll up, and began to poll up very rapidly indeed. This would be after 1 o'clock. A question was put by one of the Commissioners the other day, and he said, "No one can explain how "this majority was knocked down, and why these "people came up and voted." Now my explanation is this, and I believe it is the truthful and the real explanation, that a considerable body of electors did wait back, anticipating money. They were led to believe there would be money, because of Mr. Westropp's antecedents, and because of Mr. Gray's antecedents.

19,134. There was nothing known about Mr. Gray?—Except his being a poor speaker, having little to say, but a very rich West India merchant, and so on.

19,135. That is always known of every candidate who comes to Bridgwater, you know?—Well, those two were cried up. Mr. Westropp for years had been courting the borough, giving to every possible local charity, and everything else. My explanation is this, that at 1 o'clock apparently the election was gone; there was no market for those doubtful Liberals, no market for their vote; they held a commodity which was not saleable, and the question was, "Will you "hold the commodity, your vote, in your pocket, or "will you give it away, and vote for the Liberal can-"didate?"

19,136. Up to that time, had there been any expenditure by either side?—I am quite certain no money had been spent by the Liberals, and, as far as my impression goes, no money had been spent by the Conservatives.

19,137. At that time the Conservatives were in a very large majority?—Considerable.

19,138. And you say when the majority began to be diminished by the Liberals going up, it was because they had been hanging back to see if money would be spent, in consequence of what Mr. Westropp had done before, and what they supposed Mr. Gray would do; but finding that money did not come, they went to give their votes for the Liberals?—Yes.

19,139. In consequence of that the majority got by the Conservatives up to that time was a *bonâ fide* majority, an unbought majority?—No; I look upon it like this——

19,140. (*Mr. Coleridge.*) They were bought by promises?—Yes, they were bought by promises.

19,141. (*Mr. Price.*) If the Conservatives had been going about promising voters, and were able to get a large majority in that way, one would have thought the promises would have gone about freely to influence the remainder?—No. My impression is this, that they had exhausted their own ranks, and they found they must go to the other side, with something else than promises.

19,142. You think that if they went to your side they must not go to them with promises, but they must go to them with cash down?—No doubt.

19,143. (*Mr. Coleridge.*) Your impression is that the Conservatives did not give money that day; they only promised that day; it was all promises?—They never spent a farthing; that is my impression. There was not a shilling spent.

19,144. They were entirely dealing in promissory notes all the day through?—Not promissory notes.

19,145. Promises?—Yes.

19,146. (*Mr. Price.*) IOU's?—IOU's. I have never been able to discover the spending of a shilling that day.

19,147. Your "doubtful fors" were not contented with Mr. Westropp's IOU's, and they would take nothing less than the packages of tea or something of that sort?—Yes; not only that, it would have been a dangerous thing for the Conservatives, with so large a majority, to come into the Liberal ranks, and venture upon promises.

19,148. No doubt, then, your "doubtful fors," finding there was no money going, and not liking to trust the other side, and perhaps not being asked, they then thought they would go and vote according to their political persuasion?—No doubt.

19,149. (*Mr. Coleridge.*) And no doubt many of those who were promised, and voted, were paid?—I have never heard that those who previously voted were paid.

19,150. Why did you allow those three hours in the morning to slip away without spending money?—First we were neck and neck, and then after a time the majority against us was very considerable.

19,151. Would not that be the time to spend it?—Yes; but whilst we discussed it they ran up so considerably, that we thought they were too considerable to be beaten, and the majority still increased.

19,152. And Bussell all this time was grumbling that no money was being spent?—Bussell certainly did grumble in the morning from time to time.

19,153. And everybody said things were going wrong?—No doubt of it.

19,154. (*Mr. Price.*) Was it not operating on your mind and the minds of the other gentlemen at that time that you had much better keep out of bribery altogether, not from any pure motive, but from the fact that you thought it was hopeless, there being such a large majority, and that it would be a waste of money?—I must state the truth; that was my impression.

19,155. You thought it would be a waste of money?—Yes.

19,156. It was really because you thought it would be a useless expenditure, and not from any ideas of purity that you entertained?—It was.

19,157. (*Mr. Coleridge.*) Mr. Fennelly having brought down this money, and it being in the hands of this "tea dealer," in 10*l.* packages, how was it that you did not go to him for the money early in the morning instead of faltering on the subject of money all through the day; was there any reason for your not doing so?—Not the slightest.

16,158. Was there any reason for your not going to him for the money?—No.

19,159. Then I cannot understand it?—Then the Conservatives ran up, and there was a good deal of vacillation, no doubt.

19,160. But your ready cash would have been ten times better than their promises?—Yes, but the thing ran up; it grew up, as you may say, before the thing was at all contemplated or expected. I was speaking of the manner in which this large majority was brushed away.

19,161. (*Mr. Price.*) Have you got to that period of the day when Mr. Barham said, he came down and found Mr. Lovibond taking down names?—I never saw Mr. Barham there.

19,162. That may be a mistake of yours. You may not have seen Mr. Barham?—Quite so.

19,163. But was there a period of the day when Mr. Lovibond was taking down names, and you were, as Mr. Barham described it, looking the picture of despair?—Well, I was looking very miserable, no doubt.

19,164. That was about the time you are speaking of?—I think it was.

19,165. Because that would give Mr. Barham the idea that, at last, the resolution had been come to, to open the flood-gates of bribery?—We were not together; Mr. Barham was not with me.

19,166. No. He said he went about, and went once into your room at the "Globe," and found quite a different state of things from what he saw in his own room, or Mr. Lovibond's room; he found the position of things quite different altogether; the room full of people, Mr. Lovibond taking down names, and you yourself standing on one side, not taking any part in what was going on; and then was the time when you determined to open the purse?—No.

19,167. Later than that time?—At that time I had come to the conclusion that the election was gone and hopeless, or I should not have looked dejected.

19,168. And it was after Mr. Lovibond's going away?—No doubt.

19,169. Had you left the room when you came to that determination?—No.

19,170. Did you leave the room to go to luncheon?—No.

19,171. You stayed there?—Yes. I may say I should have left in the morning. Telegrams came from Taunton, and I said, "It is a cowardly thing to "run away; I will stay and see the thing out." But I certainly thought it was hopeless, and that we should not attempt anything at all.

19,172. I want to ask you this, if it comes in order; if not, you will tell me when you come to that part of it. There was a period of time, I suppose it must have been later, when the money was going; but I think either Allan, or Bussell, or one of them came into the room and complained in some way or other as to the want of money; and then it is said, I think, that you used the expression, "We have done all that we could; where the devil is Lovibond?"—That was later in the day.

(*Mr. Coleridge.*) It was at half-past three, I think.

(*Mr. Price.*) We will come to that presently.

A short adjournment took place.

Mrs. Sarah Gold sworn.

Mrs. S. Gold.

19,173. (*Mr. Price.*) You are the wife of Richard Gold?—Yes.

19,174. We want you to tell us what you know as to any money being given to your husband at the election of Vanderbyl in 1866, which he was to use for bribing?—All that I know, sir, is that Mr. Bond was in our house. I do not know his christian name.

19,175. Speak out, please, we can't hear?—He was in our house. Mr. Bond was in our house, and my master and Mr. Bond was talking about voting. Mr. Bond was in our kitchen, and they were talking about Wittridge; that is a man that worked for Mr. Bond—a shoemaker. He lives in Mount, and my master and Mr. Bond was talking about him. He would not go to the poll, and my master said, "I've got 10*l.* for "Wittridge. You know him better than I; you had "better give it to him." He said, "All right," and my master give him the money, and Mr. Bond said he would see that he got it, and make it all right.

19,176. (*Mr. Coleridge.*) Are you quite certain that you saw the money given to Mr. Bond?—I am quite certain of it.

19,177. What was it in? Was it in gold?—I do not know. I did not see the money; I saw the paper.

19,178. Was it money or notes?—Money, I believe.

19,179. (*Mr. Anstey.*) Was it in a sealed or covered paper—a paper parcel?—Yes, rolled up. I saw the money; saw my husband giving it to him.

19,180. Have you been talking to your husband

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about it?—No, I have not seen him since he came away this morning.

19,181. Did you talk it over last night?—My husband's brother came in and he said, "Why Bond said "you never gave him no money to give Wittridge;" and I listened a minute or two and thought of it, that at the time of the election I saw Bond in our house, and I said, "I am sure he did, for I saw him do it." I never said a word about it to my husband.

19,182. That is all that passed?—Yes.

19,183. Now, have you ever had it drawn to your recollection since the time that it took place?—I never thought of it till last night, and then I studied about it a minute or two and it came to my recollection where it was.

19,184. (*Mr. Anstey.*) What did Bond say?—He said that he would see him and make it all right.

19,185. (*Mr. Coleridge.*) Did you see your husband go to Wittridge?—No, I did not.

19,186. Is Wittridge in court?—I do not know.

19,187. (*Mr. Anstey.*) Do you know Bond by sight?—Yes.

19,188. (*Mr. Price.*) Is that the man (*pointing*)?—Yes, that's the man.

19,189. (*Mr. Coleridge.*) How long have you known him?—I have known him for years when I have seen him.

19,190. For the last twenty years?—I suppose I have.

19,191. (*Mr. Anstey.*) Has he always lived in Bridgwater?—No, thirty years.

19,192. Had he been to your husband's house more than once that day?—No, I don't think he had.

19,193. Not several times?—No, I do not recollect seeing him but that once.

19,194. What time of the day was it?—Well, I think it was the morning part.

19,195. Before your dinner?—Yes, my husband had been to the poll I know.

19,196. Did you know your husband had money to give away for bribery?—I did not know it until I heard him say to Bond that he had 10*l.* I never knowed anything about it till I heard him say to Bond, "I have 10*l.* for Wittridge."

19,197. Did you talk to him about the money?—No, I never named it.

19,198. This was in Vanderbyl's election of 1866?—Yes.

19,199. You are quite sure of that?—Yes, I am sure of that; and that is all I know of it.

19,200. (*Mr. Coleridge.*) Don't you know of other elections?—No; I don't think my husband ever had anything to do with elections before that.

19,201. Had he anything to do with the last one?—No, he had not. He went to poll early in the morning, and afterwards went away.

19,202. Does he talk to you about political matters?—No. I never said nothing; never asked him anything about it.

19,203. He does not discuss them with you?—No. I know he never had any money in his life. I am certain of that.

19,204. How do you know it?—Very well.

19,205. If he got it he would have given it to you?—Yes, he would.

19,206. We heard the other day from one lady that her husband never gave her some money, though he had it we found?—If he had money I should have known it; he would have given it to me to make use of it.

19,207. Supposing he had spent it at public-houses?—He does not go to the public-house; I am certain of that.

19,208. (*Mr. Price.*) You have such confidence in your husband that you are quite sure if he had money you would have had it?—Yes, if he had had money I should have had it.

19,209. You never had money?—No; I never saw the colour of money.

19,210. (*Mr. Price.*) You never had any colours of pocket handkerchiefs?—He had a pocket handkerchief, but then he paid for it.

19,211. You have never had any expenses?—No.

J. Wittridge.

JAMES WITTRIDGE sworn.

19,212. (*Mr. Price.*) What are you?—A cordwainer.

19,213. Who do you work for?—Mr. Bond.

19,214. Did you work for him at the election in 1866?—Yes.

19,215. Were you a voter then?—Yes.

19,216. Did he ask you at all which way you were going to vote?—No.

19,217. Did he know whether you had voted or promised your vote?—No.

19,218. Had you voted at other elections?—Yes.

19,219. Did he talk with you at all about the election?—Not a word of it; not on that day.

19,220. Had you said anything whatever to Mr. Bond about money?—No, never.

19,221. Did you talk to him on the day of election about your not voting?—No.

19,222. Had you said so to anybody else. Had you given anybody to understand?—I don't believe I did.

19,223. Don't talk about believing. Tell us honestly. You are here upon your oath, and if you do not tell us you will be in a considerable difficulty. Had you said anything to anybody to lead them to suppose that you were hanging back for money?—No.

19,224. Did you know that money was going?—No.

19,225. Had you received money for any vote on a previous election?—Well, I don't know whether it was for my vote or not.

19,226. Never mind. Had you received money at any other election?—10*l.* after Mr. Bagehot's.

19,227. (*Mr. Coleridge.*) Is that the first time you ever had it?—The first time I ever received it.

19,228. How long after you had voted?—I should say about a fortnight or three weeks.

19,229. Who did you get it from?—Mr. White.

19,230. Cornelius White?

19,231. (*Mr. Anstey.*) Henry Cornelius White?—No, Joseph White.

19,232. (*Mr. Price.*) Now then, you got 10*l.* Is that the only money you ever got?—That is the only money I have received, but my wife received 10*l.* at the second election.

19,233. At Vanderbyl's election?—At the second election.

19,234. The second election of 1866?—I cannot tell.

19,235. What do you call the second election?—Five elections back.

19,236. (*Mr. Coleridge.*) Do you mean the general election of 1865?—Who were the candidates then?

19,237. Kinglake and Shelley and Westropp?—It was before that.

19,238. In 1859?—It was when Mr. Patton was up.

19,239. That is 1866?

19,240. (*Mr. Anstey.*) You mean when Mr. Vanderbyl was elected?—No.

19,241. (*Mr. Price.*) Who was against Mr. Patton when you got 10*l.* Mr. Patton stood against Mr. Bagehot?—Yes.

19,242. And you got 10*l.* after voting on Bagehot's election?—Yes.

19,243. There was another the same year. Mr. Patton stood again the month after, and Mr. Vanderbyl against him. Did your wife get anything then?—10*l.*; the house received it.

19,244. What do you mean by "the house"—10*l.* was put into the house; I don't know who put it there.

19,245. Now then, do you mean to say you had

not let anybody know, at Vanderbyl's election, that you expected money?—I mean to say no, and at no other election.

19,246. But you received money at Bagehot's?—Yes.

19,247. And of course they knew you had had 10*l.*?—After Bagehot's I received 10*l.*, not knowing what it was for.

19,248. (*Mr. Coleridge.*) Who gave you that?—Mr. White.

19,249. (*Mr. Anstey.*) How long after you voted for Vanderbyl, at the second election of 1866, was it that the 10*l.* were put into this empty house?—It was a full house, I believe.

19,250. I thought you said nobody was in it?—No, no; no one to see it put.

19,251. How long after you voted was it put into your house?—Well, I cannot say.

19,252. How long was it after you voted that you saw it or found it in your house?—I did not find it at all.

19,253. Your wife?—Yes.

19,254. Well, come, how long after?—Mrs. Wittridge told me that it was in the evening.

19,255. The evening of the same day on which you voted?—Yes.

19,256. You have not the slightest doubt that was given you for your vote?—Certainly, I should think it was for nothing else.

19,257. (*Mr. Price.*) You don't get 10*l.* put into your house every day, of course?—No.

19,258. Where was it put?—I cannot say that.

19,259. Your wife found it?—Yes.

19,260. Was your wife in the house all day?—No, I think not.

19,261. Was the house shut up then?—No.

19,262. Where did you go when you left your house that day? Where were you? Did you go to any of Bagehot's committee rooms, any of the public-houses?—I went to one.

19,263. (*Mr. Anstey.*) Which was that?—The "Lamb," in the morning.

19,264. (*Mr. Price.*) Who did you see at the "Lamb"?—No one particular.

19,265. Did you see Bond at all that day?—Yes, in the afternoon.

19,266. Did he say anything?—Not about money.

19,267. About your vote?—No.

19,268. Nothing whatever?—No.

19,269. Did Mr. Bond know that you would not go and vote without money?—He always understood I would not take money.

19,270. (*Mr. Coleridge.*) How did he come by that mistaken understanding?—I do not know.

19,271. (*Mr. Price.*) You know the man of the name of Gold? There he sits; do you know him? How could he come to know that you would not vote without money?—Well, I cannot say, but I never promised my vote to anyone.

19,272. (*Mr. Coleridge.*) By not promising your vote you mean that you wanted money for it?—I cannot say.

19,273. What time of the day did you poll, on the second election, Vanderbyl's election?—About three o'clock in the afternoon.

19,274. What time had you voted for Bagehot on the former election?—About eleven, I believe.

19,275. (*Mr. Price.*) Had you been asked to go and poll that day for Mr. Vanderbyl before you polled?—Not by anybody particular.

19,276. Whether particular or not particular, had you been asked by anybody to go and vote early in that day?—I cannot remember.

19,277. Yes, you can remember if you try?—I cannot. I would if I could.

19,278. You can. You can swear one way or the other?—I cannot swear.

19,279. Do you mean to say that you went and voted at 3 o'clock in the afternoon of that day, and that nobody had said a word to you about asking you why you had not voted, or asking you to go and vote?—I was out of the way for two or three hours.

19,280. (*Mr. Anstey.*) Why were you out of the way?—I was at a neighbour's house.

19,281. (*Mr. Coleridge.*) Was it in order that the 10*l.* should be left while you were away?—No, I believe it was there then.

19,282. During all the morning where were you? In the "Lamb" all day?—Only in the morning.

19,283. You went out of the way?—I went home.

19,284. You say you were at a neighbour's house?—Yes.

19,285. What time?—From the middle of the day to three o'clock.

19,286. (*Mr. Anstey.*) What were you doing from the middle of the day till three o'clock?—Well, I was at the "Lamb" in the morning, it might have been two hours.

19,287. Did you hear that any money was going to be spent?—No.

19,288. Now take care. Did you know that Mr. Vanderbyl was a rich, moneyed man, and that money was going to be spent, before you voted?—No.

19,289. No idea at all?—No.

19,290. You never asked?—No, I never asked.

19,291. Did you hear it? Now take care.—Yes, I am.

19,292. Did you hear before you voted that Mr. Vanderbyl was spending money, or that his friends were spending money for him, on the polling day?

(*Mr. Coleridge.*) Come, you can't want to doubt about it.

19,293. (*Mr. Price.*) You must have heard it? Did you hear it or not?—Well, I can't say I did hear.

19,294. Will you swear you did not?—No, I cannot; I have my doubt.

19,295. At Bagehot's election you voted at 11 o'clock, and you got 10*l.* afterwards?—Yes.

19,296. Do you mean to say you waited till three o'clock, and never heard a word about money being paid at Vanderbyl's election for votes?—Well, I cannot remember that anyone said anything to me of that.

19,297. Did not you know it perfectly well that men were being bribed, and that Mr. Vanderbyl was expending a great deal of money?—No, not then.

19,298. Not then?—Not till the afternoon.

19,299. In the morning?—No, not in the morning.

19,300. You never heard anything at all about money before you voted?—Not me personally.

19,301. Did you hear it said in the company you were in at the "Lamb"?—No, I did not.

19,302. Did you hear it said anywhere in the town?—I cannot recollect that I did.

19,303. You said not you personally; what did you mean by that?—Because nobody ever said it to me.

19,304. (*Mr. Coleridge.*) Did they say it to your wife?—I cannot say.

19,305. She might have told you so after. Did she?—Yes, she told me so afterwards.

19,306. (*Mr. Anstey.*) What were you doing all that morning, from the beginning of the poll to three o'clock? Now answer fully, and let me hear what you have got to say?—In the morning I was down town, I cannot say where, somewhere in the town, when I met with a party just opposite here, and he asked me to go and have a glass.

19,307. Who was it?—Mr. Carter Reeves.

19,308. He asked you to go and have what?—A glass. He said, "Come across here;" and I said, "We will go a little further." That was the "Bull and Butcher." We went a little higher up, into the "Lamb," and then we had a glass of beer.

19,309. Did you pay for it?—Yes.

19,310. From there where did you go?—After that I believe I went home.

19,311. At what o'clock did you get home?—I cannot say, somewhere about twelve.

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19,312. Did your wife say anything to you when you got home about the election?—No; I do not know that she was there.

19,313. Did anybody say anything to you about the election?—No.

19,314. Did Mr. Carter Reeves say anything to you about the election?—Nothing at all about the election.

19,315. What?—Nothing at all about no bribes.

19,316. But about giving your vote?—Well, we were only talking about the election.

19,317. Did he ask you if you had polled, and all that sort of thing?—He might have asked that, but I cannot say. I cannot answer.

19,318. But you must answer it?—I cannot tell the exact words. It was in conversation.

19,319. I must have an answer to it. Was anything said by either of you about your having voted, or going to vote?—He knew I had not voted.

19,320. Did you tell him anything about your intending to vote that day?—No.

19,321. You said nothing?—No, not that I am aware of.

19,322. Then you left him under the impression that you were not willing to speak about your vote? Was that it?—No, no.

19,323. (*Mr. Price.*) Why did not you go and vote at 11 o'clock, as you did at Bagehot's election? Explain that?—Gentlemen, I never do go and vote early.

19,324. You went and voted at 11 at Bagehot's election. We want to know why you did not vote till after three at Mr. Vanderbyl's? Have you any political opinions at all?—Well, a little, that is all.

19,325. What side are they? Which way?—Liberal.

19,326. A little for the Liberals?—Yes.

19,327. Very well then, having that little for the Liberals, why did not you go and vote as early for Vanderbyl as you voted for Bagehot?—I voted for Sir John Shelley——

19,328. Never mind about Sir John Shelley; why did not you vote as early for Mr. Vanderbyl as you did for Mr. Bagehot?—I did not think of voting for Vanderbyl.

19,329. Why?—Not respecting of money.

19,330. Why did not you go and vote as early for him if you did not care about money?—I did not go.

19,331. But why? Can you give us no reason?—No reason.

19,332. (*Mr. Anstey.*) Give us a reason. At 12 o'clock you went home and went out again, and went to your neighbour's house a door or so from you on the Mount?—Yes.

19,333. Why did you go to his house instead of staying at home?—Because my missis was not at home when I went in.

19,334. You went in there, and how long did you stay?—I suppose it might have been till 2 o'clock.

19,335. Who was that with?—James Taylor.

19,336. Did he talk with you about your vote?—No, nothing more than electioneering, that was all.

19,337. Did you tell him that you had not voted yet?—Yes.

19,338. Did you tell him that you were going to vote?—Yes.

19,339. Did you tell him when you were going to vote?—I told him I should go and vote when I left his house.

19,340. When did you leave his house?—I should say somewhere about 2.

19,341. You see you spent time in walking about the streets, in drinking beer at the "Lamb," in gossipping with James Taylor for two hours, according to your account, and then you left him. When you left him where did you go?—Down the street.

19,342. And to the "Lamb" again?—Not then. I was at the "Lamb" afterwards.

19,343. Before you voted?—Yes.

19,344. (*Mr. Coleridge.*) That was when the money was going?—I was at the "Lamb."

19,345. (*Mr. Anstey.*) Then you went to the poll at 3 o'clock or past 3?—Yes, that is the time; I judge it was about the time.

19,346. (*Mr. Coleridge.*) Had you gone home or seen your wife before you had voted?—No.

19,347. Had you gone home a second time?—No.

19,348. You say you had gone home and found no one there; then you went to a neighbour's house; then you went down town to the "Lamb" again; then did you go home again before you voted?—No, not a second time.

19,349. Then you went to the poll at three or four o'clock; what made you go to the poll then?—Well, I went to the poll just the same as I do at any other time; I went to the poll because I considered myself an independent man to go to the poll.

19,350. Did anybody take you there?—No.

19,351. (*Mr. Anstey.*) Was it not to let the people know that if they wanted your vote they must pay for it?—No.

19,352. (*Mr. Price.*) Were you a supporter of Mr. Gladstone?—Yes.

19,353. If you were a supporter of Mr. Gladstone, why did you not go and vote for his candidate at 8 o'clock in the morning like a man?—I did not go at 8 o'clock in the morning.

19,354. Why not at 9, 10, 11, 12, 1, or before 3? You were a supporter of Mr. Gladstone; why did you not vote for his candidate and put him in as soon as you could?—Well, I did not do it.

19,355. (*Mr. Anstey.*) The question is this also: do you not know from your experience at former elections that bribed or bribable voters are thickest generally between 3 and 4 o'clock; that they come in thickest between 3 and 4 o'clock to vote at the last moment?—I generally voted before.

19,356. But were not you aware that people generally come in for money at that hour?—People say so.

19,357. Then, knowing that, you deliberately put off voting till then?—Not for money.

19,358. You knew it?—I have heard parties say so.

19,359. I understood you to say just now that you generally voted late?—Yes.

19,360. And the only election that you did not vote late was at Bagehot's?—That was at 11 o'clock.

19,361. You generally voted after the elections were won?—Yes.

19,362. You know how they were won, I suppose?—I cannot swear to that.

19,363. (*Mr. Price.*) You say you are an independent man?—No, I am an independent voter.

19,364. I mean you are a man who votes independently—for your politics?—I believe I do.

19,365. Very well, you took 10*l.* from Bagehot?—But not knowing it was for my vote.

19,366. What did you suppose it was for? What did you think anybody had given you 10*l.* for?—I thought it was a present afterwards.

19,367. (*Mr. Coleridge.*) A present for voting; what for?—I cannot say.

19,368. Did you ever get 10*l.* present except when you had voted?—No, it is the only one I ever got.

19,369. (*Mr. Price.*) Then if you are an independent man and had 10*l.* present, did you ever wait for 10*l.* present afterwards, at Vanderbyl's?—No.

19,370. When you received this 10*l.* why did you not take it back to the Liberal party?—I thought it was a present.

19,371. Answer this question. Who do you believe had made you a present of 10*l.*?—The Liberal party.

19,372. You believe it came from the Liberal party. That being so, and you being a perfectly independent man, why did you not take the 10*l.* back again, and say, "There's your 10*l.*"?—I considered it was a present.

19,373. What for? Why should the Liberal party give you 10*l.*? Have you ever done anything for the Liberal party?—No.

19,374. Except voting?—Not except voting.

19,375. Why then did you think they had given you a present?—Because it was after the election, and I never promised my vote.

19,376. (*Mr. Coleridge.*) How many presents have you had in your life?—That is the only one.

19,377. Ever?—Yes.

19,378. How often have you voted?—Six times.

19,379. When did you first vote?—When Mr. Follett put up.

19,380. That was in 1857. How did you vote then?—For Kinglake and Tynte.

19,381. What did you get for it?—Nothing.

19,382. And the next time was 1859. How did you vote then?—For Kinglake and Tynte, I believe.

19,383. What did you get then?—10*l.*

19,384. You told us you had never got but one present?—Not myself, but sent to the house.

19,385. Very well; then in 1859, when you voted for Kinglake and Tynte, you got 10*l.* That was for voting?—It was sent to the house.

19,386. Then the next election to that was in 1865. Who did you vote for then?—Was that Shelley?

19,387. Kinglake and Shelley?—For Kinglake and Shelley.

19,388. What did you get then — anything?—Nothing.

19,389. Nothing before or after?—Not at that election.

19,390. Then in 1866 you got 10*l.* from Mr. Bagehot?—After the election, never before.

19,391. At Vanderbyl's what did you get?—10*l.*; there was 10*l.* sent.

19,392. (*Mr. Price.*) Then you had three 10*l.*? What you mean to represent is this, you get 10*l.* from the Liberals when you don't promise to vote?—I never did promise my vote.

19,393. Do you get 10*l.* because you don't promise your vote?—I do not know.

19,394. You said so just now?—That is what I expect.

19,395. Because you don't promise your vote, therefore the Liberal party give you 10*l.* after the election?—They did at Bagehot's.

19,396. And at Vanderbyl's?—They sent it home.

19,397. But it is the same thing if you live at that house. Now, I tell you, if you do not answer the questions truthfully, most undoubtedly I will send you to prison?—I cannot help that.

19,398. Well, I tell you that?—I am answering.

19,399. You are not answering. You swore just now that you never received but one 10*l.*?—Not myself.

19,400. (*Mr. Coleridge.*) How often have you been bribed on both sides? What have the Tories ever given you?—Nothing.

19,401. Do you mean to say that in Vanderbyl's election you did not get something from the Tories too?—No.

19,402. Not a farthing?—No.

19,403. Were you offered anything?—No.

19,404. Quite sure of that?—Yes.

19,405. Nor at Bagehot's?—No.

19,406. (*Mr. Price.*) Did you go and look about to see whether you could get money?—No.

19,407. (*Mr. Coleridge.*) What did you get the last time?—Nothing.

19,408. Are you quite sure of that?—Yes.

19,409. How was that?—I cannot tell. I never looks out for money; they make me take it.

19,410. (*Mr. Price.*) How do you get it?—They send it to my house.

19,411. Cannot you take it back again?—I could take it back again.

19,412. (*Mr. Coleridge.*) Who do you suppose sent it to you?—The Liberal party.

19,413. If you had been an honest man and meant to repay this money who should you have taken it to?—The Liberals.

19,414. Which of them?—I cannot say.

19,415. Would you have taken it to Bussell, or Lovibond, or Allan, or Reed, or whom?—I do not know.

19,416. Who was it gave you the one 10*l.* which you received yourself?—Mr. Joseph White.

19,417. Would not he be the man whom you would have taken it to?—No.

19,418. (*Mr. Anstey.*) Would you have taken it to Bond or Gold?—No.

19,419. According to your own words you would not have taken it to anybody at all?—I do not believe I should.

19,420. But if you had been told that the Liberals had sent the money, and that if you sent it back to them you should have 20*l.* next month, and you had been moved by that, who would you have understood by the Liberals? To whom would you have taken it back, or would you have taken it back?—I do not know that I should.

(*Mr. Price.*) Well, you may go down. You prevaricate very much, and I do not believe a word hardly you have said, except that you took money whenever you could get it. Go and sit down there, and we will go on with someone else.

HENRY CHAPMAN BUSSELL recalled.

H. C. Bussell.

(*Witness.*) On the morning of Vanderbyl's election I was fetched for to go to the "Lamb." I went to the "Lamb," and when I got there I made inquiries what it was for, and it appears it was to see—I do not know this man, but I suppose it was his wife. I was taken up into a bedroom, and there was another party there present, and I wanted to know what was up, and the wife said her husband had not been to the poll, and he would not go to poll unless he got 20*l.* The result of it was I did not like to give the 20*l.*, and she said her husband should not go to the poll unless he got it; and I eventually made an arrangement that the wife was to have 10*l.*, and she was to have 10*l.* afterwards. But she would not let her husband go to the poll. I wanted to see the husband, and she said he was home all right. I wanted to be safe about the second 10*l.*, and I left it in the hands of the landlord. In the afternoon there was a cry about this Wittridge not going to the poll, and it was said that he had taken money from another party, and then I went and gave the landlord notice that he was not to give up the money to Wittridge. I had given one 10*l.*, but the second 10*l.* was not to be given up to Wittridge.

19,421. (*Mr. Anstey.*) You gave him notice?—I gave notice. I said, "I must have the 10*l.* back again. You won't give it to Wittridge." Then in the evening Wittridge's wife came down, and she kicked up a jolly row. She came with the landlord. I said, "No, "you have had the money from a second party, and "I insist upon the landlord giving me the money "back;" and the result was that he did. It was a common conversation. I do not know who gave him the second 10*l.*

19,422. (*Mr. Coleridge.*) He has told us Joseph White. Was White there?—No.

19,423. Who was the landlord you left it with?—Stephen Crocker. He gave me the money back again.

19,424. (*Mr. Price.*) You never heard who it was that had given him the other 10*l.*?—No, I never heard to this day.

19,425. You heard that he had had another ten?—I heard that he had money; I did not know how much.

19,426. Who told you?—You know I went into the committee room, and there was an outcry about Wittridge not going to the poll, and I went out into the street.

19,427. This is an important matter, quite independent of the election, because there is a conflict of testimony, and one or other must have committed gross perjury. Who was it you heard it of in the committee room?—It was not in the committee room, it was in the street.

19,428. Never mind where it was; who was it?—

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I cannot charge my memory; it was either one of those two parties.

19,429. Did you hear either Gold's or Bond's name mixed up in the transaction?—I never heard that Mr. Gold had money until I heard it here, and a good many others.

19,430. (*Mr. Anstey.*) Did you hear Mr. Bond's name mentioned in connexion with the voting?—No, I did not. I knew that the wife was a precious hard bargain to deal with.

19,431. Did Mr. Bond's name occur to you, from your knowledge of the last election and the elections before that, as a person who was bribable?—No.

19,432. Never heard of it before?—No, never.

19,433. (*Mr. Price.*) Or who would go and pass 10*l.*?—No, I have never heard of such a thing. The only thing that I got up for was to put the matter straight.

(*Mr. Price.*) Quite right. It only shows what a man he is.

J. Wittridge.

JAMES WITTRIDGE recalled.

19,434. (*Mr. Price.*) You see you kept back about the second 10*l.*, and your wife going there and bargaining about the 20*l.* for you?—No; she told me she was to get 20*l.* from the "Lamb."

19,435. Did not she get two 10*l.* for you?—No; there was 10*l.* at the "Lamb" and 10*l.* at the house, at Vanderbyl's election.

19,436. What did you get altogether at Vanderbyl's election?—Missis got 20; 10 home, and 10 at the "Lamb." She did not tell me till after the election.

19,437. (*Mr. Anstey.*) What has that to do with it?—Well, it is nothing only to me.

19,438. (*Mr. Price.*) You knew about it and you kept it back from us?—Not till after I voted.

19,439. You knew it when you were in the witness box?—You did not ask me, or else I should have told you.

(*Mr. Price.*) Well, go back, and we will consider whether you will have a certificate.

(*Mr. Anstey.*) And we shall also have to consider whether you are not a fit party to be included amongst those who are to be indicted for perjury.

(*Andrew Allan.*) I thought Searle the carpenter returned him in his list. I will not speak positively.

(*Mr. Price.*) Very well. We will see whether Searle is here.

(*Bond.*) I am not satisfied at all, sir. I am certain I have not had the money; if I had I should of course have given it to Wittridge.

(*Richard Gold.*) Will you please call Culliford as a witness for me.

(*Mr. Price.*) Culliford is not mixed up in this matter at all.

(*Richard Gold.*) He is, with me.

(*Mr. Price.*) You said you got 30*l.*; and you accounted for it by saying that you got 10*l.* from Allan, 10*l.* from his wife, and 10*l.* from Culliford, and that you disposed of it in a lump sum to Webber the gardener. That has nothing to do with Bond at all.

(*Richard Gold.*) Culliford was with me at the time.

(*Mr. Price.*) Well, we will call Culliford.

E. Culliford.

EDWARD CULLIFORD sworn.

(*Mr. Price.*) Now, Mr. Culliford, do not fence with the questions like the last witness.

(*Witness.*) All I know respecting this man Wittridge was, that Mr. Gold told me on the day of the poll that he had given Mr. Bond 10*l.* to give to Mr. Wittridge; and I afterwards saw Wittridge in Dampiet Street, and I said, "Have you been to poll? because," I said, "if you have not I have got some money in "my pocket which I will give you." And he said, "No, Mr. Culliford, I have not been to poll, but I am "already sugared quite sweet enough."

19,440. What time was that?—About 3 o'clock.

19,441. (*Mr. Coleridge.*) What money had you to give him?—I had some money from Allan.

19,442. (*Mr. Price.*) You had heard then from Mr. Gold that he had sent Wittridge 10*l.*?—Yes, but he had not been to the poll.

19,443. But they had given him some money?—Yes; but we have to bribe twice generally.

19,444. Bribe him twice?—Not this man, but a good many.

19,445. And he told you he had been sugared quite enough already, before he voted?—Yes, before he voted.

19,446. (*Mr. Anstey.*) Did you see Mr. Bond before that?—Mr. Gold told me that he had given Mr. Bond 10*l.* to give to Mr. Wittridge. That is all I know of the circumstances.

19,447. Do you know by whom that money was accounted for; are their lists made out?—Yes.

19,448. Do you know on whose list that would appear if it was given to Bond?—That would appear on Gold's list.

19,449. Not on Searle's?—No; but I think Searle bribed him as well.

19,450. I am talking of Bond. On whose list would Bond's name appear, or would his name appear at all?—His name would not appear at all; he is not a bribed man.

19,451. (*Mr. Price.*) Wittridge would have 10*l.*, and then the man who had furnished the 10*l.* to Mr. Bond would be the person who would be answerable for it?—No, his name would not appear at all.

19,452. But the person who had given it to Bond would be answerable for the 10*l.*?—Of course.

19,453. And that would be Gold?—Yes, that would be Gold.

19,454. (*Mr. Coleridge.*) You say you had some money from Allan, at Vanderbyl's election?—Yes.

19,455. How much?—I cannot tell the amount. I should think about sixty or seventy pounds, perhaps more.

19,456. Whom did you give it to?—It is given on a list. I have not quite reckoned it up, but I will try to recollect it presently.

19,457. Then we will call you again?—I could reckon them up. There is Scott the blacksmith, 15*l.*; Webber the barber, on the Pig Cross, 15*l.*

19,458. What is Scott's christian name?

19,459. (*Mr. Price.*) Give the christian names, and where they live?—I do not know them well enough for that. I think it is John Scott.

19,460. And what is Webber?—George Webber.

19,461. Where does he live?—Scott lives in Fryern Street.

19,462. Is that the same Webber that Gold says he gave 15*l.* to?—No, another man.

19,463. Who else?—Go Merry. We call him "Go Merry." It is Murray the tailor.

19,464. How much?—10*l.* Then he got bribed by somebody else during the day.

19,465. Well, who else?—I really cannot recollect for the moment.

19,466. Well, try, or else we will ask you to come again?—Charles Wilkins, 15*l.*

19,467. We have had him mentioned by somebody else?—Well, that was the transaction between me and Mr. Alway. I think the money went into my account. He kept back a sovereign and never gave me but 14.

19,468. Alway did?—I suppose he did. The man came and jawed me.

19,469. (*Mr. Coleridge.*) You are down for a hundred on Allan's list?—I did not have that.

19,470. Allan swears you did. How much did you have ?—I know it was not 100.

19,471. Was it 95 ?—It was more like 85.

19,472. You told us just now it was 60 ?—That is including Wilkins.

19,473. You have only accounted for 55*l.* Who else ?—I lent Gold 10*l.*

19,474. Did he repay you ?—It was not my money. It was Mr. Vanderbyl's.

19,475. Then you never got it back ?—Never tried.

19,476. (*Mr. Price.*) What did you lend it to Gold for ?—To bribe somebody else, because I had only 10*l.* left, and that was no good, the market was so gone up.

19,477. What did you have for yourself ?—Nothing, never in my life.

19,478. Nothing at all ?—Never a farthing.

19,479. No sovereign stuck to you ?—No.

19,480. (*Mr. Anstey.*) We have heard that said over and over again. Mr. Alway declared that he got nothing, and everybody comes and says he got nothing, and afterwards it turns out that they did ?—I will defy anybody to say that I did.

19,481. (*Mr. Coleridge.*) We want 100*l.* accounted for. Allan swears that you had 100*l.*, and he has given in a list in which your name appears for a hundred, and now you are five-and-thirty short ?—Please, sir, Mr. Allan is not sure that I had a hundred. He did not know that I had any at all till the morning when he came into the witness box.

19,482. You said 60 ?—It would be 65 according to my calculation, not reckoning the 15*l.* for Wilkins. There is Murray's 10*l.* Suppose I had 65*l.* and 15*l.*

19,483. That would have made it 80*l.*—Suppose I had 60*l.* and 15*l.*

19,484. 75*l.*, minus one. What became of the other 10*l.* ?—Me and a friend of mine were working together. I believe he had some money too.

19,485. Who was he ?—Walter Long, a clerk.

19,486. Do you mean that the 10*l.* went amongst you for expenses ?—No, it was not 10*l.* I let Walter Long have 20*l.*, not for his own vote at all. He told me he had already been bribed.

19,487. Who bribed him ?—Bussell.

19,488. What did he get ?—He told me 20*l.* He was not at all specific.

19,489. Whom did he have the 20*l.* for ?—Mr. Tottle the mason. Then he tried to bribe Mr. Vincent Case, the baker.

14,490. Did he stick to the 20*l.* ?—I am not quite sure.

19,491. You have a suspicion he did ?—I am not quite sure.

19,492. (*Mr. Price.*) Somebody may just as probably come and say that of you as you say it of this man ?—I do not say that he stuck to it.

19,493. You say you think so ?—I cannot hardly think he did. I do not know whether he bribed with the money. I have never heard of any man that he gave money to.

19,494. (*Mr. Anstey.*) Did you never hear the name of any man mentioned ?—No. I know he tried to give it to several people.

19,495. Did you never hear the name of any person mentioned who is said to have been actually bribed by him ?—I have not. I know he went to Mr. Tottle, and tried to bribe Mr. Tottle with the money.

19,496. (*Mr. Price.*) Do you mean to say that there are people in Bridgwater who won't take money when it is offered to them ?—I do.

19,497. Are there many ?—I am one.

ANDREW ALLAN recalled. *A. Allan.*

19,498. (*Mr. Price.*) Now, Allan, what do you say about this matter ? How much do you say he had ?—He seems to have accounted for more than I gave him.

19,499. You charged him with 100*l.* when you gave your evidence ?—I put down all the sums. There was 100*l.* put to him. That was speaking from memory. I said it was subject to alteration in detail more or less. I did not give it from any written document.

19,500. (*Mr. Anstey.*) I understood you to say, Allan, that you stated it from his information. You said, "Mr. Culliford tells me" ?—I did not say so.

19,501. Did you not say so ? I thought you did ?—I had no conversation with Culliford ; it was somebody else.

19,502. (*Mr. Price.*) You charged him with it. We have got it down. How much do you now say you charge him with ?—I charge him with having had 40*l.* in his own name. The other voters that he names as having polled are charged separately, some of them, and they got the money.

(*Mr. Coleridge.*) What does it make up altogether ? Just read out your list.

(*Witness.*) Will you again mention the names that he says he paid ?

19,503. Well, he paid John Scott 15*l.* ?—I have not got Scott's name down, I believe.

19,504. Well, George Webber ?—There is one Webber.

19,505. Murray, 10*l.* ?—Murray I have got.

18,506. How much ? It is "Go Merry," or some such thing ?—15*l.*

19,507. Then he charged you 15*l.* for him, and gave him 10*l.* ?—You will find "Go Merry, extra, 15*l.*" He has been paid twice. You will find "extra." He has been paid before.

19,508. Charles Wilkins, 15*l.* ?—That is not charged.

19,509. "Lent Gold, 10*l.*" ?—That I do not know anything about.

19,510. You do not seem to know anything about any of these sums ?—I do not know anything about Walter Long.

EDWARD CULLIFORD recalled. *E. Culliford.*

19,511. (*Mr. Price.*) Now, Mr. Culliford, you stand in this position. You see that your accounts do not tally at all with the man to whom you were to have accounted, and you are called to corroborate Mr. Gold. We have to judge of the value of your testimony as a corroborative witness, and you have heard what Allan says. Have you got anything to say to that ? You had much better make a clean breast of it ?—If you please, sir, I have. That is all I know of it.

19,512. You had much better do that, because as to disgrace or shame there seems hardly a person in Bridgwater who is not covered with it. Therefore you need not be afraid to let anybody know, because they are all tarred with the same brush ?—That is the truth. I really cannot tell you anything else. That is the truth.

19,513. How does it happen that you did not return the names to Allan for the money you received ?—I returned to Mr. Allan a true and correct account of it, and he expressed himself satisfied.

19,514. We have his account, and it does not tally with yours to-day ?—If you please, if Mr. Allan would produce the paper that I gave him it would be quite right.

19,515. (*Mr. Coleridge.*) You gave him a written document before ?—I did.

(*Mr. Price.*) Allan, what do you say to that ?

(*Andrew Allan.*) All the documents I got I gave

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to Mr. Lovibond, and Mr. Lovibond made out this account.

(*Witness.*) As regards this man Wilkins, that must be gone in another man's account; therefore I never received that money, you know. Mr. Alway went and borrowed the money, went to Mr. Allan for the money.

19,516. (*Mr. Price.*) How much did you receive to bribe with?—On my own account I could not have possibly received 70*l.*

19,517. (*Mr. Coleridge.*) But how much did you ever have in your hands? How much ever passed through your fingers?—I should not think at all more than 70*l.*

19,518. (*Mr. Anstey.*) What do you mean by on your personal account? What other account have you received money upon?—Alway got 14*l.* or 15*l.* which he went for.

19,519. Do you mean to say there were people who went for money at your direction and got it? We all worked together.

19,520. Will you give me an answer, and not give me the usual Bridgwater reply. Do you mean to say there were people who went for money and who got money in your name?—Mr. Alway did, certainly, I expect.

19,521. How much did he get?—I sent him for 15*l.*

19,522. And he got it?—He got 14*l.*

19,523. Who else went in that way and got money?—Oh, no one, of course not.

19,524. (*Mr. Coleridge.*) Why "of course not"?—Because I did not send anybody else.

19,525. (*Mr. Anstey.*) That makes only 84*l.*; 70*l.* on your own personal account, whatever that may mean, and 14*l.* from Alway. How do you make up the 100*l.*?—I never had it.

19,526. (*Mr. Coleridge.*) Whom else did you get money from besides Allan?—No one.

19,527. What had you to do with the last election?—Very little to do with that.

19,528. What had you to do with it?—I went down to the "New Inn."

19,529. (*Mr. Price.*) Did you bribe anybody?—I did not.

19,530. (*Mr. Coleridge.*) Were you bribed yourself?—I was not.

19,531. (*Mr. Price.*) Have you ever had anything for expenses?—Never in my life.

19,532. Or for out-door spending, or whatever they call it?—No.

19,533. Or treating?—I have treated.

19,534. Who paid for that?—Myself. I am out by it, and I owe money now for it.

19,535. Where do you owe money for it?—I owe money for it down to Tom Palmer's, and some at the "Mariners' Arms."

19,536. I suppose that but for this inquiry that would have been paid before now?—I do not know.

19,537. (*Mr. Anstey.*) Was it at the last election?—Yes.

19,538. Then it is not so long ago. How much money did you expend in that way?—5*s.* at the "Mariners' Arms."

19,539. Tell me how much altogether?—About 1*l.*

19,540. How much is scored against you not paid?—About 1*l.*

19,541. Altogether?—Yes.

19,542. (*Mr. Coleridge.*) Whom did you bribe at Bagehot's election?—Never had nothing to do with it.

19,543. Whom did you bribe at Kinglake and Shelley's?—There was no money, or I never heard there was.

19,544. Did you promise anybody?—No.

19,545. Do you mean that Vanderbyl's was the only one?—Yes.

19,546. How came you to go into that?—Because Mr. Joe Smith blinded up my windows. I went to London against Mr. Westropp, and when I came Mr. Smith had sent a carpenter just above here; I forget his name for the moment.

19,547. Is Mr. Smith your landlord?—He was.

19,548. (*Mr. Anstey.*) He sent a carpenter?—He sent two carpenters and blinded up all my back windows that overlooked the "Bull and Butcher" yard.

19,549. Why?—Because he knew I saw him bribing there the election before.

19,550. Were you examined then, at the election trial of 1866?—In London?

19,551. Yes?—No, I was not; I went to London about it.

19,552. Whom did you go for; Westropp or Kinglake?—I went against Westropp, certainly.

19,553. (*Mr. Coleridge.*) What had you to tell them?—I merely had to tell them what I saw in Temblett's yard.

19,554. (*Mr. Anstey.*) Do you mean to say that Mr. Smith blocked up your windows because you went up to London?—He blocked the windows up at all events.

19,555. What Mr. Smith was that?—Mr. Joseph Richard Smith.

19,556. Oh, not Mr. John Smith?—Oh no.

19,557. (*Mr. Price.*) That was the reason then you took to bribing, was it?—I was living in his house.

19,558. I asked you whether that was the reason you took to bribing?—It was. I did it out of spite to Mr. Joe Smith.

19,559. Is he in court now?—I do not know; if he is he will tell you the same.

19,560. Who were the two carpenters he employed to commit that trespass?—Humber and his son.

19,561. (*Mr. Coleridge.*) Were you a yearly tenant?—I was.

19,562. Did you bring an action against him for it?—Oh, I had no money; I was a poor man.

19,563. (*Mr. Price.*) But the Liberal party would have supported you?—No, they would not; they do not do anything of that sort.

19,564. (*Mr. Anstey.*) Henry Humber; he was one of the witnesses examined before Mr. Justice Blackburn, was he not?—I think he was.

(*Mr. Anstey.*) Or rather he was produced but not examined.

Mrs. J. Wittridge.

Mrs. Jane Wittridge sworn.

19,565. (*Mr. Price.*) Do you remember Mr. Vanderbyl's election of 1866?—I do, perfectly well.

19,566. When did you find any money in your house, on the day of the polling?—On the morning that Mr. Vanderbyl was carried, but I cannot say the time.

19,567. Before your husband had voted?—Yes.

19,568. How long before he had voted?—He voted in the afternoon, I believe.

19,569. Well, how long was it before that that you found the money?—I cannot say. It was in the morning.

19,570. Where did you find the money?—My front room door is joining the street door, and many persons came to my house that morning inquiring for my husband, which I wished him to vote for Mr. Westropp, but he denied me. Many parties came and inquired, and I did not know where he was. He was out, and I thought to myself I would go down the town. I went into the front room or kitchen. When I went in, by one side of a workbox I found a packet, and I took it up; I did not open it, but I thought it was money, and I put it away. I left my house.

19,571. (*Mr. Anstey.*) What o'clock?—Well, I cannot say.

19,572. Was it before 12?—I think it was. I would not be certain.

19,573. Go on?—I cannot recollect the time.

19,574. (*Mr. Price.*) Well, go on?—I left my house, not intentionally to look for my husband, but I went in the town; then I saw him and we came up the town together.

19,575. Did you tell him?—No, I did not. I did not intend to.

19,576. (*Mr. Coleridge.*) You meant to stick to the money yourself?—Certainly I did. I will tell the truth.

19,577. You thought you could make better use of it than he would?—Exactly. I went through the town. I spoke to him at last, and as we were walking along, Mr. Carter Reeves, the shoemaker, came up and spoke to him. I cannot tell you the conversation, but he asked my husband to go in and have something to drink. My husband said no, he did not care for it, or similar words, and he said, "Oh yes, we will go over there," which was the "Bull and Butcher." My husband said no, he would rather not go over there, he would go in here, and he asked me to come. That was into the "Lamb." We went into the "Lamb" Inn. I cannot say what drink was called for. Mr. Carter I think was a teetotaller at the time. I sat by the side of my husband. There was a person came in there at the time.

19,578. (*Mr. Price.*) Did you say that Mr. Carter, who was a teetotaller, asked your husband to go and have something to drink?—I think he was. He did not brink beer. This man came in by the name of Charley, and he asked us to drink. There were only those three persons there then, four with me. In a few minutes his wife came and said, "Mr. Wittridge, somebody has been after you." "Who?" said my husband. "Why, a carriage has been up there," or a fly (I cannot say which) from Eastover—Hobbs. "Oh," said my husband, "let them come." I believe at the end of that a man came into the room. I did not know the man at the time. He stood back against the table. He said, "Is your name Wittridge?" "Yes," my husband said, "it is, for why?" "I want you," he said; "what do you want?" he said (they are nearly the words). He says, "I like none of that work;" he says, "I only want you." I said to my husband, "Why don't you go?" and he said he would not. The man said to me, "Here, you come." I went out of the room and I left my husband. I went upstairs.

19,579. What happened to you there?—I am going to tell you. He said to me when I got upstairs, (there was another man there) and he said to me—— (I did not know the man at the time, but I have known him since).

19,580. (*Mr. Price.*) Who is he?—Bussell, of the "Anchor."

19,581. That man (*pointing*)?—Yes, that is him. He said to me, "Here, will you call your husband?" I said, "He won't come." "Why not," he said. "Oh," I said, "I know he won't. "He said, "Yes he will if you call him." I said, "Well, I won't call him." "Well," said he, "If you will get him to vote for us I will give you 20*l.*" I said, "Will you?" He said, "Yes." I says, "Give it to me then." He said, "No, I will give you 10*l.* now," and he gave it to me, and I said, "I want 20*l.*"

19,582. (*Mr. Coleridge.*) Well, you are the hard card to deal with that he has told us of?—I tell you the truth about it. He called the man Crocker from the room, and he said, "Crocker you take this money, "and when her husband has polled you give her the "remainder." I did not know this man then. I had heard that this Crocker had stuck to money, and I thought he should not stick to that 10*l.* then, and I went down and said to Bussell, "Here Bussell, do you "know that Crocker has not given me the 10*l.*, so "you had better give it over." "Oh," said he, "you had 10*l.* before, and I did not know that." I said it is not likely I was going to tell you.

19,583. (*Mr. Coleridge.*) What did you get altogether?—20*l.* at Vanderbyl's election.

19,584. What did you get at Bagehot's?—Nothing. I did not receive at Bagehot's; my husband had a present given him.

19,585. What?—10*l.*

19,586. Had you it?—He gave it to me and I spent it.

19,587. What did you get at the last election?—Nothing.

19,588. Nothing?—No, I was out there.

19,589. Was nothing promised?—No.

19,590. Did you not try and get anything?—No, and I never asked anyone in my life.

19,591. What did he get?—Nothing. If he had I should have had it.

19,592. What did you get at the election of 1859, Tynte and Kinglake's; 10*l.*, was not it, left at the house on the mantelpiece?—I cannot say. I did not know much about elections then.

19,593. But you had another 10*l.*?—Yes, 10*l.*

19,594. How much have you had since you have been married for your husband's vote?—10*l.*

19,595. And then 20*l.*?—No; I think 10*l.* before Bagehot's and before Vanderbyl's 10*l.*, and then 20*l.*

19,596. That is all?—That is all.

19,597. (*Mr. Price.*) You wanted your husband to vote for Mr. Westropp?—Yes.

19,598. Did you get any money from Mr. Westropp's people for your husband's vote?—Certainly not, and I told him if he did not vote I would not. He said, "Suppose he does not vote for us," "Then," I says, "I will give you your money back," and so I would, because that would have been defraudery.

19,599. If your husband had not voted for the Liberals, you intended to give it back?—Yes.

19,600. (*Mr. Anstey.*) Which Bussell was it?—That gentleman there.

19,601. You are not asked about that side of the question?—The Liberals at the "Anchor."

19,602. You are asked whether you got anything from the other side?—Westropp's?

19,603. Yes?—No.

14,604. Did you get any promise from the other side?—No; but I have no doubt but that I could have had it.

19,605. Why have you no doubt?—Well, I believe I could.

19,606. What makes you think so?—Mr. John Batten the shoemaker can give you that information.

19,607. Well, we would rather have it from you?—Well, because he would rather often impress me to ask my husband to vote for them, but I wished him to vote for Mr. Westropp.

19,608. And what did Batten say to you?—He would give 5*l.* and 10*l.* I told him I would make him a present of that.

19,609. It was not enough for you?—No.

19,610. When did he say that to you?—At Westropp's election.

19,611. What period of it; on the day of the poll?—No, I believe it was the day before.

19,612. On the nomination day?—Yes, the last election.

19,613. (*Mr. Price.*) 1865?—I had a conversation with him at the last election.

19,614. Mr. Westropp stood in 1865; it must have been 1865?—Well, the first time Mr. Westropp put up.

19,615. (*Mr. Anstey.*) The first time was when this money was put in your house, and the second time it was given to you by Bussell; that is 20*l.*, one 10*l.* put in the house, and 10*l.* given to you. What election was that?—Mr. Vanderbyl.

19,616. On that occasion did you get any money or promise of money from the other side?—No, no more than Batten said if he would vote—if I would get my husband to vote for him, there would be some money.

19,617. To vote for Patton?—No, Westropp.

19,618. You are talking about a person named Batten or Patten, a shoemaker?—Yes.

19,619. I am talking about the opposite candidate, Mr. Patton. Voting for Mr. Vanderbyl you got two 10*l.*?—Yes; no, not at Patton's.

19,620. I wish you would answer my question as it is put to you. You had 10*l.* in the house, and 10*l.* given to you afterwards by Bussell the same day. Had anybody on the opposite side of the question, the

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Mrs. J. Wittridge.

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Conservative side, given you money or promised you money ?—No.

19,621. Or offered you money ?—No.

19,622. What did Batten the shoemaker say to you then ?—Nothing at that election.

19,623. Nobody on that occasion said anything to you about it ?—No.

16,624. (*Mr. Coleridge.*) Supposing your husband had voted for Patton instead of Vanderbyl ?—I never wished him.

19,625. Would he ?—No.

19,626. You did not care about Patton ?—No.

19,627. Mr. Westropp is your affection ?—Certainly.

R. Gold.

RICHARD GOLD recalled.

19,628. (*Mr. Price.*) Do you want anybody else to be called on this matter ?—Thomas Searle. I had 10*l.* from him in the morning.

19,629. We have no doubt that you got the money, but the question is between you and Bond ?—I gave it to him, no question at all about it. I gave it to him because the man worked for Bond.

19,630. Did you return Wittridge's name to Searle as having been paid 10*l.* through Bond ?—Through Bond.

G. Bond.

GEORGE BOND recalled.

(*The witness.*) This is a very hard case for me; I feel it very much. I never heard a sound until last night that Searle gave me money.

19,631. (*Mr. Price.*) It is not a question of bribing you, but whether a respectable man is to have his character tampered with. You have been either grossly maligned, or it is true ?—I never offered him anything from first to last.

19,632. (*Mr. Coleridge.*) Did you leave the money in Wittridge's house ?—I did not.

19,633. Did you tell anybody to ?—No.

19,634. Did you leave any money ?—No. Henry Faun, who lived next door to me, is now dead, and he said to me one time, I do not know exactly which election it was, "Look after Wittridge; I have made it all right." I understood him to have given money.

19,635. When was that, at the same election ?—I suppose so. Two or three elections ago he told me to look after Wittridge, because he says, "I have made him all right."

19,636. (*Mr. Anstey.*) And did you look after Wittridge ?—I saw him in the course of the day and begged him to go to the poll early.

19,637. Then you were a party to Collis making him all right ?—I wanted him to go to vote, because I should like him to poll early; nothing else.

19,638. How much did Collis give ?—I do not know; I never heard.

19,639. Was he the person who put the money into the house ?—I do not know. Faun told me that he had made him all right.

19,640. I thought you said Collis ?—No, Faun, who lived next door to me.

19,641. Is not it possible that if Faun was alive he would reverse the story, and say it was you told him Wittridge was made all right ?—No, he would not do that.

19,642. He lived next door to you ?—Yes.

19,643. Where does Wittridge live ?—Wittridge lives on the Mount; he is at work for me.

19,644. Did Wittridge then work for you ?—He worked for me; it was some ways up.

19,645. He worked for you, and Faun lived next door ?—Yes. He says, "Look after Wittridge, and "see he is not got hold of by the other side; look "after him, I have made him right."

19,646. Had you any doubt that he had been bribed ?—Yes, I thought so.

19,647. (*Mr. Price.*) Now the question of your having kept the 10*l.* is at an end, because it reached the man somehow or other; but the question is whether you undertook that it should go to him ?—No, I never heard of it; it is the first sound that I have heard.

19,648. Was anything of that kind proposed that you undertook ?—No.

19,649. (*Mr. Coleridge.*) Did you have it for nobody ?—No, neither myself nor anybody else. I would scorn the action to receive a shilling.

19,650. (*Mr. Price.*) It is not as to receiving a shilling, but whether you had been the means of passing it. You had been told to look after this man by Faun ?—Yes, he is a neighbour, and I did look after him, and I went to him several times.

19,651. You went several times and saw him about his vote, and were told by Faun to look after him for fear he should go to the other side with his vote, and you saw Gold that day ?—I might have seen him.

19,652. Have you any doubt that you did, and talked to him about the money ?—I do not think I was in his house; I may have seen him passing about.

19,653. Do you still maintain that you never undertook in any way to be the means of 10*l.* being given him ?—If I had it would be no such great crime if I handed it over to him; if I had it to give to Wittridge I should have done so. Most decidedly I should have done it. I am known to the end of this town that my word is to be taken.

19,654. You went to him several times after being told to look after him, "I have made it all right with him ?"—I did.

19,655. Did you come on each occasion to press him to vote ?—Yes, I did several times.

19,656. Did you say it had all been made right with Faun ?—No, I never said that.

19,657. Do you mean you did not say what a wrong thing it would be, in your opinion. I mean, for him not to vote now that all had been made right with him ?—I did not say it.

19,658. Nothing of the kind ?—I do not believe I did. I very well know that he always kept back betwixt 3 and 4 o'clock, and I knew very well in my mind that he would vote on our side, but he generally got all the money he could. I knew that.

19,659. Did you, in speaking to this man, remind him that Faun had been to him, the person next door to you; I do not know whether Collis or Faun, but the neighbour next door; did you tell Wittridge, "My "neighbour" so-and-so "has made it all right with you, "and you ought to vote." Come, yes or no ?—I do not think I did. I was always busy about that time getting them up. I did not like for them to hang back so late. I spoke to him several times in the course of the day, and he said, "Do not trouble about me. I shall be in time."

(*A person in court.*) Is this 1866 you are speaking about ?

(*Mr. Price.*) Yes. Who are you ?

(*The person.*) Faun's son-in-law, and he has been dead for seven years; three years before.

(*Mr. Price.*) Then you had better be sworn.

J. H. Waddon.

JOHN HENRY WADDON sworn.

19,660. (*Mr. Price.*) Are you the son-in-law of Faun ?—Henry Faun.

19,661. When did he die ?—Nearly seven years ago. I cannot say exactly the date, but between six and seven years.

19,662. That would be 1862 ?—1862 or 1863.

19,663. Long before Mr. Vanderbyl's election in 1866 ?—Yes, before I was married, and I have been married five years.

GEORGE BOND recalled.

19,664. (*Mr. Price.*) Now what do you say to that?—The election I spoke of was when Faun was living.

19,665. It is a very disgraceful thing that you cannot speak of a transaction of this kind without these contradictions. He says his father-in-law died four years before the election, and you say it was at this election he told you this man was all right?—One election.

19,666. (*Mr. Anstey.*) You said Vanderbyl's election?—I cannot remember.

(*Mr. Anstey.*) I have no more questions to put to you. I do not know whether my learned colleagues will, but I shall put no more, being of opinion that we have wasted a great deal of public time already, and you have not answered questions put to you, and therefore, as far as I am concerned, you will be left to the tender mercies of the authorities, rather than we should be further treated in this manner.

RICHARD GOLD recalled.

(*The witness.*) Will you allow me to speak? What made me ask him seven or eight times to go and get his men to poll seven or eight times during the poll days? I went to this man, and he went to the "Lamb," and I understood his wife had the best of the lambs.

(*Mr. Price.*) What do you say to that, Bond?

(*Gold.*) It is proved that I was there with him.

(*Bond.*) I do not believe I did.

(*Gold.*) I am certain I did.

(*Mr. Price.*) The way the matter stands now, as far as I can form a judgment, is, that Bond has certainly prevaricated very much in the matter. It must stand as it is, and we must consider it when we come to the subject of granting certificates.

(*Mr. Anstey.*) And I shall also have to take into consideration a much graver question than the certificate—prosecution for perjury.

(*Mr. Price.*) Which no doubt has been committed on one side or the other.

(*Gold.*) The truth ought to be told, he did not come here to defend himself, but he was guilty of it. I am certain I gave it, and am positive of it. I can swear before 30 judges.

(*Mr. Anstey.*) When will Searle be back?

(*Gold.*) I do not know.

(*Mr. Anstey.*) Is Jones here?

(*Jones.*). Yes.

S. C. JONES recalled.

19,667. (*Mr. Anstey.*) Does your recollection go back to an election at which there was a very serious riot, where an attempt was made upon the life of a man, Boyd, or upon his house, that is, either an attempt to murder him or wreck his house by the Liberal party?—What name?

19,668. Boyd, or some name like that, or Bowen?—I do not remember that.

19,669. Perhaps you will tell me whether Webber, the plaintiff in the *qui tam* action against Mr. Smith, is alive or not?—He is dead. I have the address of the attorney, Henry Jackson, 15, St. Helen's Place, Bishopsgate Street, London. I here wish to correct an error I made yesterday respecting Mr. John Richards. It was Drewe and Robinson he voted for, and not Gaselee.

19,670. If you will get those addresses I will be glad?—I will to-morrow.

Mr. P. O. H. REED recalled.

19,671. (*Mr. Price.*) I do not know whether you gave us the whole history of what took place between you and Dr. Kinglake and Mr. Mogg before you went into the "Globe"?—Yes.

19,672. The whole of what took place?—Yes.

19,673. The whole conversation between you and Dr. Kinglake?—Yes.

19,674. That is to say, you spoke about 3,000*l.* Did Dr. Kinglake enter into the question with you about the money at all. Did he say anything as to that?—My impression is it was was more a conversation between Mr. Lovibond and myself in the presence of Dr. Kinglake.

10,675. Did Dr. Kinglake take any part?—No, I cannot recollect that he did.

19,676. You cannot recollect?—It was as I put it just now; after this conversation took place I went away purposely with Mr. Mogg in front, so as to leave Mr. Lovibond and Dr. Kinglake together.

19,677. That I understood before, but you say you cannot recollect any conversation between you, or what part Dr. Kinglake took in the conversation before you separated from him, or whether he took any part?—I am not clear.

19,678. You cannot recollect anything that was said?—I cannot, so far as Dr. Kinglake was concerned.

19,679. That is what I want to know, whether he took any part in the conversation or not?—To my mind now apparently the conversation was chiefly between Mr. Lovibond and myself, Dr. Kinglake at the time walking by Mr. Lovibond's side.

19,680. Hearing, of course, all that took place?—Certainly, every word.

19,681. That is to say, you said something about 3,000*l.* What did Mr. Lovibond say?—It was discussed whether the election was gone or not, and whether it could be saved, and 3,000*l.* was mentioned—whether it could be saved for that sum.

19,682. Was the discussion confined to you and Mr. Lovibond, or did Dr. Kinglake take part in it?—Well, I think Dr. Kinglake said very little, if anything.

19,683. What did he say?—My impression is that he took no part in the conversation. It was more apparently that he was with Mr. Lovibond, as it struck me at the time, to learn exactly how things stood.

19,684. (*Mr. Coleridge.*) Did he say anything about what was to become of that money at the meeting?—No.

19,685. (*Mr. Price.*) Did Mr. Mogg take any part in it?—Very little indeed.

19,686. How much?—If he took any part it was apparently saying the election was gone.

19,687. Then you left Mr. Lovibond, Mr. Mogg, and Dr. Kinglake together?—No, I beg your pardon. I said Mr. Mogg went ahead with me.

19,688. Then what did you talk with him about?—It was no doubt about the election, whether the election was not gone, whether it was possible to pick up to the Conservatives.

19,689. What did Mr. Mogg say about it?—Well, he was clearly of opinion that the election was gone.

19,690. Did you speak, did you say so?—I did believe it with heart and soul.

19,691. Was anything said about money, whether if money could be found there would be a chance of retrieving?—Well, it was looked upon as a very hopeless thing.

19,692. Did you say to Mogg, or he to you, "If "there was any money going the election might still "be saved?"—I think not.

19,693. Because we have it in evidence that Mogg went off in a hurry at a later period hunting Mr. Lovibond up, and very shortly after that Mogg went to the bank and got money. That is the reason I want you to tell us what took place as far as you can recollect, whether it was if money was spent there

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Mr. P. O. H. Reed.

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was still a chance, and that the election could be won?—As far as I remember we looked upon it at the time that the election was gone, and that the money could not pull it up.

19,694. How do you account then for Mogg running up to Mr. Lovibond, and going shortly afterwards to get this money, nothing being said about the chance?—I never saw Mogg afterwards to speak about it that day.

19,695. I ask you can you account for it. You had parted with Mogg, and a short time afterwards, according to the account you have given us, Mogg is going to Mr. Lovibond's hunting him up, finding him at Mr. Nicholls,' and walking away with him. Shortly afterwards Mogg is at the bank getting 500*l.* Bearing that in mind I ask you whether anything was said between you and Mogg, or whether he made any inquiry of you as to whether if money was spent the election could be saved?—We both looked upon the election as gone; pardon me a moment, apparently you are not clear, or I am not, but as I understood the evidence the other day, Mr. Mogg was not found seeking Mr. Lovibond until at least close upon three hours afterwards.

19,696. Lovibond went to Mr. Nicholls's, and while he was there smoking a cigar Mogg comes in in a great hurry with Mr. Bate and fetches Lovibond out, and some time after that Mogg is seen going to the bank fetching the money. It could not be three hours, or anything like it, this was about one o'clock in the day?—About half-past 12, that was my impression.

19,697. I thought you said one o'clock?—Well, it might be.

19,698. From one o'clock within an hour after that Mogg is seen?—Yes.

19,699. Surely he said something to you that you can recollect?—No, if he did I would say truthfully all that I know.

19,700. I cannot understand your being unable to recollect that kind of thing?—He certainly did not say anything about money to lead me to suppose that he was mixed up with money.

19,701. But did he ask you whether you thought if money was forthcoming the election could still be won?—No, I cannot recollect a word that way.

19,702. Nothing of the kind?—Nothing of the kind.

19,703. Are you Mogg's solicitor?—Never in my life, in no way mixed up with him.

19,704. I put that question to you because it is so difficult to get at the ins and outs of things here. You say positively that you have no recollection of Mogg saying anything to you about whether there was a chance of winning the election if the money was forthcoming?—Yes.

19,705. That you say positively?—I do.

19,706. Nothing of the kind?—Nothing of the kind.

19,707. Nor did Dr. Kinglake to your recollection say anything, or make any inquiry of you with the view of eliciting an opinion that the election could be won if money was going?—No, I cannot recollect in the least. I clearly conveyed our opinion in conversation with Dr. Kinglake that the election was gone.

19,708. Was not there any such thing as an alternative put—surely he was anxious for his brother's sake. Did he say, "Do you think if money is spent we could not retrieve it?"—I do not recollect Dr. Kinglake saying anything like it.

19,709. Why did you leave them to let them talk the thing over then?—Because I knew that Dr. Kinglake knew much more of Mr. Lovibond than of myself, and I believed they would be more freely talking than if I had been there.

19,710. If the election was over in your opinion what was there then to consult about. You had all come to the conclusion that the thing was over and irretrievably gone. What else was there left for Mr. Lovibond to have a confidential communication with Dr. Kinglake about? That is what I do not understand?—I cannot explain it.

19,711. It requires explanation?—It does require explanation.

19,712. Because your declaration is that at half-past 12 you had all hopelessly given the thing up, yet when you met Dr. Kinglake in this way you left him and went on, because you thought he would enter into more confidential communication with Mr. Lovibond?—Yes.

19,713. What could have been the object if you had all agreed that the election was over. What confidential communication could there be?—The only question was whether they could have taken any other steps to alter the position.

19,714. (*Mr. Coleridge.*) You know the election was in that position that a very large sum might have altered it?—Yes.

19,715. (*Mr. Price.*) Just before you passed on 3,000*l.* had been spoken of, then you walked on as you say for the reason that it would allow Dr. Kinglake to talk more confidentially with Mr. Lovibond. Could there be any doubt but that that was done to let Dr. Kinglake discuss this matter of the 3,000*l.*, and the spending it?—It was undoubtedly.

19,716. It was?—Yes.

19,717. Did Dr. Kinglake then say nothing at all?—Not a word.

19,718. But you left him intending that he should discuss this question of money with Mr. Lovibond?—That is so.

19,719. That is not consistent with the notion you had that the whole thing was at an end, because you must have thought it was not at an end if bribery could bring it round?—Without a very large expenditure.

19,720. That is all, you say, that really took place?—I do.

19,721. Then you went to Mr. Mogg. Are you quite sure that you and Mr. Mogg did not discuss the question of money in any way?—I am clear.

19,722. Because, after Mr. Lovibond employed Dr. Kinglake in this way, what did you talk about with Mr. Mogg?—It is very likely, after I left Dr. Kinglake and Mr. Lovibond together, we may have said as to the election, and the large majority, that in our opinion it was lost and could not be picked up, but there was not a word alluding to money, or that he was mixed up in any way directly or indirectly.

19,723. But did you say in effect to Mr. Mogg that you thought the thing could be brought round if a sum of money was spent?—No, I do not recollect any such conversation at all.

19,724. You cannot recollect what took place between you and Mogg?—Very little took place. It was a very slight conversation indeed. We simply walked from the "Globe" to the corner. It did not occupy, I should say, five minutes.

19,725. Where did Mr. Mogg go after that?—Mr. Lovibond returned with me to the "Globe," and Mr. Mogg and Dr. Kinglake went away together.

19,726. You went with Mr. Lovibond?—Into the "Globe."

19,727. You left Mr. Mogg and Dr. Kinglake together?—Yes, outside the "Globe." Well, apparently after they talked together Mr. Lovibond came and took my arm, and we walked away to the "Globe."

19,728. Then did Mr. Lovibond tell you anything he had said?—No; he said, "You know, Reed, King-
"lake's friends look so much to the consequences
"of this election that they are prepared to spend
"2,000*l.* or 3,000*l.*"

19,729. After he had had this conversation with Dr. Kinglake?—Yes.

19,730. Did you judge that to be the result of the confidential conversation that had passed?—I did, and I recollect the observation I made to Mr. Lovibond, "What on earth could induce the Kinglakes to spend such a sum as that?" And he said, "I suppose they

" are thinking there will be some office or other " under the new Government."

19,731. Now where did you go after this? We had got to 1 o'clock?—I went into the return room at the " Globe," and the returns of the polling became very brisk indeed, and continued up to half-past 1, or something like that, and then Mr. Cook made a communication to me, which was as follows: " I have " just seen Bussell, and he says there are some men " hanging about, and I (Cook) said, ' Get them " together, and I will see what can be done.'" Mr. Cook then inquired for Mr. Lovibond, and Mr. Lovibond came in soon afterwards, and a conversation then took place between us three, Mr. Cook, Mr. Lovibond, and myself. Mr. Cook explained what had taken place with Bussell, and if any money were spent now was the time. Mr. Lovibond replied, " Will you spend it; will you find the money?" And Mr. Cook replied, " It is not fair to breathe from one lung." Mr. Lovibond then inquired for Allan and left.

19,732. (*Mr. Price.*) What is the meaning of that, " breathing from one lung." At that time no lung had been breathed at all?—Not one, and I may explain it. I may be doing Mr. Lovibond an injustice, but the real truth is this, that before anything that day had been done Mr. Cook and myself had agreed that we would not spend a shilling. We believed ourselves, when it came to the point, that unless we were careful with Mr. Lovibond, he would push us into the pit and leave himself out; therefore we would not agree that a farthing should go until Mr. Lovibond was in the same position; therefore that is an explanation of Mr. Cook saying, " It is not fair to breathe from one lung."

19,733. That is the explanation?—Yes.

19,734. You understood Mr. Lovibond wanted all the money to come from you and Mr. Cook?—For us to run that great risk, and for us to put ourselves in that position, and for him to stand aloof himself, if he could.

19,735. That is the meaning?—That is the meaning of the explanation. Then Mr. Cook told me that he had seen Mr. Fennelly, and requested that Mr. Williams might come up from the railway to the " Globe," so as to be on the spot, and Mr. Fennelly had sent for Mr. Williams to come up, and after the conversation with Mr. Lovibond Mr. Cook left me to go and tell Fennelly as to what conversation had taken place between Bussell and himself, and what was proposed to be done. Bussell's statement is true. He did come into the room and say that he had some men and wanted some money. I said, " Go into that room." I understood from Mr. Cook that Mr. Fennelly would send Mr. Williams there with some money. Bussell went in and came out, and said to me, " The man will not speak." I said to Bussell, " Nonsense, go in again." Bussell is clearly wrong, and no doubt it may put him straight. I did not go once that day into that room with Bussell or any other man. Bussell did go in, and my explanation is, why Bussell obtained that money on the second occasion and not on the first is, that between Bussell's first going and second going into the room, Mr. Fennelly had indicated to Mr. Williams the amount he was to let go to the persons who would come in. I never saw Mr. Fennelly but once that day.

19,736. What makes you think Mr. Fennelly did it?—From Mr. Cook's statement to me that Mr. Fennelly would go down and make arrangements for Mr. Williams to be in the town.

19,737. I do not see how that would explain his being refused first and having it given to him the second time, unless there was an intermediate communication made to the men?—Yes, that is it, there was an intermediate communication.

19,738. By whom?—To Bussell.

19,739. Where was Mr. Fennelly at that time?—In the house.

19,740. And Bussell had no means of telling Mr. Fennelly this, had he?—No; Bussell never saw Mr. Fennelly from first to last I understood.

19,741. Bussell came to you and said, " The man will not speak?"—Yes.

19,742. And you told him to go in again?—Yes.

19,743. Do you mean that he had found that out, and gone in the meantime and told Mr. Williams to let Bussell have money?—Yes, that is my impression.

19,744. What time was it?—I cannot say, that is only my explanation, and there is another statement I should make. I believe when Bussell came out the second time I said, " Go in and ask what tea is a pound."

19,745. That is much more likely than that Mr. Fennelly should go in and tell him. You told him that?—Yes.

19,746. It was nothing to do with Mr. Fennelly, but your telling him to ask that?—Yes, that was the second occasion.

19,747. Then that accounts for it?—Yes.

19,748. Now go on?—Afterwards I saw Mr. Lovibond in the room with Allan, and he left. Bussell came back the second time and had a second supply. That was through Mr. Cook. Garratt also had money during the afternoon. That was in the same way.

19,749. What time about was that when Bussell got the first supply?—My impression was that Bussell's time was close upon 3 o'clock.

19,750. When he came the second time was it that he expressed dissatisfaction, and you had said you had done all you could?—I was not there; you will find that referred to Mr. Cook.

19,751. I thought I asked Mr. Cook that question, and he said it was not he who said it.

(*Mr. Cook.*) No, I think I said Bussell came back a second time, and I remonstrated with him and said he was too fast.

(*Mr. Price.*) I thought the expression was, " We " have done all we can, where the devil is Lovi- " bond"?

(*Mr. Cook.*) No doubt he made an inquiry and he used that expression, but it was I remonstrated on that second occasion on Mr. Bussell's return.

19,752. (*Mr. Price.*) You told us you told him to go in and ask what tea was a pound, you told us that you would explain as to the word " Eureka"?—I never heard it until the other day in court by Mr. Lomas.

19,753. It was not given to him as a password by you?—No, I never heard the word used before.

19,754. Your idea is, what is tea a pound?—Yes.

19,755. Was that agreed between you?—Yes.

19,756. The night before?—It should be a pass word.

19,757. And because Bussell had not heard that in the first instance it made you tell him to go and ask that?—Yes.

19,758. Why did not you tell him in the first instance?—I did not wish to keep anything back, but it did not strike me at the moment.

19,759. That was Bussell's second supply?—Yes.

19,760. Then what after that?—Then it is in evidence as to Garratt having money. That was through Mr. Cook.

19,761. Were you there when Bussell expressed himself strongly about Mr. Lovibond?—Yes.

19,762. At that time were you under the impression that you were the only people who were spending money and Mr. Lovibond none?—No, I was impressed with the idea that Mr. Lovibond was at the same time.

19,763. What was the meaning of your partner's expression?—Apparently it was that he was hanging back so as to throw the burthen on us.

19,764. You wanted to save as much of Mr. Vanderbyl's money as you could?—No, I must not put it in that way, but apparently Mr. Lovibond was trying to push us to spend the money and screen himself.

NINETEENTH DAY.

Mr. P. O. H. Reed.

14 Sept. 1869.

19,765. You say you were under the impression that he was spending money?—So I was.

19,766. Then he could not screen himself?—You asked the meaning of the expression, Mr. Cook saying "Where the devil is Lovibond"? Then the next thing I recollect was about half-past 3. I stood on the table in the room, and it was agreed to call out the names of people who had not voted. "Who knows Thomas Smith" or "John Jones?" And a man would say, "I know him," and by-and-by Bouchier's name was called out.

19,767. Was that the time that Mr. Barham came in?—According to Mr. Barham's statement it was a long time before Mr. Bouchier's name came under my notice. I went and saw Bouchier; his evidence is substantially correct, but I certainly did leave Bouchier impressed with the idea he was waiting for money; and if that man had not polled, if I had not seen him very shortly afterwards his having polled, I certainly should have sent someone to go to him.

19,768. (*Mr. Coleridge.*) You mean with money?—With money.

19,769. (*Mr. Price.*) You thought he was hanging back?—I did.

19,770. Did he get any?—It has been stated in court that he received 10*l.* at the "New Inn."

19,771. (*Mr. Coleridge.*) Who from?—Andrew Allan, as I took the evidence to be. That brings me up as I recollect, I truthfully tell all I know, to the closing of the poll. I went upon the hustings at the declaration, and was there when the poll was declared. Mr. Barham made a mistake in stating that he saw me looking out of one of the windows of the "Globe" on his return, and I will explain why it is clearly a mistake. I was very nearly getting into the carriage, but it struck me that if I did I should be obliged to make a speech, which I detest, therefore I let someone else get in and walked. Mr. Cook spoke, and Mr. Hammill spoke, and I stood on the bridge and listened, and after the speeches were made I went into the "Globe," and Mr. Barham also went down in the carriage. Now I will explain; it is in evidence before you as to Thomas Williams, who came from Liverpool and voted, and received 5*l.* for his vote. That was at my request. Mr. White wrote to a Mr. Lilly at Lowestoft, Suffolk, to come and poll, which he did, and I paid on the part of the firm and charged Mr. Vanderbyl's firm 5*l.* 12*s.* but that was not paid until the 25th of March. It is also in evidence before the court that on the 5th of November we sent a cheque to London to pay the carriage to and fro of Chant. The agent's letter was put in returning the cheque, and stating Chant had left.

19,772. Did Chant get paid when he got down here?—No; the cheque was broken up. As far as we are concerned Chant never received a penny.

Now, William Dyke, of the Taunton Road. That man one evening during the nomination attended a branch meeting of the Liberal Association, at the "Rose and Crown," and the names of the different electors were called over, which way they had voted, if people could give information; and Dyke's way home would be part of my way, and Dyke accompanied me. I recollect, just before leaving Dyke, he said, "You know if there is any money going I should "like to have some," and my reply was, "You must "not talk to me about matters like that. If there is "any money you will know it like other people." I should state on the Saturday after the election judgment was levied under an award of the county court, and he was unable to pay the money, and was brought to the office by Jarman, and Jarman represented that he was a Conservative, and was apparently under the belief that he would receive money to pay out the man put into execution, and I said, "Jarman, you pay suffi- "cient to satisfy the execution, 2*l.*, and we will see "you paid again." That money was repaid Jarman on the 1st April, 2*l.*

Now I go to the canvass, and there are two cases that already you have inquired of several witnesses about as to their knowledge. I refer to Mr. Axford's and the Elsbury's cases. As to Mr. Axford, about 12 months ago, as far as I recollect, before the last election Mrs. Axford went to London and obtained through Mr. Vanderbyl an appointment in the P. and O. Company. Mr. Axford several times afterwards told me it was a valuable appointment and was the making of his son for life.

19,773. (*Mr. Price.*) Was anything said about those who got the appointment getting it revoked?—I am coming to that presently. Some few days before the nomination day I was at the "Globe" coming away, having been to inquire for Mr. Vanderbyl, who had been ill indoors. I met Mr. Axford in the porch, and as far as I recollect this did take place: "Doctor, how are you going to vote?" Mr. Axford's reply was, "Well, I shall support my own party;" and I did make this reply, "Well, it does appear to me after "a man has done as much as Mr. Vanderbyl has for "your son that you should support him." And I said, "Recollect another thing, the person who gave that "appointment might take it away." I did say that, there is no doubt about it, and I added further, "and I shall take it as a personal favour if you will "support Mr. Vanderbyl, or if you cannot do that do "not vote at all."

19,774. Then you meant to hold out something like a threat to Mr. Axford?—I am afraid it cannot be looked at in any other light. I did say that, but added also it would be a personal favour to myself.

There was also the case of Elsbury, at the "Union." He lived in the eastern district. I called at the house with the candidates. Elsbury himself was out. I saw Mrs. Elsbury, and she distinctly stated, "Elsbury "is going to vote for Westropp and Gray." I said, "Well, that is not like a Weston Zoyland man, they "are all Liberals there." Elsbury came from Weston Zoyland. "In addition he ought to recollect his "friends who proposed and seconded him for his "situation are both Liberals." I afterwards saw Elsbury and said much to the same effect, and no doubt that operated on his voting for the Liberal candidates.

19,775. Did you say anything about his being turned out of his place?—I have taxed my memory, and I think I may say I did not. I think I put it exceedingly strong, but I do not think that I should do that because I was holding a public situation.

19,776. Did it have that effect?—Yes.

19,777. Both with regard to changing the votes of Mr. Axford and Elsbury?—It did, no doubt. There are two other matters with reference to that election, and they refer to Henry Chapman Bussell's going away, and to Garratt's. As to Bussell, Smith came to me, and I learnt from him that Bussell was anxious to go. I was informed of the threat that had been used on the porch of the "Clarence" on the night of the declaration against Bussell. I did believe then, as party spirit was running very high, that very probably he would be prosecuted. I did believe it. There was another fact also that carried great weight with me, that previously to Bussell going away Allan had gone to America. I did believe, whether right or wrong, that Allan, a Scotchman, was the wrong man to go of his own account. I thought that, and felt at the time convinced that someone had sent him away, so as to throw the entire burthen on us.

19,778. (*Mr. Price.*) Who did you imagine had sent him?—I did imagine Mr. Lovibond had done so, so as to throw the entire blame on us. I did believe and I hoped and trusted sincerely that the petition would be arranged or withdrawn, and I thought also I had been to a certain extent the means of putting Bussell in the false position he occupied, and all this acted on me. I deeply regretted at the time, but I have thought since of the plainly dangerous position I put myself in.

19,779. Then you did it to spite Mr. Lovibond?—No, it was to protect myself to a certain extent.

19,780. You say you would not have done this for Bussell except that you thought Mr. Lovibond had behaved unhandsomely?—And apparently the link had been broken between Mr. Lovibond and Mr. Barham, and the only parties who would take part in corrupt

practices on the petition must be Messrs. Reed and Cook.

19,781. Whatever disclosures took place you thought would attach to you, and Mr. Cook?—Yes, it was so.

19,782. (*Mr. Coleridge.*) At that time did you know that Mr. Barham and Mr. Lovibond had been paid four times as much as you?—I never heard it until the other day in court.

19,783. (*Mr. Price.*) As a professional man, I put it to you that all the elections in the world were not worth your position as an attorney and member of the profession—keeping witnesses out of the way?—I felt it acutely, the pain I suffered I cannot describe.

19,784. Which if Mr. Justice Blackburn had heard it at the time he would probably have taken severe notice, to the extent perhaps of your being struck off the rolls?—I am aware of it, and feel it acutely. There is nothing at all can excuse that act of mine.

Now to come to Garratt's version, which is correct. I did meet Garratt, and a conversation did take place. At that time I could not find that Garratt's name was before the public. I could not find there was any subpœna for the man, and the man that would supply a link, and to get rid of that I did the same. I felt I could not justify that under any circumstances.

19,785. (*Mr. Coleridge.*) Have you been paid at the last election?—No.

19,786. Have you sent in any account?—No, we have received a sum of 250*l.*

19,787. The costs out of pocket?—The costs connected with the defence ef the petition; out of that we have paid one fee alone of 120 guineas.

19,788. (*Mr. Price.*) Was the part you took in sending Bussell and Garratt out of the way in any statement in your briefs to counsel on the election inquiry?—It was not.

19,789. Was it studiously kept from them and purposely?—May I be pardoned for saying that Mr. Cook attended to the brief, he drew it, and I never read the brief through.

19,790. You attended the consultations?—Only one or two.

19,791. Surely it was never known by the counsel in the case whom you employed, or they would have made the inquiry, "Where is Bussell?" and "Where is Allan?"—We proved as much as we could; "pray settle this on any terms; it must not go into court."

19,792. Did you tell them that you had sent Bussell away?—We were mixed up in it.

19,793. Did you tell them that you sent Bussell away?—I do not recollect that being stated.

19,794. (*Mr. Coleridge.*) Has not it all been paid away in fees?—Well, we paid if I am allowed to put it in that way, 30*l.* connected with Bussell, and 5*l.* connected with Garratt, and the sums I mentioned just now as being paid to Williams and Lilly and others.

19,795. How much have you in hand?—I went through the book the other day, and in hard cash payments we have paid away about 185*l.* or 190*l.*

19,796. That is including counsel's fees?—It is.

19,797. Did you receive that from Mr. Kinglake or Mr. Vanderbyl?—Mr. Vanderbyl.

19,798. You received nothing from Mr. Kinglake?—Not a penny. I do not know whether I may be permitted to mention one or two other matters in my memory connected with the petition. I went to London with reference to that twice, once was on the 5th December, I went up with Mr. Lovibond, Mr. Brice, and Mr. Trevor.

19,799. Was Mr. Lovibond's name on the brief as well as yours?—No.

19,800. You were solicitors to the petition?—We were for Mr. Vanderbyl.

19,801. And Mr. Lovibond for Mr. Kinglake separately and distinctly?—Separately and distinctly.

19,802. (*Mr. Price.*) I put it again, was it or not studiously kept from your counsel the part you were taking in keeping Bussell away?—Well, I cannot say that it was.

19,803. Was the fact of Bussell's absence represented to your counsel in its true light?—I have never read the brief through. I cannot say.

19,804. Who is responsible for this statement? "Bussell has been absent from Bridgwater for some "little time past, leaving his wife and family to carry "on the innkeeping business. His absence has no "doubt created a suspicion, and from what is heard it "is exceedingly doubtful if he will be present at the "petition." Who is responsible for that?—Well, Mr. Cook drew the brief.

19,805. Inquiries have no doubt been made for him almost daily at his residence by some person on behalf of the petitioners, and the same remark applies to Andrew Allan, the object of the inquiry being to subpœna him.

19,806. Mr. Cook knew perfectly well what you had done about sending Bussell away?—Certainly.

19,807. Then I ask you again, was not that purposely kept back from the counsel, the transaction?—No doubt it was. I may mention going to town; it was once before the petition was filed and once afterwards. The first time was on the 5th November, and Mr. Lovibond, Mr. Brice, and Mr. Trevor accompanied me, and we stayed at the "Tavistock," and it was, if possible, to prevent a petition being filed.

19,808. (*Mr. Coleridge.*) Mr. Brice and Mr. Trevor being on the other side?—Yes; and early the next morning we found a second deputation had come up, as it was arranged, on the part of the Conservative Working Men's Association, putting pressure on Mr. Westropp not to allow the petition to be withdrawn.

19,809. I suppose Mr. Brice and Mr. Trevor were equally aware of the danger to the borough of a petition going on?—I should think it very likely.

19,810. I mean in the communication you had with them, was not it on the common ground of the probability of an inquiry like this which would end in the disfranchisement of the borough that they were willing to burke the petition?—Yes, no doubt.

19,811. (*Mr. Price.*) You had this further present to your mind, that you wanted to keep out all chance of any discovery as to your sending witnesses out of the way?—It was all before me; all the wrongs I had done from first to last. It was clearly before me. I did my very utmost to prevent the petition being filed. Well, it was filed in London, on the Monday, if I recollect right, the 6th December, and I saw that day Mr. Westropp at the "Tavistock" with Mr. Brice and Mr. Trevor, and I also saw Mr. Kinglake, but as far as I recollect one did not meet the other. It was a long coffee room, and one did not meet the other on that occasion, but I recollect distinctly on that day going with Mr. Lovibond to Mr. Kinglake's chambers or rooms, and I found Mr. Kinglake, and Mr. John Lovell Sealy in the room. Now on the way to Mr. Kinglake's room, Mr. Lovibond had agreed under any circumstances that both seats should be given up; but when I went there all I found he was trying to do was to save Mr. Kinglake's seat. I was in great trouble at the time, but I rose and walked up and down the room, and said, "Whatever is the good of "your trying to save a seat? you cannot do it. You "have already agreed to give up both;" and then I turned to Mr. Kinglake and said, "Your friends are "in trouble. I do not know whether you know it, but "Mr. Lovibond knows that a seat is not worth a "farthing, therefore you ought to make a sacrifice "for them now."

19,812. You said that to Mr. Kinglake?—Yes.

19,813. (*Mr. Coleridge.*) What did Mr. Kinglake say?—He did not make a remark, but Mr. Lovibond said, "My friend is a little put out." I said that the seats must be given up, that to attempt to save one is impossible.

19,814. (*Mr. Price.*) Did you give Mr. Kinglake to understand that his seat was as valueless and worthless, if it came under inquiry, as Mr. Vanderbyl's, on account of bribery?—Yes, no one could mistake what I said.

NINETEENTH DAY.

Mr. P. O. H. Reed.

14 Sept. 1869.

19,815. (*Mr. Coleridge.*) Did you know the malpractices of the Conservatives?—I believe they promised, but not paid a farthing.

19,816. That was quite enough to void an election?—Yes.

19,817. What you tried to bring about was that they should accept the Chiltern Hundreds, and the petition be withdrawn?—I did not care how it was. The great point to my mind was to get rid of it. As to how it was to be done I could not tell.

19,818. Did you ever discuss the petition at any of those meetings in reference to the new Act as to bribery about withdrawing a petition by coalition?—Yes, it was discussed.

19,819. Who put it forward as an objection?—Well, the difficulty was, as I understand, to satisfy the court that there was no corrupt bargain.

19,820. (*Mr. Coleridge.*) No coalition?—No coalition.

19,821. (*Mr. Price.*) You could not possibly have gone into court any of you?—I do not see how it was possible.

19,822. You could not have any of you made an affidavit, either of you, Mr. Trevor, or Mr. Brice, or yourself?—Bad as we are I do not think one of us would have done a thing like that. A few days before the hearing of the petition we were in town again at our parliamentary agent's, and it is fair to say that we informed our parliamentary agent that the seat could not be held.

19,823. Who are your agents?—Messrs. Wyatt and Hoskins. I do not know one from the other. I have never seen those gentlemen but once. On that occasion Mr. Wyatt had some other appointment, and we went into another room and found Mr. Lovibond there, and I said to Mr. Cook "You know this must be settled; let us see Mr. Lovibond." We went in, and there was Mr. Lovibond with his papers. I "said, Mr. Lovibond, you know it is no use going on "like this, it must be settled. Let us give up both "seats."

19,824. (*Mr. Coleridge.*) Why was Mr. Barham not mixed up with this?—I cannot conceive.

19,825. How did he get out of it?—I do not know.

19,826. (*Mr. Price.*) How did he get in?—I thought he was the man who first started the proposition of the 3,000*l.*

19,827. Why was he not taken into this discussion about the compromise?—He was undoubtedly consulted from first to last about that.

19,828. (*Mr. Coleridge.*) He was not present at this meeting with Wyatt and Hoskins?—No.

19,829. He came up afterwards?—On that occasion we saw Mr. Lovibond. He said he would go down to the "Tavistock," and he said we should all join there and see Mr. Trevor and Mr. Brice, and by some means give up both seats.

19,830. (*Mr. Coleridge.*) Who was Mr. Brice acting for?—For Westropp and Gray.

19,831. They were fighting together?—They were fighting together.

19,832. He was with Mr. Trevor?—He was with Mr. Trevor. Then we went to the "Tavistock."

19,833. (*Mr. Price.*) Mr. Barham says he had some conversation with Mr. Vanderbyl, I think, when he went with him in the carriage, or came back with him from the declaration of the poll, to the effect of their hands being clean, or something of that kind?—I was not in the carriage, so I cannot say.

19,834. But from anything taking place between you and Mr. Vanderbyl, or what you know had taken place between you and Mr. Vanderbyl, or Mr. Cook, or anybody on your part, had Mr. Vanderbyl any reason to suppose your hands were not clean?—I had never spoken to Mr. Vanderbyl on money matters in my life. I did not see him on that day from the commencement of the poll until after going up to the hustings. Well, when we came to the "Tavistock" I found Mr. Lovibond with Mr. Trevor. Mr. Trevor as far as I recollect was taking lunch, and all Mr. Lovibond again would do was to try and save Mr. Kinglake's seat, quite contrary to what he had just promised. I took Mr. Lovibond away by the fire, and I said, "I do not quite understand you; just "now you agreed to come here and give up both "seats; now you are trying to save Mr. Kinglake's, "you are just like an eel. You slip away, and I will "have nothing more to do with you."

19,835. But one was as impracticable and untenable as the other, was not it? You would have the collusion as regards one seat just as much as another?—We were in hopes that some slight case might be let in, and without a full disclosure the seats might be vacated.

19,836. Because it seems to me, as far as collusion went, you were in just as much peril as to one seat as if you got them to give up two?—Unless the petitioners would be content with one seat, and the petition withdrawn, if that could be.

19,837. (*Mr. Coleridge.*) I suppose your parliamentary agent pointed out to you the difficulty about a coalition?—I only saw him once, and Mr. Cook managed with him entirely.

19,838. (*Mr. Price.*) What is the result of that meeting at the "Tavistock"?—That we left, and we have not communicated with Mr. Lovibond since, and the petition came on for hearing.

19,839. Now Mr. Trevor repudiated the notion of this compromise. You say it was impossible for him to carry it out. What was the line he took? Your party seems to have taken the initiative about the compromise?—No doubt.

19,840. What was said by Mr. Trevor?—My impression is that he was ready to carry it out, if that could be done, but he apparently saw difficulties in the way.

19,841. As to the collusion?—Yes.

19,842. And the Act of Parliament?—Yes.

19,843. Did he ever give way on that point as the difficulties were removed?—No, I never heard him say so.

19,844. Did it go off upon that?—My impression is, if it may be pardoned, Mr. Lovibond bargained and bartered so long that we were driven up, and there was no time for any arrangement to be made.

19,845. So the thing went on?—It did. The day of hearing would be fixed the 23rd February.

19,846. You could not do it after it was fixed. The notices were given out in January, I suppose?—A long time before, and posted all over the town.

19,847. (*Mr. Coleridge.*) Was Bridgwater before Taunton?—Yes.

19,848. (*Mr. Price.*) It would not be the earliest, but one of them?—Yes, they commenced at Windsor, I believe.

19,849. Now I come to the period when the counsel for the sitting members agreed to announce that they would no longer defend the seats. You had this brief prepared by your partner, Mr. Cook, and then you had a consultation with your counsel; was Mr. Vanderbyl present at any consultation?—We saw in the first place Mr. Edlin at Bristol some time before the hearing.

19,850. And was Mr. Vanderbyl present?—He was.

19,851. Was he present at any consultation?—I cannot recollect Mr. Vanderbyl being present on any single occasion, he was purposely kept away, but I know Mr. Henry James came down. I recollect being in Mr. Serjeant Sargood's room, and Mr. James said, "Have Messrs. Reed and Cook told you all the "facts? If not, let them make a clean breast of "them to you," and he went out of the room and we did inform Serjeant Sargood that the seats could not be defended, but they were in possession of knowledge that money had been used.

19,852. (*Mr. Coleridge.*) Whom did Mr. James appear for?—Mr. Kinglake.

19,853. By himself?—He alone.

19,854. Then Mr. James seems therefore to have known a good deal before he came to Serjeant Sargood's room?—No, I understood it like this.

Mr. James was completely in the dark as to Mr. Kinglake's case, because the onus of the burden had been thrown on Messrs. Reed and Cook.

19,855. Therefore you would gather from what he said that he had been instructed you were the persons who could let daylight in on the whole thing?—Yes.

19,856. As if it was impossible for those who instructed Mr. James to give any information?—Yes.

19,857. You were persons who knew the whole history of it?—Yes.

19,858. Mr. James went away and did not wait to hear your statement?—He did not.

19,859. Did Mr. Serjeant Sargood say he had not had a full disclosure, anything more than was in the brief?—We had given him to understand that it was a very difficult case to manage.

19,860. You had told Mr. Edlin everything?—Well, Mr. Edlin was a local man, and we could say more to him. When I say we told him all the facts, we gave him sufficient to understand that the election could not be maintained.

19,861. Was this the first consultation you had, and Mr. Edlin and Serjeant Sargood were present?—Yes, the night of their arrival.

19,862. After Mr. James was gone did you then inform Serjeant Sargood of the real state of things?—I did. I will not say I told all the facts, but simply the money spent, and "the seat cannot be defended," and we pressed much the making a suggestion so as to get rid of the hearing of the petition, and I recollect he said, "Now Mr. Vanderbyl is my client, you must leave him in my hands."

19,863. Mr. Vanderbyl you say was not present at that conversation?—He was not, certainly not.

19,864. Previous to your undertaking this petition and the defence of Mr. Vanderbyl's seat, had you talked it over with Mr. Vanderbyl?—I had never spoken to Mr. Vanderbyl about the election above twice, once when Mr. Cook was away and the petition was threatened, or it may be after; but I suggested to Vanderbyl that one seat should be given up, and it might be settled like that. Mr. Vanderbyl's reply was, "I do not know any reason why I should give up mine, and I will not do it," and I told Mr. Cook on his return.

19,865. Did he say anything at all about 5,000*l.* spent at the prior election?—No, we were no parties to it; it did not pass through our hands at all; it passed through Mr. Barham's and Mr. Lovibond's.

19,866. (*Mr. Price.*) As far as any communication from you to Mr. Vanderbyl went, Mr. Vanderbyl did not receive a distinct intimation from you that the seat was hopeless?—Well, he did not; I wilfully kept away information from Mr. Vanderbyl.

19,867. Did he go into it under the impression that he had a chance of the seat being saved?—Well, I cannot say. I never told him any facts.

19,868. (*Mr. Coleridge.*) Who would tell him if you did not?—Mr. Cook; and if you ask me there were other facts I was not clear at all upon, that is as to Mr. Fennelly. I could not conceal from myself that they were apparently in a very peculiar position.

19,869. (*Mr. Price.*) You judged that Mr. Vanderbyl must have known pretty well all about it from his relations with Mr. Fennelly?—I do mean that.

19,870. (*Mr. Coleridge.*) You were going to say something about Mr. Fennelly besides?—It was my notion, whether right or wrong, I did come to the conclusion.

19,871. (*Mr. Price.*) You thought it was impossible but that Mr. Vanderbyl must have known quite as much about money being spent from his intimacy with Mr. Fennelly, and the peculiar relation between them, as anything you could possibly inform him?—It looked very much like it.

19,872. (*Mr. Coleridge.*) Did you know that Mr. Fennelly was Mr. Vanderbyl's partner at that time?—I think I did.

19,873. And that of course made your feeling all the stronger?—It did. Then I would say, I am speaking now as to the day when the seats were to be given up, we did not attend the consultation of counsel on the adjournment of the court for a short time, but on coming up I found that the members were to be called, and on coming into the court there was a great rush through the court, and I came against Mr. James Trevor, and I certainly did say, "Don't cross-examine Mr. Vanderbyl."

19,874. (*Mr. Price.*) What did Mr. Trevor say to that?—I do not know that he made any answer.

19,875. Did he say the usual phrase in Bridgwater, "all right"?—I do not think he did that, but if I speak the truth I think Mr. Trevor felt very much for me.

19,876. You wanted Mr. Vanderbyl to be saved from cross-examination. Did you know he was going into the box to say he knew nothing whatever about it?—I had not the slightest idea what he was going into the box to say.

19,877. What was the object of your seeking to prevent him?—I must say it looked very suspicious from the facts—Mr. Fennelly at the house, and one thing and another.

19,878. (*Mr. Coleridge.*) What part did you take in keeping Mr. Fennelly and Mr. Lomas out of the way?—Not the slightest.

19,879. (*Mr. Price.*) Was it ever discussed that it might be required?—The first knowledge I obtained that they might be away was at the "Union;" one of the guardians had cut out from the "Grocer" a statement about one of the gentlemen being away, and we certainly sent a copy of that in a letter to Mr. Vanderbyl asking for an explanation.

19,880. Did you get any?—It will be put in by Mr. Cook.

19,881. (*Mr. Price.*) When Mr. Vanderbyl answered that letter, did you gather from him that he knew it was advisable that Mr. Fennelly and Mr. Lomas should be out of the way?—No, it did not appear that.

19,882. The result was that they were not cross-examined?—They were not.

19,883. Neither Mr. Vanderbyl nor Mr. Kinglake were?—They were not.

19,884. And you had nothing to do with Mr. Kinglake; you do not know how that was brought about?—I do not.

19,885. (*Mr. Coleridge.*) Was Mr. Westropp called?—I think not. Mr. Westropp was in court I recollect perfectly well.

19,886. (*Mr. Price.*) Is that all you have to tell us as regards that part?—Allow me to run through my notes. I recollect that with Mr. Lovibond we hired more carriages, but after doing so we found an opinion given in one of the daily papers by Mr. John Duke Coleridge that it was illegal, and those orders were countermanded; but so far as the eastern portion of the town was concerned afterwards we did hire a carriage; it was done through a third person who was not a voter.

19,887. (*Mr. Coleridge.*) But you yourselves voted?—We did.

19,888. That was equally illegal?—That was illegal, no doubt.

19,889. And all your paid agents and messengers?—Every man.

19,890. (*Mr. Price.*) Did you know Joseph Pitman, painter and glazier, of Taunton?—I saw him in this court, but not to know him to speak with.

19,891. Is he a man who has taken part in elections here?—I never heard of his taking part in elections here.

19,892. Do you know why he was subpœnaed here?—No, I have not the least idea.

19,893. (*Mr. Coleridge.*) Which side was he subpœnaed?—I think he must have been by the Conservatives.

19,894. (*Mr. Price.*) Was he telegraphed to from Bridgwater, do you know?—I am not aware. Will you pardon me saying as to the defence to a great extent it was managed by Mr. Cook entirely. I am merely now speaking in my personal capacity.

NINETEENTH DAY.

Mr. P. O. H. Reed.

14 Sept. 1869.

19,895. Do you not know whether Mr. Pitman had been employed at the last election to give money to voters?—I should say certainly not. I never heard of it.

19,896. And that therefore he knew quite enough to unseat the member. Do you know John Quick?—At Taunton, yes.

19,897. Was he subpœnaed over here?—He was here certainly.

19,898. Subpœnaed by the petitioners?—I do not know. Quick was here, certainly.

19,899. Do you know anything of Pitman being telegraphed to in the morning that he was not wanted?—Not the slightest.

19,900. Telegraphed for rather from Taunton to go away from here as well as he could?—No, never.

19,901. You never heard of that?—No.

19,902. But you know the man?—I think I do. I saw him in court.

19,903. Are you quite sure he was not employed here during the day at all?—Not to my knowledge. I never heard of it positively, to my knowledge.

19,904. A man named Robins from Taunton?—Not to my knowledge.

19,905. Who would be the person who would obtain such person to come and bribe here from Taunton?—I do not believe such a fact existed.

19,906. (*Mr. Coleridge.*) You were too open-handed about it to require such outsiders?—No.

19,907. (*Mr. Price.*) Was Pitman ever a resident at Bridgwater?—That I am not aware of.

19,908. (*Mr. Coleridge.*) You say they acted together; who was the head agent for the Conservatives, Mr. Trevor or Mr. Brice?—All about the same in conjunction.

19,909. (*Mr. Price.*) Then you never heard that Mr. Pitman had bribed a certain number of voters whose names were not known to the committee?—Well, it was alleged here in the court, I believe, but I do not possess the slightest knowledge of it. I do not believe it to be true.

19,910. Was that part of the case opened by Mr. Serjeant Parry?—No, I do not believe that it was, but I believe it was discussed in court in some way or other. I do not believe there was a tittle of pretence for such a statement.

19,911. What do you know of Pitman?—I know him, and that is all.

19,912. How should you happen to know the painter at Taunton?—Well, we do a business at Taunton.

19,913. Is he a client of yours?—No. Whether I took the man through the court years ago I cannot recollect.

19,914. That is the way you know him; you have an office at Taunton?—Yes, it is managed by Mr. Cooke.

19,915. Do you mean to say that Pitman was not a person who having once employed you as an attorney you knew had been mixed up in bribery in other matters?—I did not.

19,916. You never heard that?—No.

19,917. That he was a likely man to be a bribe agent?—No, I never heard talk of it.

19,918. Reported by the committee of the House?—Yes. I never heard of it.

19,919. Did you see him at all before the election at Taunton?—No, I did not see him.

19,920. When was the latest communication, to your knowledge, that you had with Mr. Pitman?—My impression is that I saw Pitman in court here one day during the inquiry.

19,921. But before that, before the election, not the petition. Before the last election, what was the latest communication you had with him?—I may safely say years ago.

19,922. Will you say so?—I will.

19,923. Positively?—Positively, certainly.

19,924. Does your partner attend more to the Taunton business than you?—Entirely.

19,925. Does he go there often, two or three times a week?—Twice a week.

19,926. You do not go at all?—Not at all, to attend to the business.

19,927. Do you keep a clerk there?—We do not.

19,928. (*Mr. Price.*) Is that all?—That is all the knowledge I possess with reference to the last election.

(*Mr. Price.*) We will not go into other elections to-night, but I will ask a question on this of Mr. Cook.

Mr. J. Cook.

Mr. James Cook recalled.

19,929. (*Mr. Price.*) Do you know anything of this man Pitman?—Until the inquiry before Mr. Justice Blackburn he was an entire stranger to me.

19,930. You did not know him at all?—I had not the slightest knowledge of him.

19,931. Then were not you taken by surprise entirely, when you heard he was coming over here to prove what are called unknown cases of bribery?—Certainly we were surprised.

19,932. It was entirely out of your cognizance?—Entirely out of my cognizance in every sense of the word.

19,933. Had he ever been to you as a client at Taunton?—Never. I think I can remember the first time I knew him; even when his name was mentioned, and he was then a stranger to me, was with reference to some county court case heard at Taunton, in which he happened to be a witness; and then it turned out, on explanations given, that he was the same person.

19,934. (*Mr. Coleridge.*) As far as I can understand, he came to give evidence against you for the Conservatives?—Yes, he was subpœnaed by the petitioners.

19,935. (*Mr. Price.*) Was not the effect of it that he was to prove he had bribed a number of persons unknown, as it was called, for Mr. Vanderbyl?—Yes.

19,936. And knew enough to unseat the member?—Yes. We were taxing the costs in London, and the Conservative agents had carried in Quick's expenses and Pitman, and there was another man I have forgotten, and I argued before the master that they should not be allowed; that this man had said at Taunton, to Quick, and others opposed to him in politics, that he was telegraphed for to do part of the work of the election agents, and that he came, and that he knew enough to upset the election. The other person, whoever he was, gave information, as I understood it, to the Conservatives, upon which they acted here. I urged those as reasons before the taxing master, and the result was they were disallowed their expenses on the election inquiry; but, as far as coming here goes, he was a complete stranger, and I knew nothing about it.

Adjourned to to-morrow, at 11 o'clock.

TWENTIETH DAY.

Wednesday, 15th September 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
HENRY FRANCIS PURCELL, Esq., Secretary.

EDWARD BAKER called.

(*Mr. Price.*) Before you are sworn, it is right that you and other people who come to ask as a favour to be taken out of their turns should understand that we do not expect the time of the court to be wasted as it has already been by men in the same position as yourself, who instead of answering truthfully have fenced with every question put to them, and thus, instead of only being three minutes in the box they have occupied a quarter of an hour. (*The witness was sworn.*)

19,937–8. (*Mr. Price.*) Are you a voter for Bridgwater?—Yes.

19,939. Did you vote at the last election?—I did.

19,940. Did you get any money for it?—No.

19,941. Had you any promise made to you?—No.

19,942. Did you make any claim for money?—No.

19,943. (*Mr. Coleridge.*) Did you get your expenses?—No, nothing.

19,944. Afterwards?—After the last election I did.

19,945. That is just the very thing you were warned against doing.

19,946. (*Mr. Price.*) What did you get?—I had 10*l.* from Mr. Vanderbyl.

19,947. (*Mr. Coleridge.*) At the last election?—No, nothing at the last election.

19,948. After the last election?—I had 10*l.* after the last election.

19,949. After the last election of 1868?—No, not 1868; I had nothing after the last election.

19,950. You say you got 10*l.* from Vanderbyl; you mean after the election of 1866?—Yes.

19,951. (*Mr. Price.*) You got nothing, you say, the last time. What did you get in 1866?—10*l.*

19,952. (*Mr. Anstey.*) Another 10*l.*?—No.

19,953. I thought you said you had 10*l.* after the election?—From Mr. Vanderbyl.

19,954. (*Mr. Price.*) When did you get it?—In 1866 I suppose it was. I do not know the dates.

19,955. Was it before or after you voted?—And I had 5*l.* at Bagehot's.

19,956. In 1865 did you have anything?—No.

19,957. In 1859?—Nothing.

19,958. In 1857?—Nothing.

19,959. Have you ever voted at any other election but those you were paid for?—I voted for Shelley.

19,960. And got nothing?—No.

19,961. Did you make any claim for expenses?—No.

19,962. (*Mr. Coleridge.*) Who gave you this 5*l.* or 10*l.*?—H. C. Bussell.

19,963. (*Mr. Price.*) On both occasions?—Yes.

19,964. (*Mr. Coleridge.*) Was that all he gave you?—That is all he gave me.

19,965. How came he to give you nothing last time?—Nothing at all. I made no claim, and did not expect any.

19,966. (*Mr. Anstey.*) Did you make any claim at Shelley's election?—Nothing.

19,967. Did you ask for anything?—No.

19,968. Was nothing promised you?—No.

JAMES HAYWARD sworn.

(*Mr. Price.*) You heard what I said to the last witness, and I trust you will give us no trouble, because you know what it is you have come here about. If you do you will have to wait.

19,969. Are you a voter for this borough?—I am.

19,970. What are you?—A master mariner.

19,971. Who did you vote for on the last occasion?—Kinglake and Vanderbyl.

19,972. Did you get any money?—I did.

19,973. How much?—10*l.*

19,974. Who did you get it from?—Henry Chapman Bussell.

19,975. What time did you get it, before you voted or after you voted?—Before I voted.

19,976. In the afternoon?—In the afternoon.

19,977. After 3 o'clock?—About 3 o'clock.

19,978. Did you get any money from anybody else?—No.

19,979. (*Mr. Coleridge.*) Should you have voted if you had not got it?—I should have had a vote.

19,980. The same way?—I do not say the same way.

19,981. (*Mr. Price.*) Which way would you have voted?—One and one.

19,982. That is Westropp and Vanderbyl?—Westropp and Vanderbyl.

19,983. (*Mr. Anstey.*) Had you not written to a Conservative carpenter here of the name of Humber, on the 15th November, from Swansea:

"Mr. H. Humber,

"If you like to send for me I will come over "and vote for Mr. Westropp and Gray. You must "telegraph as soon as you get this letter for me to "catch the train from Swansea. My wife will give "you my address. You can send to me if you want "me.

"Remain, yours truly,
"Captain JAMES HAYWARD,
"Pig Cross."

—That is it.

19,984. It is not true that you would have voted one and one?

19,985. (*Mr. Price.*) You promised to vote for Westropp and Gray?—Yes, I did. I made a mistake in the letter, I meant Westropp and Vanderbyl.

19,986. (*Mr. Coleridge.*) What was the good of voting one and one, and neutralising your vote in that way?—I should please all parties.

19,987. Then the 10*l.* pleased you better?—I should not vote without.

TWENTIETH DAY.

J. Hayward.

15 Sept. 1869.

19,988. (*Mr. Price.*) In 1866 did you vote?—I never had one before.

19,989. (*Mr. Anstey.*) Bussell bribed you I believe, did not he, at this last election?—Yes.

19,990. Where did you meet him?—By the gaol.

19,991. When you met him who was in your company?—Henry Hobbs.

19,992. Who else?—No one else.

19,993. I shall certainly ask the other Commissioners to desire you to stand down and endeavour to recollect yourself better. If it happens again I will. We cannot waste our time upon a person like you in this way. Recollect you were examined in this court?—I was.

19,994. And you did not state "no one else." Was not Badger with you?—Not at that time, he was over on the other side of the bridge; before that.

19,995. Badger swore himself yesterday that he was with you when Bussell beckoned to you opposite the gaol?—I met Badger on the other side of the bridge.

19,996. What did Badger say to you?—He asked me to go to poll.

19,997. What else?—I asked him about my expenses.

19,998. You asked him for your expenses?—I did ask him about my expenses.

19,999. What did you say?—I asked him who was going to pay my expenses.

20,000. From where?—From Swansea.

20,001. Did you tell him that Humber had sent for you?—No.

20,002. Or that you had written to Humber?—No.

20,003. What did he say?—He said he could not pay my expenses.

20,004. Could not?—Yes.

20,005. What else?—There was nothing going, and I was to go and poll without.

20,006. What else?—Nothing else.

20,007. What made you say to him, then, "Damn "your expenses! I am not going for my expenses. "I can afford to pay my own?"—I did not say the words.

(*Mr. Anstey.*) I shall ask the Commissioners to let you stand down; you are telling a different story to what was told before Mr. Justice Blackburn.

20,008. (*Mr. Price.*) Is that the same thing that you said when you were examined before?—It was. I could not recollect. I did not say those words as put to me.

20,009. Did you say so before Mr. Justice Blackburn?—No.

20,010. Was it Badger?—No.

20,011. Did any such words pass between either of you?—No.

20,012. Who was it said so before Mr. Justice Blackburn?—No one in my recollection. I never mentioned the words to Badger, nor Badger to me.

20,013. About your being able to afford your own expenses?—The words never passed.

20,014. Badger never said so?—No, nor me to him.

20,015. Did you get any money in 1866?—I had never a vote before.

20,016. At any election?—No, none at all.

20,017. (*Mr. Coleridge.*) Was that 10*l.* all you got at the last election?—All I got.

20,018. But if the other side had given you 10*l.* would you have voted for them?—Not for both parties, I should not.

20,019. You had offered to come up for the Conservatives; if Westropp's people had given you 10*l.* should you not have voted for both of them?—I should have voted for them if they had given me——

20,020. (*Mr. Price.*) When are you going to sea?—I want to join my vessel at Leith to-morrow.

You had better wait here, because Hobbs is summoned.

20,021. (*Mr. Coleridge.*) How did you want to go, by steamboat?—Across to Cardiff.

20,022. What time does the steamboat go?—I have not inquired.

R. Gold.

RICHARD GOLD recalled.

(*The witness.*) If you will allow me, I think I could call three or four witnesses who could confirm about that money of Bond's. One I should like, who was in the house at the time; and the other, I should like what he says; he was with Carter.

20,023. (*Mr. Coleridge.*) Have you any witness who saw you give the money to Bond?—No, no other than my wife; but the girl was in the house at the time Bond swears he was not in the house in the morning, but I have witnesses to prove he was.

20,024. Was Bond very drunk that day?—No, it was the morning, about 10 or 11 o'clock.

20,025. (*Mr. Price.*) That does not follow?—Well, he was not drunk.

20,026. (*Mr. Anstey.*) I should like to have any witness you can call in support of your statement?—Carter Reeves; he says he was with him at the "Lamb," and Crocker, the landlord of the "Lamb."

20,027. (*Mr. Coleridge.*) Are they here?—I do not know. I have not seen them, and I have not spoken to them.

20,028. (*Mr. Price.*) Will you give me the names of those whom you want called, and we will send for them?—John Carter Reeves, Stephen Crocker, and Jessie Gill. I only want her evidence to prove he was there in the morning, because he says he was not.

H. C. Bussell.

HENRY CHAPMAN BUSSELL recalled.

20,029. (*Mr. Price.*) Do you remember bribing this Hayward?—Yes.

20,030. Who was with him?—No more than some other captains. The statement that Badger made yesterday about my beckoning him was correct, but at time that I did not know that any money was going when I beckoned him.

20,031. When you gave him the money, was Badger there then?—No. I recollect the circumstance from their talking about it yesterday, that Badger was talking to him in the street, and I held my finger up to him because I did not think he was a man who would go to the opponent's side.

20,032. When he gave the money was anybody else present?—Nobody present in the room, but he and the captain of another vessel were together.

20,033. Was it Pitman?—No, Winslade; and they were the two I sent to my house.

20,034. You did not hear any conversation between him and Hobbs, and him and Baker?—No, none at all. When he was talking to Baker I was talking to him, and said, "Why did not you go and vote?" He said he was not going to be in a hurry. After that he went to the "Globe." Then the order was given to get all the men we could together, and I went out and fell in with this Hayward and Winslade together, and sent them into the house.

20,035. He went into your house, did he?—Yes; and after that I got the money and paid them.

20,036. (*Mr. Coleridge.*) By getting men together, you mean to bribe them?—By getting them into the house.

20,037. (*Mr. Price.*) Had he the money before he went to the poll, or after?—Before.

20,038. About what time did you give it to hm?—About a quarter past 3.

20,039. It is not true when he says you gave nothing at all?—I gave him 10*l.*, 10 sovereigns.

JAMES HAYWARD recalled.

20,040. (*Mr. Price.*) What did you mean by swearing before Mr. Justice Blackburn that you got nothing at all?—I mistook the words of Mr. Justice Blackburn.

20,041. It was not Mr. Justice Blackburn, but Mr. Serjeant Parry who asked you?—I mistook the words.

20,042. You were asked this, "You went to the poll by yourself?"—Yes, I did.

20,043. "About what time was this?—It might be "between 2 and 3 o'clock; I cannot say exactly. "What did he give you?" Do you mean to say you do not understand that question?—I misunderstood the words.

20,044–5. What part of that phrase did you not understand, "What did he give you?" and you answer "Nothing at all."—Being frightened by Mr. Parry, I could hardly catch the words.

20,046. You could not understand that, do you mean?—No.

20,047. "Not even your expenses?—No. Nor pro- "mise anything?—No. And you mean to swear upon "your oath that you voted for Kinglake and Vanderbyl "without receiving one farthing?—I did. And you "expect everybody to believe that oath?—I can swear "that. You expect to be believed?—I swear that: "that I never had my expenses nor a promise of any- "thing. After this election did you say to anyone that "you would take good care if you were away at another "election that you would never come to vote, because "you had been promised your expenses, and had not "been paid them?—Never." I should say you ought to be prosecuted by the Attorney General for perjury. I shall certainly request him to do so.—I mistook the words when it was mentioned to me.

Mr. JAMES WOOD SULLY sworn.

Mr. J. W. Sully.

20,048–9. What are you?—A colliery proprietor, coal merchant, and shipowner.

20,050. (*Mr. Anstey.*) And a justice of the peace for this borough, I believe?—I have not that honour.

20,051. Nor for the county?—No.

20,052. (*Mr. Price.*) You carry on your business in Bridgwater?—Yes, and at Lydney in Gloucestershire.

20,053. I am first going to ask you about the matter in which your name has been mixed up about nominating Mr. Vanderbyl, and the interview you had with him on the Saturday night?—The first interview I had with Mr. Vanderbyl was on the Saturday morning preceding the election.

20,054. If you like to make a statement do so?—I was not well that morning, suffering from nervous headache. I had not gone to my office, and about 11 o'clock Mr. Vanderbyl came with a gentleman whom he introduced as a friend of his, Mr. Fennelly. Mr. Vanderbyl was very unwell at the time, suffering from a relaxed throat, and he introduced Mr. Fennelly as his intimate friend. He never stated to me the object of the visit, as it was painful for him to talk. He moreover said, "Understand our interview, Sully, will be strictly confidential." Upon that Mr. Fennelly made reference to the extracts that had been circulated, a copy (I think of the "Daily Telegraph") in reference to Mr. Vanderbyl's evidence in connexion with the Lundy Granite Company, and I said, "I had received that" (I think I have it my pocket), and I showed it to him. I said I was very pained to read it. Mr. Vanderbyl then interposed, and said, "My "friend Mr. Fennelly will explain the matter to "you, Sully; you need not be anxious about it." Mr. Fennelly went into a long explanation respecting it, and I must say to some considerable extent he allayed my apprehensions, and gave me a different view of the affair: but I said, "Notwithstanding Mr. Fennelly's "explanation, Mr. Vanderbyl, if it be true as stated "here, that you rigged the market for the purpose of "raising shares, that is a very awkward affair, and, "as a commercial man, I must denounce it;" and then Mr. Vanderbyl gave further explanations. I think he contradicted that he had said it.

20,055. (*Mr. Price.*) Contradicted what?—That he had said that as reported.

20,056. (*Mr. Anstey.*) Did you call his attention to the letter alluded to in the newspaper report denied by him at first, and admitted by him afterwards, and in which those very words, or words to that effect, occurred?—I think I did so, now you remind me of it. I think it was on the printed circular. I think that was so.

20,057. (*Mr. Price.*) What did you say to that letter?—I think Mr. Vanderbyl gave a direct contradiction, that it was a misprint, that it was not a fair representation of his evidence.

20,058. The letter was not?—The representation, the statement. Mr. Fennelly then said—"That was "one object, Mr. Sully, of our seeing you this morn- "ing, but the primary or principal object of coming "to see you is to tell you that Mr. Vanderbyl had "quite decided that he would not have recourse to "any corrupt practices during this election, that he "had quite made up his mind neither to spend any "money, nor to allow anyone to spend money for "him, in bribing voters." I said I was exceedingly pleased to hear it. I then asked if he had made his agents and solicitors acquainted with that fact. And Mr. Fennelly immediately replied, "Yes, I did yester- "day. I had an interview with our agents, indeed "with all the Liberal solicitors, and I want to tell "you in confidence Mr. Vanderbyl is desirous that "you should know what is a secret understanding, "that it must be sacred in your breast. I want you "to understand that I am in a bother with these "lawyers, or in trouble or difficulty." I said, "What "is that?" "Why the fact is, they are very angry, "and desperately annoyed at my having told them "my decision that I will not spend." I said I was exceedingly sorry to hear that; I had hoped better of our solicitors. "Now," I said, "does that apply "to the whole of them equally?" and he replied, "No, I am glad to say there is one exception, Mr. "Barham," and I replied, "I am glad to hear there "is." Further conversation to that purport went on, and Mr. Vanderbyl interposed then, and he said, "My object in making you acquainted with this fact, "and let me beg you to keep it secret, respecting my "misunderstanding with the lawyers, is to ask you "to be kind enough to propose me on the day of "nomination." I immediately replied, "I would very "much rather not." I was frank with the man. I said to him, "Now you know there is not only this "affair of the Lundy Granite Company, but there is "also the manner in which the last election was con- "ducted, which is very painful to me, if one half of the "reports I have heard be true." He said, "Now I "must urge it on you. I am extremely sorry for "whatever was done at the last election, and so also "are my friends, and they have urged on me, and I "have come to the decision that I will not repeat it; "and therefore if such men as you will not come to "my help, where am I to look for it?" Those are the very words he gave utterance to. As I said before, the man was ill, and I felt for him, and after further pressing on his part, I said with great reluctance, "If you cannot get a better man I will propose you, but I would much rather not;" and I asked, "Whom do you intend shall second the nomination?" And he replied, "Mr. Hammill." I said, "Now I know Mr. Hammill, and if it will at all "help you, when you see him, will you ask Mr. "Hammill if he would prefer proposing you, and I "shall be equally pleased to second you, or to take "no part in it, but to be still." I again said to him, "Now allow me again to express to you the pleasure "I feel in having this assurance from you, and I

TWENTIETH DAY.

Mr. J. W. Sully.

15 Sept. 1869.

" know it will afford pleasure and satisfaction to " many of my friends. May I, without referring to " the solicitors, refer to this interview with you, and " give them the assurance from you that this shall be " a pure election, then certainly you will oblige me." I said, "I know Mr. Lovell Sealy will be obliged ; " will you call on him, and give him the assurance " yourself?" He said, "I will." I do not recollect anything that passed further at that interview. I was unwell, but I made it a point during the day of seeing several gentlemen referring to this interview, and giving them the assurance in the hope that they would take, like myself, a greater interest in the election. I remember looking for Mr. Thompson, and I think I saw him. I am not quite sure I saw Mr. Jones, the Congregational minister, and the late Mr. Perkins, the Baptist minister, and several others.

20,059. Did you see Mr. Sealy and tell him?—I do not remember. I do not think I saw him for the day. I left it to Mr. Vanderbyl, who promised he would see him himself.

20,060. Did you see Mr. Hammill to know whether he would propose or second?—No, I did not. This was on the Saturday morning. On the Saturday evening there was a very large meeting held here, when the candidates addressed the constituency. I was in the little ante-room for a few minutes before the meeting commenced. I think at 8 o'clock Mr. Lovell Sealy came in to me and said, " Sully, I want you." We went out just under the light of the lamp here in the lobby, and he put a letter in my hand and said, "I have just received this ;" I think he said from Mr. Fennelly, " I want you to read it." That was a letter from the secretary of the National Bank, giving Mr. Vanderbyl a copy of the resolution passed by the directors, to the effect that it was desirable, I think that was the word, or undesirable, that Mr. Vanderbyl and Sir Joseph McKenna should absent themselves from the board of direction until the dispute which was between them had been settled or explained. I said to Mr. Sealy, " Well, this is an awkward affair ; " it is making matters worse. But I do not see that " we can do anything in it now, but to let the meeting " take its course." " What would you advise?" I said, " After the meeting let a few of us meet together and discuss the matter quietly." And he said, " Very well ; come to my house after the meeting, " and will you during the meeting speak to a few of " the friends, and invite them to come over with you?" During the meeting I spoke to the gentlemen on the platform, and we met at Mr. Sealy's house. A considerable discussion took place as to what was the course most desirable or proper to pursue, and the majority of us was of opinion that had we heard these things, and seen this letter at an earlier stage, before Mr. Vanderbyl had come to the town we should have tried to dissuade him from becoming a candidate ; but inasmuch as he had secured the suffrages of the voters, and had become very popular, and his canvass very successful, and especially as this dispute was not settled, we could not prejudge the case, we had better let things take their course ; and the deputation was appointed to go from Mr. Fennelly's house to the " Globe," to inform Mr. Vanderbyl. Accordingly I was one of the members, Mr. Sealy, and I forget who the other gentleman was, but there were three or four of us who went to the " Globe," and we were shown into Mr. Vanderbyl's sitting room upstairs, where was this Mr. Fennelly. And Mr. Sealy introduced the matter, and gave him the letter, expressed our regret, and heard what he had to say, and Mr. Fennelly indeed mostly entered into matters, and explained ; and we said we hoped it would turn out as he represented, but we had decided that at this stage we could not at all interfere, things must take their course ; and we left. On the Sunday morning, as I was walking up and down the lawn before going to chapel, I saw Mr. Vanderbyl coming in the lower gate of my lawn. He came up and said, "I was not able to see Mr. Hammill " yesterday, and I thought I would go down and see " him now, before going to church, and I am sorry to " say he declined either to nominate or second." I said, " Did he assign any reason?" He said, " Yes, " he would do me and the cause no good, because he " differed from us on the Irish Church question."

20,061. (*Mr. Price.*) Mr. Hammill is a churchman?—Yes ; and I said, I think, " Well, I think Mr. Hammill is wise."

20,062. Had Mr. Hammill pronounced that opinion, do you know, in public?—I had not heard of it, nor had I any conversation, though he is a neighbour, and we are friendly.

20,063. Did you know that he took that view, that although he was a Liberal in politics he was opposed to Mr. Gladstone on the Irish Church measure?—I do not know that, but I know there were some of them who did. I said he was wise, because it would not do to have any division amongst us on the hustings. I must tell you that I passed a very restless night on the Saturday night. I could not sleep for thinking over this matter, and I resolved, before I rose from my bed, not to nominate or second Mr. Vanderbyl, but to see him, and get released from the obligation of my engagement. On hearing Mr. Vanderbyl state to me what Mr. Hammill had just said to him, my first impulse was to tell him my decision. I refrained, however ; I felt for the man ; he was looking unwell, and I remembered how he had been harassed the day before. I thought I would defer doing so, and let him have a quiet Sunday until the evening, when I intended waiting on him, and telling him my decision on Sunday night. On the Sunday afternoon I received a note from Mr. Nicholls, requesting me to do him the favour of calling on him at his house to meet a friend or two at 5 o'clock.

20,064. (*Mr. Coleridge.*) That is Mr. Nicholls the draper?—Yes, Mr. Henry Frederick Nicholls. I took an early tea, and did not leave till after 5 ; I think it was a quarter after 5 when I arrived at Mr. Nicholls's house, or 20 minutes. On arriving there I found Mr. Henry Lovibond and Mr. Barham.

20,065. (*Mr. Price.*) We know who the gentlemen were who were there. I need not trouble you to go through their names. I do not think it is any use your telling us anything about that interview. I think we have had quite sufficient as to what took place, unless you think there is anything you wish to correct which you have seen in the papers that does not accord with your recollection. If your account accords with that of the other witnesses I will not trouble you, but take you at once to the time when you went with the other gentlemen to see Mr. Vanderbyl at the " Globe?" —I have not read the evidence, but it has all been read to me by my children, and I do not think that any one of the gentlemen, in the evidence they have given, have spoken or referred to this private manner in which I spoke.

20,066. Anything you like to tell us?—In reference to the course we should pursue we were not to be influenced at all by what our opponents would do or would not do, and were only too glad to hear the decision of Mr. Vanderbyl, and that was the reason why we, as honest men, should tender him our very hearty support. I should further say that reference has been made that at that meeting an arrangement was made for another meeting to take place in the evening. That was not done in my presence. I knew nothing of the meeting in the evening until the message was sent to me at half-past 8 from the same gentleman, Mr. Nicholls, to request me to be kind enough to come up to him in half an hour, to meet a friend or two. I left and went, supposing and believing that I was to meet the same parties as I had met in the afternoon, but on entering I was surprised to see such another. You have the report of those gentlemen. I should say that Mr. Wilton came in at a later stage. It was nearly 9 when I entered the room, and he came in at a later stage, having been out at Wembdon to see my nephew, the mayor. You have

that in evidence. I think I saw from the manner of the men when I entered the room that they had been having a discussion, and that there was a pause on my entrance, and that afterwards Mr. Henry Lovibond began by declaring, I believe, that it was his belief that the election was lost, that he thought that Mr. Vanderbyl's and Mr. Kinglake's seats were in peril, or something like that; that he believed the Conservatives had made up their minds to bribe, and inasmuch as Mr. Vanderbyl had decided not to, there was not the slightest chance for either of them. We should lose both seats. He went on to say, that being the case, and all of us being ardent friends of Mr. Kinglake, the question came whether some arrangement could not be made to secure Mr. Kinglake's seat. A good deal was said by him to that effect, and it was a tremendous tax on my patience, I can assure you, gentlemen, to sit there and hear it, knowing what I had heard from Mr. Vanderbyl on the Saturday morning, and I only wish that my lips had not been sealed. I would then and there have asked those lawyers questions, and have exposed and denounced their hypocrisy and deceit.

20,067. (*Mr. Anstey.*) Had you given a promise that sealed your lips?—A most sacred pledge to Mr. Vanderbyl that I would keep it in my own breast in the presence of Mr. Fennelly.

20,068. Had you made the same promise to the lawyers?—What promise?

20,069. That promise which prevented your answering the lawyers on that occasion?—I had nothing to promise the lawyers about; I do not understand your question.

20,070. I thought the charge was against the lawyers as well as Mr. Vanderbyl. You are referring to the expenditure at the former elections?—No, I am referring to the statement Mr. Vanderbyl made to me on the Saturday morning, that on his informing the solicitors he had decided to spend no money they became exceedingly angry and annoyed.

20,071. Then my question is still more apposite. Had you given any promise to the lawyers which sealed your lips?—In reference to what matter?

20,072. In reference to what Mr. Vanderbyl had stated, namely, that the lawyers were exceedingly annoyed?—I had no interview with the lawyers.

20,073. (*Mr. Price.*) But I understood you to say that you had promised Mr. Vanderbyl that you would not divulge to anybody that he was much annoyed at the way he had been treated by the lawyers?—Yes, to the effect that the lawyers were annoyed with him because he had stated he would spend no money.

20,074. And you had promised Mr. Vanderbyl that you would not divulge that?—That I would keep it secret in my own breast.

20,075. (*Mr. Anstey.*) But it did not keep you from informing the lawyers that you had something locked in your breast which it was due to Mr. Vanderbyl alone you should not divulge?—I should have betrayed him if I had. I went near enough to it in that discussion by saying, "Well, you know, gentlemen, that Mr. Vanderbyl has decided to spend no money, and moreover has he not informed you that it is not a question of money, but that he would spend to the extent of 5,000*l.* to petition against one seat of the Conservatives if they obtained their seats by corrupt practices, and has he not offered to make any guarantee, or give you security of that kind."

20,076. You said that?—I said that at the meeting in the evening. Mr. Paul Reed said, "We have had enough to do with petitioning;" and the other solicitors assented thereto. When I am excited I generally speak loud. I did then, and a little incident occurred which increased the annoyance I felt at going to that meeting. I was immediately under one of the windows of Mr. Nicholls's dining room, and the window happened to be down from the top sash, and although it was in November it was a close evening, the gas being lit and many of us being there. Some one, I do not know who, came behind me and pushed up the sash, and said, "Sully, do not speak so loud, you will be overheard by anyone outside on the pavement." Well, I felt I ought not to be, and there was no reason why I should be, ashamed to be overheard in anything I had to say; and knowing, or rather believing, that the solicitors were playing a game, it was a dodge of theirs to try and get us to withdraw our support from Mr. Vanderbyl to secure Mr. Kinglake's seat, in order to enable them the better to put the pressure on Mr. Vanderbyl to spend money. Whether I do them injustice or not, that was my belief at the time.

20,077. (*Mr. Coleridge.*) Did you include them all in that idea; Messrs. Reed and Cook the same?—Yes, all alike, except, as I said before, Mr. Barham. Unfortunately I am deaf in one ear, and when there are two or three persons speaking at one time in the room I cannot hear. They were talking together in groups, and a good deal of the discussion I lost; to tell the honest truth, I did not feel interested in it. I felt annoyed; I felt that it was due to me before inviting me to come to that room that Mr. Nicholls ought to have told me who I was to meet, and the object of the meeting. If he had done so I should not have gone. After considerable discussion, persons were nominated and appointed to wait on Mr. Vanderbyl; my name was mentioned, but I would have nothing to do with it. They did so. The meeting was, I suppose, drawing to a close. I rose, took out my watch, and said, "Well, it is half after 10, gentlemen; I want to go and see Mr. Vanderbyl alone, therefore I shall go on before you."

20,078. (*Mr. Coleridge.*) Was any objection made by anybody to your going alone to him?—No.

20,079. (*Mr. Anstey.*) Did you tell them why you were going?—I did not tell them directly, but in a conversation I had with them they understood me.

20,080. What was it?—That I declined to nominate or second the nomination. I told them so walking down to Mr. Sealy's house on the Saturday night that it was an awkard affair, and I did not think I should; I should think the matter over, and they understood me. Your question brings to my recollection that I purposely avoided telling the gentlemen so directly in case Mr. Vanderbyl should ask me the question, that I might be able to say I had not; because I intended, as I told the gentlemen before I left, "I shall make Mr. Vanderbyl acquainted with the fact that I have met you here to-night, and had some discussion." I left them to go to Mr. Vanderbyl. Mr. Fennelly was with Mr. Vanderbyl when I went into the room. I apologized for waiting on him so late in the evening, and said that I intended calling earlier, but that I had been detained at Mr. Nicholls's house, where I had been sent for, and where we had considerable discussion on matters respecting the election. I then told Mr. Vanderbyl the object of my coming to him, reminded him of the pledge I had given him on the Saturday morning, told him I had been exceedingly uneasy respecting the matter since I had seen the letter on the Saturday night, and come to the conclusion either to decline to nominate, or to second the nomination; that I should have told him so in the morning on my lawn, but that I was anxious he should have a quiet day, and he was so poorly and had been harassed so the day before. The man appeared to feel it very much, and strongly urged me to reconsider. I said, "No, I must entreat you to release me from my obligation, for I have quite decided not to do so." He again asked me the reason, and I told him it was a very questionable affair, and an awkard matter, in connexion with the Lundy Granite Company, and his connexion with the National Bank, and this resolution. He went on to say it would be all cleared up. I said that I hoped it would, nothing would give me greater pleasure; but as a commercial man, having regard to my character, I could not support or countenance in any way a man who had done wrong. He took my hand, and said, "Now, Sully, be honest, is there any other reason?" and I said, "No, or you should have had it. Why do

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you ask me that question; what do you mean?" "Well, "I feared whether or not you really believed the "pledge I gave you yesterday morning respecting my "determination to pay no money to any bribers, or "allow it." I said, "No, I believe that."

20,081. (*Mr. Coleridge.*) Was Mr. Fennelly present?—Mr. Fennelly was present the whole time. I received it in good faith and acted upon it. I told him that, and how I had exerted myself as far as I was able to see parties on the Saturday, and make them acquainted with the fact. Then he said, "Now "will you do all you can to ensure my election on "the solemn pledge which I renew?" "I will." Just at that moment he was holding my hand, a servant came and announced that Mr. Nicholls and the other gentlemen were below waiting to see him. He said to me, "Well, you said just now you had "been detained at Mr. Nicholls's house?" "Yes." "You had considerable discussion I suppose; what "about?" I said, "I must decline to answer that." I gave the gentlemen to understand before I left Mr. Nicholls's that I should not enter into any matter; I should not at all refer to it, or give him any information as to what had taken place; but I said, "Mr. "Nicholls and some others are deputed and they will "see you directly, and I will not detain them. But "now let me beg on my leaving you, Mr. Vanderbyl, as "my last words, let no man influence you to depart "from the decision you have come to." He replied, "Sully, trust me, I will not deceive you." I left. On going downstairs I inquired where these gentlemen were. I went into the room, and, addressing myself to Mr. Nicholls I said, "Poor Mr. Vanderbyl is very "ill. I have had a painful interview with him, but I "told him I should decline to take any part in the "nomination. I have also told him I have been to "your house, where there was considerable discus-"sion, and that you were deputed to see him, and "that is all I told him; so good night." I went home.

20,082. So far as you did hear any part of the discussion which had taken place at Nicholls's, as distinct from that part in which you yourself took a part, did you gather that the object of this deputation was to wait upon Mr. Vanderbyl with a view to shake him in his decision with respect to not spending money?—Certainly not; and I was astonished and surprised last night, when my child read to me, if Mr. Reed be rightly reported, that he swore here in this hall that the object of that meeting was to induce Mr. Vanderbyl to spend money.

20,083. I do not think Mr. Reed said that?—I understood that, as reported.

20,084. Well, I did not so understand him. I understood him to say this, that there were two questions which were discussed at the meeting at Mr. Nicholls's, the one was the getting Mr. Vanderbyl to retire, on the ground of his being mixed up with the Lundy Granite Company, and the other was his not spending money. But I understood him to say to this effect, and I may be mistaken also, Mr. Reed will be here to explain that, but I understood him to say this, that there was an impression that those gentlemen were to go to Mr. Vanderbyl and discuss with him the question of the Lundy Granite Company, and, if necessary, the question of spending the money, the "alternative" it is called by Mr. Nicholls and I gathered, therefore, that it was to that extent that the deputation were to discuss the two questions, and then it has been most undoubtedly given in evidence that the expression made use of by Mr. Lovibond, when he heard the next morning that Mr. Vanderbyl intended to spend money, was, "Then the meeting of last night has not been without its effect."

20,085. (*Mr. Anstey.*) Your mistake about the intention, I think, arises in this way, not only from the statement of the person you have named, but from other witnesses, that the real object of these lawyers, or some of these lawyers, who called those meetings, was to put a pressure upon Mr. Vanderbyl, or at least to give him an inducement to spend money, and to use the Lundy Island Granite affair as a good stalking-horse for the purpose. Your mistake consists in confounding the intention of all those who called the meeting with the intention of all those who were at the meeting itself. Nothing of that kind was said?—I am sorry to say, I do not dispute for a moment now, since the evidence I have read, the intention of the solicitors; but I understood from the evidence as reported of Mr. Reed here yesterday, that that also was equally the intention of the gentlemen who met at Mr. Nicholls's, and for that purpose the meeting was held.

20,086. (*Mr. Price.*) Well, I do not think that; I do not think it went to that extent?—The question of the Lundy Granite Company had been fully discussed on the Saturday night, and disposed of, and it was a mere pretext on the part of Mr. Lovibond using that on the Sunday night, and that I felt.

(*Mr. Anstey.*) And that we have felt too.

(*The witness.*) The chief argument he used at last, and which certainly I think was successful to some extent with the friends who were ardent friends of Mr. Kinglake, was, that if some arrangement could not be made to induce Mr. Vanderbyl to retire, Mr. Kinglake also would lose his seat. I very well remembered then saying, "Well, what of it? Who "are we in this room, that we should compromise "and barter the interests of the Liberal party by "treating with Mr. Vanderbyl or anybody else about "retiring." I am saying what gentlemen in the room were privy to, and can confirm, if their memories serve them right; but the impression on my mind was, that the chief effect produced on the minds of the deputation, and the others, was the danger of unseating Mr. Vanderbyl, if he had persisted in going to the poll and not spending money.

20,087. That you gathered, did you, from the conversation that was going on about you?—Precisely; they were in different groups.

20,088. (*Mr. Price.*) Therefore it would come to this, that one great thing was to get rid of Mr. Vanderbyl?—That was the argument.

20,089. That was one?—Yes.

20,090. To save Mr. Kinglake's seat?—Precisely, I should say.

20,091. (*Mr. Anstey.*) And others, or the same people, in the alternative, wished money to be spent?—Yes. And I should say further, it has just occurred to my mind now, that at one stage of the discussion reference was made certainly by Mr. Lovibond, whether he had the impression, or it had come to his knowedge, I do not know, that Mr. Vanderbyl had been in treaty with Mr. Westropp, or Mr. Westropp's party, and thus would incur the risk or danger of throwing Mr. Kinglake overboard.

20,092. (*Mr. Coleridge.*) Do you mean Mr. Lovibond used that as an argument for pressing Mr. Vanderbyl, or rather to press you to press Mr. Vanderbyl to retire?—I would have nothing to do with it.

20,093. To press the deputation?—Precisely.

20,094. That he, working as Mr. Kinglake's friend, wanted to get rid of Mr. Vanderbyl in any way he could?—Precisely.

20,095. (*Mr. Anstey.*) Did it appear to you at the close of that day, when you retired together and reviewed what had taken place, that the lawyers, the patrons of the borough, and their followers, instead of promoting the Liberal cause as a cause, had converted the question into a personal matter, first of all between Mr. Vanderbyl and Mr. Kinglake, and then into a personal question of a graver character, namely, the question as to whether they should or should not be pressed to spend money?—Precisely; that was the impression; and they would have known it from me before I left that room, but——

20,096. But for what?—But for the engagement I had entered into with Mr. Vanderbyl, I would not have gone to my bed that night without telling them of it then and there.

20,097. (*Mr. Price.*) You see why Mr. Reed was asked about it was this, that Mr. Lovibond had made

use of that expression as soon as he found out that Mr. Vanderbyl had made up his mind to spend money. Mr. Lovibond is reported to have said, "That comes from last night's meeting" ?—I heard that.

20,098. And then I put the question, "The meeting "which Mr. Lovibond referred to was the meeting at "Mr. Nicholls's ?" And to that Mr. Reed said "Yes." Therefore there is the impression left, that at that meeting of Mr. Nicholls's they had, in some sort of way, discussed the question of getting Mr. Vanderbyl to spend money, and therefore that the deputation who went to him had that as an alternative, or had that as a matter prominently before them when they went to see Mr. Vanderbyl.

20,099. (*Mr. Anstey.*) As well as the rest of the gentlemen who were present at the meeting ?—I beg your pardon. There I differ with you.

20,100. You said so just now?—Then I mistook your question.

20,101. (*Mr. Price.*) I will tell you why I put the question to you at this point, because you seem to have felt disinclined to be present with the deputation ?—I will tell you why, just as it occurs to my mind, if you will give me the privilege. I felt it was the first time in my life, and mine has been a long political life, that I was thrown into contact with the lawyers and their friends, particularly on the eve of an election, and that I appeared to be taken into their counsels. I was innocently drawn into that contact.

20,102. That is the reason I put the question to you. You say that Mr. Nicholls did not behave quite fairly to you in not telling you the object of the meeting at his house, which was, no doubt, to discuss the question of whether Mr. Vanderbyl ought not to be driven to spend money, and then you expressed a disinclination to go with them, upon which you came away, and you left them there, as if you had a distaste of being present at any discussion ?—Yes.

20,103. And it was for that reason I asked you, therefore whether from what you had gathered of what had taken place at Mr. Nicholls's that the deputation that was going to wait upon Mr. Vanderbyl would be naturally driven into a discussion with Mr. Vanderbyl as to spending money ?—Certainly not, because it went upon the assumption from the commencement when Mr. Lovibond opened his mouth, that Mr. Vanderbyl had decided to spend no money; and allow me to add, it was nearly 9 o'clock when I first went to the meeting. I do not know what time it assembled; I only know what took place between the time I was there and the time I left, and from what I could hear, the impression on my mind was that the deputation that waited upon Mr. Vanderbyl was as innocent of the matter as myself. They did not know——

20,104. Are you under that impression now?—I am.

20,105. Still ?—Still.

20,106. What! Upon hearing that Mr. Fennelly said to these gentlemen, "Be honest," or something of that kind, "it is money you want" ?—Yes.

20,107. And they acknowledged something of that kind was said, and they never disabused Mr. Fennelly's mind of it. They themselves acknowledged—that is, the members of the deputation, Mr. Wilton, Mr. Collins, Mr. Nicholls, and Mr. Palmer—certainly after a good deal of time was spent in getting it, they acknowledged this, that Mr. Fennelly said to them, "Do not humbug about this; do not beat about the "bush; you want money;" and they never disabused Mr. Fennelly's mind about it ?—That is a riddle I never can understand; I never can solve.

20,108. Then, having heard that, are you prepared to say that those gentlemen did not go there prepared to discuss the question ?—I felt they were the dupes of the lawyers, and I thought so all through.

20,109. (*Mr. Coleridge.*) You throw all the blame on the lawyers all through ?—No, I do not do that. They have enough to bear without that. I do not wish to lay upon them that which they do not deserve.

20,110. (*Mr. Price.*) I thought the reason you did not go there was, that you did not wish to be present at any interview with Mr. Vanderbyl when the discussion of any question about spending money should be raised?—That is quite right; and I felt annoyed that I should be found there on such an occasion.

20,111. Therefore it was I gathered that you thought from what you understood that this deputation when they got into communication with Mr. Vanderbyl would be, in all probability, dragged into a question of spending money, or not spending money ?—That is so; but still I believed that they were to a great extent the innocent dupes of the lawyers.

20,112. Go on with your statement ?—I went home after my interview with Mr. Vanderbyl. On the Tuesday morning I recorded my vote at 9 o'clock.

20,113. (*Mr. Coleridge.*) Will you excuse me for one moment. What motive did you attribute to the lawyers for all that they did in this matter ? Was it for what they should gain themselves, or what ?—No.

20,114. Then what was your idea, that they should take upon themselves the danger as well as all the iniquity of these proceedings?—Well, judging from what has taken place——

20,115. I mean at that time; why should they put themselves into this dangerous position ?—I had this impression, that they not only knew the way to make a market for themselves but also for those behind them, those they used, their agents.

20,116. Were you under the impression that they were to work for nothing ?—Certainly not. I never yet heard of a lawyer working for nothing.

20,117. (*Mr. Price.*) They must live. You do not sell your coals for nothing, and we do not sell our brains for nothing ?—No.

20,118. (*Mr. Coleridge.*) I want to know whether you in the upper classes entertain the same idea as the lower classes do, that the lawyers did all this for love of the cause without being paid any money ?—Certainly not.

20,119. (*Mr. Anstey.*) Why not ?—Why, from my general knowledge that professional men do not work without money.

20,120. Then do you mean that it follows that because a man works in his business of a blacksmith, collier, shipowner, skipper, and so forth, and will not work for nothing, therefore it is naturally to be expected when he goes to the poll that he does not mean to vote for nothing; is that what you mean to say ?—Certainly not. I am speaking now of the professional services of the solicitors.

20,121. You confine your remarks to lawyers?—Yes.

20,122. You think the lawyers are the only people who are not likely to have a pure and single motive for what they do in advocating or opposing a political cause ?—No, I would not say so. I should be doing lawyers an injustice. There are men as honest as myself, some of them.

20,123. I want to bring you to this: does your opinion, or rather did your bad opinion of those persons, rest upon a general position of that kind, which I now understand you to repudiate or did it rest upon your knowledge of, or acquaintance with those particular lawyers antecedents; which was it?—From the antecedents; I can refer to them by-and-by, if you wish.

20,124. That is what I wanted to know ?—Oh yes.

(*Mr. Anstey.*) Then, you see, my question was perfectly relevant.

20,125. (*Mr. Price.*) Go on ?—After recording my vote on the Tuesday I went——

20,126. Did you do nothing on the Monday at all?—Yes.

20,127. You went to the nomination?—I went to the nomination, and afterwards went to the large room at the "Globe" hotel, and presided there at a meeting. It was very crowded, and while I was speaking——

20,128. The "Globe" was Mr. Vanderbyl's head

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quarters?—Yes. There is a large room separated off, with a separate entrance.

20,129. I only want to know this: you seem to draw rather a fine distinction. You voted, you say, but you declined to nominate Mr. Vanderbyl as a commercial man, as there were certain things which ought to be cleared up. Although you did not prejudge him, you did not care to take a prominent part in nominating him, but you certainly took a prominent part when you took the chair afterwards at the meeting at the "Globe." All you wished not to do was, to let your opponents see you were taking an active part. You did not care so long as they did not see what you were doing?—No. I should not be ashamed now, or at any time, for my opponents to see me doing anything.

20,130. You thought in the first instance you would not nominate him, because you did not think him a fit and proper candidate, and you afterwards go and preside at a meeting called on his behalf?—Will you allow me to explain how that was? I was walking down Eastover, and as I came to the "Globe," I think it must have been 9 o'clock, there were a number of men outside, who expressed to me their disappointment that they had been left in the lurch; that there was to be a meeting in the room that night, and none of the leading men were there; and the crowd surrounded me and said, "Mr. Sully, you must go up and take the chair," and I took the chair; and that is the reason why I presided.

20,131. (*Mr. Coleridge.*) You mean you were taken unawares?—I was, quite unexpectedly.

20,132. (*Mr. Anstey.*) You were going to tell us what took place on the polling day. I should like to know this. Did you hear nothing on the morning of the nomination day, as to Mr. Vanderbyl having changed his mind as to expending no money?—No; but I will tell you what I heard. It must have been after 9 when I recorded my vote——

20,133. (*Mr. Price.*) On the nomination day?—Yes, on the nomination day. It was 9 o'clock on the nomination morning.

20,134. (*Mr. Anstey.*) The Monday?—Yes. I think it was about 10 o'clock, after my breakfast, that I walked up the quay, and at the bottom of Castle Street I met Mr. George Wilton. He was going to his office, and after saying "Good morning," I said, "Had you a long interview with Mr. Vanderbyl last night?" I think he said, "Not very long." I am not quite sure exactly what his reply was. "What was the result?" "Why we decided nothing, except that Mr. Vanderbyl said," I think he told me, "at the "suggestion of Mr. Fennelly, that they would take "time to consider it, and let them know the next "morning."

20,135. (*Mr. Coleridge.*) To consider what?—To consider the point they had put before him about retiring, not going to the poll.

20,136. (*Mr. Price.*) Now, you see, you have learnt that these gentlemen left Mr. Vanderbyl in this way, that Mr. Fennelly said, "It is money you want, and the rest is all humbug," and that they never disabused his mind; and that therefore Mr. Vanderbyl must have been left, and Mr. Fennelly too, under the impression that it was all humbug, and it was money that was wanted. Now you know that Mr. Fennelly sent up to town for money, and telegraphed next morning?—Yes, I know that, and the more I think of it the more difficulty I have in reconciling it with what I knew then.

20,137. (*Mr. Anstey.*) It was not a telegram sent on the Sunday night, but it was a letter; therefore the letter must have been written before post time?—Yes, before I went to him.

20,138. Or before the latest time that parcels could be received?—Yes, you are quite right. I recollect I took out my watch in Nicholls's house before I left, and it was half-past 10.

20,139. (*Mr. Coleridge.*) That is the latest time you can post, with two stamps?—I think it is.

20,140. (*Mr. Anstey.*) And a few minutes afterwards it is the latest time you can send a parcel by the guard?—I think it is.

20,141. Drawing your attention to that fact, which you have heard since, and comparing it with what you knew then, can you reconcile what you knew then with that fact since ascertained?—No, I cannot. There is my difficulty.

20,142. I mean you cannot reconcile it in any way consistently with truth and honour?—No.

20,143. (*Mr. Price.*) You say you left Mr. Vanderbyl with the full determination on his part that he would not spend any money?—Yes.

20,144. And that letter had gone?—Yes.

20,145. (*Mr. Anstey.*) And you left Mr. Fennelly under the same impression?—Yes, Mr. Fennelly corroborated him.

20,146. (*Mr. Price.*) Therefore it would look according to that as if before this meeting or deputation, before any pressure, or supposed pressure, from the deputation was brought to bear upon Mr. Vanderbyl and Mr. Fennelly, or Mr. Fennelly alone, which ever it may be, they had made up their minds that they would have money ready?—I think that must be so.

20,147. (*Mr. Anstey.*) You said something about pulling out your watch when you left Mr. Fennelly?—No, when I left Mr. Nicholls's dining room.

20,148. That makes it stronger. You were a quarter of an hour or more, I suppose, with Mr. Vanderbyl and Mr. Fennelly?—No, I was not there so long. I was at home at 11 o'clock.

20,149. At all events, that was before the closing of the mail?—Precisely.

20,150. I want to ask you this question. Can you, by taxing your memory, call to your mind any sentence in your conversation with either of those two persons, Mr. Vanderbyl and Mr. Fennelly, which might be fairly interpreted, that they had, or one of them had, already written up to London to provide funds in case matters should come to a crisis?—No, most decidedly not. I have already told you the last words that Mr. Vanderbyl told me.

20,151. Then do I understand you to say that it was most effectually concealed from you that one of them before you entered the room must have at that time sent a letter or telegram, or both?—Yes, precisely. I knew nothing of it till I read it in the evidence.

20,152. (*Mr. Price.*) Do you mean to say that you left Mr. Vanderbyl's presence that evening with his pledge as a man of honour, and as a man of his word, that he would spend no money?—Yes.

20,153. And the same thing was pledged by Mr. Fennelly?—Precisely.

20,154. (*Mr. Anstey.*) It was ratified by Mr. Fennelly?—Precisely.

20,155. Had you heard down to that time of any intention to provide money, I do not say for improper purposes, but for any purposes, under the name of "bales"?—Oh, no; it is all new to me. The evidence is all new to me. I knew no more of it than yourself.

(*Mr. Price.*) Now be good enough to tell us what you did hear on the nomination day.

20,156. (*Mr. Anstey.*) You had this conversation with Mr. Wilton?—With Mr. Wilton.

20,157. (*Mr. Price.*) And he told you that no result had been arrived at from the interview of the deputation with Mr. Vanderbyl, and that he had taken time to consider?—Yes, to consider. And then I said, "What time was he to let you know?" and whether he said it was 10 o'clock or before I do not know. I know the word "ten" was used. "Have you had your answer?" And, I cannot tax my memory now, but my impression is, that Mr. Wilton told me that some one of the deputation had informed him that Mr. Vanderbyl had told the solicitors his decision, but which of the gentlemen he named who had told him so I really cannot tell. I have been taxing my memory with the prospect of coming here to state that, but I cannot recollect; but I ought to say whilst we were talking——

20,158. I should just like to ask you what you really meant by asking what was the decision, whether it was that Mr. Vanderbyl was to retire altogether?—Yes, precisely; my question meant nothing else.

20,159. That he was to retire altogether?—Nothing else.

20,160. You were going to say something occurred while you were talking together?—Yes; I will tell you. While I was walking down to Browne & Co.'s office, Mr. Cook, the solicitor, came up, and he commenced saying, "Now, Sully, I do wish you would "propose Mr. Vanderbyl this morning;" and I said, "Cook, do not repeat that question; my mind is "made up, and Mr. Vanderbyl understands the "thing."

20,161. And I suppose Cook knew it also from that?—Yes, he did then. Then he asked Mr. Wilton if he would, and Mr. Wilton replied, "Why, the same "reasons that would influence Mr. Sully would "influence me; I have declined, and I should do "nothing of the sort." Mr. Cook and Mr. Wilton then went down to Browne & Co.'s office; I entered, I think, the outer office, and supposing they had some business to transact I left.

20,162. Did Mr. Cook say anything to this effect, "Mr. Vanderbyl has considered the matter, and is "going to stand," or, "It is all right," or anything of that kind?—No, nothing of the kind.

20,163. At that time it must have been so, according to the statement of Mr. Nicholls?—Precisely. My conclusion at the time I met Mr. Cook was that they must have all known it.

20,164. And yet they did not say anything to you?—No.

20,165. They must all have known?—They must all have known. I must tell you that I smiled. I thought if I had made an arrangement over night to go and see a gentleman next morning at 10 o'clock I would go and see him, and not allow a lawyer to be intermediary between him and me.

20,166. You did not say so?—No.

20,167. I understood you had made up your mind from what Mr. Vanderbyl said, that he would not spend money. Could it occur to you that it was possible for him to have swerved from his resolution of the night before?—No. The first impression I had of that was on the morning of the polling day.

20,168. So that during the whole of Monday, and up to the time you took the chair at the "Globe" at 9 o'clock, you were still under the impression that Mr. Vanderbyl was going to keep to his word, that he would not spend money?—That was the fact.

20,169. (*Mr. Anstey.*) You were at the nomination, I think?—I was.

20,170. Well, did you suppose from the tenor of the speeches made by Mr. Kinglake in praise of Mr. Vanderbyl, and of Mr. Vanderbyl in praise of Mr. Kinglake, that the other question, namely, as to which should be shoved out, was also accommodated?—I understood that they were both going in to fight, and have a fair contest.

20,171. (*Mr. Price.*) To fight honestly with one another?—Precisely; that was my belief.

20,172. (*Mr. Anstey.*) Do you remember that the speeches on both sides were pleasant; I mean to say, on both sides, the speeches of Mr. Kinglake and Mr. Vanderbyl were mutually complimentary and comfortable?—Yes. It showed they were friendly. That was the impression on my mind.

20,173. (*Mr. Price.*) Now, then, will you come to the polling day, unless you have anything else to tell us on the nomination day that you heard or saw?—Only that at that meeting, I urged upon the men to be early at the poll, and so on.

20,174. (*Mr. Anstey.*) Then at 10 o'clock on the polling day, what happened then?—I should say that Mr. Vanderbyl came into the room when we were holding that meeting, and he just spoke a few words, and I said to him, in his then state of health, it would be very unwise of him to remain in that heated atmosphere; and he simply urged upon them the necessity of being early at the poll, and referred to the show of hands being in his favour.

20,175. Did you see Mr. Vanderbyl alone before you left the "Globe"?—Oh dear no.

20,176. Then we come to the next morning?—I recorded my vote at 9 o'clock. I then went round to the "Mansion House" room where the poll sheets were kept, to the "Three Crowns," and to the "Globe," to see if the poll sheets were in their places, and that the votes recorded were registered. Things were very quiet, and I think it was a little after 10 that I met, I am not sure whether it was Mr. Henry Lovibond or Mr. Cook, but I met one of those gentlemen, and I said, "Well, our men have not come up for the first hour this morning as I hoped and expected." I meant by that, there was not such a large number polled on our side as I expected; and I almost believe it was Mr. Lovibond; I am not sure to whom I said that, and he replied, "No, sir, they have not; and I begin to suspect all is not right on the other side."

20,177. (*Mr. Price.*) Mr. Lovibond said that?—Yes; "for there were men there who would never "have gone to poll so early this morning if they "had not received a bribe, or expected it, or had a "promise of a bribe." I will not do the gentleman the injustice of saying it was him, I am not sure whether it was Mr. Lovibond or Mr. Cook; it was one of them. On hearing that I walked about the town, and as the majority increased on the other side it increased my apprehensions that they were doing that which was not right on the other side. About half-past 12 I went into the room at the "Globe" to ascertain the state of the poll, and I found Westropp and Gray were in a very large majority; I do not know how many, nearly 200 one of them was; I think so. There were several persons in the room, and I called Mr. Cook on one side, and said, "Well, our "opponents have a large majority; I fear there is "something wrong there. Now tell me honestly, "have the men who voted on our side gone up and "recorded their votes honestly?" "Sully," he said, "on the honour of a gentleman I pledge you that to "the best of my knowledge no man on our side has "voted dishonestly." I said, "I am glad to hear "that, Cook; and now I shall go home comfortably "and have my dinner, for the election is lost, and I "would rather lose 20 elections honestly than gain "one dishonestly." With that, I went home.

20,178. (*Mr. Coleridge.*) Did you ever gain one honestly here, that you know of?—No.

20,179. You are of the same opinion with the other witnesses we have had before us upon that?—Yes, certainly, after the disclosures which have been made here.

20,180. (*Mr. Anstey.*) Well, you went home, did you?—I went home.

20,181. Did you see anybody on the way home?—I met some workmen. The bell was ringing, I recollect that. The men from the dock were going home to their dinners, and I went home to mine.

20,182. Your own men you mean?—No, the dock men, the other side of the river; and I remained home until the clock struck three, and I then said to my wife, "I shall go over to the 'Globe,' and see what the state of things is now—how the poll is." As I got to the bottom of Castle Street some two or three men ran along in a most excited manner, and said, "Mr. Sully, we are only seven behind." I was taken by surprise. I walked over to the "Globe," and found a number of men outside the door which led to the large room, and I went upstairs, and I found the room was crowded, and there was great excitement. I immediately jumped up on the table and said, "Now, gentlemen, this is a very pleasing "surprise to me; I hope it is all right, but it is very "important that this room should be cleared, other-

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" wise the polling clerks cannot keep a correct " account of the votes as they are returned. Now, " let me entreat every man who is here, and who has " not recorded his vote, go and do so, and those who " have done so try to get another vote, and never " consider an election won till 4 o'clock." They left the room.

20,183. Were there a number of the poorer order of voters present when you said that?—Oh yes; workmen.

20,184. As well as the lawyers?—I think Mr. Reed and Mr. Cook were in the room; I am not quite sure.

20,185. I suppose it was very far from entering into your mind, when you used those words, " Those " who have voted go and get others to vote with " diligence," that the bribeable voters, if any were there, giving you credit for knowing more than you really did know, might possibly associate your advice with the advice that they had already received from the lawyers?—I do not think that any man who knew me would put that construction upon my words. I then left the room and went up the town, and heard the state of the poll declared, and then went home, believing that which I had been told on the way up the town, on inquiring how the state of matters was altered, that the working men, members of the Working Men's Liberal Association, finding that Mr. Kinglake had left the town, were so annoyed and vexed, that they determined at once to go and elect him, and they did so at once.

20,186. (*Mr. Price.*) That has been said before; but it is a strange thing, that in conjunction with that having been stated, that the working men had heard, to their annoyance, that Mr. Kinglake had left the town; every gentleman who has been called before us, exeept one, has said he was utterly unaware that Mr. Kinglake had left the town?—I never heard it till I was told then.

20,187. We never had that cleared up; but that seems to me to be of the last importance, because it appears that Mr. Kinglake, as it were, slunk away without letting the people know anything about it; after a very suspicious interview with Mr. Lovibond and Mr. Mogg at the " Globe," and immediately after that, or very shortly after, the bribing begins; and then we find Mr. Kinglake saying, " Well, I am not liable for this matter, because I left before the bribing began." Therefore I cannot accept that as a reason for the men rushing to the poll, that they knew Mr. Kinglake had gone, because I do not think there were five men in the town who knew it; you did not yourself know it at the time?—I did not, as a fact. I was told he had gone; it was reported in the town. I was not out of my house at the time he was said to have gone away.

20,188. (*Mr. Anstey.*) You have told us of everything else about the poll. I want to ask you a question about one or two matters with regard to the polling, which you have not yet answered. Now, with regard to the undue influence. You have—when I say " you " I mean of course your firm—your firm, or you, or both, have a great number of voters I believe in your employment, or under your influence?—I am the only one in the firm of " Sully and Company." I have no partner.

20,189. I put it to you so that you could answer it at once without that explanation?—Certainly not.

20,190. You have no voters in your employment?—Oh yes.

20,191. If you had listened to the question it would have saved my putting the question again. It gives me great trouble to have to repeat questions?—It was your reference to my partner that made me give that explanation.

20,192. I said either you or your partner. How many voters have you in your employment?—I really do not know.

20,193. They are of the humbler ways of life, are they not; they depend for their bread upon their employment?—Certainly. They are masters of vessels, mates, and seamen.

20,194. And then you have men in your employment on shore in the coal office, have not you?—No; they are men that work. I do not think many of them have votes. They are men who discharge the vessels and boats.

20,195. There may be some?—There may be some.

20,196. I must ask you this question. Have you, ever since the election of 1868, dismissed any person in your employment who, being a voter of the borough, voted at that election for either of the Conservatives?—No.

20,197. Has a person in your employment of the name of Captain Turner, the captain of a small ship, dismissed a mate of the name of James Luckes who so voted?—Turner was the captain of the " Carry Winch," and he discharged the mate.

20,198. " Discharged," I suppose, may be a more classical phrase than " dismissed," and I accept your correction. Have you blamed Captain Turner for what he had done, or, on the contrary, have you ever told him that you very much approved of what he had done?—No; but on my return from Lydney I was informed that Captain Turner had been summoned before the magistrates by the man Luckes, and the summons was dismissed.

20,199. Never mind that. I do not want to know anything about that?—On my return from Lydney——

20,200. (*Mr. Price.*) You wish to explain?—I do.

20,201. I wish you would do so then?—On my return to the office I asked my son what had taken place, and he told me, and I said, " Turner, what does this mean; why did you discharge this man, Luckes?" I may say I did not know the man Luckes. I have nothing to do with employing the crews and the men; the captains employ the crews and the men; therefore I do not come into contact with the crews and the men. Turner said, " I did not discharge him; he discharged himself." I said, " What do you mean?" He said, " When I came down one morning " (whether he discharged him or not I do not know) " he was " skulking on shore, and on going to the vessel and " going down below I found some of his ' traps,' he " called them, were packed up; and then I called him " on board, and said, ' Now you may as well go.' " And then I said, " Has the man been mixed up in the " election; did you know that this man had a vote, " or had voted?"—" Yes, on the opposite side." I did not know how Turner voted. I asked him, " Did you know how this man voted?"—" No." " Did you discharge him for that?"—" No." " Did that at all influence you in discharging him?"—" No." That is all.

20,202. The man was on shore shirking his duty?—The man was on shore shirking his duty.

20,203. (*Mr. Coleridge.*) Instead of being on board?—Certainly.

20,204. (*Mr. Price.*) What took place before the magistrates?—He summoned the captain.

20,205. This man summoned him?—Yes.

20,206. Under the Master and Servants' Act?—There is an agreement with respect to vessels above a certain tonnage, that the men are to be employed for a period not less than six months, and this man sued for six months' wages, and that fell through; and on my return home I was told of it; and another summons was issued, charging him with violating the Merchant Seamen's Act, that he had not given the seaman a printed form setting forth the wages and the time, what he had had on account, and what was due to him. I may say that that was not the practice in this port, and it never has been done; but it applies to certain vessels above a certain tonnage, and this " Carry Winch " was one of this class. There was a great deal of excitement, and I may say I never saw

the Tory magistrates muster so strongly as they did on that occasion. They thought they had caught a tartar then, and one of them made himself so conspicuous (Mr. Hammill) on the bench that it rather called forth a reproof from the solicitor for the defence.

20,207. (*Mr. Coleridge.*) Mr. Hammill is a Liberal ?—Mr. Salmon I mean. And it turned out it was a vindictive affair altogether ; and Mr. Symmons was there to prove that it was not the custom of the borough ; and the magistrates fined him. I do not know what amount.

20,208. (*Mr. Price.*) They fined h m under the Act, for not having done it according to the Act ?—Precisely.

20,209–10. (*Mr. Anstey.*) How does that apply to my question ? You insisted upon stating it before the magistrate. It appears that all that occurred there was, you set up as a defence a supposed custom that existed here, and the magistrate thought the letter of the Act of Parliament was of much more consequence than the custom of the port. How does that apply to my question ?—I stated it in answer to the chairman, and not in answer to your question.

20,211. (*Mr. Price.*) I asked you to explain the matter, and, as far as I know, the explanation is satisfactory ?—It was in answer to your question.

20,212. Yes, it was. I think it is perfectly satisfactory. Was that all you had to do with the matter ?—It was.

20,213. (*Mr. Anstey*) You mentioned this in answer to a question from me, as to this story about the magistrate, and I asked you not to trouble yourself about it, and I wanted you to answer my question, which was this, Had you expressed your approval or disapproval to Captain Turner of his having dismissed or discharged this man ?—I said he did right if that was his reason, if he found the fellow shirking his duty.

20,214. Therefore you did express your approval ?—Yes, at once.

20,215. Had you any other person in your employment who voted in like manner for the Conservative candidates at the last election ?—I really do not know ; and will you allow me to add to that, that I have always made it a point never to say a word to any man in my employ as to how he was to vote. I consider the man's vote is his own as much as mine is mine.

20,216. But have you never at any time after an election, got rid of a person in your employment who had voted against your side of the question ?—Certainly not. I should scorn to do it.

20,217. (*Mr. Price.*) That is, on account of his vote ?—On account of his vote.

20,218. (*Mr. Anstey.*) Have you heard that amongst the people in your employment there exists an apprehension to that effect ?—Certainly not. They have no cause for any apprehension ; on the contrary.

20,219. Do you remember Mr. Westropp canvassing persons in your employment at the last election ?—Oh, very likely he did.

20,220. You are not aware that they told him that although you never said anything before them about their votes, that your practice was, if they went against you, to remember it, and punish them for it afterwards ?—No ; but if they did they slandered me. And allow me further to say, that years ago, when I was a younger man, I used, prior to the election, to make a point of seeing my captains and men, and telling them plainly that their votes were their own, that they had a right to do with them as they thought right, that I hoped they would record their votes according to the dictates of their conscience, and according to their judgment ; and whether it was for or against the side I was I should take no notice of it. The only thing that would annoy me, and shake my confidence in their honour and integrity, would be, if they allowed themselves to be tempted, to receive a bribe. And of late years I have requested my principal clerk and cashier Mr. Bounsall, to do what I had previously done.

20,221. (*Mr. Coleridge.*) I suppose you sometimes found out afterwards that they had received bribes ?—I heard it reported.

20,222. I mean before this Commission ?—I heard it before Mr. Vanderbyl's election.

20,223. Who did you hear received it ?—Mr. Bounsall, my clerk, told me that he feared that Wills and Hamsom, and two or three more, I forget their names, had received money.

20,224. Did you ever speak to them about it ?—No, I did not. I said if it could be proved I would certainly discharge them.

20,225. (*Mr. Anstey.*) Have you ever done anything to discourage anybody who has found out corrupt practices to have existed on your side from bringing to light those practices ?—I have discouraged these practices, both in private and in public.

20,226. I do not think you undersand my question. Have you ever discouraged any of these things from being found out ?—Certainly not.

20,227. Let me mention the case of a man who was examined before the committee of the House of Commons in 1866, in support of the petition, or rather in support of the defence to the seat. I presume it must have been for Mr. Westropp ; a man of the name of Cole, who swore distinctly that Henry Chapman Bussell had offered him money for his vote, and that he refused it ?—Yes, I think I recollect something of that sort.

20,228. Well, that man came down to Bridgwater. I ask you the question whether he was not, on your motion, as a member of an Independent congregation, or a Baptist congregation—— ?—A Baptist.

20,229. Excommunicated ?—He was not on my motion solely, but it was brought forward by me myself, and my colleagues.

20,230. Therefore, did he bring an action against some of the parties to that measure ?—He did.

20,231. And did he not recover on both counts, under Mr. Justice Byles's direction at the Taunton assizes, something between 50*l.* and 60*l.* ?—He did, 50*l.*

20,232. And did not Mr. Justice Byles express himself very strongly in favour of that money in summing up ?—No, not in favour of the man, but in favour of the pastor with respect to his having stated before two members of the church, strangers, that the man had perjured himself before the committee of the House of Commons.

20,233. You were present at the trial ?—I was.

20,234. Did you not hear Mr. Justice Byles say distinctly in summing up, " The man has given his " evidence in a straightforward way, and I think he " is a very truthful and honest witness ? "—No.

20,235. (*Mr. Price.*) Was it not on a question of privilege ? If I remember right, he said, that the privilege would not cover that part of the slander, which was, that the pastor of the congregation had stated it to persons other than to the members of the congregation, and upon that count he said they would have to find substantial damages ?—If you will allow me, it will only take two or three minutes, I will just explain the matter.

20,236. That is my impression about it ?—The minister, Mr. Perkins, who has since died, had just come among us. He had been at Uxbridge and the surrounding villages, and it was his custom, I did not learn it till after he came here, to let the communicants know at the church meetings of anything of any importance which concerned the members of the congregation, and at one of these meetings, to my surprise, he referred to this painful matter of this man, about his having sworn falsely before the committee of the House of Commons, and thereby perjured himself.

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20,237. (*Mr. Coleridge.*) To what denomination do you belong?—A Baptist; and there happened to be amongst the communicants two other Baptists, not belonging to that congregation but strangers, and Mr. Justice Byles held it not privileged.

20,238. (*Mr. Price.*) Decidedly; and he not only held it not privileged, but also that the man was entitled to have substantial damages on that account?—Yes. Now the theory was, that I had made myself the persecutor, and influenced the pastor against the man.

20,239. We have asked whether any ministers of religion have ever denounced any of the corrupt practices which exist in Bridgwater. It seems, in this particular instance, that directly the minister denounced it, he immediately had an action brought against him?—Yes; and I fear it brought about his death.

20,240. (*Mr. Anstey.*) I do not agree with you in that observation. What he denounced was not bribery but perjury?—Yes.

20,241. It was not against bribery but against perjury?—It was connected with both.

20,242. Was it not Cole who swore that there had been bribery endeavoured to be practised upon him?—No; he swore he was not bribed.

20,243. Did he not swear that Henry Chapman Bussell offered him a bribe?—Oh, possibly he did do that.

20,244. And that he refused the bribe?—Oh, possibly.

20,245. Then he was excommunicated on the ground that he had committed perjury?—No, in reference to what he said of Bussell.

20,246. What then?—Because that he swore he had not been to the "Golden Lion," and been bribed on the morning of the election.

20,247. Are you quite sure that was it?—Yes; and there was proof to the contrary.

20,248. Are you quite sure that the charge of perjury was confined to that one point, whether he had been to the "Golden Lion" that day?—That was the opinion of the minister, that the man had told a lie in saying that he had not been there when he had been.

20,249. There was an attempt to justify it at the trial at Taunton?—No.

20,250. And that attempt to justify failed?—No, there was no justification. It was said that it was a privileged communication, and it was found that it was a slander, and that it was not a privileged communication.

20,251. Do you mean to say that there was no attempt to prove a justification?—No; there was no evidence given on the side of the minister at all.

20,252. (*Mr. Price.*) There was no defence at all?—No.

20,253. You merely went on the fact that it was privileged, as I understand?—Yes.

20,254. (*Mr. Anstey.*) Now, we have had it admitted that Cole not only voted against your side, but also gave evidence against your side before the House of Commons, and that you were an active party to his excommunication here?—Not on account of his having given evidence against us.

20,255. But it is a fact?—I do not dispute that the facts existed.

20,256. (*Mr. Price.*) Tell us the reason why he was so excommunicated?—The reason for his excommunication was this, that he swore that he had not been on the morning of the polling to the "Golden Lion" and been bribed, whereas there was evidence that he had been, and I happened to be in the committee room at the time when Mr. Powell commenced examining this man's evidence, and the chairman said, "Mr. Powell, pass over this man's evidence;" and they did not go into his evidence at all.

20,257. As if they did not believe it?—Certainly.

20,258. What were the exact facts as to his excommunication, for I do not quite understand what they were. Was his conduct brought before the community?—Yes, at the church meeting.

20,259. Who brought it forward?—The minister.

20,260. Was that the time when it was supposed he had uttered this slander of him?—No. It was held it was not a privileged communication. It was not held to be a slander.

20,261. (*Mr. Anstey.*) Do you mean to say that you, as deacon, or otherwise, did not, in the first instance, mention it, before the minister mentioned it?—No, the minister mentioned it.

20,262. (*Mr. Price.*) What part did you take in it; was it put to a vote?—Yes. After the minister's referring to it, I rose and expressed sorrow and regret that the man should have acted so, and it was put to the vote, and he was excommunicated.

20,263. And excommunicated on the ground of his perjury?—Yes.

20,264. And his bribery?—And his bribery; and he disputed it.

20,265. It was initiated by the minister of the congregation?—Yes.

20,266. On the ground of his having received a bribe, and his perjury in connexion with it?—Yes.

20,267. And was it put to the vote then?—Yes.

20,268. And then the slander arises out of the fact, that some persons who were not members of that particular congregation were present?—Yes, at the ordinance on the Sunday after.

20,269. (*Mr. Anstey.*) Is he restored to church privileges?—No.

20,270. What is he now?—I do not know.

20,271. Is he living in Bridgwater?—I think he is. I suppose he is. I have not heard to the contrary.

20,272. (*Mr. Price.*) Did you join in that with conscientious motives, that the man had committed perjury, and had received a bribe, and was not fit to be of the congregation?—If it was the last word I had to speak, that was my only reason.

20,273. Not that he voted against your party?—Not at all.

20,274. Have you anything more to tell us at any time?—There is a matter which has reference to the former elections of Lord Henley, and so on.

(*Mr. Anstey.*) Can you state anything with regard to these elections?

(*Mr. Price.*) We know a great deal about them.

(*Mr. Anstey.*) It is not worth while to trouble you to come back again.

20,275. (*Mr. Price.*) Unless there is anything particular you wish to state; of course, in that case, we shall be glad to hear it?—I took an active part in Lord Henley's election, in the hope that we should break up the abominable system which the lawyers had instituted.

(*Mr. Price.*) Very well. Then you can come back again.

A short adjournment then took place.

T. Searle.

THOMAS SEARLE sworn.

20,276. (*Mr. Price.*) Now, Mr. Searle, what are you?—A builder.

20,277. Are you a voter for the borough here?—I am.

20,278. Well, now, what you are called about is with respect to the transaction of the 10*l.* which Mr. Gold says he had received from you and gave to a Mr. Bond, for Mr. Bond to hand over to a man of the name of Wittridge. We want to know what it is that you know about the transaction?—Mr. Gold came to me and said he wanted 10*l.* for Wittridge. 10*l.* I gave him, and he

left my house at the time, and in the meantime Mr. Bond came to me. Mr. Charles Bond I believe his name is.

20,279. Mr. Bond, a shoemaker?—Mr. Bond, a shoemaker; quite so. I said, I have given 10*l.* I have let Richard Gold have 10*l.* for Wittridge. He left again, and I think it might be somewhat an hour afterwards he came again and asked me if I had seen Gold. I believe he said, "Have you seen Gold?" I said, "No." I said, "Has Wittridge been to poll?" He said, "I cannot find him." I met him again, I think, somewhere about opposite Thompson's, close by the Fish market, during the morning, and he asked me if I had seen Wittridge. I said, "No." Somewhat about two hours, I think, after that I heard he was at the "Lamb," a public-house just yonder, and I think many people—I think Mr. Bond himself, if I remember right, went to that inn to see him, but whether he did or did not I cannot say. I understood from him that he was going to see a man who was in his employment. I think I heard him say that he had got him to poll in previous elections, if my memory carries me right.

20,280. (*Mr. Coleridge.*) This is Mr. Bond?—Yes. He is a man under his employ, I think; but whether Mr. Bond gave him the money I cannot say. All I know, so far as my memory will carry me to that election, is that Mr. Gold had the money, and my impression was that Mr. Bond had it, and I am strongly impressed at this present moment with the belief that Mr. Bond had the money of Gold, and Wittridge of him.

20,281. That is to say, did you understand from what Bond had said to you that if you gave up 10*l.* to Gold, Bond would see it given up to Wittridge?—Just so.

20,282. That was the impression you had?—That was the impression I had.

20,283. From the conversation you had with Bond and Gold, and what you had known previously?—Yes; and repeatedly during the day I met Mr. Bond respecting this man.

20,284. You had repeated conversations with Bond about this man?—Just so.

20,285. And of his saying that he could get him to vote?—Just so. And during this inquiry (a most strange little feature about that matter) about 8 o'clock in the morning, I think it must be somewhat about five or six days ago, I met Mr. Bond, early in the morning, and passed the compliment of the morning as men generally do, and he came across to me from one side (I live just by), and the topic of the inquiry came up, and I said——

20,286. (*Mr. Price.*) I did not ask you what you were, Mr. Searle?—A contractor and a builder.

20,287. (*Mr. Anstey.*) What were you going to say?—He went on with the conversation of the inquiry—that it went on—and I said, "You remember the circumstance of the 10*l.* which you received" (this was just to fresh my memory) "respecting of Wittridge?" and he seemed rather to quibble about the matter, and so it went on. This was a conversation a few days ago, within this last week, here.

20,288. Since we have been here?—Since the inquiry has been on.

20,289. You say he seemed to quibble about the matter. What did he say?—I cannot give you his words. The sum and substance was that he wanted to evade doing it. That was the fact of the matter; that was the impression on my mind.

20,290. Evade what?—Evade of giving the money or receiving it.

20,291. Did he know then; did you understand from him that it was going to be made an accusation against him that he had received the 10*l.* to pay Wittridge?—That I cannot say.

20,292. Then how did the conversation begin about the 10*l.*?—Because I put it to him that he received 10*l.*, and he denied it or evaded it. I did not put the question strongly to him. I thought myself from the remarks that you have made, which I have heard you make and read myself, that the less I said about it the better. That is just the impression which came across my mind at the time.

20,293. That Bond was shuffling with the question whether he received the 10*l.* or not?—That is just how I took it.

20,294. Then you have no doubt you gave the 10*l.* to Gold?—I am certain of it.

20,295. You gave it under the impression that Bond was to have it for Wittridge?—That is it. I will just refresh your memory, at least it comes to my memory just for one moment, that at the previous election——

20,296. (*Mr. Coleridge.*) What election?—In 1866.

20,297. You said the city election?—I thought Mr. Coleridge was alluding to the last election.

20,298. No, I thought I caught you to say the word "city" election, and that you might be alluding to the municipal election.

20,299. (*Mr. Anstey.*) Previous to the election?—I went to his house myself.

20,300. (*Mr. Price.*) Whose house?—Wittridge's, and I found I could do nothing with him, and therefore I left him under the impression that Mr. Bond should see him.

20,301. Therefore you were strongly impressed with the idea that if Gold got 10*l.* from you it was on the understanding that it was to be handed to Bond, and Bond was to deal with Wittridge?—Yes, sir; and furthermore than that there is an account, if Mr. Allan will produce it. When I settled with Allan I gave him a statement of the money which I received, and the money which I had paid away, and I more than that—(perhaps mine is a singular case)—I paid him the balance.

20,302. Paid him what?—Paid him a balance which I had in hand, which I did not expend. I paid that in the presence of Allan and my son, who made the statement out in the office.

20,303. (*Mr. Coleridge.*) As to this particular part the very material thing is this. Did Bond come to you frequently, as you stated, on that day in such a way as to lead you to believe he was perfectly willing to give money to Wittridge if he could get it?—Decidedly so.

20,304. You have no doubt?—My mind is strongly impressed with the fact.

20,305. You pray in aid of your memory an impression as to the fact of his having had some at a previous election?—Yes, I can remember back.

20,306. We shall go to that presently; but you do pray in aid of your impression the fact that he was a man likely to accept?—Quite so.

20,307. (*Mr. Anstey.*) Did you ever hear that he denied it till a few weeks ago?—I never heard he denied it or evaded it till a few days ago—till the conversation I had with him since the inquiry has been on.

20,308. (*Mr. Price.*) You are down in Allan's list for 60*l.*—Yes, sir.

20,309. That is all you have to tell us about Bond. Now, then, while you are here tell us how you expended the remainder of the money. 10*l.* we know you gave to Gold. What was the other? You must tell us how you expended the rest of the money.

(*Mr. Allan.*) There was a second item of twenty pounds. 60*l.*, 20*l.*, and 5*l.*

(*Mr. Price.*) Quite right. Now, is Mr. Bond in court? Mr. Bond is not here.

(*Mr. Allan.*) I think it fair, Mr. Chairman, that I should state that two or three days after the election of Mr. Vanderbyl, in 1866, Mr. Bond asked me for money for expenses at the election. He wanted some money from me to pay him for money that he had spent at the election in electioneering business.

(*Mr. Coleridge.*) How much?

TWENTIETH DAY.

T. Searle.

15 Sept. 1869

(*Mr. Allan.*) I think about 30*s.*

(*Mr. Price.*) I think we are all agreed about this, that we do not require any further evidence with regard to that matter of Mr. Bond, and it is due to Mr. Gold to say that we are of opinion that he has cleared up the matter satisfactorily, and it will remain now for us to say whether Bond has not committed perjury before us upon this matter, and must be dealt with accordingly. It is due to Mr. Gold to say that our impression is that there is no imputation upon him with regard to this 10*l.* Our impression is that he has told us the strict truth. The question really was whether the money had gone through the hands of Bond or not, and we are strongly impressed with the idea that it went through the hands of Bond, which was Mr. Gold's story; and therefore, as far as Mr. Gold is concerned, we are of opinion that he told us the strict truth.

R. Gold.

RICHARD GOLD recalled.

20,310. (*Mr. Anstey.*) Before you leave the court, Mr. Gold, I should like to ask you a question with reference to a previous election. There is only one question I want to ask you. You heard me yesterday ask a question—not of you, but of another witness (Mr. Jones, I think,)—as to a parliamentary election in this borough when there was a riot, and an assault made of a desperate character on Mr. Bowen, an attack made on his house. Were you in trouble on that account?—No.

20,311. Which Gold was it?—I do not know. I do not know whether it was my father or no.

20,312. Was there not a person named Gold tried at the sessions or assizes?—I do not know whether it was my father or uncle, but I was young at the time. I have no knowledge of it.

20,313. You do not recollect which election it was?—No, I do not.

(*Mr. Anstey.*) It struck me the name was similar.

T. Searle.

THOMAS SEARLE recalled.

20,314. (*Mr. Price.*) Now then, Mr. Searle, you are down here for these different sums: 60*l.*, 20*l.*, and 5*l.* That is 85*l.*?—Quite right. About seven in the morning, at Vanderbyl's and Patten's election, Mr. Allan brought me 60*l.*

20,315. First let me ask you, did you do anything in the last election?—No.

20,316. Had you no money entrusted to you at the last election?—No; that is the case of Palmer, a foreman of mine, if I remember right.

20,317. That is the man who took the ten sovereigns to the Conservative committee room?—That was him.

20,318. What did you do with regard to him?—I knew nothing with regard to him, only he came to entrap me, if I may use the expression. He came in somewhere about half-past 2 o'clock or a quarter past, I could not say; but it was after 2 for certain. He sent for me, and I was in one of the rooms. He sent a servant to say that he wished to see me. I went down, and he said, "Governor, I want to see you." I said, "What do you want, Palmer?" He said, "I wish to speak to you." I said, "Come into the office." He said, "Oh no, this will do, up the yard;" so I walked up the yard with him, and I said, "Have you been to the poll?" and he said, "No, I promised you I would not poll till I had seen you." "But," I said, "I understood you to say you would go to the "poll the first thing after you had finished the polling "booth opposite" (the north ward). The polling booth was opposite the yard, just at the back of my house.

20,319. That you had built?—That I had built. And he said, "I do not think I shall go directly." I said, "My good man, you have promised Mr. Kinglake "and Mr. Vanderbyl in my presence, and I was "under the impression in the shop when they called "on you, that you would poll for them both, because a "long conversation ensued respecting flogging in the "army." He said, "I have not been to poll." I said, "You had better go." He said, "The fact of "the matter is, governor, money is more of an object "to me than politics." I felt indignant at the expression, and I said, "It's all humbug." He said, "No, no, money is more an object to me than politics." "But," I said, "my good fellow, you had better go the poll." He said, "You can do something "for me; you know I am in pecuniary difficulties." I said, "I know nothing about your pecuniary difficulties."

20,320. (*Mr. Coleridge.*) Why were you angry with him, considering that you had bribed at former elections?—Because I had made up my mind never to do it again.

20,321. Had you told him you had made up your mind never to do it again?—Decidedly not.

20,322. Why were you angry with him if he knew you had bribed formerly?—So I had, but I did not intend to do it again. I would not give him any money, and I told him so; and he told me he should go with the stream. I told him he might go to the old fellow if he liked, for he would get no money out of me.

20,323. (*Mr. Price.*) Now then, Mr. Searle, will you go on? Will you finish what you were going to say?—I have just told Mr. Coleridge, sir, that I told Palmer I would not give him any money.

20,324. You made up your mind, you say, to have nothing more to do with bribery. That was the reason?—That was the reason, and the fact.

20,325. (*Mr. Coleridge.*) Then what did you do?—I impressed upon his mind at my door to go to poll, as he promised me in the morning, and the impression on my mind was that he went to poll; but I went out about half-past 3 o'clock, and saw him with a man of the name of Harwood.

(*Mr. Price.*) Mr. Searle, I do not know that we need trouble you about it. Palmer has sufficiently thrown discredit upon himself by showing that he went and took 10*l.*

20,326. (*Mr. Coleridge.*) That is all you had to do with that election?—That is all.

20,327. Before or after?—I had nothing to do with the election before or after, neither at the meetings.

(*Mr. Price.*) Palmer has given an account of himself which is most discreditable.

20,328. Now, will you tell us how you expended the 65*l.* Just the names?—Richard Henry Hobbs, 10*l.*; John Croker, 10*l.*; Charles Day, 10*l.*; Joseph Fursland, 10*l.*; Henry Bartram, for William Hex, 10*l.*; Richard Gold, for William Wittridge, 10*l.*; Richard Gold, for another voter, 10*l.*

20,329. Richard Gold for whom?—For another voter, which I think he can explain to you about.

20,330. "Richard Gold for William Wittridge, and "Richard Gold for another man"?—I think he came and had 10*l.* for another man. He had 20*l.* That was 70*l.* I think you will find. But three or four days after that I met Mr. Allan, and I said, "Mr. Allan,

we had better make up our accounts." I said, "I have some money in hand which I have not expended," and he said, "I will come to your house at any time." He came to my house at an appointed time, and in my office, in the presence of my son and myself, there we made the account up. He took from his breast pocket the account which I had made out, which my son had made for me, and I paid him the balance which I had in hand; it might be 10*l.* or 15*l.* I think you will find it to have been 15*l.*

20,331. You have accounted for 70*l.*, and you got 85*l.*?—I had 85*l.* The whole of the money was paid back to him in the presence of my son that made this statement out.

20,332. 85*l.*?—Whatever it may be, sir, Mr. Allan had it, whether 80*l.* or 90*l.* I cannot be answerable for it.

20,333. You have only accounted for 70*l.*?—I have only accounted for 70*l.* I would not be positive on that matter. This is only from memory.

ANDREW ALLAN recalled.

A. Allan.

(*The witness.*) There is nothing at all in connexion with the election of 1866. The last item I paid to Mr. Searle is 5*l.*

20,334. (*Mr. Price.*) That is so. "Searle, 5*l.*"?—Well, Searle never had so small a sum of money as 5*l.* at one time. That accounts for the money returned to me. It is the last money I charged him with.

20,335. Then all you got back from him is 5*l.*?—No, what I got back from him made the last payment towards him a payment of 5*l.*

20,336. How much did he hand you over as balance?—The money I charge him with having is 85*l.*; and 5*l.* is the last sum of money that he has received from me. Now he never received so small a sum as 5*l.* The money he returned to me made the last money he received from me 5*l.*

20,337. (*Mr. Price.*) What balance did you get from him? He has accounted for 70*l.* You put him down in the account as having received 85*l.*?—That is the money he received from me.

20,338. He has accounted for 70*l.* Did he hand you the balance of 15*l.*?—I remember making up the account, the particulars of which I do not recollect. I say he never had so small a sum from me as 5*l.*, by itself. That is the balance after what he had returned, the balance of the last money advanced to him.

20,339. Do you mean to represent that that was a balance paid you back?—That was the balance of the last instalment he had received.

20,340. I see what you mean now. You never paid him so small a sum as 5*l.*; therefore, if he gave you that, it was a balance of a larger sum.

Mr. THOMAS SEARLE recalled.

Mr. T. Searle.

20,341. (*Mr. Price.*) Now, what do you say, Mr. Searle. The balance of 5*l.* cannot represent the sum which he gave you, because he never paid you so small a sum as 5*l.* at one time. He thinks that 5*l.* represents a balance of a larger amount?—No, I paid him back a larger sum than that.

20,342. Do you mean to say that you ever got so small a sum as 5*l.* at a time?—That is a 10*l.* and a 15*l.* which I had received from him.

20,343. (*Mr. Coleridge.*) Then you returned 5*l.* out of the 15*l.*?—Decidedly not.

(*Mr. Allan.*) No, he returned me 10*l.* out of the 15*l.*, and that leaves the balance of 5*l.* to be charged.

(*Mr. Price.*) You returned him 10*l.* out of the 15*l.*, and that made it right. What do you say to that?

(*The witness.*) I made out an account at the time, which Mr. Allan took away from my house, and he took a book from his pocket and said it was perfectly right, as I am certain it was, and Mr. Allan will not deny it.

20,344. (*Mr. Coleridge.*) Did that 5*l.* go in expenses?—Decidedly not. I paid every farthing to him; I accounted for no expenses. I expended nothing but what I had paid to the voters in the election.

20,345. Who did you give it to?—That I cannot account for; I might have paid it to some man, or to Mr. Allan. I am certain I paid it for no expenses.

(*Mr. Anstey.*) Mr. Searle gives us that statement. Were you satisfied, Mr. Allan, with the account that Mr. Searle gave you of the expenditure?

(*Mr. Allan.*) Yes, I was, and I passed that account to Mr. Lovibond, who was also satisfied.

(*Mr. Price, to the witness.*) Therefore you must have forgotten, or something, Mr. Searle.

(*The witness.*) Oh, there is no question about that; I could not tax my memory.

20,346. You had 85*l.*, you spent 70*l.*, and you told me you gave 10*l.* back to Mr. Allan, so that there is 5*l.* to account for?—I cannot tell now.

(*Mr. Allan.*) Mr. Searle did account for all the money I charged him with at the time.

(*Mr. Price.*) That may be so.

20,347. (*Mr. Coleridge.*) Do you recollect whether he accounted for it by giving so small a sum as 5*l.* for any vote?—No, I do not believe he did.

20,348. Perhaps he gave 15*l.*?

(*The witness.*) I believe I did; I have a strong impression that I gave one man 15*l.*

20,349. May not this be the balance of an account of monies expended at the election which took place two months before?—No. I am positive that everything of that was separate.

20,350. (*Mr. Coleridge.*) Had you anything to do with Bagehot's election?—I had.

20,351. (*Mr. Price.*) Tell us what you did in Bagehot's?—Shall I give the money which I expended?

(*Mr. Price.*) Yes.

20,352. (*Mr. Coleridge.*) Do it whichever way you like. Give us the money you received first, or give us the money you expended first?—I never expended it; not first.

20,353. You promised it?—I promised it, and I could not get the men to go to poll without paying them. I paid the money. I paid William Benjamin Gold 10*l.*, or "William B. Gold." I do not know whether he is Benjamin or not; he lives near the bridge. I paid William Preece 10*l.*, Richard Henry Hobbs, 10*l.*, William Vickery 10*l.*, Charles Wilkins 10*l.*; 6*l.* I paid for travelling expenses from Castleford in Yorkshire to a man, the Rev. Mr. Balmer—James Tubbs Balmer, a minister.

20,354. Not a clergyman of the Church of England; you don't mean that?—I mean a minister of the Methodist Free Church.

20,355. (*Mr. Anstey.*) Is he alive?—Yes.

20,356. Where is he?—I can give you the name in the evening, but I could not now. He was at Castleford, at the time; Castleford in Yorkshire.

20,357. He is not in Bridgwater now?—Oh, dear no. He was a minister at this time.

20,358. (*Mr. Price.*) Did he vote for his chapel, or what qualification had he?—For a residence; a house.

TWENTIETH DAY.

Mr. T. Searle.

15 Sept. 1869.

20,359. Still he had his residence?—He had a residence in this town; his vote had not expired at the time of the election.

20,360. (*Mr. Anstey.*) You mean that he is now residing in the north-east, or that he was then absent in the north-east; which do you say?—He was at Castleford; he left Bridgwater.

20,361. He had permanently left Bridgwater at the time?—Yes, and gone to another circuit; they only stop three years in one circuit.

20,362. Then his vote would be bad on a scrutiny; but he could manage to vote, no doubt. He was on the register, and he voted?—I wrote to him myself.

20,363. And you paid him his expenses?—I paid him 6*l.*

20,364. (*Mr. Price.*) What do you make that altogether?—56*l.*

20,365. Did you pay all that, or was some of that promises?—I paid the whole of it.

20,366. On the polling day?—On the polling day, before they went to poll.

20,367. Did you promise any others?—I do not remember.

20,368. That would be very little more than his expenses?—I do not believe it covered his expenses. I asked him, "What were your expenses?" and he said, "Five or six pounds;" and I gave him 6*l.*

20,369. I should think it would hardly cover it; Castleford is up very near York?—No; and he paid his own expenses while he was waiting in the town two or three days.

20,370. (*Mr. Anstey.*) Did you take any opinion as to whether it was a legal expenditure or not? Did you ask any of the lawyers whether they thought it a legal expenditure or not?—I think I asked Mr. Cook.

20,371. What did he tell you?—He said it was a very little expense.

20,372. Did he tell you it was legal—lawful?—Oh, I do not remember that circumstance; I did not ask him that.

20,373. (*Mr. Coleridge.*) You did not care about that?—Well, I do not know about caring.

20,374. (*Mr. Price.*) Did you get that money paid back to you?—I did.

20,375. The whole?—From Bussell. He paid it to me, I think, about three days afterwards.

20,376. (*Mr. Coleridge.*) And anything more?—Not a farthing.

20,377. Nothing for your trouble?—Nothing; I never had in my experience.

(*Mr. Price.*) Can you go to any other election, that of 1865?

20,378. (*Mr. Coleridge.*) Kinglake and Shelley. But before you go on, will you tell us which of the William Preece's was it you paid. Was it Monmouth Street or Back Quay?—Just at the back of this hall.

20,379. Back Quay?—Oh, no. They would call it Back Street, I expect.

20,380. There is one William Preece on the register "Back Quay," and another "Monmouth Street"?—It is here, close at hand; I think it is Back Street. It is two doors from my house.

20,381. (*Mr. Price.*) Now, then, with regard to 1865, Shelley; what part did you take then?—I took no part in that election, not in bribing any man.

20,382. Or treating?—I did; I spent somewhat. There were several men which I took to the poll which were promised money, and it was never forthcoming.

20,383. (*Mr. Coleridge.*) Who promised them?—Oh no, I mistake. I beg your pardon, not at Shelley's election; I paid no man a farthing.

20,384. (*Mr. Price.*) Did you treat anybody at that election?—I do not remember that I did.

20,385. (*Mr. Anstey.*) Did you promise anybody at that election?—No, not a soul.

20,386. Did you hold out any expectation to them?—No. I was several times with Mr. Lovibond and Mr. Bate at the time; they said there was no money for them.

20,387. (*Mr. Price.*) You were going to speak of some other election?—The election of 1859. I bribed a man of the name of William Dibble in 1859.

20,388. What did you give him?—I gave him 10*l.*

20,389. Where did you get it?—From Captain Bussell.

20,390. Who else?—No one. I do not remember of a single instance.

20,391. Was that all the money you had that time?—I only just took it from one hand, and put it into another.

20,392. (*Mr. Anstey.*) Was Dibble a Conservative voter? Were Dibble's politics Conservative?—I think he was.

20,393. James Dibble?—No, I think his name is William Dibble; I think he is under the employ of the ex-mayor, Mr. Smith, at the present time.

20,394. Not the turner? He is not a turner by trade?—Oh, dear no.

20,395. (*Mr. Price.*) Well, then, any election before that?—No, I do not remember. I never have bribed no man. I voted at Gazelee's election and Tynte's, but I took no part in bribing, and I had nothing to do with it.

20,396. But there was an election in 1857, you know. Did you have anything to do with that?—1857; I never bribed any man at that time, not more than out of my own pocket. There was a man of the name of Charles White; I gave him 4*l.* or 5*l.* I promised that I would pay him if he voted at the poll, and, in fact, I was told by Foster and Henry Faun if I would get them up to the poll, two or three of them, that they would pay me afterwards.

20,397. (*Mr. Coleridge.*) Which election are you speaking of?—1857 election.

20,398. (*Mr. Anstey.*) You paid Charles White?—Charles White. 5*l.* I believe I paid him.

20,399. Did they keep their promise and make good the money to you?—No, they did not.

20,400. Who did?—I was paid back that balance that Mr. Cook gave you of 11*l.* 13*s.* 3*d.* somewhere about, I think, four or five years ago.

20,401. You mean at the election of —— ?—Sir John Shelley. Before the election of Shelley.

20,402. Who repaid it to you?—Mr. Cook.

20,403. Mr. Cook the lawyer?—Yes.

20,404. "Mr. Thomas Searle, amount of his account "for 1857 and 1859, arranged to be paid on canvass, "11*l.* 13*s.* 3*d.*"?—It was before the canvass that he paid me back; the 1st July that he paid me that money.

20,405. The 30th June?—That was somewhere about it.

20,406. Then, at all events, I understand you to say that the item of the 30th June 1865, 11*l.* 13*s.* 3*d.*, includes the 5*l.* which you had paid to this man in 1857, and had been owing to you all that time?—And another voter I paid.

20,407. But is that so?—That is so.

20,408. (*Mr. Coleridge.*) Is this Charles White dead or alive; he is not on the register?—He has left this town for some years. I do not know where he is. I think he is in North Wales somewhere. There was another man (but I cannot give you his name) that I paid at the time.

20,409. (*Mr. Anstey.*) At the 1857?—At the 1857.

20,410. How much?—Three or four pounds I paid him.

20,411. Who repaid that?—That was in the same account. Mr. Bate promised to pay me.

20,412. The late Mr. Bate?—The late Mr. Bate promised to see me paid, and likewise Foster, and likewise Henry Faun; but they never did pay me, and I have asked them again and again for it.

20,413. What reasons did they give for not paying

it?—They said Tynte had not paid his account, and they could not settle it up, and I was the sufferer after that time.

20,414. Then you do not agree with those witnesses who represent the election of 1857 to have been a pure election?—Well, I do not believe it was. I do not believe in 1857 it was a pure election, because there were many men that were promised, and I promised them under the impression that I should get paid again, but I never was paid.

20,415. (*Mr. Coleridge.*) How many did you promise?—Three or four at the time, I have no doubt.

20,416. (*Mr. Anstey.*) You voted, I think, in 1865 for Kinglake and Shelley?—I did.

20,417. After having been repaid this sum of 11*l.* 13*s.* 3*d.*?—Not on that account.

20,418. No, but after?—I have voted for 30 years in this town.

20,419. You did vote after that?—I did.

20,420. And you had previously obtained this payment?—I did, which was due to me.

20,421. (*Mr. Coleridge.*) Did you vote in 1852?—I think not.

20,422. At Lord Henley's election you voted, I suppose?—I voted in Lord Henley's election for Gazelee, Serjeant Gazelee.

20,423. Did you do any bribery then?—I did not.

20,424. When was the first time you ever did any bribery?—I have just told you.

20,425. Was that the first time?—That was the first time that ever I touched anything of the sort.

20,426. (*Mr. Anstey.*) Who persuaded you to do it?—Well, I cannot tell you who. I think I was mixed up with Faun and Foster, and Captain Bussell at the time.

20,427. (*Mr. Coleridge.*) What has become of Thorn?—It is Henry Faun.

20,428. (*Mr. Anstey.*) He is dead?—He has been dead for years.

20,429. (*Mr. Price.*) Have you never made anything by it yourself then, Mr. Searle?—Never.

20,430. Are you out of pocket now?—Well, I do not know about out of pocket. I have no doubt I might have been out of pocket, but these little matters I never keep in my head. I never had anything for it.

20,431. (*Mr. Anstey.*) What was the first election you remember?—The first election I remember, I think, was Broadwood's election, the last time, I think, Broadwood came here.

20,432. That was 1847?—Yes, 1847, I think. I voted in his election. No man ever tempted me, never asked me in any manner, direct or indirect, but Richard Smith said at the time if I would vote for Broadwood he would try to forward me in trade. That is the only man that ever held out the slightest thing in my experience.

20,433. When you got repaid this bill by Mr. Cook was that money you had actually expended, or had you charged interest for the time it had been owing?—That was money I had expended. I should be very sorry to charge interest.

20,434. What, after the seven or eight years you were kept out of your money?—Just so.

20,435. (*Mr. Price.*) Will you explain to us, Mr. Searle, in your own justification, how it was that you came to make that claim, and how it was that claim was liquidated previously to your voting on that occasion?—I will explain how the matter came up. I built this Town Hall, and there wds a dispute between me and the corporation, and I had a little bit of law, too much for my profit, and I had a good deal to do with Mr. Reed and Cook at that time respecting this building.

20,436. Were they your solicitors?—They were.

20,437. You made a claim for extras or something beyond your contract?—That was just it.

20,438. Very well, go on?—While we were there, I asked him about the money which I had paid out of my pocket in previous years, and Mr. Cook paid me. I had applied both to him and Mr. Bate and Mr. Benjamin Lovibond repeatedly before, and they promised I should have it.

20,439. Mr. Cook was told by you that you should expect to be paid that amount?—He had heard me apply for it before to Mr. Bate, I believe. I have no doubt I had told him so, and no doubt he had heard before the account was standing.

20,440. It that all you have to tell us?—That is all I know, that I can refresh my memory with.

HENRY CHAPMAN BUSSELL recalled.

H. C. Bussell.

20,441. (*Mr. Anstey.*) I just want to ask you one question. My question is concerning the man Robert Coles, mentioned before in the examination; my examination of Mr. Sully. Turn your recollection back to the election of 1865, when Kinglake and Sir John Shelley stood together. Did you see Robert Coles on that day, the polling day?—No.

20,442. Did you at any time during the election learn from him that he had promised his vote to Mr. Westropp?—I should like to explain that matter, if you would allow me.

20,443. (*Mr. Price.*) You had better answer the question. Did you hear from him that he had promised his vote to Mr. Westropp?—No, I never heard from him that he had promised Mr. Westropp.

20,444. (*Mr. Anstey.*) Did you say this to him, "Don't vote for him. Vote for Kinglake and Sir "John Shelley"?—No, I did not.

20,445. Did you say to him anything to this effect, "Now is your time if you have a mind to do your-"self any good; let me know what you want, and I "will get it for you?"—No, I did not.

20,446. Did he tell you anything to this effect, at any time, during that election you know, "You must "get plenty of money if you serve all the voters "alike"?—No, he did not.

20,447. Did you say anything to him to this effect, "Well, on the last election we carried our two mem-"bers by tens and fifteens, and we are better prepared "this time, and I hope we shall carry them again for "Sir John Shelley has got plenty of money"?—No, I did not.

20,448. Did he say to you, "Let Sir John Shelley "keep it himself, I am not going to be bribed by you "or any other man, for I shall vote for Mr. Westropp. "It is of no use; I have promised Mr. Westropp, and "I shall vote for him"?—I did not exactly catch that question.

(*Mr. Price.*) Did he say that to you?

20,449. (*Mr. Anstey.*) Or anything like it?—No.

20,450. (*Mr. Price.*) "Sir John Shelley had better "keep his money. I shall vote for Westropp. I don't "intend to be bribed by you or anybody else"?—No, he did not.

20,451. He said nothing of that kind?—Nothing of the sort.

20,452. (*Mr. Anstey.*) Did you ever hear that he deposed to that effect before the committee of the House of Commons?—I knew it, and I was in the lobby at the time. I should like to explain that. I have never had the opportunity, and I should like to do it now.

20,453. Certainly.—I had a conversation. The fact of it was, Mr. Westropp was canvassing here, and at the time he had been down the quay. I believe at the time Sir John Shelley was not in the town. I think that was the very day there was the hitch against Mr. Lovibond going to London. Mr. Westropp had been down to where he was canvassing, and this man followed him back. I was stood by John Smith's, York House door, and I knew some parties down the street would be a little bit suspicious if they saw me speak to anybody; and I went up to Coles, and I said, "Coles, have you promised your vote?" and he said, "No, I have not. I am not going to yet." I did not ask him to promise or any-

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thing else, for this very reason, I knew that his sons were in the employ of the Conservative lawyers, and that if I was to say anything of that sort to him it would be the very thing they would go and tell directly. That was the reason why I was very cautious with him. I knew that the man's sons were employed by Mr. Smith.

20,454. Therefore if you had been called as a witness on that occasion you would have denied it?—I should have denied it every word, *in toto*.

A. Allan.

ANDREW ALLAN recalled.

20,455. (*Mr. Price.*) I see, Mr. Allan, referring to the matter of Bond and Gold, I see you have put down Wittridge in your list as 10*l.* On other occasions when it went through the hands of somebody else you have put it down differently. For instance, "Gold for Trapnell" follows Wittridge immediately; and you have put down "John Richards by Crocker;" and so at other times when it went through other hands; but you have put it down as a direct payment to Wittridge of 10*l.*?—It does appear like that, and I cannot account for it, but there is only 10*l.* charged to Gold, and that makes the 20*l.* he has accounted for.

20,456. That does not throw any light upon that particular dispute. You have put it down as a direct payment to Wittridge, but it was not a direct payment to Wittridge by yourself?—I cannot account for it. I did not know Wittridge till I saw him in court.

H. C. Bussell.

HENRY CHAPMAN BUSSELL recalled.

(*Witness.*) There is one matter with regard to Coles. I went to this trial at Taunton, and was prepared to go into the box if they had gone on with the defence, and prove what Coles swore up there was false. That was at the trial at Taunton, where they recovered a verdict, but they did not go into the defence then.

20,457. (*Mr. Price.*) When they brought the action?—When they brought the action against the minister of the Baptist chapel. I knew he had sworn falsely, and had not any opportunity of contradicting it.

20,458. There was no justification?—No, not at all. (*Mr. Price.*) Then, of course, they did not call you?

Mr. J. Cook.

Mr. JAMES COOK recalled.

20,459. (*Mr. Anstey.*) I don't want you to come into the box. Some statements have been made on the subject of Mr. Vanderbyl's letter referred to in an examination either in bankruptcy or in the winding-up in chancery of the Lundy Island Company; and you know several times in the course of the examination that passage in the brief, your brief of the last election, which referred to that matter has been read in this court. May I ask you, did you prepare that portion of the brief from information furnished to you by Mr. Vanderbyl?—I have no doubt of it.

20,460. Therefore in stating, as you have done there, that the letter in question did allude to the rigging of the market, and was Mr. Vanderbyl's letter, you made the statement upon the authority of Mr. Vanderbyl himself?—Yes, I believe so; and I may state, sir, that when Mr. Purcell, the secretary to the Commission, asked for the brief which had been prepared for the defence of the seat, I felt it due to Mr. Vanderbyl as my client to state that we had received the application, and receive his sanction as to its being handed over; upon which I said to Mr. Vanderbyl, "You had better take the brief and read it through," and he had it for the purpose, and returned it to me sanctioning its being handed over to Mr. Purcell.

20,461. (*Mr. Price.*) I was going to ask you about this 11*l.* to Searle?—You will find that is one of the things upon which I was examined by you; that it came to our knowledge that there was a sum of 11*l.* 13*s.* 3*d.* outstanding as due to Mr. Searle in respect to prior elections. I do not know that I was aware of his application until the day of payment, when he did say that he had been promised over and over again, and payment was made by our firm, and subsequently charged to Mr. Kinglake, and paid, I think, in the month of January last year. I was examined about it before.

20,462. You were examined about it before, but there was an impression upon the mind of one of my learned colleagues that you could not account for that payment?—No, I accounted for it as being a payment to him of a balance from former elections.

20,463. Your recollection of the matter accords with what Mr. Searle has told us?—Yes. I think you yourself put the question to me, having the paper in front of you at the time.

20,464. (*Mr Anstey.*) I understood you to say that you did not know that the monies which had been standing over from 1857 were monies paid in respect to corrupt practices?—I did not know how it was made up; I understood it was a balance.

20,465. But you knew there was a balance, as he called it, for what had been done at previous elections?—At previous elections. Perhaps the learned Commissioner, Mr. Anstey, will permit me to state that as he put a question to me as to whether the Messrs. Kinglake were shareholders in Stuckey's bank, I have made the inquiry, and I find that Dr. Kinglake and his brother Arthur Kinglake, at Weston-super-Mare, have been for many years shareholders, but that the late member, Mr. Alexander Kinglake, is not a shareholder.

Mr. P. O. H. Reed.

Mr. P. O. H. REED recalled.

(*The witness.*) In the report of my examination yesterday in the "Mercury," there are one or two apparent misprints, and the first would be as to my conversation with Mr. Lovibond on the Monday morning. It is here stated that my evidence was that there would be no money. My evidence was that there would be money. The second misprint is that Mr. Lovibond said over and over again that he never knew where that money came from, and he told people he did not know where it came from, and that Messrs. Reed and Cook must know. My statement was that Mr. Lovibond alleged that he knew where Bussell's money came from, but I never understood that he alleged he knew where Allan's money came from.

20,466. (*Mr. Price.*) I have no doubt that our shorthand writer has it correctly, but I understood you to say that Mr. Lovibond continually said to you that he knew where Mr. Kinglake's money came from?—Certainly.

20,467. (*Mr. Price.*) You will not be judged by the "Bridgwater Mercury."—Some time afterwards Mr. Cook made a communication to me to the effect that he had just seen Bussell, who told him that men were hanging about, and I asked him to see what could be done. My evidence was that "I, Mr. Cook," would see what could be done. There is one slight inaccuracy further on, about it is not fair to bleed one lung.

20,468. (*Mr. Price.*) The fact is, we are not responsible for what appears in the papers. There may be a mistake made here which you may wish to have made quite straight, but your evidence will be taken, and as far as I can judge there is hardly a mistake made by the shorthand writer who makes our transcript, therefore you may rely on its being pretty correctly

taken there; and if any witnesses come to contradict what you stated, what we should do with you and other witnesses would be to refer to the shorthand note, and judge of it by that; therefore you need not fear any contradiction on any point without reference to the authenticated note of our shorthand writer, and upon that the conflict would arise, not upon anything that might happen by mistake, which it is very natural to make in the hurry of taking down evidence. Now, I think you carried us up last night to the time of the petition, when you begged Mr. Trevor not to cross-examine Mr. Vanderbyl. That closed the inquiry with regard to the last election?—I wish to say something further. Upon my return to the office last night I read a copy of the correspondence between our firm and Mr. Vanderbyl. Mr. Cook entirely conducted that correspondence from first to last. I believe I may truly say that I never wrote a line in my life to Mr. Vanderbyl on matters connected with the election; but on reading one of the letters, I saw that an appointment was made for our being at Mr. Vanderbyl's house some few days before the hearing of the petition, and we expected to meet there Mr. Fennelly and Mr. Lomas, but when we came we found from Mr. Vanderbyl that there was a letter from Mr. Fennelly, the sum and substance of which was that he had taken a severe cold, and was unable to leave the continent, unable to leave his room. We did hope on that occasion that both of them would have been present, because our desire was (we saw it was perfectly impossible to settle it without them) that they must go into the box and make their statements, and afterwards we went to the parliamentary agent, Mr. Wyatt. Mr. Vanderbyl met us by appointment there; he was in the room a very short time, when we requested him to leave, and upon that occasion we informed Mr. Wyatt that we were disappointed at Mr. Fennelly and Mr. Lomas not being, as we expected, with Mr. Vanderbyl; and Mr. Wyatt said, "My impression is, the farther they are away the "better."

20,469. (*Mr. Price.*) "The longer away they are the better"?—Something like that, "The further off they are the better; and we stated, it is perfectly "impossible for the seat to be saved, and if we go into "the box we must speak the truth, and intend to;" and Mr. Wyatt's answer was this: "They will never "venture to call the lawyers, and I have pulled "through many worse cases before." We could not reason with Mr. Wyatt; he was determined to fight it out, and we thought the other way.

20,470. He said he had fought many worse cases than that at Bridgwater?—Yes, he reasoned against light and everything else. That is all I know with reference to the last election. I have taxed my memory, but I cannot recollect a single further thing.

20,471. Have you made out any bills of costs for your services at the last election?—Not delivered?

20,472. Irrespective of the petition costs?—No; but day by day they were entered into the ledger, and the day book and ledger will speak for themselves.

20,473. Now go to Mr. Vanderbyl's election in 1866?—I went to London and saw Mr. Bagehot with reference to his again standing. It was with the full knowledge and sanction, and I may say at the request of Mr. Lovibond and Mr. Barham that I went. I saw Mr. Bagehot, and he declined to stand, and as far as I recollect his reasons were given why he would not, and one was, that he saw no reason why the previous decision of electors should be reversed; and in the second case what stood apparently much in the way of Mr. Bagehot standing was that it was contrary to etiquette to go down and oppose a gentleman who had just taken office. Those were the reasons he presented to me.

20,474. (*Mr. Price.*) And not anything with regard to money?—No; I did not talk to Mr. Bagehot on money. The next thing, as far as I recollect, was when I came back I found Mr. Lovibond and Mr. Barham were away, and my impression is that while I was in London in my correspondence with the firm, Mr. Cook may have stated that it was the fact that they were looking after a candidate, but the Monday after the election the first thing that came to my notice was a letter from Mr. Lovibond, and I went to Mr. Lovibond's office, and they stated that they had found a candidate who turned out to be Mr. Vanderbyl, and Mr. Lovibond read the draft of Mr. Vanderbyl's address, which had not then been printed. As far as I recollect some few slight alterations were made, and it went into the printer's hands. Then Mr. Cook has detailed to you the letter to Bottomley as to Mr. Haviland going for him. It is all within my knowledge it was done. Mr. Cook caused it to be done, but it was with my knowledge. Rookley was also sent for by Dyment at Wimbledon, and a sunstroke taking him on the way down he was unable to leave London. As to the money spent on that occasion not a farthing came into our hands, nor did we direct any at all. I was aware money was going. Mr. Lovibond told us Mr. Vanderbyl was a rich man, and I was perfectly aware on the nomination day that money would be spent, and on the polling day that money was being spent, but I took no part in expending money or sending people to be paid.

20,475. (*Mr. Price.*) At that election were you in the complete confidence, did you understand or believe, of Mr. Lovibond and Mr. Barham with regard to electioneering matters, or not?—No, we fully believed we were never fairly treated. They told us what they liked and kept back what they liked.

20,476. That had something to do with your only getting 100*l.* between you as compared with what they got?—I never knew what Mr. Lovibond or Mr. Barham received.

20,477. Now you have heard that difference it confirms you?—There was another reason, once or twice my name was published as one of the agents receiving so much money, but I never knew that Mr. Lovibond would allow the same to be done with his, and I always thought that he had received considerably more.

20,478. (*Mr. Coleridge.*) Did you ever ask him?—It was no use.

20,479. Did you know?—No.

20,480. (*Mr. Price.*) Why was it no use?—He would not have told me, it was concealed probably; that was my impression.

20,481. (*Mr. Coleridge.*) Did you ever ask Mr. Barham?—I cannot say I have. Mr. Cook has spoken of that election, that we received on the 25th August 50*l.* each, and also on the 7th September through Mr. Barham as being legitimate payments the sum of 12*l.*

20,482. (*Mr. Price.*) When you were first engaged in this matter of electioneering as a legal agent, although for very illegal purposes, did you understand that you were to do it gratuitously or not?—Certainly not, and I have not said so. It would not answer my purpose to give up my time. I have not represented so to a soul.

20,483. (*Mr. Coleridge.*) How do you account for Bussell and these men having the notion that you did it gratuitously as they alleged they did?—I was never mixed up with the accounts being made up, and I was not aware until I heard it in this court that they held such an opinion.

20,484. Is that all you have to tell us?—Yes.

20,485. The election before, Bagehot's election, had you any part in that?—Yes, certainly. Mr. Cook has placed before the court certain letters, and the first thing I recollect was on May the 12th I went to London with Mr. Lovibond and Mr. Barham. My impression is, I am not clear as to that, that we could not find a candidate, and we searched high and low; we saw lots of people, some rich, some old, and some young.

20,486. (*Mr. Price.*) Who were the persons in London with whom you put yourself in communication in the first instance?—As far as I recollect it was the

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Mr. P. O. H. Reed,

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firm mentioned the other day, of whom one has been made a baronet.

20,487. No, not quite ; but a knight. No doubt in the course of time, he may reach that; it is something Drake ?—Yes.

20,488. He writes to us to say he knows nothing at all about Bridgwater elections, therefore we want to know what Sir William Drake knows about it ?—We went to the office several times.

20,489. Do you know this gentleman ?—No, but my impression is that on these occasions, I was, if I may say so, a mere cipher. Mr. Barham and Mr. Lovibond chiefly did it.

20,490. But you went to Mr. Drake's office ?—We did, we communicated with lots of people, but the difficulty was to get a candidate.

20,491. What was the difficulty ?—It was a question of money ; they did not like the place, they knew as much about it as we did. When in London, I understood on the Sunday Mr. Barham has referred to, there was a conversation between Mr. Barham and myself as to Mr. Lovibond monopolizing Mr. Kinglake. That took place. No doubt Mr. Barham has repeated so far as he can remember what is correct, but he put it like this, that he was as anxious as I that the political power might be shared fairly, and I said he had better represent the other candidate coming down, and his answer was, that being mixed up with the town clerk it would not do to be agent of one of the candidates, but then it was suggested that the candidate coming down should be ours, which was done, but Mr. Barham stipulated this, that any political power or fresh batch of gentlemen sent to London to be made justices, he should be allowed to nominate some of his friends, and that in all things of that sort he should take part.

20,492. (*Mr. Price.*) Let me understand ; whenever you were in communication with this gentleman, Mr. Drake, at all events he was the gentleman who suggested candidates to you ?—That is my impression. I am not clear.

20,493. And with whom you discussed, whoever he was we shall no doubt have the gentleman here, and you will be able or someone else to identify him ; did he discuss the probabilities of the election ?—I do not know that I should know him again.

20,494. But whoever he was at Mr. Drake's office that you saw, with that gentleman you discussed Mr. Bagehot's election ?—To a certain extent. It was Mr. Barham and Mr. Lovibond ; I did very little

20,495. In his presence it was discussed ?—Yes, that is my impression.

20,496. We have had a letter from Mr. Drake, in which he tells us that he knows nothing of Mr. Bagehot's election ; now we hear that you, Mr. Lovibond, and Mr. Barham were all in communication with him, and I want to know whether in your presence the matter of the Bridgwater election, when Mr. Bagehot came forward, was thoroughly discussed, and the eligibility of the different candidates, and the prospects of success, and so forth ?—As far as I recollect, it was simply recommending who would be likely to be candidates for Bridgwater.

20,497. But the thing was discussed about money, and whether it would cost anything ?—Well, they knew pretty well the place.

20,498. Then Mr. Drake cannot be right in saying he knows nothing about Bridgwater elections ?—No, I should say not certainly.

20,499. If he is the gentleman you name ?—Certainly. On the 2nd June 1866 I find I went to London, and that arose as follows : quite by accident I went to Mr. Lovibond's office, and when there I found Mr. Barham with Mr. Lovibond, and it came out then for the first time as to the mode which would be necessary to fight the election, and the question was, how is the money to be obtained ? It will not do to go to the candidate, who are the candidate's solicitors ? Then that could not be ascertained, and it was suggested whether Mr. Watson Bagehot was at home, who was a cousin of the candidate, and I went into the town, and found out from Wimple, the clerk at Langport, that he was in London, and so I came back and reported that to Mr. Lovibond and Mr. Barham. Then the question was who was to go to London, it is a dangerous thing to do. Mr. Barham states that I jumped at it. I do sincerely deny it, and it was perfectly clear that some one must go, and it fell to my lot and I went. That was on Saturday. The next day, having obtained Mr. Watson Bagehot's address, I called at Mr. Bagehot's place, but he was out. Soon afterwards he returned, and I referred to the Bridgwater election, that Mr. Bagehot was very popular there, and was satisfied that if the Conservatives had money we must do the same, or the candidate could not succeed. Mr. Bagehot expressed himself very coolly on the matter, that he was certain his cousin would be no party to expending money, and I said no more on it and left. I went to see Mr. Cooper, and asked if there was any chance of money being obtained from the Reform Club.

20,500. What is Mr. Cooper ?—The parliamentary agent. He said certainly not, it would be a very dangerous thing to us now. I went and saw Mr. Travers Smith.

20,501. The gentleman who called you a lunatic ?—Yes, and so I was at the time, it was true enough ; and he said there was no chance of money, but the best thing was to get a detective to prevent bribery, and it was arranged that one should come down ; and I then returned on the Monday following, and communicated the next morning to Mr. Barham and Mr. Lovibond the result of my journey.

20,502. Did you ask Mr. Travers Smith to send 3,000*l.* down ?—I cannot tell. I certainly asked him for money. There is no doubt about it. It is very likely whatever he states I did. Whatever I did was with the full knowledge and sanction of Mr. Barham and Mr. Lovibond. A few days afterwards I received by hand a letter as follows :

" Dear sir, 5th June 1866.

" The bearer is the person to whom I alluded " on Sunday. I wrote, but under cover to Mr. C.," (Mr. Carslake that means) " which will explain the " fact of no letter from me having been received.

" I am, dear sir, yours truly,

" J. Travers Smith."

The messenger came at once, apparently a detective. He was staying at the " Albion," which was about the head quarters of the Conservatives. I saw him twice, and heard he was staying at the house, and passed himself off as a traveller going through.

20,503. What name had he ?—I do not know, but he told me he had become on friendly and confidential terms with the landlord, and he was in a great state about the money being expected from London, but it had not arrived, and the question was whether any money would be used. I saw the man once or twice afterwards, but he never gave me any information of bribery on the other side.

20,504. (*Mr. Coleridge.*) Who paid the detective ?—I never paid a shilling, nor did I hear of any claim.

20,505. Do you suppose Mr. Travers Smith paid him ?—Well, the man would not come without being paid.

20,506. Did he never ask for money here ?—Never ; but I was never present when any accounts were being made up. It would be in Mr. Lovibond's accounts. I have no knowledge.

(*Mr. Price.*) Do you know about this, Mr. Cook ?

(*Mr. Cook.*) I do not know.

(*Mr. Coleridge.*) It was not passed through any account you know ?

(*Mr. Cook.*) Not at all.

(*The witness.*) The next evening I dined with Mr. Bate, and Mr. Barham also dined, and I am not sure whether Mr. Bagehot. I am not clear whether Mr. Barham dined there, my impression is that he dined there, but we left soon after dinner, that is, Mr. Lovibond and myself, and Mr. Barham said, " We are

going to raise money, you must go in." I said, "Very well," but how it was raised or spent or where it was obtained I do not know. I gave him a guarantee certainly.

20,507. (*Mr. Coleridge.*) I thought you were all four in it?—I understood from Mr. Lovibond that Mr. Bate and Mr. Barham were going in, and I must go in.

20,508. You did not give any scrip?—No.

20,509. You understood you were to be a guarantor?—Certainly.

20,510. (*Mr. Price.*) Do you mean that you did not understand what your liability was to be?—I understood 1,000*l.* between four, but how it was obtained, or where it was obtained from, I do not possess the least information. That was Mr. Bagehot's election, and the Liberals were ahead, and apparently the election was Mr. Bagehot's.

20,511. Have you no idea, now, where that money came from?—Except what I have been told in court.

20,512. (*Mr. Coleridge.*) By Mr. Barham's cheques?—Yes, Mr. Barham's cheques. It is in evidence before you how Mr. Bagehot was ahead and apparently elected; and I saw Mr. Lovibond about half-past 9 on the Cornhill, and he told me on that occasion that he had stopped the money, it was going too freely, and apparently there was none on the other side. We found about 2 o'clock that the Conservatives were close upon us; no end of men were bottled away at the "Clarence," as you have heard, and then the question was, "Can we get so many people, or the election is lost?" We agreed that no money was to be paid unless as many voters could be obtained. I recollect at that election we saw two men, one was King, a pastrycook and a member of the Plymouth Brethren; I made him no offer, but shortly after he polled for Mr. Patton, and I afterwards went and saw Mr. Chedsey; my impression is that Mr. Barham was present, but I know as far as I am concerned that I tempted Chedsey. We were close upon each other; Chedsey was unwilling to poll at all, and I said, "Chedsey, you had better poll; would 50*l.* be of any service?" And he refused. At the same time, William Henry Batten came in. No doubt he induced Chedsey to vote for Mr. Patton, and I left.

20,513. How did he vote after all?—I do not think he voted at all.

20,514. Did he have anything for not voting?—No, I do not look on Mr. Chedsey in that light.

20,515. You did not give him anything?—No, not a farthing. I saw Bottomley, who came up to vote. I have taxed my memory, but I do not know that I held out any inducement to him. Mr. Cook has told you about the two guineas. I have no recollection of it. I am told that at Mr. Vanderbyl's election he had 10*l.* We can give his address; it is in Birmingham somewhere. Then we received, as Mr. Barham puts in evidence, 13*l.* 5*s.* for payments, and 50*l.* for our joint services. That is at Mr. Bagehot's election.

20,516. (*Mr. Coleridge.*) Is that all you had to do with that election?—Yes. I told you I understood there was money, but we never handled it, and were never present when the accounts were made up.

20,517. Now go to 1865?—At the 1865 election I did part of the canvassing.

20,518. Was any money spent as far as you know?—I do not believe a shilling was spent by the Liberals.

20,519. There was a good deal of treating, which was afterwards paid for by Mr. Vanderbyl?—Yes.

29,520. Was there any attempt to get money?—No, I did not believe that money was spent.

20,521. But was not there that same sort of meeting that there was in 1868?—I was never in Mr. Lovibond's confidence. All I know is that I was at that meeting referred to by some of the witnesses at Mr. Lovibond's house on the day of the nomination. No end of people were there, apparently money was going to be spent, but suddenly I recollect Mr. Lovibond arose, about 12 o'clock, and said, "Gentlemen, I wish you to understand that no money will be spent." That is the only phrase that took place between Mr. Lovibond and myself.

20,522. Do you know anything about money being spent by the Conservative side at that time?—Except by public report.

20,523. No doubt there was?—No doubt there was.

20,524. Now the other elections. In April 1859, Mr. Padwick, Mr. Tynte, Mr. Kinglake, and Mr. Westropp?—I canvassed, and received 25*l.* I know nothing of money one way or the other.

20,525. You know that money was spent?—I have not the slightest information.

20,526. Do not you know that Mr. Kinglake paid 1,100*l.* to Mr. Bate afterwards?—Never.

20,257. As there was no money going, how can you account for 1,100*l.* being spent over and above the legitimate expenses? It must have left some mark after it?—No money was spent, I beg your pardon. Now I think I may say something; apparently the report in Bridgwater at the time was this, that early in the morning of the poll, long before it commenced, Mr. Richard Smith, at the "Clarence," congratulated Mr. Padwick and Mr. Westropp as being members, but, as I understood afterwards, the same men who had promised to poll for them, went and polled the other way.

20,528. And Tynte and Kinglake came in?—Yes. I now come to the election of 1857, Mr. Follett, Mr. Tynte, and Mr. Kinglake. I simply canvassed, and received 25*l.* from Colonel Tynte and 25*l.* from Mr. Kinglake.

20,529. Do you know anything about money at that election?—I do not the slightest.

20,530. By rumour?—No.

20,531. Surely the people must give an indication of what is going on?—They always expect, no doubt.

20,532. Your impression is that money was spent, but you knew nothing about it?—I fully believed it. Then I come to my first election, in 1852. I plumped for Mr. Kinglake, and received 25*l.*

20,533. How came you to plump for Mr. Kinglake?—Mr. Bate was my friend then. I think he was 30 years my senior.

20,534. But you did him no good?—No, but the question was to show Mr. Kinglake's strength as much as we could.

20,535. (*Mr. Price.*) He was first coming out, and the object was to show as strong a party for him as you could?—Yes.

20,536. He failed that time?—He polled 99. He was the last on the poll.

20,537. (*Mr. Coleridge.*) What did Lord Henley poll?—140, I think.

20,538. The next lowest?—The next lowest, and then Colonel Tynte and Mr. Follett came in, and I think I may say this, if my memory is correct, that Colonel Tynte and Mr. Mansell were ahead a long time early in the morning.

20,539. Is that the first election you know anything about practically?—Yes.

20,540. (*Mr. Price.*) Now have you finished all the statements you had to make?—I have.

20,541. (*Mr. Coleridge.*) You have a correspondence to hand to us which has been copied?—Certainly.

20,542. That being so, you have told us everything. We trust that you have, because you heard everything that I said about the hesitation we had to examine you, but the majority of the Commissioners had come to the determination to to so, and we trust you have made a full disclosure of everything you know, and of course if anything turns up in the course of the inquiry we shall look at it in a very

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different light if it shows that you have not told us the whole?—I perfectly understand the caution you have given me, and I understand the position I am in, and understanding that, to the best of my ability I have made a full and truthful disclosure of all the knowledge within my power.

(*Mr. Coleridge.*) And as far as we have gone it seems satisfactory.

Mr. James Wood Sully recalled.

20,543. (*Mr. Anstey.*) I wish to know whether you drew Mr. Vanderbyl's attention to the flagrant contradiction between his answers to you on the morning of the Saturday and the conduct of the attorneys in the Liberal interest, and the conduct of the Liberal party generally, with regard to the expenditure of the money. You say you were very much shocked when you went to that meeting, and the more so, because the promise you had given to Mr. Vanderbyl sealed your mouth. It did not seal your mouth to him. Did you ever remonstrate with him about it?—I have never seen him to speak to him since.

20,544. I thought you said you saw him on the nomination day and on the return?—Precisely, but not to have any conversation with him since.

20,545. Not to make an observation of that kind?—Not the slightest allusion.

20,546. Did you see him last night?—I have not seen him since.

20,547. Have you had any correspondence with him?—Certainly not. An allusion has just been made to Lord Henley's election, and reference has been made during this inquiry to it. Will you kindly allow me to do his lordship the justice to refer to that election?

20,548. (*Mr. Price.*) You may tell us about any elections in which you have taken part. It is for that object you are here. You have begun with 1868, and we would rather take you upwards?—Then we go to Mr. Vanderbyl's election in 1866. Prior to that election, and I think the writ was issued, I was attending to my business in Lydney in Gloucestershire. I took no part in the election, but simply came and recorded my vote. I never saw Mr. Vanderbyl until I saw him on the hustings on the day of the nomination, and never spoke to him until eight or ten days afterwards, when I met him on the quay, when he was with one of the solicitors, returning thanks, and I returned with him, and simply recorded my vote, and had nothing to do with the election.

20,549. (*Mr. Anstey.*) The question is, can you tell us anything about corrupt practices at that election?—Oh dear no; I should be the last to hear anything *bonâ fide* I can speak to. I can only speak to vague reports; I have no knowledge. Then the next election, I think it was Mr. Bagehot's, I understood it was to be a fair stand-up fight. Mr. Bagehot professed to set his face against anything that was wrong, and I know he spoke very strongly in reference to that at a meeting which was held at the "George Arms." Looking at my subpœna, I find I was required to bring any papers in my possession, and I searched for anything I might have. I find I have a "Bridgwater Mercury," which gives a report of Mr. Bagehot's speech at that time, and there are about a dozen lines which, with your permission, I should like to read. "I need say no more to you on the "state of the nation, but I want to say one word as "to the state of the borough. We know that for a "long time the Liberal party has been triumphant "here, and we know that at the last election that "party suffered a temporary but disastrous eclipse, "and we know by what foul means that eclipse was "produced (hear, hear). I do not mean to touch on "the details, but I have a practical remark to make "about it. There is a remarkable class of people "whose position in the matter I do not understand. "I understand Mr. Westropp's, and I do not want to "be hard upon him; after all, he has suffered a great "penalty in being excluded from Parliament. He "was very ambitious of the seat, and therefore had "great temptation. I can, too, make allowance for "the poor voter. He is, most likely, ill educated, certainly ill off, and a little money is a nice bait to him. "What he does is wrong, but it is intelligible; but "what I do not understand is the position of the rich, "respectable, virtuous members of a party which "countenances these things. (Cheers.) They are "like the man who stole stinking fish; they commit a "crime and they get no benefit. (Laughter.) Bribery "cannot be carried on without their connivance. It "is their crime as well as that of others; and they "are more inexcusable, for they are hardly tempted "at all, and others are tempted much. Now that it "has been exposed to the light of day, I cannot believe that the respectable men of the Conservative "party will permit now what at the last election is "ascertained to have happened."

20,550. (*Mr. Coleridge.*) That is enough to have caused the loss of a dozen elections?—Well, it secured my vote.

20,551. (*Mr. Anstey.*) Was it before the nomination or after?—Before the nomination.

20,552. (*Mr. Price.*) There Mr. Bagehot seemed to think all the corruption was on the Conservative side?—Yes.

20,553. According to the evidence before us it is pretty equally distributed?—I believe that was a pure election.

20,554. (*Mr. Coleridge.*) You believe it was a pure election?—No doubt I did at the time.

20,555. (*Mr. Price.*) Have you any idea where the money came from?—Soon after the election I heard a report that it was not a pure election. Mr. Bagehot's family had furnished the solicitors with money unknown to him to secure the election. I never knew the contrary until the evidence which has been given in this court.

20,556. (*Mr. Coleridge.*) He adopted the acts of the attorneys and paid it afterwards?—Yes.

20,557. (*Mr. Price.*) Does not it sound like cant and humbug for men to preach to the people in that way, and then sanction the thing afterwards. How do you account for it?—Only on the supposition that I believe he was a conscientious man, and thought "You fellows have done wrong, but as it is done, I "will pay."

20,558. (*Mr. Anstey.*) Does not that account for it, that there is a principle of partizanship that impels the partizan strongly to see that the law is observed by his adversary, and punish him if he violates it, leaving himself a *carte blanche* for what he does himself?—Too much of that, I fear. Then, I think I may refer to Sir John Shelley's election, that I will not keep you long about, because reference has been made to it in this inquiry, that I simply took a part on the assurance of Sir John Shelley that if he took the seat at all it would be by honest means.

20,559. (*Mr. Coleridge.*) As far as we have heard, he did so?—I believe he did. Reference has been made in the course of the inquiry to the petition that was signed. I want just to give additional information to the particulars on that point.

20,560. (*Mr. Anstey.*) You signed it, I believe?—I believe I signed it.

20,561. (*Mr. Price.*) You have no objection to give us that valuable portion of Mr. Bagehot's speech, because when we have the pleasure of seeing him we will have it out of his own mouth?—None at all. You are aware there was a cross petition. I saw Mr. Kinglake on that occasion.

20,562. (*Mr. Anstey.*) Signed by 820?—I do not know the number. The chairman of the committee pronounced their decision on the 25th April 1866, saying that Mr. Kinglake was duly elected.

20,563. And Mr. Westropp not?—They had decided that a few days before.

20,564. My object in calling your attention to that is just to make this statement. Immediately the chairman had so decided, the parliamentary agents on both sides stepped forward, and applied that the certificates for indemnification might be given to all the witnesses who had given evidence. I took the liberty at once, though not a professional man, of objecting to it. The chairman decided to grant it. Immediately upon that I exclaimed "Then we are "sold, and we might all of us as well have remained "at home, for if these men are allowed to come here "and swear as some of them have, and we have "no means of punishing them, no man's life and "character are safe." Upon that I rose and left the committee room with feelings of indignation.

(*Mr. Price.*) Did you say that aloud to the committee?—Louder than I am saying it now. I have a good voice, but I am speaking now in pain.

20,565. Was it so that Mr. Baxter and the members of the committee must have heard it?—I should think so.

20,566. (*Mr. Anstey.*) What did the honourable members say, anything?—No, I believe they cut out of the room directly.

20,567. (*Mr. Price.*) Was there no threat of sending you to Newgate?—I did not wait to hear it. I cut away.

20,568. (*Mr. Anstey.*) You have not since heard from the committee that it is a mistake to suppose that the certificate would protect a man from indictment for perjury?—I have not heard anything about it. The next day, Thursday, I hoped to have an opportunity of speaking to the chairman, Mr. Baxter, and urging upon him the importance of doing what he could to get the House to grant a commission. I saw him, but failed to have an opportunity of speaking to him. I, however, knew that some of my friends were pressing that matter with him and through Sir Harry Verney, and before I left when I saw Sir John Shelley I urged upon him the importance of using his influence in that direction. Nothing occurs to me with reference to Sir John Shelley, more than has been related to you by other witnesses.

20,569. (*Mr. Price.*) With respect to your indignation about certificates of indemnity being granted, you must be aware of this, that the certificate is not to protect a man who has falsely sworn, because he is still liable, but is only granted on the assumption that the tribunal are satisfied that he is making a truthful declaration of what he knows; and public policy requires that in such case he should be indemnified, otherwise no information in many cases could be obtained?—I find I am in error, but that was my assumption upon which I acted at the time.

20,570. (*Mr. Anstey.*) Had you at that moment at which you interposed that observation about the certificate of indemnity learnt that the committee were going to drop all inquiry into upwards of 100 cases of bribery brought forward against the sitting members, seven only having been inquired into?—No.

20,571. You knew it afterwards?—No.

20,572. Then why did you get up the petition, because the petition was founded entirely upon that?—This petition? I thought you referred to the petition of other elections.

20,573. With reference to this very case you got up in the committee and made that very speech about; at that moment the committee had closed its inquiry and pronounced its decision. You are aware at that moment they closed it by refusing to inquire into upwards of 100 cases, having only inquired into seven?—Yes, precisely.

20,574. Was that in your mind when you felt that indignation?—No, I was so excited that no such thing occurred to me.

20,575. You afterwards concocted or promoted the petition of 80, in which reliance is principally laid upon that fact, that the committee of the House of Commons in point of fact had objected to inquire into the major number and the greater quality of cases which had been alleged against the sitting members?—I remember that statement was in the petition when I signed it. I had nothing to do with preparing it. It was the solicitors.

20,576. (*Mr. Price.*) Is that all you have to say?—I was going to refer to Lord Henley's election. That was an effort on the part of many what we call independent Liberal members of the borough to extricate ourselves from the leadership and influence of the lawyers. We put ourselves in communication with Lord Henley, stated the facts to him, and he very kindly came to our help, and became a candidate for the borough. He contested it of course on pure principles, and he failed, but on looking up these papers I met with this letter, which, with your permission, I will read, because I think it an act of justice to his lordship.

20,577. (*Mr. Price.*) He has written to the "Times" under the misapprehension that he was said to have been mixed up with corrupt practices, but I took the opportunity of saying that was not so; there was not a tittle of evidence that would implicate him whatever?—I only mention it. I have a letter in my possession.

(*Mr. Price.*) It will appear on our notes that the writer was mistaken, that there was no evidence, but that he did fight a pure election and failed.

20,578. (*Mr. Anstey.*) The best proof perhaps that he did fight a pure election was that he did fail?—Yes, and the failure was so great, that although he offered to come again we had no opportunity of getting him, because the lawyers were our masters.

20,579. There is an election more ancient than those which have been spoken to, at which a serious riot occurred, either with a view of turning the election if not consummated, or of revenging it if it was over, in which Mr. Bowen, a gentleman of rank and influence in the Conservative party was attacked in his own house by a storming party, and an attempt was made either to wreck the house or to put him to death, or both, and that this riot was not suppressed until a large reinforcement of the Conservatives came to the rescue of Mr. Bowen, consisting for the most part of young gentlemen, sons of the most respectable inhabitants of the town and its vicinity. Can you tell me what election that was?—In the year 1832. I know very well when it was, and I have good reason for remembering it.

20,580. There was one incident in the scuffle I may mention; the mask in which one rioter was disguised was torn off his face?—I really do not know.

20,581. Was that person yourself?—No.

20,582. You are quite sure you were not present. First of all, were you any participant in the riot?—There was no riot.

20,583. In that amusement, or whatever you like to call it.

20,584. (*Mr. Price.*) Practical joke?—I was not present.

20,585. (*Mr. Anstey.*) Were you present?—No.

20,586. Do you mean to say you have not been reported in the town to have been?—Very likely.

20,587. (*Mr. Price.*) You say you had good reason to remember it?—I am anxious to save the time of the court if you will let me explain.

20,588. (*Mr. Anstey.*) I will put it to you more fairly?—I will give you a fair statement, if you will allow me.

20,589. Do you mean to say, that day or that night during the row, the person who came to you did not immediately come to you and take off something which you had on your face or body which covered you or disguised you, and so revealed your identity to all the people around?—I was not secreted, therefore I know nothing of it.

20,590. Disguised I said?—Nor disguised.

20,591. Then tell us what happened?—Certainly. On that occasion, I think, more than now, it was a very common thing on the night preceding the election for men to remain up all night and walk about

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the town, and some of them disguised. At that time I went to sea. I was spending the evening with the Mr. Helyar, in Eastover, and about 9 o'clock a message was sent to me that the Tories were bribing at Mr. Bowen's. I resolved then to sit up for the night and I sent for one of my men and requested him to go aboard and bring my sea clothes, my sou'wester and my pea jacket.

20,592. (*Mr. Price.*) And a very good disguise it would be.—No, for this reason, that I had been seen to wear it in the town, in port, on board the ship, and on the quay. Having received it I put it on.

20,593. (*Mr. Anstey.*) Had it flaps to the sides as well as a flap behind?—Yes, there were what we called ears tied on, but they were not used; it was not blowing that night. I then met with a person of the name of Manning.

20,594. (*Mr. Price.*) What other sea garment had you on?—Nothing but a pea jacket and sou'wester.

20,595. And your ordinary dress?—The ordinary trousers. I met with Manning and Captain Headford, and told them what I had heard, and resolved that we would not go near Mr. Bowen's, because we thought it was a joke, with a view of throwing our men off their guard, therefore we would watch in other parts of the town. We did so, and at 12 o'clock, I think it was past 12, and we were in the "Castle" Inn at the corner of the bridge, a man passed on and said with an oath to Headford, "By God, Headford, Mr. Bowen's "house is on fire;" "Well," I said, "if it is the "greatest enemy I have I will go and help to put it "out, and though we have not been up there let us go "and see."

20,596. (*Mr. Anstey.*) Was that man one of your party?—Yes, both of them.

20,597. Was that a signal?—What?

20,598. Those words, "By God, Mr. Bowen's house "is on fire?"—I believed it was a truthful statement on the part of the man, and that induced me to go up there. Just as we walked up by the old Congregational Chapel, we saw some men outside the entrance of Fryern Place, where Mr. Bowen lived. I said to my companions, "Let us go on the other side of the "road, and we shall soon know whether what we have "heard is true." Just as we got to old Johnson's door, who was the clerk, they made a rush at us.

20,599. Who did?—The men who were standing at the entrance of Fryern Place.

20,600. Who were they?—Constables and men of the Conservative party.

20,601. People keeping order there?—Well, they were there; I do not know what they were about. Mr. Tom Watson immediately laid of my sou'wester and tore it off. Upon that Mr. Ruscombe Poole——

20,602. The father of Mr. Gabriel Poole?—Yes, and Jonathan Toogood came up, and Tom Watson says, "Oh, this is Captain Sully."

20,603. Was Mr. Poole's son there, do you recollect?—No, I do not. Mr. Ruscombe Poole said, "Why, "captain, I always thought you were a respectable "man." "So I am, sir, as respectable a man as you "or any man in the town. I earn my bread honestly, "and as long as I can pay 20*s.* in the pound I con-"sider myself as respectable as you or any other "man." Well, Mr. Toogood said to me, "Well, Mr. "Sully, what do you do there. It would be an act of "kindness to take you home."

20,604. (*Mr. Coleridge.*) Was that the old doctor?—Old Doctor Toogood. "Well," he said, "Mr. Sully, I am going home without you," and as we went home, I heard from him what had taken place during the evening at this place. There was no riot there, and not a pane of glass broken, but it seemed that while some low fellows were randying at low public-houses, Mr. Bowen being absent presiding at a meeting, they thought they would have a lark, and get into his house and sit down in the kitchen, and some smoked a pipe there, but there was no riot that I could hear of at all events I was among 36 others.

20,605. (*Mr. Anstey.*) You do not mean to say that was with Mr. Bowen's consent?—Certainly not; they took advantage of Mr. Bowen's absence.

20,606. You do not mean to say it was that?—Certainly not.

20,607. Therefore the men must have forced their way?—Certainly; no doubt.

20,608. Is it not a fact that a gentleman of your party was tried either at the sessions or the assizes for forcible entry and other acts of violence?—Very possibly. I forget that. I know that five were tried for conspiracy for riot at Taunton, and 37 afterwards at Wells.

20,609. You admit that there was a conspiracy?—No, not at all. It was all a farce.

20,610. Were they found guilty?—Not a bit of it; all liberated. It was the same fact of vindictiveness that was manifested the other day with reference to my captain.

20,611. They were tried, and what happened?—They were acquitted.

20,612. (*Mr. Coleridge.*) What were you going to say about you and 35 others?—Five were indicted for conspiracy, and that five and 32 others, and I among the number, were indicted for assault and riot, and tried at Wells.

20,613. (*Mr. Anstey.*) Were you also?—I was one of them.

20,614. Were you found guilty or acquitted?—All acquitted; and my poor wife at the time was annoyed by fellows of constables who had a warrant for me whilst I was away, and had no peace in the house.

20,615. You know the difference between being acquitted and not prosecuted?—Quite.

20,616. On the case being called on, did not they through their counsel, if any were present, express their unfeigned contrition?—They did their utmost. The vindictive spirit was too apparent. They obtained the best counsel, and spared no expense, and they would have sent us, as the old woman said, if they could to Botany Bay.

20,617. When was this?—It was just after Mr. Leader's election; the result of that made the Tories so savage that they could not control themselves.

20,618. What that in 1832 or 1833?—I believe it was in 1832.

20,619. Was there a good deal of political effervescence at the time?—No doubt.

20,620. That was immediately after the election of the first reformed Parliament under Lord John Russell's Act?—I believe you are right. The jury were disgusted in both cases, both at Taunton and Wells.

20,621. But perhaps they participated in the political effervescence of the period?—I do not see why they should.

20,622. (*Mr. Price.*) Did the case go to the jury?—The cases were tried out, each case; therefore they did all they could to convict us.

20,623. The judge left the case to the jury?—Yes, I had my friend Mr. Lovell Sealy and two other persons to give me a character.

20,624. (*Mr. Coleridge.*) Who did you have for counsel?—Mr. Serjeant Kinglake was the counsel.

20,625. On which side was Sir William Follett?—I think that was at Taunton, but Mr. Wilde was against them on the part of the Conservatives.

20,626. Was it Mr. Serjeant Kinglake?—At Wells.

20,627. Was Mr. Serjeant Kinglake at Wells the junior counsel?—I do not think he was serjeant then, but he was first rate as a counsel. He took a very prominent part on the Western Circuit at that time, though comparatively a young man. If they could have done it they would have sent us away, no doubt.

20,628. At all events there was then a forcible entry, and Mr. Bowen was in fear of his life?—Not a bit; the man was not there, it was all a farce.

20,629. Do not you know the constables were called up?—I know they were under the influence of the Tories, as they are now.

20,630. At all events they were there?—There were a large number of them; no doubt about it.

20,631-2. (*Mr. Price.*) You have had an opportunity of explaining a personal matter, and you have explained it, and satisfactorily to my mind, and you should have been content with that, and not have taken an opportunity of throwing out aspersions on your fellow citizens, which can have no other effect than of keeping up ill will?—I would not say a word that would revive that; I am sorry for it. I shall be happy to give any further information or answer any further question.

Mr. William Salmon sworn.

Mr. W. Salmon.

20,633. (*Mr. Price.*) Are you private secretary, or were you, to Mr. Brogden, M.P.?—I am, and have been for some time.

20,634. In July 1866 do you remember seeing Mr. Barham and Mr. Lovibond at Mr. Brogden's office in London?—I do perfectly well.

20,635. I want to get a little information from you as to Mr. Brogden's position in life; I believe he is a large ironmaster?—Yes, and a large coal proprietor as well.

20,636. A man, no doubt, of very considerable resources and wealth?—Yes.

20,637. (*Mr. Coleridge*) And has large Irish property as well?—Perhaps if I explain in detail it may give you a better understanding. He is a large ironmaster in the Furness district, in North Lancashire; also a partner in very extensive collieries in Durham. He is also partner in very extensive collieries and ironworks at Tondu, in Glamorganshire. With reference to the Irish property of which the learned Commissioner speaks, he is a shareholder in the Irish Land Company, of which you may probably have heard, and also his family. Those four will give you an idea.

20,638. He lives somewhere near Bridge End, does not he?—No, at Ulverston.

20,639. Is that a brother of his?—Yes, James Brogden, who is managing director of the Tondu works.

20,640. (*Mr. Price.*) We know also that he had been candidate at Yarmouth, but was unsuccessful?—He was in 1865.

20,641. He had not been in Parliament at that time?—No, he was never in Parliament until the last election.

20,642. In July 1866 did Mr. Barham, and Mr. Lovibond call upon Mr. Brogden at his office in London, and see him in your presence?—Yes, in my presence.

20,643. Had you before that learnt anything from Bridgwater as to the chance of Mr. Patton's re-election?—I had been a few evenings before in conversation with Captain Bridges, a gentleman, who resided here at that time, and we were speaking on the political state of parties at that time.

20,644. Was that down here?—No, in London. I have seen his name mentioned in connexion with the evidence here.

20,645. (*Mr. Anstey.*) Was he connected with the Bristol and Exeter Railway?—I believe so. We were staying at the same hotel, and frequently met, and had conversations, I think three or four evenings, or not so long. The Saturday you referred to we were talking about the state of parties, and incidentally he referred to Bridgwater, where he resided. I believe the conversation arose with reference to that. He was speaking very strongly on the Conservative side with regard to the working men having votes, and he was opposed to that. However, he incidentally mentioned that the Lord Advocate's chance of success was not so great as some supposed.

20,646. Had you heard anything about Bridgwater before that?—Not the slightest.

20,647. Did you know before that Mr. Brogden was on the look-out for a seat in Parliament?—He was not.

20,648. But he had been defeated at Yarmouth?—He contested Yarmouth.

20,649. I mean what should induce Captain Bridges to discuss the chance of the Lord Advocate unless something led up to it?—It was purely because Captain Bridges resided there. Up to that moment I had never heard of Bridgwater.

20,650. Did not he say something about if Mr. Brogden likes to come down?—Not the slightest. Not one word was mentioned in connexion with Mr. Brogden as a candidate.

20,651. He brought the topic up then without anything to lead to it at all?—Perfectly so, just as we might discuss the question of the eclipse of the sun.

20,652. Did you tell that to Mr. Brogden?—Yes.

20,653. What did Mr. Brogden say when you told him?—I happened to go into his private office. I was not then aware, as I had not then been introduced to Mr. Barham or Mr. Lovibond, but I knew they had been there because I knew them when introduced to them afterwards, and I mentioned that I had heard something, and he said, "By-the-by those "gentleman have been here, and mentioned that "very question," and Mr. Brogden went to see Mr. Travers Smith on the question.

20,654. Try and recollect. Do not you think you must have said something? You know those gentlemen had been to see Mr. Brogden before you saw Captain Bridges?—Oh no, certainly not, the time I saw Mr. Barham, I think, was on the 7th of July 1866, and the conversation with Captain Bridges two or three days before.

20,655. They had as it turns out now seen Mr. Brogden?—No.

20,656. I thought you said so?—These gentlemen had seen him on the morning of the 7th of July before I was aware they had been there.

20,657. And then you told him about Captain Bridges?—Yes, he simply remarked those gentlemen have been here, and called with reference to Bridgwater. Then these gentlemen returned in the course of the morning, and Mr. Brogden called me in, and they were speaking about Bridgwater, and their object then was to press Mr. Brogden to become a candidate for the Liberal seat, which he declined to do.

20,658. Is that all that passed then?—All.

20,659. Now on the same evening did you see the two gentlemen again at your hotel?—Yes, they called at my hotel.

20,660. What did they say to you?—They said they should like again to see Mr. Brogden, to ask whether or not he still persisted in refusing to stand as a candidate. It was then about half-past 10 at night. "Well," I said, "my opinion is that Mr. "Brogden so very strongly declined to become a "candidate, you will find he will still be of the same "opinion, but if you think your seeing him will be "of any avail, I shall be happy to go to his house "with you." We went to his house at Notting Hill, he was in bed, and I got the butler to call him up, and they had an interview with him in my presence, and then he more strongly declined to become a candidate.

20,661. Did he give you a reason?—I think the only reason he mentioned was that he could not see his way to become a candidate for any other place as he had not done with Yarmouth.

20,662. Was any question of expense talked of then?—Not in my presence, or in the morning before.

20,663. (*Mr. Coleridge.*) Were you cognizant of the Yarmouth proceedings?—Yes.

TWENTIETH DAY.

Mr. W. Salmon.

15 Sept. 1869.

20,664. How was it he did not claim the seat there?—I should judge from the result of the commission it is manifest why he did not.

20,665. That was known to you at the time?—Oh yes.

20,666. (*Mr. Price.*) Now the next day what happened?—On the Sunday evening, at a little after 5 o'clock, I had just done dinner, Mr. Brogden and Mr. Vanderbyl called on me at my hotel, and Mr. Brogden said, "Well, Mr. Vanderbyl has a notion of "going down to Bridgwater to contest the seat, I "want you to give Mr. Vanderbyl your opinion "about the place from what you heard Mr. Lovibond "and Mr. Barham state." Well, I said I certainly was extremely pleased with the candid and straightforward statement which Mr. Lovibond and Mr. Barham made.

20,667. Tell us what you considered a candid and straightforward statement?—The impression made on my mind was this, from their statements, that there was every probability of winning the seat for the Liberal party.

20,668. (*Mr. Coleridge.*) At what expense?—No expense was mentioned in my presence whatever.

20,669. (*Mr. Price.*) Do you call that a candid and straightforward statement, two attorneys coming up and telling you that there was every chance of success?—Well, I am speaking of the candid and straightforwardness of Mr. Barham it appeared to me.

20,670. (*Mr. Coleridge.*) You mean compared with Great Yarmouth?—No, not by comparison with Yarmouth.

20,671. Do you mean to represent that up to that time Mr. Vanderbyl was going to rush into this blindfold, ready to send you down and accredit you as a candidate, and nothing was said about expenses at all?—When I say that, nothing was said in my presence.

20,672. You started to this place having no instructions whatever from Mr. Vanderbyl to deal with the question of money at all?—None whatever.

20,673. Did you come down?—I came down.

20,674. (*Mr. Coleridge.*) What day did you get here?—The Sunday.

20,675. (*Mr. Price.*) You got to Bath, and picked up Mr. Lovibond and Mr. Barham there?—Yes.

20,676. Did you represent to them that Mr. Vanderbyl was a wealthy man?—I did.

20,677. Why did you tell them that?—Well, because I always had, and still have an impression that if you want to become a candidate for any place, and afterwards become a member, you must be a gentleman of wealth and standing, or else it is a great folly to do it. That is the only view I had of the cost, no reference to anything improper.

20,678. Any reference to Great Yarmouth?—No, I always condemned Mr. Brogden's conduct there, and all the proceedings.

20,679. What did they say?—They came to the carriage window where I was, and I said, "I have a candidate," and brought his address with me.

20,680. Who wrote out the address?—I believe it is in Mr. Vanderbyl's handwriting.

20,681. (*Mr. Anstey.*) Who drew it?—I believe Mr. Vanderbyl, but not in my presence.

20,682. (*Mr. Price.*) Was there any flourishing like that about Mr. Bagehot's, and the disgraceful proceedings at the last election?—Not the slightest; it was a very straightforward address. I may say that Mr. Lovibond and Mr. Barham got into the train with me, and perused it immediately, and they were perfectly satisfied. Mr. Lovibond suggested a few immaterial alterations, and after doing so asked whether it would be proper that those alterations should stand. I said, "As they do not in any way appear to affect "the character of the address, and as there is no time "to communicate with Mr. Vanderbyl, I see no objec-"tion to your printing it in that form." When Mr. Vanderbyl came down, on the Monday or Tuesday I think, I saw him. I mentioned that these alterations had been made, in order to get his sanction to it, because I did not feel authorized.

20,683. What sort of alterations were they?—I think they were mostly verbal, but I think there was one put in which Mr. Lovibond suggested would rather please the Liberals of Bridgwater; I don't remember what it was.

20,684. "Eureka"?—No.

20,685. Anything about bales or tea?—No.

20,686. What was it that would please the Liberals?—I do not remember what the word was.

20,687. (*Mr. Anstey.*) Had it reference to profuse expenditure, generous disregard of bills?—Not at all.

20,688. (*Mr. Price.*) Something he thought that would be perfectly agreeable to the party?—Yes; of course I did not know anything about it.

20,689. Then you arrived here?—Yes.

20,690. When did Vanderbyl come?—The Monday evening.

20,691. Did Brogden come with him?—He did.

20,692. On the day of the nomination did you see Mr. Brogden, and did he tell you he had some parcels in a black bag in his room?—Yes.

20,693. What did you say to that?—I said I should have nothing to do with them.

20,694. Did you say you would have nothing to do with them, or nothing to do with money?—I do not know whether I used "them" or "money," perhaps both.

20,695. (*Mr. Anstey.*) Had he told you they contained money?—He did not tell me, but I concluded they did.

20,696. (*Mr. Coleridge.*) Had you been at Yarmouth with him?—Yes.

20,697. (*Mr. Price.*) Were there any black bags there?—No.

20,698. (*Mr. Anstey.*) What made you think the black bags contained money?—Well, for this reason: I think that whenever an election is spoken of in a mysterious form, it always means that.

20,699. He did speak to you in a mysterious kind of way?—When he spoke of the parcels.

20,700. And you refused?—I refused to have anything to do with it. Well, there was a party came; he asked me to show that party into his bedroom, and I showed that party in.

20,701. (*Mr. Price.*) Would you know him again?—I think it is Mr. Reed.

20,702. Look round; is that the gentleman behind you (*pointing to Mr. Reed*)?—No, I think it was this gentleman sitting here.

20,703. Allan?—Yes, I think that is the gentleman, but I would not really be certain.

20,704. He asked you to show a gentleman, who you say now was Allan?—Yes.

20,705. Had you seen Allan there before?—No.

20,706. But Allan must have been close by you when he asked you?—He was in one of the corridors of the house, near the bedroom, at the time.

20,707. Did Allan go in?—He went into the bedroom.

20,708. With Mr. Brogden?—No, alone. I showed him the bedroom, and he went into it.

20,709. According to your recollection, Mr. Brogden must have had communication with Allan before he spoke to you?—Perhaps so; but I am not aware of it.

20,710. He merely said to you, "Show him into the bedroom"?—Yes.

20,711. (*Mr. Coleridge.*) Was Mr. Brogden scheduled as a briber at Great Yarmouth?—Yes.

20,712. Were you?—Yes.

20,713. (*Mr. Anstey.*) What happened then?—I suppose he got what he wanted.

20,714. Was the money there then?—I understood from Mr. Brogden that there were parcels in the black

bag in his bedroom, and he asked me to show Allan into the bedroom, and I concluded it was for the purpose of getting them.

20,715. But there was more than one parcel in the bag?—I do not know; I did not see them.

20,716. I thought you said he said "parcels"?—Mr. Brogden said there were parcels in a black bag.

20,717. (*Mr. Price.*) "I have some parcels in a black bag in my room?"—Yes.

20,718. (*Mr. Anstey.*) Was it intended that he should take the whole, or only a few parcels?—I assumed the whole.

20,719. Did he take the bag away with him?—I am not aware that he did. I did not watch.

20,720. You did not see whether he went out with the parcels or the bag?—No.

(*Mr. Price to Allan.*) I forget whether you told us that Mr. Brogden told you anything before going into the room?

(*Allan.*) I believe this is the gentleman he introduced me to on the landing.

20,721. Was that all that took place that night?—Yes, on the Tuesday.

20,722. (*Mr. Anstey.*) I thought you were going to add something?—I should certainly like to make a remark.

20,723. (*Mr. Coleridge.*) Was Mr. Vanderbyl also scheduled as a briber?—No.

20,724. Not at Yarmouth?—No.

20,725. Mr. Brogden?—Yes; I should like to make a remark to the learned Commissioner on your left with reference to the Yarmouth question, why I was put down as a briber. I apprehend that he has an object in putting the question, and of course I should like to explain it. After the election was over Mr. Brogden asked me to remain behind at Yarmouth, and clear up the accounts of the election. I met Mr. Livingstone, who was one of the leading men of the committee, and brought before me a certain account which he said had to be paid.

20,726. (*Mr. Price.*) Were those, in point of fact, bribing accounts?—I do not know.

20,727. Was it discovered on the commission, when the commission of inquiry sat, that those accounts you took charge of were accounts for money spent in bribery?—Well, Mr. Fitzgerald took that view.

20,728. Upon that part you took you were scheduled as a briber?—Although I knew nothing of it.

20,729. Therefore, you really did not touch the money yourself, or had anything to do with it, but were simply asked to deal with these accounts, and the commission thought that that made you a briber?—One remark. I told Mr. Livingstone that I knew nothing whatever. You and the committee think it liable to be paid by Mr. Brogden; I, acting on my discretion, will pay them.

20,730. On the morning of the poll did Mr. Brogden say anything to you on the state of affairs?—Yes, he said things were not looking very well.

20,731. Anything more?—I think he also said, "They will require more money."

20,732. Did he say more money will be wanted?—Something to that effect.

20,733. What passed after that; did you say anything to him?—No.

20,734. Did he tell you to do nothing?—Nothing.

20,735. (*Mr. Anstey.*) I am speaking from recollection; but do you mean to say that Mr. Vanderbyl was not returned as a briber by that commission?—That is certainly my impression, but if you say so, I stand corrected.

20,736. Was not this a fact, that both Mr. Vanderbyl and Mr. Brogden were returned as bribers, and then added that Mr. Vanderbyl, and I suppose Mr. Brogden too, had said, not on oath, but on honour, he knew nothing about it, and therefore they returned the fact that he had declared on honour that he was not personally guilty, however guilty he may have been through his agents?—I think not, but I stand corrected if I am in error.

20,737. Do not you remember that the report of the commission was at the time much commented on, because, instead of declaring him not personally guilty without more they put it in that sort of way; he having on honour stated, &c., we have no other course to take?—In the absence of the report itself, of course I shall stand corrected on the subject, and I should like to say that the whole of the money expended at Great Yarmouth on the Liberal side was found by Mr. Brogden.

20,738. (*Mr. Coleridge.*) Not by Mr. Vanderbyl?—No, not at all.

20,739. (*Mr. Price.*) He paid the whole shot?—He paid the whole shot.

20,740. And no contribution from Mr. Vanderbyl afterwards?—He contributed a very small sum, a share of the legal expenses.

20,741. And nothing with regard to bribery?—Nothing whatever; but still I will not be positive, as the learned Commissioner has expressed a strong opinion of his with reference to the terms of the report. I will say no further than that Mr. Vanderbyl was not classed as a briber.

20,742. (*Mr Price.*) Do you know whether Mr. Brogden signed cheques that day or not?—Yes, I have the cheques (*handing them*).

20,743. 3,000*l.* in all, are they not?—Yes.

20,744. Did Mr. Brogden say anything with regard to that, how he was going to treat it?—As a loan.

20,745. To Mr. Vanderbyl?—To Mr. Vanderdyl.

21,746. And that he should charge him interest for it?—Yes.

20,747. One 1,100*l.*, one 300*l.*, one 100*l.*, another 700*l.*, and another 800*l.*?—Yes, making 3,000*l.* altogether.

20,748. There is one, 1,100*l.* paid at Bristol, therefore that 1,100*l.* must have been brought into town, probably by Mr. Brogden, in those parcels?—That may be so, but I am not aware that he brought money.

20,749. Mr. Brogden said he had parcels?—I have no doubt that represents the money Allen got on the morning of the nomination. I was going to say I can also put in, if you like, the pass books.

20,750. Did Mr. Brogden say he intended to charge Mr. Vanderbyl interest on them?—He did.

20,751. He told Mr. Vanderbyl so?—Yes.

20,752. Do you know when that money was repaid?—Yes, I can give you full particulars.

20,753. (*Mr. Coleridge.*) Is there any business connexion between Mr. Brogden and Mr. Vanderbyl?—Not the slightest.

20,754. Or family?—None whatever. I think their connexion commenced by standing for Yarmouth in the Liberal interest. That money was repaid; July 16, 1866, he repaid 1,100*l.*; that was five days after the election. On the 26th July he repaid 1,500*l.*, and on the 11th August 500*l.*, making 3,000*l.*

20,755. (*Mr. Coleridge.*) Was any interest charged?—Interest was charged, and my expenses out of pocket out of town coming down, 5*l.* 17*s.*, leaving 15*l.* 10*s.* for interest and commission. I had 25*l.* to cover all.

20,756. (*Mr. Price.*) You cannot tell us how that was repaid?—I think the two first payments were, the 11th and 16th August, by cheque, and I think the latter 500*l.* was paid into one of our banking accounts in London.

20,757. Mr. Brogden, I suppose, was well known in Bristol, to get a cheque cashed for 1,100*l.*?—Yes.

20,758. (*Mr. Anstey.*) A gentleman has furnished me with a copy of the report of the commission at Great Yarmouth, and I find Schedule A. is a list of persons who bribed at the election of 1865, and under it is "Vanderbyl, Philip, not on register." That is the same?—Then I said I did it under correction. Of course I had no motive in saying he was not.

TWENTIETH DAY.
Mr. W. Salmon.
15 Sept. 1869.

20,759. (*Mr. Price.*) As far as you know, in fact, you do know positively as far as money was concerned, not a farthing of it was spent by Mr. Vanderbyl out of his own pocket?—No, I am quite certain of that.

20,760. Never called on to contribute any legal expenses?—Beyond a certain amount of money, I forget what, a very small sum.

20,761. Is there anything more you have to tell us about that election?—I do not think there is.

20,762. You stayed down here at Bridgwater, attending to your duties as secretary?—Yes.

20,763. Did you take any part yourself?

20,764. In any way dealing with money?—Not a farthing.

20,765. (*Mr. Coleridge.*) Had you anything to do with Mr. Pender?—No. You are referring to the Totnes commission; some gentlemen of the same name, not myself, nor any relative.

20,766. There is nothing more you have to tell us?—No.

Adjourned to to-morrow at 11 o'clock.

TWENTY-FIRST DAY.

Thursday, 16th September 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
HENRY FRANCIS PURCELL, Esq., Secretary.

TWENTY-FIRST DAY.
A. Allan.
16 Sept. 1869.

ANDREW ALLAN recalled.

20,767. (*Mr. Price.*) You come to make some statement?—Yes. I wish to state that when I met Mr. Brogden at the "Globe Hotel" on the morning of the nomination at Mr. Vanderbyl's first election I told him I was prepared to answer any question respecting electioneering matters he chose to ask me. I also put in his possession a book which was a duplicate of the list of names at Mr. Bagehot's election the month prior. The questions he asked me were from his looking over that book. It was a list of the names of bribe agents who had paid money for me at Mr. Bagehot's election, and a list of the names of the men who had been paid by them. I would not have the knowledge of that book come before the Commissioners from Mr. Brogden.

(*Mr. Coleridge.*) You mean it was an account with regard to Mr. Bagehot's election that he might draw his own conclusion as to his own.

A. Brogden, Esq., M.P.

ALEXANDER BROGDEN, Esq., M.P., sworn.

20,768. You are the present member for Wednesbury?—I am.

20,769. Which is a new borough?—It is a new borough created under the new Act of Parliament.

20,770. Had you a contest there?—Yes.

20,771. Against a Conservative?—Against a Conservative and a Liberal.

20,772. (*Mr. Coleridge.*) The Liberal interest was split there, was it?—Yes.

20,773. (*Mr. Price.*) We want to have from you an account of the part you took in bringing or sending down Mr. Vanderbyl here in 1866. In the first place, we understand that you stood with him as his colleague as a candidate for Yarmouth?—Quite true.

20,774. That was the commencement of your acquaintance with him?—Yes.

20,775. (*Mr. Coleridge.*) You had paid his expenses, we are given to understand?—I had not paid his expenses. There was an agreement between us as to how they should be divided, and a limited sum he had to pay.

20,776. (*Mr. Price.*) Would that limited sum of his cover more than what you call legitimate expenses?—I do not think it was based at all on the legitimate expenses.

20,777. (*Mr. Coleridge.*) However, you paid more than he did, three or four times as much?—And more than that.

20,778. (*Mr. Price.*) There was a deputation waited upon you, we understand, with regard to coming down to Bridgwater yourself?—Yes, there was a deputation.

20,779. How did you first hear of it?—I had an intimation from Mr. Travers Smith. He wished to see me at his office in the City. I went there and saw him.

20,780. (*Mr. Coleridge.*) Was your name down upon a list that Mr. Travers Smith had of persons who were wanting seats?—Not that I am aware of.

20,781. Had Mr. Travers Smith sent you to Yarmouth?—No, but I had had frequent communications with him.

20,782. (*Mr. Anstey.*) Perhaps it would be more convenient if you would hand those in and save an examination as to them?—I have no political communications.

20,783. (*Mr. Coleridge.*) However, you had communication with him?—I had frequent communications with him as the solicitor of the Liberal Association. I called frequently at his office during the contest.

20,784. Was Yarmouth your first contest?—It was.

20,785. When you failed there on your petition he still knew that you were wanting a seat?—Of course he knew I had tried. I did not intimate that to him.

20,786. (*Mr. Price.*) At that time had the petition been presented regarding the election at Yarmouth?—The petition had been tried before the committee and a commission appointed.

20,787. Upon that occasion you did not pray the seat?—It was not my petition at all, but was from certain electors at Yarmouth.

20,788. At all events your seat was not prayed for?—No.

20,789. Did you take no part in supporting the petition?—In supporting the petition I did.

20,790. You were thrown out at Yarmouth?—Yes.

20,791. And Sir Edmund Lacon and Sir Henry Stracey were elected?—No, Sir Edmund Lacon and Mr. Goodson were elected.

20,792. Then you say there was a petition against them by the electors, but they did not pray for the seat for you or Mr. Vanderbyl?—I think not.

20,793. Did you take any part in the petition yourself?—I paid a large portion of the expenses of the petition.

20,794. At that time you had been of course unseated, but the commission of inquiry had not sat?—No, it was just about to sit.

20,795. When you first heard of this Bridgwater business the commission was just about to sit?—Just about to sit, and sat within a month afterwards.

20,796. When Mr. Travers Smith sent wishing to see you what passed?—He told me that two gentlemen from Bridgwater had come to town, two highly respectable solicitors, and they wanted a candidate to contest the place.

20,797. Did he state to you their names?—I knew who they were. I do not know whether I did at that moment. Mr. Barham and Mr. Lovibond, two very highly respectable solicitors, wanted a candidate to contest the seat on the re-election of Mr. Patton, and he said, "You must make your own inquiries and "form your own opinion. I have nothing more to "say about it."

20,798. Is that all that passed between you?—That is all that passed between us.

20,799. Did you know anything of Bridgwater?—Not at all.

20,800. You did not know what kind of borough it was?—Not in the slightest degree.

20,801. Did you know the circumstances under which Mr. Patton was coming forward again?—I did.

20,802. For re-election, as Lord Advocate, after a contest two months before?—Yes, I did.

20,803. Did you know whether there had been any discussion, or disinclination expressed on the part of Mr. Bagehot, under the circumstances, to contest the seat against Mr. Patton?—I was not made acquainted with those circumstances. I knew nothing of them.

20,804. What was the next thing you did after that interview with Mr. Travers Smith?—I am not quite certain. I think I saw those gentlemen at Mr. Travers Smith's office.

20,805. On the same day?—Almost at the same moment. I was introduced into a room where they were.

20,806. Did Mr. Travers Smith leave you there?—Mr. Travers Smith left us there.

20,807. And no conversation took place about the election whilst Mr. Travers Smith was there?—Not a word.

20,808. How did he introduce you, as Mr. Brogden, who would hear what they had to say?—Quite so.

20,809. After Mr. Travers Smith left the room what occurred?—They told me the circumstances under which Mr. Patton was retiring, and asked me if I was going to stand as the candidate, telling me at the same time that the borough was a Liberal borough, and generally speaking returned Liberal members to Parliament, and that there was every probability that a Liberal member would be returned again. I was not myself inclined at that time to go through any contest, for I had the Yarmouth commission still on my mind, and was not at all prepared to contest any place.

20,810. Did you tell them that you were reserving yourself for Yarmouth?—I told them that I had had enough to do with Yarmouth.

20,811. That is to say with the commission of inquiry?—With the commission of inquiry.

20,812. Did you give them to understand that you were waiting to have any chance at Yarmouth?—Quite possibly they might have had that impression, because I did say this to them, that I did not approve of people running about the country from one place to another. For my part I should prefer sticking to one borough.

20,813. (*Mr. Coleridge.*) You preferred to be off with your old love before you were on with your new?—Quite so.

23,814. (*Mr. Price.*) Did anything else take place about money matters?—Yes, I asked what it would cost, I think. It was more about the cost than anything else, because I had then pretty well made up my mind to have nothing to do with it, but they told me it would cost above 1,500*l.*

20,815. Did you express any surprise at that, considering the number of the constituency?—No.

20,816. Your Yarmouth experience had not made that appear to you a very large sum?—Quite so. I am afraid my experience rather led me to larger figures.

20,817. Did anything more take place?—I told them I would not give them an answer at that moment, but if they would come to my office in Westminster later in the day I would give them my answer. Our interview was not a long one. I left them and went up to my own room in Westminster and talked the matter over with myself. I did not consult anybody. I was confirmed in my opinion that I would not contest the place.

20,818. You did not discuss the subject with anybody?—No.

20,819. Did you see Mr. Travers Smith afterwards about it?—No.

20,820. Or Mr. Drake?—No; I never saw Mr. Drake about electioneering matters in my life.

20,821. Did you see them again at your rooms in Westminster?—They called upon me, I think, perhaps two or three hours afterwards, and I told them that after consideration I had fully determined to have nothing to do with it.

20,822. Did you tell them or suggest to them in any way that you would look out for a candidate for them?—No.

20,823. Did they ask if you knew anybody?—It is quite possible that we may have talked over something of the kind, but I am quite certain I did not suggest a candidate to them.

20,824. Did they ask you to give the name of another gentleman?—No.

20,825. (*Mr. Anstey.*) Had Mr. Vanderbyl's name been mentioned at all?—No, not at that time. I will explain precisely how it came to be introduced. I thought I had given them a sufficiently conclusive answer, but late at night, after I had gone to bed, they came to my house accompanied by Mr. Salmon. The man servant came up to me and told me that Mr. Salmon and two gentlemen were there and wished to see me very particularly. I got out of bed and put on my dressing gown and went into the adjoining room, and there they pressed the subject upon me, that they had failed to find any other candidate, and they pressed the question on me very closely. I told them I thought they ought to have had a sufficient answer before.

20,826. (*Mr. Price.*) Who spoke principally on that occasion?—I think it was pretty equally divided between the two, but at last, when I thought they pressed it unduly, I gave them a very sharp—at least a short, answer, and left them suddenly. The next morning, Sunday, after church, Mr. Vanderbyl drove up to my house in his carriage with his little girl; he

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was going to call on me, and I told him about the interview I had had.

20,827. His coming there was accidental?—Perfectly accidental. He was coming from church, and he drove to me with his little girl, and came to call on me. I told him what had taken place. He said, "Oh, I have some property near Bridgwater," and he said, "There is a steamer bearing my name "going in there for repairs." I said to him, "Well, "I think, if you like to try the chance of a seat they "will be very glad to have you as a candidate." Thereupon he left his child with my children, and we went in his carriage to Bacon's hotel, where Mr. Salmon was staying. I did not know where Mr. Lovibond and Mr. Barham were staying. We went to the hotel.

20,828. In Great Queen Street?—In Great Queen Street. We went there on the chance of finding where Mr. Lovibond and Mr. Barham were staying. Mr. Salmon told us that they were staying at Wood's hotel.

20,829. Before you went did you name to Mr. Vanderbyl the sum they had named to you as being required?—I must have done that.

20,830. 1500*l.*?—1500*l.*

20,831. What did Mr. Vanderbyl say?—I do not think he thought it was a very large sum. We went to Wood's hotel, and found that they had left.

20,832. Mr. Lovibond and Mr. Barham had gone?—Yes. We went back again to Bacon's hotel, Mr. Salmon was still there, and we talked the subject over as to whether Mr. Vanderbyl should proffer himself as a candidate or not. I remember an observation of Mr. Salmon's at the time, that he thought there was a very good chance, and that if Mr. Vanderbyl decided to offer himself as a candidate he ought to go down at once. Mr. Vanderbyl said he could not go that night, he must see his partners, and make arrangements before going down, and Mr. Salmon said then, "If you do not go down, I must."

20,833. (*Mr. Price.*) Then it was Mr. Salmon's own offer to go down?—Quite.

20,834. Not by your desire?—Not at all, I did not express an opinion about it.

20,835. Did you gather from what Mr. Salmon said that he must have had a good deal of conversation with these gentlemen by his saying he must go down?—Yes, I did. At least I came to the conclusion that he knew a great deal more about the place that I did, for I knew a very little. Having determined not to contest it, I made no inquiry, and did not care to inquire more about it than I had heard. Mr. Vanderbyl drove back to his own house, and wrote out his address, and I think both Mr. Salmon and I met him in the evening.

20,836. Then you gave your consent to your secretary going down?—I did. I think we met Mr. Vanderbyl in the evening, and he went by the mail train.

20,837. (*Mr. Anstey.*) Had you anything to do with the drawing up of the address?—I was at Mr. Vanderbyl's, but it was his own composition.

20,838. With suggestions, probably, by yourself?—We talked over the subject, which was very natural.

20,839. (*Mr. Price.*) I suppose it was denouncing the Irish Church measure, and other things?—I do not think that was one of the topics.

20,840. Did you say anything about money to him?—I said undoubtedly at the time they told me the expenses would be 1,500*l.*

20,841. Besides that?—Nothing more.

20,842. Did you give him to understand that you would be prepared to find him money?—I did not; I will tell you precisely how that occurred.

20,843. Then Mr. Salmon started?—Mr. Salmon started. I think I got a telegram from him, my memory is not quite clear about that, to say that they would expect Mr. Vanderbyl. Then Mr. Vanderbyl and I started by the train on Monday about noon.

20,844. (*Mr. Coleridge.*) You agreed to go down with him?—I agreed to go down with him, and introduce him, because he had never seen the parties, and we met at the Paddington station; I did not see him until we met in the morning at the station, and went down by the train together. I had made my arrangements previously to go into Glamorganshire to my place of business there to meet my partners, and I telegraphed to my brother, who is my partner, and who was then at Bristol, to meet me at the Bristol platform, and he did so.

20,845. (*Mr. Price.*) You stopped at Bristol did not you?—No, I came forward to introduce Mr. Vanderbyl to Mr. Barham and Mr. Lovibond.

20,846. What day in the month was it?—On Monday. I do not remember.

20,847. July 10th?—It is the Monday.

20,848. The reason why I ask is this, did not you get a cheque cashed before you got into Bridgwater?—No.

20,849. It seems to have passed through a Bristol bank, that is why I am asking you?—I will tell you precisely how it was. I came down with Mr. Vanderbyl, leaving my luggage at Bristol, and telling my brother to leave word (I had a sister living in Bristol) to send word up by the carriage that I would be there that night to stay with her, my intention being to introduce Mr. Vanderbyl, and then leave and go down to attend my business engagements. I came with him to the station, in fact I asked my brother, "If you wish to see a little bit of electioneering you "can come with me, and we will return together," and he did come down, and did return. We had a very brilliant reception here, a large gathering, evidently on a very extravagant scale.

20,850. How do you mean?—Bands of music, banners, carriages and four, electors very exuberent with beer, and all that kind of thing.

20,851. All prepared?—All prepared. At least I do not know what inference you draw from that.

20,852. Were there guns firing?—That I do not remember, but I went with Mr. Vanderbyl in that procession to the market place, and Mr. Vanderbyl addressed the electors there. I addressed them as well, speaking in favour of Mr. Vanderbyl, and from there we went into the "Globe" hotel, where he was going to stay. I told him then that I should have to leave him, that I was going to Bristol that night, and he said, "You must not leave me, for my friend Mr. "Russell, who had arranged to come down, has just "telegraphed to me that he has missed the train, there-"fore if you go I shall be without anybody here."

20,853. Who is Mr. Russell?—I think it is Mr. Russell the composer.

20,854. The musical man?—The musical man. He said he was to have come down; he showed me a telegram to say that he had either missed the train or lost his luggage, or something of the kind to prevent his coming down, and he said, "Besides that I have made no arrangements about money." I said, "That is very awkward." I had been speaking in his favour in the market place. I said, "I told you the solicitors said 1,500*l.* would be wanted. "Well," he said, "I must ask you to advance it for me. I said, "Well, if I do advance it for you I must have it "returned immediately you return to town. I did not "come here to advance you money. I must have it "returned to me when you get to town." He said, "Oh yes; I will do that at once. I was so busy this "morning that I had not time to do anything. Of course he had only had the morning of the Monday up to noon to make every provision for carrying on his business in his absence.

20,855. (*Mr. Anstey.*) When you spoke in his favour in the market place is it not the fact that the whole of your acquaintance with him, on political matters at least, had began and ended with Yarmouth?—It began with Yarmouth; it did not end there.

20,856. It was from your experience of Mr. Vanderbyl at Yarmouth and after Yarmouth that you spoke in his favour to the people here?—Not entirely.

Mr. Vanderbyl was introduced to me by Mr. Travers Smith at Yarmouth.

20,857. Then with that additional circumstance that he had been introduced to you?—That was the commencement of our acquaintance; we had known each other rather intimately since that time.

20,858. That is only a year, or not quite a year?—Rather more than a year, about a year. In fact, we live very close to each other, and during that time we saw a great deal of each other. I returned to Bristol, and there I drew a cheque on the Manchester Bank, which I believe you have seen, for 1,100*l.*

20,859. (*Mr. Coleridge.*) What time did you get back to Bristol?—By the mail train that night.

20,860. You did not cash it that night?—No, I could not do so. I drew a cheque.

20,861. (*Mr. Price.*) Who are the Messrs. Budgett whom you drew the cheque in favour of?—Mr. Budgett is my brother-in-law, and they are people there with whom we do business. I asked him to get me that cheque cashed, which they did. I said, "I want it in sovereigns," and they got it me in sovereigns. They sent to the bank for it, and I got it, and I put that into the black leather bag and took it to the station with me and returned. I think I do not know what time in the day, but 11 or 12 o'clock I should think I left Bristol.

20,862. You knew perfectly well at that time that the money could not be wanted for legitimate expenses at that early period of the election; it must be wanted to pay electors?—I had been told that there were bad debts which had not been paid off.

20,863. Who told you that?—Mr. Lovibond or Mr. Barham at our first interview.

20,864. And that any candidate was expected to pay those?—They said their party would not work unless those things were cleared up.

20,865. Who recommended you to bring it in sovereigns? Was it your own idea or the lawyers?—I cannot remember, but I have a recollection of some person speaking to me on the previous night, saying that it should be in sovereigns.

20,866. (*Mr. Anstey.*) Do I understand that Mr. Lovibond or Mr. Barham told you there were 1,100*l.* of bad debts owing?—I did not say anything of the kind.

20,867. They told you there were bad debts?—There were some.

20,868. Following up the learned Chief Commissioner's question, to which that certainly was the reply, are not you perfectly aware that sum of money; 1,100*l.*, in whole or part, was intended to go in payment of illegal expenses?—I cannot say that I am.

20,869. (*Mr. Price.*) What could you suppose that the 1,100*l.* would be wanted for on the day of nomination?—Well, what I made up my mind——

20,870. You knew well that the expenses would probably come to 150*l.* or 200*l.* at the outside, and are never paid until after the election, because there are the hustings expenses, and sheriff's expenses and returning officer's expenses, which cannot be told to the end?—My own experience is precisely the opposite of that. I have always paid the returning officer a deposit before the hustings are prepared.

20,871. A deposit if he requires it, but the expenses of the hustings, poll clerks, and any other legitimate expenses are never known of course until after the election, they cannot be, and there is a return made by the election agent, and they must be returned within a month, as you know?—I am speaking within my own knowledge of the election at Wednesbury, where there was not more than 7*l.* additional to be paid to the returning officer by each candidate.

20,872. You did not find 1,100*l.* at Wednesbury?—I found 500*l.* for the returning officer.

20,873. (*Mr. Coleridge.*) Legitimate expenses?—Legitimate expenses.

20,874. That included your agents?—Not at all. I mean paid to the returning officer.

20,875. (*Mr. Price.*) 500*l.*?—Yes.

20,876. (*Mr. Anstey.*) Has he been the returning officer before at any election; it is a new borough?—The legal gentleman who acted as deputy returning officer certainly had.

20,877. Where?—I do not know; he is a solicitor at Birmingham. It is a very large borough.

20,878. (*Mr. Price.*) What is the constituency?—About 18,000.

20,879. And 500*l.* expenses? I never heard of such a thing. Sheffield has 34,000 voters, and the returning officer's expenses bear no such proportion as that—This is seven miles long by five miles wide.

20,880. (*Mr. Coleridge.*) How many polling places are there?—I forget.

20,881. A dozen?—A great many more.

20,882. (*Mr. Price.*) If you divided it among the candidates, was it 1,500*l.*?—I believe it was 1,500*l.*

20,883. (*Mr. Anstey.*) Why did you take this money in gold if you were not fully prepared to expect some portion at least would go in illegal expenses?—One thing, I thought if I took 1,100*l.* in gold I should make the solicitors be satisfied with that sum.

20,884. Instead of 1,500*l.*?—Instead of 1,500*l.*

20,885. (*Mr. Price.*) For receiving it in cash?—Receiving it in cash.

20,886. (*Mr. Anstey.*) Would not that equally apply to 5*l.* notes?—I suppose it would.

20,887. Still the question arises why not take it in 5*l.* notes if that was your only reason?—I told you that I have an impression that some one asked me over night to bring it in sovereigns.

20,888. (*Mr. Price.*) When you were asked to take it in sovereigns would you doubt the least in the world what it was wanted for?—The inference undoubtedly was so. I do not want to fence the question at all.

20,889. (*Mr. Coleridge.*) Was not it from your experience of Yarmouth, where the report says you took 7,000*l.* in sovereigns also?—No, 6,000*l.*

20,890. Was not it the recollection of Yarmouth that made you think of bringing this in gold?—No doubt it was an indiscretion to take it in gold which I ought not to have made.

20,891. (*Mr. Price.*) Still I must ask you, you were a person in a very peculiar position, because you see you had an inquiry hanging over your head with regard to Yarmouth, which might have resulted, as it did, in your being scheduled as a briber, and in which your expenditure would all come out; did not it strike you as an extraordinary thing to ask you to mix yourself up at such a time in the transmission of or bringing into the borough a sum of 1,100*l.* in sovereigns?—Yes; I will tell you what I did. I made up my mind that whatever money I did hand over should go through the legal agents.

20,892. But Mr. Vanderbyl had appointed no legal agent then?—Mr. Barham and Mr. Lovibond I looked upon as the legal agents.

20,893. But there was no appointment at that time; Mr. Vanderbyl had hardly had time to make an appointment, and you know that Mr. Vanderbyl had not appointed either of those gentlemen as his legal agent?—I will not tax my memory at this moment whether we had actually signed the document or not, but I understood, and was sufficiently acquainted with the election to know that Mr. Lovibond and Mr. Barham were the legal agents.

20,894. Under the statute?—Under the statute.

20,895. The persons who would have to pass the expenses?—Quite so.

20,896. And make the return?—So I understood.

20,897. But did you understand the election expenses would be anything like 1,100*l.*; bad debts would not appear as legal expenses?—It is quite clear there were expenses going on from the reception we had on our arrival, and the quantity of beer that seemed to be flowing. It was quite clear that there was a great expense going on, and great extravagance.

20,898. (*Mr. Anstey.*) You were quite aware, being a man of education, that the payment of what you call bad debts at former elections, especially when due in respect of bribes, a claim of anybody's debt made upon a fresh candidate at a new election, was an

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illegal claim which necessarily would expose the fresh candidate to the pains and penalties of bribery?—I was not aware by paying debts such as the candidates might choose to adopt.

20,899. Let us reason upon this for a moment. Supposing you hear that I had gone away, leaving a bad debt, and my creditor comes to you, and says, "Pay me the amount of that bad debt so-and-so has "left unpaid," and you pay it, would not you regard that as a free gift to me of the amount of that debt?—Certainly.

20,900. Then in what respect does the free gift to a voter in respect of a debt differ from a gift to a voter *eo nomine* as a bribe?—But I did not understand that they were altogether debts to voters.

20,901. (*Mr. Price.*) What did you understand them to be?—It was a mere surmise on my part. I never inquired.

20,902. Surely a man in your position would take the trouble before drawing a cheque for 1,100*l.* to say, "What do you mean by bad debts?" and know what the amount was, and what it was.

20,903. (*Mr. Coleridge.*) Did they tell you from whom these debts were owing, at which election?—No, I did not inquire. This was made to me at the time they were asking me, and seeing that I declined to contest the borough I did not go further into it. The request to me to find money for Mr. Vanderbyl came on me by surprise. I do not know that I had the opportunity, leaving that night.

20,904. Did you deposit this 1,100*l.* in the hand of the legal agents?—No; I will tell you how it was.

20,905. (*Mr. Anstey.*) I do not follow your reasoning as to that; will you explain in what way this payment of this large bribe fund into the legal agent, Mr. Barham's, hands would in any way diminish your responsibility or guilt?—Well, I take it that no legal agent would be the means of transmitting himself monies for which he would have to account to the candidate, and which he would be under the penalty of the law if he supplied.

20,906. But that legal agent according to you was Mr. Barham?—Yes.

20,907. And he was one of those who had told you this large sum would be requisite?—Yes.

20,908. And it was in consequence of what that inchoate legal agent so told you that you went and procured this money to be raised in gold and brought into this borough for a purpose, or raising an inference as to the purpose, for which that disguise or secresy was sought?—In fact I must say I was shutting my own eyes to the way in which it was going to be spent.

20,909. And you further say this legal agent had told you there were bad debts to be paid?—Yes.

20,910. Then in what way, I ask, would the fact of Mr. Barham dispensing the money directly in bribes diminish your responsibility or change your position further than this, that your complicity would be a little earlier than Mr. Barham's?—I do not follow you.

20,911. I certainly do not follow you. I want to know in what respect you, having your eyes open to the purpose for which this was brought, you being the person who raised the money and procured the disguise and concealment by having it turned into gold instead of bringing it in the proper and most portable way, in notes, and handing it over to the man who told you he wanted it for illegal expenses, that is, the payment of bad debts, and also having a surmise in your own mind that it was wanted for illegal purposes, what difference do you say there was in your position and his, except that your complicity was a little earlier, that is to say you began the business which he would consummate?—Well, I took the money over to the legal agent, and it was his business to see that it was legally distributed.

20,912. (*Mr. Price.*) Do you mean to say that you raised 1,100*l.*, which you brought into this borough in sovereigns, and after the intimation you had had that a part was to go in bad debts, you thought you would get rid of the responsibility of bringing this money by handing it over to a person like Mr. Barham, who had stated that to you?—I did.

20,913. (*Mr. Anstey.*) Now when did you deposit the money?—I brought this money with me in a bag quite openly. I did not affect to conceal it. Mr. Patton came down in the same train as I did, and I walked out of the door with it.

20,914. But you did not rattle it in his face?—I carried it in my hand.

20,915. But he would not know that it was full of sovereigns?—We walked together, and there was a large number of his supporters there, and he got into the carriage. I got into the omnibus and put it with my ordinary luggage, and I drove to the "Globe," and put the bag in my room. I forget whether it was that night or the next morning that Mr. Barham put a question to me as to whether Mr. Vanderbyl seriously intended to fight. I said, "Of course he does." Then he said, "We shall certainly want the money."

20,916. (*Mr. Price.*) Did not that open your eyes? In the meantime you had not handed the money over, but put it in your bedroom?—I was going to add that all the time I was covering myself I believed with the responsibility of the legal agent. Perhaps it was unwise for me to consider, and unsound for me to consider that that would cover me, but I did so.

20,917. (*Mr. Coleridge.*) But you were only deferring the opening of your own eyes, you knew that they must be opened eventually?—I was doing it as Mr. Vanderbyl's friend; but I had no more to do with it than to get my money back as soon as I returned to town.

20,918. The experience which you had had at Yarmouth did not make you aware that it was required for illegal practices?—You must be aware that from my experience at Yarmouth I did not look into the accounts until the day before I went into the box.

20,919. But you carried the gold yourself into Yarmouth, did you not?—No.

20,920. I understood you to say that you had done so?—No.

20,921. (*Mr. Price.*) Did you say to anybody that night, "I have some parcels in a black bag in my room"?—I forget whether it was that night or in the morning that they put this question to me, and I said, "You must make less do. I have 1,100*l.* in a bag in my room," and he said, "I shall not take the "money myself. I shall not have anything to do "with illegal practices." I said, "No one asks you." He said, "I shall send a man named Allan to you," and I said, "Well, I will give the money to any "person you send on sending me a proper authority. "I do not know Allan from Adam." "Well," he said, "I will give him a note." I said, "I do not know your handwriting;" and he pulled out a pencil and wrote a few words (we were then leaning on the chimney piece) on a piece of paper, and put his initials to it, and I said, "I shall know your writing now. I will give the money to any person you send." Some little time afterwards, I do not know how long it was, I was called out of the room. A note was given to me by, I suppose, the man named Allan. I recognized the name only from having seen the evidence in the papers.

20,922. Do you recognize the man?—I saw him just now. I should not have recognized him had he not mentioned my name when in the box.

20,923. (*Mr. Anstey.*) Have you that piece of paper here?—No.

20,924. What was it?—Half a sheet of note paper written on in pencil. I forget the exact language, but it was an authority to me to hand over the parcel to him, and I kept that note.

20,925. (*Mr. Price.*) "Hand it to the bearer," was it?—Yes, I kept it until my account with Mr. Vanderbyl had been settled, until he had repaid me all the money he had from me, and then I destroyed it.

20,926. (*Mr. Anstey.*) That is about a week afterwards?—No, I think altogether it was about a month afterwards.

20,927. Why did you destroy it then?—I did not look upon it as necessary to be kept.

20,928. Was not it, not only not necessary to be kept, but did not you regard it as something which was necessary to be destroyed?—No, I did not know that it was.

20,929. Did not you know that it might rise in judgment against you if an inquiry took place?—I did not consider that I had anything to do with it after I handed the money over to him.

20,930. Did not you think that if you did not destroy that document it might rise in judgment against you if an inquiry took place?—Certainly not.

20,931. (*Mr. Price.*) What was the next thing that happened?—Mr. Barham told me that 1,100*l.*—I rather jumped over an interval, to show how the 1,100*l.* got out of my hands; but when talking about the 1,100*l.*, he said it was insufficient, and I said, "I "will give a cheque for 100*l.*, and you must make "that do." And he says, "No, it will not. I told you 1,500*l.* will be required; we must have it," and I drew another cheque for 300*l.*, and I gave him the 100*l.* cheque, and the 300*l.* at the same time.

20,932. That would be the 300*l.* cheque, dated July 12th, and the 100*l.* dated July 12th?—They were given at the same time.

20,933. (*Mr. Anstey.*) Why did you draw them on the Manchester bank instead of on the Bristol bank?—They were all drawn on Manchester.

20,934. (*Mr. Price.*) They are all drawn on your own bank?—Yes.

20,935. The difference being that you got your brother to cash the first at Bristol, and the others were cashed at Sealy and Prior's, or the South Wales District Bank?—I do not know what became of them. I handed them to Mr. Barham. It is not the habit of country banks to give cheques back; but when the inquiry was going on, I wrote to them for the cheques, and they have furnished me with them.

20,936. That is 1,500*l.* which you had given up to that time?—1,500*l.* I had given. Well, I think I drove out to Highbridge, very shortly after that; I think that was the nomination day; I am not very certain. I suppose it would be the 10th July.

20,937. On the 12th these two cheques are given. All the other cheques are dated the same day; all but the first one, which was the 10th?—Yes.

20,938. You came on Sunday and went to Bristol on the Monday, and came back from Bristol on the Monday night. Tuesday was the nomination day, and Wednesday the polling day?—Yes, I drove out to Highbridge. I think Mr. Vanderbyl was with me, and we came back again.

20,939. You could hardly drive out to Highbridge on the polling day, I should think?—No, I do not know whether it was the polling or the nomination day. I think it was the nomination day.

20,940. (*Mr. Price.*) The polling day was on the 12th?—No, it was on the previous day.

20,941. On the nomination day you drove out to Highbridge?—The nomination day we drove out to Highbridge.

20,942. At that time they had had the 1,100*l.* only?—Yes, they had had the 1,100*l.* No, they got the 1,100*l.*, the 100*l.*, and the 300*l.* practically all at the same time.

20,943. You brought the 1,100*l.* with you?—Yes.

20,944. And you handed it over at the same time that you gave the cheques?—Yes, the cheques were taken from me first, and the money afterwards.

20,945. That would be on the polling day?—That would be on the polling day.

20,946. The cheque would be dated, of course, on the day you drew it?—Yes.

20,947. You were going to say about driving to Highbridge?—Yes; but I do not see how that affects the question.

20,948. During the drive Mr. Vanderbyl was perfectly well aware what demand for money had been made upon you of the 1,100*l.*, and did you discuss it with him on the nomination day?—No, I did not. I mentioned it to him afterwards.

20,949. (*Mr. Coleridge.*) When, before the polling?—It was during the polling.

20,950. You mentioned it to him, you say, during the polling?—Yes, of course, he understood the 1,500*l.* had to be provided. I was trying to reduce the amount a little, but I was obliged to give the 1,500*l.*, and on the day of the polling, but late in the day, Mr. Barham came to me again, and said that he must have another cheque, that he had incurred additional liability, and must have a cheque for 800*l.*

20,951. (*Mr. Price.*) He said he had incurred additional liability?—That he had incurred additional liability. I remember that was about the expression. It left that impression on my part. He asked me for 800*l.*, which I gave him. I dared not then inquire into how they were spending the money.

20,952. You knew perfectly well, then, how it was being spent?—As far as my suspicions went they were that it was going in bribery.

20,953. Now I must put this question to you. Considering the position in which you stood respecting Yarmouth, that there was this commission of inquiry threatened, did not it then, your suspicions, whatever they were, being thoroughly aroused, occur to you what peril you were placing yourself in?—I tell you now, as I did before, that my conviction was that I was covering myself entirely by paying it into the hands of Mr. Barham, the legal agent.

20,954. But you did not. You got a bribe agent sent to you, because you could not doubt that if he was sent to you he was no legal agent?—No, but he came with a note authorizing me to pay it to him.

20,955. (*Mr. Anstey.*) You have already said not half a minute ago you agreed to give it to Allan if Allan was sent for it, as Mr. Barham told you, with his own note, and he (the election agent) would decline to have anything to do with corrupt practices or illegal practices. Had not you then a perfect knowledge on the one hand that he meant to have nothing to do with that, and on the other hand that Allan had to do with it?—I thought, and I think any reasonable man would take the same view, that when one gentleman made that declaration to me, that I was at any rate safe in giving the money into his hands, or in getting the money paid to his order.

20,956. (*Mr. Price.*) Did you understand, then, from what Mr. Barham said to you, that you might be perfectly certain, as he was going to deal with it, or as you were asked for it by him, it was not therefore going to be used for illegal purposes?—I thought there was no danger in letting the money go.

20,957. (*Mr. Anstey.*) The learned Chief Commissioner has not asked you whether you thought you had sufficiently fenced yourself or made yourself safe, but did you, during this transaction of the 1,500*l.*, believe that it was going, that money of which you had taken charge, to be expended for corrupt practices? He has not asked whether you were to be safe?—I did not think very much was going in bribery.

20,958. But some was?—Some might go; but I did not think much might go in bribery.

20,959. (*Mr. Price.*) But what were the legal expenses at Yarmouth, at Yarmouth they were very large, were not they?—Very small.

20,960. And you now come to Bridgwater, which is a tenth part of the size of Yarmouth, with about 600 voters, and Yarmouth had something like 2,000, had not it?—1,600.

20,961. You come to an infinitely smaller place, and fancy that 1,500*l.* was going to be spent in election

expenses. If you had had your Wednesbury experience, it would have been a different thing. What were your legal expenses at Yarmouth?—I am sure I do not know.

20,962. Were they 100*l.*?—The lawyers' fees, or the other?

20,963. The published account?—Yes, I think 700*l.* or 800*l.*; fully that.

20,964. (*Mr. Coleridge.*) Including the lawyers' fees?—Yes, the lawyers' fees were very moderate. When I say 700*l.* or 800*l.*, you will take that I am not prepared with that answer. I do not vouch for it. I am only speaking from memory.

20,965. I only want to test how you thought so large a sum, which certainly strikes one with its amount, should go in legal expenses on the first day of the election, the polling day. Then you said he had demands on you. You did not think there, surely, legal expenses were concerned?—No.

20,966. Why did not you then draw back and say, "I will have nothing more to do with it," because you say your suspicions were aroused?—I thought the money was too much. I candidly say it, I dared not inquire.

20,967. But why did not you refuse to have anything to do with it. You a gentleman who had been mixed up with Yarmouth, and having a commission of inquiry hanging over your head, why did not you say, "I am perfectly certain this is all wrong, and I will "not be a party to any such transaction"?—I merely considered myself a vehicle for handing the money over to them.

20,968. Do you know what the published expenses were here the last time?—I do not know at all.

20,969. 166*l.*?—I never heard anything at all about it.

20,970. That was with this large increase of electors. You thought you were free from this possibly?—Yes; handing it over to the legal agents.

20,971-2. If there had been a petition against Mr. Vanderbyl's return in 1866, and this matter had come out before a committee of the House of Commons, do you mean to say you entertain any doubt whatever you would have been returned as a briber?—I should never have entertained the idea that I should have been returned as a briber.

20,973. (*Mr. Coleridge.*) There was another cheque that day?—There was another cheque that day. He came to me again after the poll was all over, and said that he would want another cheque for 700*l.*, that would be the surplus and would pay every expense.

20,974. That made 2,800*l.* in all?—No; it was 3,000*l.*

20,975. (*Mr. Price.*) 1,100*l.*, 100*l.*, 300*l.*, 800*l.*, and 700*l.*?—Yes; 3,000*l.* altogether. He asked me what he should do with it. I said, "I have to receive "my money from Mr. Vanderbyl, and I shall have "nothing to do with accounts. You must account "for everything to him."

20,976. (*Mr. Anstey.*) I understand that not one single farthing of this large sum of money could have been raised, either by you or Mr. Vanderbyl in Bridgwater itself, when Mr. Vanderbyl first told you that he had no money?—Neither of us was known here.

20,977. Therefore, reverting to the question of your moral responsibility, if you like to call it so, did not you see that you had been the means of bringing into the borough 3,000*l.* of foreign money from another place, in order to debauch the electors at that time, either with bribery, or in treating, or in the payment, as you say, of bad debts, which to my mind is bribery. Do not you see that?—Yes.

20,978. There was 3,000*l.* brought into the borough?—Undoubtedly.

20,979. And for those purposes?—For the purposes of the election.

20,980. (*Mr. Price.*) Do you wish it to appear on our note that you considered by the handing over of these large sums, your eyes being opened, and your suspicions aroused, Mr. Barham relieved you from all responsibility?—I certainly was under that impression and have never doubted it until this moment.

(*Mr. Anstey.*) Then I can only say that I do not wonder at the prevalence of bribery, when persons like you profess such absurd doctrines, and those in the presence of the poor and needy.

20,981. (*Mr. Price.*) The published expenses charged to Mr. Vanderbyl are 36*l.*?—I never heard that before.

20,982. (*Mr. Coleridge.*) Do you mean that your legal adviser has never from that time to this told you that you had put yourself in exceeding peril about these proceedings?—I never consulted him. At least I did since I received the summons. It is the only day I happened to be in London.

20,983. Do you mean to say that he told you that you had done nothing wrong? You said up to this time that you never heard it?—He told me, if I had handed the money over to the legal agent.

20,984. A lawyer told you?—Certainly.

20,985. (*Mr. Price.*) I should like his name, if it is not a breach of confidence. Was it Mr. Travers Smith?—No.

20,986. Or Mr. Drake?—No.

20,987. (*Mr. Anstey.*) You have heard this matter of your liability discussed elsewhere I dare say. May I ask you this, is it the probable opinion of members of the House of Commons, that a man who has done what you have is free, not only from legal, but moral responsibility?—I cannot answer for the other members of the House of Commons.

20,988. We only want to know how far the plague spot has spread?

20,989. (*Mr. Coleridge.*) Was not what your lawyer told you, that more than a year had transpired, therefore you are free from this charge?—No, I did not ask him that question. I knew that myself.

20,990. What time was it that the 700*l.* was obtained?—It was after the poll, and just at the point when I was leaving.

20,991. Did you go away on that day?—I went away that night by the 5 o'clock train. I went away immediately after the election was over.

20,992. Did you ever pay any money after that? Did you ever send any cheques down?—Never a shilling.

20,993. The 3,000*l.* entirely exhausted your efforts in the matter?—That is the entire sum I ever found or know anything about.

20,994. When were you repaid these sums?—I think the dates were handed in to you. 1,000*l.* were repaid to me on the 16th.

20,995. By September it was all repaid, and 25*l.* interest charged?—Quite so; the interest was paid in September, but the whole of the money was paid early in August.

20,996. (*Mr. Price.*) You have heard, or probably may have read, that it has once or twice been said to us by witnesses who have been bribery agents in this town, when we have tried to rouse them to a certain sense of responsibility about it, that they have always sheltered themselves, and not unnaturally, with this answer, that "Persons like myself would not be placed "in the position I am now in if gentlemen did not "bring money into the town." Does not that alter your view of the moral responsibility when you hear these men have been in peril and obliged to decamp and get away from appearing before the judge, and shelter themselves from prosecutions and penalties, and everything, and all they can say is, "I would not have done it if gentlemen had not brought money here." Where does the moral responsibility lie?—My impression is it is the other way. If constituencies did not exact it, the candidates would not usually place their hands in their pockets.

20,997. (*Mr. Anstey.*) To carry that out, do you mean to say that if a gentleman, leaving with a large sum of money in gold and notes, is stopped by a garrotter, the fault lies not with the garrotter, but with the garrotted, because if the garrotted had not presented such a temptation he would not have been garrotted?—I do not profess to be equal to you in legal reasoning.

20,998. On July 11th 3,000*l.*, then interest so much, and commission 3*l.* 15*s.* What commission is that?—Broker's commission.

20,999. For cashing the Manchester notes?—No; all Manchester banks charge commission on the amount when turned over.

21,000. (*Mr. Price.*) They do not charge their customers commission?—Yes, I pay it regularly; every shilling I draw from the bank. It is the ordinary practice.

21,001. (*Mr. Coleridge.*) Is not that peculiar to Manchester?—No, it is very common. It is not done in London.

21,002. (*Mr. Price.*) I never observed such an item as that?—It is not done. It is not the practice in London at all.

21,003. (*Mr. Coleridge.*) There was a balance of 23*l.* 17*s.*?—We lumped that into a sum of 25*l.*

21,004. They charge you with commission for letting you have back your own money?—Always; they allow us interest and charge us commission.

21,005. On current accounts?—On current accounts.

21,006. What is the commission they charge?—From a quarter to one-eighth per cent.

21,007. (*Mr. Price.*) Have you anything more to say?—I have nothing more to say.

(*Mr. Price.*) It is very lamentable.

21,008. (*Mr. Anstey.*) Did you not show Allan where the money was in your bedroom?—Oh yes, I did.

21,009. Then tell us about that?—I told you that Allan came to me with this note, and I took him into a room. I think it was a bedroom, we had only one sitting-room in the hotel. I asked him into a room immediately opposite the end of the passage, and I read the note there, and he produced what appeared to me to be a register.

21,010. A what?—A roll, a book like a register, and he was beginning to talk to me about this, but I did not look at it.

21,011. You say he was beginning to talk to you about it. What did he say to you?—He said, as nearly as I can remember, "This is a register." I did not look at it. I said, "It is all right, the parcel is here for you." I did not look at the book at all, and I said, "You will find the parcel in my bedroom." He was not with me a minute, not a minute altogether. I stopped my conversation with him because I did not want to have any conversation.

21,012. (*Mr. Coleridge.*) Why not?—And I walked out.

21,013 (*Mr. Price.*) Why did you not want to have any conversation with him?—Because I suspected to tell you the truth.

21,014. (*Mr. Anstey.*) I understand that perfectly. It was for that reason that you refused to hear what was in that bribe-list?—I did not know that it was a bribe list.

21,015. Well then, a register?—A register I think I heard him say it was. It may have been a bribe list, but I did not know it.

21,016. Go on?—I went out to him into the passage to show him my bedroom, and Mr. Salmon was in the passage, and I said, "Show this man my bedroom, and there is a parcel in a black bag in the bedroom."

21,017. You did not say what was in the parcel?—No.

21,018. You left Salmon and this man together in the passage to go to the bedroom and take the money?—Yes. I was not aware that Salmon knew it was money at all.

21,019. You knew that Allan did, who was a stranger to you, even if you knew that Salmon did not?—Yes.

21,020. Would you have handed that money to any person under the sun in that way, and under similar circumstances, if you were not afraid of incurring legal and moral consequences by knowing anything about it?—I was authorized to hand the parcel to him, and I acted upon that.

21,021. That is not an answer to my question. Supposing that you were authorized to hand the parcel to him, would it not be the same thing as if you handed the parcel to Allan yourself, instead of telling Salmon to take him into the bedroom?—Certainly.

21,022. Have you ever done such a thing in your life before, as that of sending a person into your bedroom to find a black bag there, without counting the money there, or seeing what was in the bag, and without knowing anything about it?—I have sent Salmon into my bedroom hundreds of times.

21,023. I shall not fatigue myself by going into the particulars I have enumerated. I ask you have you done anything of the kind before?—I have never been concerned in a transaction of that kind before.

21,024. That brings me back to this question. If you had known that this money had been intended for the purpose of bribery, would you have taken this course?—It was intended for electioneering purposes no doubt. Whether it was for bribery or not I did know, and did not inquire.

21,025. You said you thought that a part of it was intended for bribery, but not much. I ask you, if you had known that the whole or a part of it had been intended for bribery, would you have taken the course you describe?—I cannot answer what I would do.

21,026. Then do you, a member of Parliament, wish that last answer of yours to go forth to the world, and to stand on the notes that you do not know what you would do?—I do not know what I should do under circumstances which are not before me.

21,027. (*Mr. Coleridge.*) You would not do it again?—No, I should not.

21,028. (*Mr. Price.*) I should like to know, as a matter of curiosity, whether on the hustings you denounced corrupt practices?—I was pretty well denounced for them.

21,029. But did you denounce them?—I advocated the ballot as a cure for them.

21,030. (*Mr. Coleridge.*) What did you say when the 800*l.* was asked for?—When the 800*l.* was asked for, I thought the amount was large. Mr. Vanderbyl was sitting alone in the room making notes, I presume for his speech, and I went to him, and I said, "This "thing is looking ugly; I have paid already over "2,000*l.*" and Mr. Vanderbyl said, "It is very unpleasant."

21,031. He said it was very unpleasant?—He said it was very unpleasant, and I said, "What must I do"? "Well," he says, "they are respectable people," speaking of Mr. Barham particularly, and Mr. Lovibond, whom he had been associated with more especially; he said, "They are very respectable people, I suppose it will be all right."

21,032, Did he tell you to let them have more money?—I asked him the question, whether if more money was required I was to let them have it.

21,033. And did he say "Go on, and let them have more money, if they require it?—He said they were very respectable people, and I could let them have money.

21,034. And did he say "Go on, and let them have money?"—Yes.

21,035. To what limit did he say you were to go?—I do not know whether he mentioned a limit. I understood that he left it to my discretion as to the limit.

TWENTY-FIRST DAY.

A. Brogden, Esq., M.P.

16 Sept. 1869.

21,036. He did not say you were not to let it outtop Yarmouth ?—No.

21,037. (*Mr. Anstey.*) No limit was talked of ?—No.

21,038. (*Mr. Price.*) Knowing that Mr. Vanderbyl had come down, and was anxious to get in, would you have stopped at the 3,000*l.* ?—I thought 3,000*l.* was a large sum undoubtedly.

21,039. Very likely. It was about half what you had spent at Yarmouth, and about half the constituency but if later in the day things had come to a push, a near run between Mr. Vanderbyl and Mr. Patton, would you have hesitated to draw more cheques if Mr. Barham wanted them ?—I should not have given the last cheque for 700*l.* except the election was over, and I knew the end of it.

21,040. (*Mr. Coleridge.*) I understand you would not have advanced any money without consulting Mr. Vanderbyl about it ?—Not within a hundred or two.

21,041. (*Mr. Anstey.*) Supposing there had been a near run, and they had come to you and said "In "order to secure the election we must spend 5,000*l.* "more, therefore hand us over 5,000*l.*" would you have done so ?—I should not have had anything to do with it ; and if a demand of that sort had been made, they would have had to have gone to Mr. Vanderbyl.

21,042. You say you should not have paid the 700*l.* unless you had known the election had been over ?—Yes ; I knew the end of it ; that it was over.

21,043. You say you would not have drawn a cheque for 5,000*l.* ?—No.

21,044. Why not ?—Because it would have been a great undertaking to expend so large a sum on the part of Mr. Vanderbyl, and Mr. Vanderbyl might have turned round on me and said, "You have been most egregiously extravagant, and I will not pay you."

21,045. What limit would you have gone to ? You say you think 700*l.* would not be too large a limit, and 5,000*l.* would be, how much do you say ?—It is such a hypothetical question, that I cannot answer it.

21,046. I want to know how far you were prepared to bribe the voters, to what limit you would go, and I must ask you the question ?—I was not prepared to bribe at all.

21,047. That is my interpretation of your evidence. To what point between 700*l.* and 5,000*l.* would you have gone after the election, in recouping to the lawyers, the money they had spent in bribery, in corrupt practices ?

21,048. (*Mr. Price.*) Would you have spent as much more as the sum which you say you had already spent, namely 2,000*l.* ?—No, certainly not ; not near 1,000*l.*

21,049. If they had said, "Let us have 1,000*l.*," you would not have advanced it on your own responsibility ?—I daresay if they had asked me for 1,000*l.* I should have given it, instead of the 700*l.* I mean.

21,050. If instead of the 700*l.* you had been asked for 1,000*l.*, would you have given 1,000*l.* ?—Yes.

21,051. (*Mr. Coleridge.*) While you were distributing these large sums of money, were you told that Mr. Patton had been spending money ?—I was.

21,052. Who was it that told you of it ?—I think I had no communication excepting with Mr. Barham, Mr. Lovibond, and Mr. Reed.

21,053. Did one of those three tell you that Mr. Patton was spending money ?—I heard it in conversation amongst those parties, who it was I cannot tell ; but I did not hear what the amount was.

21,054–5. You cannot tell who it was ?—No.

21,056–7. When you heard that Mr. Patton was spending money, did you not know that your money was wanted to counteract the money Mr. Patton was spending ?—Yes ; I tell you I was very much dissatisfied at that time.

21,058–9. When Mr. Vanderbyl paid you, did he do it by private cheque, or by cheque on his firm ?—That I do not know.

21,060. You do not know whether it went through his books as a business transaction, or not ?—No.

(*Mr. Anstey.*) I am informed that one of the justices of the peace of this borough is anxious to be examined in the presence of Mr. Sully with reference to the case of the man Luckes—a Mr. Salmon, I think.

Mr. James Wood Sully recalled.

Mr. J. W. Sully.

21,061. (*Mr. Anstey.*) Will you repeat. I did not myself very clearly catch what you said. Will you repeat what took place at the hearing of Luckes's summons, which you say was dismissed—not the proceeding for the penalty under the Merchant Shipping Act, but the summons against you which you say was dismissed by the magistrates ?—I think there must be some mistake if the Commissioner understood me that my remarks applied to the first meeting. I was at Lydney, and was not present, and knew nothing of what had taken place except as reported to me by my son. My remarks applied to the second meeting when the penalty was inflicted, and when I was present on my return from Lydney.

21,062. State what took place then ?—I do not know whether I can repeat verbatim what I said yesterday.

21,063. About the magistrates ?—Well, I think I said that the magistrates mustered pretty strongly.

21,064. Stronger than you had ever seen them before ?—Yes, stronger than I had ever seen them before. There was evidently a strong feeling of interest, more than ordinary, manifested by the magistrates, and especially by one gentleman, Mr. Salmon, so much so that it called forth rather a reproving remark from the Defendant's solicitor, Mr. Barham, who gave expression to his opinion that it was a vindictive affair, or that vindictive feelings had prompted him. I know the word "vindictive" was used, because afterwards there was a discussion between the solicitor and Mr. Salmon, and it resulted I think in Mr. Salmon withdrawing or apologizing or something of the kind. I believe that is the fact.

21,065. And that is all you remember ?—I think that is the substance of what I stated yesterday.

21,066. Was anything said on that occasion about your having dismissed Luckes, or Luckes having been dismissed out of revenge for his vote ?—Oh yes, by Mr. Boyle the solicitor for Luckes.

21,067. By nobody else ?—Yes, I think Mr. Salmon made some remark.

21,068. From the bench ?—From the bench. Now you call my attention to it I think it was to this effect, that it had been represented to him by Luckes or some of his friends that I had discharged the man because he had voted on the Tory side, something to that effect. I believe that was the substance of the remark, and I took that to account, for the manner in which Mr. Salmon had acted on this occasion—the second occasion.

21,069. I have gone through the examination of Luckes, and his cross-examination, and re-examination, before the Committee of the House of Commons, and I look there in vain for any attempt on the part of your counsel—on the part of the counsel for the petitioners against Mr. Westropp, to show that he had been dismissed for misconduct, and to cross-examine him on that point ?—Before the Committee of the House of Commons ?

21,070. Yes?—I may save your time, Mr. Commissioner, I think I heard no allusion to that.

21,071. No, I do not mean the House of Commons, I must mean before Mr. Justice Blackburn, I suppose, when it was first mentioned?—It was mentioned first in my presence in the court by Mr. Boyle, the solicitor for Luckes.

21,072. (*Mr. Price.*) The question is whether it was mentioned in the inquiry before Mr. Justice Blackburn?—Oh yes, there was an allusion made to that.

21,073. (*Mr. Anstey.*) First of all, when did this take place—after the election, was it not?—After the last election, and prior to the Commission.

21,074. Now Luckes was examined. I will give you his very words?—Before Mr. Justice Blackburn.

21,075. Wait one moment, Mr. William Luckes's evidence commences at page 49. Now at page 50 this is what he says upon his examination in chief. "Two or three days after the election were you dis- "charged from your ship?—Yes. Without notice "or reason?—Without notice or reason. Was that "one of Mr. Sully's ships?—Yes." Then the only questions put upon that in cross-examination by Mr. James, refer to the fact that it was Captain Turner who discharged him, and not you, you generally being away in Wales, and having collieries at Lydney, Lucke's not being able to say whether you were at home or were away at Lydney. Well, nobody asked Luckes on that occasion about his being disobedient, or insubordinate, or anything about his neglecting his work or anything of that kind; on the contrary, they allow his answer to pass without comment, which answer I have read to you, that he was discharged without notice or reason. Now, if the story which has been told you of that mate being dismissed with good cause is a true story, why was not he cross-examined on that point before Mr. Justice Blackburn?—I really do not know, but I believe there was a question put to him before Mr. Justice Blackburn on that subject as to whether I had canvassed the man or not.

21,076. (*Mr. Price.*) The question is this, and surely you must see the point of it. Here you say you discharged this man, or your captain discharged him, and you afterwards approved of your captain's conduct, because he had good cause for discharging him, quite irrespective of the election. Now it appears that before Mr. Justice Blackburn it was made an allegation against you and your captain that you had discharged him without any good excuse. The question is, how could you let that go forth at that inquiry without having for your own sake, and your captain's sake, had questions put to this man to show that the reason you discharged him was what you told us yesterday?—I took no interest in it because I knew it was a falsehood, but if you will allow me just to refer——

21,077. (*Mr. Anstey.*) Are you quite sure you took no notice of it?—Before Mr. Justice Blackburn——

21,078. Stop a minute. In consequence of your answer to me just now, does it not appear that some question was asked about canvassing? I find you took so much notice of it, or at least so much notice of it was taken for you that after the re-examination the question is put to him, "Before the polling day, or on the "polling day, or any time before, had Mr. Sully asked "you for your vote?—No." You see if you thought it material to have that question put, why did you not think it material to ask him the more important question, "Have you done nothing to merit discharge"?—The counsel was not prompted by me to ask that question; I sat still and took no interest in the matter.

21,079. (*Mr. Price.*) Did you not think in a public inquiry before a judge, when you were accused of discharging a man from political motives, did you not think it worth your while to have it cleared up?—No, for this reason, because my captain had told me before that he had discharged him for want of duty.

21,080. Then it was a controversy as to which should be believed, your captain or Luckes, and so you sat still without thinking it worth your while to have the matter cleared up?—I did not think on that occasion before Mr. Justice Blackburn that I had any liberty to stand up and speak with reference to it and contradict it.

21,081. You know it was a public inquiry.

21,082. (*Mr. Anstey.*) You were not afraid of speaking before the committee of the House of Commons?—I am not afraid of speaking before any one.

21,083. Then why did not you set the matter right then and there?—Because I thought I should be out of order if I did so.

21,084. Then you must have thought you were out of order in the way you addressed the committee of the House of Commons?—I was very much excited at the time.

21,085. You have deliberately sworn there was no riot and no assault in the election of 1832, and you did not know that Mr. Bowen received so severe a blow across the eyes as that it was sufficient to have endangered his eyesight, and in that condition he was going about the streets?—I have no recollection of it.

21,086. You have also stated you were present at a "wrangling meeting," you know what a "wrangling meeting" is. Now is it not the fact that he was assaulted and beaten by a mob on his own lawn when he went to ask what was the reason of their coming there?—I never heard of that.

21,087. Then I will ask you this third question about the trial at Wells. I think the trial at Wells lasted two days?—Yes, at Wells.

21,088. And the jury could not agree, and they were not locked up?—Yes.

21,089. And was there not the next day something very unpleasant said as to persons having been admitted into the sleeping apartments of the jury in the interval of the first and second day?—That is quite new to me, I never heard of it.

21,090. Did you not hear a complaint made at the time that the jury had been tampered with, or I may go further and say, "bribed"?—No.

21,091. You never heard it said?—No, I do not remember it. I remember both at Taunton and at Wells every precaution was taken by the counsel for the prosecution to challenge every man.

21,092. (*Mr. Price.*) You could not challenge them?—To object to them, I know some of them were objected to, I remember that very well.

21,093. (*Mr. Anstey.*) I will refresh your memory. Do you recollect that both sides for fear of exasperating the jury agreed to let the jury go where they pleased, agreed to let the jury go without being locked up?—No, I may not have been in court at the time, but I do not recollect that; at Wells you refer to.

21,094. Do you know where the grand jury went?—No, I do not.

21,095. Do you know it had been said that somebody had been in communication with the jury, or some of the jury during the night?—No, I have no recollection of it. I was busily engaged in looking after my witnesses. I had ten or a dozen witnesses.

21,096. But I mean afterwards?—After the trial was over?

21,097. Yes?—I beg your pardon, there were all kinds of reports after the trial.

21,098. I thought you were too precipitate in your answer?—There were all kinds of reports.

21,099. And was not one of the reports that the jury had been tampered with and bribed?—I think it was.

21,100. As far as you are concerned do you know whether they were tampered with or bribed?—Oh dear me, no.

21,101. (*Mr. Coleridge.*) Was there any proof of

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it?—I never remember any attempt to prove such a thing.

21,102. (*Mr. Anstey.*) Did you hear that anybody had got at them?—No, never. I heard afterwards all sorts of reports; not while I was at Wells.

21,103. Did you know that a man had got to the jury during the night?—I cannot say. It would have been a very wrong thing to have done with the jury. I do not know that it was done, and I can only say that I was no party to it.

21,104. With reference to the election of 1838. Were you one of the signataries to that petition which has been referred to here, a petition presented by Sir Henry Ward, and made the subject of a long debate in 1838, but which was withdrawn till another petition which had been presented should be tried, and was never again presented?—Possibly I may have done so, but I do not remember.

21,105. Do you know where the original of that petition is to be found?—No, I do not.

21,106. Did it make much noise in Bridgwater?—No, I do not think so. In 1838?

21,107. December 1838, complaining of the malpractices on the side of Mr. Broadwood, and when Sir John Lethbridge was defeated by Mr. Broadwood?—I remember there was some talk respecting that petition, but I do not remember what took place.

Mr. R. Salmon.

Mr. Robert Salmon sworn.

21,108. (*Mr. Price.*) Are you a justice of the peace for the borough?—I am.

21,109. You have heard what has been said by Mr. Sully about this inquiry before the magistrates, about the dismissal of one of his men. Tell us what your recollection is?—My recollection is, that the man was discharged from his vessel, and he applied for a summons for his wages. Well, I attended the bench, and I recollect asking the question, "Will you kindly "inform me why this man was so peremptorily "discharged."

21,110. To whom did you put that question?—To the captain of the vessel. Mr. Barham jumped up immediately, and said, "You have no right to ask that question; it is most irrelevant matter."

21,111. Well, I should have thought it was most relevant. Who was the chief clerk?—Mr. Brice. Mr. Brice took no part in the matter, and I asked the mayor if Mr. Barham was right.

21,112. Who was the mayor?—Mr. G. B. Sully. The bench was Mr. Sully, myself, Mr. Hammill, Mr. Ritson, and Mr. Axford.

21,113. Was there any great whip of Conservatives to attend?—No.

21,114. Mr. Sully was a Liberal?—Yes.

21,115. Mr. Hammill a Liberal?—Yes; we were three to two.

21,116. (*Mr. Coleridge.*) You are yourself a Conservative?—Yes, and Mr. Axford and Mr. Ritson.

21,117. There was no great whip?—No.

21,118. How many magistrates are there here?—I do not know. They talked the thing over, and the case was adjourned till the following Monday.

21,119. There was a majority against you?—No. I thought it was a proper question to ask, but I was overruled.

21,120. (*Mr. Anstey.*) Who overruled you?—I I cannot say now, but it was thought over, and the matter was adjourned till the following Monday.

21,121. You got no answer to that question?—Not the slightest. The reason I made that inquiry was this: I had two servants who had lived with me 8 or 10 years past, and they were sisters of this man Luckes, and he told them that he was peremptorily discharged because he voted for the Conservatives. That is how I came to know about this man Luckes, and that he voted for the Tories.

21,122. The case was then adjourned to the following Monday?—Yes.

21,123. What happened on the following Monday?—On the following Monday I addressed the mayor in these words, as nearly as I can remember; I said, "Mr. Sully, I asked a question the other day before "you, and one of the advocates of the prisoner told "me I had no right to ask that question, and I want "to know from you whether I am right or he is," words to that effect, "because if he is right, I have no business to be here," and I took up my hat to leave. Mr. Sully had some talk about it, and then Mr. Barham in his usual plausible way, stood up and talked the matter over, and made a sort of half apology, and there the matter dropped.

21,124. Mr. Barham talked it over?—Yes.

21,125. What did he say?—I cannot tell you now. It was a sort of apology to me.

21,126. And that was satisfactory, as far as you were concerned?—Yes.

21,127. Was there any answer given to the question you asked?—Never to this day; and I trust you will ask Mr. Sully that very question, why that very man was discharged.

(*Mr. Price.*) He has told us. He says he believes that that man was discharged because the captain found the man loafing about, and some of his things down in his cabin tied up, and he said, "Now, you may go."

21,128. (*Mr. Anstey.*) Did the captain say anything of that sort?—Not at all.

21,129. (*Mr. Price.*) What did he say?—He said he stopped down in the cabin.

21,130. I should like to see how justice is administered in this borough. A man made a complaint about being discharged?—Yes.

21,131. And the captain was before you, the defendant, I will not call him a prisoner?—Yes.

21,132. And Luckes was the complainant?—Yes.

21,133. How was the case dealt with?—It was postponed till the following week, and then they fastened something else on to it, and heard the two cases together, as far as I recollect.

21,134. (*Mr. Anstey.*) The case of the penalty?—Yes.

21,135. (*Mr. Price.*) Then they heard the case of the penalty, for not giving him a printed form, and the magistrates decided he was wrong, and fined him a nominal fine?—You are perfectly right.

21,136. And the other matter, which was the real complaint made, was never adjudicated upon at all?—Not at all; and they brought forward a book called "The Merchant Shipping Act," which I knew nothing at all about, and I said, "I have a right to know something about it."

21,137. Being a magistrate, you are supposed, like other judges, to know something of the statute book?—I did not know anything about it.

21,138. (*Mr. Anstey.*) Do I understand that you mean positively to state that the summons was not heard, adjudged, and dismissed; the summons for wages?—I can hardly go so far as that. I believe it was tacked on to something else; it was consolidated with the penalty?—Yes, I think it was tacked on to that, and I do not think that first part was heard at all.

21,139. Therefore, if you are right in that, it cannot be said that Luckes's complaint was dismissed by the magistrates?—Well, I hardly know; I do not think it was taken much account of.

21,140. You know the difference between dismissing a case and then consolidating it with another case, and hearing the two together?—Yes.

21,141. Which was done?—Well, it was consolidated with the other case, as far as I can recollect.

21,142. And in the other case judgment was given against Mr. Sully, and in favour of the complaint of Luckes's?—Yes.

21,143. Therefore it was not dismissed?—No.

21,144. You say that the captain did not give the cause assigned by Mr. Sully for the dismissal or discharge of the mate, Luckes?—I was not allowed to ask the question.

21,145. Did the captain say anything at all about the circumstances which led to the dismissal?—No.

Mr. Eustace Barham then entered the witness box. *Mr. E. Barham*

21,146. (*Mr. Price.*) What are you going to speak to?—After the statements which have been on the subject of this man Luckes, I thought you might possibly wish to hear a short explanation.

(*Mr. Price.*) No, I do not think so. Mr. Sully has brought this upon himself by answering questions as to his using undue influence, in a manner which was not satisfactory to one of the Commissioners. That was a perfectly legitimate matter to be inquired into. It has been inquired into, and Mr. Sully having spoken with reference to the conduct of Mr. Salmon on the bench, on the occasion of the hearing of the summons, we have had Mr. Salmon before us, and he has fully explained what took place, and I do think we need go further into it, because if we go into these collateral issues, as to personal matters between you and Mr. Salmon, as to what was said, or what not, we may sit here for ever. It was a a perfectly legal inquiry, and Mr. Sully has given his account of it, and Mr. Salmon has given his, and I think that is entirely satisfactory.

(*Mr. Barham.*) I am entirely in your hands, and am ready to give an explanation if required.

Stephen Colin Jones recalled. *S. C. Jones.*

21,147. (*Mr. Price.*) You have got that document that you were asked for the other day?—I made the inquiry that Mr. Anstey wished me to make, as to where Mr. Fackerell was. He was here in 1865 and voted, and is since dead; his brother went abroad some 20 years ago. Bradford is living at Weston-super-Mare. Southwood is also dead.

Mr. John Hawkey Bingham Carslake recalled. *Mr. J. H. B. Carslake.*

21,148. (*Mr. Price.*) I believe you want to give us some explanation. I thought you perhaps would have those documents about the writs. You have not got those documents?—No.

21,149. Now I think the time has come when it is due to you that I should put some questions to you. You are the town clerk of this borough?—I am.

21,150. And are in partnership with Mr. Barham?—Yes.

21,151. Now you have heard the part which Mr. Barham took at the last election, which was not a part with actual bribery according to his account?—Yes.

21,152. At all events, whatever that part was, you have also heard the important part which he played during the two preceding elections?—Yes.

21,153. And I want to ask you whether you knew, or whether you had any idea, of what had taken place?—None whatever, it has come to me for the first time to my knowledge.

21,154. (*Mr. Coleridge.*) Do you mean that Mr. Barham being a partner of yours, that you allowed Mr. Barham to do all this without making entries of his being engaged in so and so?—He was acting for the Liberals, and I did not interfere in any way.

21,155. Did you not wish him to make entries of what he was doing?—You have seen the journals, and I am not aware of what entries are in the journal.

21,156. Are they not copied out into your books?—There they are, it is nothing more than, "Attend-" ing Mr. Lovibond, attending Mr. Fennelly, attend-" ing So-and-so."

21,157. (*Mr. Price.*) There is nothing by which a bill of costs could be made out against the candidates?—Not unless Mr. Barham could furnish further information.

21,158. There is nothing that appears in your books from the time that Mr. Barham has been in partnership with you, from which you could make out a bill of costs in the name of the firm against the candidates he had been concerned for?—Nothing.

21,159. You, of course, make out your bills of costs from your diary, or your journal, whatever it is?—Yes.

21,160. There are no materials existing in your books from which, supposing you and Mr. Barham disolved partnership, or supposing Mr. Barham left the town, or anything of that kind, you could make out that they were outstanding debts to be collected, and be divided between the partnership?—Exactly.

21,161. Are there materials, as far as you know, from which you could make out a bill of costs for the firm for the candidates?—I think not, the materials are very meagre indeed. If Mr. Barham was dead, I should be at a loss to know how to make out a bill.

21,162. (*Mr. Anstey.*) Is not the important portion of the materials wanting in every case, namely the want of a name against whom the bill of costs might be made out?—I think it is very likely, I do not know how the entries are headed. I really have not read them.

21,163. Is it not the fact that there is not a single heading to a single entry?—I have not read a single entry. I confess I do not know that of my own knowledge. I will get the books if you like.

21,164. You have heard the evidence given on oath by Mr. Steele, our chief clerk, with respect to his examination of the journals and so on?—Yes.

21,165. According to his statement, not only is there no skeleton bill of costs at the end of each business, but there is no name given of the person to be charged with the bill of costs?—Very likely.

21,166. Is that the way in which the entries are made in your books?—Do you mean with regard to Mr. Lovibond, or Mr. Barham.

21,167. Is that the way, to your knowledge, in which the entries have been made with reference to Mr. Barham's transactions and connexion with the election?—From what I have heard it appears to be so. I do not know myself.

21,168. You say there was, "Attending Mr. Lovibond," "Attending Mr. So-and-so"?—Yes.

21,169. Are they attendances which can be charged for?—Well, I suppose if they are entered there they are attendances for which a charge could be made, and bills can be made out.

21,170. (*Mr. Coleridge.*) And the profits would come to you?—Oh yes, certainly.

21,171. Do you know of any bill made out in which such charges have been included?—No, I do not.

21,172. And delivered and received?—No, I do not.

21,173. (*Mr. Anstey.*) Is it not the practice when a business is finished, that you enter in a journal, not only the attendances, and so on, if there are any; but several charges forming an aggregate item; is it not the practice of solicitors, of your firm for instance, in the journal to have a sort of sketch or skeleton of so

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much of the bill of costs as relates to that business?—Oh yes.

21,174. Have you known a single case where that was done, where the subject matter was electioneering?—I cannot say that I do. You had the books before you, or the entries, and you can judge quite as well as myself.

21,175. Yes, but I would rather not depend on my own observation?—I know no more about those entries than you do.

21,176. When Mr. Barham entered your firm, was it an understanding between you and him that in electioneering business you were to take no part?—Well sir, there was no understanding at all. The fact of the matter is this, that Mr. Barham knew perfectly well that I declined, as I always had, and have, to take any part in electioneering matters, and he knew that. I cannot say that I agreed with him, or that he agreed with me; I should not do so, because he knew my determination.

21,177. Was that determination founded on your knowledge or belief, that electioneering here was not carried on in a proper manner?—No; as soon as I was appointed town clerk, I resolved to state generally to my friends, and to those whom I call my political opponents, that I should not take any part in electioneering matters.

21,178. What year was that?—1854.

21,179. Did Mr. Barham become your partner after that?—After that.

21,180. (*Mr. Price.*) When Mr. Barham entered your firm, did you make any stipulation with him as to what he was to do if asked to engage in electioneering?—No, I made no such stipulation at all.

21,181. When you found he was engaged in electioneering, did you make any remark or comment to him upon that?—I cannot say that I did.

21,182. You did not object to his taking a part in electioneering?—No.

21,183. Nor did you check what he did in the course of that employment?—No; because I had no idea that he was going to do other than that which was legitimate.

21,184. You had an idea that the borough was a very corrupt one?—Oh yes, certainly.

21,185. Then having had that idea, how came you to form the conclusion that any person engaged in electioneering here, your partner, or anybody else largely engaged in electioneering would keep so clear of corrupt practices as not to require your controlling eye?—I thought it was not at all compatible with the position of a solicitor in a borough like this to take a part in what was not legitimate.

21,186. An active part or a leading part?—Yes, an active part.

21,187. Is it not the fact that not one of the parties taking a leading part among the Liberal solicitors of this borough in the bringing out the candidates, and conducting the election, has refrained from taking a part in bribery?—So it appears.

21,188. (*Mr. Coleridge.*) It appears that after the election Mr. Vanderbyl gave Mr. Barham 200*l.*?—Yes.

21,189. Did you receive a part of that?—Some considerable time after Mr. Barham paid me 25*l.* I cannot recollect the time.

21,190. What for?—He paid me over that, so to speak, my share, or part of it, and he accounted subsequently, in 1867 I think it was, for a further sum. There were some accounts.

21,191. He got 50*l.* in 1857 you know, from Mr. Bagehot?—Yes.

21,192. And in 1866 he had got 200*l.* from Mr. Vanderbyl?—Yes.

21,193. Did you get an aliquot part of each of those sums?—I got a portion as I told you, of the 200*l.*; 25*l.* I think, and I got another sum after Mr. Bagehot had cleared up his account, which was not till subsequently.

21,194. How much?—I think it was 15*l.*, but I am not quite sure. I will get the figures for you.

21,195. Did Mr. Barham when he paid you these sums tell you what it was for?—Simply that he had received from Mr. Bagehot so much for——

21,196. Did he tell you that he had received 50*l.*, and only gave you 12*l.* or 15*l.*?—There were sums I had received as town clerk for work I had done, and that was carried into the account.

21,197. Take the 200*l.* Did he tell you he had received 200*l.*, and did he only give you at the time 25*l.*?—He did not tell me he had received 200*l.* at that time from Mr. Vanderbyl. He gave me 25*l.*

21,198. As your share?—Yes.

21,199. When did he tell you that he had received 200*l.* instead of 50*l.* as you probably imagined?—Some time I think when Mr. Brogden's account was cleared up. He had made payments or sums, which he deducted himself.

21,200. Did you remonstrate with him and say that 25*l.* was not a fair proportion of 200*l.*?—No; I said, "What you think is fair I am perfectly satisfied with." He had made payments which I knew as a fact, for instance, towards that fund—the subscription towards the petition in Sir John Shelley's case.

21,201. But that was his own private subscription?—I know, I am quite aware of it, and that was deducted out of it.

21,202. And you did not consider yourself entitled to what he got for his services at the election?—Well, I never raised the question with him.

21,203. But did you consider yourself entitled to half what he got?—Strictly speaking, I should be.

21,204. Because his time would be deducted from the time of your firm?—Yes.

21,205. And that is the only way he accounted to you for it, that he was engaged on the election?—That is the way he accounted for it, Vanderbyl's and Bagehot's election.

21,206. (*Mr. Price.*) I suppose you thought it wise not to probe too deeply?—It was this. At that time I had heard there had been corrupt practices, but I did not know, nor did I know it till now how far Mr. Barham had been concerned in them. I thought it was quite possible that he had had notice by which, as a lawyer, you will understand what I mean—knowledge; but I had not the most remote conception that he was mixed up with them in the way he had. I had not the most remote idea of it.

21,207. There would be nothing in your banking account which would show whether money was paid in or drawn out on account of the election?—Nothing there at all. In fact if it had been through my banking account my attention must have been called to it. I should have seen at once, "Cheque for" so-and-so.

21,208. (*Mr. Anstey.*) Where is your bank?—The West of England Bank.

21,209. That is the place where he banks?—Just so.

21,210. Has he a private account there?—Yes.

21,211. And you have a private account there also?—Yes.

21,212. What did you mean just now when you said, that by strict legal right you would be entitled to a share?—Well, the learned Commissioner, Mr. Coleridge, asked if I thought I was not entitled to 100*l.*

21,213. Will you please to answer my question. I ask you why you consider it was your strict legal right to share in the money received by your partner. What is the distinction you draw between your strict legal right to share in one item more than in another item?—I say in strict point of law I think myself entitled to have half of that 200*l.*

21,214. But you are drawing a distinction between your legal right with respect to one thing and something else?—Well, I might have said, "I do not choose to allow your private payments out of that." I did not claim it at all.

21,215. You mean there was no moral right?—Yes.

21,216. What do you mean by your legal right?—

I did not press my strict legal right to a division of the 200*l*. That is all I wish to convey.

21,217. Have you not been able to discover anything about the great petition of 1838?—No, I have not; I have tried.

21,218. Not with the clue I have given to you? When it was presented there was a long debate, and the speaker ruled it could not lie on the table, because at that time a petition had been presented, which had not then been tried. Upon that it was withdrawn, and it was stated that it would be presented after the petition was tried, and it was never presented again after the petition was tried?—I have not been able to find it. I may say, on no occasion have I ever canvassed about with the exception of writing to King, who was at Lyme, to come up to Sir John Shelley's election. I think it right to state that, because I have always held out the course I wished to pursue, that is, to take no part in the elections, and I never have.

21,219. (*Mr. Coleridge.*) You say in 1854, as soon as you were elected town clerk, you took no active part in any election?—No.

21,220. Did you ever do so before?—I was a partner with Mr. Lovibond from the end of 1843, down to Christmas 1854; and down to that time there were two general elections. The one in 1847 I think was when Mr. Broadwood and Colonel Tynte stood. I could tell from my returns.

21,221. (*Mr. Price.*) Mr. Mansell was it not?—No, Mr. Broadwood; when Mr. Serjeant Gazelee was brought down. Mr. Lovibond acted entirely on that occasion, as he always did, for Colonel Tynte. I took no part in that election more than I am going to tell you of now. I was asked by Mr. Benjamin Lovibond, just before the nomination to go down to see Mr. John Trevor, who was engaged in politics, as to the writ being sent down to the under sheriff. That was all the part I took in it. And then the election of 1851——

21,222. (*Mr. Coleridge.*) The election of 1852 was it not?—It was 1852. It was Lord Henley's election. Mr. Lovibond was again acting for Colonel Tynte, and also for Lord Henley, and he asked me to act for Lord Henley, and I refused to take any part in electioneering matters.

21,223. Did Mr. Lovibond treat you to a share of the plunder as Mr. Barham did?—No, he did not.

21,224. He did not even treat you as well as Mr. Barham has?—No; his time was taken up with it, and I never interfered.

21,225. Do you know whether Mr. Lovibond ever made anything out of the elections?—I do not know; he died a wealthy man.

21,226. (*Mr. Anstey.*) You declined to take a part with Mr. Lovibond in the election matters?—Well, he never said anything to me on the election proceedings, and I was as ignorant of Mr. Lovibond's proceedings perhaps as much as you are.

21,227. Had Mr. Lovibond been town clerk before you?—No; he was magistrate's clerk at one time.

21,228. Who was your predecessor?—My predecessor was Mr. Richard Smith, for a short time, and before that, a Mr. Matthew Parramore, who is dead.

21,229. Mr. Smith was a Liberal?—Yes.

21,230. And Mr. Matthew Parramore also?—No; Mr. Matthew Parramore was a Conservative.

21,231. Who succeeded Mr. Trevor on the passing of the Reform Act?—Mr. Matthew Parramore. That was before my time. I will get you information if you wish it.

21,232. (*Mr. Coleridge.*) How long have you been in this borough?—I came here in 1841.

21,233. Then you cannot tell us anything about Leader's election in 1835?—No; I can tell you nothing about it; simply from report I have heard he was a very rich candidate.

Mr. Daniel Spink sworn. *Mr. D. Spink.*

12,234. (*Mr. Anstey.*) Are you a registered voter in this borough?—I am not.

21,335. Are you a partner in the firm of Hennet and Spink?—I am.

21,236. How long is it since you left Bridgwater?—I left Bridgwater on the 10th of July.

21,237. Last?—Last.

21,238. That was after the address had gone up for the appointment of this Commission?—Oh yes, decidedly.

21,239. Do you remember Mr. Vanderbyl coming here a few days before the last election of 1868, and telling you he should like very much to have a compromise, or a coalition with Mr. Westropp?—No; it did not emanate from him.

21,240. I did not use that fine word "emanate" at all. I ask you, do you remember having any conversation about it?—I do.

21,241. Tell us all about that?—One Sunday, Mr. Fennelly came to my house. I was then living——

21,242. Stop a moment. Was that the Sunday immediately before the election?—To the best of my knowledge it was the Sunday immediately before the election. I dined in the mid-day, and I think after dinner he took a walk with me on the Wembdon Hill. We then discussed Mr. Vanderbyl's chances of success, and I said, "It occurs to me that a compromise "might be arranged which would prevent any money "whatever being spent on either side in bribery."

21,243. Tell us what Mr. Fennelly said to you, which made that occur to you about spending money?—The idea entirely emanated from myself.

21,244. Will you tell us what Mr. Fennelly said to you about spending money?—Mr. Fennelly, up to that moment, to the best of my recollection had not said one word to me about spending money.

21,245. I thought you said this would be a good way to prevent the spending of money?—Simply from my knowledge of the borough, I was morally certain that if steps were not taken to prevent it, that at this election money would be spent, and I thought this would be a good idea to prevent money being spent; and I said, "I throw out this crude idea, and give "you an outline of it, and you can fill in the details "and see if anything can be made of it."

21,246. Did Mr. Fennelly say anything about an interview with Mr. Vanderbyl?—He did not.

21,247. What did he say about this idea?—He said, "I think there is something in it; I will think it over."

21,248. What happened in consequence of that?—In consequence of that Mr. Westropp had an interview at Mr. Hennett's house with Mr. Fennelly.

21,249. Were you present?—I was not present in the room when Mr. Fennelly and Mr. Westropp met. I thought it would be better, and they would be more at their ease if Mr. Hennet and myself left them. They were left entirely alone together.

21,250. And where were you?—I cannot be positive whether I was in another room, or whether I went home, or whether I was simply walking about.

21,251. What I want to know is this: Had you any conversation yourself with Mr. Westropp, or Mr. Vanderbyl or Mr Fennelly, after your conversation of the morning with Mr. Fennelly?—I did have a conversation with Mr. Westropp to the best of my belief before Mr. Westropp and Mr. Fennelly met.

21,252. Well, what took place then?—I said to Mr. Westropp, "I understand and I have an idea that the Conservatives are going to spend money."

21,253. What did Mr. Westropp say to that?—Mr. Westropp smiled, and said, "You know a great deal." And I said, "Well, I will tell you what, Mr. Westropp, "Mr. Vanderbyl is not going to spend one farthing; "but if it costs 10,000*l*. to prove bribery against your "side, he will spend it." I said that in consequence

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of a conversation I had had previously with Mr. Vanderbyl, and Mr. Vanderbyl then gave me the idea that he was going to fight a pure election—to fight on pure principles.

21,254. You had seen Mr. Vanderbyl before?—I had seen Mr. Vanderbyl before.

21,255. That day?—I think that day. I think he was ill in bed with bronchitis.

21,256. I will come to that presently. What did Mr. Westropp say to that?—Mr. Westropp said he must consult his legal adviser before he gave an answer. I believe he went and saw Mr. Brice. He came back again and said, "I have been talking the "matter over, and I will tell you this, that although "we are disposed to fight every inch of ground, and "dispute it to the utmost, still for the sake of peace, "and to prevent any improper practices on either "side, I have had a conversation with Mr. Gray, and "Mr. Gray is willing to yield so far as he is concerned, "and if it can be done I on my part have no objection, "but it must however be laid before the legal advisers "on either side; it must come to us in a legal form "and then we will discuss it."

21,257. Did you communicate that to any person?—I communicated that to Mr. Fennelly I think.

21,258. And was it after you had so communicated, that the conversation you have already spoken of between Mr. Fennelly and Mr. Westropp took place?—I do not know. I think it was on the same day—the same evening.

21,259. What was the upshot of it; what was done?—The upshot of it was that Mr. Fennelly went and saw Mr. Cook, as the legal representative of Mr. Vanderbyl, as to the possibility of carrying out this scheme.

21,260. Now go back to what you said of your having seen Mr. Vanderbyl at an earlier period of that day, when he was ill of bronchitis. What o'clock was it you saw him?—I think, in the first place, that I saw Mr. Vanderbyl very early on the Sunday morning. I think so, so far as my memory serves.

21,261. Was he in bed?—I think he was.

21,262. And did you speak to him about the expenditure at the approaching election?—No, I do not think I did.

21,263. What did you say to him then which brought out that statement which you communicated to Mr. Westropp. You say when you spoke to Mr. Westropp you referred to what had passed between you and Mr. Vanderbyl. When did that occur?—I think I saw Mr. Vanderbyl more than once that Sunday.

21,264. When did you have any conversation with him with respect to money being spent at the election?—I never had any idea about any money going to be spent at the election.

21,265. I thought you said that you distinctly told Mr. Westropp that Mr. Vanderbyl would not spend any money otherwise than in proving bribery on the other side, and if it cost 10,000*l.* to expose it he would spend it?—He did say that.

21,266. Then I want to know how that came out; what led to his making that remark?—I think it came out in talking the matter over as to the chances of the other side (I mean by "the other side," the Conservatives) spending money.

21,267. Who mentioned that they were going to spend money; you or Mr. Vanderbyl?—I think it came up as an understood thing. There was no mystery about it. It is a thing that always has taken place.

21,268. And Mr. Vanderbyl said he was prepared to spend 10,000*l.*, if necessary, to expose bribery on the other side?—It may have been 3,000*l.*; I would not say.

21,269. Or 3,000*l.* in exposing bribery, but he would not bribe himself?—Exactly.

21,270. Was there anything said to you on that occasion by Mr. Vanderbyl, about coming to a compromise, when he was talking to you about this?—Yes, I understood he was perfectly willing to fall into it.

21,271. Therefore, when you went to Mr. Westropp, and made this statement about Mr. Vanderbyl's determination not to bribe, and to spend money in order to expose Mr. Westropp's bribery, you also communicated to him, did you not, that Mr. Vanderbyl you thought would not be unwilling to come to a compromise?—Yes.

21,272. Therefore you went to Mr. Westropp for that double purpose, for communicating both of those points?—To endeavour to bring the two together, in point of fact.

21,273. Therefore, the communication which you made about Mr. Vanderbyl's readiness with regard to expenditure, was used by you as an inducement to operate on Mr. Westropp's mind, and to persuade him to content himself with one seat for himself, and to let Mr. Vanderbyl have the other?—Yes.

21,274. Now, did you see Mr. Westropp again that day?—I saw Mr. Westropp a second time. I saw Mr. Westropp on the Sunday afternoon before he had consulted Mr. Brice. I saw him afterwards when he came back again to meet Mr. Fennelly. Then I left Mr. Fennelly and Mr. Westropp together in Mr. Hennet's dining-room, and to the best of my memory, I did not see anything more of him. I simply shook hands, and did not ask what had taken place between the two. I thought it was not my business to ask.

21,275. Had you any conversation with Mr. Westropp, either before witnesses, or not before witnesses, on this matter, at any time after that occasion when he came back from Mr. Brice's?—Will you kindly repeat the question?

21,276. You know you had two conversations with Mr. Westropp, one before he went to Mr. Brice's, and one when he came back, and I ask you, after that second conversation, had you, at any time, either that day or afterwards, any conversation with Mr. Westropp on the subject, whether before witnesses or not before witnesses?—I do not think I did; I do not think so.

21,277. You yourself are a Liberal, are you not, in politics?—I am a Liberal-Conservative.

21,278. You have all through your examination used the term, "the other side," and you said by that you meant the Conservatives?—I considered myself more identified with Mr. Vanderbyl. I was with him on the Irish Church question.

21,279. I do not want to know your points of political agreement or disagreement, but it is a fact that you are a partisan of Mr. Vanderbyl's?—I am.

21,280. And a private friend of his?—A private friend.

21,281. And your firm or yourself, have received advantageous business through that friendship?—I am hardly prepared to say that. The first thing I had to do was to repair a steamer in connexion with the Lundy Island Granite Company, and in the course of conversation, it came out that he had had dealings with our firm. I said, "Mr. Vanderbyl, as far as our having any "benefit from that steamboat of yours, we had better "not have had to do either with you or your vessel, "because it was a losing concern, and we got no "benefit from that."

21,282. (*Mr. Coleridge.*) You have had advantageous things from him?—We have had one contract, for which Mr. Farren received a commission, which he represented came through him, through his influence with Mr. Vanderbyl. He received his commission of 5 per cent. in the usual way.

21,283. (*Mr. Anstey.*) You yourself had no vote for the borough?—No, I had not.

21,284. Not at this time?—No.

21,285. Supposing this arrangement to have carried through, which way would your partner have voted?—I do not know. To my idea, he was a Conservative, thoroughly devoted to Mr. Westropp and Mr. Gray.

(A short adjournment here took place.)

AMBROSE DYER sworn.

21,286. (*Mr. Price.*) Are you a voter for the borough of Bridgwater?—I am.

21,287. What are you?—A nurseryman.

21,288. Carrying on business in Bridgwater, are you?—Yes.

21,289. Did you vote at the last election?—I did.

21,290. Whom did you vote for?—For Kinglake and Vanderbyl.

21,291. Did you get anything for it?—No.

21,292. Were you promised anything?—No.

21,293. Did you make any claim of any kind upon anybody?—No.

21,294. Did you take any part in bribing anybody else?—No, not any.

21,295. Or in treating?—No.

21,296. You did nothing but vote at the last election?—No.

21,297. Did you go out of town after you had voted?—I did.

21,298. After dinner?—I did.

21,299. Went to Taunton?—I did.

21,300. At the election of Vanderbyl in 1866, did you get any money then?—I did.

21,301. Did you vote?—I did.

21,302. Who for, Vanderbyl?—Vanderbyl.

21,303. What did you get?—I got 30*l.* from Allan.

21,304. What did you do with the 30*l.*?—10*l.* I gave to Alway, the grocer; 10*l.* I gave to William Vickery; and 10*l.* to John Dyer.

21,305. Your son?—Yes.

21,306. Was that all given for their votes?—It was.

21,307. Did you get anything yourself?—No, I did not.

21,308. Did you take any other part in that election?—None whatever. I attended two or three meetings.

21,309. Was your son a voter?—He is.

21,310. And you gave him 10*l.*?—I did.

21,311. (*Mr. Anstey.*) Where were the meetings held that you attended?—One was held here at the "Mansion House" inn.

21,312. Was there drinking going on?—Not a spoonful of anything. It was a public meeting.

21,313. I do not mean in the public meeting, but was drinking going on in the public-house?—I do not know; I was not in there. I was only in the room where the meeting was.

21,314. (*Mr. Price.*) Well then, in Bagehot's election, did you vote?—I did.

21,315. Whom did you vote for?—For Bagehot.

21,316. Did you get any money then?—I did.

21,317. How much?—20*l.*

21,318. Whom did you get it of?—For John Dyer and William Vickery.

21,319. But whom did you get it from?—From Allan.

21,320. Did not you take any share in these two tens that you gave to your son?—No.

21,321. What is your son?—He is a labourer.

21,322. (*Mr. Anstey.*) A partner of yours?—No.

21,323. (*Mr. Price.*) Does he work for you?—He did then.

21,324. Did you pay him wages?—Yes.

21,325. Did you pay him this 10*l.* instead of paying him wages?—No, certainly not.

21,326. You paid him his wages as well?—Yes, I did.

21,327. (*Mr. Anstey.*) That was in June 1866?—Yes.

21,328. In the previous month of May, that is a month before, you had signed a petition telling the House of Commons you were very anxious to prevent corrupt practices?—I did.

21,329. Who seduced you from that good opinion?—Well, I would do almost anything to do away with bribery.

21,330. Well, who seduced you from it, because you were the next month bribing away like mad, you know. Who seduced you from that opinion?—Well, no one at all that I am aware of.

21,331. (*Mr. Price.*) The thing was a humbug, in fact, it is quite clear. The candidates were Kinglake, Shelley, and Westropp in 1865?—Yes.

21,332. Did you vote then?—I did.

21,333. Whom did you for?—Shelley.

21,334. Shelley alone?—Kinglake and Shelley.

21,335. Did you get any money then?—No, I did not.

21,336. Not for anybody?—No.

21,337. Did you have a person of the name of Cooze a tenant of you at that time?—I had.

21,338. Do you know how he voted?—Yes.

21,339. How?—For Westropp.

21,340. Did you ask him how that happened?—I did.

21,341. Why did you interfere with him at all about his vote?—Because he had always promised me that he would vote as a Liberal. He always did vote as a Liberal before, and I understood that he was going to again.

21,342. What did he say when you asked him about it?—Why, that there was no money going on the Liberal side, and he was determined to have it from somewhere.

21,343. Where did he get it from?—He told me he had it from Thomas Boys.

21,344. How much?—10*l.*

21,345. Did you take him to the committee room?—I did.

21,346. To Benjamin Lovibond?—Yes.

21,347. Did you get the 10 sovereigns from Mrs. Cooze, and give her up 10 in place of them?—I did.

21,348. Did you go to London as a witness on the petition?—Yes.

21,349. And were examined?—Yes.

21,350. And gave that account to the committee?—I did.

21,351. (*Mr. Coleridge.*) You say you would do anything in the world to get rid of bribery?—Yes.

21,352. Did you think the best way of getting rid of it was to supply people with money to bribe with?—I knew very well they were doing it the other side, Those very individuals that I bribed, I knew they were offered to be bribed on the other side.

21,353. You had no real objection to bribery, or else you would not have done it?—I had a very great objection to bribery; I always had.

21,354. Why then did you do it?—Because I knew they were doing it on the other side, and the other party would have had the votes that belonged to us.

21,355. (*Mr. Anstey.*) I find I did you an injustice in saying you were anxious to prevent corrupt practices. You did not express your desire to get rid of corrupt practices. You only express your desire to get rid of those that prevailed before. You were "anxious to prevent the recurrence of the corrupt "practices which prevailed at the last election, the "existence of which had been reported to the House." That is, you were only anxious to prevent the recurrence of corrupt practices on Westropp's side. Is that so? That is the meaning of your petition, I see?—Yes.

21,356. (*Mr. Coleridge.*) You do not mean corrupt practices on your own?—I do not like to see them on either side.

21,357. Why did you always assist at them?—I did, and I have told you my reason for it.

21,358. (*Mr. Price.*) In the election of 1859 did you vote for Kinglake and Tynte?—I did.

21,359. Did you get anything for it then?—No.

21,360. Did you bribe anybody?—No, I did not.

21,361. Did you take any other part in the election?—No, none whatever.

21,362. How long before that had you come to reside in Bridgwater?—1854, I think.

21,363. Had you anything to do with the election of 1857?—Who were the candidates?

TWENTY-FIRST DAY.

A. Dyer.

16 Sept. 1869.

21,364. That would be at the time Mr. Kinglake came in with Colonel Tynte.

21,365. (*Mr. Coleridge.*) Kinglake and Tynte and Follett?—Oh yes, I was a voter then.

21,366. (*Mr. Price.*) Did you bribe then?—No.

21,367. Did you get anything?—No.

21,368. Have you ever got anything in the way of business or in money in your life?—Not a halfpenny in my life.

21,369. (*Mr. Coleridge.*) What did you get paid for your expenses when you were doing this?—Nothing.

21,370. Nothing whatever?—Nothing.

21,371. What did you keep back for it, a shilling in the pound?—No, I never did in my life,

21,372. You did it merely for the love of the sport?—Yes.

21,373. (*Mr. Price.*) You keep a garden?—Yes.

21,374. Did you get your fruit bought at high prices during the election?—No, not a halfpenny more than at any other time.

T. Hill.

THOMAS HILL sworn.

21,375. (*Mr. Price.*) Do you live in St. John Street, and are you a baker?—Yes.

21,376. Or you were a baker. You are out of business now?—Yes.

21,377. Are you a voter?—Yes.

21,378. Were you at the election of 1868 chairman of the Bridgwater branch of the reform league?—Yes.

21,379. What part did you take in the last election?—I took an active part so far as trying to get people to vote, and so on. I cannot say that I took any other part.

21,380. What time did you vote yourself?—I was voting before the poll was opened in the eastward, but the mayor's uncle popped in before me; and I intended to have the first vote, but he forestalled me, and I had the second.

21,381. Did you receive any money at that time, either for yourself or to bribe anybody else with?—No.

21,382. Did you make any promise of it?—Decidedly not.

21,383. Did you know that money was going at any time during that day?—I did not know it till nearly 4 o'clock.

21,384. During that time when you went to get voters up to vote you never induced them to go by saying if there was money going they should have it?—No, not those words. I may have said, "Come, "don't stand about any longer. You will stand as "good a chance if there should be anything as if you "wait any longer." I never promised them.

21,385. But you might have said that?—I would not say that I did not.

21,386. In Vanderbyl's election of 1866, did you distribute money then?—I think I had better hand in this (*producing a list.*)

(*Mr. Coleridge.*) You must answer the question.

(*Mr. Price.*) You must answer. Did you distribute money then.

(*Mr. Coleridge.*) You may answer from that paper.

21,387. (*Mr. Price.*) You may look at that and answer my question. Did you distribute money at that election?—That is Vanderbyl's.

21,388. Vanderbyl's?—Yes, I did.

21,389. How much altogether? Seventy pounds was it? I will give you the names. I dare say they are down here. Did you give Peter Tilbert 10*l.* for Richard Pawley?—I did, and he voted.

21,390. Did you pay 10*l.* yourself to Thomas Ralls?—I did.

21,391. Did you pay 10*l.* to Thomas Bisgrove?—I did.

21,392. Ten pounds to Henry Vearncomb?—I did.

21,393. Ten pounds to James Fletcher?—I did.

21,394. Ten pounds to John Tucker?—I did.

21,395. Ten pounds to James Far Squires?—I did.

21,396. Making 70*l.* altogether?—Making 70*l.*

21,397. Whom did you get that money from?—From Mr. Allan.

21,398. Did you also give 10*l.* to Robert Walters? I did.

21,399. Ten pounds to Frederick Walters?—I did.

21,400. Fifteen pounds to Stephen Colin Jones?—Yes, for John Richards that has been named in this court.

21,401. Did you give 5*l.* to Mr. Pearce of Hampward, to send Richard Tooze to Weston-super-Mare?—I am not quite certain, but I believe that that must be the man. It was the same man that brought me the two Walterses, and I am not positive about that.

21,402. Had he brought him from Weston-super-Mare?—I gave him 5*l.* to take down to him to see him off to Weston-super-Mare, and I said to him particularly, "Now, if I give you this 5*l.* to take Mr. Tooze off to Weston-super-Mare, don't you give him the money till you get him in the train.

21,403. What did you send him to Weston-super-Mare for?—To prevent him from voting. He would not vote for us; and he came back and he told me that he had done so, and it was all right. I am not quite certain who the person was.

21,404. That is Pearce?—I think it was.

21,405. That is 40*l.* Where did you get that 40*l.* from?—From Andrew Allan.

21,406. Now come to the election of Bagehot in 1866. Did you give 10*l.* to Thomas Bisgrove then?—Yes.

21,407. Ten to Thomas Ralls?—Yes.

21,408. Ten to James Fletcher, who is now in America?—Yes, but his wife can be found.

21,409. John Virgin, 10*l.* He is dead?—Yes.

21,410. His wife is living?—Yes.

21,411. Did you give 10*l.* to John Tucker?—When the report came out after Mr. Smith had given his evidence here, Mr. Tucker (John Tucker) came to me, and he said to me, "Well, whatever is this fuss about? How is this?" He said, "John Smith has "reported that I have had 10*l.* at Bagehot's election, "and 10*l.* at Vanderbyl's election from him. I have "never had a penny from him. It is no such thing. "It is not true." He said, "All that I have had is "I have had one 10*l.* from you. That is at Mr. Van-"derbyl's election," said he. "I had none at Mr. "Bagehot's election. I have had 10*l.*," he said, "once "of Henry Faun. I never had but 20*l.* in my life." I said, "Well, I don't know. I fancied—— I made "out that report," said I, "myself, but I understood "that I paid you the 10*l.* at each of those elections, "and I am strongly persuaded that I did do so; but," I says, "I can't understand it if it should not be so. "I will turn it over in my mind again."

21,412. Now, you could find that out by telling us——?—Oh, I am going to tell you. I am going to put you in possession of all the particulars, and give you the evidence clearly if I possibly can. Then I said, "Well, if things should be so," I said, "I must try to make the best thing of it I can." Said I, "Your oath will be as good as mine." That is the very words I made use of, but I am strongly of opinion I did give it to him.

21,413. How much did you get from Allan?—If you will excuse me. Well, I said to myself, well, if I did not give it to him then I must return back to Andrew Allan. The list that I gave him I am prepared to swear to: and that was a correct list of how I got rid of that 50*l.*, and that is what I had from Allan.

21,414. Did you return Tucker's name? Do you remember returning Tucker's name to Allan?—No, I do not. There I am at a loss, but I returned and

accounted for the 50*l.* by the real parties that had the money, and if that can be produced I will swear to that as correct.

21,415. You cannot swear whether Tucker's name is there or not?—No.

21,416. But you strongly believe it was?—Yes.

21,417. Was he a man who you knew would be likely to take money for his vote?—Well, I spoke to him, and he should not have had the money if I had not understood that.

21,418. Does that lead you to think that you did give give him the money?—Yes.

21,419. He does not dispute that he did get 10*l.* from you?—No, not at Vanderbyl's election.

21,420. You did not stick to the 10*l.* then?—No, never in my life.

21,421. Did you stop anything for expenses?—Never.

21,422 (*Mr. Coleridge.*) You did all this work for nothing?—I did, and shall be happy to do so again as long as I live.

21,423. What! happy to go on bribing?—Yes, I would——. No, no. I do not say that I would. That I must call back; but I would assist the Liberals all I could. If any candidate came here and told me that he is a supporter of the ballot, there is my stand; and if you are not a supporter of the ballot I don't vote for you; but if you are a supporter of the ballot I will support you as much as I can.

21,424. And bribe as much as you can?—No.

21,425. If you had the ballot you would not want to bribe?—I fancy not.

21,426. (*Mr. Price.*) Would not the ballot enable them to take money on both sides? Do you think if the Bridgwater people had the chance of getting it from both sides they would not take it in handfulls?—I should think that any gentleman would be a very foolish man to attempt to bribe.

21,427. Dou you really think men would not get money then on both sides?—My answer to that is, who would be the silly man that would risk his money?

(*Mr. Price.*) Well, we won't argue about it.

21,428. (*Mr. Anstey.*) As a humble supporter of the ballot I wish to ask you whether you think it would very much tend to make the ballot popular in this country to hear persons like you, and others who have gone before you, express, as you have done and they have done, their wish that the ballot may be introduced, they being notorious bribe givers, if not bribe takers also?—Well, all I can say is, I believe the ballot would cure it, and I am a strong supporter of the ballot, and I want to do away with bribery and corruption.

(*Mr. Anstey.*) I would advise you not to talk about purity of election. It is simply absurd.

(*Mr. Coleridge.*) If you did not tempt these men they would not be bribed. It is men like you that do the mischief.

(*Mr. Anstey.*) It is to me ridiculous to hear mention made of honorable names, like Gladstone and Bright, by such mouths.

21,429. (*Mr. Price.*) Well now, that makes 50*l.*?—Yes; that is all I had.

21,430. You gave an account, you say. Did you hear a report at that time of Mr. Greenhill?—We understood that—I am not prepared exactly for the time of the day, but the Liberals were a long way ahead, and it was reported that Mr. Greenhill had left the town, and when he arrived, I think it must have been somewhere about 11, or half-past 11, or somewhere there about, but they said he had arrived, and he drove up to the hotel, and the report was that he had arrived with money, and Mr. Joseph Smith came out of the hotel (that is the report) and he said, "Now," he said, "the election we shall win," said he; "we are right now," or something to that effect. That was reported in the committee room where I was, in George Lane.

21,431. (*Mr. Coleridge.*) Which side was Mr. Greenhill?—On the Conservative side.

(*Mr. Price.*) Well, now we will go to the election of 1865, when Kinglake and Shelley, and Westropp stood.

(*Witness.*) Will you allow me? There is one name that I should like to mention in connexion with the first election before I go to the other. That is, there was a man by the name of Edwin Baskerville. He was the one that was first and foremost, and the one that was the getter up and former of the league here in 1866. He joined that, and he was a regular attendant. He was one that spoke, and was a very strong supporter, and he joined also the Liberal Association. He attended almost every meeting; but, on the day of the poll he voted for Westropp and Gray. Now, I do not understand a man doing that.

21,432. (*Mr. Coleridge.*) Had not you sugared him, or what?—No, I had nothing to do with him.

21,433. (*Mr. Anstey.*) At the last election?—Yes.

21,434. (*Mr. Price.*) But you would have done it if you had it to do with?—No.

21,435. I thought you said so?—I beg pardon. I made up my mind to have nothing to do with money matters at the last election.

21,436. (*Mr. Coleridge.*) But had you offered no money?—That is a slip of the tongue.

21,437. (*Mr. Price.*) Your tongue is so accustomed at election times to speak about money?—I did not intend to do it any more.

21,438. (*Mr. Anstey.*) What was the name of that man?—Edwin Baskerville, Bath Road.

21,439. (*Mr. Price.*) Did you take any part in the way of a slip of the tongue, or of the hand either, in the election of 1865?—No, I took but very litle part in it.

21,440. What little did you do?—I was at those meetings.

21,441. Did you do anything in the way of treating?—No, I did not.

21,442. (*Mr. Anstey.*) Did you hear any complaints made, or remarks made, by any of the voters to the effect that Sir John Shelley ought not to have pledged himself and made Mr. Lovibond pledge himself not to bribe?—I recollect no such thing as that.

21,443. Was it known among the electors generally that Sir John Shelley had obtained that pledge in honor from Mr. Lovibond?—Well, it was given the night before. I am quite aware of that. It was given by Mr. Lovibond the night before, in my hearing.

21,444. I beg your pardon. If Sir John Shelley, who is now dead, told the truth about it, there can be no doubt the pledge was given in London. Was it known before Sir John Shelley came down here that that pledge had been given by Mr. Lovibond in honour?—No.

21,445. It was not?—No. After the election——

21,446. It was not known till after the election?—After the election I spoke to Mr. Lovibond. I told him that the people were deceived. They thought they were going to make a market, and they had been deceived.

21,447. You told Mr.——?—Mr. Benjamin Lovibond.

21,448. That is what I was bringing you to. What made you say that to him?—Because the people were so dissatisfied, and they expected the money.

21,449. Then they had to your knowledge been expecting money?—They had been expecting it.

21,450. When did you learn that they had been expecting money?—From the beginning to the end.

21,451. (*Mr. Price.*) A Bridgwater election means money when there is a contest?—Yes, it does.

21,452. They always expect it?—Quite right; it is so.

21,453. And they are always disappointed if they do not get it?—Yes.

21,454. (*Mr. Anstey.*) In this election of 1865, you know, Sir John Shelley's election, had you been talking to the voters about their votes when they told you that they expected money?—Do you mean before the day of polling, or on the day of polling?

21,455. Before the day of polling?—Before the day

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T. Hill.

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of polling we are all very anxious, and ask them to be prepared, and ask them to vote early, and all that sort of thing, and we get the answer.

21,456. I am not asking what was generally done. Go on with what you told me just now, about the people expecting money. Did they tell you that before they polled?—Decidedly; the people are always asking.

21,457. I do not want what they were always doing; that has nothing to do with it. I ask what it was then. Did they before the polling day at this election of 1865 tell you that they expected money?—They did.

21,458. Then why did not you answer? Were you canvassing them when they told you this?—Oh no, it was not on the canvass. I canvassed with those gentlemen; but there was no such thing, not then.

21,459. You never canvassed by yourself?—Oh, when I have been asking by myself that is what I got.

21,460. Then you did speak to them by yourself?—Yes.

21,461. Very well. And they told you that?—Yes.

21,462. What did you tell them in reply?—I told them that I knew nothing at all about money matters.

21,463. Did you tell them that it would be all right by-and-by?—No, I did not.

21,464. Then what did you mean by your observation to Mr. Benjamin Lovibond that the people had been deceived? If you had made them no promises how could they have been deceived?—Well, I mean speaking in general terms.

21,465. You did not mean in that particular election?—No.

21,466. Did you mean to say that they had always been deceived at all elections?—No; they had been deceived at that election because they expected there would be money when there was not any.

21,467. Did anything that you said to them encourage them in that expectation?—Decidedly not; I never gave them no encouragement at all.

21,468. Why not? You did not think there was any harm in that?—I did not. I am very cautious about elections when I promise them anything. I do not promise them anything but what I think I can fulfil.

21,469. Then you had no authority to make them any promise?—I had no authority.

21,470. Did you tell them there were no hopes at all of getting money?—I did.

21,471. Did you tell them that there was to be no money?—I did, because I understood there was to be none.

21,472. I thought you told me it was not until the night before?—That was when Mr. Benjamin Lovibond stated it.

21,473. Then from whom did you learn there was to be no money?—I do not know who it was, but from some of the authorities. They said, "There will be no money, Hill; there will be no money."

21,474. How long had you heard that before the polling day?—Several days.

21,475. You repeated that to the people?—I did.

21,476. Then I do not understand why the people could have been deceived in their expectations?—Because, as one of the honorable Commissioners observed, a Bridgwater election means money.

21,477. Do you mean to say that the people thought that what you said to them about there being no money was only the usual pretence?—Yes.

21,478. And that there would be money?—Yes.

21,479. Is it always usual in those cases, even where money is expected for the persons who are to have the charge of it to say beforehand, "You must not look for it"?—We always, I believe, every one of us, make that observation, because we are not positive.

21,480. Now, you heard from Mr. Lovibond the night before the election that he had given this promise to Sir John Shelley, did you?—Well, yes.

21,481. Was that the night of the election or the night after the election?—That was the day of the poll, I believe. No, no, the night before the poll.

21,482. The night of the nomination?—Yes.

21,483. Between the nomination and the poll?—Yes.

21,484. What did you say to him?—I never made any answer. He spoke it to several in the room.

21,485. When was it you told him the people had been deceived?—After the election.

21,486. What day was that?—Three or four days it may be after the election.

21,487. What did he say to that?—Laughed at it, and made no answer.

21,488. (*Mr. Price.*) Now we will go to the election of 1859. In 1859 did you receive 100*l.* from Mr. Charles Foster?—I did.

21,489. He was Mr. Lovibond's clerk. Did you pay Mr. Poole, of St. John Street, innkeeper, 10*l.*?—I did.

21,490. Did you pay William Squibbs 10*l.*?—I gave it to my son, and he handed it to him.

21,491. He told you so; you do not know it, I suppose?—I came in from the court, and said, "Go on." He understood what I meant, but I think a great deal has been said about that 10*l.*

21,492. It is not quite clear it ever got to Squibbs, is it?—Oh yes.

21,493. There is a good deal that has been said about it?—Because he went down to the station yard, and there he bribed him. He said he had got 10*l.* from Thomas Hill, and I believe he carried that 10*l.* as far as I recollect, or another. It is reported he had it from the other side also. He carried that 10*l.* down there or another, and also he carried up one (whether it was the same I cannot say) up to the "White Hart." There was a gentleman down about Brook's Bridge—I do not know the particulars at all—he asked him to look at it, and he said, "You had this for your vote," and he said, "I did," or something like that. I am only speaking from the information of what was talked about at the time; and this gentleman gave him 10 sovereigns; and I believe if there had been a petition this 10*l.* would have been brought forward at the Committee.

21,494. In the same way that Palmer brought forward his 10*l.*?—Yes, I believe so.

21,495. Thomas Ralls, did you pay him 10*l.*?—I did.

21,496. Thomas Bisgrove?—I did.

21,497. James Culverwell?—I did.

21,498. Samuel Lee, 10*l.*?—I was in the garden with him, and my son was there, and I left him behind, and I said, "All right;" so he gave him 10*l.*; and the next day, or it may be a day or two afterwards, he came to me in Salmon Lane and said to me, "Mr. Hill," he said, "I am surprised." "What are you surprised of?" I said. (This will prove that he did have it.) He said, "I did not know the young gentleman." "Did you not?" I said. "No." "Why did you not know him?" I said. "I did not know that was your son." "All right," I said, "just so."

21,499. (*Mr. Coleridge.*) Who was "the young gentleman"?—My son that gave him the 10*l.*; he said he thought he was Colonel Tynte's son.

21,500. That was Samuel Lee?—Yes.

21,501. (*Mr. Price.*) James Fletcher, did you give him 10*l.*?—Yes, I did.

21,502. Joseph Hawker?—I did; he is now over at Watchet.

21,503. Then Vincent Case, 10*l.*?—I did.

21,504. Joseph Pollard, 10*l.*?—I did.

21,505. That exhausted your 100*l.*?—That exhausted my 100*l.*

21,506. Is that all you had at that election?—That is all.

21,507. Had you anything yourself then?—Never.

21,508. Was that the first election at which you had anything to do with money?—It was.

21,509. (*Mr. Coleridge.*) Who persuaded you to have anything to do with money?—Mr. Foster spoke

to me two or three days before and said, "I shall want your assistance." I think it was two days before, "I shall want your assistance the whole day."

21,510. Had you been doing bribery at municipal elections before that which made him think you would do it then?—A great many years agone I have done it at municipal elections.

21,511. Let us know about it?—I cannot but very little, it is so long back. I never meddled in any municipal elections since the compound franchise, I mean since the franchise was compounded.

21,512. At other elections, when you did meddle, what did you do?—I used to try and get them to poll, all that I possibly could.

21,513. What used you to pay them?—On several occasions as much as a couple of pounds.

21,514. *2l.* a vote?—Yes.

21,515. How long ago would that be?

21,516. (*Mr. Price.*) How long before 1859?—Oh years before, it is so long ago I really cannot recollect.

21,517. Did you know Foster well?—Yes, I did.

21,518. Had you any business to do with him before this? Had you employed Mr. Lovibond as your solicitor?—No, never.

21,519. How was it he came to you?—Knowing me to be a Liberal and always very anxious on the Liberal cause; I can give you no other reason.

21,520. (*Mr. Coleridge.*) Who had given you money to bribe the men?—I always had; whatever money was expended I always had from Mr. Francis a respectable gentleman living in Eastover now dead.

21,521. A respectable gentleman who dealt in bribery?—We called him respectable.

21,522. Used he to bribe at parliamentary elections?—I do not know anything about that.

21,523. You once got a *5l.* note to yourself, did not you?—I did.

31,524. Sent in an envelope?—Yes.

21,525. Nothing else.—Nothing else in the world but this *5l.* note?

21,526. How do you account for that? When was it? 1859 was not it?—No, no; I cannot account for that. I cannot find my papers but it was previous to that, when Tynte put up, Tynte, Kinglake, and Lord Henley. I then had unlimited power to go and treat and spend what I thought proper given to me in the presence of Mr. Tynte himself, Colonel Tynte who was then returned to Parliament.

21,527. Who by?—And the solicitor's name was Gooding, he was with him, and they told me "We "shall put great confidence in you, you may go and "do just as you please."

21,528. Who told you that?—Mr. Gooding and Mr. Tynte.

21,529. (*Mr. Price.*) They must have know something of you if they did that?—Oh yes.

21,530. (*Mr. Coleridge.*) What has become of Mr. Gooding?—Dead.

21,531. (*Mr. Price.*) They must have known something about you at that time to entrust you to go and spend what you liked?—I was well known, always have been, a number of years.

21,532. (*Mr. Coleridge.* What did they give you? What money did you get from them?—I got nothing, but I was going to state that at that election I paid out a great deal of money out of my own pocket which I did not get for three years.

21,533. How much?—I really cannot say.

21,534. About?—It may have been *22l.* or *23l.*, I really cannot say. I got that, all but *10l.* paid by Mr. Foster, and Mr. Foster told me I might go to Mr. Gooding and get the other.

21,535. Was Gooding a solicitor?—He was. He happened to die and then I had no one to apply to. I applied to Mr. Tynte himself as he had given me the order, and he said, "I remember it perfectly well, "it is very hard for you, I will tell you what I'll do, "when I get home to-night quietly with my father "I will name it to him and get it put to rights for "you."

21,536. Did he?—Yes.

21,537. How did you get it?—It was very nearly 12 months after before I got it, I went up two or three times.

21,538. Where to?—Up to his house, and the old gentleman paid it, the father paid it.

21,539. Paid you by cheque?—Yes.

21,540 On what bank?—On the West of England.

21,541. That was for bribery and treating done by you at the election of 1857?—No, not 1857.

21,542. In 1852?—No.

21,543. Lord Henley's election?—It was at the election of Lord Henley. I have not got my paper.

21,544. You had better look to your paper, you will very likely find out some more that you can tell us?—Oh no I can't.

21,545. (*Mr. Price.*) Then that does not account for this *5l.* note to you?—Then, sir, I said to them "I "never will lay out any money if I am to be done so "long out of the money which I lay out out of my own "pocket. I never will lay out a penny more." I said that up in Mr. Lovibond's office before Mr. Foster himself; and previous to the next election, about a week or a fortnight before, something like that, on a Sunday morning, I received an envelope with a *5l.* note in it, and where it came from I didn't know, and do not know up to the present moment.

21,546. What did you do with it?—I spent it at the election. I expected it was for that purpose, and I did it.

21,547. (*Mr. Price.*) You first voted in 1837, at Broadwood's, did not you?—I did, reluctantly.

21,548. And you voted at every election from that time down to the last for the Liberals?—I did.

21,549. Was it not perfectly well known in addition to what you did yourself, perfectly notorious, that bribery went on at every election that you have known—on one side or the other, and sometimes on both?—I don't think it did.

21,550. On one side or the other?—I don't think it did. I am rather doubtful whether it did at Gazelee's election.

21,551. Was not Broadwood in Gazelee's election?—Yes.

21,552. There was never an election in which Broadwood was concerned without bribery?—I think there was. I do not think there was much money then. I won't be certain.

21,553. Not very much?—I don't think there was if there was any.

21,554. (*Mr. Coleridge.*) You don't recollect Leader's election, do you?—Yes.

21,555. Was there much money expended then?—Yes, there was.

21,556. How much?—I have heard it said in this hall that it was 10,000*l.* or 12,000*l.* I don't know the truth of it.

21,557. Had you anything to do with it?—No.

21,558. Did you get anything no?—No.

21,559. Did your father get anything?—No.

21,560. Not a farthing?—No.

21,561. Never offered anything?—My dear sir, I don't belong here. I was not born in Bridgwater.

21,562. How came you to be here?—How came I to be here?

21,563. When did you come here?—To try to better myself.

21,564. When did you come?—Oh, when did I come? In 1827.

21,565. (*Mr. Anstey.*) 1827 or 1837?—One thousand eight hundred and twenty-seven.

21,566. (*Mr. Price.*) How much did you spend in Broadwood's time, at his first election?—I have no means of knowing.

21,567. Was not the money given openly in the street?—I have heard that stated here, but I never saw it.

21,568. Was not that quite as expensive as Leader's?—I think Leader's was the most expensive that I know of.

21,569. (*Mr. Coleridge.*) Broadwood and Leader

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fought one another, did not they, and both spent lots of money?—Broadwood and Martin, I think.

21,570. I am talking about 1835, Leader's election?—Well, that would be it, I think.

21,571. There were two or three against him?—Yes, I think so.

21,572. (*Mr. Anstey.*) Do you recollect an election in which Broadwood was returned against Sheridan?—Yes, that was the first election. I voted.

31,573. Then Sheridan petitioned against the return?—Yes.

21,574. Then the old king died, and there was a new election, and Broadwood again stood against Leader?—No, not against Leader.

21,575. Who was it against?—Leader did not put up; I really forget.

21,576. (*Mr. Coleridge.*) Leader went to Westminster, did not he?—Yes, he did.

21,577. (*Mr. Anstey.*) At either of those elections do you recollect Broadwood's money and Leader's money being quoted against one another?—I recollect that there was money.

21,578. Do you recollect that people said, "If "Broadwood will give his forties Leader will give "his fifties"?—I remember the phrase being used; I do not know whether it would be a fact or no.

21,579. Do you know that Broadwood was a pianoforte maker?—I don't know.

(*Mr. Price.*) No, I understand he was not.

(*Mr. Coleridge.*) It was an allusion to that.

21,580. (*Mr. Anstey.*) That was it, was not it?—I don't know whether it was a fact. That is the story.

21,581. Do you remember in the midst of all this competition between Broadwood's money and Leader's money, a petition being got up by a number of persons who were anxious to get rid of the disgrace to the town (magistrates and others) a petition to the House of Commons praying that it would proceed by disfranchisement or otherwise to purify the borough before it was allowed to return a member of Parliament in the year 1838?—Well, I do not remember.

21,582. Well, it is a most extraordinary thing that nobody can recollect that?—I do not.

21,583. (*Mr. Price.*) Is that all you have got to tell us?—I do not believe that I have anything more that I can tell you, but I am open to answer any questions that may be asked.

21,584. (*Mr. Coleridge.*) When was the last time that to your knowledge there was bribery at a municipal election; does it take place at present here?—Well, there are treatings. I do not know about any money. I have been an assessor for four or five years, and I have never been out on that day at all. I am confined in.

21,585. Before five or six years ago was there any?—I do not think there has been a great deal of that this many years, but when it was on the old 10*l.* then they used to try to make their market.

21,586. And about 2*l.* was the mark?—Yes, I never gave them more than 2*l.*

21,587. (*Mr. Anstey.*) Did you send an invitation or requisition to Sir Thomas Lethbridge asking him to come forward and stand in the year 1836 or 1837?—I cannot charge my memory, but I think I did.

21,588. And were you one of those who having requested him to stand as soon as you provoked a contest voted against him?—Never.

21,589. You remember a number of those who requested him to stand voting against him and returning Broadwood, the Tory?—It was reported so. I beg your pardon, there is one thing more that I have not given in. It is this bill. When Mr. Bowden, the secretary of the league, left Bridgwater. He is gone to London——

21,590. Mr. who?—Mr. Bowden. He used to be the secretary of the league.

21,591. What league?—Of the Reform League of Bridgwater. I find that amongst the papers is this bill (*handing same*).

(*Mr. Coleridge.*) This is from the "Globe Hotel?"

21,592. "1868. October 7th. Hiring room, 1*l.* 1*s.* 0*d.*" What was that for?—That was for our meetings.

21,593. "19th Octr. 1*l.* 1*s.* 0*d.*" Again, "22nd Octr. 1*l.* 1*s.* 0*d.*; Novr. 16th 2*l.* 2*s.* 0*d.*" You find it increased?—I do not know the cause.

21,594. "17th. 2*l.* 2*s.* 0*d.*" "Repairing windows, 7*s.* 6*d.*?"—There were some windows broken.

21,595. "Coloring walls, 1*l.* 18*s.* 6*d.*" and "two forms," which, I suppose, had been broken, "13*s.* 6*d.*"?—There were.

Mr. J. H. B. Carslake.

Mr. John Hawkey Bingham Carslake recalled.

(*The witness.*) Since I left the court there was a circumstance which I wish to state to you. I may say at once that before coming here I had mentioned it to my partner, Mr. Barham, and told him that I should come and state it, and I state that much because subsequently to my coming to the court I was told that I should be recalled; therefore I do not wish to make it appear that it arose from any idea that I should be recalled. It was in regard to the petition, the petition against Kinglake and Vanderbyl. On the Sunday previous to the filing of the petition I saw Mr. Henry Lovibond in the morning, and he requested me to go to Mr. Joseph Richard Smith and see if there was any possibility of preventing the petition being filed, and I am afraid my good humour led me away to go, and I went and saw him (Mr. Joseph Richard Smith) and said, "Is there no means by "which this petition can be prevented from being "filed? Cannot you use your influence to see if you "can prevent it? It will lead to a great deal of "annoyance and discomfort to the town. See what "you can do." He said he would, but there were a number of persons outside pressing him, and he feared there was no chance of his succeeding. I left him, and what subsequently he did beyond hearsay I do not know, except that I was told afterwards that he went to town, and also that by the night's mail went a number of other gentlemen who were anxious to press the petition, and they succeeded in doing so. I thought it right to state to you that I went to Mr. Smith and requested him to do what I have stated.

21596. (*Mr. Anstey.*) What time was this?—This was on the morning, sir, of a Sunday previous to the petition being filed. I cannot tell you what day that would be. I really forget, but I think the petition was filed on the following Monday or Tuesday. I do not remember which.

21,597. Did Mr. Lovibond give you any reason; did he state any reasons which you were to urge on Mr. Smith?—I cannot tax my memory, sir, that he did. He said, "Do see Smith and see if you cannot induce him to do that." I think he was very likely moved to that, because I have been mixed up as town clerk with Mr. Smith, and he was an active member of the town council, and he had been always exceedingly kind to me, and he thought I might bring arguments to bear, but I was unsuccessful. Then there are some other matters. It is difficult to know what one ought to state. I do not know whether it is important or not, but I may be charged with having kept back something that I ought to have stated. You have heard of the meeting at Mr. Barham's office; that was on the Friday. On the Friday evening I was in my office which adjoins Mr. Barham's, separated by double doors, and Mr. Vandberbyl was shown up into my office to see Mr. Barham. Mr. Barham was engaged, and he sat with me in my office waiting; I did not know who was with Mr. Barham. I looked in and saw a gentleman with him. His back was towards me. I think the one with me must have been Mr. Vanderbyl from what I have heard since. I did not know him; had not seen him before; and Mr. Vanderbyl began

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talking as to the probable chances of success, and whether they were going to spend money. I said, "I don't know whether they will or not." He said, "All "I can say is, I will not spend one shilling, and if it "costs 5,000*l.* I will petition to unseat the Conserva- "tives if they are elected." I said just now I had never canvassed a voter. I wish to be straight with you. I do not know how far you will consider this canvassing. We have a managing clerk in our office of the name of Mansfield. On one day during the course of the canvass Mr. Kinglake was in his office with Mr. Barham. When they were just about to start for voting, canvassing I mean, I said, "You are going out canvassing; here is a voter sitting there." However, Mansfield told him he was a Conservative, and there was an end of it. I did not know until that time that he was a Conservative, nor did I know till three months ago that he had voted, so little part did I take in the election. Then there is one thing more. On the day of the election, hearing that the Liberals were likely to be defeated I began to look about and think about tendering the poll books to the candidates, and going down the street I met with Mr. Henry Lovibond on the bridge and asked him, "What shall I do about tendering the poll books? I "must tender them to Mr. Kinglake; it is very "unpleasant." "Oh," said Mr. Lovibond, "you "won't see him, for there he is in the carriage just "going off by the train." Mr. Lovibond appeared to be at that moment of opinion that the whole thing was hopelessly gone. I don't think, with the exception of that (I do not know whether that is material or not) there is anything more for me to say.

HENRY JARMAN sworn.

H. Jarman.

21,598. (*Mr. Price.*) You are now retired from business?—I am.

21,599. Living on your own private means?—Yes.

21,600. And you are a voter, I presume. Were you present at the "Globe" on the polling day with Mr. Bussell and the lawyers?—I was.

21,601. What time of the day was that?—About half-past 10 or 11.

21,602. Did you hear then that no money was going?—I did.

21,603. Now two days before the election had you told Mrs. Dyer that you could get money for her husband if any was going?—I did.

21,604. When you found that money was not going on the polling day, did you give in Alfred Dyer's name?—I did.

21,605. And got 10*l.* for him from Mr. Allan?—I did.

21,606. How did it get to Dyer?—It has not got to Dyer yet.

21,607. How is that?—When I got to the Cornhill I heard there was a petition to be filed, and I held the money through fear, but I made myself responsible for it.

21,608. You have not returned the money?—No; I have not said word about it. It is in my possession.

21,609. (*Mr. Anstey.*) You have still got the same ten sovereigns?—I have.

21,610. Supposing Allan declines to take it back?—I suppose I had better give it to the party I promised it to, and I was going to ask your opinion.

21,611. It is no part of my duty to advise you. But what shall you do if Allan refuse to take it?—I do not know what I could do, unless I give it to the party.

21,612. Suppose he refuses to take it?—The party would take it, I know.

21,613. But supposing you made up your mind not to give it to him, but to give it back to the original owner, to whom would you have given it?—I should have given it to Dyer.

21,614. Supposing you did not give it to Dyer, supposing you want to find out its original owner, its first owner, to whom would you go?—I do not know. Well, I should go to Mr. Lovibond. I have kept it through fear, nothing more.

21,615. Have the Dyers asked for it?—They have, but I have never told them I got it. I have said I would get it for them, but I have not told them that I had got it. I have always denied it through fear.

(*Mr. Anstey.*) You had better consult your professional man before you pay that money to the Dyers.

(*Witness.*) Thank you.

21,616. (*Mr. Price.*) Is that all you had to do with the last election?—That is all I had to do with it.

21,617. Now in 1866, at Mr. Vanderbyl's election, were you asked by Mr. Lovibond to pay bills?—One of the gentlemen took me to Mr. Allan (I do not know which) and asked me to go and pay bills in Eastover.

21,618. What bills?—I do not know what for, I think it was for colours, but I asked no question.

21,619. You had no money of your own?—No.

21,620. Are not you the Mr. Jarman who said he would not vote till the bills were paid?—I never had bills in my life.

21,621. They were bills of a previous election?—I suppose so; I asked no question.

21,622. Did they say that if they were not paid the men would not go to the poll?—That was said in the committee room. I heard that that was the case.

21,623. Did you get 20*l.* from Allan and pay a bill at Glanville's?—At Glanville's?

21,624. A bill not quite 20*l.*?—Yes.

21,625. Did you pay another bill of Babbage's the draper's?—Yes.

21,626. That was over 20*l.*?—20*l.* 10*s.*, but I think he settled for 20*l.*

21,627. Did you go back to Allan and have 30*l.* more?—I did.

21,628. Did you then go and pay the landlord of the "Punch Bowl" a bill?—Yes.

21,629. Did you pay a man in Eastover named Webber?—I did.

21,630. Did you take Webber's bill and receipt and the change back to Allan?—I did.

21,631. Did you after that take a number of bills up to Allan's house and get the money for them?—I did.

21,632. How much did you get?—I do not know.

21,633. Can you give the names of the men you paid?—I can give four.

21,634. Who are the four?—William Cater, 20*l.*

21,635. Glanville?—Glanville, 10*l.*

21,636. Was that the same man that went to Mr. Bunter?—He would not go to the poll.

21,637. He had also got 10*l.* from Mr. Bunter?—Yes.

21,638. Did you know that?—Yes.

21,639. And he wanted more?—Yes.

21,640. You gave him another 10*l.*?—Yes.

21,641. And Thomas Scott who was also bribed before?—Yes.

21,642. How much?—10*l.*

21,643. Had he had 10*l.* before?—Yes.

21,644. George Stacey?—Yes.

21,645. How much?—15*l.*

21,646. And there were others?—There were several others.

21,647. How many did you pay altogether?—I think nine or ten.

21,648. (*Mr. Coleridge.*) What did you pay in all?—I do not know; I never counted any sums, I only took the money and handed it to them.

21,649. Did you give the account to Allan?—I only gave the names.

21,650. Whatever Allan put into your hand you handed over?—I did.

21,651. Had you anything to do with Bagehot's election?—Nothing whatever.

21,652. In no way?—No.

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H. Jarman.

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21,653. In the shape of bribing?—In no shape or form. Nor I had not until I had in the shape of these bills. That is what brought me into it.

21,654. (*Mr. Price.*) Getting you to pay these bills was the first introduction into the business of bribery?—It was.

21,655. I will just ask you for form's sake, had you anything to do with any other election before Bagehot's?—Never.

21,656. Therefore these are the only transactions that you had, these two elections?—Yes.

21,657. Is that all you have to tell us, Mr. Jarman?—Yes, that is all.

21,658. (*Mr. Anstey.*) Are you the brother of Frederick Jarman?—No.

21,659. What are you to him?—A very distant relation.

21,660. You bribed on the Liberal side, and he on the Conservative?—I should never have bribed but for being asked to pay those bills.

21,661. Still that is the fact?—Yes.

21,662. Did you sign the petition of the 80 to the House of Commons?—No.

21,663. Were you asked?—No, I was not living in Bridgwater then.

21,664. (*Mr. Price.*) Did you find that those bills of Babbage's were made out to Mr. Henry Bussell?—No, I do not know anything of that.

21,665. They are?—I did not see that.

21,666. How much was the amount, 20*l.* 10*s.* 0*d.*?—Yes.

21,667. He took 20*l.*?—He did.

21,668. It is made out to Bussell?—I did not know anything of that.

Mr. W. J. Ford.

Mr. William John Ford recalled.

21,669. (*Mr. Price.*) We want you to give us an account of that 500*l.* which you got from Bristol?—Yes, sir.

21,670. Well now just tell us about it?—Mr. Barham called on me between 1 and 3. I can't say whether it was between 1 and 2 or between 2 and 3, but I will say it was between 1 and 3, after the nomination at Mr. Bagehot's election, and he asked me whether we had a supply of gold. I said we had not a large supply, because two or three days before I had sent all our surplus coin to Bristol, a thing which we are constantly in the habit of doing.

21,671. To your branch office?—Our head office there. And he said he should require gold, and I said if he did require it I would get it for him.

2,1672. (*Mr. Coleridge.*) Did he say what for?—He did not say what for.

21,673. You knew?—I knew perfectly. He did not say what it was for, nor did I ask him what it was for, but I candidly admit I was perfectly well aware what it was for. And it was arranged that I should go to Bristol and get down 500*l.* gold, because he said he might possibly require 500*l.* more the next day. He could not tell what he should require. I went to Bristol by the 5 o'clock train, and returned at 9, and that will account to you for my carrying the money out to Mr. Barham's house, because I went straight from the station out there. If I had not gone to Bristol it is very possible that Mr. Barham might have taken it over the counter, but it must account to you why I carried it out to Mr. Barham's house.

21,674. What time?—At 9 o'clock I came back. It was in the summer. And now with your permission it is right I should tell you what occurred at Mr. Barham's, because possibly, I have no doubt whoever has furnished you with information, I doubt whether they have furnished you with correct information, and I should like to give you correct information.

21,675. You may make any statement you like. We trust to you to make a clean breast of it?—Certainly. I got out at Barhams about half-past 9, and to the best of my recollection I met Mr. Barham on his lawn. I did not see anybody else, but I saw him immediately on his arrival. I went into his house and took out the gold which I had in a little bag on my shoulder and put it on the table. It was in a canvass bag, and we talked perhaps five minutes. I cannot tell you now what the conversation was, but I then asked him if he would kindly count the money before I left. He said, "Oh, I don't think there's any necessity for it," and I said, "Yes, I would rather have it counted," and I opened the bag and threw out just one or two hundred sovereigns on the table, just turned them on the table, and Mr. Barham sat down and commenced to count the money. There was a jug of beer on the table, and I poured myself out a glass and drank it. Then I sat down and commenced to assist Mr. Barham in counting out the money, and I remarked, or at least when I say "remarked," I casually observed that he counted it in small packages. I should perhaps have counted, if I had been going to count, in five-and-twenty pounds, and I jokingly said to Mr. Barham (to the best of my recollection I said this; I thought it was in 10*l.* packages; I did not count them, but I believe they were; it appeared to me so), I said jokingly, "Is that to be the size of the cartridges?" I don't think Mr. Barham made any reply to me. I don't remember that he did. If he did I cannot tell what it was, and then I commenced counting the money. I said then. "Well, I never did see a cartridge, I will make one." There was a piece of paper lying on the adjoining table, and I got up and took this piece of paper and tore off a piece, and then and there made up 10*l.* into a cartridge.

21,676. (*Mr. Price.*) Was Mr. Barham putting his packages of 10*l.* in paper?—No, he simply counted them. I can remember so exactly what occurred, because as I made up this packet of gold I put it on the table and said laughingly to Mr. Barham—I must say to you that I did this innocently; I did not at the time think of doing any harm—I made this remark: "The person who has this will little think who made it up." I do not think that Mr. Barham made any reply, but I perfectly well remember saying those words. There was another piece of paper lying on the table and I rolled up another roll of 10*l.*, and I was in the act I believe to the best of my recollection of tearing off the piece of paper when a knock came at the door, and Mr. Barham then requested me to leave, and I did so immediately; and with regard to his saying that I went out of the window I did so, but I must say for my own sake it is a window that opens on the lawn with folding doors. I mention that because it has been said to me by several persons, "Is "that window very high; did you hurt yourself by "the fall?" I then went straight home, and know nothing more than I have told you.

21,677. Is there anything else that you can tell us about election matters?—Simply the next day he cashed a cheque for 200*l.* again. I am not certain whether it was Mr. Reynolds or I who cashed the cheque.

21,678. At all events you had knowledge of it?—Certainly.

21,679. How did you charge these sums. I do not know whether we have the account?—Yes, and Mr. Barham's account in the ledger; it was a separate account from Mr. Barham's general account, but that is not an uncommon circumstance; he has general private accounts with us.

21,680. You knew what it was for?—Yes, certainly. I do not deny knowing what it was for.

21,681. Do you know of any other transaction at that election?—Nothing whatever.

21,682. (*Mr. Coleridge.*) Had you anything to do at Mr. Vanderbyl's election?—No.

21,683. And the last election?—Not a thing. I know nothing more about it than I have heard in this court.

21,684. In 1859?—In 1859. I was very young in the bank at that time. I have made a memorandum that I went into the bank first in 1857, and in 1859 I was simply the junior clerk, but a circumstance

occurred then which I thought rather a suspicious circumstance. I do not know to the present day whether the money was spent in bribery or not, because I was simply a junior at that time. I did nothing with regard to the cash, but I perfectly well remember Colonel Tynte, the then member, at that time coming into our bank, and he handed to the manager, who was Mr. Ball, a cheque. I do not remember now, nor did I know at the time that I remember what the amount was, but I perfectly remember Mr. Ball paying him money in 10*l.* notes over the counter. After he was gone out of the bank I remember Mr. Ball remarking "That is rather a cool thing for the member to do."

21,685. (*Mr. Coleridge.*) Was this the day of the election?—I do not think it was.

21,686. (*Mr. Anstey.*) Was it a lady's cheque, drawn by a lady?—I do not know that I ever saw the cheque. I might have, but the impression on my mind was that it was his father's cheque.

21,687. (*Mr. Price.*) Had Colonel Tynte an account?—He had, and I have since referred and see just before the election he drew a cheque for 700*l.* payable to Mr. Tynte, but I do not know that that was the cheque.

21,688. Was it the father who drew it?—Yes, the son had no account whatever with us.

21,689. But old Colonel Tynte had?—Yes.

21,690. And you believe that this was a cheque of his father's?—I believe it was, at least I imagine it must have been so, but I do not remember the cheque, and that is the only thing I can remember in any shape or way about it.

21,691. (*Mr. Anstey.*) Did he appear to receive when he cashed that cheque a great number of 10*l.* notes?—Yes, he did.

21,692. A large number?—A large number, and I may also remark that after the election I remember perfectly well a great number of women coming to the bank and changing 10*l.* notes, and that is why it struck me as a very suspicious circumstance. At the time the cheque was cashed I thought no more of it than of others.

21,693. (*Mr. Coleridge.*) Did you compare the numbers of the notes brought to be cashed with those which were paid out to him?—No, we do not take the numbers when they are paid out. Had not it been that after the election several women came in about every 10 minutes or quarter of an hour to change a 10*l.* note I do not think the circumstance would have occurred to me again.

21,694. (*Mr. Anstey.*) In order to draw your attention to the impression made upon you at the last day of the inquiry before Mr. Justice Blackburn when Mr. Kinglake and Mr. Vanderbyl were examined upon oath, just recollect what the impression made upon you then by the evidence was as you heard it and if you were there?—Yes, I was, and did hear it.

21,695. Remembering what your impression was will you tell me any fact which being in your know ledge or recollection at the time you heard their evidence contributed to produce that impression on your mind; any fact consistent or inconsistent with what they were swearing?—Well, honestly speaking I felt perfectly certain in my own mind that both Mr. Kinglake and Mr. Vanderbyl must have known that money had been spent. I did say at the time, and I believed it was a gross lie that they swore at the time. I do not hesitate to say so, because it is mock modesty; we all know in the end if money is spent the candidates pay it, and they know it is spent.

21,696. I want rather to draw your attention, if you have such a fact to tell me, to any fact that was in your recollection which came to your mind at that moment which made you say what you did?—No fact, because I did not know to my personal knowledge that money had been spent at that election. I had no personal knowledge whatever.

21,697. But belief?—Belief, undoubtedly. I felt confident.

21,698. What fact was it that had come to your belief?—Well, because I felt positively certain when the Conservatives were something like 240 a head at 12 o'clock, from the knowledge I had of the town such a majority could not be got up in so short a space without money.

21,699 The question is as to the personal innocence and ignorance?—I do not believe in personal innocence at all. I never did.

21,700. Can you give me any fact which would be inconsistent with the innocence to which nevertheless they both deposed?—I cannot give you any fact except that. I have no doubt that at previous elections they must have known money was spent, and must have been aware that no election could have been won without money. That is the only ground I went on. It appears from the evidence which has just come out, that money was not spent so early as from the appearance on the day I had anticipated, therefore I confess that I was deceived. It appears that money was not spent until after 3 o'clock, and from the rapid manner in which the Liberals gained, I felt confident that money must have been spent.

21,701. Have not you been able to gather from conversation, in the town or otherwise, what sort of guarantee or security Mr. Prior had either before or after that transaction of the 500*l.*?—I never heard of that transaction until in this court.

21,702. I know that, but have not you found any clue to it yourself to enable us to find it?"—I have not.

21,703. (*Mr. Coleridge.*) Should you hand a sum of money over to your best customer without his giving a cheque?—No, certainly not. I could not do so, my own situation would be at stake.

21,704. (*Mr. Price.*) You have already said so. Assuming that a private banker would do it, you stand in a different position, your responsibility is ten fold?—Certainly; I could not have done so. It is not possible.

Mr. Edgar Haviland sworn.

Mr. E. Haviland.

21,705. (*Mr. Price.*) What are you?—A solicitor.

21,706. In practice for yourself?—Yes.

21,707. How long have you been in practice?—Nearly six years in Bridgwater, and 11 in Cardiff.

21,708. You did not serve your articles in Bridgwater?—No, in London.

21,709. And then you first settled at Cardiff, and then at Bridgwater?—Yes.

21,710. Were you engaged at all in any way at the last election as agent?—I was.

21,711. Who were you engaged by?—By Mr. Reed and Mr. Lovibond.

21,712. What part were you to take. Did they assign any particular duties to you?—I was to take the committee room at the "Globe" hotel, and check the voters as they were brought in, and I also canvassed with Mr. Kinglake and Mr. Vanderbyl on the 31st of October.

21,713. What did you receive for your services?—There was nothing stipulated. I ought to have sent in my bill after the election.

21,714. Have you done so?—No.

21,715. Why not?—I had Mr. Lovibond's advice, and I have not done so.

21,716. I suppose it would have been the proper charges, so much a day?—I would charge by the day three guineas.

21,717. Therefore it would appear so many days?—Yes.

21,718. Then you were not paid anything for your services?—Not at all.

21,719. How many days were you employed?—I

TWENTY-FIRST DAY.

Mr. E. Haviland.

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was employed first on the 31st of October, and on the polling day.

21,720. Not in the intervening time ?—Not at all.

21,721. On the 31st of October did you prepare the canvass lists ?—No, I canvassed with Mr. Kinglake and Mr. Vanderbyl.

21,722. And on the polling day you checked the voters ?—Yes.

21,723. Was that all the part you took at the last election ?—That is all.

21,724. You had nothing to do with any of the money part ?—Not the slightest.

21,725. Were you made acquainted with any negotiations going on between Mr. Vanderbyl and the lawyers as to whether he should spend money or not ?—No, not the slightest ; I had no knowledge at all, and never asked for it.

21,726. (*Mr. Coleridge.*) Probably you would never have got it if you had ?—No.

21,727. (*Mr. Price.*) You were not in point of fact in their secrets ?—Not at all.

21,728. You were only employed on those particular dates which you have told us of ?—Exactly.

21,729. With regard to the election of 1866, Vanderbyl's ?—Then Mr. Cook on the nomination day asked me to go to Tiverton to see Bottomly. I went down and stayed all night because Bottomly was away from home. Then I brought him up by the half-past 2 train, I think.

21,730. And you paid his fare, I suppose ?—No, he would not let me, and when I came by train I met William Hurman, and he asked me whether I had got my man. I said, "Yes," and he took him away in the omnibus.

21,731. Did you pay him anything ?—No.

21,732. Did you promise him anything ?—Not the slightest.

21,733. Did you say to him that you wanted him to vote ?—Yes.

21,734. Did he express any unwillingness ?—No.

21,735. Did he say that he wanted anything ?—No.

21,736. And you never said a word to the effect that he would have anything ?—No, not at all.

21,737. Did he get anything ?—I do not know only what I have heard.

21,738. Is that all you did at that election ?—That is all I did at that election.

21,739. (*Mr. Coleridge.*) Were you paid for that ?—I was paid for that.

21,740. Did you send in a bill ?—Yes, within a month.

21,741. That was returned probably among the expenses ?—Yes.

21,742. Now the election before that, Mr. Brogden's election, what did you do ?—I was employed two or three times in canvassing, and also on the polling day I was employed to check off the votes, and help Mr. Walter Long.

21,743. Did you send in any charge for that ?—Yes.

21,744. Was that returned in the expenses ?—Yes.

21,745. And paid ?—And paid.

21,746. Is that all you did at that time ?—That is all I did.

21,747. You did nothing in the way of promising money ?—Not the slightest.

21,748. When you canvassed, did you hold out anything in the way of saying that there would be money or not ?—Not in any way whatever.

21,749. Nothing of the kind ?—Not the slightest.

21,750. Now as to 1865 ?—In 1865 I was retained by Mr. Benjamin Lovibond, and he asked me whether I had any objection to keep the committee room, and act as a kind of secretary, which I did for 12 days at the head committee room in Fore Street.

21,751. (*Mr. Coleridge.*) Did you send in a bill ?—I did, and got paid for it.

21,752. So much a day ?—Yes.

21,753. (*Mr. Price.*) Is that all you had to do with that ?—Yes.

21,754. Do you know anything beyond that in 1859 ?—No, I was in Cardiff.

21,755. Is that all you can tell us ; we trust you as a professional man ?—I think on the last day I went over to Eastover, and asked Boucher to come up and vote, I went down twice, I think that is all I did.

21,756. Did you say anything about money to him ?—No.

21,757. Or that if there was money he would get it as well as the others ?—No.

21,758. Nothing of that kind in fact ?—No, no inducement whatever. I asked them to come to the poll as every man was valuable.

21,759. (*Mr. Anstey.*) Did you hear anything said by any voter about money ?—Nothing at all.

21,760. And had no questions asked as to whether money would be going ?—No.

21,761. (*Mr. Price.*) Your services were restricted really to what are called the legitimate services as a lawyer ?—Yes, as Mr. Coleridge says I was an outsider.

W. Onion.

WILLIAM ONION sworn.

21,762. (*Mr. Price.*) Are you foreman to Mr. Knight, the brewer ?—Yes.

21,763. Had you a vote for the first time for the last election in 1868 ?—Yes.

21,764. Who did you vote for ?—Vanderbyl and Kinglake.

21,765. Did you get anything ?—No, I did not.

21,766. Any promise ?—Not in the least. I never had so much as a glass of beer at their expense.

21,767. Did your employers know how you were going to vote ?—Yes.

21,768. Had they asked you ?—They knew well enough I was a "Rad."

21,769. Did they use any pressure on you to induce you to go and vote ?—My employers ; not the least.

21,770. Did you take any important part in the last election besides voting ?—Not the least.

21,771. Are you quite sure of that ?—Yes.

21,772. In 1866 you had no vote, did you live at the brewery ?—Yes. On the last election I took one man to the poll.

21,773. Did you promise him anything ?—No.

21,774. (*Mr. Coleridge.*) Who was it ?—James Bennett.

21,775. Did he get anything from someone else ?—He did not.

21,176. You are sure of that ?—I am.

21,777. (*Mr. Price.*) Did he know you were a man who had paid money at other elections ?—He did.

21,778. Perhaps that is the reason he was willing to go with you ?—I cannot swear for that.

21,779. He knew, at all events, that you had paid money on other occasions ?—I told him before there was nothing going, you can go and vote which way you like.

21,780. What are his politics ?—It is the first time he ever had a vote, and he knew me a great many years, he worked with me at the same firm which I belong to.

21,781. (*Mr. Coleridge.*) Had you given him anything at municipal elections ?—Never in my life.

21,782. (*Mr. Price.*) You told him there was nothing going, and he could vote which way he liked ?—I knew if nothing was going on the other side he would vote for me ; in fact he was promised 10*l.* in the morning, he told me so, and you will have it in his evidence. He came back at 10 o'clock, and I saw him there.

21,783. Did he say who had promised him the 10*l.* on the other side ?—Edward Denner.

21,784. Did you poll him then ?—Yes.

21,785. Has he made any claim since on you?—Not the least.

21,786. Has he said anything about it?—No.

21,787. You had no vote in 1866. Did you live at the brewery premises then?—I did.

21,788. Did you meet a man named Jeffrey's, the landlord of the "White Bull," about 9 in the morning?—I did.

21,789. Did he ask you what was the figure?—He did.

21,790. Did you say 10*l.*?—I did.

21,791. Did he say he was not going for 10*l.* or even 15*l.*?—He did.

21,792. That he could get 20*l.*?—Yes, from the other side.

21,793. He is the landlord you say?—Yes, of the "White Bull."

21,794. Did you ask him to see your master, Mr. George Knight?—I did.

21,795. Did your master ask you to go to Allan with him?—He did.

21,796. Did Mr. Knight himself come over to Allan's when you got there?—He did.

21,797. Did you take Jeffrey to the poll?—I did.

21,798. Did you return to Allan?—I did.

21,799. And get 20*l.* from Allan?—I did.

21,800. What did you do with that 20*l.*?—I walked about with it a bit.

21,801. And then what did you do with it?—Then by-and-by I met Charles Hobbs, of the "Bristol and Exeter" inn.

21,802. Did this Jeffrey's get anything?—Not to my knowledge I did not give him any.

21,803. (*Mr. Coleridge.*) Which way did he vote?—For Vanderbyl.

21,804. He said he could get 20*l.* from the other side, and would not take anything at all. Did he get anything at all?—I did not give him any.

21,805. Did he get any?—I believe he did.

21,806. How much?—20*l.*

21,807. Who from?—I do not know.

21,808. Did Mr. Knight give it?—I believe he did.

21,809. You saw Mr. Knight go into Allan's and come out, it could only be to get money, could it. He came out and spoke to Jeffrey's, and told you to take him to the poll, and he went with you as quiet as possible?—Yes, on the faith of Mr. Knight I suppose.

21,810. The 20*l.* you got from Allan, whom did you give it to?—I suppose about a couple of hours afterwards I met Charles Hobbs, innkeeper, St. John Street, and I said, "Have you been to the poll?" He said, "No."

21,811. Did he ask you the figure?—Yes.

21,812. Did you say 10*l.*?—Yes.

21,813. Did he say he would not go for 10*l.*?—Yes. I asked him if he would go for 15*l.*, and he said, "Why, I do not mind." And I then went into the committee room and inquired if he had been to the poll, and found he had not, and took him to the poll, and afterwards gave him 15*l.*

21,814. As part of the 20*l.* you had from Allan?—Yes.

21,815. What did you do with the remaining 5*l.*?—I carried the 5*l.* back and gave it to Allan.

21,816. What did you have for your services?—He asked me, he said, I suppose you will accept something for your trouble, and I said, if you like to give me anything you can, and he gave me 1*l.*

21,817. Is that Charles Hobbs the same man who was spoken to by Bulpin?—I believe it is, I have inquired since whether there is more than one Charles Hobbs there in St. John Street.

21,818. Then you are quite sure you gave him 15*l.*?—Yes, and he will say so in his evidence.

21,819. You got your sovereign at that time?—I did.

21,820. Do you believe others who did the same sort of work got money also?—I did not. I was not at any private committee, and I had no list which I was to see, I was always left out in the forlorn hope, that is to try and get up a straggler if I could until I got a vote for myself, and then I went myself and never had a penny for it, and do not mean to in future times.

21,821. Had Mr. Knight asked you if you would undertake this business?—Never in his life.

21,822. Who did then?—No one.

21,823. Because Allan would not trust a person unless he knew something of him?—No one; I always put myself forward if I could pick up a straggler.

21,824. And he knew that you would not take the money, but could trust you with it?—Yes.

21,825. What were you?—I went about 25 years ago as a labouring master until I raised myself up, and got the lead of the business as foreman.

21,826. You were known as the leading man in Mr. Knight's employment?—Yes.

21,827. (*Mr. Coleridge.*) How came you not to have a vote before?—Mr. Knight, I believe, compounded for his premises, 15 years come Christmas, and the malthouse and garden adjoining. Until this new Act came in I had not a vote, and then I thought they shall have it gratuitously.

21,828. (*Mr. Price.*) Was that all you did at the election of 1866 for Vanderbyl?—That is all.

21,829. Now Mr. Bagehot's election?—I was in the forlorn hope there and picked up Webber the barber.

21,830. Did he ask whether anything was going?—Yes, and I asked whether he had a vote.

21,831. Did you say, "We will go and see at Bussell's?—Yes, I took him to Bussell.

21,832. Did Bussell offer you 5*l.*?—Bussell gave me 5*l.* to give to him.

21,833. Did you give it to him?—I did. I went to inquire whether he had polled again, and took him, and he said to me, "I do not like this 5*l.* I ought to have more than this," and I said to him, "I believe "the election is almost won, you had better go to poll, "or else someone will be after the money," and he went to poll and after he went to poll he was not satisfied, and he went to Bussell again. I asked Bussell afterwards what he said, and he said he had told him that was all the money I gave him, and he was not satisfied, and I said, "You did not give him more," and he said, "I should think I did, there was no rest until I gave him 5*l.* more."

21,834. Is that all you did at that election?—That is all as far as money goes.

21,835. Did you get anything of that kind?—No.

21,836. Did you have any drink at Bussell's house?—I went after the election was over and had a bottle of ginger beer, and a dip of something in it.

21,837. In 1865 when Sir John Shelley stood, what did you do then. Did you meet Mr. Wilton the day before the poll?—I did.

21,838. Did he ask you if Poole of the "Exeter" inn was not a customer?—Yes; that is what he asked, whether he was not a customer and I told him he was.

21,839. Did you get him to take in a blue flag?—I was going up from the post office, and met accidentally Mr. Wilton, and he said, "Onion, is not Poole a customer of yours down there?" and I said, "This many years." He said, "He used always to be one of "our party, and he has got a blue flag out, will you "get him to take it in?"

21,840. Did you ask him on what terms?—I said, "On what terms?" I knew it was no use to go else, and he said, "What do you mean?" I said, "Mean? why, about money matters." And he said, "Onion, I "have nothing to do with it. You mind" says he, "do not you mention that I have anything to do with "any money, and do not you mention it to him." I turned round, and as Mr. Wilton had asked me I went down to Poole.

21,841. When Mr. Wilton said that, did you think it was all nonsense?—I did not know what to think of it, but those were the words he said to me.

21,842. (*Mr. Anstey.*) Did you put a bit of chalk on the table?—No, I did not; but chalk was there before.

TWENTY-FIRST DAY.

W. Onion.

16 Sept. 1869

26,843. Did you say to him, "Put down the number you want, and you shall have it in half an hour"?—I will tell you what passed. When I went in I said to him, "Now, Mr. Poole," "Now" he says, "Mr. Onion, what brought you down here?" and I said, "I am come to ask you to take in this blue flag." He said, "You may be" "Yes." "Who sent you?" I said, "A man of some standing. "Oh, what is your "terms, because I am not going to alter my opinion "now, not for a trifle." I turned into this room, and by that time his two sons were there facing the door, and someone else came in. I did not do it privately. There was a waiter turned upside down with some tally across on the back, and there was some chalk on the table, and I said, "Just take the chalk and put "down what your conscience will allow." Well, he went to draw a pint of beer, or ale, and there it ended, and he never took the chalk in his hand, nor I, to my knowledge. I never made a figure of it, and then I came away.

21,844. Did you make no terms with him at all?—No more than that, and I said I am not authorized to offer any money.

21,845. On your saying that to him, "Put down "the number," I believe you told him that "you shall "have it in half an hour"?—I did not.

21,846. You told him to put down the sum his conscience would permit him to ask?—I did.

21,847. On your telling him that or soon after that did he tell you that he should do no such thing; that he had promised Westropp that he should vote for him?—I believe that might pass, and I believe it did, but there it ended at any rate. I came home and never saw the man until after the election was over again.

21,848. (*Mr. Price.*) He voted for Westropp?—Yes.

21,849. (*Mr. Anstey.*) Both he and his sons were examined before the House of Commons and stated that?—Yes, something to that purpose.

21,850. (*Mr. Price.*) Was it all true?—He went to the House of Commons, and I was had up there in consequence of it, but how I came to be up there for such a frivolous thing as that, I cannot imagine.

21,851. (*Mr. Anstey.*) You were not examined?—No, it was a Tory party subpœnaed me.

21,852. (*Mr. Price.*) To corroborate him or keep him in check, no doubt.

21,852. (*Mr. Anstey.*) You were there also for another purpose, were you not?—Not that I am aware.

21,853. You went up in April?—Yes.

21,854. Rather less than a year after the election do you remember going to Poole's house again?—I called there on the Monday morning. I have not missed one Monday morning, I suppose, for 15 years.

21,855. Do you recollect talking to him about the promises you had made people at the last election, that is 1865?—I made this remark. I said I would not run about, holding out inducements to people, if I knew nothing was going, and I shall come to that presently, when I found out nothing did go.

21,856. Did you tell him also what it was that made you hold out promises before you had got the means of performing them?—I did not know myself; I could not tell him.

21,857. Did you tell him that you would never have done so if you had not been sent by Mr. Wilton?—I should not have come to him if I had not been sent.

21,858. By Wilton?—By Wilton.

21,859. You told him so?—Very likely, but I did not hold out any money inducements to him for all that that I can recollect.

21,860. You went away to Poole's house that day, and as you went away Poole called you back and said something about the speaker's warrant?—Yes, that is March you are speaking of. I had been to the house and done my business, and, was part of the way up the street at the time the speaker's warrant was served on Poole, and I was called back again. "Now," he said, "Old bloke," or "buck," or something like that "you will have to go up."

21,861. Then what did you say?—I said, "If I "have to go up, there it is."

21,862. Did one of the men say to you, "You know "you made those promises?"—I do not know that.

21,863. Do you remember saying on that occasion "I did make promises, but it was Mr. Wilton who "sent me. I should never have done it if it had not "been for him"?—I never made any promises of money I will take my oath, no more than to put down what his conscience would allow him.

21,864. Listen to this: Did you say to one of the men there, "I have promised to get money, but it "was Mr. Wilton who sent me. I should never have "done it, if it had not been for him, and it was a sham"?—I did not, and Mr. Wilton never authorized me to mention money. In fact he told me he had nothing to do with money.

21,865. You did tell them that you would not have made these promises if you had not been sent by Mr. Wilton. That is what you told me just now?—Well, that was respecting the flag, but Mr. Wilton never authorized me nor anyone else to offer money.

21,866. But you did make that promise in that way, put down your sum, and so on, and I asked you the question, whether you had made promises to others, whether you told him in that house on that day in March about other promises you had made, and you said you did. You told me so about five minutes ago?—Told you I promised?

21,867. Told me in answer to my question, when talking with him in the house in the month of March after the election, you admitted the promise had been made by you, and said you would not have done so if you had not been deceived, and sent about the promises?—I was never sent about with any promises, and nobody never authorized me to make promises.

21,868. Did not you say yourself you felt sorry that you made promises when there was no money going, and you would not have made them if you had known no money was going?—I never made promises.

21,869. Did not you say so just now?—No, I do not remember; I did not make promises.

21,870. (*Mr. Price.*) When anybody asked you whether anything was going, what did you say?—I said when they asked, "What do you think it will be?" "It will not be less than 10*l.*, I suppose." I said that.

21,871. (*Mr. Anstey.*) You do not call that a promise?—No, because I did not know there would be anything.

21,872. (*Mr. Price.*) Had you any authority for saying that?—No.

21,873. (*Mr. Anstey.*) But you said it, whether you had authority or not?—I believe I had no authority.

21,874. And you were known to be a person active on that side?—I was and always was.

21,875. (*Mr. Price.*) Did you say that, because you knew on former occasions money had been going?—I was under the impression that it went then.

21,876. Now, if you will come to the poll morning, do you remember meeting Heal and Haslam and Bussell at the poll door?—Yes, before it opened.

21,877. And afterwards Mr. Bate and Ben Lovibond?—Yes.

21,878. Did you go up?—No.

21,879. They did; and did Bussell come down and tell you, "It is all up; no money will be spent"?—"There is not a shilling to be spent," he said, and we walked about and found soon Mr. Westropp was in his right position.

21,880. In his right position?—He had got a majority.

21,881. (*Mr. Anstey.*) You were angry therefore at not having the money?—Not very well pleased at a Tory getting in. I was not.

21,882. (*Mr. Price.*) Is that all you did at that election?—That is all.

21,883. Now in 1859; between 8 and 9 o'clock on the polling morning, did the Liberals begin to spend money about 11.30?—I should think about 8 o clock.

21,884. As early as that?—Yes.

21,885. And about half-past 11 the election was won?—That was the report. I believe it was correct.

21,886. Did John Smith hail you and call you into Rose's, and asked you to bring a note for Charles Skerrett, since dead?—I went into Mr. Rose, and Smith gave me a note; whether it was 5*l.* or 10*l.* or 20*l.*, I do not know. He said, "I want you to convey this to Charles Skerritt."

21,887. Did you take it to the "Bristol Arms"?—I did to the "Bristol and Exeter," the right-hand parlour.

21,888. And put it on the cheeseboard?—Yes, I did put it on the cheeseboard, and with the same I met him coming in the same time, and said, "Charlie, there is a famous bit of old cheese there," and he went in. Whether he had the note I do not know, or whether it was a 5, 10, or 20 pound note I do not know.

21,889. Then he did not see you put it there?—No.

21,890. Did you go into the room where the cheese was?—No.

21,891. You never heard whether he tasted the cheese?—No, I never heard from him from that hour to this.

21,892. Did you afterwards go to Scores who keeps a beer shop in St. Mary's Street?—I did, and asked him to come over to the "Bristol Arms," and they took him down to Bussell s, and there they lost sight of him. I did not go in with him.

21,893. Did you see Faun, the tailor, who said he thought of giving you a buff handkerchief?—Yes.

21,894. But they were all gone?—Yes.

21,895. Did he afterwards give you half-a-sovereign for your trouble on that day?—Yes, he did.

21,896. Is that all you did in 1859?—That is all I did in 1859, to my remembrance at present.

21,897. Did you go in 1857 to Wells, to look up a voter of the name of Marriott?—I did.

21,898. Do you know whether he got anything?—I do not.

21,899. Did you bring him to vote?—I did—into the borough. I did not poll him.

21,900. Did you have a sovereign for your expenses?—Foster gave me the sovereign before I went away.

21,901. Did you have a sovereign two months after, from Mr. Cook?—Yes; I had a sovereign from Mr. Cook, or Mr. Carslake, or somebody connected with his office.

21,902. Was it Mr. Carslake?—I do not know who it was. It was someone in his office.

21,903. You know Mr. Cook by sight?—Yes; very well.

21,904. Was it Mr. Cook?—Yes; I believe it was.

21,905. What did he say?—We owe you something for going up to Wells. I did not tell him I had a sovereign before, and some time afterwards I had the sovereign sent over to me, or else I must have called at the office.

21,906. (*Mr. Coleridge.*) What had you for your expenses in 1859?—Then I had two sovereigns, in 1857 about this going to Wells.

21,907. (*Mr. Price.*) In 1857 you had half-a-sovereign for your trouble about the cheese?—No; that was in 1866, about the cheese—chalk you mean?

21,908. (*Mr. Coleridge.*) No; about the nice bit of old cheese, Charlie?—That was 1859.

21,909. (*Mr. Price.*) Henry Faun said he would have given you a buff handkerchief, but they were all gone, so he gave you half-a-sovereign?—Yes; about two months afterwards.

21,910. Do you know anything of the election of 1852?—No.

21,911. Who had the handling of the money?—Wm. Heal and Haslam.

21,912. (*Mr. Coleridge.*) Did you have anything to do with it?—I had nothing to do with it. I was confined to work at home and had not so much leisure.

21,913. A working man?—Yes; more confined to the brewery.

21,914. You had not got high enough to be trusted with bribery?—I suppose I never was trusted much.

21,915–16. (*Mr. Price.*) Do you know or not that drinking was going on at every election you know about, treating freely?—I have no doubt of it.

21,917. That there were houses open for each candidate and people could go to if they chose and drink as much as they liked?—Still for all that I am only speaking on supposition, I do not remember.

21,918. From report?—Yes; as far as report goes.

21,919. People might have as much as they liked if they went in?—Whether they were paid or not I do not know. I was not there.

21,920. Is that all the information you have to give us?—Well, I hope it is a pretty straightforward one, is not it?

21,921. I do not think otherwise?—Thank you.

21,922. If you have anything to tell us further do so now, because we do not want the witnesses coming up again and again?—If there is anything else and you will send to the brewery, I will tell you the truth.

21,923. You have saved a good deal of trouble, because you have given a full statement to the secretary?—You will remember that 3*l.* 10*s.* was all I had for my trouble, and it cost me a pretty deal more than that.

21,924. 1*l.*, 2*l.*, and 10*s.*?—Yes, and if anybody will prove I had more, I will give him 100 per cent.

Mr. JOHN PRIOR recalled.

Mr. J. Prior.

21,925. (*Mr. Anstey.*) I am obliged to send for you to put this question as we get our information from you piecemeal. You have stated that some days or a week or two after you handed over the 500*l.* you called on Mr. Lovibond about it, and he said to you, stopping you, "Don't say anything more about it; "don't let us talk about it; it will be all right;" or words to that effect. You remember that you gave that evidence?—I did.

21,926. I should like to hear from you, word for word if you can, if not, as nearly as you can, everything you said to him on that occasion, beginning with the time you first saw him on that day?—I went to his office and I told him I was 500*l.* short in the cash, and he said, "I don't understand it." I said "Mr. Mogg." "Oh! all right; don't say any more about it," or words to that effect.

21,927. Is that all you said to him, "Mr. Lovibond, "I am 500*l.* short in my cash"?—Yes.

21,928. Did not you tell him about what you were short?—What I was short?

21,929. Yes. Supposing you had come to me and said, you were short in your cash, how should I know what you were talking about?—I told him 500*l.*

21,930. But with respect to what?—With regard to Mr. Mogg. I mentioned Mr. Mogg's name.

21,931. First of all what you said. You entered his office and found him sitting there, and said, "Mr. "Lovibond, I am short of cash 500*l.*" Did not you explain to him with reference to what you were short?—On my mentioning that, he said, "I do not under-"stand you," and I said, "Mr. Mogg." "Oh! all "right; don't say any more about it," or words to that effect.

21,932. Was that all that passed?—That was all that passed. He would not enter into any conversation.

TWENTY-FIRST DAY.

Mr. J. Prior.

16 Sept. 1869.

21,933. Do you mean all you said to him was "Mr. Mogg" when he said that "I do not understand you?"—Yes, and then he said "All right, don't say any more about it," or words to that effect.

21,934. I want to fix you upon your own words to him. Do not let me take you by surprise; therefore I want to repeat to you my view of your evidence. You say you entered the office and made use of those two expressions only, "Mr. Lovibond, I am short 500*l.* in my cash," and then on his saying, "I don't understand you," second expression, "Mr. Mogg," and upon those two words being used he at once said "Oh, don't say any more about it; don't let us talk about it, it will be all right," or "it is all right?"—Or words to that effect, sir.

21,935. Now what had passed between you and Mr. Lovibond before that which could have given that adventitious value to those two words, "Mr. Mogg," which in themselves meant nothing—which opened the secret of those words you had used before, and which he told you he could not understand, namely, "500*l.* short in my cash?"—Oh, nothing had passed previously between us. That is the first time I had spoken to him after the election.

21,936. Well, take it at the election?—At the election, I did not see him for the day.

21,937. Or before the election?—I do not know whether anything passed before the election.

21,938. Then explain to me if you can how those two words "Mr. Mogg," which in themselves do not seem to relate to a cash account at all, could have given Mr. Lovibond what he wanted, and what he was entirely without, an understanding of the words you had previously used to him, "I am 500*l.* short in my cash?"—Yes, I expected that Mr. Lovibond knew all about it, and that he must have sent Mr. Mogg to me.

21,939. Just so. That brings me again to the question which on former occasions I have endeavoured to get answers to. As Mr. Lovibond's name was never mentioned by Mr. Mogg, what ground had you for your suspicion that Mr. Lovibond had sent him?—Because I did not believe that Mr. Mogg would have come to me if he had not been sent by Mr. Lovibond. I did not believe it; but still I had no instructions from Mr. Lovibond previously to advance any money.

21,940. I still came to the question what was the ground of your belief that Mr. Mogg would not have come to you unless sent by Mr. Lovibond of all persons in the world?—Because Mr. Mogg and Mr. Lovibond were very friendly.

21,941. So were Mr. Mogg and Dr. Kinglake, were not they?—Yes, I suppose they were.

21,942. And so were Mr. Mogg and Mr. Sealy?—Yes.

21,943. You have stated twice to-day that you expected Mr. Mogg was sent by Mr. Lovibond, you explain that to me that you believe he would not have come unless he had been sent. Have you any other ground for the belief than the fact that he was friendly with Mr. Lovibond as he was with hundreds of others?—I have none.

21,944. Do you swear that?—Yes, I do.

21,945. Remember we are upon money matters?—I know we are.

21,946. Do you mean to tell me if it had entered your head to remember that Mr. Mogg was on friendly terms with Mr. James Wood Sully, for instance, you would at once have believed that it was Mr. James Wood Sully that had sent him to get 500*l.* merely because they were friendly. Would you have thought so?—No, I should not.

21,947. Then there must have been something more than friendship between Mr. Lovibond and Mr. Mogg which made you suspect?—Mr. Lovibond was managing the election for Mr. Kinglake and Mr. Sully was not.

21,948. Mr. Barham also was managing for Mr. Kinglake?—I was not aware of that until I heard it here in this court.

21,949. That is another element; first of all the friendship between Mr. Lovibond and Mr. Mogg, and next that Mr. Lovibond was one of the managers of the election for Mr. Kinglake. Do you mean to say those were the only two elements of your belief that day on which you acted in so important a manner, and so dangerous a manner for the interest of your banking customers as to advance 500*l.* over the counter not only without security but even without an order for it. Do you mean to tell me that?—Well, I was led astray by what Dr. Kinglake said to me the evening before.

21,950. What was that?—That I was to advance upon that cheque which he afterwards destroyed.

21,951. How do you mean you were led astray by that?—It was off my mind at the moment when this money went out of the bank.

21,952. What was off your mind?—I did not give sufficient thought about Mr. Kinglake having destroyed the cheque, although I saw it done. I was taken off my guard and I did it incautiously, as I stated in the outset.

21,953. Then I understand you now to say that in honouring that verbal order of Mr. Mogg for 500*l.* you at the time relied on instructions you had received the evening before from Dr. Kinglake?—That threw me off my guard.

21,954. Do you mean to say you relied on that?—Well, I partly relied on them.

21,955. You remembered it?—Well, I never thought of it at the time the money went.

21,956. Then how could they have put you off your guard if you did not think of them at the time? The two stories cannot be true. You say those words you remember to have heard the night before put you off your guard and made you advance the money to Mr. Mogg. Therefore I ask you whether when he came to you you had those words in your mind and had forgotten all about the cheque being destroyed?—Well, I lost sight of it, and I supposed from Dr. Kinglake's instructions to me that Mr. Lovibond had the management of the election, and therefore I let the 500*l.* go.

21,957. Then your answer is yes, you did think of this when Mr. Mogg came to you?—I thought of it certainly.

21,958. I will remind you of what took place when you were last examined, which came from you with a degree of candour I never remember to have seen in any witness before. You tendered this explanation in your former evidence, that although you were perfectly satisfied in your own mind that you had not told a lie, yet as Mogg told you you had, you came here to ask us to allow you to correct a statement you made about what passed when he came with the message, now may it not be that someone has told you to believe, in spite of yourself and your better recollection, that Dr. Kinglake ever destroyed that cheque at all?—Oh, I saw it done.

21,959. May it not be that he or someone else, in destroying the cheque, made you believe he added those sacramental words, "The whole transaction must now be supposed to be cancelled"?—Yes, he did, or words to that effect.

21,960. But you do not remember two hours afterwards. Two hours afterwards you had forgotten them as if no such words ever had existence?—Yes, I had.

21,961. Now, may it not be that someone has imposed on you those words of Dr. Kinglake as effectually as Mr. Mogg did the other day with regard to the words you came here to retract?—No one.

21,962. You came here and said that Mr. Mogg, by merely telling you, "That is a lie, I never did say so," overpowered your judgment and better recollection?—I did.

21,963. May not someone have been overpowering your recollection and judgment in regard to Dr. Kinglake's words, "the whole thing cancelled," and made you believe it when he did not use them?—No, nothing has overpowered me. I was perfectly satisfied on reflection that he had said so.

21,964. And two hours afterwards they were as if they had never been uttered to you, and the probability is that in fact they never had been uttered—two hours after the cancellation of the cheque you acted as if those words had never been uttered. You said you had lost sight of them?—Well, I had lost sight of them.

21,965. Then may not it be that no such words were used?—Oh, he did make use of them.

21,966. How could you lose sight of it?—Because on consideration it was in cooler moments I thought of what he had done.

21,967. Now will you undertake on your oath to deny this, what I am going to propose to you, that all that was done that morning was that Dr. Kinglake came to you and said, "Perhaps even in your hands, "in your private possession, this cheque ought not "to remain; let me cancel it, let me destroy it, that "it may be as if nothing had happened or passed "between us;" and then went away, leaving you under the impression that his word was as good as his cheque, and a great deal better too, and therefore if any person came to you that day for money you would honour the order, although you had no cheque in your hands?—Well, I do not think I should have done anything of the kind.

21,968. Was that the case which I put to you?—I should not have done it.

21,969. Was that the case which I have put to you, that that was all that took place that morning?—All that took place that morning.

21,970. That he merely came to you and said——?—"Give me that cheque, you have made no use of it," and he tore it up and threw it in the fire, and said, "This is as though nothing had taken place between us," or words to that effect.

21,971. That is, that the cheque was as if nothing had taken place between you?—Yes.

21,972. And he did not say anything to you more than that?—He did not.

21,973. Then two hours afterwards you were under the impression that the instructions which you had received the night before were instructions on which you were justified to the extent of honouring Mr. Mogg's verbal order to you for 500*l.*?—I was off my guard at the time.

21,974. Well, I think I pretty clearly see how the matter stands.

Adjourned to to-morrow at half-past 10 o'clock.

TWENTY-SECOND DAY.

Friday, 17th September 1869.

Present:

Edwin Plumer Price, Esq., Q.C.
Thomas Chisholm Anstey, Esq.
Charles Edward Coleridge, Esq.
Henry Francis Purcell, Esq., Secretary.

Mr. J. H. B. Carslake recalled.

(*The witness.*) I have here the return which I promised to furnish of the property without the borough. It is a return of lands and hereditaments in the parishes of Bridgwater, Wembdon, and Durleigh, which are situate beyond the limits of the parliamentary borough of Bridgwater. In the parish of Bridgwater there are 194 ratepayers, the land measuring 3,312a. 3r. 39p., gross estimated rental 12,782*l.* 10*s.*, and the rateable value 11,174*l.* 5*s.* In the parish of Wembdon there are 156 ratepayers, the land measuring 2,427a. 2r. 23p., and the gross estimated rental is 8,718*l.*, and the rateable value 7,958*l.* In the parish of Durleigh there 52 ratepayers, the land measuring 892a. 0r. 37p., the gross estimated rental is 2,251*l.* 2*s.* 6*d.*, and the rateable value 2,069*l.* 3*s.* 9*d.* The total will be 402 ratepayers, acreage 6,632a. 3r. 19p., gross estimated rental 23,751*l.* 12*s.* 6*d.*, and the rateable value 21,201*l.* 8*s.* 9*d.*, which will be subject to the Act of Parliament as it stands now.

21,975. (*Mr. Price.*) Therefore it would make a very material difference?—To them and to us.

21,976. That is the aggregate?—Both the gross and the rateable value. There are one or two things which I wish to ask to have corrected on your notes, and I hope you will pardon my taking up your time by mentioning them. In the evidence given by Allan on some one point, I think very early in his evidence, he alluded to a meeting, or some solicitors calling to see him, and he was asked if I was there. He said he did not know. I wish to say that I was not there. I never attended there or any other place with reference to election matters, and while about it I may state that I never attended either public or private meetings with reference to elections, and perhaps I carried my scruples to a ridiculous extent in declining dinner parties where I was likely to meet the Liberal candidates before the election. The other observation I wish to make is with reference to Onion's evidence given yesterday. You were pleased to say that it was immaterial, but as the report stands now it would appear that I had given him some money, and I wish to state distinctly and absolutely that I did not. You were pleased to say that it was altogether unnecessary.

(*Mr. Price.*) Yes.

(*Mr. Anstey.*) I thought so. All he said was, "At least I think it was Mr. Cook."

(*The witness.*) Only as the report stands it would appear that I did it.

(*Mr. Anstey.*) He says, "Either Mr. Carslake or Mr. Cook," and then perhaps he sees Mr. Cook in court, and afterwards he says, "I think it was Mr. Cook."

(*Mr. Price.*) We have had a letter from Mr. Robert Arthur Kinglake, from Weston-super-Mare, in which he says that in consequence of seeing in the course of our proceedings that he was said to be proprietor of some shares in Stuckey's Banking Company, lest there should be any misapprehension of that kind, or any notion that he had taken a part in the election here, he wishes to say that he has not for years had any private communication with reference to election matters with his brothers.

TWENTY-SECOND DAY.

Mr. E. Prior.

17 Sept. 1869.

Mr. Edward Prior recalled.

21,977. (*Mr. Anstey.*) You were in the bank when Mr. Mogg came in and wrote those words on paper, "500*l.* to Allan"?—I was.

21,978. What other clerks were in the room at the time?—I believe there was no one else but myself and father there at the time. The other clerk was at the door outside.

21,979. Did he come in while Mr. Mogg was there?—I am not aware of it.

21,980. Did he hear from the place outside where he was standing what took place?—Oh, certainly not.

21,981. You are not sure that he did come in while you were there. Now tell me what did Mr. Mogg say when he came in?—I did not hear any conversation. Mr. Mogg came in and asked if my father was there. I said, "Yes," he was in a room which joins the bank. He then went in and spoke to my father. I heard no conversation which passed.

21,982. Then he did not converse with your father in the room you were in, the outer room?—No.

21,983. He went into an inner room or back parlour?—Yes, the back parlour.

21,984. And your father was sitting alone there?—He was sitting alone there.

21,985. Did you hear what passed there?—No; the door was closed.

21,986. Did you hear voices?—No.

21,987. How long was he there?—Not a minute I should say.

21,988. Then he did not say to you, "Give me a piece of paper and pen and ink"?—He said nothing to me whatever.

21,989. Did he write anything in the outer room where you were?—Not in the outer room.

21,990. If he wrote the memorandum in the bank at all, it must have been in the bank parlour after the door was closed?—If he wrote the memorandum it must have been in the bank parlour.

21,991. What did he say to you as he came out?—He never mentioned anything to me, he never spoke to me, in fact.

21,992. Then he went straight away?—He went away.

21,993. Did you see anyone come with him to the door when he came to the bank?—No.

21,994. Did you happen to look out into the street?—No.

21,995. Nor out of the window?—No.

21,996. Can you tell me what o'clock this was?—I should say soon after three. We had not our cash away at the time, it was not in the safe at the time.

A. Allan.

Andrew Allan recalled.

21,997. I understood you to say yesterday most distinctly that you handed to Mr. Brogden not a register, or anything like a register, but a duplicate list of men who were bribe agents?—Yes.

21,998. And that you told him you could give him any information he liked about electioneering matters?—Yes.

21,999. He looked at this list?—He took the book in his hand and looked at it.

22,000. He could not have mistaken it for a register, it was in printed language?—Not at all.

22,001. Anybody knows, and nobody more than Mr. Brogden I should say, what a register of electors is, because he says it was a register. Had it any appearance of a register at all?—No; the names of the men who had had money for bribing purposes.

22,002. How many names would be on it?—The names of those men were on the margin, and the names who had received in the corner.

22,003. And all in writing?—All in writing.

22,004. What size book?—It was a penny memorandum book.

22,005. Not like a book of registered voters?—It was a penny memorandum with a red cover to it.

22,006. (*Mr. Anstey.*) You have heard Mr. Brogden say in introducing it you said, "This is a register," and then he stopped you. Is that true or false that you began by saying, "This is a register," and were going on to say something about the register when he stopped you?—I do not remember a register being spoken about. I told him it was a list of men who had been bribed at Bagehot's election.

22,007. Did you call it a register?—No; I never heard it called a register.

22,008. But did you say to him when you showed that to him, "This is a register"?—I did not, I showed him the book.

Mr. J. L. Sealy.

Mr. John Lovell Sealy recalled.

22,009. (*Mr. Anstey.*) I should like to hear from your lips a detailed statement of what took place with Mr. Prior from the time you first heard of the 500*l.* transaction to the present time; what passed between you and him in conversation?—A detailed statement of what passed?

22,010. Yes?—I did not hear it until it was stated in this court.

22,011. Begin from that?—I do not recollect that we had much conversation about it, in fact.

22,012. Therefore you can tell me with all the more reason what took place, you know?—Well, I really cannot tell what took place. I do not know that anything has taken place.

22,013. I want what he said to you, and what you said to him?—I do not recollect his saying anything to me about it.

22,014. And you said nothing to him?—Just now he spoke to me.

22,015. No; when you first heard the 500*l.* transaction had taken place under the circumstances detailed to us by him, what did you say?—I have no recollection of saying anything to him about it at that time.

22,016. Not since he gave his evidence?—I recollect this morning his speaking.

22,017. You know that he gave his evidence the other day?—Undoubtedly.

22,018. His first examination; then when you were examined you told us you heard of that with surprise for the first time?—I did.

22,019. And then you spoke to him, I presume, on the subject?—Well, that is the presumption. I have no recollection of doing so.

22,020. It is more than a presumption, because Mr. Prior says you did speak to him on the subject, and therefore he made the alteration in the book by entering 500*l.* as advanced that day?—He did not make an alteration from anything that passed between me and him. I did not know that it was made until subsequently. I believe the first time I heard of this alteration being made was in this court. It was not owing to anything I said to him that he made the alteration.

22,021. Tell us what you did say to him?—I do not recollect saying anything to him at that time. I recollect saying something to him just now.

22,022. Is this the first conversation you have had with him on the subject?—At this moment I do not recollect any I had on the subject except the one I had just now.

22,023. At the door?—No, in my office, before I came here.

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Mr. J. L. Sealy.

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22,024. What was the conversation?—He told me that he had felt very uncomfortable about it, and that he had gone to Mr. Lovibond about it, and he said that he thought Allan ought to have returned that 180*l.*

22,025. Anything more?—I do not recollect anything more. That was the essence of the conversation, certainly.

22,026. Do I understand you to say positively that first of all you knew nothing about the 500*l.* transaction when it occurred?—Clearly.

22,027. And you never heard of it during the long course of 10 months that elapsed between it and the discovery of it in this court the other day?—Equally clearly.

22,028. And that when you heard of it, accompanied with the omission of keeping a true account (a most important matter, I should imagine, to a banker), you made no observation on the subject, that you can recollect, to the party who had been guilty of all this?—I have no doubt we had some reference, a slight allusion to the matter, but I recollect no conversation, and no particular remarks that I made to him on that subject, with the exception of that I have now stated.

22,029. Are we to infer from that that he did not act in excess or breach of his duties in doing what he did on his own responsibility, and without consulting you?—That is a very unjust inference; he did act beyond his duty, clearly.

22,030. Then how comes it, if he did act beyond his duties, or in violation of his duties, that you, on discovering this long-concealed breach of duty, cannot now recollect, though it is not a fortnight or three weeks ago, that you taxed him with it?—Mr. Prior is an older man than me, and his health is not good, and I should be very sorry to say anything to cause pain to Mr. Prior. He has been for a long time a faithful servant in my father's office, and he knows he has been mixed up in a transaction which is questionable, which he very much regrets, and it would be absurd in me to say anything that would cause him pain and grief, and I should be the last person in the world to do so.

22,031. I am not talking about the transaction itself, the bribery, which is something more than questionable; but speaking with reference entirely to your own business, as I presume your books were meant to be regularly kept, and as they were certainly not kept, but an untrue entry was made a few days or a fortnight ago, I ask have you made any remark to him on that subject?—You said an untrue entry was made there a fortnight ago. Will you tell me what it was?

22,032. That a sum of 500*l.* had been advanced or drawn by him on his own account on the day that entry was made, instead of its appearing, as it ought to have done according to the true dates, somewhere in December last?—The entry of the 500*l.* was only made a few days after his examination here, if you understand.

22,033. I understand perfectly well, and I ask whether no comment has been made by you on that point?—There has been no comment, with the exception of that which I said to you that I recollect. If anything has passed, it has been pretty much according to the statement which I now give you, and which passed half an hour ago.

22,034. Do you not perceive the gravity of the occasion; I do not mean the bribery, but the case as concerns the course of business in your own book?—Do you mean do I feel uneasy about it?

22,035. No; the gravity and misconduct on his part. Let me put it to you, then, this way: supposing your house had shared in the general calamity of the last year, and suppose it was necessary to submit your books to an accountant, this transaction would not have appeared. You know what the effect of that would have been?—Undoubtedly it would not; and it was so managed that it would not appear in the account and the balance.

22,036. That is all the worse. You know what the Bankruptcy Act says about that?—No, I do not.

22,037–8. Then perhaps you do not care for the Bankruptcy Act?—Not a rush.

22,039. (*Mr. Anstey.*) I suppose, you are aware that persons trading are required by law to keep their books accurately, and if there be bankruptcy, or any calamity falls on them, then the Act makes provision?—I think I may keep my books as I think proper.

22,040. You think so?—It is a private business, and I may keep them as I like.

22,041. You may keep them as you like, do you think?—I may do as I like with my own.

22,042. (*Mr. Coleridge.*) You may shut up your bank to-morrow?—Of course I may.

22,043. (*Mr. Anstey.*) You are of opinion that as long as your bank is open you may keep your books as you like?—I have perfect power to keep my books as I like. I am responsible to no man, and my clerks are responsible only to me.

WILLIAM ROBINSON sworn.

W. Robinson.

22,044. (*Mr. Price.*) Do you live at Wembdon?—I do.

22,045. Are you a brewer?—I am.

22,046. Have you any vote for the borough?—None at all.

22,047. On the election day, between 3 and 4, on the polling day, did someone come up to you and ask you if you knew anybody who had not polled?—They did.

22,048. Who?—I do not know.

22,049. Did you say, "Yes, I do"?—Yes.

22,050. And did the person say to you, "You must get him"?—Yes.

22,051. And walking down the High Street did you meet Fackerell?—Yes.

22,052. He is a messenger to the Commission?—I believe he is.

22,053. Did you ask him to go and poll?—I did.

22,054. Did he say he wanted something?—He did.

22,055. Did you say "Nonsense"?—Yes.

22,056. Did he say he must have it?—He did.

22,057. Did you ask him what he wanted?—Yes.

22,058. Did he say 10*l.*?—He did.

22,059. Did you say you could not promise or give him anything?—I did.

22,060. Did you then take him towards the polling booth to induce him to vote?—I did.

22,061. Near the polling booth did you meet Mr. Henry Lovibond?—I did.

22,062. And did you say to him, "This man wants 10*l.*"?—I did.

22,063. Did Mr. Lovibond say, "Give it to him"?—He did.

22,064. Did you reply, "I shall not do it"?—Yes.

22,065. Did Mr. Lovibond say then to you, "Will he go on a promise"?—He did.

22,066. Did you say, "I think he will"?—Yes.

22,067. Did Mr. Lovibond say, "Let him have it"?—Yes.

22,068. Did you reply, "You will hold yourself responsible for him"?—I did say so.

22,069. Did Mr. Lovibond say, "Oh yes, all right, all right"?—He did say so.

22,070. Did you then tell Fackerell he was to have it?—Yes.

22,071. Did he ask to have it down?—He did.

22,072. Did you tell him it would be all right, and did he then poll at a quarter to 4?—About that time.

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W. Robinson.

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22,073. Did he see you talking to Mr. Lovibond?—He was about two or three yards off.

22,074. And must have seen you?—He must have seen us, oh yes.

22,075. Is that the whole that passed, or was there anything more?—Nothing else passed at all.

22,076. You are quite sure of that?—Quite sure.

22,077. That Mr. Lovibond said you were to give him 10*l.*, or might give him 10*l.*—I was to do it on the promise; yes, I might give him.

22,078. He first said, "Give it to him?"—Yes.

22,079. When you said, "This man wants 10*l.*," he said to you, "Give it to him?"—Yes, and that I declined to do.

22,080. (*Mr. Coleridge.*) This was just before the close of the poll?—About a quarter to 4.

22,081. (*Mr. Price.*) Is that all you know about that election?—All that I know about the election.

22,082. You told us you had no vote?—No vote, and that was all the part I took.

22,083. Whom do you work for?—Myself.

22,084. You are a master brewer?—I am.

22,085. Do you know anything about Vanderbyl's first election in 1866?—I took money from Allan to Bussell on that occasion. I was passing Bussell's in the morning, and he called me in and asked me to send someone down.

22,086. And did you go to Allan?—I went to Allan.

22,087. And what did you get?—I cannot tell what. I had two packages.

22,088. (*Mr. Coleridge.*) Heavy?—Heavy.

22,089. (*Mr. Price.*) Like gold?—Like gold. I have been told since it was 40*l.*, and that was what he wanted.

22,090. Bussell asked for 40*l.*?—Bussell asked for 40*l.*

22,091. And you went to Allan and told him?—I went to Allan and told him, and got the two packages, and I gave it to Bussell, and he acknowledged receiving it.

22,092. (*Mr. Coleridge.*) Did you get anything for it?—Nothing at all. I went back to Allan and told him.

22,093. Did you get a receipt?—No; he said, "All right," I said, "You acknowledge receiving it," and he said, "All right."

22,094. (*Mr. Price.*) And you went back and told Allan that Bussell had acknowledged receiving it?—Yes, that I had given it to Bussell, and he acknowledged it.

22,095. Do you know William Hurman?—Very well.

22,096. Is he the man we have heard of who is a draper?—Yes.

22,097. Did he introduce Bottomley to you?—He did.

22,098. What did he say?—"Here is Bottomley here. I can do nothing with him."

22,099. Did you ask Bottomley what he wanted?—I asked him what he wanted, and he told me he wanted something for his expenses; he had not been paid his expenses for the last time, and then he named the sum.

22,100. Did he say how much he wanted?—30*l.* for his expenses.

22,101. Where did he come from?—I think from Tiverton. I do not know.

22,102. (*Mr. Coleridge.*) That would cost him about 30 pence, I suppose?—Well, not much more.

22,103. (*Mr. Price.*) Did you say that a moderate sum would be paid, but 30*l.* was too much?—I told him I had no doubt he would get a moderate sum for his expenses, and eventually he came down to 10*l.*

22,104. What did you do with him then, when he came down to 10*l.*?—I took him to Allan's house and there left him. Whether he voted or not I do not know.

22,105. (*Mr. Allan.*) Was Hurman present during the whole of that time?—Not at all. The moment he gave Bottomley into my hands Hurman left.

22,106. (*Mr. Price.*) Did three other men come to you?—They did.

22,107. Do you know their names?—I believe their names were Squires, Haste—Haste I knew personally very well, but the other two I do not know.

22,108. Do you think it is Turner?—I think it is.

22,109. Did they say anything?—I was going up George Lane at the time, and they said they had been served badly by their party, and wanted to vote for the Liberal side.

22,110. Did they say by whom?—No.

22,111. Did they say the Conservative party?—They spoke of the Conservative party.

22,112. They had been badly used by their party and wished to vote for the Liberals?—They had been badly used by their party and wished to vote for the Liberals.

22,113. Did they say anything to you about money?—Yes, they said they wanted some.

22,114. Money?—Yes, money is meant always.

22,115. What did you say or do?—I would not promise anything, but take them. I was just outside the house and took them into Allan's again, and there left them.

22,116. That was on the polling day, both transactions?—Yes.

22,117. (*Mr. Coleridge.*) How come you not to have a vote?—I am out of the borough.

22,118. (*Mr. Price.*) That part of the parish is out of the borough?—Yes.

22,119. (*Mr. Coleridge.*) What had you to do with Bagehot's election?—Nothing.

22,120. Or the election before that?—Nothing at all.

22,121. Those are the only two elections?—Those are the only two elections I had anything to do with.

22,122. Are you quite certain you told Mr. Lovibond in plain terms that the man wanted 10*l.* at the last election?—Yes.

22,123. And that Mr. Lovibond said, "Let him have it?"—Yes.

22,124. What did he say? "Promise him he shall have it?"—No, he said, "Let him have it," first. It was done in a hurried way, because Mr. Lovibond was in a great hurry at the time.

22,125. What did you say to him then?—I declined to pay him the money.

22,126. What did yon say, "I shall not advance it?"—Yes, I said I should not do so.

22,127. What did he say?—"Will he go on a promise?"

22,128. And this was a quarter of an hour or 20 minutes before the close of the poll?—Yes.

Mr. R. Fennelly.

Mr. Richard Fennelly recalled.

(*The witness.*) I wish to make a few remarks.

(*Mr. Price.*) It is my duty to tell you, before you make a statement, that we have come to the conclusion most undoubtedly not to administer an oath to you; therefore you make a statement entirely on your own risk, and no protection will be afforded to you, as to whether that statement may be made use of against you, by your merely coming and making it.

(*The witness.*) I think it right to tell you that I do not think of making a statement just now, but only a few words to the Commission.

(*Mr. Price.*) We cannot hear that. If you wish to make a statement you had better do so and have done with it We cannot have you making remarks on anything that has passed here. The whole evidence will be heard as affecting you, and before the inquiry is closed, if at any time you request to make a statement, you will be at liberty to do so.

(*The witness.*) It is not with regard to the evidence; it is simply that I have been advised to formally tender myself as a witness in pursuance of the summons I have received with a letter from the secretary at the early part of the Commission.

(*Mr. Price.*) Then it will appear on the notes.

(*The witness.*) And that I have material evidence to give I wish to inform you.

22,129. (*Mr. Coleridge.*) You tender yourself as a witness?—I tender myself as a witness.

22,130. (*Mr. Coleridge.*) And request to be sworn?—And request to be sworn.

(*Mr. Coleridge.*) Then we decline it.

(*Mr. Price.*) We decline it, and now you may take your own course.

JAMES HONEYBALL sworn.

22,131. (*Mr. Price.*) You are coachman to Mr. John Brown?—I am.

22,132. How long have you been in his service?—About 23 years in the company's service, but as private servant only since Christmas.

22,133. But before that time you were in the service of the company?—Brown and Co.

22,134. Used you to drive the senior partner from time to time?—Yes.

22,135. Did you drive his carriage about for him?—I did every day.

22,136. Before you were his private servant?—Yes; latterly Mr. Brown I must tell you has got very feeble, and I used to drive him a great deal for the last three years until I became private servant.

22,137. Are you a voter for the borough?—I was at the last election.

22,138. Who did you vote for?—Kinglake and Vanderbyl.

22,139. Did you drive a number of voters to the poll in one of Mr. Brown's carriages?—Brown and Co.'s in 1868?

22,140. The last election?—Yes.

22,141. How many did you drive?—I cannot really tell you; not a great quantity.

22,142. A dozen or more?—Oh yes, I should say a dozen, but not more, I should think. I cannot tax my memory how many I did drive.

22,143. Do you know a man of the name of Powell?—Yes.

22,144. Do you know his wife?—No, I do not know his wife.

22,145. Did you give any sum of money to anybody at Mr. Powell's house at the last election?—No.

22,146. Any before then?—No.

22,147. Did you drive anybody to the house?—At the last election?

22,148. Yes?—No, not at the last election; let us see, the last election, no.

22,149. (*Mr. Coleridge.*) In 1868, Kinglake's election?—No, I drove Powell to the poll in 1866.

22,150. (*Mr. Price.*) Were you present at any time when money was given him or his wife?—No, I was outside the door with the carriage when Mr. White was in the house, not in the house.

22,151. You drove Mr. White there?—Yes, and drove Powell to the poll.

22,152. Did you get down off the carriage and go into the house?—No, I had nothing to do with it, nothing at all but drive.

22,153. You had nothing to do with handing him the money?—Nothing at all, and never knew any money was handed.

22,154. Who told you to drive Powell to the poll?—I was asked by Mr. White, I believe it was, I am not sure.

22,155. What were you doing down there at Powell's?—I drove. I had a carriage. I was employed or asked to drive in the morning of 1868. They said, "We want someone to drive." I forget who it was, and I said, "I will drive a carriage for you if that is any good."

22,156. Whose carriage?—A hired carriage from Phelps', a waggonette.

22,157. (*Mr. Coleridge.*) What inn does he keep?—He did keep the "Commercial Inn," he has now left.

22,158. (*Mr. Price.*) Who was it said they wanted someone to drive?—I really do not know.

22,159. You must?—I cannot tell you.

22,160. How did you happen to be there when the discussion arose?—About my driving?

22,161. Yes?—I went to Mr. Smith, I believe, and told him I would drive if it was any good to him.

22,162. You went to John Smith and told him you would drive if any conveyance was wanted?—Yes.

22,163. (*Mr. Coleridge.*) What did you get for driving?—I was paid after.

22,164. How much did you get?—2*l.* 10*s.*

22,165. Is that the ordinary price for driving for a day here?—I do not know.

22,166. You had driven at former elections?—Never before 1868.

22,167. Are you sure you did not drive in 1866 at Vanderbyl's election?—I beg your pardon. I confused a word; in 1866 I did drive, and in 1868.

22,168. In 1866 you drove one of Brown & Co.'s carriages?—Yes.

22,169. And in 1868 a hired carriage, for which you were paid, not for the carriage but for driving, 2*l.* 10*s.*?—Yes.

22,170. Did you ever get 2*l.* 10*s.* for driving for a day before?—No.

22,171. (*Mr. Price.*) Who paid you?—Mr. Bulpin.

22,172. Did you make any claim upon him?—No.

22,173. Did he know that you had voted?—I had no vote in 1868—in 1866.

22,174. We are talking about 1868?—No.

22,175. You say you got 2*l.* 10*s.* for driving in 1868?—No, in 1866.

22,176. (*Mr. Coleridge.*) That was your master's carriage that you drove in 1866?—No, 1866 was a hired carriage.

22,177–8. (*Mr. Price.*) You told us just now the reverse?—I made a mistake then.

22,179. Now listen to me. In 1868 whose carriage did you drive voters in to the poll?—Brown & Co.'s.

22,180. Who employed you to do that?—No one.

22,181. What business had you to take Brown & Co.'s carriage if no one told you?—I took it on my own responsibility.

22,182. You mean to say you were permitted by your employers to take their carriage without saying a word to them about it?—I did do so, and they did not know that I had done so.

22,183. What sort of carriage was it?—A dog-cart, a Berkeley phaeton sort of thing, an open carriage.

22,184. Did no one see you take it out of the yard?—No.

22,185. Did you harness the horse yourself and take it out without saying a word to your employers?—Yes, on my oath I did.

22,186. (*Mr. Coleridge.*) Who suggested it to you?—No one.

22,187. It was your own idea entirely?—Yes, my own idea.

22,188. (*Mr. Price.*) What time did you start in the morning?—It was a standing order of mine to go to Elmwood to fetch Mr. Brown at 10 o'clock. I went as usual that morning, and Mr. Brown did not come in, I came into the town with an empty carriage and drove up to one or two booths about, and a man named Rowsell said, "There are two men in "Provident Place who would poll if they could be "fetched, but one cannot walk and the other is "blind." I said, "I will go for them if you like to

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J. Honeyball.

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go with me and show me where they live," and he did. I brought them direct from their house to the poll and took them back again, and my master or masters knew nothing at all whatever of what I was doing.

22,189. Were you in livery ?—No, in plain clothes.

22,190. Whom else did you drive to the poll ?—I do not know, not very many, because there were not many about.

22,191. Did you drive Powell ?—No, not that time.

22,192. (*Mr. Coleridge.*) When did your masters first know that you had used their carriage in this way ?—They must have known it, certainly.

22,193. What did they say about it ?—They did not say anything to me about it.

22,194. (*Mr. Price.*) What else did you do on the polling day in 1868 ?—Nothing.

22,195. Nothing whatever ?—Nothing whatever.

22,196. (*Mr. Anstey.*) I believe you have taken great interest not only in that election but in former elections. Have you personally taken great interest in that election as well as former elections ?—Yes.

22,197. And all this you have spoken of as doing you did out of your own head ?—I did out of my own head.

22,198. Not at all from any suggestion of Mr. John Brown ?—No, not any.

22,199. Nor of any of his partners ?—No.

22,200. But I suppose in combination with Duddridge ?—Duddridge has nothing to do with me.

22,201. Duddridge has nothing to do with you, but you and Duddridge talked it over, I suppose ?—No, he had nothing to do with it.

22,202. Is he in Brown & Co.'s employment ?—Yes.

22,203. Was he more active than even you were ?—I do not know. I was driving all the day.

22,204. You were not driving all the day. I will refresh your memory. You were not driving at 1 o'clock ?—No.

22,205. At 1 o'clock you met Mr. Prior the banker ?—I met Mr. Prior!

22,206. Yes ?—I may have met him.

22,207. Do you remember saying to him, "The day is not yet lost, sir" ?—Mr. Prior ?

22,208. Yes ?—No, I do not remember saying that to him.

22,209. Do not you know Mr. Prior's dinner hour would be about one ?—No, I do not.

22,210. You did meet him in the street about one ?—No, I cannot tax my memory.

22,211. You will not deny that you met him ?—No, I will not deny that I met him.

22,212. And you will not deny that you said to him these words, "The election is not lost yet, sir" ?—I may have said so.

22,213. But did you say it ?—I do not recollect it, I assure you.

22,214. At that time Mr. Kinglake was going to leave the town ?—Yes.

22,215. Or rather had left ?—He had left, I believe.

22,216. And you were of opinion then that the election was not lost. On what did you found that opinion ?—Because of the men that were left. There were men on the register left enough in my opinion to win the election by fair means.

22,217. By fair means ?—Yes, by fair means, according to us.

22,218. I will tell you what Mr. Brown says about that. However, you do not deny it, but only say you do not remember it, and it would be wasting time to read it to you. Now, tell me something more. A little later in the day, between three and four, did you see Miss Langdon ?—Not that I am aware of.

22,219. What do you mean, not that you are aware of ?—I do not know her, and I did not know her until some time ago. It is a girl, Jane Langdon.

22,220. Did you see a man standing by the side of Henry Chapman Bussell's door ?—I might have seen a man standing there, it is a busy thoroughfare.

22,221. You were busy about that ?—Yes.

22,222. Did you say you would give him 5*l.* to vote for Mr. Kinglake and Mr. Vanderbyl ?—I did not.

22,223. Did you give any man that day a piece of paper containing money ?—Decidedly not.

22,224. Did you say to any man that day, "It be 5*l.*" ?—No.

22,225. Did you say to any man that day that he was to keep the affair quiet ?—No.

22,226. You are aware that Miss Langdon swore all that before Mr. Justice Blackburn ?—Yes, I heard her do so.

22,227. Why were you not called to contradict her ?—Well, our case broke down. We were not called any of us.

22,228. Whom do you mean by "our" case ?—The Liberals.

22,229. Nobody contradicted her, I believe ?—No.

22,230. But I believe there was something said just before she gave her evidence, that is to say, earlier in the week, by a friend of yours, one of "our case," John Harwood, captain of the "Fame" ?—No, I did not. I remember hearing it or reading it in the blue book, but I did not know anything about it.

22,231. Did you authorize him to say of Miss Langdon "Here is one coming that is going to swear "against Honeyball; she shall have her ear cut off; "she shall have none by next Sunday" ?—No.

22,232. Do you remember Mr. Serjeant Parry at the beginning of the day, before any witnesses were called, applied for protection to Mr. Justice Blackburn for that witness ?—Yes, and the judge did not entertain it.

22,233. I will read you what is said to have taken place: "Mr. Serjeant Parry stated that a witness of "the name of Langdon had been threatened by a "person of the name of Honeyball. Mr. Justice "Blackburn stated that anything amounting to the "appearance of tampering with or threatening a "witness was very improper conduct on the part of "anyone, and if such a thing were seriously done it "was a matter which he should seriously punish; "but before he did so, it would require to be distinctly "proved and to be dealt with as an ordinary criminal "transaction" ?—Yes.

22,234. Did Mr. Justice Blackburn, now that you are reminded of it, refuse to entertain it ?—He said very little about it.

22,235. What ?—I think it can be proved that he said it was idle talk.

22,236. (*Mr. Price.*) Anybody who says so must say that which is wilfully false, because the shorthand writer has got down what fell from his lips, and he never said such words as "idle talk," so that anybody who told you that told you a lie ?—I can explain it.

22,237. (*Mr. Coleridge.*) Having drawn your attention to those two parts of the blue book who on "our side," which you call the Liberals, thought so much of this woman's statement as to make it worth while to threaten her beforehand, and then withhold your testimony on the merits of the main case, as they did by not calling you, why was nothing said by you at least ?—I do not know.

22,238. And by your friend Harwood in answer to the complaint made by Mr. Serjeant Parry of the truth of personal violence ?—I had nothing to do with Harwood. What Harwood said to her had nothing to do with me.

22,238*a*. But you heard Mr. Serjeant Parry complain in the first place it was you who threatened her as well as Harwood ?—Yes.

22,239. Why did not you get up in court and ask Mr. Justice Blackburn to hear you about it ?—Because we were expected to be called. I was subpœnaed.

22,240. You were present in court?—Yes.

22,241. And heard that statement?—I did, and expected to be called.

22,242. Will you swear that day you did not offer or give 5*l.* to anyone?—I do. I never had a farthing of any money in my pocket.

22,243. Perhaps you will give the name of the person who was supposed truly or falsely to have received it, because she said it was a dark person whose name she did not know?—No one.

22,244. Have you heard of anyone?—No, not any.

22,245. (*Mr. Price.*) Vanderbyl's first election in 1866 you say was the time that you volunteered to drive a hired carriage?—Yes.

22,246. And got 2*l.* 10*s.* for your trouble two days after?—Yes.

22,247. Is that all you did at that election?—That is all, everything.

22,248. (*Mr. Anstey.*) I want you to explain the word "active." You say you were active at the election of 1868. I will ask did you do these things. Did you during the time the voters were hanging back and afterwards go frequently in and out of Bussell's house?—In 1868?

22,249. Yes?—I went in once or twice, but not very many times.

22,250. Were you frequently in and out of the committee room of the "Globe" on that day?—No, not very frequently, sometimes I went in and out, once or twice.

22,251. The day previous to the nomination day were not you one of what are called the fuglemen?—Yes.

22,252. Standing on the rails near that same Bussell's house?—Yes; no, no.

22,253. Waving a yellow handkerchief to the mob below?—It was on the Cornhill, where the nomination is.

22,254. Were you waving a yellow handkerchief to the mob below?—Yes.

22,255. And you were acting as what is called a fugleman?—Yes.

22,256. (*Mr. Price.*) That is, you say all you did at Vanderbyl's election, driving men to the poll in this hired carriage?—All. I never received a pound for my vote, or a penny, and had no vote.

22,257. Had you anything to do with any other election?—No, nothing.

(*Mr. Price.*) You must not leave the court, because we do not intend to rest satisfied with this statement of yours. I have sent for Elizabeth Langdon, and she will have to identify you, and we will see which is telling the truth.

Mr. Clifford Symmons sworn.

Mr. C. Symmons.

22,258. (*Mr. Price.*) What are you?—A ship owner, and manage for Messrs. Colthurst, Symmons, and Company.

22,259. Are you a voter for the borough?—Yes.

22,260. Did you vote at the last election?—I did.

22,261. Did you interfere in getting up voters to come to the poll, or take any part in getting them up?—No, I did not until the afternoon; I took one man to the poll, I do not know his name.

22,262. Did a number of voters come to you during the day and ask you to get money for them?—No, only one.

22,263. What?—Only one or two.

22,264. I ask you whether a number came?—Not to speak about money.

22,265–6. You have told the secretary one thing?—That is what I told him.

22,267. You know that you told him, "A number "of voters came to me and asked me to get money "for them." Is that true?—I told Mr. Purcell that a man in our employment came to me and said a number of them had said they could get money from the other side. That is what I told him.

22,268. Then they did not come to you?—Only this one.

22,269. What was his name?—George Washer, I think.

22,270. What did you say to him?—I told him if he wanted money he must go about his business.

22,271. Is that all the part you took in the election of 1866?—That is up to 12 o'clock, and after that I went home. At two o'clock or half-past two I came into town again and took one man up to poll.

22,272. Did you know at that time that money was about to be spent?—I did not.

22,273. Did you say anything to him about if money was going he would come in with the rest?—No, in fact the man was tipsy.

22,274. (*Mr. Coleridge.*) Did you get any money on that day?—I never saw him.

22,275. (*Mr. Price.*) You were known as a person who had bribed at a former election?—I do not think I was known by any.

22,276. You had been a briber at former elections?—Yes.

22,277. In 1866?—Yes.

22,278. At Mr. Vanderbyl's election you gave a man, George Webb, 10*l.* a fortnight after the election?—Yes.

22,279. Where did you get it?—From Allan.

22,280. When?—On the afternoon of the polling day.

22,281. Did you keep it in your pocket until a fortnight after the election?—I did.

22,282. Why was that?—When the man went to the poll he was very tipsy, and before I left the house I had a glass of beer with him, and not a word was said in the house about money. As I was driving in a cab with him he said, "Master, have you got me a little money, I shall not be proud." I said, "George, "leave it to me, if I find there is money going I will "get you whatever the price is," and after I took him to the poll I went to Allan's house and received two 5*l.* notes.

22,283. (*Mr. Coleridge.*) Why did you not give it to him the next day?—I am not in the habit of going into the house.

22,284. (*Mr. Price.*) What house?—He kept a public-house.

22,285. (*Mr. Coleridge.*) Did he never come to you?—No.

22,286. (*Mr. Price.*) How came you to pay him a fortnight afterwards?—I kept it long enough, and wanted to get rid of it.

22,287. Long enough for the petition to go by?—I never thought of it at the time. I put the money down, and he took it up and gave it to his wife, and she took it upstairs.

22,288. At the election before that did you pay James Champion 10*l.*?—Yes, I first gave him 5*l.*, he said he would not go without money, he could get 10*l.* from his brother-in-law, on the Conservative side, Simon Hill, working at the carriage shed, and I said, "Which way do you intend to vote, Jim," and he said, "I should rather my own side, I must have a little money." And I said, "How much?" He said, "They have offered me 10*l.*, if you will give me 5*l.* I will go with you." He walked as far as Smith's shop, and his brother-in-law called him from me, and I was very anxious to get him to poll, and I said, "Come, Jim, come on with me now;" and he said, "Well, Simon has got 10*l.* for me." I said, "Do you mean that you are not going now for the 5*l.*" He said, "No, I shall have another before I go." And I went into the office and took out 5*l.* and paid him.

22,289. Of your own?—Yes, the first 5*l.* was my own.

22,290. Were you repaid?—I asked Bussell and

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Mr. C. Symmons.

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John Smith, and they referred me to Allan, and I told him rather than go there I would pay him myself, and they repaid me.

22,291. Who?—Bussell gave me 5*l.*, and John Smith 5*l.*

22,292. That was after he had been to the poll?—Yes.

22,293. How many men are there in your employment altogether?—In Bridgwater about 300.

22,294. How many voters?—24 I found out this morning.

22,295. (*Mr. Coleridge.*) Only 24?—Yes, we have two of our works out of town a mile and a half.

22,296. How did they vote?—I see by the poll list 17 voted for Kinglake and Vanderbyl, one a plumper for Vanderbyl, and six for Westropp and Gray.

22,297. (*Mr. Price.*) Is that all the information you have to give us about any part you took in elections?—I do not know. I was one at Mr. Nicholl's house, but I was very ill that night, and did not take any particular part.

22,298. (*Mr. Coleridge.*) Have you any doubt that those six of your men who voted contrary to your principles were paid by the Tories for doing so?—There was one who said so, and so went the other side. I said he had a right, I suppose.

22,299. Did he get any money?—No, but they would get it for him if he kept quiet, some time they would get money; that is all he told.

22,300. The Tories did not fulfil their promise at the last election?—I believe not.

22,301. What is the name of that man?—I think his name is Baker.

22,302. His christian name?—Henry, I think, or Charles. There are two brothers.

22,303. (*Mr. Anstey.*) Had any of those persons in your employment who voted for Kinglake and Vanderbyl, or plumped for Vanderbyl or for Kinglake, previously promised either Mr. Westropp or Mr. Gray?—I am sure I do not know.

22,304. Were any of them members of the Conservative Working Men's Association?—I know not.

22,305. Did you canvass your men to know which way they would vote?—I never asked them in my life.

22,306. You did not know which way they were going to vote before the election?—I did not.

22,307. Are they new voters?—I cannot tell them.

22,308. Who did canvass them?—I am sure I do not know, not anyone in my employ.

22,309. What foreman had you?—I had three.

22,310. What are their names?—One is my brother, and at that time one was by the name of Washer, I think, and the other Duddridge.

22,311. Remembering the name of Duddridge do you still say—— ?—It is not that Duddridge, it is a brother.

22,312. Did none of your firm ask a vote of any person in your employ?—You will never find any in the employ either canvassed by the firm or myself.

22,313. You will not speak as to the foremen; you said just now the foremen did not?—Certainly not, you will not find any of the foremen interfered in it.

22,314. Are you related to the Mr. Symmons who was examined before us?—That is my father.

22,315. It is his firm you are speaking of?—Yes; I can speak for his firm, certainly.

22,316. (*Mr. Coleridge.*) Had you anything to do at any election with the William Heal we have heard about?—I was the other side of the town when I took Webb to the poll.

22,317. Did you ever get any money for him from anybody?—No.

22,318. Nothing at all?—I did not come up.

22,319. You did not see him on the election day?—No.

22,320. We have heard that he was ill in bed?—He was in his room.

22,321. You did not see him that day?—No.

22,322. Or on the nomination day?—Well, I think I did see him in the evening.

22,323. Did he give you any money?—No.

22,324. Or ask you to take any to anybody?—No.

22,325. Or promise any?—No.

22,326. (*Mr. Price.*) Is that all you have to tell us?—That is all. There was a receipt my father put in the other day. I may say I have seen that some score of times on his desk since the election.

22,327. (*Mr. Coleridge.*) What receipt?—The envelope. I have seen that, it has been with his loose papers from the time he received it.

(*Mr. Price.*) I do not think we had any reason to doubt what was stated about that at all.

(*The witness.*) I thought there was a doubt on your mind, and not only that, but two or three witnesses could be brought to prove that he wrote the receipt that very day, if necessary.

(*Mr. Price.*) We put your father to a test as to writing, and that satisfied me it was not his. That is all.

(*The witness.*) Only I noticed there is no date to it.

(*Mr. Price.*) I am quite satisfied, as far as I am concerned, that it is not your father's writing.

22,328. (*Mr. Coleridge.*) Do you know that was Heal's writing?—Certainly.

22,329. Was it Heal's?—I could swear to it.

22,330. (*Mr. Price.*) You have seen it, and are quite sure that it is Heal's handwriting?—Yes. Then Allan states that my father never furnished him with an account after the election. My father begged me to go and see Heal about this money.

(*Mr. Allan.*) I do not hear what you say about me.

(*The witness.*) You accused my father that you could not get any account from him.

(*Mr. Price.*) Allan has said he could get no account?

(*The witness.*) I should tell you that my father begged me to go and see Heal about it. In fact I asked if Heal had rendered an account. He said, "No, you had better go and see." I believe he told me Allan had asked for it, and I went to Heal, and the account was in that state that I would not take any notice of it.

22,331. (*Mr. Price.*) Then your explanation of that is that the reason your father would not render an account of it was that Heal was not prepared?—He was not, he did not render it, and my father never saw it.

22,332. That does not contradict Allan?—No, certainly, but that is the reason the account was not put before Allan.

E. Babbage.

EDWIN BABBAGE sworn.

22,333. (*Mr. Price.*) What are you?—A draper, living in Eastover.

22,334. Are you a voter?—Yes.

22,335. Did you vote at the last election?—I did.

22,336. For the Liberal candidates?—Yes.

22,337. Did you also take an active part in that election?—No, never.

22,338. Never at all?—Never.

22,339. Did you pass any money to the voters?—No, never; and I never knew that there was a penny passed in my life.

22,340. Not in 1868?—No, never in my life. I have always voted Liberal.

22,341. Have you never had anything to do with bribing anybody to vote Liberal?—No.

22,342. Then your name could not be given in as having been engaged in bribing anybody?—No. If it is, it is a forgery.

22,343. (*Mr. Coleridge.*) Is there any other Babbage in Bridgwater?—Yes. There is Christopher Babbage.

22,344. (*Mr. Price.*) I find, upon reference, that what has been stated here is about your bill?—Yes.

22,345. You are a draper ?—Yes.

22,346. You had a bill ?—Yes.

22,347. When was the bill incurred ?—12th July 1866 it was paid.

22,348. Sir John Shelley's election ?—No. It was for Mr. Bussell.

22,349. Well, it was in Sir John Shelley's election ?—Yes.

22,350. (*Mr. Coleridge.*) Is your name Edwin ?—Yes.

22,351. You had a bill of 40*l.* ?—No; 20*l.* 10*s.*

22,352. (*Mr. Price.*) When did you get it paid ?—12th July 1866.

22,353. Who paid you ?—Mr. Henry Jarman.

22,354. How came it to be paid then ?—I do not know.

22,355. (*Mr. Coleridge.*) Did you say you would not vote till you were paid ?—No; I said, in answer to Mr. Allan, before Mr. Vanderbyl was a candidate for Bridgwater, when he said the debt would never be paid, I said I would never vote more.

22,356. (*Mr. Price.*) Why, then, you were bribed to all intents and purposes ?—No. It was before Mr. Vanderbyl came down.

22,357. It is lucky for you that we say so, because you will be so returned, and you will get a certificate ?—No, it was a private account.

(*Mr. Price.*) It is nonsense to talk about a "private account."

22,358. (*Mr. Coleridge.*) You know it was for election purposes ?—Yes.

22,359. (*Mr. Price.*) Had Bussell dealt with you in his life before ?—He might have done so.

22,360. He might have done, but had he ?—His name was never on my books.

22,361. But had he dealt with you before ?—I cannot say. His wife had been there once or twice; I cannot say.

22,362. (*Mr. Coleridge.*) Was he a regular customer ?—No.

22,363. Do you mean to say that you would have trusted Bussell for 20*l.* worth of goods in the election of 1865, if you had not believed somebody else was going to pay the bill ?—Certainly I would.

22,364. You would ?—Yes, for 100*l.*

22,365. Was not that a good deal of goods for Bussell's wife to have, 20*l.* worth ?—No; she has a long family.

22,366. What were the goods ?—Ribbons and flags and silk pocket handkerchiefs, made to order.

22,367. You think they were charged to Bussell's order ?—Yes; and everything was sent to his house, except five flags, and somebody came to me for those five flags; I said I would have nothing to do with them. I had an order for the goods.

22,368. Who were the people who came to you ?—Mrs. Wilkins, Barclay Street, had one; Kidner and Chant two; and I think Messrs. Glanville and Son had two.

22,369. Did you debit Bussell with it ?—Yes, and sent the goods.

22,370. (*Mr. Price.*) Do you believe that Bussell wanted these things for himself and family ?—Well, he gave me the order.

22,371. You had better answer the questions put to you in a straightforward manner, or else you will not have a certificate from us ?—Well, I should think from his having colours that he was going to give them away.

22,372. If you thought Bussell wanted them on his own account, why did you not ask him to pay for them ?—I never asked anybody else.

22,373. You said you spoke to Mr. Allan about it ?—No; Allan said the bill would be paid. I never asked anybody else but Bussell about it.

22,374. How was it that Allan came to ask about it ?—He said, if there is a dissolution of Parliament you will be paid. That was about a week before the ministry left office.

22,375. You had asked him about it ?—No.

22,376. You said, "How about the bill ?"—No; he said the bill would be paid.

22,377. (*Mr. Coleridge.*) Do you mean to say that he volunteered to say to you the bill would be paid ?—Yes.

22,378. Without your mentioning it at all ?—Yes; he stopped me in the street.

22,379. Did you not tell him that Bussell owed you this bill and that you ought to be paid ?—I cannot tell.

22,380. Somebody must have told Allan that Bussell owed you that bill ?—I do not know.

22,381. Who knew it besides Bussell ?—I cannot tell.

22,382. Then nobody could have known it except Bussell and the men in your employ ?—At the end of six months I sent in the bill in Bussell's name.

22,383. Then must it have been Bussell who told Allan that he owed you this bill ?—I think so.

22,384. And you say you told Allan you would not vote unless you got paid, and you were paid, and did vote ?—I said I would not vote any more unless I got paid.

22,385. And you did vote and got paid ?—Yes.

22,386-7. (*Mr. Price.*) Then you were as much bribed as much as any of the persons who have been spoken of here ?—I do not know about that.

(*Mr. Coleridge.*) You swore you were not bribed, and then it turns out that you insisted upon this bill being paid before you would vote.

WILLIAM HURMAN sworn.

W. Hurman.

22,388. (*Mr. Price.*) What are you ?—A draper.

22,389. Carrying on business at Bridgwater ?—At Bridgwater.

22,390. Are you a voter ?—I am.

22,391. Did you vote at the last election ?—I did.

22,392. Did you receive anything for it ?—Nothing.

22,393. No bad debt paid ?—No, certainly not.

22,394. There were no bad debts ?—Well, I had a debt which has been spoken of here, at the commencement of this inquiry, by Allan, and then, unsolicited by him——

22,395. We are speaking of 1868, the last election. Had you any transaction of that kind at the last election, in any way at the last election ?—I had ribbons, which were then given away, colours.

22,396. Have you a bill outstanding for that ?—I have a bill now entered on my book.

22,397. How much is it ?—I think it is about 10*l.* or 12*l.*

22,398. Whom did you debit it to ?—Well, the fact is I got no order for it.

22,399. Did you give them away ?—Yes; I must say that I gave them on my own responsibility.

(*Mr. Coleridge.*) But how does it stand in your book ? You surely never gave them away without expecting somebody to pay for them.

(*Mr. Price.*) You never gave away 12*l.* worth of ribbons.

22,400. (*Mr. Coleridge.*) How does it stand in your book ?—Simply "ribbons."

22,401. Was nobody's name to it ?—There was nobody's name to it. Though it may be illegal, I was not aware that it was so until this court has stated that it is so.

22,402. Have you got your books here ?—I have got them at home.

22,403. I should very much like to see them ?—With regard to the last election they were really

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W. Hurman.

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entered to no one; it was merely a private memorandum of my own.

22,404. (*Mr. Anstey.*) Is it entered as a private memorandum of your own in your book?—They are on a billhead which I believe is in my desk; it is not entered in the book at all.

22,405. It is not entered in your book?—No; it is in my private pocket book.

22,406. On a billhead?—On a billhead.

22,407. I want to understand your answer. If the books are produced they will show nothing, will they?—They will not, not of the last but of the previous election.

22,408. But if a pocket book of yours is produced it will show a private memorandum?—It will.

22,409. And if a billhead is produced it will show something?—It will show it upon it.

22,410. (*Mr. Price.*) Now, if there had been no inquiry and no petition to whom would you have charged that?—Well, sir, if I may judge from the previous account, Mr. Cook gave me an order in the time of Sir John Shelley for colours to be supplied in that election, and they are entered to Mr. Cook.

22,411. To whom would you have sent the bill in to if there had been no petition?—Well, I really feel this——

22,412. Never mind what you feel; you must know to whom you would have sent the bill in?—I cannot tell. I would rather have given the whole 12*l.* worth of colours away without saying anything about it.

22,413. Do you mean you would have sacrificed the whole 12*l.* for ribbons without making any endeavour to get it paid?—I think I should.

22,414. (*Mr. Coleridge.*) Would you have gone to Allan about it?—Certainly not.

22,415. Do you mean you would never have sent it in to Mr. Cook?—No; I should not have presented it unless it had been asked for.

22,416. How could it be asked for if it was a private transaction, and nobody knew anything of it?—They must have known it. They were just little rosettes supplied at the time to the different men in the brickyards on the nomination day.

22,417. You say it was 12*l.*?—Yes.

22,418. And it was for ribbons?—Hundreds of little rosettes.

22,419. You say, "They must have known," who must have known? The party must have known?—They must have known they came from somewhere.

22,420. Who do you say knew it?—I cannot fix upon any of the gentlemen to say they knew it personally. I would state that in my course as a Liberal I have always been very active; but I defy any lawyer or anybody else to say that I have been mixed up with bribery.

22,421. (*Mr. Anstey.*) We have had all sorts of protestations and confessions made, and we have had before us a petition signed by 80 persons, praying for an inquiry into corrupt practices in this borough, and that they might be put a stop to; and a few weeks afterwards those very same persons were bribing away like mad?—I think I can clear my case.

22,422. (*Mr. Price.*) It is said that Allan withdrew the observation as far as you are personally concerned with respect to bribery, but that removes the case only one degree from guilt?—I would state, with regard to one statement of Mr. Barham's on Monday last, which implicated me as a bribing agent——

22,423. What is the statement you refer to?—I do not know if he means my name, but the public have thought it was my name that is meant. He has mixed up my name in connexion with a Mr. Chedzey, I think his name is. I deny ever having gone to Chedzey's house, indeed I did not know where the man lived; and as for being a bribery agent I defy any lawyer in the town to accuse me of it.

22,424. You had a bill at your shop at Sir John Shelley's election?—Yes.

22,425. How much?—Between 30*l.* and 40*l.*

22,426. That bill was not paid at that election?—It was not.

22,427. When was it paid?—It was paid some time I think in September 1866.

22,428. Was that the time when, as we have been informed, all the bills of Mr. Vanderbyl were being paid up, September 1866?—Well, I consider that that was a bill not among those, if you will allow me to say so, that were sent in on conditions of voting.

22,429. Never mind that. We will come to the conditions of voting presently. That was the time when all Sir John Shelley's bills were paid off?—I believe so.

22,430. Now, tell us how you came to be paid out of Mr. Vanderbyl's money in September 1866?—I never believed it to be Mr. Vanderbyl's money.

22,431. Whose money did you believe it to be?—I believed it to be the accounts not settled up by the lawyers.

22,432. Whose money do you believe it to be?—I believed it must have been Sir John Shelley's money, which had been arranged at that election, which had never been paid.

22,433. (*Mr. Coleridge.*) Why, Mr. Bagehot's election had intervened?—I know that.

22,434. (*Mr. Anstey.*) You had supplied goods at Mr. Bagehot's election?—I had.

22,435. For which you had been paid?—Yes.

22,436. When were you paid this?—I believe in June 1867.

22,437. Did Mr. Lovibond pay that bill?—I believe he did pay that; and when the account was made up he handed me the amount.

22,438. That account is debited to the order of Mr. Reed and Mr. Lovibond, and although Mr. Bagehot's name is certainly mentioned, it is only mentioned by the description "Bagehot's election;" therefore it was to Mr. Reed and Mr. Lovibond, and not to Mr. Bagehot, to whom it was debited?—No. As far as the lawyers are concerned, of course the order was given me by Mr. Cook, by the partner of Mr. Reed.

22,439. I am talking of your bill. You did not even head it as "Mr. Bagehot, bought of W. Hurman;" but what you say is, "Reed and Lovibond, bought of W. Hurman"?—That means the election between the two periods.

22,440. (*Mr. Price.*) Had you ever asked anybody anything about your account before the election of Mr. Vanderbyl?—Yes, Mr. Lovibond.

22,441. When did you ask him?—I believe it might be two or three times during the course of the year.

22,442. How recently before the election of Mr. Vanderbyl did you ask?—Well, I am not aware that I mentioned it within a month of the time.

22,443. Did you know that there was going to be a contest at the election?—Not that I was aware.

22,444. Did you not ask Mr. Lovibond for the payment of that bill after you knew there was going to be a contest?—I swear that I never anticipated receiving that money.

22,445. That is not an answer to my question. The question is this, will you pledge your oath that you did not ask Mr. Lovibond for the payment of that bill after you had become aware there was going to be a contest, that Mr. Vanderbyl was coming down to fight Patton?—Not that I am aware.

22,446. You must be aware?—Well, I believe not.

22,447. You will not undertake to swear it was not so?—No, I should not like to say.

22,448. That being so, you having heard that there was going to be a contest, do you mean to say that, either in actual words or not, you did not tell or intimate to Mr. Lovibond that your vote would depend on whether you got paid or not?—Certainly not.

22,449. I should have thought your asking him about it would have conveyed that idea to his mind?

—Mr. Lovibond certainly could not have understood it so.

22,450. As it appears to be the custom here among tradesmen not to vote till they get their bills, I should have so understood it, although with regard to any other town I should not?—As with all other tradesmen we expect to get the money for our goods.

22,451. Did you expect Sir John Shelley to incur a debt and Mr. Vanderbyl to pay it?—Certainly not.

22,452. That appears to have been the practice before in Bridgwater?—No, I did not know that it was.

22,453. Did not you know that it is a thoroughly well understood thing in this town, that if a candidate has left bills unpaid, that before another contest comes on they shall be squared off?—I have never had the slightest idea of the thing.

22,454. Then you are the only man in Bridgwater who does not know it?—Well, that may be so. I never heard it till it was stated here.

22,455. You are the only man in Bridgwater who does not know it?—I have never gone into the inside working of elections.

22,456. You have gone into the outside working, if not the inside. Do you mean to say that you really will pledge your oath as an honest man, that you believe you got that money from Sir John Shelley?—I believe that as firmly as I stand here. I believe that it came from Sir John Shelley's account, most distinctly.

22,457. That is not the question. What do you mean by "account"? Do you mean that Sir John Shelley paid it out of his own pocket?—I believe that.

22,458. You standing there, in that witness box, do you mean to say you believe that that was paid out of Sir John Shelley's money?—As far as I could learn.

22,459. Do you believe it?—I say I can only judge of it from the information I received from Mr. Lovibond.

22,460. What was it?—That the accounts were being made up, and that Sir John Shelley's and Mr. Bagehot's accounts both would be settled when they squared up.

22,461. (*Mr. Coleridge.*) Did you know that Sir John Shelley only spent 220*l.* altogether?—Only from what has been said here. I knew nothing about it at the time. I only know that I subscribed towards the petition.

22,462. (*Mr. Anstey.*) During the whole of the year and a half, from the coming in of the Derby ministry to the end of 1867, I believe there were prospects of a general election, were there not, in this town, during the whole of 1867 and the latter half of 1866, about the reform question?—Yes.

22,463. Very well. Then on the 5th of February 1867 I see you received for the first time payment of the large sum of 12*l.* 6*s.* 0*d.*?—Yes.

22,464. From somebody or other, whose name does not appear?—Mr. Lovibond.

22,465. Well, from Mr. Lovibond, for goods said to have been supplied not even at Mr. Vanderbyl's election, but at the contest which was not an election of Mr. Bagehot. Now I ask you on your oath, Mr. Hurman, would you believe from what passed then that Mr. Lovibond would have paid you one farthing of that sum at that time but for the prospect of a general election, and consequently a particular election for Bridgwater?—Most decidedly I should have expected the money.

22,466. If you should have expected it, do you think he would have been such a fool as to have paid it?—I think it would be only honest.

22,467. But you see, Mr. Hurman, you did not even debit it to Mr. Bagehot. It is put thus, "original election of Mr. Bagehot," then underlined, which I suppose must have been done at the time when you received the payment, the better part of a year afterwards; underlined comes this extraordinary memo., "order Mr. Reed and Lovibond." That is evidently underlined, because comparing it with a similar bill of parcels furnished by you in respect of the intervening election of Mr. Vanderbyl's, which was then the last election, I find that that also is headed, "election Mr. Vanderbyl," but nobody debited; "bought of W. Hurman" goes on then. This is merely a memo. that this was an election of Mr. Vanderbyl, just as the former was an election of Mr. Bagehot; but nobody appears in either case to have been debited. Somebody appears to have underlined it, apparently at the period of its payment, "order of Reed and Lovibond." Is it not perfectly clear that you meant to do so, to leave your account without a heading to it, and to charge it to the first unhappy candidate who came here to seek your vote?—Certainly not.

22,468. If you like that answer to stand, of course it must stand?—I feel quite confident.

22,469. Now I will ask you about the contents of them. You know what a bill of parcels is, being a man of large business?—Yes.

22,470. Can you call this a bill of parcels, especially for such a large sum as 12*l.* 6*s.* 0*d.*: "Ribbons supplied to men in various yards" no date whatever, "in various yards, Messrs. Browne's, Hammill's," then underlined "Colthurst and Symmons, Barham, "Moggs, handkerchiefs, &c., rosettes, &c., for band, "&c." Do you call that a bill of parcels?—Well, that was the proportion.

22,471. Will you answer my question? Do you think that is a bill of parcels?—Well, it is lumped together there.

22,472. Do you ever lump things together in a bill of parcels?—It is quite optional, and if the gentleman had wished for the particulars I would have given them.

22,473. Your case is a particular one. You say that nothing appears in your books as to this account?—That is the last election. All these things appear in my books.

(*Mr. Coleridge.*) Then we must have the books here.

22,474. Who is Moggs, against whose names the handkerchiefs are placed?—Men in his employ.

22,475. Whose employ?—Moggs.

22,476. That is the man who has been here?—Yes.

22,477. Who is Mr. Barham?—The man who has the cement works here.

22,478. Not the solicitor?—No, the brother.

22,479. And I suppose the other names speak for themselves?—Mr. Hammill is another brickyard gentleman, and Colthurst and Symmons have the yard you have heard of, and Browne and Company are also brickyard men.

(*Mr. Coleridge.*) We have heard of those.

22,480. (*Mr. Price.*) Who gives the orders for those things? Do Messrs. Hammill, and Colthurst and Symmons, and the others deck their men out at their own expense, or are their men decked out at the expense of the candidates at your suggestion, or who does it?—Not at my suggestion.

22,481. You said you supplied them on your own responsibility. Who gives the orders?—Mr. Cook gave me the order, and Mr. Lovibond and Mr. Reed were the parties representing the candidates.

22,482. And he told you to deck out the men in these yards with rosettes?—He did.

22,483. Mr. Cook did?—The gentlemen I have named.

22,484. Who are the gentlemen?—Mr. Lovibond and Mr. Reed were aware that these yards had had rosettes sent to them.

22,485. (*Mr. Anstey.*) Supposing that any of these men walked into your shop and said, "I work at Browne's," would you give them a rosette?—I should give them a rosette.

22,486. Then you give away as many rosettes as you like, you throw the rosettes at these men, and

make each candidate pay for them, and that you consider to be honest tradesmanlike conduct?—It is a speculation.

22,487. It is a speculation entirely?—I would not give the rosettes for voting.

22,488. (*Mr. Coleridge.*) Are you quite sure that you would have given the rosettes away if you had had no prospect of being paid for them by some candidate? Certainly. I would have given 100*l.* worth of goods away rather than have done so.

22,489. (*Mr. Price.*) Then I wonder that you did do so. Why should you do such a suspicious thing if you were an honest man. When you get a candidate in the town afterwards who had been showering his gold upon the place, you make out your bill and ask him to pay it, there having been an intermediate election?—I never anticipated that the money came from him at the time.

22,490. Are there any other elections that you can speak to?—There is one other thing, and that is about my name being mixed up with Mr. Bottomley.

22,491. (*Mr. Coleridge.*) Somebody here has stated that you said you would not vote until your bill was paid?—That Allan said, and he contradicted it.

22,492. Had you any conversation with Allan at all?—I might have said to him in my shop weeks before that "the old bills ought to be paid;" that might have been said.

22,493. (*Mr. Price.*) Everybody understands that?—Not with the anticipation of voting.

22,494. (*Mr. Coleridge.*) Did you use the word "vote"?—No.

22,495. (*Mr. Coleridge.*) Why should you shortly before the election talk to Allan about old bills being paid?—I did not talk to him especially about it. He is a neighbour and he comes in repeatedly.

22,496. (*Mr. Price.*) And you took that opportunity of saying the bills ought to be paid up?—Yes.

22,497. (*Mr. Coleridge.*) You have told me that you would have given 100*l.* away rather than the men should not have had the favours?—I did not put it in that way. I say, rather than make the charge upon Mr. Vanderbyl, or if it was known to me that it was to be paid by any incoming candidate, I would rather lose 100*l.*

22,498. You said you would have given 100*l.* away rather than let the men go without their favours. You said you would give 100*l.* away. Do you mean that you would give away 100*l.* which you were not sure of being paid by some other candidate?—Not if I believed it was going to be paid by some other candidate.

22,499. I say, supposing anybody came into your shop at election time, and said, "I want 20*l.* worth of favours," and you were quite sure you would not get a farthing for them, would you supply them?—Of course that is quite a different way of putting it.

22,500. You said you would rather give away 100*l.* in favours?—Rather than charge twopence to a candidate who had no right to pay it.

22,501. Rather not supply them at all. Would you give 100*l.* away, knowing you would not receive a halfpenny from anybody, merely out of charity to the cause?—No, I do not think I should.

22,502. (*Mr. Price.*) You say you would rather pay 100*l.* away than Mr. Vanderbyl should pay Sir John Shelley's debts?—I think so.

22,503. Then I think the best thing you can do is to inquire of Mr. Lovibond where he got the money from, and refund it?—Well, I am quite ready to do that.

22,504. (*Mr. Anstey.*) I have got here a cheque book, or what was a cheque book, containing cheques and also counterfoils used at Sir John Shelley's election, for what appear to have been legitimate expenses, and I do not find your name amongst them?—Legitimate? I do not know what that means.

22,505. I will repeat what I said. I have got here a cheque book with the names on the counterfoils of tradesmen and others, who were paid for the legitimate expenses at that election, and I do not find your name amongst them?—I have nothing to do with that.

22,506. You say you do not know the meaning of the word "legitimate." Do you mean to say on your oath that you did not know that to supply these ribbons and colours was an illegal transaction?—I have understood it is so at this court; but at the time of Sir John Shelley's election, and when these goods were supplied, I did not consider that it was an infringement of the law.

22,507. (*Mr. Coleridge.*) You have never heard of the Corrupt Practices Act?—I was not aware of it.

22,508. (*Mr. Anstey.*) If you are not aware of the meaning of the word "legitimate," I will call your attention to this. Here is a book which has passed through the hands of the bribery election agent. I find in it—they are all dated on the 6th September 1865—that Edgar Haviland was paid out of Sir John Shelley's share of this account, which is legitimate enough. Then follow a number of others, "rent of rooms," and so on, and then one which may be legitimate enough, "Eustace Barham to pay accounts," and then Mr. Whitby's account, and so on, all verified. Printer's bills, and so forth. Mr. Barham, again, to pay bills, and so forth. Then there is the lawyer's fee. "To Reed 25 guineas." And then we have "remuneration for Mr. Robert Fletcher for his trouble, 7*l.*" Then we have fees of the agent for election expenses. Then there is a bill from another tradesman, and another, and then a treating bill, and then come two blank cheques; and your name, although your account was then quite ripe for payment, if your story is true, and if it was a legitimate charge, is not amongst them, and it is not paid till long afterwards. Can you explain all that?—I have nothing to do with the preparation of that; and I am happy to say I have always been out of the secrets of the lawyers in election matters.

22,509. Then in like manner I will ask you with regard to Mr. Bagehot's election? Mr. Bagehot and Mr. Kinglake are so completely identical, that Mr. Bagehot uses in 1866 Mr. Kinglake's cheque book of 1865, the next counterfoil in date to the 6th September 1865 being 21st August 1866, and then it goes on, Bagehot. I find a great number of men here, tradesmen, attorneys, and others, of the like character to those which I last drew your attention to. There is a printing bill amongst others; that is the nearest approach to a charge for ribbons and rosettes; and then horses and carriages, flies, and so forth; small bills, and so on; but no Hurman?—Yes.

22,510. Now if your debt had been quite *bonâ fide*, and not at all connected with your vote, what would have prevented you from going to Mr. Lovibond, Mr. Reed, Mr. Cook, or Mr. Barham, and saying, "Give me a cheque for my little account; here it is"? You appear either not to have done that, or you appear to have been refused and not to have been paid until another general election had intervened, and another new election was had. Can you explain that?—With regard to any statements which have been made by the lawyers in their legitimate accounts, I have not any power of knowing what they were going to enter or leave out.

22,511. Do you mean to swear that you were not aware that they were paying printers and other people for the expenses of the election, soon after the election?—I had no idea of it.

22,512. You had not?—Not the slightest.

22,513. Am I to understand that this is the first time you were aware of it?—Until I heard it in this court I have never known of their payments before.

22,514. (*Mr. Price.*) I wish you would attend, Mr. Hurman, to this. Had you mentioned at all, at the time of Mr. Bagehot's being here, in any way, in the most roundabout way you like to put it, that your bill was still unpaid by Sir John Shelley?—To anybody?

22,515. To anybody?—I am not aware that I did.

22,516. Will you swear you had not? Will you

swear that you had not mentioned the fact that you had an unpaid bill of Sir John Shelley's at the time of Mr. Bagehot's election, in the same way as you acknowledge that you mentioned it at Mr. Vanderbyl's?—I am not aware that I have said any such thing.

22,517. But you will not undertake to say you did not?—No. I really cannot charge my memory.

22,518. Therefore it may stand thus, that having an unpaid bill of Sir John Shelley's previous to the contest of Mr. Bagehot's, you mentioned that you had that unpaid bill, and that previous to the contest of Mr. Vanderbyl you mentioned again you had a bill unpaid. That is the way it may possibly have been?—I do not know whether you understand that I mentioned it before each of these elections?

22,519. That is what I am asking you. I am asking you this—do not misunderstand me: Allan has declared that you were one of the men whom he represents he paid out of Mr. Vanderbyl's money after Mr. Vanderbyl's election, and who had mentioned before the election the fact of their bills having been paid, and not having been satisfied, and that they would not vote without those bills being paid?—I have never stipulated about the matter.

22,520. There is no occasion for stipulation, no occasion whatever, because every man in Bridgwater understands that money is meant on the slightest hint?—I believe there are some honest men in Bridgwater.

22,521. Did you say anything of that kind previous to Mr. Bagehot's election?—Not that I am aware of.

22,522. You will not undertake to say you did not?—I do not know to whom I could have said it.

22,523. Never mind that?—Well, I have no recollection of it.

22,524. Now then, Mr. Allan made a very distinct statement about you, and instead of waiting to be examined about it, which you knew you would be, because you have been served with a summons?—Yes.

22,525. Instead of waiting until you could contradict it upon oath, you took upon yourself to go to Allan and tell him he had stated that which was wrong?—I beg your pardon, Allan came to me unsolicited; I never went to him.

22,526. What about?—About what he had said in the court that day. He came to me after the court had closed about half an hour. He was very much excited, and he said, "Mr. Hurman, I am sorry if I "have done you an injury. I have mentioned your "name to-day, and I have stated that which I have "since found is not true, and I will publish my ex- "planation in any way you like, and you may state it "to your friends."

ANDREW ALLAN recalled.

A. Allan.

(*Mr. Allan.*) Mr. Lovibond after the adjournment of this court told me I had made a mistake; that he paid Mr. Hurman this bill, and he took me to the office and showed me the receipt. I then went to Mr. Hurman, and I said I had made a mistake in giving my evidence, in having said I had paid this bill. That is how it was.

22,527. (*Mr. Price.*) Did he begin the conversation by saying that you were wrong in saying that he was one of those who had made a stipulation before the election for the payment of their bills before they would vote, or did you volunteer that statement?—It was me that went up and addressed him.

22,528. Did you say also that you had made a mistake in saying that he had made a stipulation for his vote, because that is the materiality of the case. Did you make a statement that you had also made a mistake in saying he was one of the tradesmen who had stipulated for payment of their bills before they could be got to vote?—I do not think he stipulated for any such thing; that is to say, that he stipulated for his bill to be paid before he would vote, but he said that his bill ought to be paid, or something like that.

22,529. You understood what it meant?—Exactly.

22,530. Did you tell Mr. Lovibond that Hurman and these other men were standing out so that he might pay their bills?—Mr. Hurman told me, and I went to Mr. Lovibond.

22,531. After you had had this conversation with Mr. Hurman, when he gave you to understand, though he did not put it in plain language, because they do not like to do so here, when he gave you to understand that he wanted to have his bill paid, did you tell that to Mr. Lovibond in order that he might see to his bill being paid. Did you do that in Hurman's name?—No, I do not remember that I did.

22,532. Then how did Mr. Lovibond know anything about it?—It was in Mr. Lovibond's office I first saw Mr. Hurman's bill, and Mr. Lovibond paid it. I was speaking from memory when I gave my evidence here; I thought I paid it.

22,533. Then how do you account for Mr. Lovibond's knowing anything about Mr. Hurman's bill not being paid if you did not speak to him?—Mr. Hurman must have taken it to Mr. Lovibond himself, because it did not go to Mr. Lovibond through me.

22,534. (*Mr. Anstey.*) I understood you to say that you went down to see Mr. Hurman about his vote, and then he made it a strong matter about his bill not being paid. Did you go down to Mr. Lovibond about it, or what induced Mr. Lovibond to pay it?—I cannot tell.

22,535. You did not go to him after the election?—No.

22,536. You were quite aware that when you asked Hurman to vote he suggested that he should be paid 12*l.* 6*s.*?—Will you allow me to state this: the election of Mr. Bagehot was the first election at which I had had anything at all to do with electioneering matters in this borough, and then Hurman's bill was due against Sir John Shelley; and it was after Mr. Bagehot's election, and before Mr. Vanderbyl's election, that I had a conversation with William Hurman in his own shop about the bill, having seen Hurman's bill at Bagehot's election. William Hurman asked me how it was that I seemed to have so much knowledge of electioneering matters, because it was only about three or four weeks that I first had had to do with electioneering matters, and Hurman did not know that I had anything to do with electioneering matters at all, and he seemed surprised at my knowledge of what the amount of his bill was.

22,537. After Bagehot's election?—After Bagehot's election and before Vanderbyl's, and he was surprised when I told him the amount of his bill, as the bill had passed through my hands; "Well," he said, "it ought to have been paid at the last election."

22,538. That was Bagehot's election, that he spoke of as the last election?—Yes. I will not swear whether he said if it was not paid he would not vote, but I will swear that he did say that his bill was not paid at Bagehot's election, and it ought to have been paid; and he certainly made his bill, as I said in my evidence, a strong point.

WILLIAM HURMAN recalled.

W. Hurman.

22,539. (*Mr. Anstey.*) Do you deny the statement which you have just heard fall from the lips of Mr. Allan?—With regard to what?

22,540. Is it generally true, or if not, will you point out where it is wrong?—I will just say this with regard to the "strong point." Of course I do not mean to say that Allan has not stated to the best of his belief, but I think the "strong point" he talks about was not impressed upon him by me; and with regard to my having a guilty knowledge of bribery, or

TWENTY-SECOND DAY.

W. Hurman.

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anything about paying accounts, I never knew it, and even at Mr. Vanderbyl's election I did not know that Mr. Allan was dealing the money out of his house until I have heard it since. As he has said, and I believe Allan believes that, I know nothing about the inside work of bribery in any shape or form.

22,541. (*Mr. Price.*) I do not know what you call "inside work?"—I mean they have had these private meetings.

A. Allan.

ANDREW ALLAN recalled.

(*Mr. Allan.*) Now my recollection is called to it I will swear to the words—that he told me that his bill was not paid at Bagehot's election, and that it ought to have been paid. And that he calls not a strong point.

W. Hurman.

WILLIAM HURMAN recalled.

22,542. (*Mr. Price.*) Did you say that?—I believe I did, and I would say it again.

22,543. That is to say, you thought that a bill contracted at a former election ought to be paid before another election?—Just so.

22,544. (*Mr. Coleridge.*) Before another election?—Yes.

22,545. (*Mr. Price.*) When there is another candidate in the field?—I do not think it is fair for another candidate to pay the old candidate's debts.

22,546. Is that all you had to do with the election?—May I ask, with regard to Mr. Barham, whether it has gone forth that I was a bribery agent?

22,547. I did not understand that anything of that kind was said?—On Monday the 6th.

22,548. Who said that?—Mr. Barham. He associated my name with being a bribery agent.

22,549. On Monday, 6th September?—At any rate he mentioned a Mr. Hurman.

Mr. E. Barham.

Mr. EUSTACE BARHAM recalled.

(*Mr. Barham.*) I am quite prepared to say that I am mistaken in what I said with regard to Mr. Hurman. I stated it with the greatest possible hesitation, and on reflection, and having heard Mr. Hurman's evidence, I now withdraw it.

W. Hurman.

WILLIAM HURMAN recalled.

22,550. (*Mr. Price.*) What is it that you say Mr. Barham said?—Mr. Barham's statement was something to this effect, that he went to Chedzey's house, and that he left Chedzey, that he went—I would not say for improper purposes, but he must have inferred, from what he said, that others were there for it, and he left the man in the custody of two bribery agents, and Hurman was named as one, which I enter my protest against.

22,551. Instead of entering your protest you had better deny it altogether that you were there. You are on your oath, and you utterly deny that you were there?—I do.

22,552. Is that all you have to tell us?—I would like to explain about Bottomley.

22,553. What about him?—My name has been brought up in connexion with Bottomley, and I would say that at the committee room of Vanderbyl's election I was there with others, watching the list of voters as they polled, and in that list appeared Bottomley's name, and someone said, "He is coming up by train," and it was asked, "Who will go to meet him?" I walked to the station, he being an old neighbour and a trader of the town. I said, "Well, I will go down, and if he comes I will come up with him." I went to the station, and he arrived by train. I would say, sir, that I had no idea that Bottomley was a corrupted man, or needed any corruption. When he arrived at the station I shook hands with him, and I said, "I am glad you are come up to the election." We walked to the outside of the platform and rode in the omnibus together. We rode in the omnibus together up to George Street, just up to Lilly's place, which is a livery stables there. We got out of the 'bus, and I took him upstairs to the committee-room, and I believe at the top of the stairs Mr. Henry Lovibond, and there might have been—I should not like to swear who else, but when I got to the top of the stairs I walked into the committee room, and Bottomley was taken hold of by some one; at any rate, Henry Lovibond was present, and I believe the conversation of Bottomley in the 'bus was something to this effect, as well as I can remember. He said, "I was used very bad at the last election." I said, "Bottomley, I know nothing of the past, and "if you really have any grievance you must tell it to "the gentlemen who know anything about it, because "I do not;" and I gave him up to the custody—at least into the committee room, where the poll book was kept open. That is my explanation with regard to that.

22,554. (*Mr. Coleridge.*) Why did you take him to the committee room if he was not a corrupt voter, as you thought, instead of to the poll direct?—Well, sir, as a rule, I would not take a man of that sort. I had no idea he was a corrupt man.

22,555. Did you never take a man to the poll?—Not that I am aware of, not with corrupt intentions.

22,556. But did you ever take anybody to the poll?—Oh yes, frequently.

22,557. I should have thought you would have gone on with Bottomley to the poll, and not to the committee room?—I was not connected in any way with being sent for him, except going to the station. I went to the station to meet him as a friend.

22,558. When was the first election at which you voted?—I have been in the town since 1839, and at every election I have voted.

22,559. Have you had a bill for colours at every election?—I think 1859 was the first.

22,560. Do you recollect what election that was?—I think that was in the time of Tynte.

22,561. Tynte and Kinglake?—I think it was when Kinglake came into the field first.

22,562. That was 1852?—1852. Then that was the first time I voted for Mr. Kinglake.

22,563. Had you a bill for colours then?—I think I had.

22,564. Who paid it?—I think it was paid by Mr. Robert Bate.

22,565. How long after the election?—I should not like to say. Some six months, perhaps; some time in that year.

22,566. Was your bill of 1852 paid before 1857?—Yes.

22,567. Had you a bill in 1857?—I do not believe I had.

22,568. Had you a bill in 1859?—Well, I would not be certain, because the fact is the Liberals were divided just then.

22,569. Then you had a bill in 1865 and 1866. What I want to know is this, had you any one of those bills entered in your books as charged to any

particular person, or were they all charged in the way you have told us this last one was, merely "ribbons"?—I think Mr. Bate has the bill, because I have always acted on Mr. Kinglake's behalf.

22,570. I think it is right you should let us have all your books after the adjournment?—I do not think I can produce all of them.

22,571. Let us have all you can?—About the 1865 election there is this, which accounts for such a large display of colours in the contest of Shelley and Kinglake. In that year there was a large display of colours, because the old colours did not suit the new men.

22,572. (*Mr. Price.*) That is not important. Is there anything else you wish to state?—My name was a good deal mixed up on the petition.

22,573. (*Mr. Anstey.*) Do you mean the petition of 80?—I mean my name was brought up once or twice on the trial of the election petition before Mr. Justice Blackburn, and statements were made which we had no chance to rebut, and consequently all the evidence produced was all on one side.

22,574. (*Mr. Coleridge.*) What do you wish to rebut?—It was stated then, I believe it was on the brief, something rather serious, accusing me of treating at the "Masons' Arms," and things of that sort; and I deny ever having given 2*d.* worth of beer, or paying for or ordering 2*d.* worth of beer in the town, in the way of treating; and I also state I was not aware that the "Bath Road" Inn was opened for treating during the day, and I may mention that, before the nomination, for several nights I took an active part with the working men, and I took a part with them in the ward rooms, and I protested against any beer being given away, and unless the rooms were all detached from the public-houses I would not consent to be there.

22,575. (*Mr. Coleridge.*) Have you had anything to do with municipal elections?—Only as an anxious supporter.

22,576. Have you known of bribery?—No.

22,577. I do not mean in your own person?—Never. I have never known it till it came out afterwards, after the "fight," as it is called.

22,578. (*Mr. Coleridge.*) But have there been, to the best of your knowledge, corrupt practices at municipal elections, or not?—As I said just now, I have never known it till I have heard afterwards that there has been beer and money.

22,579. Have you generally heard that it is so?—No. I do not think it is general.

22,580. When was the last time you heard of corrupt practices at municipal elections?—At the time Mr. Cook stated. I have not heard that there are any large bills.

22,581. (*Mr. Anstey.*) You signed the petition of 80?—I did.

22,582. What information can you give the Commission on the points which you stated in the petition to the House of Commons?—Well, my impression most sincerely is, that if we had had this Commission down then instead of now, that we should have saved a good deal of the corruption which has happened since.

22,583. (*Mr. Anstey.*) Have you anything more to say about the petition?—No more than that I signed it, that there should be a Commission to search the town, to see where the bribery lay and root it out.

22,584. You do agree then that you asked the Honourable House to appoint a commission of inquiry, as there was a much larger number of cases of bribery than was apparent on the face of the evidence before Mr. Baxter's election committee. Now, can you give me any information, any clue which will enable us to discover and report upon the "much larger number of cases of bribery"?—That statement was drawn up by the lawyers, and I heard it read over, and I believe at that election, and it is possible at other elections, a much larger number have been bribed, and I should have rejoiced then to see the thing purged to the very core.

22,585. I do not want to have your impressions, everybody gives them; I want to know, yes or no, can you give us any information whatever that would lead us to discover, ay or no, the existence of a larger number or any number of cases of bribery not disclosed already before the election committee of 1866?—Individually, sir, I know of none, but from report I believe a larger number than ever was reported to the committee has existed in the town.

22,586. Then you can give us no information at all?—Not the slightest.

A short adjournment took place.

JOHN FACKERELL sworn.

J. Fackerell.

22,587. (*Mr. Price.*) Are you a voter of Bridgwater?—Yes.

22,588. Were you a voter last time?—I was.

22,589. Did you receive any money for your vote?—No.

22,590. Did you have any promise given to you of any?—I did.

22,591. Whom by?—Ensign Robinson.

22,592. Ensign Robinson?—I call him ensign.

22,593. Is that Mr. William Robinson?—William Robinson.

22,594. Did you see him say anything to Mr. Lovibond?—I did.

22,595. You saw him speak to Mr. Lovibond?—I did.

22,596. Did you hear what passed between them?—I did not.

22,597. What had you asked him for, or had you asked him for anything—Mr. Robinson?—What was that question?

22,598. Tell us what passed?—Did you ask whether I asked him——

22,599. Did you ask him, or who first started the question of money? Did you say you wanted money for your vote?—I did.

22,600. Did you say the sum; did you name the sum?—He asked me what I wanted, I said it must be a tenner.

22,601. Is this the first time you had had a vote?—It is.

22,602. Well, then you saw him talking to Mr. Lovibond. Did he come back to you after he had spoken to Mr. Lovibond?—He did.

22,603. What did he say then?—Well, he said that (I don't like, you know, waiting) he said, said he, "You go to poll and I will promise you."

22,604. And you polled on the strength of that promise?—On the promise.

22,605. Without that promise you would not have voted?—I would not.

22,606. (*Mr. Coleridge.*) Did he ever pay you?—No.

22,607. (*Mr. Anstey.*) What was your qualification as a voter?—Liberal.

22,608. (*Mr. Price.*) No, your qualification. You say it is the first time you had a vote. What was the qualification for the vote?—Qualification, sir?

22,609. What put you on the register? What did you vote in respect of?—The Liberal cause.

22,610. (*Mr. Anstey.*) Were you a 10*l.* voter, the occupier of a 10*l.* tenement?—Oh, I see.

22,611. Did you pay 10*l.* a year, or what was it?—12*l.* a year I was paying.

22,612. Let me hear what you say?—I was a renter of 12*l.* a year.

TWENTY-SECOND DAY.

J. Fackerell.

17 Sept. 1869.

22,613. Then you are not altogether what is called one of the new voters ?—I was a new voter.

22,614. But your qualification was an old qualification ?—An old qualification.

22,615. (*Mr. Price.*) You succeeded your father ?—I did.

22,616. Therefore you came in upon that. Had your father a vote before you ?—Yes.

22,617. Then you took the same qualification, the same house as he had ; therefore you could have voted whether a Reform Bill had passed or not ?—Certainly I could.

22,618. (*Mr. Coleridge.*) What used your father to get for his vote ? What used your father to get paid for voting ?—Oh that I cannot say.

22,619. (*Mr. Price.*) What made you say a tenner then ; "It must be a tenner." Why did you say that ?—Because I had known nearly on the regards of speaking, you know, it is tens on the Conservative side, I know.

22,620. They were promising that on the Conservative side ?—They had not promised me.

22,621. (*Mr. Anstey.*) How did you know they had been paying that on the Conservative side ? How did you know that they had been paying 10*l.* a head on the Conservative side ?—Well, if you come to that point, you know, don't you see, sir, as regards of speaking, there is many words that is spoken, that all tens have been received, and that has been chiefly the go I believe on the Conservative side.

22,622. Then you don't know what money had been paid ?—I do not, not in regards of knowing ; I never saw it myself.

22,623. Did you know that money had been promised on the Conservative side at that election ?—Not at this last election.

22,624. You do not know ?—I do not know.

22,625. (*Mr. Coleridge.*) Have you ever asked anybody for this 10*l.* that Mr. Robinson promised you since the election ?—No, I have not,

22,626. You never asked Mr. Robinson ?—No, I have not.

22,627. Nor Mr. Bussell. Have you asked him for it ?—What Bussell ?

22,628. Henry Chapman Bussell ?—Never in my life.

22,629. Have you asked Allan ?—Never.

22,630. Have you asked Mr. Lovibond ?—No.

22,631. Whom did you ask ?—No person at all.

22,632. Why did you not, if you had been promised ?—Well, in regards of why I did not ask, because I took it from the man who promised me the 10*l.*, that I should expect to have it some day.

22,633. Are you in Mr. Robinson's employment ?—Well, I am not in his employment.

22,634. Have you been ?—No, never.

22,635. What have you got to do with him ?—All that I have got to do with him is that I rent a house of him.

22,636. (*Mr. Price.*) He is ensign in some volunteer corps that you have to do with ?—Certainly he is.

22,637. (*Mr. Anstey.*) You depended upon Robinson keeping Robinson's own promise to you ?—Well, I depend upon it in that way.

22,638. Do you think you will get it now ?—Well, I fancies I shall not have it.

22,639. Very well, you may stand down now, Fackerell.

(*The witness.*) Thank you, sir

C. Symmons.

CLIFFORD SYMMONS recalled.

(*The witness.*) There is one thing that I have omitted with regard to the municipal matter. I omitted to mention it when I was in the box, and I heard Mr. Hurman speak of it. Mr. Cook in his evidence the other day said that I spent about five years ago about 20*l.* I cannot tell you now whether it was 20*l.* or not. I know it was something.

22,640. (*Mr. Coleridge.*) What was it spent in ?—In beer.

22,641. Treating ?—No, I will tell you. It was in this way. I was an outsider, went in single-handed. I did not go in with the "arrangement," as they call it. I went in after being pressed by the teetotallers. They promised me that if I would stand——

22,642. Being a teetotaller you spent 20*l.* in beer. Was it that ?—I am not a teetotaller, but it was the teetotallers' request that I would stand ; if I would they would get me in. After the polling began our men came in after it, young and old, and one asked me for a pint, and another for a quart, and I found after the election I had to pay.

22,643. Were there many teetotallers in Bridgwater ?—I do not know. However I am not one. It was a beer account that I paid.

22,644. Have you ever heard any point made here at an election about the Permissive Bill ?—Not that I know of. I do not know that there was anything of that. There was another little point. Allan stated that he paid my father 20*l.* for George Webb. I do not know whether he has made a mistake in the Symmons.

22,645. (*Mr. Price.*) Are you now going to contradict the statement of Mr. Allan from your own knowledge, or from what your father has told you ?—I should like you to ask Allan this question, did he pay it to my father or me ?

(*Mr. Price.*) Allan has told us certain things. If you are going to contradict anything Allan has said from your own knowledge you are entitled to do so, but if you are going to contradict it from what your father has told you we shall not permit it ; for this reason we thought it necessary in the discharge of our duty to reprehend your father's conduct in the witness box, and until he has purged himself from that contempt he will not be allowed to speak again in the witness box. Therefore we cannot allow you to deny anything merely on the information of your father.

(*The witness.*) No, I do not wish to deny it at all. Allan has not put me down as receiving 10*l.* from him. I say I did receive it for George Webb.

22,646, And it was you and not your father ?—It was me. You are under the impression that it was my father, but I can assure you my father never saw it.

22,647. Did Allan give it to you himself ?—He gave it himself with his own hands.

22,648. When ?—In the afternoon, after I had taken Webb to poll.

22,649. At the last election ?—In the previous election.

22,650. Vanderbyl's ?—Yes, my father had nothing to do with the last election. I took Webb to poll as I can assure you without saying a word, except coming over the bridge, when he said, if there was money would I get it it for him. I said "Yes." I did not know at that time there was until I heard some people had been receiving it. I was told to go to Allan's. I went there and walked a little way up and into a room and turned to the left, and saw a lot of money, and I said, "I have polled George Webb, and I promised him whatever price is going," and Allan said, "The price is 10*l.*," and he gave me two 5*l.* notes. He folded them up and put them into my hand.

(*Andrew Allan.*) I wish the Commissioners would ask Mr. Symons how he came to the knowledge that I have not charged him with the 10*l.*

(*The witness.*) I have not heard my name mentioned.

22,651. (*Mr. Price.*) How did it come to your

knowledge that Allan had not charged you with that money?—I have been in the court most of the time, and I have not heard my name mentioned as receiving money.

(*Mr. Coleridge to Andrew Allan.*) You have not mentioned his name as one of those who received money.

(*Andrew Allan.*) I have not mentioned it. I ask him how he came by that knowledge.

(*Mr. Coleridge to Andrew Allan.*) Were you in the room, Allan, when he came and got the 10*l.*

(*Andrew Allan.*) I do not remember his having the 10*l.*

22,652. (*Mr. Coleridge to witness.*) Was it his wife who gave you the money, or Allan?—I took it from Allan's own hand, in the room at the top of the stairs turning to the left. There was a table with the money upon it.

22,653. I understand Allan accounted for it by saying that he gave it to your father, and not to you?—That is it; it must be a mistake on his part.

(*Mr. Anstey to Andrew Allan.*) I understand you to say, Allan, that you do not charge him with having received the money?

(*Andrew Allan.*) I charged Mr. Symmons, sen., with receiving 10*l.* Mr. Symmons, jun., comes up and says that he received it.

22,654. (*Mr. Anstey to witness.*) You are under the impression that Allan said that either you or your father received it. Allan says that he never said so. He said positively that he did not mention you at all. He said that your father received it. He stated so in evidence. Now the question arises, how did you ever come to know or hear or understand that Allan had ever charged you at all?—I say he has not done so. I have been in court most of the time of this Commission, and I have not heard my name mentioned as regards money.

22,655. Not in the court, nor in the list?—I did not hear it when he read over the list.

22,656. (*Mr. Coleridge.*) Your father fails by 10*l.* to make his list good, and you say that you account for your father's failure to account for his money and make it good by saying that that 10*l.* was paid to you instead of to your father. Is not that it?—Well, I do not know. All that I know is, that I did receive 10*l.* from Allan, and paid it to George Webb; and my father, I can assure you, never saw George Webb for the day, and did not know till I said the other day, "I polled that man, and not you."

22,657. Are you sure you did not see your father?—I do not think I saw my father after 10 o'clock. My father was attending one side of the town and I the other.

22,658. Where did you see Allan?—At Allan's own house.

22,659. What did you go there for?—I went purposely to receive the money.

22,660. By whose orders, your father's?—Not my father's. I had not seen my father.

22,661. By whose orders?—I think by direction of John Smith and Henry Bussell, because I was down in the committee.

22,662. Your father was in the town that morning?—I never had any electioneering matters with my father in my life. Whether I saw him the day before I do not know. I have no doubt we did meet, because we live next door to one another.

22,663. Did he not send you to Allan to get the money?—He did not, and I never mentioned the name to him; and I can safely swear that my father never saw him for the day. I do not believe he did.

(*Andrew Allan.*) I have no recollection of ever meeting Mr. Symmons, jun., in the election of 1866. Two days after the election he asked me for money.

(*Mr. Coleridge.*) There is no contest about the money. The only question is whether the 10*l.* was paid to young Mr. Symmons or old Mr. Symmons. In the confusion of such a day as that it is very likely there might be a mistake.

(*Mr. Anstey.*) You say positively that old Mr. Symmons received the money, Mr. Allan?

(*Andrew Allan.*) I say positively that I never paid young Mr. Symmons that day; I say that old Mr. Symmons had the money, that I charged him with having, every farthing.

ELIZABETH JANE LANGDON sworn.

E. J. Langdon.

22,664. (*Mr. Price.*) What are you; are you in service anywhere?—No, I am not.

22,665. Are you living at home?—I am.

22,666. Whom do you live with?—My mother.

22,667. Where do you live?—Baker's Court, Eastover.

22,668. Have you been in service at all?—Yes.

22,669. How old are you?—I am 17 now.

22,670. You have been in service; when did you leave service?—Oh, a long time now, for my mother has been ill a long time.

22,671. Did you leave service on account of your mother's illness?—Yes.

22,672. You went to attend upon her?—I did.

22,673. Are there any of your brothers and sisters living with you?—My brother is living with me, because he keeps the house for my mother.

22,674. Your brother is a married man?—No, he is not.

22,675. But he keeps the house and supports your mother?—He does.

22,676. Do your brothers and you live together?—There are two brothers.

22,677. What are they?—One is a sailor, belonging to one of Mr. Sully, the mayor's ships.

22,678–9. (*Mr. Anstey.*) The last person you were in service with, I think, was your aunt?—I had just left before.

22,680. You had left your aunt?—Yes. The last place I were at was with my aunt.

22,681. (*Mr. Price.*) Do you remember being examined here in the beginning of this year before Mr. Justice Blackburn?—I do.

22,682. And at that time you were in service?—No.

22,683. In February?—Not that time.

22,684. You were living at home?—Yes.

22,685. You gave an account of having seen a person of the name of James Honeyball?—Yes.

22,686. Is he here?—Yes.

22,687. Where is Honeyball?—(*Pointing.*) There he is, over there.

22,688. Point him out?—There he is.

22,689. You know him perfectly well?—Oh yes, quite well.

22,690. How long have you known him?—For a long time; for a number of years.

22,691. Are you in the habit of seeing him constantly?—Yes, I have seen him several times a day.

22,692. Did you know what he was?—Oh yes.

22,693. That he worked at Brown's?—Yes.

22,694. And was a coachman, or ostler, or whatever it was?—Coachman.

22,695. Is it true that you saw Honeyball at the "Anchor Inn"?—I did.

22,696. On the polling day?—Yes.

22,697. The polling day of the last election?—Yes.

22,698. You are quite sure about that, that you saw him there?—Quite sure.

22,699. Where were you standing?—By the "Fountain," next door.

22,700. It is next door to the "Anchor"?—It is.

22,701. What were you doing at the "Fountain"?—I was waiting for a young woman who was gone into Castle Street.

TWENTY-SECOND DAY.

E. J. Langdon.

17 Sept. 1869.

22,702. Do you know her name?—I do not know her name.

22,703. If you did not know her name, what were you waiting for her for?—I met her up by the market, and she asked me to come down as far as Castle Street and wait for her.

22,704. Is she a stranger?—No; she was one of Weston-super-Mare. I met her there when I was there.

22,705. Had you been in service there?—Yes.

22,706. And you knew her as living at Weston in service there?—Yes.

22,707. But you did not know her name?—I did not know her name.

22,708. Had you before that day seen her in the town?—Yes, several times.

22,709. And spoken to her?—Yes.

22,710. And then she asked you to wait for her at the "Fountain" while she went to Castle Street?—Yes.

22,711. What time in the day?—It was after three, and before four. I could not say exactly what time.

22,712. If you did not know her name, what made you wait for her?—I did not know her name. She asked me to wait.

22,713. Did you go into the "Fountain"?—No, I did not. I stood outside.

22,714. Did she say why she did not want you to go with her into Castle Street?—No; I asked no questions.

22,715. Whilst you were waiting at the "Fountain," did you see Honeyball?—Yes, come out of the "Anchor."

22,716. Was anybody with him?—Not when he came out.

22,717. Did you see him speak to anybody?—Yes, a man at the door.

22,718. At the door of the "Anchor"?—Yes.

22,719. It is only a few yards from one door to the other?—That is all.

22,720. Did you hear him say anything?—Yes.

22,721. What did you hear him say?—I heard him ask the man who he was going to vote for.

22,722. He spoke loud enough for that?—Yes.

22,723. Quite sure about it?—Quite sure.

22,724. Was anybody else standing with you at the door of the "Fountain"?—Not anybody; I was alone.

22,725. You were the only person standing at the "Fountain" door?—I was the only person.

22,726. Was anybody else standing at the "Anchor" besides Honeyball and this man?—Not anyone.

22,727. Nor anybody opposite, on the quay side?—Not anybody that I recollect.

22,728. What did the man say?—He said he had not made up his mind as to who he was going to vote for. Honeyball said he would give him 5*l.* to vote for Kinglake and Vanderbyl.

22,729. You are quite sure?—Quite sure.

22,730. Well?—The man said he would vote. I saw Honeyball hand him something in a piece of paper, which Mr. Honeyball said was 5*l.*

22,731. No; Mr. Honeyball has never said so. He says nothing of the kind took place. He says quite the contrary?—That is what he said to the man.

22,732. Do you mean to say he told the man it was a 5*l.* note?—He said it was 5*l.* He did not say a note.

22,733. What was it in?—It was wrapped in a piece of white paper.

22,734. Why do you say "wrapped"?—It looked like something with paper round.

22,735. Do you know the look of a bank note?—It looked quite round, more like gold.

22,736. More like gold?—Like gold wrapped up in a piece of white paper.

22,737. And he told him it was 5*l.*?—Yes; he told him to put it in his pocket and say nothing about it, but go and poll.

22,738. Should you know that man again if you were to see him?—Well, I could not swear to him.

22,739. Can you describe him?—He was of dark complexion.

22,740. You have been at Bridgwater, I suppose, all your life? Have you lived in Bridgwater all your life?—Not all my life, because I have been at Weston-super-Mare a good many times.

22,741. Did he look like a mariner?—Oh, I could not say.

22,742. Like a sailor?—No, he did not look like a sailor.

22,743. (*Mr. Anstey.*) Have you seen him since?—No, I have not.

22,744. Have you been in Bridgwater ever since?—Yes.

22,745. And he has not been about the streets to your observation?—I have not seen him.

22,746. (*Mr. Price.*) What became of Honeyball after that?—He went back to Bussell's house.

22,747. Did you say anything to him yourself?—No.

22,748. How soon after that did you mention it to anybody?—The next day afterwards.

22,749. To whom?—To Mr. Hayward, the gardener.

22,750. You did not say anything when you got home about it?—In the evening mother was laughing, and she said she knew there was bribery, and I said, "Yes, for I saw it myself." She never asked any questions.

22,751. You are sure you told your mother that night?—Oh, quite sure.

22,752. Is your mother at home now?—Yes, but she is very ill. She has been bedridden.

22,753. Is she too ill to come here?—Yes.

22,754. Was there anybody present when you said this to your mother?—No, not anyone.

22,755. (*Mr. Coleridge.*) Who is attending your mother?—Dr. Hurman pretends to attend on her.

22,756. (*Mr. Price.*) What do you mean by pretending to attend?—Well, he don't come regular; when he is fetched.

22,757. (*Mr. Coleridge.*) Is he the parish doctor?—Yes.

22,758. (*Mr. Anstey.*) Was it the next day that you told this to Hayward, the gardener?—Yes, the next evening.

22,759. The day after the poll?—Yes.

22,760. (*Mr. Price.*) How came you to mention it to Hayward?—Well, I heard a great many say in the town they had been to the "Clarence" and seen money pass.

22,761. There was a meeting at the "Clarence" that day, was not there?—On that day; on the Tuesday?

22,762. On the Wednesday?—On the Wednesday.

22,763. When you told it to Hayward?—I do not know whether there was a meeting, but there was a procession.

22,764. Where was it you met Hayward?—It was at the "Clarence." There was a procession.

22,765. You told him; then by his advice whom did you go to after you told it to him?—Mr. James Trevor.

22,766. From Hayward you went to Mr. Trevor?—The next morning. It was too late that evening to go to Mr. Trevor's office.

29,767. Then you told it to Mr. Trevor?—I did, and he took it down in writing. He took it down as I have told it in handwriting, and I signed my name to it, "Elizabeth Jane Langdon."

22,768. (*Mr. Coleridge.*) Was it at Mr. Trevor's office?—It was.

22,769. Was anybody present besides Mr. James Trevor?—Oh yes; I believe it was his clerk that took it down.

22,770. But was Mr. James Trevor himself present?—Oh yes.

22,771. And was Mr. John Trevor present?—I believe Trevor's office is in the square there.

22,772. How many people were present when this was taken down?—Only two.

TWENTY-SECOND DAY.

E. J. Langdon.

17 Sept. 1869.

22,773. They you think were Mr. James Trevor and the clerk ?—I believe it was Mr. James Trevor.

22,774. (*Mr. Price.*) How was it you happened to mention it to Hayward? Is he a friend of yours ?—Oh, nothing at all, only in electioneering.

22,775. How did it arise ? How was it that you told it to Hayward ?—I was persuaded to tell him. I called him aside.

22,776. Who persuaded you to tell him ?—I do not recollect.

22,777. Oh yes, come. Had you mentioned it to anybody ?—I believe my mother said she would tell some of the party that she knew best if she were me ; and I knew Mr. Hayward, the gardener, very well.

22,778. Did you know Mr. Hayward as belonging to the party ; which party ?—Oh, on the Tory side.

22,779. Then is your mother a Tory ?—What, sir ?

22,780. Is your mother on that side ?—Oh yes.

22,781. And you too ?—Oh, I am any colour myself.

22,782. (*Mr. Coleridge.*) How did your brothers vote ?—They have no vote at all.

22,783. (*Mr. Anstey.*) When you met Hayward near the "Clarence," was there going on or had there been a meeting ?—There had been a meeting, I believe, in Gloucester Place.

22,784. Were people about the street at that time ?—Oh, there was a long procession. There was a very long procession from Gloucester Place, round the town.

22,785. And Hayward was there ?—Hayward was there.

22,786. And you got talking to Hayward about the poll of the day before, and you told him this ?—Yes.

22,787. (*Mr. Price.*) Mr. Powell was the first person you told of it after you had seen Hayward ?—After I had seen Hayward.

22,788. You told it to Mr. Powell in the "Clarence ?"—Yes.

22,789. Have you ever had any quarrel with Honeyball, or have your family ever had any quarrel with him ?—Oh no.

22,790. Not anything at all ?—Oh no, not a bit.

22,791. And you have not the slightest doubt about what you have told us now ?—No.

22,792. You are quite sure about it ?—Quite sure.

22,793. Nobody heard you tell your mother ?—No, there was nobody in the house.

22,794. (*Mr. Coleridge.*) What did you get paid for giving your evidence before Mr. Justice Blackburn ?—10*s.* ; 5*s.* a day. I had two days.

22,795. That is all you received ?—Yes.

22,796. Have you talked this matter over with anybody about the election ?—No, not at all.

22,797. Is it true that the man John Harwood threatened you ?—Yes, several times ; and on the Sunday evening he said, "Here comes the one that "is going to swear against Honeyball. By next "Sunday she will have no ears. She shall have her "ears cut off."

22,798. How did they know that you were going to swear about it ?—Because they know me.

22,799. Did they know you had given evidence to Mr. Trevor ?—They knew I was subpœnaed.

22,800. Did Honeyball himself say anything to you ?—Yes, in this court ; just as I was passing out he said, "Mind the 5*l.*, miss."

22,801. Honeyball said that to you before you had said a word about it ?—Before I had spoken to Judge Blackburn.

22,802. How did he know you were going to speak about the 5*l.* ?—I do not know.

22,803. (*Mr. Anstey.*) Was it the first day of the trial when he said that ?—Yes.

22,804. You gave your evidence on the second day ?—Yes.

22,805. What else did he say besides that "Mind the 5*l.*, miss" ?—He said, "Mind the 5*l.*," and then he said (I thought he said Mr. Hooper, but it was Mr. Oakley, the governor of Taunton gaol)—he said he would have my top-knot cut off. He meant my chignon.

22,806. What did he say about Mr. Oakley, of Taunton gaol ? I could not hear, for this absurd noise that is going on ?—He said, "Mind the 5*l.*, miss ; "mind Mr. Oakley, of Taunton gaol ; the governor "of Taunton gaol."

22,807. Implying that you would have to go to gaol ?—He did.

22,808. (*Mr. Price.*) And that then your hair would have to come off ?—No ; he said he would take my top-knot off himself.

22,809. (*Mr. Anstey.*) Then did Mr. Serjeant Parry upon that make a complaint to the judge ?—He did.

22,810. You heard it ?—Yes.

22,811. Did Honeyball hear it ; was he there ?—He was in the court, I believe.

22,812. (*Mr. Price.*) Have you had anything said to you since by anybody in the way of threats, since you gave your evidence ?—I cannot say. Ever-so-many have called after me names and that, but I do not know their names.

22,813. (*Mr. Anstey.*) How far were these two doors from each other, the door of the "Fountain" and the door of the "Anchor" ?—Well, say here is the door of the "Fountain," and here is the two windows belonging to the "Anchor" house, and then there is another window here (*pointing*) belonging to the "Fountain," and then there is the door of the "Fountain," which goes in.

22,814. (*Mr. Price.*) How wide ; not so wide as across over here ?—Not so wide.

22,815. (*Mr. Anstey.*) What o'clock was it ?—After three, and before four. I cannot say how much.

22,816. Do you know Mr. Henry Jarman ?—I do.

22,817. Did he ask you ever anything about that ?—Yes.

22,818. What did he say to you ?—He wanted for me to go into Mr. Smith's.

22,819. What Mr. Smith's ?—York House, on the Wednesday morning.

22,820. Before Mr. Justice Blackburn was here ?—Yes. I had been out for some sugar or tea, I could not say for certain which, for breakfast, and he was going into the shop as I was coming out. "Oh, miss," said he, "come into the shop and tell me what you "are going to say up before Judge Blackburn." I laughed, and I said I was not going to tell him. "I "am not going to tell such a fool as you my busi-"ness." That is the words I said.

22,821. That is John Smith ?—I thought it was very silly of him to ask me such a question as that ?

22,822. (*Mr. Price.*) Do you remember Mr. Justice Blackburn, after hearing your examination, and after the cross-examination by Mr. Serjeant Sargood, suggesting to Mr. Serjeant Parry that he was quite satisfied, and that he need not go any further ?—I cannot remember that.

(*Mr. Anstey.*) Perhaps he suggested that with reference to the complaint about the threatening ?

(*Mr. Price.*) We need not go any farther. That will do.

JAMES HONEYBALL recalled.

J. Honeyball.

22,823. (*Mr. Price.*) Do you want to say anything ?—May I be allowed to give a contradiction to that statement ?

22,824. (*Mr. Price.*) You have done so.—I have witnesses to prove that I was not at the "Anchor" at the time this girl states.

22,825. What time do you mean ?—Between three and four.

22,826. When did you get your witnesses ?—Witnesses that were with me at the time.

22,827. What time ?—At the time I was driving ; the whole time between three and four.

TWENTY-SECOND DAY.

17 Sept. 1869.

Andrew Allan recalled.

A. Allan.

22,828. (*Mr. Price.*) Now, Allan, I want to know is this man Honeyball a man who would be likely to have 5*l.* to dispose of in the way of bribery?—No, he is not.

22,829. You think not?—I never knew him trusted with any money. Mr. Bussell told me that he sent some money to poll the man, and he got tipsy.

Henry Chapman Bussell recalled.

H. C. Bussell.

22,830. (*Mr. Price.*) Bussell, this man is said to have been at your house some time between three and four in the afternoon. Do you know anything about it?—He was there just at the time that I paid the money, but as to his paying any money——

22,831. Tell us the time?—All that was done with regard to the money was done in about 10 minutes.

22,832. Between three and four o'clock?—From a quarter past 3 to half-past three. But as to his giving any man outside money when he was there with his trap, I was there as well. He was never there to the door from a quarter past three up to the time that I gave the money without my being to the door. He came to the door just as I finished paying the people, and he drove away again, and I did not see any more of him then.

22,833. (*Mr. Anstey.*) When was that that he drove away?—From a quarter past three to half-past three. It was all done in about 10 minutes.

22,834. You don't know what he did after he left you, between a quarter-past three and half-past three?—If anybody told me that he had 5*l.*——

22,835. You don't know what he did after he drove away?—No; after he left me he drove away, and I remained home the biggest part of the time afterwards.

22,835*a*. (*Mr. Price.*) Had he a carriage there all the time he was at the door?—He drove up to the door to see if there was anybody wanted to be taken. I am not certain, but I fancy he came in and had a glass of something to drink, and went out to his trap and drove away, and there was an end of it.

22,836. Was he ever there without a trap?—Well, you see I was out part of the day.

22,837. I understood he was there?—I understood he was there somewhere between one and two o'clock.

22,838. For instance, when he came in and asked for something to pin up his colours?—I was not there then.

22,839. (*Mr. Anstey.*) You are aware that that was spoken to before Mr. Justice Blackburn?—I was not there then.

22,840. You were not there then? Between three and four at any time might he have been at your place? Was he at your place without his trap, as you call it?—No; and there is another matter. The place was completely crowded round there with people, and the girl's statement cannot be correct. There would be 100 people, I suppose, about on the quay there in the front.

22,841. At the time?—At that very time. The fact of it was, there was a rush made to the house, and I should think I speak within bounds when I say that from a quarter-past three up to the time that there was an end of the money, there was never less in the front of the house than 100 people.

22,842. What she says is that there was nobody there when Honeyball and the man were speaking?—I do not understand her to say anything about that.

22,843. (*Mr. Price.*) I asked if there was anybody on the quay side besides, and she said there was not a soul?—Honeyball drove up with his trap to the door, and he came into the house to see whether there was anybody going to the poll, and then he drove away and never came there afterwards.

22,844. You are sure of that?—Certain of it.

22,845. You are quite sure that the only time that he was in your house from three to four was between a quarter-past three and half-past three, when he came with his trap to see if anybody wanted to go to vote?—That is right. There was a complete crowd. I should not think that at any time from about 10 minutes past three to very close upon four o'clock, there would be less than 100 people at my door.

(*Mr. Price.*) Very well, that is satisfactory.

James Honeyball recalled.

J. Honeyball.

22,846. (*Mr. Price.*) Now, Honeyball, do you want to say anything?—This girl stated that it is only a little distance. You, sir, said, "Not so wide as this room," and she says "No." On the morning that I was going to the petition I had the curiosity to pace from one door to the other, and from Mr. Bussell's door to the "Fountain" door is 16 paces, as a man can pace.

22,847. That is 16 yards?—Yes, 16 yards. And what tone of voice must I be speaking in for her to hear it?

(*Mr. Price.*) She says you spoke loud enough for her to hear. It is for us to judge whether that would be done in a bribing matter.

22,848. (*Mr. Coleridge.*) Had you 5*l.* in your possession that day?—Not anything like gold had I, on my solemn oath.

22,849. Had you 5*l.* in any shape or way?—I had not. The most money I had in my pocket was something like 1*s.* 9*d.* or 2*s.*

22,850. Did you pretend to make up a packet like money?—No.

22,851. Not by way of a joke?—No; and I did not know that money was going, but I had a suspicion; and Mr. Bussell and Mr. Allan and any of these gentlemen that you have had before you during this Commission will tell you whether I received any money from them in any shape or form.

22,852. They say not?—Which I did not, on my solemn oath.

(*Henry Chapman Bussell.*) I have been reminded since I sat down, the person will bear me out, that there is a person that I gave 10*l.* to, and I likewise gave him 10*l.* to take to another man. That man was in the eastern booth, and he says he went out and went up in Honeyball's trap and drove away.

(*The witness.*) Gentlemen, I am pretty well known in Bridgwater. I have been in my present employ 23 years, and I defy anybody in Bridgwater to produce a stain against my character.

Henry James Nethercott sworn.

H. J. Nethercott.

22,853. (*Mr. Price.*) Are you a mariner?—Yes.

22,854. Were you a voter at the last election?—Yes.

22,855. And was it the first time you had had a vote?—Yes.

22,856. Did you get any money for your vote?—Yes.

TWENTY-SECOND DAY.

H. J. Nethercott.

17 Sept. 1869.

G. C. Fisher.

22,857. How much?—10*l.*

22,858. Whom did you get it from?—Mr. Bussell.

22,859. (*Mr. Coleridge.*) Is that the only money you ever have received about the election?—Yes.

22,860. Never had anything to do with giving any?—No, I never had anything to do with an election before.

(*Mr. Price.*) That will do.

GEORGE CHAPMAN FISHER sworn.

22,861. (*Mr. Price.*) What are you?—A stationer.

22,862. Do you live in Bridgwater?—I do.

22,863. Are you the person that has been at Exeter?—Yes.

22,864. Are you a voter for the borough?—I am.

22,865. Did you vote at the last election?—I did.

22,866. Had you anything to do with money matters?—Nothing whatever.

22,867. Neither in the way of paying money, or in receiving?—Neither.

22,868. Did you vote in 1866?—I did.

22,869. Whom did you vote for then?—For Mr. Bagehot first, and Mr. Vanderbyl second.

22,870. At Vanderbyl's election did you get anything for your vote?—I got some subsequently.

22,871. Well, how much?—10*l.*

22,872. Did you get anything at Bagehot's?—No.

22,873. (*Mr. Coleridge.*) Who from?—John Smith.

22,874. What did you get at Bagehot's?—Nothing whatever.

22,875. (*Mr. Price.*) Or at any other election?—None whatever.

22,876. (*Mr. Coleridge.*) What is all the money you have received for voting in Bridgwater?—10*l.*

22,877. That is the only one?—Yes.

22,878. How came you to get that if you were not in the habit of being bribed?—Well, my father had a vote, and prior to that, at Bagehot s election, he had received some money, and I told him in confidence—I said 10*l.* would be of service to me.

22,879. Your father told you that he had received money?—Yes.

22,880. What had he received?—I do not know. I think 10*l.*

22,881. Who did he get it from?—Smith.

22,882. That put you upon Smith? So you went to Smith for it?—No, I did not go to him at all. I never spoke to him about it.

22,883. How did you manage to get it?—I daresay, at least I presume my father would have said, "There is my son, who has a little business, to whom "10*l.* would be of service."

22,884. Then Smith came to you?—No, he never came to me.

(*Mr. Price.*) Well, tell us all about it.

22,885. (*Mr. Coleridge.*) Tell us how you got it, and all about it?—About six weeks after the election Mr. Smith gave me 10*l.*

22,886. That had been promised before the election?—No, certainly not.

22,887. Were you told that you had better vote on the Liberal side?—Certainly not.

22,888. And that 10*l.* is all you got for your vote?—Yes.

22,889. Had you ever taken money from anybody else?—None whatever; no.

CHARLES HOBBS sworn.

C. Hobbs.

22,890. (*Mr. Price.*) Are you an engine driver in the employment of Browne and Co.?—Yes.

22,891. Are you a voter?—Yes.

22,892. In the election of 1868 how did you vote?—In 1868 I voted for Mr. Bagehot.

22,893. No, no, you did not?—Oh, Mr. Westropp in 1868.

22,894. The last election, you know?—Yes, for Westropp and Gray.

22,895. Did you get anything for your vote?—No.

22,896. (*Mr. Anstey.*) Were you promised anything for your vote?—No.

22,897. (*Mr. Price.*) No promise?—No.

22,898. (*Mr. Coleridge.*) Did you get anything for your expenses?—Nothing at all.

22,899. Was nothing promised you?—Nothing.

22,900. Neither before nor after?—No.

22,901. Nor up to the present time?—Nor at the present time.

22,902. (*Mr. Price.*) Were you, on the morning of the polling day, at the "Clarence" when Mr. Westropp addressed his supporters in the ball room?—Yes.

22,903. About 300 or 400 were present?—Yes.

22,904. What did he say?—He said, "My good man go to the poll, and go early."

22,905. Was that all he said?—I never heard anything else.

22,906. Did he say, "I cannot say anything now, because you don't want me to go to prison"?—No.

22,907. "But it will be all right after the election"?—I never heard no such word.

22,908. Are you a member of the Conservative Working Men's Association?—Yes.

22,909. Was that all you had to do with the last election?—Yes, that is all I had to do with it.

22,910. (*Mr. Anstey.*) Do you know whether any member of the Conservative Working Men's Association voted for Kinglake and Vanderbyl?—I voted for Vanderbyl at one election.

22,911. At that election did any members of that association vote for Kinglake and Vanderbyl?—Oh, yes; several.

22,912. How many?—I know of one or two.

22,913. What are their names?—William Crocker voted for one. I could not recollect for a minute or two who the others were.

22,914. Do you know whether these men, besides being members of the Conservative Association, had also promised to vote for Westropp and Gray?—No, I do not.

22,915. Do you know any who had promised to vote for Westropp and Gray voting for Kinglake and Vanderbyl?—William Crocker promised to vote for Westropp and Vanderbyl. That is all I know of it.

22,916. And he voted the other way?—Yes, for Kinglake and Vanderbyl.

22,917. (*Mr. Price.*) He had promised to split—and he afterwards voted—— ?—For Kinglake and Vanderbyl afterwards.

22,918. In the election of 1866, when Mr. Vanderbyl was here, did you vote then?—Yes.

22,919. Whom did you vote?—I voted for Mr. Vanderbyl.

22,920. What did you get for it?—15*l.*

22,921. Whom did you get it from?—William Onion.

22,922. Were you a Conservative then?—Yes.

22,923. How was it you voted for Vanderbyl?—Because I went to the poll to vote for Mr. Patton, and there was a large majority of voters there, and I should not get my turn for half an hour or more; and I went to see the state of the poll at the "Clarence Hotel." In the meantime Mr. Boys came in and said, "Stop the polling on the Conservative side;" and they were not going to poll another man.

22,924. Boys said so?—Yes; a clerk in Mr. Smith's office; now he is a clerk in Mr. Paul Reed's office. I turned to go home, but on my way I met William Onion. He asked me if I had been to poll, and I said, "No, I have not." He said, "Will you go with us." I asked what was going, and he said 10*l.* I said I would not go for that; I would go for 15*l.*

TWENTY-SECOND DAY.

17 Sept. 1869.

C. Hobbs.

He went to the committee room, and I went and voted. I should not have gone and voted if at the "Clarence" I had not been told that I was not wanted.

22,925. (*Mr. Coleridge.*) You have not much political conviction?—No.

22,926. Do you not look upon a vote as something to be bought and sold?—Yes.

22,927. You don't care whether the Tories or the Liberals are in?—I always voted for the Tories except when they said I was not wanted.

22,928. And except when you got 15*l.* to vote for the Liberals?—I should have voted for Mr. Patten. I thought it was doing Mr. Patten no harm.

22,929. What did you get at Bagehot's election?—10*l.*

22,930. (*Mr. Anstey.*) I suppose every man who sells his vote cares more for the money than for any political principle, not only you but everybody else. At the election before that what did you get?—What election?

22,931. (*Mr. Price.*) A man of the name of Bulpin has said that he gave you money?—Yes, but I never received a farthing from Bulpin; never had any connexion with him at all.

22,932. Did you ever speak to Bulpin?—Yes, at Vanderbyl's election he asked me which way I was going to vote; I said, "For the Conservatives." He said, "I shall not want to ask you any more," and I said "No, I will give you my word, I am going to vote for the Conservatives."

22,933. He never gave you any money?—No, not a farthing; no kind of money at all.

22,934. At Bagehot's election you say you got 10*l.*?—Yes.

22,935. Where did you get it; at the "Bull and Butcher"?—At the "Bull and Butcher."

22,936. How was it given to you?—Out through the door.

22,937. You did not see anybody, merely saw a hand?—I saw a hand come out through the door. That is all.

22,938. Had you voted at any other election before that?—No, I never voted before that.

22,939. You voted twice for money, and once without. Did you get any promise last time?—No, no promise at all.

22,940. Did you expect if money was going you would have some?—No; I always said if Westropp came I would vote for him.

22,941. Why should you vote for Westropp?—I always said I would.

22,942. Why?—Because I respected the gentleman.

22,943. (*Mr. Coleridge.*) What had he ever given you to induce you to respect him?—Nothing more than his good name in the town.

22,944. (*Mr. Price.*) Because he spent lots of money here; was that the good name?—He never gave me any.

22,945. Was the good name that he had in the town given him because he was always spending money here?—It was always said he was a good gentleman in the town.

22,946. Because he was always spending money in the town; that was it, was not it?—I suppose that was it.

22,947. (*Mr. Coleridge.*) Did your wife ever get any money from Westropp's election?—Never.

22,948. (*Mr. Anstey.*) A few days before the election did not you attend a meeting at which Mr. J. R. Smith, justice of the peace, was present, a Conservative meeting?—No; all the meeting I attended was the morning of the polling day at the "Clarence."

22,949. But two or three days before that?—Not to my knowledge.

22,950. Had you not heard or had you heard before the election, I do not mean on the election day but before that day, that there was likely to be money in the town to go for Mr. Westropp?—No, I never heard no such word.

22,951. No such rumour?—No.

22,952. Quite sure?—Yes, I am.

22,953. Did you hear anything, on the morning of the election or the night before, to the contrary effect, viz., that the money that was here had all gone away; and was it said, "We shall not have any money coming to us"?—No, I never heard no such word.

C. Hook.

CHARLES HOOK sworn.

22,954. (*Mr. Price.*) What are you, Mr. Hook?—A grocer.

22,955. Are you a voter for the borough?—I am.

22,956. And have been for several years?—Since 1865.

22,957. Did you vote at the last election?—I did.

22,958. How did you vote?—For Westropp and Gray.

22,959. What bribing you have done has been on the Conservative side, has it?—I have only bribed one since I have had anything to do with it.

22,960. But that is on the Conservative side?—Yes.

22,961. (*Mr. Coleridge.*) Have you ever been bribed on the other side?—Yes, I have received money, and I was employed on the other side.

22,962. (*Mr. Price.*) You received nothing last year?—No.

22,963. Nor any promise?—No.

22,964. Did you give any?—No.

22,965. At the election of 1866 whom did you poll for?—For Vanderbyl. That was the first election of Vanderbyl, I believe.

22,966. You voted for Vanderbyl?—I did.

22,967. How was that?—Well, in the morning, somewhere about, I suppose just before eight o'clock, Frederick Temblett met me out somewhere in St. Mary's Street, somewhere near the church, and he came up to me and told me it was the wish of the party that I should go to Gloucester.

22,968. What party?—The Conservatives I took him to be alluding to. I was to go to Gloucester for a man of the name of Sellar. I told him that I did not believe there was time to be back, but he begged me to go, and said it was the only favour they could ask me to do. At last I consented, and did go. Previous to my going I went up the town again.

22,969. Did he give you any money?—Yes, he did hand me 2*l.* or 2*l.* 10*s.* to pay my expenses, and also to pay Sellar's expenses, or I took it to be that; and previous to my going I went home and told my wife that I was asked to go away, and she said if she was me she would not go running away from the town on a day like that. But, however, I had promised I would, and I thought I would be as good as my word. But before going I came up the town again and went into the "Bull and Butcher," and in a room upstairs there were, I should think, 30 or 40 men (in a front room), and I had not been there a couple of minutes, I suppose, at the most, before Temblett nodded his head to me, and I went towards him, which was out on the landing from this room, and he said, "Have "you been to poll?" and I said, "I do not think the "poll is open." I do not think it was.

22,970. This was before the conversation about going to Gloucester?—It was.

22,971. (*Mr. Coleridge.*) Then it was before eight in the morning?—Yes. I do not think the poll was open. He said, "Knock at that door." There was a door, and I did so, and they asked me who was there, and I gave my name, and there was 10*l.* passed out at the door. I went to record my vote some time after, but there were a great many people waiting. There was only one polling booth at that time, and the people were waiting. I took a second thought, and I went back. That was about 20 minutes to nine, and I could not record my vote for the number of people that were round. I took a ticket to Bristol, and when I got to Bristol I had to stop 20 minutes, and I looked at the train bill to see the time.

22,972. You were going by Portskewitt, I suppose, to Gloucester?—No, I was going by train the whole way. I went to look at the train time table to see if it was possible for me to be back, and from the exami-

nation I made I found I could not be back till a quarter past seven if I only stopped at Gloucester 10 minutes.

22,973. Did you come back to Bridgwater ?—I did.

22,974. (*Mr. Price.*) Did you call in your at father-in-law's, Roberts ?—I did.

22,975. Did you find that Vanderbyl was far ahead ?—Yes ; some men at the station threw it in my teeth, and said, they used an oath and said, "I am damned "if we have not got you now. We have got Vanderbyl "40 ahead, and you are nowhere."

22,976. Did you then vote for Vanderbyl ?—Yes, I did ; for I felt annoyed to think that I was sent away.

22,977. You had 10*l.* ?—Yes.

(*Mr. Coleridge.*) And 2*l.* 10*s.*

22,978. (*Mr. Price.*) Tell us what you were annoyed at ?—When I found I was there, and that there was no probability of my being back in time, I do not know why or what led me to feel so, but I did feel annoyed.

22,979. After having bagged 10*l.* ?—Yes ; but that 10*l.* was owing to me on a previous election, which I will explain by-and-by.

22,980. Were you told that plenty of money was going on Vanderbyl's side ?—I was.

22,981. Did you ask who was paying it ?—I did.

22,982. Who did they tell you ?—They said that Roberts had been down there, Roberts at the carriage works.

22,983. And been offering 20*l.* and 25*l.* ?—Yes.

22,984. Did Roberts come in while you were there ?—Yes, he did.

22,985. Did you ask him the figure ?—Yes.

22,986. Did he say 15*l.* or 20*l.* ?—Yes.

22,987. And did you say "More than that" ?—Yes, I did say, "More than that." I said, "I hear the town is flooded." That is the remark I made.

22,988. Did you ask for 30*l.* ?—I did.

22,989. Did he tell you to go home and take a cup of tea ?—He said he would see me in two or three minutes ; and he came in.

22,990. Did he promise you 30*l.* ?—Yes.

22,291. Did you go on that promise and vote ?—I went straight to the poll and voted.

22,992. You came back. Did a lady call—Mr. Roberts's daughter, now Mrs. Gibbons ?—She was Mrs. Gibbons then, I believe.

22,993. Had she been previously downstairs with your wife ?—She had. I heard the knock at the door.

22,994. Did your wife tell you she had been there, and directly after she left she found something on the table ?—She did.

22,995. And you took it up and found 30*l.* in it ?—She brought it up to me, and I opened it and found six 5*l.* notes.

22,996. Did you return the 10*l.* to Temblett ?—No.

22,997. Or the 2*l.* 10*s.* ?—I did not.

22,998. So then you obtained 42*l.* 10*s.* by that job ?—Yes, I did.

22,999. And you are a so-called "respectable grocer and tea dealer," and what not ?—Yes. You will allow me to explain why I took that money.

23,000. Now, then, explain ?—When Mr. Roberts came in it struck me all to once in the manner they had used Mr. Westropp.

23,001. How do you mean "used" him ?—Turning him out ; and they were guilty of bribery themselves. Roberts had always been preaching purity of election to me, and I was only too highly pleased to catch him. So the next morning when I could go out (I could not go out then), I sent a colour to my house, and I was going to Mr. Bealy Smith to give this money back, thinking there would be a petition.

23,002. (*Mr. Coleridge.*) Have you ever given it up ?—No. I will explain directly why not. I saw a man, a clerk, of the name of Neale, and I went with him to go to Mr. Smith's, and he told me that Mr. Smith was not in ; and some time after that (I do not know exactly the time, just after dinner I think it was) I saw Mr. Smith and told him what had transpired, and he said, "I do not think there will be a petition presented," because he did not think they were clean themselves. The consequence was I kept it.

23,003. So you have kept that money and prospered on it ever since ?—Yes.

23,004. What did you get at Bagehot's election ?—Bagehot's election ?

23,005. (*Mr. Anstey.*) Tell me one moment about this man Temblett, whose name you have mentioned. Was it Frederick Temblett, the baker ?—Yes, that is the man.

23,006. Not the landlord of the "Bull and Butcher" ?—No, his son.

(*Mr. Price.*) What did you get at Bagehot's election ?

23,007. (*Mr. Coleridge.*) The one before, you know, when you say something was owed you at this one from that ?—Oh yes. 5*l.* at that election.

23,008. Who gave you that ?—Temblett.

23,009. For your vote ?—Yes.

23,010. How did you vote ?—I voted for Patton.

23,011. (*Mr. Price.*) Had you not another 5*l.* before the second election ?—Oh yes.

23,012. How did you make out that you had 10*l.* owing ?—I will explain that when I come to the next election.

23,013. The 1865 election ?—Yes, 1865.

23,014. 10*l.* you got for voting for Patton ?—Yes.

23,015. Now we will come to 1865. In 1865 did Phillips, the draper, come to you about a month before the election ?—He did.

23,016. And asked you if you would like to fly some colours ?—Yes.

23,017. Were you to have 30*l.* if you would put up colours ?—Yes ; and do all I could for the party, including my vote.

23,018. Did he promise to let you have the money before the election ?—He did.

23,019. Did he put it in writing ?—I asked him to do so.

23,020. And he declined by the advice of his lawyer ?—Yes.

23,021. That 30*l.* was to include your vote ?—It was to include my vote.

23,022. Did you ask repeatedly for the 30*l.* ?—I did.

23,023. Did you get it before the election ?—No.

23,024. Did he tell you the night before the election you must keep your eyes open the next day and you would get it ?—Yes.

23,025. Your eyes, not your hands ?—Yes, my eyes.

23,026. Did you meet Slocombe, the cabinet maker, on the polling morning ?—I did.

23,027. Did he tell you money was going ?—He did.

23,028. Did he tell you to go up the back way to Fred Harden ?—Yes.

23,029. Did you tell Harden ?—I did not tell Harding. I asked him, and he said there was 10*l.* a man going.

23,030. Did you also ask 10*l.* for your father-in-law, Roberts ?—I did.

23,031. After you had got the 10*l.* from Harding for yourself ?—Yes.

23,032. Did you then go into the "Bull and Butcher" to have a glass of beer ?—I did.

23,033. Did you hear some one who made you look round ?—I heard some one give a sort of whistle, and I looked back.

23,034. Who did you see when you looked round ?—I think it was Thomas Boys.

23,035. Did he tell you there was something on the table ?—He did.

23,036. Did you take up a screw, and when you went home did you find it contained 10*l.* ?—Yes. that was 20*l.* out of the 30*l.*

23,037. Did you take the 10*l.* to Roberts ?—Yes.

23,038. And he refused it ?—Yes.

23,039. Why ?—Because he said he was promised

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a situation if he would vote for the Liberals, and he would not take the money.

23,040. Was that your father-in-law?—It was James Roberts, a brother to John Roberts.

23,041. Did you go back to Mr. Harden's to refund the money?—I did.

23,042. Why were you to refund the money if you had been promised 30*l.*?—It was not given to me.

23,043. It was given to you. You took up the screw and found it to contain 10*l.*?—Mr. Harden gave me that. The other was at the "Bull and Butcher."

23,044. Thomas Boys said there was something on the table, and you took it up, and you went home and found it contained 10*l.*?—Yes.

23,045. Had you asked for 10*l.* for Roberts?—Yes. That was not given to me for myself, and therefore——

23,046. You went back to Mr. Harden with the money, and he was out?—And he was out.

23,047. Did you go back to Fore Street and see Hayward, the barber?—Yes.

23,048. Did he ask you if anything was going, and where?—Yes.

20,049. Did you tell him to go to Mr. Harden's?—I did.

23,050. Did Hayward tell you there was a man of the name of Staples who wanted money?—Yes.

23,051. Did you then give him the 10*l.* which you had intended to give up to Roberts?—I did.

23,052. You gave that to Staples?—Yes.

23,053. In the town?—It was somewhere near the polling booth. Now Stroud came up, and I asked him if he knew Staples, and he told me he was all right, I believe; and I said I had 10*l.* for another man, and I would not mind giving it to him.

23,054. When this petition took place in 1866, did Staples swear it was Stroud who had given the money?—Yes.

23,055. Whereas, in point of fact, it was you?—It was.

23,056. Stroud had merely told you of it?—Yes, I knew he was going up to deny it.

23,057. Did you tell Mr. Bealy Smith before the petition, that you had paid Staples and offered to go to London?—Yes.

23,058. Did he ask you not to go but to let Stroud go, who could do it with a clear conscience?—That is the remark.

23,059. Did you tell everyone that you had 30*l.* from Vanderbyl?—I did make it public next morning.

23,060. How much have you made altogether in your voting business?—I do not know. I could soon run it together.

23,061. (*Mr. Coleridge.*) Something over 100*l.*?—No.

23,062. There were two 30*l.*?—Two 30*l.* 20*l.* for the first election, and 10*l.* I had at another made up the first. Then I got 30*l.* the next, or about 70*l.* or 80*l.* during the whole time I have had anything to do with it.

23,063. (*Mr. Price.*) Is that the first you had anything to do with?—Yes, 1865.

23,064. (*Mr. Coleridge.*) You would not have gone without being paid under any circumstances?—Yes, I believe I should for Westropp. I had promised him. Mr. Westropp called on me. Some one said I had no vote, and he said I might have a vote another day, and I made up my mind from that to support him.

23,065. (*Mr. Anstey.*) Mr. Westropp had been nourishing the borough here?—Quite so. I believe that.

23,066. (*Mr. Coleridge.*) Had you any of his monthly charities?—No.

23,067. (*Mr. Anstey.*) About this father-in-law of yours. Is it the same person? There was one of that name, James Roberts, a voter, whom there was some question about the other day, of his having been promised something for his vote?—Yes, Brown & Co.

23,068. I believe that man Roberts, your father-in-law, in the election of 1865 polled for Kinglake and Shelley?—Yes, he did.

23,069. Having previously promised one to Kinglake and one to Westropp?—He promised me he would vote for Westropp.

23,070. Did he get anything for his vote, do you know?—He got the promise of employment.

23,071. That is what moved him?—Yes; he would not vote for Westropp for that very reason, and he would not take the money I offered him.

23,072. (*Mr. Price.*) He would not take the money on that account?—No, he would not. He said he preferred the employment.

T. Duddridge.

THOMAS DUDDRIDGE sworn.

23,073. (*Mr. Price.*) What are you?—Superintendent of part of John Brown & Co.'s works.

23,074. Are you the person who has the employment of discharging men on the works?—No, I do not discharge them unless there is occasion, and there has been no discharge made lately.

23,075. Have you taken any part in influencing men about election matters?—No, not in the least.

23,076. Never?—Never. Allow me to express to you gentlemen my feeling about that.

23,077. You know what has been said about it?

23,078. (*Mr. Anstey.*) Have not you a lot of men under your control?—Certainly I have.

23,079. What class are they?—They are men working for 12*s.*, 14*s.*, and 15*s.* a week, and they have sometimes about 1*l.*, and some more or less in the summer time.

23,080. How many voters are there amongst them?—I think, if you take the brickyard employ through, there is about 47.

23,081. And those immediately under your control, how many are there?—Under my control alone, do you mean in the yard?

23,082. Yes?—Well, I think there is something about 16 or 17 in the yard I have control over altogether.

23,083. Did they not poll at the last election, those 16 or 17, for Kinglake and Vanderbyl?—No.

23,084. How many did not?—Charles Hobbs, the engine driver, voted for Gray and Westropp I believe.

23,085. Was he one of those under your control?—That is one of those under my control.

23,086. You know what is called in this borough cooking a lot of men who have votes?—I have never done it in my life.

23,087. Are you quite sure?—On my oath.

23,088. I believe all men are liable to it, to suffer under an evil reputation, even in the Liberal party as regards that. Are you aware of that?—I never told a man in my life that he should vote for the Liberals nor for the Tories in my life, since I have been at Brown and Companys, and that is about 46 years.

23,089. But you have asked them for their votes?—I never did not.

23,090. You never did not?—I never did not; and I should wish those to be called before your Royal Inquiry.

23,091–2. (*Mr. Price.*) You mean that you never did?—I never did. I should like you gentlemen on the Royal Commission to call every man of Brown and Company, and call this man, the engine driver.

23,093. At the last election did you on the polling day in 1868 distribute drink amongst some of the voters, workmen in the employment of Brown & Co.?—I did not.

23,094. Did you give them no drink at all?—No drink.

23,095. Did you give them a pound ahead?—I did not.

23,096. Did you give any of them a pound?—Not a farthing. I had no money to give myself or them either. No man that ever walked in Bridgwater in two shoes could say that I ever gave a man sixpence, not honestly.

23,097. If the impression is general in the Liberal party that you are a most active person in cooking the votes of the electors under your control, how could that impression arise if you are so innocent?—I think that arose something by Robert Bussell, by a man named Banfield, living about two miles from the town. He swore here before Mr. Justice Blackburn that he was two or two and a half miles from the town on the day of the election, and something of that arose by the report he heard in a public-house by Robert Bussell somewhere, but I do not know where.

23,098. Robert Bussell is a Conservative?—I know he is.

23,099. I am speaking of the impression among the Liberal party?—I was explaining, if you please, what was reported before Mr. Justice Blackburn, and when Banfield was called, Mr. Justice Blackburn said, "You have the wrong man, the wrong witness;" and I stood by this pillar, and Mr. Serjeant Parry said, "Do not you know Duddridge? There he is by that pillar;" and with the same I held up, and he says, "I do not know the man."

23,100. Who said?—This Banfield, who will be brought against me. "I know a man named Dud-" dridge at Colthurst and Symmons',' but not Dud-" dridge of Brown & Co."

23,101. Banfield said he did not know there was anybody of your name at Brown & Co.'s?—He said he knowed a person of the name of Duddridge at Colthurst and Symmons', but he did not know there was anyone for Brown & Co., and he did not know the man.

23,102. "You do not know a Duddridge, you say, " at Brown's brickyard?—No. Do you know Brown's " brickyard?—Yes. Do you know anyone there?—" I do not know that I know anyone there. If I tell " you there is no Duddridge at Symons,' as a foreman " of the brickyard, is not the Duddridge you know " foreman at Brown's?—Not that I am aware of." Then he is asked to "Look at that gentleman with his arm on his face"—who that is does not appear; and his answer is, "I do not know him by his countenance."—I stood here by that pillar.

23,103. Who was that?—That represented me.

23,104. It appears there is some other Duddridge here?—There are several in the town. There was Duddridge here reported before you that had 10*l.*, which at the same time one of you gentlemen said, "Duddridge for Brown & Co.," and Capt. Bussell said, "No, Captain Duddridge, not Duddridge for Brown & Co." I heard that myself.

23,105. The same difficulty appears to have occurred to Mr. Serjeant Parry, and he asks for a James Duddridge and a Thomas Duddridge; you are neither of those?—I am Thomas Duddridge, and I never gave a man or controlled a man in my life.

23,106. Then there is George?—Yes, a brother of mine, on the voters.

23,107. That may be the one?—No, I do not believe it.

(*Mr. Price.*) I am sorry to have given you the trouble of coming here, but you have had an opportunity of explaining yourself.

GEORGE HEAL sworn.

G. Heal.

23,108. (*Mr. Price.*) What are you?—A dairyman.

23,109. Are you a voter?—Yes.

23,110. Did you vote at the last election?—Yes.

23,111. Who for?—Westropp and Kinglake.

23,112. Did you get any money for it?—No.

23,113. Were you promised any?—No.

23,114. You voted one and one then?—Yes.

23,115. How was it you did that?—Well, Mr. Westropp was rather a favourite of mine.

23,116. Why; because he spent so much money in the borough?—No, I never had a shilling of Mr. Westropp's.

23,117. Then why is he a favourite of yours?—That is my way of thinking.

23,118. In politics?—Yes.

23,119. How came you to vote for Mr. Kinglake then, and neutralize your vote?—I should not have done so if I had been aware of what I am now.

23,120. Why?—I should have voted for Mr. Vanderbyl.

23,121. Why?—Because I have had 10*l.* of his money, so I understood.

23,122. Ten pounds of Mr. Vanderbyl's money?—Yes.

23,123. (*Mr. Coleridge.*) The election before?—Yes. I certainly should not have if I had been aware——

23,124. (*Mr. Price.*) Did you think it was Mr. Kinglake's?—No, I did not know whose.

23,125. Then why did you vote for Mr. Kinglake?—I thought I would split one and one.

23,126. (*Mr. Anstey.*) Are you a brother of William Heal?—I am; but we are not on friendly terms, and have not been for many years, I am sorry to say.

23,127. What, in your politics?—We differ in many things.

23,128. In politics also?—In many things we differ.

23,129. (*Mr. Price.*) Mr. Vanderbyl's first election in 1866, when you got this 10*l.* Who did you get it from?—Mr. White.

23,130. Henry Cornelius White?—Yes.

23,131. Did you suppose that was Mr. Vanderbyl's money?—I do not know whose it was. At or about that time I had a very great loss, and asked Mr. White if he would have the kindness to write to the candidates, and intercede for me.

23,132. To the candidates?—Yes.

23,133. Not to the members?—To both members, Mr. Kinglake and Mr. Vanderbyl.

23,134. No, before the election of 1866; it would be Kinglake and Patton?—Not him. I apprehend he was a member—Mr. Kinglake at the time.

23,135. And the other would be Mr. Patton?—Well, after Mr. Patton was out, I apprehend.

23,136. That was the time that Mr. Patton occupied office?—Yes.

23,137. You asked him to do that; did he do so?—I do not know.

23,138. Did he afterwards give you 10*l.*?—Two months after.

23,139. After the election?—Yes.

23,140. (*Mr. Anstey.*) You say you applied to the candidates of the election. Were they candidates when you asked for this money?—Mr. White very well knew my loss, because he was here.

23,141. What election was it?—Mr. Vanderbyl's.

23,142. The first election?—Just so.

23,143. (*Mr. Price.*) Did you ask him to write to the members or candidates?—I did.

23,144. The members?—Yes, to Mr. Kinglake and Mr. Vanderbyl.

23,145. (*Mr. Coleridge.*) What was your loss?—Stock. I had nine head of stock.

23,146. (*Mr. Price.*) Was it before you voted, or after, that you asked Henry Cornelius White to write?—A fortnight or three weeks, or it might be a month after I voted.

23,147. Then you wrote to the two members?—I asked him to write to the two members.

23,148. Stating that you had a great loss of stock?—Yes.

23,149. Then you got the 10*l.*?—About two months after the election.

23,150. After you had made the application you got 10*l.*?—Yes.

23,151. What is this, you did not know then he

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had kept 10*l.* for your vote. What do you mean by it?—I did not know that he had the money when I spoke to him, not until he made the return when he gave his evidence here. I did not know he had any money, or I should not have applied to him to write to the members.

23,152. You heard for the first time that he had already put you down for 10*l.*?—Yes, I was not aware of it; of course I had the 10*l.*

23,153. Had you said anything before the election about requiring 10*l.* for your vote?—No, not to any individual, never.

23,154. How do you account for his giving your name in for 10*l.*?—I cannot tell that. I do not know anything of that; he must have known of my loss, and took it for me. I do not know anything of that.

23,155. Do you mean to say he returned your name before you spoke about your loss?—I never knew anything of it, because after the election I asked Mr. White if he would have the kindness to intercede for me, and get me a trifle towards my loss, and had I known that Mr. White had my money, surely I should not have asked him.

23,156. Had he had money for you before you asked him to write to the members?—Certainly he had at the time I asked him.

23,157. Before you said a word about money?—Yes.

23,158. How do you account for that?—I do not know at all.

23,159. Had you asked for any money before the election?—No.

23,160. Had you had any promise of any before?—No, nor at the election.

23,161. You cannot account for why he put you down before you spoke of the loss of your cows?—No, I do not know anything at all of it. I simply asked Mr. White because he was a witness to my loss, and knew my circumstances, and I asked him as a friend if he would have the kindness to write.

23,162. (*Mr. Coleridge.*) How do you mean a witness to your loss?—He was there when one of my cows, a valuable cow, died.

23,163. Had they the cattle disease amongst them?—No, I do not know that it was that; inflammation or something. I lost six out of nine.

23,164. (*Mr. Price.*) Had you anything at Bagehot's election?—After the election.

23,165. How much?—15*l.*

23,166. Who from?—Mr. Henry Cook.

23,167. A fortnight after the election?—Yes.

23,168. What has become of Mr. Cook?—He is at Chippenham.

23,169. (*Mr. Anstey.*) What is he doing?—Keeping a public-house; an innkeeper.

23,170. (*Mr. Price.*) That might be a way of accounting for his getting it for you; he might have known that you had the 15*l.* from Mr. Cook?—I do not think he knew that. I am not aware that anyone knew it until I name it now.

23,171. Now, at the election in 1865 you kept the "Bath Bridge" inn?—Yes.

23,172. Did you treat people to the amount of 15*l.*?—I did.

23,173. Without any direct orders?—Yes.

23,174. Who did you send the bill in to?—I spoke to Mr. George Berry on one or two occasions.

23,175. At the "Bath Road?"—Yes, he was there, and principally took the chair.

23,176. Did he tell you that you should be paid?—Well, he said I should be paid, and interest; but he never did it.

23,177. Did your wife go to Mr. James Cook's office and tell him that you were much pressed for money, and did he then pay you 15*l.*?—He did.

23,178. (*Mr. Coleridge.*) What Cook paid you?—Mr. James Cook, the solicitor.

23,179. (*Mr. Anstey.*) This election of 1865. I believe Sir John Shelley's servant, Mudgett, was staying at your house?—No; he was there occasionally, as the others were.

23,180. What others?—They who were there in the evening.

23,181. Do you remember sending Wescott, the ostler, on a message to Mr. Cook, the lawyer, telling him that you expected to be paid?—No, I never did.

23,182. Tell us your version of it?—He came to me on the polling day at Sir John Shelley's election, and told me to go and vote for Westropp.

23,183. (*Mr. Price.*) Who did?—This man you are speaking about.

23,184. (*Mr. Anstey.*) Wescott, the ostler?—Yes.

23,185. Were his words these, or to this effect: "Mr. Cook says there is no money for you on our "side, and if you like, you may go and vote for Mr. "Westropp"?—He told me I might go to Mr. Westropp, but I have no knowledge of his saying anything about money.

23,186. You were examined before the committee of the House of Commons in the following year?—I was.

23,187. And you told the honourable committee that your observation thereupon was, "Surely they are not going to throw me overboard?"—I did.

23,188. That meant the Liberals?—Yes.

23,189. You were asked by Mr. Sleigh whether the message delivered by Wescott as coming from Mr. Cook was this, to tell you you were not to rely on him any longer, and if you could get anything from the other side you were to go and get it, and your answer is you did, and upon that you said, "Oh dear, "oh dear, surely they are not going to throw me "overboard"?—Yes, that would be the case.

23,190. How came Wescott to bring you that message if you had not sent to Mr. Cook?—I had not seen Wescott before.

23,191. Had you spoken to Mr. Cook?—No.

23,192. How came he to send you that message?—Perhaps it might have been through some one else. I cannot say.

23,193. Had you spoken to some one else about your going to vote?—No.

23,194. You understood the message, because you made the remark, "Surely they are not going to throw me overboard"?—Yes.

23,195. What was the meaning of "surely they are not going to throw me overboard"?—If I had gone and voted for Westropp, how was I to be paid for my drink; that was my meaning.

23,196. You were relying to be paid for the heavy bill they had run up for drink?—Yes.

23,197. The committee asked you, "What did you mean by throwing you overboard?" and your answer was, "I do not know I am sure. I went straight to the poll"?—So I did.

23,198. Immediately after having been told this by Wescott?—Yes.

23,199. Did you after the election, and before the committee met to try the petition, the Sunday after the election, do you remember, have a conversation with William Poole on this subject?—Yes.

23,200. Do you recollect it was discussed between you whether there would not be an election petition against Westropp?—No, I do not think that was suggested.

23,201. At all events, the question of the election was discussed between you?—Yes, it was, in conversation.

23,202. Do you remember using these words by way of complaint against your own party, the Liberals: "Those who promise and do not give are a damned "sight worse than those who do promise and do "give"?—No, a part of it I made use of, "Promising "and giving is honourable, but promising and not "giving is dishonest."

23,203. You mean your own people?—No, I do not mean anybody, because I have heard complaints in my time of voting.

23,204. Were not you speaking on that occasion of something that had happened at the last election?—No, I was never promised a shilling by any individual.

23,205. Did not you go on to say that Mr. Westropp is now in, and, as he is returned, I would rather for the man to stay in?—No. I might have said so, but I do not know anything of him.

23,206. Tell me at once, had you any cause of complaint against your party for not paying you money at that election?—Not the slightest, and never had a claim.

23,207. You did get it afterwards?—From Mr. Cook.

23,208. Had you no grievance on your mind all this time about not paying your bill?—No, never.

23,209. But you applied for it very often?—I applied to Mr. Berry.

23,210. And never got it?—No.

23,211. Until 1868?—No.

23,212. Do you mean to say that you did not feel that very much?—No, because I was owing Carslake and Barham a bill, and I thought one would pay the other.

23,213. Did you further say on that occasion to Poole, or to anybody, "I was offered 25*l.* by my side, "but I have never received a damned farthing"?—No, never in my life.

23,214. Did you never say that to him?—No, never in my life.

23,215. Never to anybody?—No.

23,216. (*Mr. Price.*) Did you without the "damn"?—No, I never said neither of it. I was not offered a shilling. I voted for 33 years.

23,217. (*Mr. Anstey.*) I was not asking you about your vote, or whether they offered you anything, but did you say something like that to Poole?—No, I never could have said I had a shilling offered me.

23,218. (*Mr. Coleridge.*) Tell me when; when was the first time?—The first was what Mr. White gave me. I never was offered.

23,219. You draw a distinction between offering and giving?—Well, he gave me 10*l.*, I admit.

23,220. Have you never had anything in former years?—Never. I have voted for the Conservatives over 30 years, and never had a shilling from them, and never had a promise or any claim against them.

23,221. And no bill for treating?—I supplied about 2*l.* worth of drink at Follett's election; for that I was paid.

23,222. (*Mr. Price.*) Who paid you?—James Parkins.

23,223. (*Mr. Anstey.*) Had you sent a message to Cook about money you wanted through young Gilbert; had you seen Gilbert at that election?—Philip Gilbert; we live close together, and we might have talked of it.

23,224. He lives close to your house, in the Bath Road?—We might have talked it over; there is no doubt about it.

23,225. It was stated by Mr. Cook, both here and before the committee of the House of Commons. that Gilbert, the younger, brought him this message, and he believes in these words, "Mr. Heal," that means you, "wished me to come up to town, and see who I "could see"?—Yes, probably that is correct.

23,226. In consequence of that he says he sent the ostler, Wescott, in Eastover, down with this message, to go to Heal, Bath Road, and say if he wants money he had better vote for Westropp, because the Liberals would not have anything of that kind?—I have no doubt that was the way it came about. I do not know that he mentioned Cook's name. He said I could go and vote.

23,227. Did he deliver that message?—He said I could go and vote for Westropp, and I have no doubt in that way the message was sent to me.

23,228. "If he wanted money"?—I have no doubt about it.

23,229. And you had never any conversation with Cook yourself about money matters at that election?—No.

23,230. (*Mr. Price.*) In 1837 or 1838, did you give a man named John Cook 11*l.* to vote for Broadwood?—Yes.

23,230. Did you get that money from Richard Smith?—Old Mr. Richard Smith.

23,232. Was the first time you voted, 1837?—Yes.

23,233. (*Mr. Anstey.*) That was for the Conservatives?—Yes; I voted for them over 30 years.

23,234. (*Mr. Price.*) Then you wanted to borrow some money from young Mr. Smith?—Yes; I had a bill.

23,235. And he refused you?—Yes.

23,236. And then you turned round and voted steadily for the Liberals?—Just so.

23,237. (*Mr. Coleridge.*) How often have you bribed besides that 11*l.*?—I am not aware that I ever gave a shilling in my life. I apprehend that I never did.

23,238. (*Mr. Price.*) Have you paid Carslake and Barham?—Yes.

23,239. (*Mr. Coleridge.*) What are you?—A dairyman.

23,240. (*Mr. Anstey.*) What was the first election you were present in?—In 1837 I became a voter.

23,241. (*Mr. Price.*) There was a lot of money spent then?—I do not know.

23,242. (*Mr. Coleridge.*) Are you now a Liberal or a Tory?—I am a Conservative. I have not altered my opinion though I voted for the Liberals; I certainly am a well-wisher, particularly of Mr. Westropp, though I never had a shilling of his money in my life.

FRANCIS JOHN CARVER sworn. *F. J. Carver.*

23,243. (*Mr. Prtce.*) Are you foreman to Mr. Gough, shipbuilder?—Yes.

23,244. Are you a Liberal?—Yes.

23,245. Did you poll at the last election?—Yes.

23,246. Whom did you vote for?—Kinglake and Vanderbyl.

23,247. Did you meet Palmer on the Cornhill that morning at poll?—I did.

23,248. Did you ask him if he had polled?—I did.

23,249. Did he say no?—He said no.

23,250. Did he say he would not poll without money?—He said he would be damned if he would poll without money.

23,251. Did he ask you to go to the "Clarence" with him?—He did.

23,252. And you went?—I went.

23,253. Had you polled yourself then?—No.

23,254. What time in the day was it?—Just before three I should think.

23,255. What did you go to the "Clarence" for?—He asked me to go and have a glass of beer, and we went; and I had a glass of gin and water, and he had a glass of beer.

23,256. Who paid for it?—Henry Roberts, the sail maker. I did not ask him for it, but we are very friendly.

23,257. Is he a voter?—Yes.

23,258. A Conservative voter?—Yes.

23,259. Did he say anything about your vote?—No.

23,260. From there did you go to Bussell's?—Yes.

23,261. And on the way did Palmer say he did not care a damn which side it was, but he must have money?—He did, and no one should know it, or words to that effect.

23,262. (*Mr. Coleridge.*) He would not split?—He would not split, or words to that effect. I would not swear the exact words.

23,263. (*Mr. Price.*) Did you go to Bussell's about three?—Yes.

23,264. Did he give you 20*l.*?—Yes.

23,265. 10*l.* for yourself?—And 10*l.* for Robert Howe.

23,266. Did you vote after that?—I did.

23,267. Did you see anything more of Palmer?—Never afterwards.

TWENTY-SECOND DAY.

F. J. Carver.

17 Sept. 1869.

23,268. What time were you there, as near as possible?—At Bussell's, I should think from three to half-past.

23,269. Did you see Honeyball?—Yes, he took me to Polden Street after a voter. I went with him in the trap, and then I went and polled at the poll booth at Pig Cross; but I was at Bussell's house in five minutes, or near, and I should think there were 100 people there from that time to four o'clock.

23,270. You came back to Bussell's after you polled?—Yes.

23,271. Honeyball drove you?—Honeyball drove me to Polden Street after the voters, and then we walked to poll, and I walked as far as Bussell's, and I stopped about there all the time.

23,272. Did you see anything of that girl who has been here?—No.

23,273. (*Mr. Anstey.*) At this last election you were subpœnaed, I believe, for the petitioners?—I was.

23,274. And not examined?—I was not.

23,275. And I think the attorneys did not take down your evidence?—No, I never went to any.

23,276. That is probably the reason you were not examined?—I expect so.

23,277. Were you hanging about the "Clarence Hotel" until about the middle of the polling day?—Yes, from the bridge to the "Clarence" up and down.

23,278. From morning to noon?—Yes.

23,279. Did you see or hear anything of the meeting said to have taken place there that morning at eight o'clock?—I was on the bridge when the rush came down the town. The men came in a body to poll.

23,280. You were not yourself at the meeting?—No, decidedly not.

23,281. You heard what the people said as they came rushing from the meeting?—I was at the bridge and heard these men say on the Liberal side, "These men must have had money promised them; "they would not have gone to poll like that without."

23,282. And did you hear those who had been at the meeting say what had taken place?—No.

23,283. (*Mr. Price.*) Now, in 1865 whom did you vote for?—Kinglake and Westropp.

23,284. Did you have any money?—No.

23,285. Or any promise?—No.

23,286. How came you to split your vote?—I was with an old voter, John Ackland, now in America.

23,287. You did not vote in 1866?—I had no vote before Shelley's election, and one now in 1868.

23,288. How was that?—Because I was in a 10*l.* house then. I was with Mr. Ackland the first time I had a vote and he told me if I stuck to him I would be sure to get some money; he had had it at previous elections; and I stuck to him, and the consequence was, that no money was spent at Sir John Shelley's election, and we were in and out of Bussell's and different places, and there was no money to be had. We went up and down, and some one took us to Frederick Harden, the baker, the other side, and we went in, and some person came in with a message to say they had polled enough men, and did not want any more. And Harden said to us two, "Go and poll, and if there is anything left you shall have it;" and I said, "I will see you damned first, I do not want your money," because I knew that was no good.

23,289. (*Mr. Coleridge.*) You did not mean it?—(*No answer.*)

23,290. (*Mr. Price.*) Is that all you know?—That is all I know.

J. Jobson.

JAMES JOBSON sworn.

23,291. (*Mr. Price.*) What are you?—A master mariner.

23,292. Had you a vote here at the last election?—Yes.

23,293 Did you get anything?—10*l.*

23,294. From whom?—Bussell.

23,295. Did you get anything before that?—No.

23,296. (*Mr. Coleridge.*) Is that all you got?—That is all.

23,297. Did you give anything to anybody else?—No.

23,298. (*Mr. Anstey.*) What was the nature of your qualification at the last election that you never voted before?—On the new principle.

23,299. A householder paying rates?—Yes.

W. Crocker.

WILLIAM CROCKER sworn.

23,300. (*Mr. Price.*) What are you?—A master mariner.

23,301. Did you vote at the last election?—I did.

23,302. Did you get anything for it?—I got 10*l.* from Bussell.

23,303. How did you vote?—Kinglake and Vanderbyl.

23,304. Had you intended to vote for Westropp?—Westropp and Vanderbyl.

23,305. But getting the 10*l.* you voted for Kinglake and Vanderbyl?—Yes.

23,306. (*Mr. Coleridge.*) Were you promised anything by Westropp?—None.

23,307. (*Mr. Price.*) Had you voted at any other election?—None.

23,308. Had you a vote at any other election?—No.

23,309. Were you a householder this last time?—I was.

23,310. (*Mr. Anstey.*) When did you first promise Mr. Westropp; how long before?—When he came to my house three or four weeks before, I think. I could not say.

23,311. When you promised, did you hope or expect that if he got in you would get some money?—I did.

23,312. That had happened before, had it?—Yes.

23,313. Then on the morning of the polling day were you at the meeting of the "Clarence"?—I was not there at all.

23,314. You heard of it?—Yes.

23,315. Did you hear that there was to be no money going on their side?—I did.

23,316. And afterwards you took Bussell's money?—And voted for Kinglake and Vanderbyl.

J. Turner.

JOHN TURNER sworn.

23,317. (*Mr. Price.*) What are you?—A draper.

23,318. Are you a voter?—Yes.

23,319. Had you a vote at the last election?—Yes, I voted for Westropp and Gray.

23,320. Did you get any money for it?—Nothing.

23,321. (*Mr. Coleridge.*) Any promise?—Not at all.

23,322. Did you give any money to anybody?—I had nothing to do with it.

23,323. Did you promise anybody?—No, I never took any interest.

23,324. What was the election at which Bussell bribed you? Vanderbyl's was not it?—Yes.

23,325. How much did you get then?—15*l.*

23,326. From whom?—Bussell and Andrew Allan.

23,327. (*Mr. Anstey.*) Were you a Conservative then?—I voted for Westropp and Patten the election before.

23,328. (*Mr. Price.*) You had always voted Conservative before that until Mr. Vanderbyl stood, and

then you took 15*l.* and voted for him?—Yes, that is the only two votes I had.

23,329. Before you had voted the other way?—Yes.

23,330. You had voted for Patton before?

23,331. (*Mr. Coleridge.*) Had you a vote at Bagehot and Patton's election?—Yes.

23,332. Then you voted for Patton?—Yes.

23,333. (*Mr. Price.*) And then you turned round?—Yes.

23,334. Did you get anything from Mr. Patton?—Yes, 15*l.*

23,335. Patten's election?—Yes.

23,336. From whom?—At the "Bull and Butcher." I do not know who the party was. It was done up in small parcels of 5*l.* each.

23,337. (*Mr. Price.*) Was it 5*l.* additional that made you turn round in 1866?—No, I do not know that it was.

23,338. What was it then?—I do not know that it was anything.

(*Mr. Coleridge.*) What made you turn back at the last election?

(*Mr. Price.*) Did you hear there was any money going on the Liberal side?

23,339. (*Mr. Coleridge.*) You must have some reason why you turned back again at the last election. First you voted for Patton and got 10*l.*, and then for Vanderbyl, the other side, and got 15*l.*; then Gray and Westropp you got nothing. What object had you in voting for Gray and Westropp?—Many of my customers belong to the blue party.

23,340. Were not you promised money for your vote at the last time for Westropp?—No, not a farthing, never in my life.

23,341. (*Mr. Anstey.*) Did you not expect some money when the canvass began, some time or other?—Oh dear no, because Dunn, the foreman of the foundry, and Hooper came down to me, and said there would be nothing.

23,342. That was on the day of the election?—Yes.

23,343. I am speaking of some time before. Did not it enter into your mind when you promised Westropp and Gray that if there was money you would have some of it?—No, I never took an interest.

23,344. But you had taken an interest to the extent of 10*l.* from Patton and 15*l.* from Vanderbyl, not long before?—Yes, but I never took any interest.

23,345. Had you been threatened to have your customers taken away?—No.

23,346. Then what reason had you to suppose that you would lose anything in custom?—Because I had heard it was the practice in Bridgwater.

23,347. For people to move their custom if persons did not vote as they should?—Yes.

23,348. Were you afraid of that; as your principal customers were Westropp and Gray's people, you voted for them?—Yes.

23,349. (*Mr. Anstey.*) Which of them told you they would withdraw their custom from you?—No one in particular. It is the custom here.

23,350. (*Mr. Coleridge.*) Have you had anything to do with municipal elections?—I believe I signed a paper once.

23,351. Did you ever get any money?—No, I never took any interest in it.

JAMES SHATTOCK sworn.

J. Shattock

23,352. (*Mr. Price.*) What are you?—A timber dealer.

23,353. Are you a master?—Yes.

23,354. Do you employ men under you?—Yes.

23,355. How many?—Sometimes more and sometimes less; about seven or eight in general.

23,356. Do you buy timber and ship it here in port?—Yes.

23,357. Are you a voter for Bridgwater?—Yes.

23,358. Did you vote at the last election?—Yes.

23,359. Did you get anything for it?—No.

23,360. Were you promised anything for it?—No.

23,361. How did you vote?—Liberal.

23,362. Had you voted at the previous election?—Yes.

23,363. (*Mr. Coleridge.*) Did you promise anybody at the last election anything?—No.

23,364. Or give anybody anything?—No.

23,365. Did you induce anybody to vote?—Not at all.

23,366. (*Mr Price.*) At the previous election how did you vote; Vanderbyl?—The same.

23,367. Did you get anything then?—Yes.

23,368. How much?—20*l.*

23,369. Did you acknowledge afterwards that you had received 20*l.*?—Yes; in fact I have had nothing said about it afterwaads.

23,370. Who gave you the 20*l.*?—Bussell.

23,371. You never said to him you had not as much as 20*l.*?—No.

23,372. Did you get it in all one sum?—Yes.

23,373. At one time?—Yes.

23,374. How came you to get as much as 20*l.*?—I do not know.

23,375. Did you say you would not go unless you had it?—No, not as I know of.

23,376. You are a master, employing men under you, apparently a respectable man. Tell us how it was you managed to get 20*l.* for your vote?—Well, they offered me 20*l.* for it.

23,377. Who offered you?—Well, I was at Bussell's, I believe it was, and they gave me 20*l.* for it.

23,378. What did the Tories offer you?—Nothing.

23,379. (*Mr. Price.*) Did you say you would not vote without it?—Not that I can recollect.

23,380. Not that you can recollect! You can recollect well enough when you told them you would not vote unless you got 20*l.*?—I am not aware as I did.

23,381. Will you swear you did not?—No.

23,382. What did you go to Bussell's for, if it was not to get money for your vote?—I do not know.

23,383. Did you know he was a man who had been distributing bribe money?—No; I went in to get a glass of something to drink.

23,384. What did you go into Bussell's for? Was it the polling day?—I went in to have a glass of something to drink.

23,385. Was it the polling day?—Yes.

23,386. Who first mentioned money to you?—I do not know.

23,387. Did you first, or was it first mentioned to you?—I do not recollect that I mentioned it at all.

23,388. Who mentioned it to you?—I suppose it was Bussell.

23,389. You must be able to tell us if you choose. You got 20*l.*?—Yes.

23,390. Did you get anything at the election before in 1866?—Yes; I got 10*l.*

23,391. From whom?—Well, I cannot say whether that was from Bussell or from Mr. Thomas.

23,392. (*Mr. Coleridge.*) Before or after the election?—At the election.

23,393. On the polling day?—Yes.

23,394. Did you get anything in 1865?—No.

23,395. Did you vote in 1865?—Yes.

23,396. For whom?—The same party always.

23,397. Kinglake and Shelley?—Yes.

23,398. And in 1859?—That was the first time I voted.

23,399. (*Mr. Price.*) What was?—Kinglake and Shelley.

(*Bussell.*) It was Thomas paid the 20*l.*; but it was when he had the 10*l.*, at Bagehot's election was the time, Shattock told the man, whoever it was brought it to him, that I had only got him 5*l.* When

TWENTY-SECOND DAY.

J. Shattock.

17 Sept. 1869.

I gave Shattock the packet of money it was rolled up in cartridge. I wanted him to take it and go away, and he said, "No, I shall see what I have got; it may be farthings;" so he counted it in my presence, and he went away; and about two hours afterwards the person who brought him in said, "You made a pretty "mess of it this morning; you gave that man I "brought 5*l.*, and told him it was 10*l.*" And I said, "Where is he?" and I turned round and saw him on the bridge, and went with the party, I do not know who, and said, "Shattock, what was it I gave you this morning?" He said, "10*l.*;" and I said, "What right have you to say I only gave him 5*l.*?"

23,400. (*Mr. Price to the witness.*) What do you say to that?—I do not recollect a word.

23,401. I do not believe you when you say you do not recollect these things?—Well, I do not.

23,402. You have acted a very disgraceful part?—Well, I do not recollect it.

F. Walters.

FREDERICK WALTERS sworn.

23,403. (*Mr. Price.*) What are you?—A butcher.

23,404. Are you a voter?—Yes.

23,405. Did you vote at the last election?—Yes.

23,406. Who for?—Kinglake and Vanderbyl.

23,407. Did you get anything for it?—No.

23,408. Were you promised anything?—No.

23,409. Did you hear money was going at any time?—No, not before the petition.

23,410. What time of day did you vote?—The first thing in the morning, as soon as ever the poll opened.

23,411. (*Mr. Coleridge.*) Had you tried to get any money?—No; I made up my mind to have nothing to do with it.

23,412. You did not ask Bussell or Allan or any of those people about it?—I never spoke to them.

23,413. Do you mean you have such a horror of bribery?—At the last election I made up my mind that I would not have anything to do with it, and I went to the poll and voted.

23,414. What did you get at the election before?—20*l.*

23,415. Did you return it?—No.

23,416. Did you vote for Mr Vanderbyl?—Yes.

23,417. (*Mr. Price.*) Who did you get it from?—I had 10*l.* from White and 10*l.* from Heal.

23,418. Had you before that got anything from the Conservatives?—No, not at that election.

23,419. You got 20*l.* at Vanderbyl's election in 1866?—Yes.

23,420. What did you get at the first election in 1866?—10*l.* after the election, from White.

23,421. Was any money given to you by the other side?—No.

23,422. (*Mr. Coleridge.*) When did the Conservatives bribe you?—When Westropp and Padwick came here.

23,423. (*Mr. Price.*) You got 10*l.* in 1866 for the first election?—Yes, after the election was over.

23,424. How did you vote?—For Mr. Bagehot.

23,425. Did you get it from Henry Cornelius White?—No, Joseph White.

23,426. Did you vote in 1865?—No; it was when Padwick and Westropp were here that I had some money, but I returned it.

23,427. (*Mr. Anstey.*) Was that when Westropp and Shelley put up?—No.

23,428. When you got this 10*l.* from Joseph White did you go to the other side and say you had got 10*l.* for your vote, and would take it back if they would give you 15*l.*?—I will tell you everything. I was standing at my door, and one Jarman came and asked me which way I was going to vote.

23,429. Henry or Frederick Jarman?—William; he is dead. He was a plasterer, I think; and I told him I did not know, and I went to the "Albion," and as I was coming out old Denner gave me 10*l.*

23,430. Was that on the other side?—The other side; and when I went home my brother was there, and I told him exactly what had transpired, and I think he went and told Mr. Lovibond of it.

23,431. (*Mr. Price.*) Benjamin Lovibond?—Benjamin Lovibond and Mr. Heal, the brewer; and 10 or a dozen of them came to my house directly, and said Mr. Lovibond wanted me, and I went to his office to him, and they wanted me to give up the money, and I would not do it; and I carried it back next morning, and gave it to John Murlis, and returned it, and told him I did not intend to vote for him.

23,432. Did you get 15*l.* from the other side?—No, I got 10*l.*

23,433. Who gave you that?—I was told to go into a room by Jenkyns.

23,434. Where?—At the "Masons' Arms."

23,435. Did they tell you if you would give it up they would take care you should have as much on the other side?—I cannot really remember.

23,436. You do not mean to say you would have given up the 10*l.* if you had not been sure you would have 10*l.* in the place of it?—No, I had it first.

23,437. Was it given on one condition, that you should give the other back?—No, they did not say anything about giving it back.

23,438. I thought they asked you to give it up to them?—Yes; but I would not do it, because they wanted to petition. I would not tell them who gave it to me.

23,439. (*Mr. Anstey.*) Your name is Frederick?—Yes.

23,440. You are a butcher?—Yes.

23,441. Are your misdeeds correctly in my mind? Bribed in 1859 by the Tories, and on giving up the bribe bribed by the Liberals at that election. In 1866, the first election in June, bribed for Bagehot. In 1866, the second election in July, bribed for Vanderbyl. And I may now ask you after that preface, whether it is conceivable that you are the Frederick Walters whose name appears very early in the list of signatures to the petition of 80, presented in May 1866, stating the great anxiety of the undersigned to put an end to corrupt practices in Bridgwater?—Well, I did not know what it was.

23,442. (*Mr. Price.*) You thought probably it was a testimonial to Mr. Lovibond for his services?—Well, Hillyer forced me into it early in the morning; that gentlemen there (*pointing*).

23,443. Were you drunk then?—No.

J. A. Buttle.

JOHN ALFRED BUTTLE sworn.

23,444. (*Mr. Price.*) What are you?—I am a shoeing smith.

23,445. Who do you work for?—I carry on business myself.

23,446. Are you a voter?—Yes.

23,447. Did you vote at the last election?—I did.

23,448. Who for?—Vanderbyl and Kinglake.

23,449. Are you sure?—Yes, those are who I voted for.

23,450. It was not Westropp and Gray, was it?—No. I have voted for Westropp before that time.

23,451. Did you get anything for voting at the last election?—Yes.

23,452. How much?—10*l.*

23,453. From whom?—They put it down on some sort of place, on a bed or something, I do not know how; it came from no person's hands.

23,454. Where?—At the "New Inn."

23,455. Were you taken into the "New Inn" by anybody? Did you go there with anybody?—Some person said, "Go up there; you are wanted up there." It was a very dark place, and there were two people in the room when I went in, and I was pushed in and

the door slapped fast, and some one pushed out their hand to me, and I picked up the money, I believe all in sovereigns. It was a bed or bag I picked it up from. I do not know what made me; it was in the dark, and I picked it up.

23,456. And then you voted?—And then I went to the poll.

23,457. Who did you vote for; Kinglake and Vanderbyl I understood you to say?—Yes.

23,458. Are you sure about that; you do not seem certain. Were you drunk on the day of the election?—Well, I had had enough.

23,459. Were you so drunk that you cannot recollect now who you voted for?—Oh yes, I did; I know I voted for Kinglake and Vanderbyl.

23,460. Are you sure about that?—Yes, because I know I went to poll late. I was in and out working in my shop, the forge, in the day.

23,461. (*Mr. Anstey.*) Were you examined before Mr. Justice Blackburn?—Yes.

23,462. Then you describe yourself as a boot and shoe maker?—I told a falsehood, and I did it through fear. I said I did not have any money; I did not receive any money of Allan. I took the money off a bed, or a bag, or something; it was a sort of a black thing.

23,463. (*Mr. Price.*) Did you give evidence?—I gave evidence here in this court.

23,464. Did you there say you had got no money?—I said I did not receive 5*l.* or 10*l.*

23,465. And that was not true?—And I did receive.

23,466. Therefore you said that which was untrue?—I did, but I did it from fear, not knowing the consequences.

23,467. What was the fear?—I did do it from fear.

23,468. What fear had you?—My fear was this. I had been renting under Allan's shop, and I was afraid he would turn me out, and then I should get no bread.

23,469. (*Mr. Coleridge.*) Was it fear which gave you it, or told you where to get it?—Not here; I took it off the place.

23,470. Who told you where to get it?—I was pushed up a dark place upstairs, "Go up there; you are wanted up there."

23,471. Who told you?—I do not know; I cannot answer. I came to tell you the truth.

23,472. (*Mr. Price.*) Did you see Allan at the "New Inn" when you got this money?—I cannot say that I did.

23,473. You need not be the least afraid about telling us now what Allan did, because we know now all he did; he has told us. You need be under no alarm. Did you see Allan at the "New Inn"?—Well, I might, but I cannot recollect it.

23,474. (*Mr. Coleridge.*) Did you see Mr. Barham?—No, I did not.

23,475. (*Mr. Anstey.*) You told Mr. Justice Blackburn that you would swear you did not see Allan at the "New Inn"?—Well, I do not remember that I did see him; I cannot say that I remember such a thing.

23,476. You have already admitted that you told a falsehood in saying that you got no money?—I admit that I did say so, and I am very sorry for it.

23,477. You also said that you never told Charles Blackmore that you had got 10*l.*?—I had nothing to say to Charles Blackmore, nothing at all to do with him; he was my son's apprentice, you will see.

23,478. You also swear that you went to the "New Inn," not to get a bribe, but to look after a debt from John Poole, of 4*l.* 1*s.*?—I did the first commencement.

23,479. Now you admit that you went there to get your bribe for the vote?—I had no intention of getting a bribe when I went there first.

23,480. (*Mr. Price.*) You went to look for some money you say?—I went to look for a person of the name of Poole. He owed me 4*l.* 2*s.* up four years.

23,481. Why did you expect to find him at the "New Inn"?—Because I saw him in the morning. There was something going on. I saw a lot of people there. I saw that he was in the town, and I put it in Mr. Paul Reed's hands, and he did not sue him for it.

23,482. How came you to go there?—It is a house I visit.

23,483. Was it a house he visits?—He goes about the country. I was told he was there.

23,484. (*Mr. Anstey.*) You told Blackmore that he only came to Bridgwater the day before?—I saw him here the day before.

23,485. And the money had been owing four years?—So it had. I had my book to show it.

23,486. You got a bribe anyhow?—Yes.

23,487. And your sons were with you, were not they?—That is not the only one I had.

23,488. Were your sons with you when you went to the "New Inn"?—No, I do not believe they were.

23,489. One of your sons is a farrier, is not he?—Just like myself.

23,490. Was not he examined before Mr. Justice Blackburn?—Before me.

23,491. Will you swear that he was not with you at the "New Inn"?—I cannot remember that he was.

23,492. (*Mr. Coleridge.*) At what election was it that your sons got 30*l.* for the family and stuck to it?—That is Allan calling my son to say I and my eldest son had not got any money at all. John Smith told me.

23,493. What election was that?—The last election.

23,494. Did your son get 30*l.* for the family?—I do not know what he got.

23,495. What is your son's name?—Alfred.

23,496. Have you not heard he got 30*l.* and stuck to it?—He told me what they advised him to do, to come to the secretary, and to tell a falsehood. John Smith called me in his back cellar and told me the words.

23,497. When was this?—Since the Commission.

23,498. Do you mean since this Commission has been sitting John Smith asked you to come here and tell a lie?—Oh no, no, no.

23,499. What do you mean?—I went to John Smith's to know if it was true, because my sons told me what they had made up their minds to do, and Allan and John Smith sent for my two sons. I was out of town.

23,500. What had they made up their minds to do?—I will tell you. To say one of my sons had 30*l.* and stuck to it, that the father did not get no money nor the eldest brother.

23,501. That you got no money or your eldest son?—That is what they wished my youngest son to come and say.

23,502. Who wanted?—Allan.

23,503. Allan asked your youngest son?—They sent for them down to John Smith's house.

23,504. How long ago?—Since you gentlemen have been down here.

23,505. Who told you that?—I went down because I would not put any dependence on it, and Mr. Smith called me in his back cellar and says, "I suppose you want to speak to me about the pump." I had nothing to do with the pump in my life.

23,506. What was it you went down to Smith for, because you had been told by one of your sons that Allan wanted him to say he had had 30*l.* and stuck to it, and not given 10*l.* to you or your eldest son. Is that so?—Yes; and he said he should have it all on his own back.

23,507. And your son told you that Allan wished you to do that?—Yes, because Allan sent for him; they had a meeting there at the "York House."

23,508. Allan and Smith?—Allan and Smith; and I went down, I think, about two days after.

23,509. Who did you see?—Mr. Smith. I sent for him; he was upstairs.

23,510. What did you say?—I asked if Mr. Smith was in. They said Yes; and he came downstairs. He was tying on his apron, and I said, "I want to

TWENTY-SECOND DAY.

J. A. Buttle.

17 Sept. 1869.

speak to you." He said, "Come out here. I suppose you want to speak to me about the pump." I never had nothing to do with it. Then he had me in the back cellar, and I says, "Is it true what my sons have been telling me?" I daresay, he says, they have told you all about it. I says, "Is it correct?" and he says, Allan says he will come down here and will have all the burthen on his own back and get acquitted himself.

23,511. That is what Mr. Smith told you?—Mr. Smith told me so in his cellar.

23,512. What did you get at the election before Vanderbyl's?—40*l.*

23,513. 40*l.*?—Yes.

23,514. Who gave it to you?—Mr. Bussell and John Hodge came in and pulled me out of the kitchen back behind.

23,515. Was it all for yourself?—They gave me 20*l.*, and I says, "I shall not go for 20*l.*; I do myself great injury; I am working for two parties;" and then he says, "Very well, you shall have 40*l.*"

23,516. What did you get from the other side, anything?—No, I never did anything that way.

23,517. At the election before, when Bagehot and Patton stood, what did you get then; the same year?—If I could see the paper I could tell. I cannot remember. I had 10*l.* of John Murlis at one time.

23,518. Which way did you vote at Bagehot and Patton's election?—I cannot tell. I do not remember it.

23,519. Did you vote Whig or Tory?—I split my vote.

23,520. No; there was only one member to be returned?—I am not prepared to say that.

23,521. Did you vote for Bagehot or Patton?—I am not prepared to say.

(*Mr. Coleridge.*) You had better come to-morrow morning when you are sober.

23,522. (*Mr. Price.*) Have you been drinking to-day or not?—Drinking to-day?

23,523. Yes, you were called once and were not here?—I have been at work to-day and had one glass of half-and-half, and that is all.

(*Mr. Price.*) You have told a story which may turn out very bad for yourself, about Mr. Smith and Mr. Allan. You had better think that over to-night.

23,524. (*Mr. Anstey.*) Let me hear the whole of it. It is not completed yet. What were you to have, and your sons to have, by way of reward, supposing you did what you were told to do? How were you to be rewarded for coming here and telling that story about the 30*l.*?—My sons will have to tell you that.

23,525. What?—Tell you what Allan would do, because I only go by their saying so.

23,526. Then no reward was ever offered you by either Smith or Allan?—No; no money was offered me by Allan.

23,527. And no other person?—Not at the last election.

23,528. I understand you to say also that one John Smith took you into a back cellar at York House, and all he said to you was, "You have heard what is expected of you." He did not tell you what was expected of you, did he?—He told me what my sons and they had agreed to do.

23,529. Who did?—Mr. John Smith.

23,530. He told you at full length all they were to do?—He told me this, "Now, Allan, we have agreed "on your son has got to say he had 30*l.*; and there is "you and your eldest son will have nothing at all to "do with it. You will get clear, and he will too by "telling the truth, by saying that."

23,531. Allan said so?—Allan was not there at the time.

23,532. Did Allan say anything to you about it?—He saw me in the street. I am a renter to Allan.

23,533. Did he say anything to you about what you were to come here and say?—Not that time. I told him Blackmore was going to split on him, and he says to me, "I do not care what he splits; I knows nothing, and don't you." He said that to me and my wife.

23,534. "And don't you?"—"And don't you."

23,535. When?—Before he went away.

23,536. I am talking about this Commission?—Oh, it was long ago; it was before Mr. Justice Blackburn came here.

23,537. You say there has been an attempt to get your sons to conspire to tell a falsehood in court here, and I ask you whether Mr. Smith said anything to you about it. You say he did. Now, I ask you, did Allan say anything to you about it?—No, not at that time.

23,538. When?—He did before that; that is, before he went away to America. He says I was not to know anything.

23,539. Was this after one of your sons had come and seen our secretary? You know when one of your sons came and gave some information to our secretary some time ago?—He told me so; Alfred.

23,540. Was what you say your sons told you, told you by them after your son had seen that gentleman (the secretary)?—Certainly it was, because they advised me to go and speak to the secretary myself, but I have not done so.

23,541. It was not before they saw him?—No. Since they tried to come down, and Smith and Allan tried to have them down there for him to come and have the blame on his own shoulders.

23,542. (*Mr. Price.*) Who was to?—My son, Alfred Buttle.

23,543. Tell me this, and pay attention. First, you say your son went to our secretary and told him something; then Smith comes to your sons and tries to persuade them to support by oath a story which they were to tell in court here. Thirdly, you come this day to blow all that up and to reveal to us the existence of this conspiracy. I ask, when did it first occur to you, or when did it suggest itself to you, to come here and blow up the plot by telling us the story which you have just told us?—I have told you nothing but what I heard.

23,544. When did you first think of telling us that story?—I hope I have not told a story; I am sure I have not.

23,545. When did you first think of telling us what you have about this conversation?—Not at all. I am taken now by surprise.

23,546. When was the first time you intended to come and tell us that?—I am doing nothing; I am telling you the truth.

23,547. When did you first make up your mind to come and tell us the truth, as you call it, about this story?—This morning.

23,548. Then it was not until this morning you made up your mind?—I thought a great deal about it before, and could not think but one thing, come and speak the truth, because I know I spoke wrong, but did it through fear.

23,549. (*Mr. Coleridge.*) Did you say your wife heard Smith say this?—Yes, my wife was on the pavement.

(*Mr. Coleridge.*) Then both of you must be here to-morrow morning.

Adjourned to to-morrow at half-past 10.

TWENTY-THIRD DAY.

Saturday, 18th September 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
HENRY FRANCIS PURCELL, Esq., Secretary.

TWENTY-THIRD DAY.

J. A. Buttle.

18 Sept. 1869.

JOHN ALFRED BUTTLE recalled.

23,550. (*Mr. Coleridge.*) Are you sober this morning?—Yes.

23,551. (*Mr. Price.*) Do you mean to stick to the story you told us last night about Allan and Smith getting hold of your two sons?—Yes.

23,552. You mean to represent that that is the case?—I do. My son told me so. I made a mistake in his name, it was Edward Buttle who went to Smith's instead of Alfred.

23,553. (*Mr. Coleridge.*) Both sons are yours?—Both are here.

23,554. Both are sons of yours?—Yes.

23,555. (*Mr. Price.*) Have you anything to tell us about that?—I saw Allan in George Lane, and told him what the consequence would be of Blackmore going to split on him.

23,556. (*Mr. Coleridge.*) When?—I think about a week after the polling.

23,557. Before he went to America?—I know it was about a week after, my wife was with me.

23,558. (*Mr. Price.*) Do you mean to say this conversation with your son took place since we have been in the town?—That is what my son told me; this is before that with Allan and I.

23,559. That is before he went away?—Yes.

23,560. What did you say?—I said "Charles Blackmore is going to split. You have been giving away "money;" he says, "I know nothing about money, "and don't you." I certainly thought I was to be bound by him as I was a renter under him, as I was afraid to lose my shop.

23,561. You are a tenant of his?—Yes.

23,562. Do you mean to say that you being his tenant he did not wish you to appear to be bribed by him?—That is what I understood, at all events I took it.

23,563. Therefore you did not mind your son, who is not a renter under him, taking the blame for you and the other son?—He sent for my two sons, Smith and he, and had him in the warehouse and in the back stable, Edward, and told him what they were going to do.

23,564. Smith and Allan?—Smith. I do not know that Allan was with him.

23,565. Whose back stable was it?—Allan's

Mrs. E. Buttle.

Mrs. ELIZABETH BUTTLE sworn.

23,566. (*Mr. Price.*) Did you hear anything said some little time ago, since we have been in the town, by Smith to your husband?—No, I did not.

23,567. Nothing at all?—No, my husband made a great mistake in saying that. I did not.

23,568. You did not hear it?—No.

23,569. He made a mistake in saying you heard it?—Yes.

23,570. You heard nothing?—He meant I heard what Allan said.

23,571. What?—I saw Allan I think it was about a week after the election. I cannot say to a day or two.

23,572. Before he went to America?—Before he went to America. I saw my husband go out of the shop and speak to Allan in the road, and told him something someone had said about giving money away at that election, and I heard Allan say in this way, he turned round, "I do not know anything about money. "I have not given any money. I do not know any-"thing at all, and you must not know anything about "money; you must not say anything at all. I know "nothing."

23,573. (*Mr. Coleridge.*) You heard Allan say this?—I heard Allan say this.

23,574. Where?—In George Street.

23,575. Do you know anything about your sons being sent for to Allan and Smith?—I heard Edward Buttle speak of it, and I did not believe it.

23,576. That is your son?—They are my sons-in-law.

23,577. Stepsons?—Yes. I saw him, and he said he had been sent for, and I said, "Where? At Smith's. What about?" I said, and he said, "Why, "Allan and Smith want me to go and state to the "Commissioners that I had 30*l*." I said, "For God's "sake do not go and do that."

23,578. Since we have been sitting?—Yes, since the Commission has been here.

23,579. (*Mr. Price.*) You say you did not believe it?—I did not believe it, and I said, "John, you go "down to Smith's, and know about that. Gracious "me, you have done enough already. Don't say such "a thing as that."

23,580. (*Mr. Coleridge.*) Your husband does not know what he is doing sometimes?—Well, he is a little deaf.

23,581. And often drunk?—He takes a glass sometimes, and sometimes does not take anything for a week or a fortnight. He works very hard generally, and if he takes a little it makes him foolish, where a little more sometimes you would not notice it.

23,582. He is very often before the magistrates, is not he?—No, not for a long time.

23,583. (*Mr. Price.*) How long?—I cannot tell.

23,584. Which of your family is a kind of annuity to the magistrate's clerk, being brought up from time to time?—I do not know.

23,585. You never hear of these things?—Yes, I have heard of them.

23,586. (*Mr. Coleridge.*) Have you brought him up yourself?—There has been a little unpleasantness through other people.

23,587. For assaulting you?—No.

23,588. Has he summoned you for assaulting him?—No, I never done such a thing in my life.

23,589. What is he continually going before the magistrates for?—Not for a long time.

23,590. How long? What do you call a long time?—Two or three years.

TWENTY-THIRD DAY.

Mrs. E. Buttle.

18 Sept. 1869.

23,591. How long has your husband been in the town altogether? He came from Glastonbury, did not he?—No, never.

23,592. Where from?—Devonshire.

23,593. How long has he been in Bridgwater?—I really cannot say how many years. I have heard him say so. It may be going on for 30.

(*Buttle.*) Twenty-six.

23,594. (*Mr. Coleridge.*) How many times has he been before the magistrates since he has been in Bridgwater?—I do not know.

23,595. (*Mr. Price.*) How long have you been married to him?—Going on for 12 years.

23,596. Is it so many times that you cannot remember?—He has been had up through his perhaps taking a glass to drink.

23,597. (*Mr. Coleridge.*) How many times?—I cannot tell you upon my word.

23,598. A dozen times?—No, I think three times.

23,599. How often have you?—I have not been had up.

23,600. Not as a witness against him?—No, I never went as a witness against him in my life.

23,601. How often have your stepsons?—I do not know. For a long period we were not friendly, and I did not feel interested.

23,602. (*Mr. Price.*) What do they do for a livelihood?—They are in business, shoeing smiths in Bridgwater.

23,603. (*Mr. Coleridge.*) The same business as your husband?—Yes.

23,604. Do you know what money your husband got at the last election?—10*l.*

23,605. What the time before?—Upon my word I think it was 40*l.* he had. I think Bussell gave him 40*l.* He did not want to go to poll, and would not go in the first place.

23,606. And the time before that, how much, Bagehot's election?—I cannot tell. He had 5*l.*, I know.

23,607. Since you have been married to him, has he ever voted without being bribed?—That I cannot answer.

23,608. You do not think he has?—Well, he may not have done so.

23,609. Do you think he has?—Well, I cannot answer.

23,610. You do not know whether or not?—No.

23,611. How much money have you received altogether since you have been married to him for bribery?—I know he had 10*l.* that Murlis gave him.

23,612. That was in 1847, I suppose?—That I cannot tell.

23,613. 10*l.*, and 40*l.*, and 10*l.*; has he had 100*l.* altogether?—No.

23,614. 80*l.*?—Well, I think he had about 55*l.*

23,615. He has told us more than that; two tens, and a five, and a forty?—I can speak to two tens, and forty, and a five; that is all I know. I do not know any more. We had great trouble, because he did not want to go at all.

23,616. (*Mr. Price.*) Did you persuade him to ask for 40*l.*?—Not to vote at all.

23,617. (*Mr. Coleridge.*) But which did you prefer, 40*l.*, or that he should not vote?—I do not know.

E. J. Buttle.

EDWARD JAMES BUTTLE sworn.

23,618. (*Mr. Price.*) You are a blacksmith, we understand?—Yes.

23,619. And a voter?—Yes, and I voted at the last election.

23,620. How much did you get?—10*l.*

23,621. Did not you get three 10*l.* notes, and say nothing to your father about it?—No, I did not. Allan wanted me to say so.

23,622. Did not you tell our secretary that you got three 10*l.* notes, and took care not to tell your father about it?—I did.

23,623. Was that true?—No, it was not.

23,624. Why did you tell a lie?—Because Allan told me so; he told me to do so.

23,625. To tell our secretary a lie?—Yes, he told my brother for him to tell me——

23,626. Never mind what he told your brother?—He told me when I walked in through the warehouse, and out into the stable; he asked what I was going to say.

23,627. (*Mr. Coleridge.*) How came you to go?—My brother told me.

23,628. (*Mr. Price.*) When?—That was Tuesday morning.

23,629. (*Mr. Coleridge.*) How long ago?—The day after the Commission was opened he asked me when I went inside, "What are you going to say?" I said, "Well, I must tell what I know." He said, "Look here, you do what I tell you." "What is that, sir?" "You say you had 30*l.*, and you stuck to it." I said, "How can I say that, sir?" He said, "Well, "if you say that it will get the old man off, and your "brother as well." I said, "I do not see I can say that, because I shall get myself in gaol over that." "No," he said, "you will not; you will get the old man off, and your brother as well." Then he stood there a minute or two, and Mrs. Allan came out and said, "Andrew." "All right," he said, "we do not want you to come here;" but she did come, and saw me in the stable with Allan.

23,630. (*Mr. Anstey.*) You are one of the new voters?—Yes.

23,631. And were examined before Mr. Justice Blackburn?—Yes.

23,632. You want us to believe what you say to-day?—Yes, I am stating the truth.

23,633. Did you tell Mr. Justice Blackburn this: On being asked by Mr. Serjeant Parry whether Allan asked you for your vote, your answer was, "No." Is that false?—That is the truth.

23,634. You swear that?—Yes, it is quite; he did not ask me to vote.

23,635. "He never canvassed you?"—No.

23,636. And your answer is "No"?—He did not.

23,637. You stick to that, do you?—Yes, that is quite correct.

23,638. You also stated he asked if you had been at the "Deer Inn" on the day of the poll. You said, "Yes." You are asked, did you see Allan there, and your answer is, "I did not"?—I did not the first time I went there.

23,639. You were then asked if you ever heard him say anything about its being all right, that they had got the stuff now, or anything of that kind?—I did not.

23,640. Your answer is, "I did not hear him say those words." Then you are asked about your brother Alfred, "Do you know whether he is a voter?" and you answer, "I believe he is not." You are asked, "Do you know whether he had any money to vote, "by accident?—I do not. You never heard of it?—"No. Nothing of the kind?—Nothing of the kind." Is that true?—I do not know that he had any money.

23,641. You had not heard of it?—No. Why I stated on the last petition that I had no money was because two days after the petition I met Allan down by the "Clarence," and we walked as far as some place together. He said, "How are things going?" and I said, "They are sure to petition; do you think so?" "Yes," he said, "Well, look here, do not you "say a word; you say you had not the money; stick "to it, and do not say a word until after you are "dead."

23,642. (*Mr. Coleridge.*) After what?—After I was dead; "Never speak of it until after you are dead."

23,643. (*Mr. Price.*) So you went up and swore what was false in consequence?—I did, and two occasions; once he went into my shop, a week after the

election. Two other occasions he told me not to say anything.

23,644. (*Mr. Coleridge.*) Did anybody else tell you not to say anything?—No.

23,645. I believe you also saw John Smith?—Not at that time.

23,646. At any time?—Yes.

23,647. When?—On Tuesday morning, just after I left Allan.

23,648. After the Commission opened?—Yes. The day after his lad, about 16 or 17 years old, came, and he asked if Buttle was there. I said, "My name is Buttle," and he said, "Smith wants you at 'York House,'" and I was introduced out behind to look at the pump; and he said, "Have you seen Allan?" I said "Yes." "Has he told you what to do?" I said, "Yes, he told me to say that I had 30*l.*, and kept it." And he said, "That is what you must say, "and the quicker you can make that statement to the "secretary, Mr. Purcell, the better." I done so directly; I went home and cleaned myself, and made that statement to the secretary.

23,649. And that is Mr. Smith who has been examined here?—John Smith, of York House.

23,650. (*Mr. Price.*) Now, I want to know something about your history. Are you working for yourself?—I am working for myself.

23,651. Do you keep a shop of your own?—Yes, just opposite my father's.

23,652. When was the last time you were in gaol?—What, sir?

23,653. When was the last time you were in gaol? You know what the gaol is, I suppose?—Yes, sure.

23,654. Then, when was the last time?—About four or five years ago. That was for an assault.

23,655. Will you swear that was the last time?—Yes; I was only in gaol but once, and that was three weeks for assault.

23,656. When was the last time you were before the magistrates?—That I cannot say.

23,657. Yes you can. Is it so often you cannot remember?—I cannot remember how long, because it is a good bit ago.

23,658. How long ago?—I cannot tell.

23,659. Years ago?—Yes.

23,660. Six months ago?—Yes, more than six months ago.

23,661. A year ago?—Yes.

23,662. Will you swear it is a year ago since you were up before the magistrates?—I cannot tell; two or three months.

23,663. (*Mr. Coleridge.*) What for?—I cannot say; it was nothing very serious.

23,664. If it was nothing very serious, you can tell us all the better?—I cannot tell, because I was never up before the magistrates for anything serious.

23,665. What was it for, the last time you were brought up?—I am afraid I cannot say.

23,666. We can find that out from the clerk to the magistrates?—Yes. You will find that what I have said is the real truth.

23,667. You have said nothing. What was it for you were before the magistrates?—I cannot say.

23,668. Yes you can?—I cannot, really.

23,669. You have no idea what you were up for? No; it may have been a squabble.

23,670. It may have been a number of things; felony or burglary?—No, I never was.

23,671. (*Mr. Coleridge.*) Was it for assaulting your stepmother?—No.

23,672. Assaulting your father?—No.

23,673. What for?—I cannot bring to memory what it was for. If the magistrates are here I dare say they can tell you.

23,674. (*Mr. Price.*) We think it necessary to put these things to you to test your credit. You have made a grave charge against Allan and Smith, that they tried to tamper with you as a witness before us, and we want to test your credit and see what sort of fellow you are?—Yes, sure.

23,675. If you do not answer the questions we put to you, depend on it you will have no certificate, and you will be prosecuted. What were you before the magistrates for; do not tell us you cannot say?—I cannot say.

23,676. You have no idea?—No, I have not.

23,677. (*Mr. Coleridge.*) How many times this year before the magistrates?—None.

23,678. How many times last year?—I cannot say.

23,679. Half a dozen?—No.

23,680. How many times have you been in the lock-up?—Never but once.

23,681. Is that before you went to gaol?—No.

23,682. How often have you been in gaol?—Only once.

23,683. How often fined?—Fined? I cannot say; that may be two or three times.

23,684. A dozen times?—I should think not.

23,685. Will you swear you have not?—Yes.

23,686. Half a dozen times?—It may be three or four.

23,687. Will you swear you have not half a dozen times?—I should not like to swear that.

23,688. How often have you been to gaol?—Only once.

23,689 How often in the lock-up?—Only once, and that is when I went to gaol for assault.

23,690. Only in gaol once?—No, I have not.

23,691. You were always fined for these assaults. How many have you committed?—Not very many.

23,692. Fifty?—No.

23,693. Have you always been fined and not sent to prison for the assaults?—Yes, all but this once I was speaking of to you.

23,694. Is that the assault you were sent to prison for?—I was sent to prison three weeks for that.

23,695. What?—The assault.

23,696. Which one?—One Captain Harwood.

23,697. What did you assault him, about?—I did not assault him, if the truth was told.

23,698. But you went to prison for it?—I did.

(*Mr. Price.*) We have the superintendent of police here and he will tell us.

23,699. (*Mr. Coleridge.*) Why did you not tell us it was for an assault on Mr. Harwood that you went to gaol?—You did not ask me the question.

23,700. (*Mr. Price.*) Yes?—Then I mistook the word.

23,701. (*Mr. Coleridge.*) What did you get for assaulting your father?—I never assaulted my father.

23,702. But you were brought up for doing it?—It was not known to me.

23,703. Do you mean you were never brought up to this court for assaulting your father?—I never was.

23,704. Nor your stepmother?—No.

22,705. (*Mr. Anstey.*) Any court?—No, I never was.

23,706. (*Mr. Price.*) We have sent for the superintendent to bring the books here with the charge sheet, and we shall see and know exactly what the charge was. Having told you that, do you mean to deny that you were charged with assaulting your father?—I do not believe that I ever assaulted my father in my life.

23,707. (*Mr. Coleridge.*) Were you ever charged with it?—No, I believe not.

23,708. Or your stepmother?—I do not believe it.

23,709. Were you or not charged with that?—I believe not.

23,710. Will you swear you were not?—I believe I could.

23,711. Will you swear it? Take care that all the pains and penalties of perjury are hanging over you. Will you swear that you were never charged with assaulting your stepmother?

(*Mr. Price.*) Now if you do not answer you shall go to that place where you once took up your abode, and stay there till Monday morning, or for a longer period, when your memory will be better.

23,712. (*Mr. Anstey.*) Why do you not answer the question?—I cannot bear it in my memory whether I was charged with assaulting my stepmother.

TWENTY-THIRD DAY.

E. J. Buttle.

18 Sept. 1869.

23,713. (*Mr. Coleridge.*) How many times in all have you been charged before the magistrates?—(*No answer.*)

23,714. We shall know in a minute.—Upon what charges?

23,715. Any charges at all; how often have you been brought up before the magistrates of this town, or any other town, in your lifetime?—I was never charged at any other place without it was Bridgwater in my life.

23,716. And how many times in Bridgwater have you ever been charged?—It may be half a dozen times.

23,717. How much more?—I cannot say.

23,718. Have you a dozen times?—I should think not.

23,719. Will you swear you have not, on your oath?—I should not like to swear it.

23,720. Will you swear you have not been up before them a dozen times?—Well, I do not believe I have.

23,721. Have you two dozen times?—I think not.

23,722. Will you swear you have not been up 20 times before the magistrates in your life?—I do not believe I have.

23,723. Will you swear you have not?—Yes; I will take upon me to swear that.

23,724. Will you swear you have not been up 12 times?—I cannot answer the question.

23,725. (*Mr. Price.*) How old are you?—I suppose I am 30. I cannot tell my age.

23,726. (*Mr. Anstey.*) On how many occasions have you perjured yourself in a court of justice in your life?—I do not know that ever I did before I did this last occasion on the petition, and then I did it with the advice of Allan.

23,727. Were you examined before the committee of the House of Commons?—I was not.

23,728. On what other occasion have you taken a false oath?—None as I am aware of.

23,729. Have you taken a false oath to-day?—I have not.

(*Mr. Price.*) You may stand down for the present, but must not leave the court.

A. Buttle.

ALFRED BUTTLE sworn.

23,730. (*Mr. Coleridge.*) What did you get at the election for your vote?—I had no vote.

23,731. What did you get at all?—10*l.*

23,732. What for?—I do not know, I am sure. I was dragged into the room, and Allan was there, and he says ——

23,733. Where was the room?—The "New Inn."

23,734. What did Allan say to you?—He says, "Turn round," and I turned round.

23,735. What did he give you?—I cannot say. I turned round, my back was against him, and I had 10*l.* in my pocket.

23,736. Who put it there?—I cannot say.

23,737. Some one?—Yes.

23,738. And you were not a voter?—I was not a voter.

23,739. Was that given you for your father?—No, I suppose. I took it as my own.

23,740. And you kept it?—I kept it.

23,741. Did you go and vote for some one else?—No; I never went to the poll.

23,742. Did you personate a voter?—No.

23,743. (*Mr. Price.*) What were you to do for the 10*l.*?—Nothing; there was no words spoke to me.

23,744. What time was it?—I should think a quarter to four.

23,745. On the polling day?—On the polling day.

23,746. Just before the close of the poll?—Yes.

23,747. Since you got that 10*l.* has Allan said anything to you about it?—No, he has not ever spoke to me about it.

23,748. Never?—Not about that.

23,749. What has he spoken to you about?—He asked me just when the Commission was here, on the Tuesday as the Commission came here on Monday, where my brother Edward was, and so I said, "I think he is in the shop;" and he told me to say, "Walk right through the warehouse and out into the stable." I done so, and I told my brother Edward of it, and then I went away.

23,750. Did Allan say anything to you?—No.

23,751. Did Allan tell you to send your brother Edward to him?—Yes.

23,752. Did Allan ever say anything to you about saying you got 30*l.*?—No.

23,753. And you were to say that, and so the old man would be safe?—No, not me.

23,754. Was Mrs. Allan present at any part of this time?—I did not see her at all.

23,755. Is that all that Allan said to you?—I told my brother Edward to walk in through the warehouse.

23,756. Did he say anything about what you should say to Mr. Purcell?—No.

23,757. Did you go to Mr. Smith at all?—No.

23,758. Did Mr. Smith send for you?—I went down to Smith's, and my two brothers were there, and he said, "Do not come in;" and I said, "I am not in a hurry."

23,759. What is your brother's name?—John.

23,760. Is he here to-day?—Yes.

23,761. (*Mr. Anstey.*) What is your name?—Alfred.

23,762. You were examined before Mr. Justice Blackburn?—No.

23,763. Then there is another Alfred besides?—Yes, there is father called John Alfred, and the eldest brother John Alfred, and one called Edward James, and myself.

23,764. Where is the son who was examined before Mr. Justice Blackburn?—Outside.

23,765. And your name is Alfred John?—No, Alfred.

23,766. (*Mr. Anstey.*) Allan said nothing more to you then?—No.

23,767. (*Mr. Coleridge.*) He did not tell you to say nothing about the money?—No, nothing of the sort.

23,768. What did Mr. Smith tell you to do?—Nothing.

23,769. Merely to send your brother to him?—No; Allan told me that.

23,770. (*Mr. Anstey.*) You had no vote at the election?—No.

23,771. Did you tell anybody that a 10*l.* note or 10*l.* in money had been given to you?—I did not know whether anything was said to Mr. Veysey.

23,772. I will put it more plainly to you. Did you tell anybody at the time of the election, or after, that a sum of 10*l.* had been received by you to vote when you had no vote?—Since the Commission. I have said I have had money since the Commission has been here.

23,773. You were not examined before Mr. Justice Blackburn?—No.

23,774. Did you tell anybody that you had received 10*l.* for your vote, not having any vote?—Not that I am aware of.

23,775. Did you allow your brother, John Alfred Buttle, to tell any one that you received the 10*l.* that he had got, and that you had no vote?—No, I never allowed my brother to take nothing at all about it.

23,776. Was there any arrangement between you and your brother John Alfred by which you were to say the 10*l.* which he in fact received, you had received?—No.

23,777. That you swear?—That I will swear.

23,778. (*Mr. Coleridge.*) Before Allan went to America did he say anything to you about this 10*l.*?—No, never; not more than saying——

23,779. What did he say?—I cannot mind.

23,780. Did he speak to you soon after the election?—I think I told him that Blackmore was going to split, or something.

23,781. What is his name?—Charles Blackmore.

TWENTY-THIRD DAY.

A. Buttle.

18 Sept. 1869.

23,782. Charles Blackmore and you were together with Allan, did you say ?—No, Blackmore was not with me for the day.

23,783. What were you going to tell us about Blackmore ?—I think I told Allan this, Blackmore was going to split on him, or something.

23,784. What did Allan say ?—He says, "He don't know nothing."

23,785. Did he say anything to you about your 10*l.* ?—No, not a word.

23,786. Have you told us one single word of truth ?—Yes, I have told you all the truth.

23,787. Allan never said a word to you about the 10*l.* ?—No.

23,788. At any one time ?—No.

23,789. At any time between the election and this ?—No, he never brought it up.

23,790. (*Mr. Price.*) He knew you had no vote ?—I suppose he did. He lives pretty close by.

23,791. How often have you been in gaol ?—Never.

23,792. How often before the magistrates ?—Not many times, and then we have only been up for our own folly in the shop for collaring one another's horses.

23,793. (*Mr. Coleridge.*) A dozen times ?—No.

23,794. Are you sure ?—Yes.

23,795. How often have you been fined ?—Only once, I think.

23,796. Only once ?—Yes, only once.

23,797. Will you swear that ?—I cannot be certain.

23,798. Have you been fined ten times ?—No.

23,799. Will you swear you have not ?—Yes.

23,800. Will you swear you have not been fined five times before the magistrates ?—I cannot tell before I go home, but I know I have not been fined.

JOHN ALFRED BUTTLE, junr., called.

J. A. Buttle, jun.

23,801. (*Mr. Coleridge.*) You know what that book is ?—Yes.

23,802. It is a testament ?—Yes. (*The witness was sworn.*)

23,803. (*Mr. Price.*) Did you vote at the last election ?—Yes.

23,804. What did you get ?—10*l.*

23,805. Who from ?—Allan.

23,806. Did Allan say anything to you about 10*l.* afterwards at any time ?—Yes.

23,807. When ?—I cannot say when, just afterwards; he told me not to say a word about it.

23,808. Was that before the petition was heard here, before the judge was down here ?—Yes.

23,809. Did you know then, and did he know there was going to be an inquiry ?—He heard so, I believe, because he told me so, not to say anything.

23,810. Then he told you you were not to say anything about it ?—He did.

23,811. Did he speak to you about it since that time ?—Yes.

23,812. When ?—Not very long ago.

23,813. Since this Commission has been sitting in the town ?—Yes.

23,814. You are quite sure of that ?—Quite sure.

23,815. What did he say to you ?—Well, we were in conversation about a mare I sold to him, which my brother authorized me to sell, and he told me that no one would know nothing at all about it. I was to say nothing at all about it.

23,816. About what ?—About the money he gave me.

23,817. Tell us what he said ?—That is all he said.

23,818. You were to say nothing about it ?—Say nothing at all about it.

23,819. Did he say who was to take the 30*l.* on himself ?—No, not then ; I have heard since.

23,820. Did he tell you ?—No.

23,821. Did John Smith tell you ?—He have since ; John Smith have.

23,822. What did Smith say ?—My brother told me he had sent for him, and he had been down ; and I did not know anything of it before ; and I said, "I do not believe it." He said, "Come down and hear "what he have got to say." And I went down and he said, "I was with Allan last night till 11 o'clock, and "this is proposed what for you to say." "What is "that ?" I said. He says, "That your brother Edward "had the 30*l.*, and stuck to all the lot, and did not give "you any; and that will clear your father." "Oh, "but," I said, "I cannot say that." But he said, "I "will forfeit my existence if that is not right ; I "know it is right." I did not believe it.

23,823. (*Mr. Coleridge.*) John Smith said this ?—Yes, he did.

23,824. Who else was present ?—My brother.

23,825. Which ?—Edward.

23,826. (*Mr. Price.*) He said that he and Allan had made up what you were to say ?—He did. He said he was with him up till 11 last night.

23,827. Did you agree to do so ?—Oh no ; I told my brother I should not agree to any such thing.

23,828. (*Mr. Coleridge.*) Was that before or after Allan had been examined here ?—That was before.

23,829. (*Mr Anstey.*) Were you examined before Mr. Justice Blackburn ?—Yes.

23,830. You were canvassed, I believe, by one Jeffery Denman to vote for Westropp and Gray ?—No I was not.

23,831. Will you swear he never asked you for your vote ?—Yes, the polling day.

23,832. You said just now he did not ?—You said "canvass." I did not understand the question.

23,833. Recollect there is such a thing as an indictment for perjury, which has consequences far more serious than we can inflict upon you in the exercise of our summary jurisdiction. On your being canvassed by Jeffery Denman did you say to him (there is some strong language, and an oath in fact), "I am not going to poll without money, or being paid for it" ?—I do not remember saying any such thing.

23,834. In the presence of your brother or your father was anything said of that kind by you to Denman ?—Not as I can remember.

23,835. You think you will escape by that, do you ?—I cannot remember I said any such thing to him.

23,836. Did you on that day, the polling day, receive 10*l.* from Allan ?—I did.

23,837. To vote for whom ?—Kinglake and Vanderbyl.

23,838. And did you vote for Kinglake and Vanderbyl ?—I did.

23,839. Did you tell Mr. Justice Blackburn, in answer to this question, put to you by Mr. Serjeant Parry, "Did not this gentleman, namely Allan, absolutely give you 10*l.* to vote for Kinglake and Vanderbyl ?" Did you in answer to this question say absolutely no ?—I believe I did.

23,840. Then you perjured yourself before Mr. Justice Blackburn deliberately not a year ago ?—I did.

23,841. And you expect me to believe you now ?—I cannot help it whether you believe me ; that is the truth.

23,842. (*Mr. Price.*) What induced you to commit perjury ?—Because I was put up to do it.

23,843. Who put you up ?—Allan.

23,844. (*Mr. Anstey.*) To what ?—Put up to do it. I should not have done it else.

23,845. How old are you ?—About four and thirty, I suppose.

23,846. You are not a child, and have had a great deal of experience in kissing the book, have you not, in courts of justice before ?—Not a great many times.

23,847. What do you mean by being put up to it, unless you were previously disposed to this most infamous of all crimes, next to bribery ?—(*No answer.*)

23,848. (*Mr. Coleridge.*) How often have you been sworn as a witness ?—I cannot say.

23,849. A dozen times ?—No.

23,850. Half a dozen ?—No.

TWENTY-THIRD DAY.

J. A. Buttle, jun.

18 Sept. 1869.

23,851. How many times have you been before the magistrates?—I cannot say.

23,852. Fifty?—No.

23,853. Twenty?—No.

23,854. A dozen?—No.

23,855. Tell us how many times?—Oh, three or four times, I suppose.

23,856. A dozen, have not you?—No.

23,857. How often have you been in gaol?—Once.

23,858. What for?—Taking my own part.

23,859. (*Mr. Price.*) Fighting you mean?—Yes.

23,860. (*Mr. Coleridge.*) How often fined?—Once.

23,861. Only once?—Yes.

23,862. Will you swear it?—Yes, I do swear.

23,863. (*Mr. Anstey.*) How often have you been prosecuted for perjury?—Never.

23,864. (*Mr. Coleridge.*) After Allan had been himself examined here, did he say anything about you need not stick to that story he told you before?—I have not seen him since he was examined here, not to speak to him.

23,865. Not seen him since?—I cannot say I have not seen him since; I have not spoken to him.

23,866. The last time he spoke to you was on the Tuesday after the opening of the Commission here?—No, he never spoke to me the Tuesday.

23,867. The Tuesday, you told us, after we first began to sit, was the time he told you to stick to the story about the 10*l.*—No; you misunderstood.

23,868. Who told you that then, John Smith?—John Smith.

23,869. And Allan has said nothing to you then?—No, not the Tuesday.

23,870. When?—Before that.

23,871. You mean soon after the election?—Yes; and since that.

23,872. When was the last time Allan said anything to you about what you were to say here?—When I sold him the mare. I cannot say the day of the month.

23,873. What did he say then?—That I was to stick to what I did before, and say nothing at all about it.

23,874. Were you to say you received 30*l.*, or nothing?—I was to say I received nothing.

23,875. The same as you swore before Mr. Justice Blackburn?—That is right.

23,876. And that you were to go and repeat your perjury over again?—He did.

23,877. You mean to swear that?—I do.

Mrs. Allan.

Mrs. Allan sworn.

23,878. (*Mr. Coleridge.*) Do you recollect since this Commission has been sitting any one of these family of the Buttles being down in the back yard with your husband?—I remember the morning one of the Buttles was posted to be examined; the breakfast was ready, and I went into our yard, at least our warehouse, to look for him, knowing he went in that direction, and when I came there I went in the stable just close by, and one of the Buttles was there.

23,879. Which of them?—I do not know unless I saw them together; not that man who was here or Alfred.

23,880. Edward?—Yes; he was the man.

23,881. Did you hear anything said at all?—Not a word.

23,882. Nothing at all?—Nothing at all. But when my husband came into breakfast, I asked what he was talking to him about. He said "I find his "name posted up for to-morrow; he has perjured "himself already, and I want to make him tell the "truth. My advice is, tell the truth, for I shall tell "nothing but the truth myself. I have nothing but "the truth to tell," and he advised him to tell the truth himself.

23,883. That was immediately after you had seen Buttle in the stable with your husband?—Just so. He came into breakfast, and that is why he said he had called him in just that he should speak; for Allan, if he had been examined before, would not have found it necessary to have told him.

23,884. At the last election did you give any money away?—Not to my recollection; the last election, no.

23,885. But in 1866 you did?—I cannot remember that I did; there was a lot of money passed. I saw a lot of money passing, but I do not remember giving.

23,886. (*Mr. Price.*) One man says he got 10*l.* from you?—He possibly might, but I could not swear. I know so much was passing, and so many persons at my house, that I really could not be accountable for persons there.

23,887. (*Mr. Coleridge.*) You cannot say you did or did not handle money?—I certainly did; I helped to account for it.

A. Allan.

Andrew Allan recalled.

23,888. You have heard that statement. Give us your version?—It is true that on the morning of the last election I did pay at the "New Inn" to the three Buttles 10*l.* each.

23,889. You did not tell us that on your first examination, did you?—Yes, I did.

23,890. How came you to pay one not a voter?—He was admitted to me. The checks outside admitted him up.

23,891. And you thought he was a voter?—I did not know he was not; it was no fault of mine.

23,892. (*Mr. Price.*) Now go on to the question whether you said anything of the sort we have heard?—From the moment I gave him that money until I went to America I never spoke to him.

23,893. Not one of them?—Not one of them. The old man spoke to me one day when walking down George Street passing his warehouse, it used to be mine, now his shoeing forge, and there is a door about nine feet in width, and the pavement is very narrow, so you are close to it, and he said, "What about the election; there is going to be a petition?" I said, "I do not want to hear anything at all about elections;" and I did not stop in my step, but went straight on.

23,894. Did you say, "I know nothing about money, and you must not"?—Nothing of the sort; I kept walking on.

23,895. (*Mr. Anstey.*) I think you told us previously, in one of your first examinations, that you made a rule never to allude to past transactions with persons who were in any degree cognizant of bribery; you never alluded to those?—I did not.

23,896. You made a prudential rule not to speak to them?—I did.

23,897. Did you act on that rule in the case of the Buttles?—I did more particularly in their case than any others, and for this reason: I gave Alfred Buttle 10*l.*, and he was no voter, and I knew it the same night or the next morning, and I would not go to him or any of the family for the 10*l.*

23,898. (*Mr. Coleridge.*) Nor when you came back from America?—When I came back from America I had no conversation with them on election matters. I would not allow them to speak to me on the subject, or I to them except on business matters. They have screwed some wheels on my trap, and I have spoken to them on business, but election matters never.

23,899. How did this one come into your stable yard on the Tuesday of the Commission?—I will come to that presently. If it was Tuesday morning

he came to my yard, it was Monday night the Buttle's name was posted up on this door. After I came home from America I had spoken to almost every man who had communication with me on matters of bribery. I told everyone I was coming here to speak the truth, and I should tell the whole truth. I never told the Buttles, because I would not go near them; but when I saw their names posted I thought it not fair for them to come up and be in a different position from everyone who had communicated with me on bribery matters.

23,900. (*Mr. Price.*) He swore he was put up by you. That is untrue?—Positively untrue. There is not a shadow of truth in it. On Monday night I was going down street, and met John Smith on the bridge, and said to him, "The Buttles are up for examination "to-morrow. I wish some one would tell them I "mean to tell everything about it." I expected Smith to volunteer to do it, but he did not. I then asked him if he would, and he said, "I will send some one to do it." I did not see anything more of him that night, but on the Tuesday morning I went down to Smith and asked him if he had sent anyone to the Buttles, that I meant to make a clean breast of everything, and state all. He said he had sent last night, but they were gone to bed or out, his messenger did not see them. I felt if I did not do my own work myself it was never done, and I went home; and Buttle's premises is part of my back warehouse. I stood by my side door, the nearest door to Buttle's place, a quarter of an hour or 20 minutes, waiting an opportunity of seeing one of them, and I at length saw the one who gave evidence last. He was passing the door, and I said, "Alfred, will you tell Edward I want to see him." That was the first time I had spoken to him since the election. He said "Yes," and went in, and Edward came down to the warehouse and said, "Let us go in." The warehouse has windows and doors. "I do not know that there is an objection." He said, "Let us go back," and so we went back. I said, "My object is to tell you you are "up for evidence to-day; when it comes to my time "I mean to give a fair statement of everything con-"nected with the election. I want you to know that "before." Knowing the evidence he had given, I thought it was fair to him.

23,901. Knowing he had perjured himself?—Knowing he had perjured himself, I thought it fair to him to know that in going up. He said he should say the very same thing he said before to Mr. Justice Blackburn. Then I said, "It will be very different evidence from mine."

23,902. (*Mr. Coleridge.*) Did you say anything about 30*l.*?—He did to me.

23,903. What?—When he found I would not support him in the evidence he had given before Mr. Justice Blackburn, he says to me, "Will you say you "gave me the 30*l.*, and I will say I stuck to it, and "it will save the other two." I said "No, I will not, "for that would be a clear case of perjury on my "part. I could not support it." And on his telling that, I endeavoured to show him out of the door as quickly as I could, because I found my object had ended the moment I told him I was going to make a clear statement of everything, and when he wanted me to connive in a matter of that sort I certainly objected.

23,904. What time in the morning was it?—I think about 8 o'clock.

23,905. Did you say anything to him about seeing Mr. Purcell, the secretary?—I did not. I never mentioned Mr. Purcell's name.

23,906. To any of them?—To any of them. And I told him, "My only object in seeing you this morn-"ing is to tell you I am going to make a fair state-"ment, and as it happened. Now you can go, and "tell exactly as you please. You will be in the same "position as the others."

23,907. When did you first make up your mind to return and state the truth before this Commission?—Directly I knew there was to be a commission. I was telegraphed for, and I came straight home 4,000 miles to tell everything.

23,908. Who telegraphed to you?—My brother-in-law. I will produce the telegram.

23,909. You made up your mind in America to tell the truth?—Yes.

23,910. It was not an afterthought here?—No, I made up my mind before.

23,911. (*Mr. Anstey.*) I understood you to say so before?—I did.

23,912. I do not understand what was the exact nature of the charge against you. What personal interest did this man Buttle suggest to you to move you to agree to concert with him this little scheme of the 30*l.*?—He gave no reason in the world.

23,913. You had no interest in the family?—None at all.

23,914. They were interested in one another. Were you interested in any way in the old man?—Not the least.

23,915. Therefore if you had conceded to what they proposed you would have done so gratuitously, without any possible motive whatever to induce you to commit that perjury?—Exactly.

(*Mr. Price.*) Still more if you had initiated the thing.

23,916. (*Mr. Coleridge.*) The old man is your tenant?—Yes.

(*Mr. Coleridge.*) It seems to me you are bound to clear this up, if nobody else does, by indicting these people for perjury.

(*Mr. Price.*) I should like to hear Smith, and then we will consider what we will do.

(*The witness.*) I gave my evidence, and what I gave before shows I was no party to the scheme.

Mr. JOHN SMITH recalled.

Mr. J. Smith.

23,917. (*Mr. Price.*) Tell us what passed?—I never knew either one of the Buttles to my mind, and never had any transaction in the shape of bribery for the reason that I never believed it would be safe. I always had my suspicion of them. I never knew any of them, with the exception of the last witness. About 14 days ago I was up to dinner, and my shopman——

23,918. The more material part is, is it true that Allan asked you if you would be good enough to see the Buttles, and tell them that he, Allan, intended to make a clean breast of it, as he saw they were put down in the list of witnesses on the first day?—He did.

(*Mr. Price.*) That is enough.

(*Mr. Anstey.*) We do not believe a syllable of their story.

The Commissioners adjourned to consider. On their returning,

(*Mr. Price.*) Let the four Buttles come up in front. We have considered this matter you have brought before us, which, in the first place, has turned out to be a very great waste of our time, but that is only a small evil compared with what you intended to perpetrate, because we have not the slightest doubt in the world that you stand there before us, two of you confessedly having committed perjury before Mr. Justice Blackburn, and therefore we should have felt the greatest doubt in believing anything against another person if deposed to by a man who confessed himself guilty of perjury. That perjury ought not to go unpunished. In addition to that you have conspired together most deliberately and wickedly to commit perjury before us for the purpose of putting Allan and Smith in a very perilous position indeed, because if we had been of opinion that they had done what you wished us to believe they would have been guilty of a gross contempt of court and subornation of perjury, and would have to submit to the fate which we now intend to ask the authorities of this borough to subject you to. That is, on the very first occasion on which the magistrates of this borough

TWENTY-THIRD DAY.
18 Sept. 1869.

meet that you be brought up by the superintendent of police who shall prosecute one and all of you. First, those who have committed perjury before Mr. Justice Blackburn, and secondly, all of you for the crime you have committed to-day before us, which, in point of fact, you have committed by perjury and conspiracy. Now we do it in this form for this reason: that although we feel perfectly confident that on our recommendation the Attorney General would undertake to do that, yet we think it of vast importance that there should be a speedier mode of vindicating justice by having you instantly, or as soon as possible, brought before the justices rather than that there should be any delay by communicating with the Attorney General on the subject. We now desire on the part of this Commission the authorities of this borough to take care that on the first meeting of the magistrates these men be brought up and be prosecuted for these offences, and we have named the superintendent of police, he being the proper person in our judgment to undertake the prosecution. We think there is a *primâ facie* case, but the magistrates will investigate the thing and see if there is any difference between you, and will point it out in their discretion. That is the position in which you stand, and we have nothing more to say to you. You are at liberty to leave the court; we do not want you here, and I do not know that your presence is desirable to any of us.

Mr. J. H. B. Carslake.

Mr. John Hawkey Bingham Carslake recalled.

23,919. (*Mr Anstey.*) Of course the register for this year is not complete yet, and will not be complete for some time, but I should very much like to see whether or not the number of persons on the lists, or who, not being on the lists, claim to be on the lists from which the register of the present year will be made, are in excess or not of the last year. I should like to see what the sum total is, distinguishing old franchises from new franchises, and how many claims there are in respect of lodgings. We had in evidence that there were very few lodgers last year, and I should like to see how many claims there are in respect of lodgings for the new year, if that can be done. Of course it will be in the lists; the register will not be complete till the end of the year. Can you do that without trouble?—I will do it. The revising barrister will be here shortly, and I think I shall be able to give you what will practically be the register. I will give the information to you now or then.

23,920. (*Mr. Price.*) I will just mention this to you—I do not know whether the clerk to the magistrates is here—that under ordinary circumstances we should not allow the transcript of our notes to be handed to anybody, but for the purpose of the prosecution the transcript of the notes can be applied for by the clerk to the magistrates, or the superintendent of police, and can be given to him for that purpose?—I am much obliged to you.

23,921. (*Mr. Anstey.*) Can you tell me how many poll clerks there were at the last election?—Five.

23,922. How many polling booths were there?—Five.

23,923. And five poll clerks?—Yes.

23,924. And do you know the names of the clerks, or can you get them for me?—Yes; Mr. White was one of them, Mr. Coombes was another, Mr. Lucette another—I will give you their names.

23,925. If you please?—I will do so. Would you like to have the names of those gentlemen in time to summon them, or shall I communicate with them? Which do you wish?

23,926. Whichever you please.—Do you wish them to be here on Monday?

23,927. (*Mr. Price.*) Yes, Monday at 12.—Then I will send to each of those gentlemen, or I will communicate to your secretary their names.

23,928. (*Mr. Anstey.*) I suppose the mayor would not know?—He might possibly. He was at some of the booths, and saw the voters come in, but he took no part in it.

23,929. I forgot to ask you whether any, and if so, whether many, of the voters who came up to the different booths to be polled were in a state intoxication or not?—I believe I was not in the booth more than twice during the day, and I cannot charge my memory with seeing any men intoxicated.

J. Vearncombe.

John Vearncombe sworn.

23,930. (*Mr. Price.*) Are you a voter for the borough?—Yes.

23,931. Did you vote at the last election?—Yes.

23,932. Did you get anything for it?—No.

23,933. Nothing at all?—Nothing at all.

23,934. What time in the day did you vote?—Ten o'clock.

23,935. Did you have any promise made to you?—No.

23,936. Have you made any claim?—No.

23,937. Do you expect to get anything?—No.

23,938. Or did you before the election, when you heard that the election was going to take place?—No. I did not want anything.

23,939. Did you vote at the election before, 1866?—No.

23,940. Has not your name been returned as a person who has taken a bribe?—Yes.

23,941. How was that?—It happened in this way: I was at the "Duke of Wellington," to treat a man with a glass of beer, when William Harwood came in. He said to me, "You are a fool." He said, "Alway had 10*l.* to give you, and he only gave you 7*l.*"

23,942. (*Mr. Coleridge.*) Did Alway give you 7*l.*?—No, I never had it. The man went on; I did not take much notice of him, I could see he was intoxicated; and he went on for some time, and he said, "He has got now 3*l.* for you." There were a number of people present, and I did not like it, and "I said, "If I thought Alway would give me 3*l.* I would go for it and fetch it." He said I had not pluck enough. I did not say more, but I went out and went home, and I took about 33*s.* or 34*s.* out of my drawer, and I went and saw Alway, and told him what had happened; and he said, "I should carry on a bit of a spree with him," just like that; and I goes back to Harwood, and said, "Are you going up with me?" and he said, "Well, if you are going up I will go with you;" and he came away with me, and he came as far as Mr. Rookley's door, the baker, which is close to my house, and I left him there and went on to Alway's, and when I got there I took out 30*s.* and put it on the counter, at least so I thought, but Alway told me the next day it was only 29*s.* I took it up, and he gave it to me again. I then went out, and on going back to Harwood I found him at the door of Mr. Rookley's, and he said, "Have you got the money?" I said, "I have got 30*s.*" It was my own money. And he patted me on the back, and said, "What will 'ee drink?" And I said, "If I have anything it will be a glass of gin and water." He goes back to the "Duke of Wellington;" I think there were several persons present, and I think he paid for 3*s.* 8*d.* worth of gin and water. He thought he had a fool to deal with; and so there was an end of it.

23,943. Mr. Alway did not bribe you?—No.

23,944. (*Mr. Price.*) You live near him?—Yes, close by.

23,945. Did you vote at the election before?—No.

23,946. (*Mr. Anstey.*) Did you give a different account of this to Jeffery Denman?—No. I never told any man I had money. Jeffery Denman was at the poll.

23,947. Did you never tell Jeffery Denman that you had received 7*l.* and 30*s.* from Alway, but could not get the other 30*s.* from him?—I swear I did not, and no other man in the town.

23,948. In the presence of other people?—I swear not.

23,949. Did you ever tell James Palmer that you had had 7*l.*, but could not get the rest?—To the best of my knowledge I never spoke to James Palmer but once in my life, and that was only "Good morning" or "Good afternoon" when I met him. I do not think I spoke but once to him in my life.

23,950. Did you meet William Baker on the bridge, after the polling day, and show him a sovereign, and say to him, "This is all I got for my vote"?—No; that was on another day.

23,951. You say it was on another day?—On another day I showed a sovereign to young Mr. Smith.

23,952. I ask you about Baker. Did you show it to Baker?—No.

23,953. Did you tell Jeffery Denman that your wife took out of your pocket the 7*l.* you had for your vote?—No. I never heard of any such thing before.

23,954. Why you were asked that very question before Mr. Justice Blackburn. I will read it to you. "Did you tell Jeffery Denman that you had had 7*l.* "for your vote, and that your wife took it out of your "pocket?" That is the question you were asked, and yet you say you were not asked that before to-day?—I deny it.

23,955. You swear you did not hear it before to-day?—I do not know that I ever heard about 7*l.* before to-day.

23,956. (*Mr. Price.*) It is down in the shorthand notes?—I do not remember it.

23,957. (*Mr. Anstey.*) Did you vote for Kinglake and Vanderbyl at all?—Yes, I voted at 10 o'clock in the morning.

23,958. Did you promise Mr. Westropp to vote for him?—No.

23,959. Are you a Conservative in politics?—No, a Liberal.

23,960. Had Mr. Westropp been to you to ask you for your vote?—Yes.

23,961. What did you tell him?—I told him I should not vote for him as I was a Liberal; and I am a better Liberal than many of the professed Liberals in this town.

23,962. Now we come to young Smith. Did you take a sovereign out of your pocket, and show it to Mr. Smith, the grocer's son, saying, "This is some of the money which I got for my vote"?—I should like to explain——

23,963. Did you or did you not do so?—No, not in that way.

23,964. Now tell me what you said?—We were coming over the bridge to meet Mr. Kinglake the day after the election, and when I came over the bridge he held up a sovereign to me, and he said, "That is what you bought Browne's bricks with," and I put my hand in my pocket and pulled out a sovereign, and showed it to him, and I said, "I have one of your party's sovereigns here which is a marked one." It was not my sovereign at all; it was a sovereign belonging to Harwood. The way I came by it was this: I was in a public house, when Harwood came in, and threw a sovereign down on the table; he wanted to lay a bet about something, and after a little while I said, "You had better take it up, and put it in your pocket," and I was going to hand it to him when he turned away affronted, and that was the very sovereign I showed Mr. Smith; and I said, "If you are going away affronted I shall mark it;" and when Mr. Smith held up the sovereign, and said, "This is what you bought Browne's bricks with," I showed him the sovereign that was marked.

23,965. You know Robert Bussell, the brother of Henry Chapman Bussell?—Yes.

23,966. Did you ever say in his presence that you had received that 7*l.*?—No.

23,967. You know William Harwood whom you have spoken of. Do you remember William Harwood saying to you, "I understand you received 7*l.* for your vote," or words to that effect, and did you answer him, "Yes, I have received it"?—No, I deny that I ever had it.

23,968. Did he ask you the question?—He said that I had had it.

23,969. What did you say?—I would not answer to anything he said, because I saw he was tipsy.

23,970. You said nothing?—I said nothing to him for a long time.

23,971. Did not he tell you that 10*l.* was your price, and that the man who gave you 7*l.* had robbed you?—Yes. He told me more than I wanted to hear.

23,972. Then how came the 7*l.* to be mentioned, if you did not say anything to him?—He came and accused me of having 7*l.* I had not seen 7*l.*, nor did I want to be bribed.

23,973. Now Robert Bussell, William Harwood, James Palmer, William Baker, and, if necessary, John Smith are the persons who may be called to make a statement of what you said to them?—Yes, and it is all false.

23,974. Do you mean to adhere to all you have said to-day with regard to those witnesses, that you never said to one of them, or in the hearing of one of them, anything like the things which I have asked you about?—Yes, I swear that I never did.

HENRY VEARNCOMBE sworn.

H. Vearncombe.

23,975. (*Mr. Price.*) Are you a voter?—I am.

23,976. And brother to the last witness?—No, a cousin.

23,977. Did you vote at the last election?—I did.

23,978. For whom did you vote?—Vanderbyl and Kinglake.

23,979. Did you get anything for it?—Not a farthing.

23,980. What time did you vote?—At a quarter past 8, or twenty minutes past.

23,981. Did you have any money promised you?—Not a farthing.

23,982. Did you never have anything from anybody?—Not a farthing.

23,983. How is it your name has been returned as a person who was bribed?—Well I have had money, elections back.

23,984. You had nothing the last election at all?—Nothing at all; not a farthing.

23,985. Now the election before that, did you get anything then?—Well, I had 10*l.*

23,986. From whom?—Mr. Hill.

23,987. Thomas Hill?—Thomas Hill.

23,988. Anything more?—I had 10*l.* at Bagehot's election.

23,989. No more at Vanderbyl's?—That is all.

23,990. Bagehot's 10*l.*?—Bagehot's 10*l.*, and Vanderbyl's 10*l.*

23,991. From whom did you get the money at Bagehot's election?—From Henry Bussell; two 5*l.* notes.

23,992. Is that all you got at that election?—That is all I got.

23,993. Now 1865, Sir John Shelley's election. Did you get anything then?—I did not get anything.

23,994. Did you vote then?—Yes, Kinglake and Shelley.

23,995. Did you get a farthing?—No.

23,996. Did you expect to get a farthing?—No. In fact, I never asked for any at all.

23,997. (*Mr. Anstey.*) Did not you see Robert Bussell the night of the nomination day in 1865, on the bridge, or near the bridge?—I do not recollect.

23,998. Robert Bussell, the brother of Henry Chapman Bussell?—I do not recollect.

23,999. Were you on that night at Mr. Benjamin

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Lovibond's office; the nomination night?—No, I was not.

24,000. Between 9 and 10 o'clock where were you that night?—I cannot say.

24,001. Did you meet Robert Bussell anywhere in the street that night?—Not that I am aware of.

24,002. I will ask you whether this will refresh your memory. Do you remember that night Robert Bussell saying to you in the street, "Hilloa, Harry," and your saying in reply, "Well, I have been over; no one will see Smith," J. R. Smith, that means, "No one will see Smith for me," shaking, at the same time, something like coin in your hand. "I "have got the money, and now I shall vote for King-"lake and Shelley"?—Not to my knowledge; I never said the words.

24,003. Or anything like them?—I never said those words to him, nor to any man; not to my knowledge.

24,004. But to that effect?—I cannot say that I did; not to my knowledge.

24,005. (*Mr. Price.*) Do not say to your knowledge?—I cannot say I did.

24,006. (*Mr. Anstey.*) To make it quite clear to you, was it 150 or 200 yards from Mr. Lovibond's office, and just opposite Paul Reed's office?—I was not there at all.

24,007. Had you previously seen Bussell on the nomination day?—No, I do not remember seeing him at all.

24,008. Do you remember asking Robert Bussell to go and see Joseph Richard Smith for you, upon which he said, "What for?" And then you said you had been and asked him if he would support you in your contract for scavenging the town if you voted for Mr. Westropp?—Nothing like those words passed.

24,009. Nothing like it?—Nothing like it.

24,010. Do you remember telling Robert Bussell, "I have asked two or three times, and I have an "I O U from the other side;" that is, from the Liberals?—Yes.

24,011. "And unless somebody will intercede for me I shall accept it;" an I O U for 15*l.*?—Never such words passed.

24,012. (*Mr. Price.*) Now 1859; had you anything to do with the election of 1859?—No, I had not.

24,013. You did not vote?—No. The only vote ever I voted was Sir John Shelley and Kinglake. That was all ever I voted.

24,014. (*Mr. Anstey.*) You were not examined before the committee of the House of Commons in 1866?—I was not.

24,015. You are aware that Robert Bussell was examined, and deposed to that fact?—I have heard it is on the blue books that he was examined.

24,016. Did you hear that he had sworn to these matters before the House of Commons?—About me?

24,017. Yes?—No, I did not.

24,018. (*Mr. Price.*) Did you read it in the blue book?—I never saw my name brought up in the blue book about what Robert Bussell said.

24,019. This is the first time you have heard of it?—This is the first time I have heard of it.

24,020. (*Mr. Coleridge.*) Do you mean to say you did not know that your name was mentioned in the House of Commons?—No, I do not.

24,021. It was mentioned, no doubt, but did you never hear of it?—No.

24,022. Did nobody ever chaff you about it?—No.

24,023. Were you up in London when the committee were sitting?—I was in London.

24,024. Were you present in the committee room when Bussell was examined?—No.

24,025. Or in the corridor?—Yes.

24,026. Did nobody come out and tell you what had been said respecting you, and talk about it with you?—No, I did not hear it.

24,027. Did anybody tell you that Bussell had mentioned your name?—Bussell never spoke to me at all.

24,028. Did anybody tell you that Bussell had mentioned your name?—No, not that I heard.

24,029. If they told you of it you must have heard it?—No, they did not tell me of it.

24,030. You did not know that your name was mentioned before the committee of the House of Commons?—I did not hear of it; if I had I should have mentioned it now.

24,031. (*Mr. Anstey.*) Not only was your name mentioned in the blue book then, but it was mentioned in the index afterwards. This is what is said, "Vearncombe, Henry. Statement tending to show "that a man named Henry Vearncombe was bribed, "and voted for Shelley and Kinglake; Bussell, 5310 "to 5325." You never heard of that, I suppose?—I never had a farthing.

24,032. Answer the question. You never heard of that?—I did not.

24,033. (*Mr. Price.*) You never heard of it?—I never did. If I did I would tell you of it now.

W. Luckes.

WILLIAM LUCKES sworn.

24,034. (*Mr. Price.*) Are you a mariner?—Yes.

24,035. You have come from Cardiff?—Yes.

24,036. Are you a voter for the borough?—I am.

24,037. Did you vote at the last election?—Yes.

24,038. For whom?—Mr. Westropp.

24,039. What did you get for it?—Nothing at all, the last election.

24,040. Any promise?—No.

24,041. Were you never told that it would be made all right after the election?—No.

24,042. (*Mr. Coleridge.*) No expenses paid you?—No.

24,043. Nothing for loss of time?—Nothing for loss of time.

24,044. (*Mr. Price.*) Are you the man of whom we have heard, who was discharged by one of Mr. Sully's captains?—Yes.

24,045. You are the man?—I am the man.

24,046. Just tell us your version of the story?—Well, I have not got very much to say about it, but I will tell you I was discharged ten days after the election, and I went to the magistrates to claim my wages, and for being discharged, and so forth.

24,047. Tell us why he discharged you?—He discharged me because he said he did not want me any more.

24,048. Was nothing said to you about your vote?—No.

24,049. (*Mr. Anstey.*) Did he give you any reason?—Nothing whatever.

24,050. Are you quite sure he did not say that it was because you had been idling, and neglecting your duty?—No.

24,051. Or anything about your having packed up your clothes on board?—No; they were not packed up on board, but were ashore to be washed.

24,051*a*. (*Mr. Price.*) Did he say, "As you have packed up your clothes you must go"?—No.

24,052. And he did not complain of your being ashore and idling about?—No. I had finished unloading the vessel, and had nothing to do.

24,053. Had you discharged your ship?—Yes.

24,054. The whole vessel was discharged, and all was ready for you to take in a fresh cargo?—I did not take in a fresh cargo, because I was discharged.

24,055. But you would have done so if you had remained?—Yes.

24,056. (*Mr. Anstey.*) It was ten days after the election that you were discharged?—Yes.

24,057. (*Mr. Price.*) Did you vote?—Yes.

24,058. Did Captain Turner know you had voted?—Yes.

24,059. (*Mr. Anstey.*) Did Turner vote for the other side?—He voted Liberal, and I voted for Mr. Westropp.

24,060. (*Mr. Coleridge.*) What made you vote for Mr. Westropp?—I always voted for Mr. Westropp.

24,061. Did you ever have anything for voting for Mr. Westropp?—I got 10*l.* from Westropp in 1865.

24,062. (*Mr. Anstey.*) You did not vote for Mr. Gray?—I did not.

24,063. You plumped for Westropp?—I plumped for Westropp.

24,064. What time was it when you went to the poll?—The last election?

24,065. Yes?—About ten minutes past three.

24,066. Was Captain Turner by at the time?—I did not see him.

24,067. Had he spoken to you about your vote that day?—No.

24,068. Or Mr. Sully?—No.

24,069. Had Mr. Sully spoken to you about it before?—Never.

24,070. Did anybody canvass you for your vote?—I did not know of any canvassing going on; I was away at the time. I was sent for. I was away from the 3rd September to the 14th November.

24,071. You were at sea?—Yes.

24,072. Who sent for you to come here?—We arrived in the ship at Bridgwater.

24,073. (*Mr. Price.*) In due time?—In due time.

24,074. (*Mr. Anstey.*) And when you came here did anybody ask you for your vote?—No.

24,075. For Mr. Westropp?—No.

24,076. You voted of your own accord?—Yes.

24,077. (*Mr. Price.*) What made you vote in the afternoon; what was your reason for so doing?—I thought my vote was as good just before four o'clock as it was at eight o'clock in the morning. That is the reason.

24,078. You were not waiting about to see how the wind would blow?—No; I was waiting about to see if there was anything going on the other side.

24,079. (*Mr. Anstey.*) And if there had been money going on your side would you have taken it?—I should not.

24,080. (*Mr. Coleridge.*) But you had taken money before?—Ah, but I knew better last time.

24,081. (*Mr. Price.*) Had anybody told you about the new Act of Parliament?—Yes.

24,082. (*Mr. Anstey.*) You were examined before Mr. Justice Blackburn?—Yes.

24,083. I will read your answers, and ask you to say whether they are strictly correct or not: "You "say you were discharged from the ship?—Yes. "Without notice or reason?—Without notice or "reason. Was that one of Mr. Sully's ships?—"Yes." And then you were asked, "At what time "did you poll?—About 10 minutes past three. Had "you been about the town all the day, or where had "you been?—I had not been in the town all the day. "I had been out of the town part of the day. Where "had you been?—Not on any particular business; I "was as far as Dunball. Were you engaged in your "ship?—No, I was not engaged in my ship. What "was your ship at that time; what ship were you in? "—The 'Carry Wench.' Was Captain Turner the "captain of the ship?—I believe so; he acted as "captain. What were you, the mate?—Yes. Who "discharged you?—I had no discharge"?—No, I had no discharge.

24,084. Then I understand you to say you had neither notice nor discharge, nor reason given, nor anything else?—No, nothing of the sort.

24,085. (*Mr. Price.*) When you were before the magistrates about this matter, what did you imagine was done by the magistrates? You had the captain up, first of all, for wages?—Yes.

24,086. What did you understand about that matter?—I believed I was in the wrong about the first matter; because when the articles were read over to me I thought I was to serve six months, and no longer and no shorter; but I found it was "not exceeding six months;" and I sued him for 2 months and 24 days.

24,087. Did you get any remedy against him upon suing him for that 2 months and 24 days?—No.

24,088. After that there was another complaint made against him, that he had not given you the proper form of discharge?—Yes.

24,089. In writing?—Yes.

24,090. And that he had to pay a penalty for?—He did.

24,091. The other complaint was not dealt with at all?—No, never; except that I had to pay the fees of the court. I paid a shilling for the summons.

24,092. You paid that when you took the summons out?—No, I paid the fees, and the summons had to be paid for.

24,093. Then your summons against your captain for nonpayment of wages you understood was never decided?—I paid for the summons myself.

24,094. But did the magistrates give any decision about the wages?—Oh yes.

24,095. What did you understand to be their decision?—I understood they dismissed the case.

24,096. You understood that?—Oh, I understood that perfectly well.

24,097, They dismissed the summons as far as the wages were concerned?—Yes.

24,098. And then the other matter was gone into?—Yes.

24,099. (*Mr. Anstey.*) Was any money offered to you on the Liberal side at the last election?—Yes, Mr. Henry Chapman Bussell offered me 10*l.* on the other side, on the bridge.

24,100. And you declined to take it?—Yes.

24,101. And you then went, within ten minutes afterwards, to make a statement to Mr. Boyle at the "Clarence"?—Yes.

24,102. (*Mr. Coleridge.*) What did you get in Vanderbyl and Patton's election, 1866?—That was the last election of Vanderbyl and Patton?

24,103. Yes?—I had 20*l.*

24,104. (*Mr. Price.*) The first time that Mr. Vanderbyl stood how much did you get?—I had 10*l.*

24,105. For whom did you vote?—Patton. I always voted on the Conservative side.

24,106. (*Mr. Coleridge.*) Did you get 10*l.*?—Yes.

24,107. At the first time when Patton stood, what did you get then?—10*l.*

24,108. When did you get 20*l.*?—This last election of Vanderbyl and Patton.

24,109. This last election of Patton and Vanderbyl?—Yes.

24,110. You had 10*l.*?—Yes.

24,111. So that you had 10*l.* in 1865 for voting for Mr. Westropp?—Yes.

24,112. You also had 10*l.* in the first election in 1866 for voting for Mr. Patton?—Yes.

24,113. And 20*l.* for voting in Vanderbyl and Patton's election?—Yes.

24,114. How much have you had altogether?—40*l.*

24,115. (*Mr. Price.*) And the new Act of Parliament deterred you from taking any more at the last election?—Yes, I would not take any more.

(*Mr. Price.*) That is the only good thing I have yet heard that the last Act of Parliament has done in Bridgwater.

Mr. Clifford Symmons recalled.

Mr. C. Symmons.

24,116. (*Mr. Price.*) What do you wish to state?—I should like to be permitted to say this: I told you that on the polling day at the last election I went home at 12, and came back soon after 2. At 3 o'clock, or sometime after 3 o'clock, on that day somebody spoke to me and asked me to speak to Luckes, the last witness, and I said I would have nothing at all to do with him. They begged me to see him, I said I would not, but, however, I did go to Luckes, and I asked him, "Have you been to poll?" and he said, "I have

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not; I want to have something for myself first." I said "You ought to be ashamed of yourself."

24,117. (*Mr. Coleridge.*) This was the last election?—Yes.

24,118. And this is the man who said he was offered 10*l.* by Mr. Bussell, but declined to take it?—He subsequently told me he wanted 20*l.*, and I asked him if he really meant that he wanted 20*l.*, and he said he did; and he said he would not vote at all unless he got 30*l.*

H. C. Bussell.

HENRY CHAPMAN BUSSELL recalled.

24,119. (*Mr. Price.*) What have you to say?—I never offered that man (*referring to Luckes*) any money at all at the last election, because I should have been afraid to, for if I had offered him any money he would have been only too glad to have taken it.

W. Luckes.

WILLIAM LUCKES recalled.

[On entering the witness box the witness took the testament into his hand, as if expecting to be sworn again.]

24,120. (*Mr. Coleridge.*) You have been sworn already?—I was sworn before Her Majesty's Commissioners, and I come to speak the truth, and nothing but the truth. I never saw Mr. Symmons during the day. I have never spoken a word to Mr. Symmons for the last three years, good or bad. I never said to any living man the words he has spoken. I should recollect it if I had.

24,121. Who was it that you said it to, if it was not to Mr. Symmons?—To no one.

24,122. That you wanted 30*l.*, and would not vote without?—I never said I wanted it to anybody in the world.

24,123. (*Mr. Anstey.*) You see what you have now to answer is, not only Mr. Symmons's statement that you asked him for this large sum of money, but also Bussell's statement that he never offered you any money at all?—Yes.

24,124. Two contradictions of your evidence, instead of one. What do you say to that?—I say Captain Bussell offered me money, but I say "No" to Mr. Symmons's statement; it is not true.

24,125. (*Mr. Anstey.*) Did Bussell offer you any money?—He did.

24,126. Bussell says he did not; and Mr. Symmons says that he asked you if you wanted 20*l.*, and you said you wanted 30*l.*?—I say no.

24,127. (*Mr. Price.*) Who are you working for?—For the Conservative party. I always have.

24,128. I mean by whom are you employed? At one time you were in Mr. Sully's employ?—Never more than two or three months; that is all.

24,129. Who are your employers now, the Conservatives?—I work for Isaac Smith.

24,130. (*Mr. Anstey.*) Is he any relation to Mr. J. R. Smith?—Oh no, not in the least; I do not believe he is.

24,131. Is it the lawyer you mean?—Oh no, he is a shipwright; nothing to do with him whatever.

24,132. Can either you or Mr. Symmons give us the name of any person who will clear this up?

(*Mr. Clifford Symmons.*) Yes. Young Mr. John C. Hunt can clear this up. He was present when I had the conversation with Luckes.

Mr. H. C. Bussell.

Mr. H. C. BUSSELL recalled.

24,133. (*Mr. Price.*) What do you wish to say?—I spoke to this man, but as to offering him money I did nothing of the sort. I merely asked him if he had been and voted, and I understood from him that he had. There was no necessity, therefore, for me to offer him any money.

(*Mr. Coleridge.*) Is Hunt in court?

(*Mr. C. Symmons.*) I believe he was just now.

W. Luckes.

WILLIAM LUCKES recalled.

24,134. (*Mr. Price.*) You say you went straight to the "Clarence"?—Yes, within five minutes after Captain Bussell offered me the money.

24,135. You told Mr. Boyle of it?—Mr. Boyle.

24,136. What Boyle is that?—He is the solicitor. I went to the "Clarence" direct.

24,137. To whom did you tell at the "Clarence Hotel" what had occurred, besides Mr. Boyle?—It was before Mr. Westropp and Mr. Gray, and Mr. Phillips, a corn-merchant, and Mr. Brice, I think; I will not be certain.

24,138. Was your statement taken down?—It was, and I signed my name to it.

24,139. Where was it taken down?—In the "Clarence Hotel."

24,140. Who took it down?—A young clerk; I cannot say his name. He was a stranger to me, but he had his pen and ink on the desk.

24,141. You are a strong Conservative?—I am.

24,142. And you wanted to trip up the Liberals, if you could?—Well, I should not mind it.

24,143. That being so, just consider. Did you go and get up this story against them?—No. I am speaking to you the truth, and no man can come afterwards and speak against me.

24,144. (*Mr. Anstey.*) You have already told us that you were hanging about to see what the other side was doing?—Yes, but not to put money in my pocket.

24,145. But you did wait about to see if you could find them out?—Yes.

24,146. And you also told Mr. James, who cross-examined you before Mr. Justice Blackburn, that you wanted to catch them out, and if you could have got the money from them you would have wrapped it up in a piece of paper and taken it to the "Clarence"?—No such thing passed to Mr. James.

24,147. Here is your answer?—It is wrong.

(*Mr. Coleridge.*) It cannot be wrong; it is the shorthand writer's note.

24,148. (*Mr. Anstey.*) Just hear this. You told that to Mr. James, and you told the same thing to Mr. Serjeant Parry, you told them the same story you have told us to-day about Bussell, that Bussell came to you and asked you for your vote, and you told him you had not voted?—Yes. If you will allow me——

24,149. Stop a moment. I will not allow you at all. I will not allow you anything. After you had voted, you told Bussell you had not voted?—I did.

24,150. Then you are asked this question, "Why, "if you had voted, did you tell Bussell you had "not?—Because there was intimidation and bribery "about, and it was my place to catch them if I could"?—Yes.

24,151. Now had you been employed as a catcher of bribery and intimidation at all?—Oh no.

24,152. Then how was it your place to do it?—Well, I think it is my place as much as anyone's else when I see intimidation going on on the other side.

24,153. (*Mr. Coleridge.*) After being bribed at every election you ever voted at?—After their being such a great majority ahead, I think it was my place.

24,154. (*Mr. Anstey.*) Then you go on: "If you had "gone with him to his house, you would have caught "him quite out?—Yes. Why did not you do it?—I did

" not want it. You wanted to catch him out?—Yes. " You would have caught him out if you had taken " the money and wrapped it in a piece of paper, and " had taken it to the 'Clarence'?—Yes. Why did " not you do so?—I did not do such a thing as that. " Why not?—I had no reason for it. You had no " reason for not catching him out?—No." It is a most confused piece of evidence, but that is what you stated. Now you say that that took place as you have stated, or is there any mistake about it?—All the mistake there may be is that I may be asked the question by the counsel which he put before me, but the mistake is this here, that I never said anything at all about catching of them out, because my mistake was that I would let anybody catch them out if I could, but not to catch any money from them.

(*Henry Chapman Bussell.*) I think if this witness had wanted so to catch us out——

(*Mr. Price.*) Well, you cannot argue about it, Mr. Bussell. You deny that you offered the money. We must judge of that.

(*Mr. Coleridge.*) He had taken money at every previous election, and it is not very likely.

(*Witness.*) I have witnesses who see Captain Bussell talk to me on the bridge on the day of the election. My wife came up to me on the bridge.

(*Mr. Coleridge.*) He says he spoke to you.

(*Witness.*) He came up to me about half-past three o'clock, by Symmons's clock across the water, and he caught me by the left hand and said, "Bill, have you been to poll?" and I said, "No."

24,155. Then that was a lie?—Yes, but I am speaking the truth now. I have got evidence. I have got witnesses as well as they. I said, "No." He said, "Will you poll for our side?" I said, "Well, I don't know whether I shall vote for anybody at all." He said, "Why not?" I said, "If I don't vote I shan't please nor offend nobody." "That's a damned pack of stuff," he said, "come, and I will give you 10*l.*" He drew out his watch. "What time is it?" "Past three o'clock, there is no time to spare," he said. "Seventeen minutes to three," I said, "That's my time; that's the right time." Up comes my wife. "What are you going to do with he?" said she. "I am only going to take him to the poll."

24,156. Who was that?—My wife. My wife came up, and she said, "What are you going to do with him, Mr. Bussell?" "Only going to take him to the poll like a man." "He has been to poll," she said, "if not, at least he told me so, and if not he is not going to vote for you," and Bussell looked round and said, "Why did you tell me you have not been to poll if you have?" I said, "What's she got to do with it?" "Come along with me," he said.

24,157. (*Mr. Anstey.*) If your wife was there, she must have heard Bussell offer you the money?—Oh, no, she did not interfere with me. She stood on the bridge. The money affair was passed before that; before she come.

24,158. How much had passed before that?—No money was not passed, but the amount was 10*l.*

24,159. How long was it after?—Not a moment.

24,160. Then she must have heard it?—Oh no, she could not hear it.

24,161. She knew he was talking about going to vote?—She thought so much.

24,162. She said, "Mr. Bussell, what are you going to do with him"?—Our money affair was over.

24,163. Then it comes to this, that your wife is not prepared to support your statement upon oath by her oath?—Oh, she will support my statement that I was talking to Captain Bussell at the time.

(*Mr. Coleridge.*) Bussell says so.

24,164. (*Mr. Anstey.*) But not as to the bribery?—No. I reported it five minutes afterwards at the "Clarence Hotel," and why should I go and make that statement. I thought he was a man that would stand his ground like a man. I did not know when I was going up to the "Clarence Hotel" that he was a man that was going to run away. I did not know at the time that I made my statement at the "Clarence Hotel" but what Captain Bussell was going to stand and not going out of the country. It is not as if I thought that the man was going to run away that I should go and tell false. I did not know he was going to run away. I did not know anything about it.

24,165. (*Mr. Anstey.*) Why did not you mention the name of your wife when examined before the lawyers?—They did not wish for it.

24,166. You did mention it?—I did mention it.

24,167. But she would not support your statement?—They said, "We shall be quite satisfied with your statement."

JOHN CARTER HUNT sworn.

24,168. (*Mr. Price.*) What have you to say about this, Mr. Hunt?—I was just outside the "Globe Hotel" when Mr. Symmons was trying to get Luckes. He asked Luckes to go and poll, I believe. He asked him if he had polled. I went alongside Mr. Symmons and said, "If you take my advice you will have " nothing to do with that man, because we can't trust " him. He never could be trusted for voting on the " Liberal side."

24,169. (*Mr. Anstey.*) That was the day of the poll?—Yes, on the day of the poll, between three and four in the afternoon.

24,170 And the man was William Luckes?—Yes, William Luckes.

24,171. (*Mr. Price.*) Did you see Symmons speak to him?—Yes. With reference to money matters I did not hear that. They were talking together.

24,172. What did you hear them say?—He was alongside of him, and I went to him and told him to have nothing to do with him.

24,173. Was he talking to him?—He was talking to him, but I did not hear what he said.

24,174. (*Mr. Anstey.*) Did Luckes say anything when you said, "Don't you have anything to do with that man"?—No; I took Symmons away and said, "Don't have anything to do with that man."

24,175. (*Mr. Coleridge.*) I suppose you knew Luckes had been paid on the other side at other elections?—Yes, I always imagined so.

24,176. (*Mr. Anstey.*) What Luckes denies is that he had any conversation with Symmons that day of the election?—He did have conversation with him, because I took Symmons away from him; I took hold of Symmons's arm and got him away.

(*Mr. Price.*) Well, there is certainly a distinct assignment of perjury against the man Luckes.

CLIFFORD SYMMONS recalled.

(*Witness.*) The words were "Don't touch him, he cannot be trusted." I said "Let me alone, John; I am not going to offer him money." Again Luckes has said he was never in the employ of the Liberals. He was master of a vessel belonging to my father for some time, I do not know how long, and my father is a Liberal.

24,177 (*Mr. Coleridge.*) He has sworn you know that you did not speak to him on the polling day?—I had ten minutes, conversation with him.

(*Mr. Anstey.*) I quite agree with what my colleague has said, that you have a very clear assignment of perjury against Luckes, and you are a person of means sufficient to enable you to proceed if you think fit. I know what I should do if I was in your case. Of course it is not for me to advise you; you must take your own course.

TWENTY-THIRD DAY.

18 Sept. 1869.

JOHN SQUIRE sworn.

J. Squire.

24,178. (*Mr. Price.*) What are you, Mr. Squire?—Master carpenter and joiner.

24,179. Have you men under your employ? do you employ a number of hands?—Yes, I have before now.

24,180. Are you still in the same business?—Yes.

24,181. Well, did you vote at the last election?—Yes.

24,182. Whom for?—Mr. Westropp and Gray.

24,183. (*Mr. Coleridge.*) Have you always voted for the Conservatives?—I have until once.

24,184. When was the once you did not vote for them?—At least, it is twice; once was in 1857.

24,185. When did you not vote for the Conservatives?—Not at Mr. Vanderbyl's and Patton's election.

24,186. Did you get paid on both those occasions for voting for the Liberals?—No, not on the first; in 1857 I did not; on the last I did.

24,187. (*Mr. Price.*) In 1866 did you get anything from Vanderbyl's party for voting for him?—In 1866, yes.

24,188. What did you get?—15*l.*

24,189. Who gave it to you?—Bussell.

24,190. What did you get in 1866 for voting for Bagehot?—Nothing; oh, I got 10*l.* from Patton then.

24,191. So you vote which ever way the money goes?—No, not exactly like that.

24,192. What did you get at the last election for voting for Westropp and Gray?—Nothing at all.

24,193. What were you promised?—Nothing.

24,194. Not promised anything afterwards?—No. I would vote for Westropp and Gray if they was to come a thousand times.

24,195. That depends on the money?—No, not on the money.

24,196. (*Mr. Anstey.*) Did you hear in the canvass there was likely to be money going?—No, I never heard it in my life; but the question is this, when Mr. Westropp was served in the manner he was, if ever he came again I would vote for him.

24,197. How was that?—Because I always thought the man was disrespected.

24,198. (*Mr. Coleridge.*) What did you get for voting for him in 1865?—10*l.*

24,199. (*Mr. Anstey.*) You thought he was ill-treated in having Mr. Patton put in instead of him. Was that it?—Well, don't you see, Mr. Westropp got defeated.

24,200. What do you mean by "disrespected;" I do not understand?—Well, here in this court, when he came even at the last election.

24,201. That was the last election. How could you have voted for him at the last election because he had been ill-treated?—I thought the party here rather spoke against him, and did not like him very well.

24,202. The last time you voted out of feeling for him?—I did.

24,203. And on previous occasions you voted, not out of feeling, but for bribes?—No, I did not. I voted for the man honestly.

24,204. (*Mr. Coleridge.*) Why did you vote for Vanderbyl?—I will tell you. Because there was a bill owing in 1857 for a lot of flag-poles that I made, owing by Mr. Kinglake, and that money was never paid. When Mr. Kinglake and Sir John Shelley called at my house in 1865, Mr. George Sully, the mayor, Mr. James Sully, Mr. Wilton, Mr. John Smith, and Mr. Henry Lovibond, all the lot, and Sir John Shelley, came into my house. The bill lay on the table for that amount of money which I asked for.

24,205. How much?—2*l.* 12*s.* 6*d.* was the money I asked for, ever since 1857 to 1865. Twenty times I had asked for that money from Bussell and Smith, and could never get it. Foster told me to go and get it.

24,206. So you went round to the Tories?—I said I would never vote. When Mr. Kinglake came there and asked me for my vote, I gave him the bill myself. He said, "Do I owe this money?" he said to Mr. Smith, and Mr. Lovibond, and Mr. Reed, and Mr. George Sully, and all of them left the room; they would not bide to hear it. "Do I owe this money? If I do," he said, "Mr. Smith, you pay it." "Very well," he said. Since that I have been to vote with Bussell, which he gave me the 15*l.*, and I was at the "Clarence" till half-past 1.

24,207. Mr. Vanderbyl paid you that bill, and so you got 15*l.* for your vote?—No, no.

24,208. You were paid at Vanderbyl's election?—No, I was not paid at Vanderbyl's election.

24,209. When were you paid?—About two months afterwards. Mr. John Smith paid me.

24,210. Your bill?—Yes.

24,211. If I understand, you got 15*l.* from Vanderbyl?—Yes.

24,212. 10*l.* from Patton?—Yes.

24,213. 10*l.* from Patton in the election before, you know?—Yes.

24,214. What did you get in the year 1859?—10*l.*

24,215. Who from?—That time from Frederick Jarman.

24,216. Which way did you vote?—Westropp, a plumper.

24,217. In 1859?—Yes.

24,218. In 1857, when you had this bill, how did you vote?—I think for Kingslake.

24,219. What did you get for that?—Nothing.

24,220. What did you get the time before?—1852?

24,221. Yes?—10*l.* from Tynte and Henley.

24,222. You did well by it?—Yes, but I should like to have done better.

24,223. What did you get the time before?—I never had a vote before.

JAMES FAR SQUIRE sworn.

J. F. Squire.

24,224. (*Mr. Price.*) What are you?—Newsagent and keep a beerhouse.

24,225. Are you a voter?—Yes.

24,226. Did you vote at the last election?—I did.

24,227. For whom did you vote?—Kinglake and Vanderbyl.

24,228. Did you get anything?—No.

24,229. Promised anything?—No.

24,230. (*Mr. Coleridge.*) Had you any bill?—No.

24,231. No beer sold, or news sold, or anything?—No.

24,232 (*Mr. Price.*) Are you the son of the last witness?—No, I am a brother.

24,233. You are a Liberal, are you?—Yes.

24,234. You have always voted Liberal?—Yes always, ever since I had a vote.

24,235. Have you always been paid for it, except the last time?—Except the last time.

24,236. What did you get in 1866?—10*l.*

24,237. What did you get at Bagehot's election?—10*l.*

24,238. What did you get in 1865?—That is all the votes I have had.

24,239. Did you get any bills paid?—No, only at the last municipal election I drew 19*s.* worth of beer.

24,240. Who for?—Mr. Cook paid me.

24,241. That was to vote for the Liberals?—No, I think it was after. I don't know whether it was before or after.

(*Mr. Price.*) It was the week before.

24,242. (*Mr. Anstey.*) Have you and your brother got any more money than what you have mentioned out of the two parties?—No, sir. My brother and me have nothing to do with each other.

ISAAC HOOPER sworn.

24,243. (*Mr. Price.*) What are you?—A sail-maker.

24,244. Are you a voter?—I am

24,245. Did you vote at the last election?—I did.

24,246. For the Liberals, or who for?—Westropp and Gray.

24,247. Did you get anything for it?—Not a farthing.

24,248. How did you vote at the election before?—Patton.

24,249. (*Mr. Price.*) Did you ever vote for the Liberals at any election?—I did.

24,250. When?—1865.

24,251. What did you get for it?—Nothing.

24,252. (*Mr. Anstey.*) Promised?—Nothing.

(*Mr. Coleridge.*) How came you to vote for the Liberals on that occasion?

24,253. (*Mr. Price.*) Is there another Hooper in the town?—Oh yes, several.

24,254. (*Mr. Coleridge.*) What did you get for voting for Vanderbyl in 1866?—I never voted for Vanderbyl.

24,255. Who did you vote for?—Patton.

24,256. How much did you get for that?—10*l.*

24,257. How much the time before?—The same year?

24,258. Yes?—5*l.*

24,259. Who gave you that?—Really I cannot tell.

24,260. Who gave you the 10*l.*?—At Patton's first election I received 5*l.*, with a promise of another five of a man which I never saw before and never saw since, and in the same year, 1866, I received 10*l.* from an individual which I don't know. I only saw the hand. That is all.

24,261. (*Mr. Anstey.*) Your name is Isaac Hooper?—My name is Isaac Hooper.

24,262. Who is George Hooper?—He is a foreman belonging to Mr. Ritson.

24,263. Is he any relation to you?—Not at all.

24,264. (*Mr. Coleridge.*) How came you to vote for the Conservatives in 1866 when you voted for the Liberals in 1865?—I never voted for the Conservatives in 1866.

24,265. I thought you said you voted for Patton?—I beg your pardon. In 1866 I voted for the Conservatives, and so I did in 1865.

24,266. What did you get in Westropp's election of 1865?—10*l.*

24,267. Then you got two tens and a five, is that it?—What election?

24,268. (*Mr. Price.*) At different times you got 25*l.*?—In 1865, 10*l.* Westropp's election: in 1866——

24,269. (*Mr. Coleridge.*) You got 5*l.*, and then 10*l.*; did you get anything in 1859?—I had not a vote.

24,270. How much have you received altogether for your vote?—30*l.*

24,271. You have only told us of 25*l.*?—You won't allow me to speak. I believe the rule of this court is, or you wish to imply at least——

24,272. Well, there, go on?—The first was in 1865. That was my first vote, my maiden vote. I voted for Westropp and Kinglake. I received 10*l.* then for Westropp. In 1866 (Mr. Patton and Bagehot's election) I received 5*l.*, at Patton's election. During the interval between, that is Mr. Patton and Bagehot's election——

24,273. You got the other 5*l.* that you had been promised. Who gave you that?—Mr. Batten, Henry Batten,

24,274. Then you got 10*l.* at the next election?—Then afterwards in the same year, 1866——

(*Mr. Price.*) Well, you have told us that. That will do.

JAMES CHAMPION sworn.

24,275. (*Mr. Price.*) What are you?—I work at Browne and Co.'s brickyard.

24,276. Are you a voter?—Yes.

24,277. Did you vote at the last election?—Yes.

24,278. Did you get anything for it?—No.

24,279. Were you a new voter the last time?—No.

24,280. You voted before?—I voted before.

24,281. Did you vote for the Liberals?—I did.

24,282. Did you have any promise?—No.

24,283. Not from anybody?—From no one.

24,284. What time in the day did you vote?—Just after dinner.

24,285. (*Mr. Coleridge.*) Was anything paid for your expenses?—No, nothing. I was never promised in my life, by no one; not at the last election.

24,286. It was a dry election then?—I had nothing to drink; no more than what I paid for myself. I am not much of a drinker myself.

24,287. (*Mr. Price.*) In 1866 did you get anything?—I did.

24,288. Who did you vote for?—Mr. Vanderbyl.

24,289. What did you get?—14*l.*

24,290. Who from?—Mr. Clifford Symmons.

24,291. He did not give you 15*l.*?—No, 14*l.*

(*Clifford Symons.*) Ten pounds I paid him. I did not pay more.

(*The witness.*) No, Mr. Symmons, you said if you gave me more than 14*l.* it would be out of your own pocket.

24,292. (*Mr. Price.*) Don't talk. You say you got 14*l.*?—14*l.*

24,293. How did you manage to get it? Had you been promised 14*l.*?—No.

24,294. How was it you got more than 10*l.*? How did you get the extra four?—I asked Mr. Symmons if he would get me 4*l.* more.

24,295. You asked for 14*l.*?—I did.

24,296. And you got it?—I did; and he said, "Jim, if I give you any more it will be out of my "own pocket." That is the words he said to me.

24,297. Did you get anything at the other election of 1866?—Yes.

24,298. Bagehot's?—Yes.

24,299. How much?—10*l.*

24,300. Who from?—Charles Bulpin.

24,301. Did you get anything in 1865?—Nothing.

24,302. Did you vote in 1865?—No.

24,303. Had you any promise?—No.

24,304. Had you any expenses?—No, nothing at all.

24,305. (*Mr. Anstey.*) You had no vote in those days?—I had a vote.

24,306. You had a vote?—Yes.

24,307. (*Mr. Price.*) Did you vote?—No.

24,308. Why did not you vote?—I did not feel inclined to vote.

24,309. Did you hear that no money was going to be spent?—I did not hear there was any money at all; nothing at all.

24,310. (*Mr. Anstey.*) Therefore you did not vote. Is that why you did not vote?—Not altogether.

24,311. Why not?—The reason was I heard that Mr. Westropp was in a majority, and had won the election between 10 and 11 o'clock, and therefore I did not vote.

24,312. You heard that there was no money going amongst the Liberals, and Mr. Westropp was in a majority, and therefore you did not vote. Was that it?—Yes.

24,313. In 1859?—I was no voter then.

TWENTY-THIRD DAY.

J. Bussell.

3 Sept. 1869.

JAMES BUSSELL recalled.

24,314. (*Mr. Price.*) You had better sit down there?—I have been sworn.

24,315. (*Mr. Anstey.*) Do you recollect the trial at Wells quarter sessions of people who were sent from here for rioting at Bowen's house in 1832?—Yes; I have reason to remember it.

24,316. Did you after that trial go over to Wells, or see any of the jury after the trial was over?—I think you are labouring under a mistake, Mr. Commissioner. It was before the trial, and while the trial was on

24,317. Did you, I put it to you then, did you give any money to any persons who were on that jury?—Not a farthing.

24,318. Did you give any money to any persons who were in any way concerned in the trial?—Not a sixpence, or any coin whatever.

24,319. Did you hear of any person expending as much as 400*l.* or 500*l.* on that occasion?—No, nor yet 400 or 500 pence.

24,320. There was an election, you know, just before that, a general election, at which Twiss, Horace, Twiss, and Chatteris were candidates for the Tories, and were defeated, and Tayleur, for whom you were interested, and another, were returned?—Yes.

24,321. The first election after the Reform Act?—Yes.

24,322–4. At that election did you put on a surplice, go in procession with a coffin supposed to contain the effigy of one of the unsuccessful candidates, Mr. Astell, read a portion of the burial service out of the Common Prayer Book, and then consign the coffin to the river?—I did; not from the Prayer Book, but from the parody that I had written myself on the funeral service. I tell you, sir, that I did precede a coffin. Toryism was then in its throes, and we buried it; threw it into the river, committed it to the deep; and I was the clergyman on the occasion.

24,325. You profaned the service of the Church of England on that occasion?—I made a parody on it.

24,326. Just so, with the Prayer Book in your hand?—No such thing, no such thing.

24,327. Did you afterwards write a defence in the "Bath Herald" of the proceedings of yourself and the party at that election?—What, a report?

24,328. Defended, justified what you had done by writing articles or letters for the "Bath Herald" on the subject?—There is no question of it, for I wrote for several newspapers. I was correspondent for the newspapers.

24,329. And then, as soon as your friends came into power, which they did in 1836 or 1835, on the passing of the Municipal Corporation Act, they rewarded you for these services by making you superintendent of police and gaoler?—You are rather mistaken. On the 1st of January I was appointed to the weigh-engine to test its powers for what it was worth. I had it for nothing. Its produce was mine for my labour. I was also appointed night constable, and after the vacancy of Gover, who was then gaoler, I was appointed when he resigned to take the mastership of the union-house, I was appointed to succeed him; and I lived there for 26 years in all parties, Tories and Conservatives, as I am very proud to call them now, for they are as liberal as any others.

24,330. My question is, did not you get these two offices, that of superintendent of police and gaoler from your political friends in the borough?—There is no question of it.

24,331. And in the year 1835 or 1836?—1836, 1st of January, I first had an office.

24,332. Had you any other qualification for those offices except the valuable services you had rendered the party at the election?—Yes; head-piece, talent.

Adjourned to Monday next, the 20th September, at 12 o'clock.

TWENTY-FOURTH DAY.

Monday, 20th September 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
HENRY FRANCIS PURCELL, Esq., Secretary.

TWENTY-FOURTH DAY.

Mr. J. H. B. Carslake.

20 Sept. 1869.

Mr. J. H. B. CARSLAKE recalled.

(*The witness.*) You wanted a list of poll clerks. Their names are Henry Cornelius White, accountant; Thomas Martin, accountant; Charles Lucette, schoolmaster; George Henry Hobbs, post office clerk; John Coombes, accountant; five poll clerks. It have written to them begging them to attend in obedience to your request. Mr. White is still unwell, I am informed, and Mr. Martin has gone into Devonshire; I do not know whether you wish to have him summoned, I could not get his address until last night. Then with regard to the numbers on the register for 1868, there was a total of 1,499, and you wish to know the number of lodgers, there were 7. This year the register would number 1,450, but no lodgers, and there is one claim only, and no objection made, so that practically the number on the register may be considered to be 1,451.

24,333. (*Mr. Anstey.*) Assuming the revision makes

no difference?—Assuming that, and the revision is settled for the 2nd October, so that assuming your labours will end about that time you will be able to have the exact register. Then I have to inform you that in accordance with the directions of the Commissioners the authorities have taken steps with regard to the Buttles, and no time has been lost. I am instructed to make application to you to allow your clerk to furnish a copy of the notes on Saturday, without which we cannot proceed.

(*Mr. Price.*) Certainly.

(*Mr. Coleridge.*) So far as regards the Buttles you mean.

(*The witness.*) So far as regards the Buttles.

(*Mr. Price.*) What I think the magistrates will probably require is the attendance of the shorthand writer who took the notes, and who will then have to refresh his memory by his notes, and speak to the evidence given by the Buttles.

(*The witness.*) Yes, but my asking for a copy in the first instance is to ascertain what the complaint is; at present I have no means of knowing beyond the published print of the newspapers.

(*Mr. Price.*) Then of course you shall have them. Will you or the clerk to the magistrates require them?

(*The witness.*) I shall require them.

(*Mr. Price.*) Then they shall be furnished. That will be the proper mode, you will require a shorthand writer, and it so happens that the same shorthand writer took the whole thing, so that we can spare him easily enough.

(*The witness.*) I have taken steps to prosecute, but at present I do not know how to frame the charge.

(*Mr. Price.*) You had better have the transcript of Saturday's notes.

24,334. (*Mr. Anstey.*) I want to ask you in whom was the appointment of Bussell senior to the office of superintendent of police and gaoler vested at the time when he received the appointment?—I imagine in the town council, the corporation of the day.

24,335. The statement you have handed in shows that the first town council under the Municipal Reform Act, at least the first batch of magistrates and justices after passing the Reform Act, were all Liberal?—Yes, I believe that was so.

24,336. I do not know whether you are aware that according to an announcement made by the then Home Secretary, Lord John Russell, at that time, it was the intention of the Government to accept the recommendation of the town council as to the appointment of justices; do you happen to know whether those justices were recommended by the town council in the first place?—I was not in Bridgwater until 1841, and I do not know of my own knowledge, but I believe that was the state of things.

24,337. Then you think the town council had the appointment of the superintendent of the police and the gaoler?—I have no doubt.

24,388. Could the dates of those two appointments be found?—I will furnish them.

24,339. And also the fact that the town council appointed a person of Bussell's antecedents to the office?—I think I can find that as well.

Mr. George Henry Hobbs sworn.

Mr. G. H. Hobbs.

24,340. (*Mr. Price.*) Are you a post-office clerk?—I am.

24,341. And were you poll clerk appointed by the returning officer at No. 4 booth, Church Road, at the last election?—I was.

24,342. You were there the whole day?—Yes.

24,343. We want to know whether you remarked during the polling day that the voters came up in a state of intoxication in great numbers or not?—As regards the morning they were all very orderly, and I did not see any indication at all.

24,344. How long did that last, what you call the morning?—Somewhere up to one or half-past one.

24,345. After that did you observe any change?—There was a change, there was unmistakeable evidence of their having been drinking.

24,346. The great mass of them?—There was but a few polled up there.

24,347. At your booth?—Yes, at my booth.

24,348. Your booth at Church Road, was that one of the largest?—One of the smallest.

24,349. Still you did observe a change in the men who came up?—I did.

24,350. (*Mr. Anstey.*) A large proportion of those few?—Yes.

Mr. Charles Lucette sworn.

Mr. C. Lucette.

24,351. (*Mr. Price.*) Are you a schoolmaster in this town?—I am.

24,352. Were you poll clerk at No. 3 booth, Salmon Lane, at the last election?—Yes.

24,353. I want to know whether you observed anything in the demeanour of the electors who came up to the poll, as to their state of sobriety?—In the morning it was everything that could be desired, they were very orderly in the morning; after Mr. Kinglake left in the afternoon part they came in great numbers, and I should think four out of five gave unmistakeable evidence of drink, not exactly intoxication.

24,354. But you could see they were under the influence of drink?—Yes.

24,355. At which time in the day did the largest number poll at your booth?—After 1 o'clock.

24,356. Therefore at your booth the largest number polled after 1 o'clock, and a very large proportion, four out of five, had been evidently drinking?—Yes.

24,357. (*Mr. Coleridge.*) Were any so bad that they did not know what they were about, because we have had evidence that some really did not know what they were doing?—I think about four.

24,358. Later in the day?—Yes.

24,359. About half-past 3 or 4?—Perhaps about 3.

24,360. Do you happen to know who they were who were in that state?—No.

24,361. (*Mr. Anstey.*) And many others under the influence of drink?—And many others under the influence of drink.

John Coombs sworn.

J. Coombs.

24,362. (*Mr. Price.*) Are you an accountant?—I am.

24,363. You were the poll clerk at No. 5 booth, Polden Street, at the last election?—I was.

24,364. You have heard the question put to the other gentlemen. What is your experience?—I should say throughout the whole day about every man out of five was under the influence of intoxicating liquors.

24,365. Did you observe it more after 1 o'clock than before?—Well, it was more after I than during the morning.

24,366. Did large numbers poll at your booth?—About 300, I think.

24,367. And about one out of five were influenced?—About one out of five, taking the whole range of the day.

TWENTY-FOURTH DAY.

J. Coombs.

20 Sept. 1869.

24,368. (*Mr. Coleridge.*) Was there any difference in their state of sobriety as to which side they were?—No, there were a larger number of Conservatives than Liberals polled; but I think, taking that into account, they were one as bad as another.

24,369. (*Mr. Anstey.*) Were some so bad as not to know what they were about?—Some were very drunk. I remember one man especially. He came in at one door and went out at the other two or three times before we could get him to record his vote.

24,370. And then which did he vote for?—For the Conservatives, if I recollect right.

24,371. (*Mr. Coleridge.*) Do you recollect his name?—I do not. He was more like a maniac than anything else.

24,372. Was he not able to give up the card and show how he would vote?—Well, I got the questions out of him by dint of great perseverance, but he was very drunk.

Mr. J. H. B. Carslake.

Mr. John Hawkey Bingham Carslake recalled.

24,373. (*Mr. Price.*) Which was the largest booth of the whole, where the largest number of working classes vote, or is there any difference?—They are scattered very much over the town. I should say the north booth, where Mr. White was the poll clerk.

24,374. That is No. 1 booth in the High Street?—I think so. I think I can find that out for you.

G. Stacey.

George Stacey sworn.

24,375. (*Mr. Price.*) What are you?—A gas fitter and tin plate worker.

24,376. Are you a voter here?—Yes.

24,377. What we call you about is more especially as to the Buttles. Do you remember at the last election being at the "New Inn"?—I do.

24,378. Did you see the Buttle family there, and if so which?—I saw them, all four of them.

24,379. The father and three sons?—The father and three sons.

24,380. Did you see them receive any money, or did you see them go upstairs anywhere?—I saw them come into the room.

24,381. Where the money was?—Where the money was.

24,382. You were in the room?—Yes.

24,383. Did you see them receive money?—I did not actually see them receive it, but I heard the jingling of it.

24,384. Did they go in singly?—They went in singly.

24,385. And as each went in was something handed to him?—Yes.

24,386. Which you heard the jingling of?—Yes.

24,387. You are quite sure of that?—Yes.

24,388. Is there anything else you have to tell us?—No, nothing else.

24,389. (*Mr. Coleridge.*) How came you to be in this room that day?—I went in with Allan.

24,390. Did you go to assist them?—Yes.

24,391. Then you must know a good deal about it. Tell us what took place?—I merely put the names down as they entered the room.

24,392. What names? Were you the person who checked the men who came up to be bribed, at the bottom of the stairs, and sent them up?—I had not anything to do with sending them up. I checked them in the room.

24,393. Did you recollect them before or after they were paid?—After. About the same time.

24,394. Did you hear the chinking in the same room where you were?—Yes.

24,395. Did you hear in whose hands the chinking was, Allan's?—I saw Allan counting it out.

24,396. As soon as Allan had paid these different men did you take down the names on a bit of paper?—In a pocket-book.

24,397. And the amount each had?—Yes.

24,398. Have you that pocket-book?—I have the book.

24,399. Have you the account?—No; the leaf I put it down on in this book I was going to copy, but Allan came and said, It does not matter about copying, and tore the leaf out, and that I have not been able to get since.

24,400. How much did those you checked amount to?—There were about 30 names to the best of my recollection.

24,401. Of what amounts?—10*l.* each.

24,402. That would be 300*l.*?—And myself. I had 5*l.*, which I considered for services and checking.

24,403. You had 5*l.* for services; how long were you engaged in this?—I was about all day.

24,404. Did you ever earn 5*l.* in one day in any other way?—Well, I have got very near that before now.

24,405. (*Mr. Price.*) At an election, I suppose?—No.

24,406. (*Mr. Coleridge.*) You got 5*l.* for your services, and voted for the Liberals?—I did.

24,407. What time did you vote for the Liberals?—About 2.

24,408. That was after Allan engaged you?—Yes.

24,409. You say you were about all day?—Yes, but not with Allan.

24,410. What were you doing the rest of the day?—Running about trying to get voters to come to poll.

24,411. Did you offer them anything?—No.

24,412. Did you say there would be money going?—No.

24,413. Did you say they would get something if there was anything, "anything" being money in Bridgwater?—I did not know until a quarter past 3 that there would be.

24,414. In fact you were only employed by Allan from half-past 3 to the close of the poll?—I was not employed by Allan.

24,415. Well, you were assisting Allan?—Yes.

24,416. And got 5*l.*?—Yes, that is it.

24,417. What did you do at the former election, Vanderbyl's?—Voted for Vanderbyl.

24,418. Had you anything to do with money then?—No.

24,419. Or in checking voters?—No, not in the least.

24,420. How is it that Allan did not ask for your services there?—Because I was a young hand at it, I suppose.

24,421. What made him ask you this time?—He did not ask me altogether.

24,422. Did you volunteer?—Yes.

24,423. And did you say, If I help you there will be something for me?—No.

24,424. When did you make arrangement for the 5*l.*?—I asked him when all the others were paid if there was anything for me, and then he gave me 10*l.*

24,425. (*Mr. Price.*) You would not have done it for love of the cause?—I should if there had not been any money going.

24,426. (*Mr. Coleridge.*) He first of all gave you 10*l.*?—Yes, and then I asked him if he could not give me a little more, as I had been checking the men and letting them in and out, and then he gave me 5*l.* more.

24,427. And then you had 15*l.*?—Yes.

24,428. Then you were bribed with 15*l.* as clear as any man in this court?—Yes.

24,429. What did you get at the election before for your vote, Vanderbyl's?—Vanderbyl and Patton's, I got 10*l.* then.

24,430. Who gave it to you?—Henry Jarman.

(*Mr. Price.*) What do you mean by saying that you did things for the love of the cause then?

TWENTY-FOURTH DAY.

G. Stacey.

20 Sept. 1869.

24,431. (*Mr. Coleridge.*) If you had gone out of that box without these questions having been asked you, probably you would not have got a certificate and would have been indicted. What did you get the time before at Patton and Vanderbyl's election?—Nothing.

24,432. Did you vote?—Yes.

24,433. How came you to get nothing?—I do not know.

24,434. Did you ask for anything?—No.

24,435. Were you promised anything?—No.

24,436. What did you get the time before that?—Nothing at all.

24,437. Had you a vote in 1859?—No, I had no any vote then.

24,438. How often have you been paid in all?—Twice.

24,439. What did you receive altogether?—30*l.*

24,440. That is all?—That is all.

24,441. Do you know anything else about any of the elections which you have not told us of your own knowledge?—No.

24,442. But at Vanderbyl's you say you neither promised nor gave anybody any money at all?—Not at all.

C. Satterthwaite.

CORNELIUS SATTERTHWAITE having been called and not answering.

(*Mr. Price.*) We wish it to be noticed that Satterthwaite having been summoned at Doncaster races, and having now been called twice in this court, if he does not appear to-day, and anything should turn out against him in the course of our inquiry, we shall not think it necessary to give him protection by being called as a witness at all.

E. Culliford.

EDWARD CULLIFORD recalled.

24,443. (*Mr. Price.*) Tell us what you saw that day about the Buttles?—I saw all three at the "New Inn" about 4 o'clock.

24,444. Not four of them, only three?—I saw all four there.

24,445. Did you see where they went to?—I did.

24,446. Where?—They went up the staircase.

24,447. Do you know the room in which Allan was sitting?—I do not know the room, I knew Allan was there.

24,448. Do you know it now?—I do not, I never saw it.

24,449. Did you see them go into any room?—I did not, I saw them go up the stairs.

24,450. Did they go up singly?—They did.

24,451. And came down, and did you hear anything said by any of them?—I did not, I knew what they went up for.

24,452. How did you know?—They went up to Allan for money.

24,453. Did you know they went to see Allan?—Of course.

24,454. How did you know they had gone to see Allan?—We beckoned them up. I beckoned them towards the staircase. There was a man stood at the staircase to see there were no intruders. He stood there to see that no men went up who had not got votes.

24,455. What was his name?—Oliver Bridges.

24,456. He would be able to tell us?—He kept the bottom of the stairs I think Stacey would inform you.

(*Allan.*) Culliford is one of the men who kept the check.

24,457. (*Mr. Price.*) Were you the person to check intruders coming in?—I did endeavour to see that no intruders went up.

24,458. Did you know the voters?—Very well indeed.

24,459. (*Mr. Coleridge.*) How came you to let one go who was not a voter?—He slipped up unknown to me.

24,460. (*Mr. Price.*) You have no doubt that they went into the room where Allan was?—Not the slightest.

J. Brawley.

JOHN BRAWLEY sworn.

24,461. (*Mr. Price.*) What are you?—An engine driver.

24,462. On the Bristol and Exeter Railway?—No, I drive a steam tug boat.

24,463. In whose employment are you?—Mr. Towell.

24,464. Is he a native of Bridgwater?—Yes.

24,465. Are you a voter for Bridgwater?—Yes.

24,466. Did you vote at the last election?—I did.

24,467. Who for?—Westropp and Gray.

24,468. What are you called for particularly to-day?—Because if you please the tug is stopped. I went to Burnham with her this morning and came back by train.

24,469. You voted for Westropp and Gray?—I did.

24,470. Did you get anything for it?—No.

24,471. Did you get any promise?—No.

24,472. Had you voted at any other election?—Yes.

24,473. Who did you vote for at the election before?—Vanderbyl.

24,474. Did you get anything then?—10*l.*

24,475. Who from?—Bussell.

24,476. Why did you vote for Westropp and Gray at the last election?—I left word at my house with my wife to promise him when he came I should vote for him.

24,477. (*Mr. Anstey.*) You told who?—My wife.

24,478. (*Mr. Price.*) To tell anybody who should come?—Westropp and Gray, and nobody else; if the other parties should come to tell them not.

24,479. Why did you change your politics?—Because I had intended all along to vote for Mr. Westropp.

24,480. Had you voted for Westropp in 1865 then?—Yes, I had.

24,481. (*Mr. Coleridge.*) What did you get then?—That was when Shelley stood; I got 10*l.*

24,482. Who from?—Temblett, at the "Bull and Butcher."

24,483. How did you vote next time when Patton and Bagehot stood?—I voted for Bagehot.

24,484. Then you changed about from one to the other?—I voted twice following for the Liberals.

24,485. In 1865 you say Westropp alone?—Yes.

24,486. He was a Conservative, and then you voted for Vanderbyl?—I think the next election was Bagehot's.

24,487. How much did you get for voting for Bagehot?—10*l.*

24,488. Did you get anything from both sides one time?—Yes.

24,489. Which time was that?—On the Conservative side.

24,490. When?—1859, the first time that Westropp came.

24,491. (*Mr. Anstey.*) You got 10*l.* from the Conservatives?—Yes.

24,492. Who gave it to you?—I had it. Mr. Markham and Mr. Pimm gave it to me.

TWENTY-FOURTH DAY.

J. Brawley.

20 Sept. 1869.

24,493. What did you get on the other side?—5*l.*

24,494. From whom?—A man named Faun, a tailor.

24,495. (*Mr. Coleridge.*) Which way did you vote?—For the Liberals.

24,496. You were paid 10*l.* by the Tories in 1859 and 5*l.* by the Liberals, and voted for the Liberals?—I did.

24,497. Who did you vote for in 1865, Westropp alone, or Westropp and another?—I think there was only one, Mr. Westropp came by himself.

24,498. That is it, but there were two Liberal candidates?—Westropp alone.

24,499. You plumped for him?—I did.

24,500. You heard there was no money on the other side?—I did not think that.

24,501. Come, you heard there was no money going for Sir John Shelley, so you voted for Mr. Westropp. Now, be honest?—I will so far as is in my power.

24,502. Was not that the reason?—Well, I daresay I might have had money from the other side.

24,503. (*Mr. Coleridge.*) You had money from both sides at one time?—I did.

24,504. (*Mr. Price.*) Had you heard that Sir John Shelley was intending to spend no money?—I heard of it through the day.

24,505. Then you voted for Mr. Westropp and got 10*l.*?—Yes.

24,506. (*Mr. Coleridge.*) When was the first time that you ever voted?—I think 1859 was the first time, when Westropp and Padwick came.

24,507. Then you got 10*l.* from the Tories?—Yes, 10*l.* from the Tories and 5*l.* from the Liberals.

24,508. And voted for the Liberals?—I did.

24,509. In 1865 you got 15*l.*?—10*l.*

24,510. From the Tories, and voted for Mr. Westropp?—I did.

24,511. At Patton's election you got 10*l.* from Bagehot, and voted for the Liberals?—Yes.

24,512. At Vanderbyl's you got 10*l.* from the Liberals, and voted for them?—Yes.

24,513. What did you get from the Tories that time?—Nothing.

24,514. The last election nothing?—No.

24,515. Only a promise, was not there?—No, no promise.

24,516. (*Mr. Price.*) Did you hear there was going to be a pure election last time?—Certainly I did.

24,517. What made you vote for Westropp and Gray particularly; was it because you heard Kinglake and Vanderbyl were not going to spend money?—No, I heard both parties before the election came on for some time, and I told my wife——

24,518. You have not any political opinions, you must have had some other reason.

24,519. (*Mr. Coleridge.*) Had Mr. Westropp done you any favour?—No.

24,520. (*Mr. Anstey.*) Had he been charitable?—Well, he had been in the town.

24,521. (*Mr. Price.*) Did you hear that Mr. Gray was a rich man?—Certainly I did.

24,522. Richer than Mr. Westropp?—I do not know.

24,523. (*Mr. Coleridge.*) You thought money would be going on the other side, I suppose?—Well, I had such things in my mind.

24,524. (*Mr. Price.*) How was it you got 10*l.* from the Conservatives and only 5*l.* from the Liberals, and what made you vote for the Liberals that time?—I was promised 10*l.* from the Liberals, but it was some time after the election before I had that.

24,525. Therefore you would not have voted for them if you had not expected 10*l.*?—Yes.

24,526. Did not you stand out for more than 10*l.*, having had 10*l.* from the Conservatives?—No.

24,527. Did they find out that you had had 10*l.* from the Conservatives?—That I do not know.

24,528. (*Mr. Coleridge.*) How often have you been paid on both sides?—Once.

24,529. Did you never try it on a second time?—No.

24,530. After tasting the sweets of double payment in 1859 did you never afterwards try it on?—I did not.

24,531. (*Mr. Anstey.*) Were you at the meeting at the "Clarence" at 8 on the poll morning?—I was going into the room just as the other people were coming out.

24,532. Did not they tell you there was to be no money?—All I heard at the "Clarence" was that there was to be no money. "Go to poll like men, early." That was what I heard the rest of the voters say.

24,533. Did you hear what Mr. Westropp had said about money?—I did not.

24,534. Did they tell you?—The rest told me these words as I was coming in, and they were going out.

24,535. That is all they told you?—That is all they told me.

24,536. Did not they tell you there was no money at present; no money to-day?—They did not.

24,537. "We shall have it by-and-by?"—They did not.

24,538. None of them said that?—No, they did not.

H. Cook.

HENRY COOK sworn.

24,539. (*Mr. Price.*) What are you?—An innkeeper.

24,540. Are you a voter for the borough of Bridgwater?—I was.

24,541. What inn do you keep?—At Chippenham.

24,542. Were you a voter for the borough at the last election?—No.

24,543. (*Mr. Coleridge.*) Did you pay anybody at the last election?—No.

24,544. (*Mr. Price.*) Had you anything to do at the election?—No, I had not.

24,545. Were you at Chippenham at that time?—Yes.

24,546. And had nothing to do with it?—Not the last election.

24,547. Had you anything to do with Vanderbyl's election in 1866?—Yes.

24,548. Were you a resident in Bridgwater then?—Yes.

24,549. What were you?—A brewer.

24,550. Carrying on business on your own account?—With a partner, William Heal.

24,551. How did you vote that time?—For Vanderbyl and Kinglake.

24,552. No, when Mr. Vanderbyl stood against Mr. Patton in 1866?—I voted for Mr. Vanderbyl.

24,553. Did you get anything for it?—No.

24,554. (*Mr. Coleridge.*) Did you pay anybody?—Yes.

24,555. Who?—James Abbott 10*l.*, and George Heal 15*l.*

24,556. (*Mr. Price.*) Was that all you did at that election in 1866, Vanderbyl's?—Yes.

24,557. (*Mr. Coleridge.*) Where did you get that from?—William Heal.

24,558. (*Mr. Price.*) Did you account to him for it?—Yes.

24,559. (*Mr. Coleridge.*) Do you know that Abbott was paid on both sides, 10*l.* from the other side?—No.

24,560. Or 30*l.* I think he got from the other side?—No, I did not know it.

24,561. (*Mr. Price.*) At Bagehot's election did you take any part?—No.

24,562. Did you vote for Bagehot?—I did.

24,563. Did you get anything yourself?—No.

24,564. Or a promise of anything?—No.

24,565. (*Mr. Coleridge.*) Were you paid anything for your services in your life?—No.

24,566. Or any treating bills at your house?—No.

24,567. (*Mr. Price.*) Do you know anything of the receipt of the sums Heal received when he had 120*l.* that he never cleared up, and 130*l.*?—Yes.

24,568. What do you know about it?—Well, I believe he had it. I know Mr. Symmons got him the money in two different sums.

24,569. (*Mr. Coleridge.*) How do you know it; did you see it?—I saw him give him the last, and the first I believe was 15*l.*, and I believe the second was 120*l.*

24,570. (*Mr. Price.*) What makes you say you believe?—I heard so at the time.

24,571. Who from?—Heal.

24,572. He acknowledged he had got 120*l.* and two 15*l.*?—One 15*l.*; that is how I understood it at the time.

24,573. But not in separate sums of 100*l.*, and 15*l.*, and 10*l.*?—I understood he had 15*l.* at first, and 120*l.* the second time.

24,574. (*Mr. Coleridge.*) And the second sum you saw actually paid?—I saw it paid in this way, on the stairs. I saw Mr. Symmons put it into his hand.

24,575. Was it a large parcel?—It was notes part of it. I saw paper. I did not count it myself.

24,576. (*Mr. Price.*) But you heard Heal say he had 120*l.*?—Yes.

24,577. (*Mr. Coleridge.*) In 1865 did you vote?—At whose election?

24,578. Shelley and Kinglake's?—Yes.

24,579. How did you vote?—For the Liberals.

24,580. Did you get anything?—No, never in my life.

24,581. Did you give anybody anything?—No, that is the only election I ever did anything of the sort; Vanderbyl's first.

24,582. Did you do anything in 1859?—No.

24,583. (*Mr. Anstey.*) You were canvassed in person by Shelley and Kinglake?—Yes, I was.

24,584. You told Mr. Kinglake you should give him one vote and should reserve the other, and not say anything about it as yet, I believe?—What election was that?

24,585. When Sir John Shelley stood in 1865?—Well, I cannot say.

24,586. Did not you tell the House of Commons, "I said I should reserve that until some other time?"—I might have done so.

24,587. I will read you your evidence?—If you please, I should like to hear it.

24,588. "What did you do then?—I promised Mr. "Kinglake I would support him. Did you say any-"thing about your second vote?—I said I should "reserve that to some other time."—Yes, because at the time Sir John Shelley was a perfect stranger.

24,589. I only want your answer, yes or no?—Yes.

24,590. At that time Mr. Benjamin Lovibond was the only other person present besides the two candidates, I think?—He was.

24,591. And your respectable partner William Heal then came into the room, I think?—Yes.

24,592. Did you see Heal canvassed by the two candidates?—I did.

24,593. And did you hear his answer?—I did.

24,594. Did he promise or decline?—He would not promise him.

24,595. Did Benjamin Lovibond then take him out of the room?—He did.

24,596. Did you hear Mr. Lovibond say anything to Heal to this effect, "Heal, you are not going to leave us, are you"?—I heard them words.

24,597. Do you remember what he added to that, "If you leave us——"?—Mr. Lovibond, yes.

24,598. What was it?—"If you leave us I'll be damned if I don't put up my electioneering shutters."

24,599. What did Heal say to that?—He said, "I "shall not without I am paid what I was promised "at the election before."

24,600. What was that?—I do not know.

24,601. Did he mention the sum?—40*l.* I think I have heard.

24,602. What did Benjamin Lovibond say to that?—He told him to be at his office in the course of an hour.

24,603. Did he go to his office?—I am sure I cannot say.

24,604. Did he come to you afterwards and tell you so?—He never said anything to me afterwards.

24,605. Attend to this then. You remember the question being put to you by Mr. Longfield, objected to by Mr. Powell, but which the Commissioners decided ought to be put and answered. Did he tell you then what occurred at Mr. Lovibond's office, you gave evidence, about a column of the blue book as to what Heal said occurred at the office?—If it is there will you kindly refresh my memory?

24,606. In point of fact, did he come back from Mr. Lovibond's office and tell you he had stated to Mr. Lovibond 40*l.* was owing to him ever since the 1857 election, and that Mr. Lovibond had given him a general promise that he would see to it?—I do not remember.

24,607. Did you see Heal after the election in the presence of Mr. Barham, when a conversation took place between Mr. Barham and Heal about the return of Westropp that had just taken place?—I do remember their being together.

24,608. Had you heard of that 40*l.* before that day?—I never heard of the 40*l.* until Mr. Lovibond told Heal at the front door, that was the first time.

24,609. Did Mr. Lovibond repudiate it in any way?—He did not. He repeated the words I have stated, and told him to be at his house in an hour.

24,610. Were Shelley and Kinglake, who had been present just before, present at the moment when this conversation took place about the 40*l.*?—Shelley and the other candidate were in the parlour when this took place at the front door.

24,611. But I do not know the position of the front door and the parlour, therefore I must ask you, were they within hearing of what took place?—I should think not.

24,612. (*Mr. Price.*) At no former election you say had you anything to do?—No, nothing at all.

24,613. In 1865?—No.

24,614. In 1859?—No.

24,615. In 1857?—No.

24,616. (*Mr. Anstey.*) Was your brother-in-law in some way related to Heal?—He married my sister.

24,617. (*Mr. Price.*) That was the way you were introduced to bribing by him?—I never bribed before. I never received a bribe during my life.

24,618. (*Mr. Coleridge.*) Had you nothing for your services?—Never in my life.

24,619. Or expenses?—Or expenses, never. I never used to take part in electioneering matters.

CHARLES HASTE sworn.

C. Haste.

24,620. (*Mr. Price.*) Are you a voter for the borough of Bridgwater?—Yes.

24,621. What are you?—A carpenter and joiner.

24,622. Did you vote at the last election?—Yes.

24,623. Who for?—Vanderbyl.

24,624. Did you get anything for your vote?—Yes.

24,625. How much?—15*l.*

24,626. Who from?—Bussell.

24,627. Did you only vote one vote, did you give a plumper?—Who was the other one along with Vanderbyl?

24,628. Kinglake?—Yes, Vanderbyl and Kinglake.

24,629. (*Mr. Coleridge.*) You voted for those two?—Yes.

24,630. And got 15*l.* from Bussell?—Yes.

TWENTY-FOURTH DAY.

C. Haste.

0 Sept. 1869.

24,631. What did you get from the other side?—Nothing.

24,632. Any promise?—No.

(*Bussell.*) That is the wrong election. He voted Tory at the last election.

24,633. (*Mr. Coleridge.*) How did you vote at the last election of 1868?—Westropp and Gray the last time.

24,634. What did you get for it?—Nothing.

24,635. What were you promised?—Nothing.

24,636. Were you promised anything by the other side?—No.

24,637. Did you get anything after the election?—No.

24,638. Did you receive anything for your expenses?—No.

24,639. Did you receive plenty of drink at the election?—No.

24,640. (*Mr. Anstey.*) Were you at the meeting at the "Clarence" at 8 o'clock on the polling day?—No.

24,641. Were you at the meeting a few days previously, or perhaps a day, at which Joseph Richard Smith spoke?—No, I was never at any one of the meetings without it was at this hall.

24,642. Were you here in 1866 when Vanderbyl stood first?—Yes.

24,643. Did you vote for Vanderbyl then?—I did.

24,644. How much did you get?—15*l.* from Bussell.

24,645. Did you vote at the election of 1866, when Mr. Bagehot stood?—Yes.

24,646. Bagehot and Patton, was not it?—Yes.

24,647. Whom did you vote for?—Patton.

24,648. What did you get then?—*5l.*

24,649. What?—Nothing; that was the first election.

24,650. What did you get from Patton for voting for him?—The last time nothing.

24,651. (*Mr. Coleridge.*) Did you vote for Patton or Bagehot?—I voted for Patton.

24,652. What did you get for it?—Nothing.

24,653. You said *5l.* just now?—The first time Patton came; that was the first time.

24,654. The first time Patton came you got *5l.*?—Yes.

24,655. From whom?—I was promised 10*l.*

24,656. From whom; who gave it to you?—Frederick Temblett.

24,657. (*Mr. Price.*) Had he promised you 10*l.*?—Yes.

24,658. And only gave you *5l.*?—Yes.

24,659. Is that the reason you voted for Vanderbyl the next time, and not for Patton?—No, not altogether.

24,660. (*Mr. Anstey.*) You had only got *5l.* of the bribe that Patton's man promised you, and then Vanderbyl stood on the second occasion and gave you *5l.* for yourself, and *5l.* was it that was owing to you from Patton; was that it?—That was it. I only asked *5l.* I had 15*l.* from Bussell, and *5l.*——

H. C. Bussell.

HENRY CHAPMAN BUSSELL recalled.

24,661. (*Mr. Price.*) Did you pay him *5l.* because Patten had not?—No, there was three of them I gave 15*l.* each to.

24,662. (*Mr. Coleridge.*) At Vanderbyl's election?—At Vanderbyl's election.

24,663. (*Mr. Price.*) Did they tell you why they wanted 15*l.*?—I had a good deal of trouble in getting them to go for it. They wanted 25*l.* I knew the election was won, and if they liked to come I would give them 15*l.*

C. Haste.

CHARLES HASTE recalled.

24,664. (*Mr. Coleridge.*) Did you stand out for 25*l.*?—I never heard the words.

24,665. Who went with you?—John Squires.

24,666. Who else?—One Turner.

24,667. Did they stand out for 25*l.*?—I never heard the word.

24,668. What did they stand out for?—Nothing more than Bussell offered them.

24,669. What was the most you asked?—I did not ask nothing.

24,670. All you could get?—I did not ask nothing, but took what Bussell offered.

24,671. (*Mr. Price.*) How did you know the *5l.* was given to you because Patton had promised you?—That was the election before.

24,672. You say you got 15*l.* from Bussell, *5l.* of it because Patton had not paid you?—No; Temblett promised me 10*l.*, but did not give me but *5l.*, and the second time Patton came he told me I was not wanted. That is how I came to vote.

24,673. Who told you that?—Frederick Temblett.

24,674. And then you voted the other side and got 15*l.*?—Yes.

24,675. (*Mr. Coleridge.*) At the election of 1865 how did you vote?—For Shelley and Kinglake.

24,676. How much did you get?—I had nothing.

24,677. How was that?—I voted for Westropp.

24,678. For Westropp, did you?—Yes, always. I only voted once for the yellow party.

24,679. What did you get for voting for Westropp?—The first time he came I had 10*l.*

24,680. That was 1859?—That was 1859; that is all I got.

24,681. How often were you paid by both sides?—I have been paid twice by the blue party and once by the other party.

24,682. Had not you at one election been paid by both parties?—No.

24,683. Never?—Never.

24,684. Nor promised?—Nor promised.

24,685. Was 1859 the first time you voted?—Yes.

24,686. Had you no vote in 1857?—I cannot recollect the date.

24,687. How long have you had a vote?—Ever since Mr. Leader was here. I did not vote for Mr. Leader. My time was not up, not by a month or so.

24,688. What did you get at Mr. Leader's election?—Nothing; I was not a voter then.

24,689. Have you ever voted without being paid?—Yes.

24,690. How often?—I have not been paid but three times.

24,691. Were you never paid at Mr. Broadwood's election?—No.

24,692. When was the first time you were paid?—By Westropp.

24,693. Westropp was the first occasion?—Yes.

24,694. Who paid you then; Temblett?—No.

24,695. Who?—Frederick Harden.

24,696. Is he alive?—Yes.

24,697. Do you mean to say you were not paid before at any election?—No, I was promised, but never had anything.

24,698. Who promised you?—Several promised me.

24,699. What election were you promised at?—A man of the name of Horsford promised me at one election.

24,700. At what election?—I think it was the last election.

24,701. Well, whom did you vote for?—I always voted for the blue party except once.

24,702. That is when they would not pay you, and then you voted the other side?—No, they promised me, but never paid.

24,703. Then you turned round?—I should not then, only I was told I was not wanted.

24,704. At Leader's election do you mean to say you never received money for your vote?—No,

only three times. Twice from one party and once from the other.

24,705. Do you mean to say you never received money long, long ago?—No; they always promised me and never paid me.

24,706. Who promised you?—Horsford.

24,707. What?—10*l.*

24,708. Did you ever get it?—No.

24,709. Did you vote in consequence of his promising you 10*l.*?—No.

24,710. What did you do?—I vote because I was always inclined.

24,711. Provided money was right?—Whether there was money or not I voted.

24,712. When there was no money at Patton's second election you went to Vanderbyl?—Yes, because the other party told me I was not wanted. I thought I might as well go just there to please them, and let them know I was not afraid of them.

24,713. What did you get at the last election of all, 1868?—15*l.* Bussell gave me.

24,714. Was that Vanderbyl's election or the last election?—That was the last one, I think.

24,715. Did you get twice paid by Vanderbyl's people?—No.

24,716. In 1866, when Vanderbyl stood alone against Patton, you got 15*l.* from Bussell?—Yes.

24,717. That was three years ago. Now do you recollect what you got last year?—Nothing.

24,718. Nothing at all?—No.

24,719. How did you vote; Westropp?—No, Patton, was not it?

24,720. Patton did not stand the last time in 1868; how did you vote?—Westropp.

24,721. What did you get?—Nothing.

24,722. Did you get any promise?—No.

24,723. Nothing after that?—No.

24,724. Who was it you asked for money afterwards?—Nobody.

24,725. Did not you go to Temblett?—No.

24,726. Did you go to Bussell?—No.

24,727. How came you after having money at three elections not to ask?—I did not hear there was anything going at all.

JOSEPH FRENCH sworn. *J. French.*

24,728. (*Mr. Price.*) What are you?—An innkeeper.

24,729. What inn do you keep?—The "Rose and Crown."

24,730. In Bridgwater?—Yes.

24,731. Are you a voter?—I am.

24,732. Did you vote at the last election?—I did.

24,733. Who for?—Kinglake and Vanderbyl.

24,734. Were you paid for it?—I was.

24,735. How much?—10*l.*

24,736. By whom?—Mr. Dyment.

24,737. William Dyment?—Yes.

24,738. Besides that, was there any treating carried on at your house?—Not the slightest; none whatever.

24,739. The house was not open during the polling day?—It was.

24,740. But not for treating?—No.

24,741. (*Mr. Coleridge.*) Did you send any bill in afterwards?—For refreshments for the clerks at the booth near my house.

24,742. Then your house was open?—It was only for the clerks.

24,743. (*Mr. Price.*) Who ordered that?—Well they ordered it themselves, I suppose they had what they wanted.

24,744. Was it sent to the polling booth?—It was sent to the polling booth and to the committee room.

24,745. (*Mr. Coleridge.*) How much was your bill?—*2l.* 6*s.* 0*d.* That was charging a guinea for the room, and 1*l.* 5*s.* 0*d.* for the refreshments, that is all.

24,746. (*Mr. Price.*) Have you been paid?—I have.

24,747. Did you vote in 1866 for Mr. Vanderbyl?—I had no vote at all.

24,748. Was your house open then?—No.

24,749. Were you the keeper of the "Rose and Crown" then?—What year?

24,750. 1866?—Yes. I was keeping house open at the time.

24,751. Was your house open for treating, then?—No.

24,752. And you had no vote, then?—No.

HENRY JAMES WINSLADE sworn. *H. J. Winslade.*

24,753. (*Mr. Price.*) What are you?—A mariner.

24,754. Were you a voter at Bridgwater at the last election?—I was.

24,755. Did you vote?—Yes.

24,756. Who for?—Vanderbyl and Kinglake.

24,757. Were you paid?—Yes.

24,758. How much?—10*l.*

24,759. By whom?—Henry Chapman Bussell.

24,760. Did you vote at the election before in 1866?—I never had a vote before the last election.

24,761. You are one of the new voters?—I am.

24,762. You had nothing before at any election because you had no vote?—Nothing at all.

JOHN KITCH sworn. *J. Kitch.*

24,763. (*Mr. Price.*) What are you?—I am a fitter.

24,764. Where do you work?—I work at Murch and Spence's iron foundry.

24,765. In this town?—Yes.

24,766. Are you a voter?—Yes.

24,767. Did you vote at the last election?—Yes.

24,768. Were you a voter for the first time at the last election?—I was a voter for the first time at the last election.

24,769. Did your get anything for you vote?—Yes.

24,770. How much?—10*l.*

24,771. By whom?—Mr. Bussell.

24,772. How did you get the money? Did he come to you, or did you go to him?—I was in Bussell's house, and while I was in the passage Bussell came out.

24,773. Who took you there to get it?—A young man. I went there to have a drink with him.

24,774. What is his name?—A young man named Wilkinson.

24,775. Did he tell you there was money going?—No, I guessed as much.

24,776. You guessed as much?—Yes.

24,777. You were a new voter. How did you know that Bussell was a bribery agent?—I always knew Bussell was the paymaster.

24,777*a*. And you were only disappointed you had not had a vote before?—No; I could have got a vote before if I had chosen.

ROBERT JONES HOWE sworn. *R. J. Howe.*

24,778. (*Mr. Price.*) What are you?—A clerk.

24,779. Where?—At Mr. Gough's.

24,780. What is he?—A shipbuilder.

24,781. And are you a voter?—Yes.

TWENTY-FOURTH DAY.

R. J. Howe.

20 Sept. 1869.

24,782. Did you vote at the last election ?—I did.

24,783. For the first time ?—Yes.

24,784. How did you vote ? — Kinglake and Vanderbyl.

24,785. What did you get for it ?—10*l.*

24,786. From Bussell ?—From Carver.

24,787. Where ?—Given by Mr. Bussell for me.

24,788. Given by Mr. Bussell to a man of the name of Carver to you ?—Yes.

24,789. What is Carver's christian name ?—Francis James.

24,790. (*Mr. Coleridge.*) Where did Carver get it ? —From Bussell.

(*H. C. Bussell.*) I gave Carver 10*l.* for this man.

(*Mr. Price.*) I know. We have had this man's name mentioned by Francis Carver, who was examined on Friday.

T. R. Richards.

THOMAS RICHARD RICHARDS sworn.

24,791. (*Mr. Price.*) What are you ?—I am a ship owner and coal merchant.

24,792. You are called here a captain. Have you been the captain of a vessel ?—I have, of my own ship for many years.

24,793. Were you a voter at the last election ?—I was.

24,794. Whom did you vote for ?—Kinglake and Vanderbyl.

24,795. Did you get anything for it ?—No.

24,796. Were you offered anything ?—No; never in my life.

24,797. (*Mr. Coleridge.*) Were you promised anything ?—Never.

24,798. Did you ask for anything for your expenses home ?—Nothing at all

24,799. (*Mr. Price.*) Did you do anything in the way of bribing ?—Nothing in my life.

24,800. Were you not present at any time when any bribing went on ?—No, I never saw it.

(*H. C. Bussell.*) This is the witness that Palmer spoke about—that Palmer said was the gentleman who went up with him.

24,801. (*Mr. Price.*) Tell us about that ?—I walked with Palmer from the bridge to the Cornhill. I never heard about money or bribing.

24,802. (*Mr. Coleridge.*) You knew it was going on, of course ?—I did not.

24,803. Well, you shrewdly suspected it ?—I heard about it an hour after Palmer left me.

24,804. This was not the first election you had been present at in Bridgwater ?—Oh dear no.

24,805. (*Mr. Price.*) At how many elections before did you vote ?—I voted first in Lord Henley's election, and at every election since.

24,806. That is from the year 1852 down to the year 1868 ?—Yes.

24,807. You never received anything at any election ?—I never received any money nor a promise.

24,808. And nothing for expenses ?—And nothing for expenses.

24,809. Is there any information you can give us ? —That is all. I walked beside this notorious Palmer for about 100 yards, and there was no talk about money or bribery.

24,810. (*Mr. Anstey.*) There was no talk between you and him you mean ?—Nothing.

24,811. Had you heard any talk between him and Bussell ?—Not at all. I met him by accident just near the bridge, and walked with him about 200 yards.

24,812. (*Mr. Price.*) He did not tell you what he was going to do, or had done ?—No, not at all.

24,813. That he had been playing a trick ?—Afterwards I heard it.

24,814. He did not tell you ?—No.

24,815. (*Mr. Anstey.*) You say he was "notorious" at that time ? — Afterwards ; I did not know him then.

24,816. How came you to walk 200 yards up the street with him if you did not know him ?—It was quite by accident. I did not know his name, and never knew the man in my life before.

24,817. (*Mr. Coleridge.*) Did Bussell ask you to take him up to the poll ?—No ; I was standing on the quay, near the bridge, talking to Bussell, and Palmer was standing by.

24,818. (*Mr. Anstey.*) Were you at Bussell's house when the people went into a back cellar, or room ?—I did not see anybody in the back cellar. I was with Bussell in the morning, and drank a glass of beer with him.

24,819. Were you at any time that day asked to take people to the poll ?—No.

24,820. Were you there when Crocker was there ? —Crocker was in the house at the time I was in the passage.

24,821. Did you hear him ask anybody to take people to the poll ?—No.

24,822. And were you asked to take people to the poll ?—No.

24,823. Did nobody ask you to take Palmer to the poll ?—Mr. Bussell.

24,824. Then he did ask you to take Palmer to the poll ?—Yes.

24,825. Where was that ?—On the quay.

24,826. You heard nothing pass between Bussell and Palmer ?—Nothing, not a word.

R. Glanville.

RICHARD GLANVILLE sworn.

24,827. (*Mr. Price.*) What are you ?—A painter.

24,828. A master painter ? — No, a journeyman painter.

24,829. Whom do you work for ?—Mr. Bunter.

24,830. Were you a voter at the last election ?—I was.

24,831. For the first time ?—No.

24,832. For whom did you vote ?—Kinglake and Vanderbyl.

24,833. Did you get anything ?—I did not.

24,834. Were you promised anything ?—I was not.

24,835. What time in the day did you vote ?—As near as I can calculate it was between 12 and 1.

24,836. Did you vote at the election before that, in 1866 ?—I did.

24,837. Whom did you vote for then ?—Kinglake and Vanderbyl.

24,838. (*Mr. Coleridge.*) No, no. It was Patton and Vanderbyl ?—Vanderbyl only.

24,839. (*Mr. Price.*) Did you get anything ?—I did.

24,840. How much ?—20*l.*

24,841. From whom did you get it ?—10*l.* before the polling from Henry Jarman, and 10*l.* after the election was over from Bunter.

24,842. (*Mr. Coleridge.*) Are they both on the same side in politics ?—Yes.

24,843. (*Mr. Price.*) How was it you did not get anything last time ? Did you vote when you heard money was stirring ?—I suppose I voted generally like the rest. There was a general hubbub about money being spent.

24,844. (*Mr. Coleridge.*) Did you hear that any money had been spent before the election ?—No.

24,845. Did you after the election ?—No.

24,846. (*Mr. Price.*) Did you wait till money was going ?—No, I did not get any.

24,847. Now in the election of 1866, Patton and Vanderbyl's election, you got 20*l.* ?—Yes ; 20*l.* I was sent for by a man on the other side, named Charles Oliver, to go to the "Duke of Wellington," and he said, if I would go down to the "Bull and Butcher,"

TWENTY-FOURTH DAY.

R. Glanville.

20 Sept. 1869.

I should have 25*l.*, and I said, "No, Charles, I have been to poll."

24,848. Did he tell you who would give it to you?—No.

24,849. Charles Oliver said, if you would go to the "Bull and Butcher," you should have 25*l.*?—25*l.*

24,850. Did you have anything at Bagehot's election?—Yes.

24,851. (*Mr. Coleridge.*) We have not finished Vanderbyl and Patton's election yet. Did you go down to the "Bull and Butcher"?—No, I did not. I said I would not go.

24,852. Whom did you vote for?—Vanderbyl. That was Vanderbyl's election I was offered the 25*l.*

24,853. (*Mr. Price.*) You told this man you had polled?—I told him I had polled.

24,854. You had already had 10*l.*?—I had already had 10*l.*, and 10*l.* after that election was over Mr. Bunter gave me.

24,855. Did you tell Mr. Bunter after the election that you had been offered 25*l.* on the other side?—No, I did not.

24,856. How was it that he came to offer you the second 10*l.*?—I was in a public-house called the "George," in George Street, and a man came there to offer me 25*l.* for my vote and my brother-in-law's.

24,857. When was this?—On the same day that I voted for Vanderbyl; and I went in, and I said, "Tom, "I am offered 25*l.* for you and me," and he said, "Go "and nail it." He said, "Have you polled?" I said, "I have, and I shall not go."

24,858. (*Mr. Coleridge.*) What is your brother-in-law's name?—Thomas Gane.

24,859. (*Mr. Price.*) You voted for Vanderbyl?—I voted for Vanderbyl.

24,860. That was to be 25*l.* for you and your brother-in-law?—Yes.

24,861. Your brother-in-law said you were to go and take it?—Yes. He said, "Go and nail it."

24,862. And afterwards you got 10*l.*?—Yes.

24,863. How did you get the 10*l.* afterwards?—I was talking to my brother-in-law, and a party came up, and said, "What is up?"

24,864. What day was that?—The day of the election.

24,865. You got a second 10*l.*?—No; this was a conversation that passed between me and my brother-in-law.

24,866. How did you get the second 10*l.*?—The conversation was passing between me and my brother-in-law outside the "George," and Mr. Bunter, as far as I recollect, made the payment to me, and Mr. Jarman came along, and said, "What is up?" and he said, "I have offered Glanville 10*l.*, but he does not "seem satisfied," and Mr. Jarman said, "Will 15*l.* "do?" I made no reply, and he took me into Mr. Allan's house, and there was a decanter and some port wine, and he put 10*l.* on the table, and he went outside, and he said, "Mr. Bunter will give you the other," and a day or two afterwards, it might be the next day, Mr. Bunter gave me the 10*l.*

24,867. Did you have a glass of port wine as well?—I did; I had a glass of port wine.

24,868. What did you do at Bagehot's election?—I received 10*l.* through Charles Hydon. Charles Hydon gave it to Mr. Bunter, and Mr. Bunter gave it to me.

24,869. Did you get anything more?—A person named Charles Walter came to me when I was standing at my front door, and said he could make me right for 10*l.*

24,870. Was he canvassing for Patton?—On the Tory side. He took me over to Pimm's, and Pimm took me to Frederick Jarman's, and Frederick Jarman asked me if I had been to poll. I said, "No." He said, "Well, we are not going to spend any money to-day, but," he says, "you know you were treated through Westropp's election, we will only promise you;" and he said, "Will you take my word?" and the answer I made him was, "No, I will see you damned first."

24,871. And then you went and got 10*l.* from the other side?—I got 10*l.* from them. I was enticed by a man named Richards to go to the "Bull and Butcher." He said they would give me more than the Liberal party would.

24,872. Did he tell you how much you would get?—I do not know. He said I could get more from them than from the Liberals.

24,873. (*Mr. Coleridge.*) What did you get in 1865, Shelley, Kinglake, and Westropp's election?—I did not get anything myself.

24,874. How did you vote?—For Mr. Westropp.

24,875. (*Mr. Price.*) What did you get then?—I did not get anything myself.

24,876. Who did?—After I had been to poll, a person of the name of Irish had been into my place, or rather before that I was taken into Pimm's, and when I was in at Pimm's there was a great deal of drinking going on, and I had a glass of brandy and water.

24,877. What is this man Pimm?—He is dead now.

24,878. (*Mr. Coleridge.*) Was he a publican?—Yes.

24,879. (*Mr. Anstey.*) What was the name of his inn?—The "Golden Lion."

24,880. Was that on the Conservative side?—That was on the Conservative side.

24,881. (*Mr. Coleridge.*) What are your politics?—Well, I am generally for the Liberal party.

24,882. Whichever pays?—Not exactly that.

24,883. Why did you vote for Mr. Westropp?—Because I was pressed by a man who came into the house; a man named Phillip came in and offered me 15*l.*, or rather my wife.

24,884. (*Mr. Price.*) Did you not know when you voted for Mr. Westropp that there was going to be no money spent by Sir John Shelley?—I do not know. That was the first time I was a voter.

24,885. The first time you had a vote, your politics being Liberal, you heard no money was going, and you voted Tory?—I voted because my wife had 10*l.*

24,886. (*Mr. Coleridge.*) How much did you get altogether?—40*l.*

24,887. At that election?—No. I got 10*l.* at that election.

24,888. Altogether you got 40*l.* at the different elections you have named?—Yes.

24,889. And you distributed your votes pretty equally between the two parties?—I voted three times Liberal and once Conservative.

24,890. Whom did you vote for at the last election?—Kinglake and Vanderbyl.

24,891. (*Mr. Anstey.*) Were you in the "Clarence" on the polling day at the last election?—No, I was not. I was in the room where that was said in the "Clarence" by Mr. Westropp which has been referred to.

24,892. When?—The next morning afterwards.

24,893. After what?—After the election was over.

24,894. (*Mr. Price.*) You did not hear it in time to influence your vote?—No.

24,895. Is your brother J. Glanville?—No. He is no relation whatever.

ABRAHAM HAWKINS sworn.

A. Hawkins.

24,896. (*Mr. Price.*) What are you?—A miller.

24,897. Do you work on your own account, or for somebody else?—I work for Spiller and Company.

24,898. Is that a large mill near Bridgwater?—Yes.

24,899. In one of the roads here?—Chilton Road.

24,900. A large corn mill there?—Yes.

24,901. Were you a voter at the last election?—Yes.

24,902. For the first time?—Yes.

24,903. For whom did you vote?—Kinglake and Vanderbyl.

24,904. How much did you get?—10*l.*

24,905. From whom?—Henry Fisher

TWENTY-FOURTH DAY.

A. Hawkins.

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24,906. Who is Fisher?—The foreman at our mill.

24,907. He gave you 10*l.*?—Yes.

24,908. Were there any others of your men who were bribed by Fisher?—Yes, I believe there was.

24,909. How many?—I only know of one, and that I do not know the truth of.

24,910. How is Spiller in politics?—Liberal.

24,911. How may voters has he in his employment?—Well, I cannot say to one or two; 10 perhaps.

24,912. Ten you think?—I should think so; I do not know.

24,913. Do you know how they voted?—The greatest part of them voted Liberal.

24,914. Were they paid like you?—I do not know.

24,915. Were they new voters all of them?—No, not all of them.

24,916. Did your master ask you how you were going to vote?—No; he never asked me how I was going to vote.

24,917. You never had anything at the other elections because you were not a voter?—No.

J. P. Glanville.

JOSEPH PONTON GLANVILLE sworn.

24,918. (*Mr. Price.*) What are you?—A plumber, painter, and glazier.

24,919. Are you a master?—I am.

24,920. How many men do you employ?—12 at the present time.

24,921. Are you a voter at Bridgwater?—I am.

24,922. Did you vote at the last election?—I did.

24,923. Did you get anything?—Nothing.

24,924. Were you promised anything?—Nothing.

24,925. Were you employed in any way?—No.

24,926. In respect of the election?—Nothing at all.

24,927. (*Mr. Coleridge.*) Did you give anything to anybody?—Nothing.

24,928. Or promise anything?—No.

24,929. (*Mr. Price.*) Did you vote at the election before?—Yes.

24,930. Did you get anything then?—Nothing.

24,931. Did you do anything in the way of bribing then?—Nothing.

24,932. Did you get any expenses paid?—No.

24,933. Or any bill?—There was one bill in Vanderbyl's election paid to my father for painting poles. I believe the poles were painted at Sir John Shelley's election.

24,934. Your father had an outstanding bill?—Yes. I think it was 3*l.* 15*s.* 0*d.* paid by Henry Jarman to my father.

24,935. Had your father asked for it before he voted?—He had not.

24,936. How did he get to be paid at that election?—Jarman came to me and said, "You have a bill for "poles at Sir John Shelley's election; give me your "bill and I will pay it." The bill was given him and the money was paid him.

24,937. Did you vote at the other election in 1866?—I did.

24,938. For Bagehot?—For Bagehot; always Liberal.

24,939. And you got nothing then?—Nothing.

24,940. Did you vote in 1865?—I did.

24,941. For Kinglake and Shelley?—For Kinglake and Shelley.

24,942. Did you vote in 1859?—I voted in 1859, Tynte and Kinglake.

24,943. Did you get anything then?—Nothing. I never got anything in my life.

24,944. (*Mr. Coleridge.*) Did you ever get anything or promise anything in your life?—Never. I was never offered a bribe in my life.

24,945. Did you ever offer anybody anything in your life?—Never in my life.

24,946. Or were you ever offered anything for expenses?—No.

24,947. It is your name that has given rise to this?—It is connected with the bill.

24,948. (*Mr. Price.*) Is the initial of your father's Christian name "J."?—Yes, "J." My father's Christian name is Joseph.

24,949. Is he here?—No. I do not think he has been subpœnaed.

24,950. He can tell us no more than you have told us?—No more at all. In fact the bill for painting those poles was never entered in the books.

24,951. Did he get anything at the last election besides that bill?—Nothing at all.

24,952. Or any other election?—No, not at all.

F. Harrison.

FRANK HARRISON sworn.

24,953. (*Mr. Price.*) What are you?—A boot and shoe maker.

24,954. On your own account?—No, for Mr. Bond.

24,955. Whom do you work for?—Mr. Bond.

24,956. Did you vote at the last election?—Yes.

24,957. For the first time?—Yes.

24,958. Did you get anything?—No.

24,959. Were you promised anything?—No.

24,960. Had you any work to do, or anything of that kind; had you any bill or expenses paid, or anything?—No.

24,961. Did you assist in bribing anybody at the last election?—No.

24,962. Then you can tell us nothing about the last election?—Nothing at all.

24,963. You knew nothing of the other elections; you were not a voter?—No.

J. Roberts.

JAMES ROBERTS sworn.

24,964. (*Mr. Price.*) What are you?—A fitter by trade.

24,965. Are you any relation to Mr. Hook?—He is a son-in-law of mine.

24,966. Did you vote at the last election?—Yes.

24,967. For whom?—Westropp.

24,968. Did you get anything for it?—Not a farthing.

24,969. Were you promised anything?—Nothing whatever.

24,970. Did you vote at the election before?—I did.

24,971. For whom?—Mr. Vanderbyl.

24,972. Did you get anything then?—15*l.*

24,973. Who gave it to you?—Mr. Richard Thomas.

24,974. Why did you vote for Mr. Westropp last time?—I had always promised myself that whenever that gentleman came forward——

24,975. Promised yourself?—Yes. I made up my mind that whenever he came forward again, that whenever the chance occurred, I would vote for him.

24,976. (*Mr. Coleridge.*) Why?—Because I considered he had been used ill.

24,977. (*Mr. Price.*) Had you ever had any money from him?—Never in my life.

24,978. Why did you think he had been used ill?—Because I considered the Liberals had been as guilty of bribery as the Conservatives had been.

24,979. (*Mr. Anstey.*) Then why did you vote for Mr. Vanderbyl instead of Mr. Patton, at the election before?—There is an old saying, "necessity is the mother of invention."

24,980. I hope you do not mean to act upon it to-day?—That very morning, as I was going to vote for

Mr. Patton, I met Mr. William Symmons and Mr. Richard Thomas, and they asked me if I had been to poll, and I told them no. Mr. Symmons said, "Roberts, "we know that you have been always on our side, go "with Mr. Thomas and he will see what can be "done."

24,981. (*Mr. Price.*) Had you been on their side always?—For 16 years I had, during all the time I was at work for Browne and Company.

24,982. (*Mr. Anstey.*) You had been a Liberal all the while you worked for Browne and Company?—Yes.

24,983. And on ceasing to work for Browne and Company you ceased to work for a Liberal company, and went over to the other side?—Not exactly.

(*Mr. Anstey.*) Then I do not understand you.

24,984. (*Mr. Price.*) Go on with your invention?—During the 16 years I had worked for Browne and Company I was always a Liberal.

24,985. (*Mr. Coleridge.*) What did you get paid for it?—I received two 10*l.*

24,986. When was that?—Tynte's election and Lord Henley's; I received 10*l.* then.

24,987. Whom did you get it from?—At Tynte's election by William Hill. He came up to me first.

24,988. That is 1852?—I do not know exactly.

24,989. (*Mr. Price.*) Go on?—When I left Browne and Company I had accumulated a little money whilst working for them, and I thought I wanted to embark in business for myself of some kind, but I found my business was a failure, and after I had been on my own account some eight or ten months I applied to Mr. Wilton for a job of work, and he promised me on the nomination day that I should have work; but time passed on and he did not give it to me. In consequence of that I became a bankrupt; and on the very morning that Mr. Thomas met me and William Symmons I was to pass my last examination in the Bankruptcy Court. I went with Mr. Thomas and he gave me 15*l.*, and I thought it was quite a godsend.

24,990. That was the reason you voted at that time for Mr. Vanderbyl?—I did.

24,991. Did you vote for Mr. Bagehot?—No.

24,992. Did you vote for Mr. Westropp the first time he was here?—No.

24,993. Whom did you vote for then?—I voted for Mr. Kinglake and——

24,994. And Sir John Shelley?—And Sir John Shelley.

24,995. (*Mr. Anstey.*) You were then in the employment of Browne and Company?—That was on the promise of employment by Mr. Wilton.

24,996. (*Mr. Coleridge.*) In 1866, Bagehot and Patton's election, whom did you vote for—the one before Vanderbyl's?—Mr. Patton.

24,997. What did you get for that?—5*l.*

24,998. Then you voted for Kinglake and Shelley on the promise of giving you employment?—Yes.

24,999. In 1859 how did you vote? That was Padwick and Westropp, and Tynte and Kinglake?—I did not vote at all then.

25,000. How was that?—I chose not to vote at that election.

25,001. Were you paid anything at that election for not voting?—Not that I am aware of.

25,002. Not that you are aware of? Were you paid anything?—No.

25,003. The 1859 election I am speaking of. Padwick, Westropp, Tynte, and Kinglake?—Oh, yes.

25,004. What were you paid then?—10*l.*

25,005. Who gave you that?—William Hill.

25,006. (*Mr. Anstey.*) You were in Browne and Company's employ then?—I was in Browne and Company's employ then.

25,007. (*Mr. Coleridge.*) In 1857 whom did y vote for?—Which election?

25,008. The first time Mr. Kinglake came in?—Kinglake and Tynte.

25,009. What did you get then?—Nothing.

25,010. How was that?—I never got anything.

25,011. Did you expect anything?—No.

25,012. In 1859, Kinglake and Tynte. How did you vote?—I did not vote.

25,013. Did you get 10*l.* for not voting?—No.

25,014. Then you got three tens, one fifteen, and a five?—Yes.

(*Mr. Coleridge.*) Altogether 50*l.* received by an independent Liberal.

25,015. (*Mr. Anstey.*) Are you the man who persuaded your son-in-law Hook to vote for Mr. Vanderbyl?—No.

25,016. Did you advise him to vote for Vanderbyl?—Not a bit of it.

25,017. Did you tell him that plenty of money was going?—No.

25,018. Nothing of the kind?—Nothing of the kind.

25,019. Did you not speak to him at all about his vote?—I saw him when he returned from Bristol. I had then been to poll.

25,020. Did you then tell him there was plenty of money going?—I told him that I had heard there was plenty of money going.

25,021. That was after he had come back from Bristol?—Yes.

25,022. Did you advise him to go and vote for Mr. Vanderbyl?—I never said anything to him about his vote.

25,023. You advised him to vote for Mr. Vanderbyl, as you had heard there was plenty of money going?—I told him to please himself, to use his own mind.

25,024. You told him to vote for Mr. Vanderbyl, as you thought there was money going?—No.

25,025. You told him you had heard there was money going, thinking it would influence him to vote for Mr. Vanderbyl?—I did not think it would influence him.

25,026. Then why did you tell him you had heard there was plenty of money going, if it was not to influence his vote?—I had been used rather cruelly.

25,027. (*Mr. Anstey.*) Had you promised Mr. Westropp in the election of 1865?—No.

25,028. Had you promised Kinglake and Shelley in the election of 1865?—No.

25,029. You are quite sure of that?—Quite.

25,030. Were you at the "Clarence" at the last election?—No.

25,031. Never once?—Not once.

25,032. Were you at the meeting at Gloucester Place?—Never in my life.

25,033. Then how did you hear there was to be no money?—What are you alluding to?

25,034. I thought you said at the last election you heard there was to be no money on the Conservative side?—No, I beg your pardon.

25,035. Where was it you heard there was to be no money? Did you tell your son-in-law there was to be no money on the Conservative side?—When my son-in-law came back from Bristol I told him expressly that I had heard there would not be a farthing spent on the Conservative side.

25,036. That was at the last election?—Yes.

25,037. I ask you again when and how you had heard that if you had never been present at any meeting?—Well, report soon flies. It passed through the town like a gust of wind or a flash of lightning.

25,038. Had you heard it from anybody?—No, nobody had offered me money.

25,039. You will please to tell me who told you there would be no money, where had you heard it?—I cannot say no more than that it was a current saying.

25,040. How long before the election was it a current saying, or was it a current saying only on the day of the election?—This was the very day of the election.

25,041. Had you heard before that that there was a current saying that there would be no money. What

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J. Roberts.

20 Sept. 1869.

was the current saying the day before the election?—What election are you alluding to?

25,042. Why the last election?—I never heard of any other report from the time that Westropp called on me at my house and I promised him I would support him. No man courted my favours after, neither did I attend any meeting.

25,043. Will you please to answer my question. What was the current report the day before the election?—That there would be no bribery by either party.

25,044. And that you say was the current saying on the day of the election?—Yes.

25,045. And the day before that?—I will not swear that I heard there was to be money.

25,046. I did not ask you that. I ask you whether before the day of the election you heard a report that there was to be no money?—No.

25,047. That you swear?—That I swear.

H. C. Bussell.

H. C. Bussell recalled.

25,048. (*Mr. Price.*) What have you to say?—There is one matter I think the court should be informed of, with regard to this man [Roberts]. I have been told this morning up here that this man went to London, and that prior to his going to London he had made a statement with regard to Mr. Wilton, and was not to be found, and the Conservatives wanted to get him, and I believe that Hook made a bargain with the Conservative party, that if they gave a certain sum of money this man should be found to give his evidence as a witness. I heard that outside this morning, that Hook took charge of this man, and that Chapman, Smith and Boyle's clerk paid the money.

25,049. When was that?—1866, with regard to the evidence given in the House of Commons as to Mr. Wilton.

J. Roberts.

James Roberts recalled.

25,050. (*Mr. Price.*) What do you say about that?—I say it is a lie.

25,051. Were you taken to London?—I was not taken, I was subpœnaed to go. Mr. Temblett was subpœnaed at the same time.

25,052. Who subpœnaed you?—Mr. Temblett.

25,053. Mr. Temblett?—He did.

25,054. What were you subpœnaed for, what were you to say?—I was subpœnaed in this manner——

25,055. What were you to say? You knew what you were going up to prove. What were you to prove on going up to London?—That Mr. Wilton had offered me employment, and I think that Mr. Wilton had already acknowledged it.

25,056. Were you kept out of the way at all?—Not the slightest. I was carrying on my business as usual. I never absconded myself for one hour, or not half an hour, to my knowledge.

J. Strong.

John Strong sworn.

25,057. (*Mr. Price.*) What are you?—A beerhouse keeper.

25,058. Are you a voter? Yes.

25,059. Were you a voter at the last election?—Yes.

25,060. Have you ever voted before?—Yes.

25,061. How did you vote the last time?—For Vanderbyl and Kinglake.

25,062. Did you get anything for it?—No.

25,063. Were you promised anything?—No.

25,064. Was there any treating going on at your house?—No.

25,065. Had you no bill then at all for treating?—No.

25,066. Did you vote at the last election of 1866?—Yes.

25,067. How did you vote then?—For Vanderbyl.

25,068. Did you get anything then?—Yes.

25,069. How much?—10*l.*

25,070. Whom did you get that from?—Bussell.

25,071. How was it you did not get any money this last time?—I do not know.

25,072. What time of the day did you poll?—About half-past 1.

25,073. Did you hear there was no money going?—I did not.

25,074. Did you vote at the other election of 1866, Bagehot's election?—I did.

25,075. Whom did you vote for then?—Bagehot.

25,076. Did you get anything then?—Yes, 10*l.*

25,077. From whom?—Bussell.

25,078. Did you vote in 1865 when Sir John Shelley stood?—Yes, I voted then.

25,079. Who for?—I voted for Kinglake and Shelley.

25,080. Did you get anything then?—No.

25,081. Was there any treating going on at your house then?—No.

25,082. Did you vote in 1859?—Whose is that?

25,083. That was Westropp and Padwick, and Kinglake and Tynte?—Yes, I voted for Kinglake and Tynte.

25,084. Did you get anything then?—I did not.

25,085. Were you ever offered anything by the other side at these previous elections?—No.

25,086. Did you vote in 1857?—That was Padwick's?

25,087. (*Mr. Coleridge.*) No, that was before Padwick's?—1857?

25,088. Yes; it was when Kinglake first came in?—Yes, I did; I voted for Kinglake and Tynte.

25,089. (*Mr. Price.*) Did you get anything then?—I did not.

25,090. Did you vote in 1852, when Lord Henley stood?—No, I did not.

25,091. Did you vote at any other election?—I voted for Padwick and Westropp at that election.

25,092. (*Mr. Coleridge.*) You told us you voted for Kinglake and Tynte. Padwick and Westropp only stood together once, and that was in 1859. How came you to vote in that election for the Tories?—I never voted for the Tories.

25,093. You did at that election, according to your own account?—I voted for Kinglake and Tynte at that election.

25,094. (*Mr. Price.*) Is there any other election you have voted at?—No.

25,095. You have had 10*l.* twice?—Yes, I have had three 10*l.*

25,096. (*Mr. Coleridge.*) What was the third?—There was Vanderbyl and Bagehot's, and the time that Padwick and Westropp put up.

25,097. You had 10*l.* at that time. You told us you had not?—Yes.

25,098. Is Emma Strong your wife?—No.

25,099. What is Emma Strong?—That is my daughter.

25,100. Did your daughter ever get bribed for you?—No.

25,101. Nor your wife?—No, never, my wife is dead.

25,102. (*Mr. Price.*) Is your daughter here?—Yes.

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E. Strong.

20 Sept. 1869.

EMMA STRONG sworn.

25,103. (*Mr. Price.*) You are the daughter of the last witness?—Yes.

25,104. What do you know about the election?—I really do not know what I know unless you ask me the question.

25,105. Had you anything to do with bribery at the last election?—No.

25,106. Did you take any money for your father?—No.

25,107. Did anyone come to canvass him?—Of course the candidates came.

25,108. Did anybody come and offer you any money for your father at the last election?—No.

25,109. None at all? None at all.

25,110. Was there any treating going on at your house?—No.

25,111. No treating at all?—None whatever.

25,112. And you have not made out any bill?—Not any.

25,113. The election before that?—None.

25,114. (*Mr. Coleridge.*) Did your father give you these 10*l.* he has spoken of as having got, for you to take care of?—No; I should like for him to have given them to me.

25,115. What did he do with them?—I do not know.

25,116. Do you know anything about any of the elections?—No, I do not.

25,117. About the bribery?—I have had nothing to do with my father's business except since the last year and ten months, since my mother died.

J. White.

JOSEPH WHITE sworn.

25,118. (*Mr. Price.*) Are you a glover carrying on business in the High Street?—Yes.

25,119. At the last election did you vote for Kinglake and Vanderbyl?—I did.

25,120. And were you requested by Mr. Reed to write to a man of the name of Lilly, who had left Bridgwater and had gone to Lowestoft?—I was.

25,121. And did you promise him his expenses?—I did.

25,122. Did Lilly come here?—He did.

25,123. Did you pay him any money?—I did.

25,124. How much?—4*l.* 12*s.* 0*d.*

25,125. Was that his expenses, or more than his expenses?—That was his expenses to and fro.

25,126. Did you pay him anything besides that?—I did not.

25,127. Did Mr. Reed reimburse you that amount?—Yes.

25,128. Did you pay anybody else at the last election?—I did not.

25,129. Did you get anything for yourself?—I did not.

25,130. Anything for your trouble?—I did not.

25,131. Had you any bill for gloves against the candidates?—No. I cannot say that I did not sell gloves to the candidates, if they came for them at any time.

25,132. What did you charge the candidates for them, a guinea a pair?—No, not beyond the price I should charge you.

25,133. At the first election of Vanderbyl's in 1866 did you get anything for your vote?—I did not.

25,134. Did you receive any money from Allan to distribute?—I did.

25,135. How much?—50*l.*

25,136. How did you dispose of it?—I disposed of it to Frederick Walters, Robert Walters——

25,137. 10*l.* each?—Yes.

25,138. You had better give us the names, and the amounts you gave to each?—Frederick Walters, 10*l.*; Robert Walters, 10*l.*; John Baker, 10*l.*; John Crocker, 10*l.*; and 10*l.* to Thomas Skinner for John Davis.

25,139. We have got another?—That is a mistake I have made.

25,140. It is Henry Bryant for William Dyment?—Yes; William Henry Bryant for William Dyment.

25,141. Of Back Lane?—Yes.

25,142. Was that all that you had to do with the election of 1866?—Yes, it was.

25,143. Did you receive anything for your trouble then?—Not a penny.

25,144. At Bagehot's election did you receive the same sum?—Either from Bussell or Allan, I am not quite certain.

25,145. How did you dispose of that?—10*l.* to Frederick Walters, 10*l.* to John Baker, 10*l.* to John Witteridge, 10*l.* for Davis by Skinner.

25,146. John Davis of Polden Street, by Thomas Skinner?—Yes, and 10*l.* to Bryant for Dyment on the same date.

25,147. Was that all you had to do with that election?—It was.

25,148. In 1865 had you anything to do with that?—Who were the candidates then?

25,149. Westropp, Kinglake, and Shelley?—I voted for Kinglake and Shelley.

25,150. Did you do anything in the way of bribery?—I did not.

25,151. In 1859 did you take a part in it?—Who were the candidates then?

25,152. That would be Padwick and Westropp, Kinglake and Tynte?—I voted for Kinglake and Tynte.

25,153. Did you do any bribery for them?—No, I did not.

25,154. Were those two elections of 1866 the only elections in which you acted as a bribery agent?—The only elections.

25,155. How came you to do it?—I did it after the public meeting was held at the George Lane rooms, what are called the public rooms. I was requested to see Bussell at the close of the meeting.

25,156. Who requested you to do so?—I suppose Mr. Bussell did; I cannot remember now.

25,157. Why should he pitch upon you?—Oh, there were others at the same time.

25,158. Were these persons you have spoken of men over whom you had any influence? Frederick Walters I see you bribed twice over. Were they men who worked for you?—No, not at all. Walters is a butcher.

25,159. (*Mr. Coleridge.*) Did you receive any money yourself at former elections?—No.

25,160. (*Mr. Price.*) You were one of the persons who signed this petition of 80 to put down bribery?—That was previous to the time I got mixed up in bribery.

25,161. Bribery was said and was proved to have taken place on Mr. Westropp's behalf in 1865; and early in the year 1866 you signed a petition, you know, to the House of Commons; and then afterwards you took a part in bribery, and spent two sums of 50*l.* in bribes?—I must give you a history of my signing that petition.

25,162. Do so?—I was at home in my shop, and a person came to me, I do not know who it was now, and he said I was wanted at Messrs. Reed and Cook's office, and I went away immediately to Messrs. Reed's office and inquired who wanted me, and they said, "Here is a petition to be signed." There were two or three there who signed. I do not know who they were, or whether they had the control of the petition. I saw the petition and I asked what it was for, and they told me it was for the purpose of suspending the writ, and I then signed it and came away.

25,163. That is all you knew of it?—That is all I knew of it.

25,164. (*Mr. Anstey.*) If you had known it was a

TWENTY-FOURTH DAY.

J. White.

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petition pledging both sides to put down corrupt practices, I suppose you would not have signed it?—If I had not signed it on that occasion I should have been perfectly free, and I should not have been affected one way or the other.

25,165. It was only a month before Bagehot's election?—A month makes a great deal of difference sometimes.

25,166. (*Mr. Price.*) That is all the information you can give us?—That is all.

J. Hole.

JOHN HOLE sworn.

25,167. (*Mr. Price.*) What are you?—A miller.

25,168. Do you work at the same mill we have heard of this morning?—Yes, Spiller & Co.'s.

25,169. Were you a voter at the last election?—Yes.

25,170. For the first time?—No.

25,171. You voted before?—Yes.

25,172. How did you vote last time?—For Kinglake and Vanderbyl.

25,173. Did you get anything for it?—Yes.

25,174. How much?—10*l.*

25,175. Who from?—Fisher.

25,176. Did you vote at the election before?—Yes.

25,177. Who for?—Vanderbyl.

25,178. Did you get anything then?—Yes, 15*l.*

25,179. Where from?—Henry Bussell.

25,180. Did you vote at the first election of 1866?—Yes.

25,181. Who did you vote for then?—Patton.

25,182. Did you get any money then?—Yes, 10*l.*

25,183. Why did you change on the next occasion and vote against Patton?—Well, I promised Vanderbyl that I would vote for him.

25,184. But you voted for Patton and got 10*l.*, then when Mr. Patten came down again why did you desert him?—It was not my intention to vote that way again.

25,185. Why? Was not it because you had 15*l.* given you?—No, because I could have got the money on the other side at the time.

25,186. In 1865 how much did you get?—10*l.*

25,187. Where did you get that from?—From the "Bull and Butcher."

25,188. Who gave it to you?—I went into a room and took it off the table.

25,189. Did you vote in 1859?—No, I had no vote.

J. Bennett.

JAMES BENNETT sworn.

25,190. (*Mr. Price.*) Why were not you here before, Mr. Bennett, your name was put down fifth on the list?—I had a little order to settle this morning and I could not get away, I had a customer or two in.

25,191. You ought to have sent word, you know, if possible. Were you a voter at the last election?—Yes.

25,192. What are you, a master?—A master timber dealer.

25,193. Do you employ men?—Yes.

25,194. How many men do you employ?—Seven or eight.

25,195. Were you a voter at the last election?—Yes, I voted for Kinglake and Vanderbyl.

25,196. Did you receive any money?—No.

25,197. Did you get any promise?—No.

25,198–9. Did you get anything in the shape of expenses for anything you did?—No, nothing at all.

25,200. (*Mr. Coleridge.*) Did you give any money at the last election?—No.

25,201. Or promise any to your men?—Never promised any.

25,202. (*Mr. Price.*) In 1866 how did you vote then?—I voted for Kinglake and Vanderbyl.

25,203. When Vanderbyl stood against Patton?—I voted for Vanderbyl.

25,204. Did you get anything then?—There was some money left at my house in my absence.

25,205. How much?—I do not know whether 20*l.* or 25*l.*, I never saw the money.

25,206. Who got it?—It was left at my house, and I told my missis I would have nothing to do with it.

25,207. What did your wife do with it?—Well, she took it, and I suppose she laid it out for the family or on the house.

25,208. (*Mr. Anstey.*) Have you no idea how it came there?—I heard that a gentleman of the name of Thomas left it.

25,209. Who did you hear that from—My missis told me.

25,210. Mr. Thomas called at your house and left the money?—Yes.

25,211. (*Mr. Price.*) How had you voted at the previous election in 1866 that you managed to get 20*l.* or 25*l.* from Vanderbyl, when Patton and Bagehot stood?—I voted for Bagehot.

25,212. Did you get any money then?—No.

25,213. How do you account for having this 20*l.* or 25*l.* at Vanderbyl's?—I am quite at a loss to account for it. I never asked for it. I never saw anyone on the subject. I never expected it.

25,214. Did you get anything in 1865? Did you vote then?—I was ill then.

25,215. Did you get anything?—No.

25,216. In 1859?—I was not in Bridgwater in 1859.

25,217. You cannot account for this 25*l.*?—No.

25,218. Had you said anything to anybody about being in want of money, or that money would be acceptable?—Not the least.

25,219. You gave no hint to anybody whatever?—Not the least.

25,220. (*Mr. Anstey.*) The person who left the money with your wife must have known that you wanted money, and your keeping it shows that you did want it?—The fact was my circumstances were not so good at the time, but I never applied for anything of the sort.

25,221. (*Mr. Price.*) Who was this man Thomas?—He was in the employ of Messrs. Coulthurst and Symmons.

25,222. He is in London now, I understand?—I believe he is. He was here a week ago.

25,223. Did you see him?—Yes.

25,224. Have you ever done busines swith Coulthurst and Symmons?—Never any more than sold them a cargo of coal, or anything of that sort. I have done very little business with them.

25,225. How did Thomas come down to your house with 25*l.*?—I do not know. It was reported that money was so flush it was flying about in every direction.

25,226. Is your wife at home? Send for her?—I do not deny that the money was left in the house.

25,227. We want to know how it was. Do you mean to represent that they really did not know what to do with their money, that they had got so much that they threw it about in that way?—I cannot say. I heard that money was very general at the time.

25,228. Is that your idea about it?—I heard so.

25,229. Is that the way you account for this 20*l.* or 25*l.* being left at your house?

25,230. (*Mr. Coleridge.*) Is this the only sum of money you ever got at an election?—Yes, in my life.

25,231. (*Mr. Anstey.*) Will you tell me what your wife said to you?—She said that Thomas had left the money in the house.

25,232. She had it in her hand. What did she say?—She said he left the money. I said, "I will have nothing to do with it."

25,233. (*Mr. Price.*) Did she say anything about your vote?—Yes, that he wished me to go to poll.

25,234. Tell us the whole of it. Why do you not give us the whole account of it? Tell us what he said?—She gave me the account that there was some money left in the house by Mr. Thomas. I said, "I will have nothing to do with it."

25,235. For your vote; was it said so?—Well, that was the meaning of it.

25,236. Had you promised Mr. Patton?—No, I never promised a Conservative in my life. I always was a Liberal. The Liberal party knew very well that they did not offer me any money.

25,237. (*Mr. Anstey.*) What o'clock was this?—I think it was about the middle of the day.

25,238. Had you voted at that time?—No.

25,239. Then after your wife told you that this money was left with her and for your vote did she tell you what she had said to Thomas?—No, I do not recollect that she did.

25,240. (*Mr. Price.*) Had she promised for you that you should go and vote?—She knew that I was going to vote.

25,241. Did she promise for you that you should go and vote?—She told me that Mr. Thomas wished me to go to the poll.

25,242. (*Mr. Anstey.*) Did she tell you that she had told Thomas that you were going to vote for Vanderbyl?—I do not recollect that she did.

25,243. How long after this was it that you went to the poll, how many hours?—I should think it might be two hours.

25,244. Two hours?—I am not certain.

25,245. (*Mr. Price.*) You had time enough if you had virtue enough, I suppose, that is not to be expected, but you had time enough to send the money back to Mr. Thomas, you know, if you did not want to have anything to do with it?—Yes.

25,246. You did not think of that?—No.

25,247. I suppose your wife would not let you give it back?—She did not feel inclined.

25,248. (*Mr. Anstey.*) I thought you said your wife said she would have nothing to do with it?—No: I told my wife that I would have nothing to do with it. I came home then for the purpose of going to the poll, and I was going to the poll then.

25,249. (*Mr. Price.*) What is your wife's christian name?—Susan.

25,250. (*Mr. Anstey.*) How can you say you were on your way to the poll when you did not poll for two hours?—I came home on purpose to go and record my vote at the poll, and I had to clean myself. I had been out at the works, and I had to get some dinner.

25,251. It would not take you two hours to do that?—I am not certain about the time, but I should think it was about two hours.

WILLIAM HARWOOD sworn. *W. Harwood.*

25,252. (*Mr. Price.*) Are you a voter for Bridgwater?—Yes.

25,253. What are you?—A baker.

25,254. A master baker or journeyman?—Master.

25,255. How many men do you employ?—Only one boy.

25,256. Now do you recollect the last election in 1868?—I do.

25,257. Do you recollect this transaction about 30*s.*?—I do.

25,258. Now tell us all about it?—I was at the "Duke of Wellington" some evening after the election, and I saw John Vearncombe and joked him, and I said, "John, if it's true what I've heard thee'st only had "7*l.* instead of 10," and he said, "That's true; I'll "go to Alway and have the other." He said, "Will "you go with me?" I said, "No, it is not my "business." He then went away and returned with a handful of money, and said, "I got 30*s.* more." I said, "It's no use having 30*s.*" He said, "I'll go "and have the remainder; will you go?" I said, "No." He left the house, and just after he left I went after him. I walked across to the "Three Tuns" opposite his own house, and he went into Alway's shop. I went back and he returned to the "Duke of Wellington," and said, "It's all up, I can't get no more."

25,259. Did you look through the window?—No, I did not go to the window.

25,260. Did you understand it as a joke or as a real thing?—I thought it was true then.

25,261. Did you give evidence before Mr. Justice Blackburn?—No.

25,262. You thought it was the truth then? Had you heard that he was to have 10*l.*?—There was a talk about the town that he only had 7*l.* instead of 10*l.*, and I heard parties as were joking with him.

25,263. (*Mr. Anstey.*) It is not true that you were looking through the window?—I did not go near Mr. Alway's window that evening.

25,264. It is not true then that you were looking through the window, and that they were putting a trick upon you?—I did not go to the window at all.

25,265. (*Mr. Price.*) Did you get anything for your vote?—No.

25,266. Nothing at all?—Nothing at all.

25,267. (*Mr. Anstey.*) At any election?—Yes.

25,268. When? You had better tell us all you do know?—I got 5*l.* on the first election of Mr. Patton.

25,269. From the Conservatives?—The Conservatives.

25,270. Have you always voted on the Conservative side?—I have.

25,271. We will take your evidence while you are here, and save you from coming again. Go to the other elections. Did you get anything on the last election?—I did not.

25,272. Did you have any promise?—No.

25,273. Who did you vote for?—Westropp and Gray.

25,274. Did you have any expenses or anything for your trouble?—Not a farthing.

25,275. In the election of 1866, when Mr. Vanderbyl stood against Mr. Patton, who did you vote for?—Mr. Patton.

25,276. Did you get anything then?—10*l.* was put into my hand, but I gave it up again.

25,277. Who put the 10*l.* into your hand?—I do not know who it was. It was through a door; I only saw a hand.

25,278. Where?—At the "Three Crowns."

25,279. How did you get to the "Three Crowns," to the door where the money was?—I was invited to go upstairs by the landlord.

25,280. Who is the landlord?—Mr. Newton.

25,281. What did he say to you?—He said, "There's some coin going, you may as well have it "as anybody else." I said, "If it is going I may as "well have it." I took the cartridge, never opened it, and gave it up again at once.

25,282. You gave it back again?—I gave it to a man of the name of Collett.

25,283. Did you go and vote?—I had voted before.

25,284. Were you offered anything by the other side?—I was not.

25,285. In the first election of 1866, when Patton stood for the first time, and Bagehot stood, how did you vote?—I voted for Patton.

25,286. Did you get anything then?—I got 5*l.*

25,287. Who did you get that 5*l.* from?—It was from Mr. Temblett, I believe.

25,288. Why did not you take the 10*l.* the next time?—Because I did not care about it.

25,289. Really?—I did not care about it.

25,290. Did you vote at any election before that?—Yes.

25,291. 1865?—Yes.

25,292. Who did you vote for then?—Westropp.

25,293. Did you get anything then?—I did.

25,294. How much?—10*l.*

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W. Harwood.

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25,295. Were you promised anything by the other side?—I was not.

25,296. Were you promised anything after the election besides the 5*l.* that you got?—No.

25,297. Only the 5*l.*?—Only the 5*l.*

25,298. How came you to take so little as 5*l.*?—I said, "I won't take this for my vote, it has cost me this for running about, one thing and another."

25,299. You took that for running about?—Yes.

25,300. That 10*l.* you took for your vote?—I did.

25,301. Was that the first time that you voted?—No.

25,302. Did you vote in 1859?—1859; who were the candidates?

25,303. Padwick and Westropp were the Conservatives, and Kinglake and Tynte the Liberals?—Padwick and Westropp? yes, I did.

25,304. Did you get anything then?—Yes.

25,305. How much?—10*l.*

25,306. Did you vote at the election before, in 1857?—I did.

25,307. Who did you vote for then? That was the time when Tynte and Kinglake and Follett stood?—Yes.

25,308. Who did you vote for?—Follett.

25,309. What did you get then?—Nothing.

25,310. Were you offered anything by the other side?—No.

25,311. Was that your first election?—No.

25,312. 1852?—1852 I think was Follett. Kinglake was thrown out, and then Follett, I think, who was the Conservative, and Tynte were returned.

25,313. Yes. Who did you vote for then?—Follett and Tynte.

25,314. Did you get anything?—I had 10*l.* for voting for Tynte, for splitting my vote.

25,315. Can you go further back than that?—I cannot.

25,316. How old were you when you first voted?—One or two and twenty, two and twenty.

25,317. And you have been at it ever since?—Yes.

25,318. Whenever you could get hold of anything, excepting in 1866 when you refused it, you took it?—I could have had 10*l.* at another election, but I gave that up.

25,319. When was that?—The last election of Mr. Patton.

25,320. With the exception of that you have always taken it?—I took it three times—four times—three tens and one five. I voted six times.

25,321. You have voted six times, and you have taken money four times?—I voted seven times, I believe.

25,322. (*Mr. Anstey.*) Were you at either of the Conservative meetings at the last election?—I did go across to Gloucester Place one evening. I was not there about two minutes.

25,323. Was Mr. J. R. Smith there?—I did not see him at that time.

25,324. Did you hear any speeches made?—I heard a man of the name of Mr. Grabham making a speech.

25,325. What was he? Who is Mr. Grabham?—He was the landlord.

25,326. Was that at the "Clarence?"—No, that was at Gloucester Place.

25,327. Were you at the meeting at the "Clarence?"—I was there on the morning of the poll.

25,328. About 8 o'clock in the morning?—About 8 o'clock in the morning.

25,329. Did you hear anything said to this effect, that "there must nothing be said about money to-day?"—I did not.

25,330. What did you hear?—I heard Mr. Westropp when he was speaking say that not one farthing would be spent, whether they won or whether they lost.

25,331. (*Mr. Price.*) He did not say anything about "You don't wish me to go to prison, I am sure?"—Not that I recollect. I cannot recollect all that was said.

25,332. But that is rather an extraordinary sentence, you know, for a candidate to say, "You do not want me to go to prison?"—I cannot recollect his saying so.

25,333. (*Mr. Anstey.*) Do you recollect his saying anything like that, or to that effect?—I do not.

25,334. Or anything like money not being forthcoming, but that it would be all right afterwards?—I do not.

25,335. (*Mr. Price.*) Then at any rate it was that there was to be no money spent, whether they won or lost?—He said that not one penny piece should be spent, whether they won or lost.

25,336. (*Mr. Anstey.*) Are you quite sure there was nothing at all said by him about there being too much danger?—I never recollect any such words.

25,337. But anything to that effect; that he spoke as if there would be great danger in giving a bribe?—I do not recollect it.

25,338. Do you remember a meeting of the Conservative electors on the 10th October, about a month before the election when Mr. Westropp came into the town?—Yes.

25,339. Do you remember when Mr. Westropp came into the town on the 10th October, before the canvass began. Do you recollect there was some uproar in the town, because Mr. Westropp had previously stated, in the year 1866, that he was not going to stand again, and he had come into the town. Do you recollect a Conservative meeting being held on the 10th of October in consequence of that, and a great discussion taking place there?—In this hall, sir?

25,340. I do not know whether it was in this hall or in that hall, but do you remember any such thing; a meeting called in consequence of Mr. Westropp coming into the town?—I recollect a meeting being here.

25,341. Do you remember a resolution being proposed by somebody approving of Mr. Westropp and Mr. Gray as candidates. You can say "yes" or "no?"—Well I daresay there was someone, but I do not recollect who it was.

25,342. I said "somebody;" I did not ask you the name. Be so good as to give me an answer to my question. Do you recollect that resolution opposed and objected to by other persons present, and the chairman stating that he had great difficulty in saying whether it was carried or not. Do you remember all that?—No, I do not remember that.

25,343. You do not?—No, I do not.

25,344. Do you mean to swear that it did not take place?—Oh, I cannot say whether it did or not.

25,345. Were you there at the end of the meeting?—I cannot recollect whether I was there at the end or not.

25,346. Can you recollect whether it was a very uproarious meeting?—I do not. I don't very often go to a meeting.

25,347. You can recollect whether it was noisy?—I can recollect a noise being kicked up in this hall at one time.

25,348. At that meeting I say at which Mr. Westropp's candidature was proposed, was there an uproar?—I believe there was.

25,349. Well, can you tell me whether that was in consequence of having said that he was not coming and of his having come?—I do not know, I am sure.

25,350. Did you hear the speeches?—No, I did not.

25,351. Let me ask you, if you did not hear anything, and did not come to hear anything, what were you doing at the meeting?—I came to hear, but I do recollect what it was now.

25,352. Do you recollect Mr. Westropp and Mr. Gray leaving the town shortly after that uproarious meeting?—I daresay they may; I cannot recollect.

25,353. You don't recollect?—No.

25,354. And the canvassing did not begin till more than a fortnight after that, did it?—I don't know, I am sure. I can't tell.

25,355. You swear you do not recollect any of these things ?—I do not recollect.

25,356. I thought you were a great supporter of Mr. Westropp ?—So I am, of the Conservative party, but I do not recollect. I do not keep that in my mind all the time.

25,357, Are you a member of the Working Man's Association ?—I am not.

JEFFERY DENMAN sworn.

25,358. (*Mr. Price.*) Are you a voter for the borough of Bridgwater ?—Yes.

25,359. What are you ?—An innkeeper.

25,360. What inn do you keep ?—The "White Lion."

25,361. Do you remember any conversation with Harwood or yourself about this 30*s.* and Vearncombe ?—Yes.

25,362. What was it ?—Vearncombe came in at the "Golden Ball" with Harwood ; Harwood then told what had happened, that he had been chaffing Vearncombe, stating that Alway had not paid him sufficient for his vote by 3*l.*

25,363. Was that said by way of chaff ?—That was said by way of chaff, and that Vearncombe had since been up for the 3*l.* and he had got 30*s.* of it.

25,364. Then you did not see any part of it at all ?—Nothing.

25,365. You only know what Harwood said ?—But Vearncombe said it was quite right what was stated. Vearncombe was there and he said it was quite right, and he said, "I have been and had 30*s.*"

25,366. Was Vearncombe speaking seriously ?—No, not very seriously. They were joking.

25,367. Did you think it was a joke at the time, or serious ?—I thought he had the money from what he said.

25,368. (*Mr. Anstey.*) Which was chaffing which ? Was Vearncombe chaffing Harwood, or Harwood chaffing Vearncombe ?—Harwood chaffing Vearncombe.

25,369. He was chaffing him and telling him, "You have not got all the money Alway promised you ;" because according to Vearncombe's account Alway had not paid Vearncombe all that he had promised him ?—Quite right.

25,370. Did you hear Vearncombe say that he had had 7*l.* for his vote, and that his wife took it out of his pocket ?—I heard him say that he had had 30*s.*, and that his wife had taken that out of his pocket.

25,371. Do you see much of him ?—On this occasion ?

25,372. No ; do you generally see much of him ?—No, no more than meeting other tradesmen as we pass.

25,373. Then it is not true what he told Mr. Justice Blackburn, "How came you to speak to Jefferey Denman at all ?" He said, "I works for him. I very often go there with work." That is not true ?—He has worked for me on several occasions.

25,374. (*Mr. Price.*) Did you at the time think he really had the money ?—I did.

25,375. What is your impression now about it since the thing has been inquired into ?—I question very much whether he had it or no. I should rather think not. At that time I did think so.

25,376. Well, that is all, unless you can give us some information about the elections. You are a voter, I suppose ?—Yes.

25,377. Did you vote at the last election ?—I did.

25,378. For Westropp and Gray ?—Yes.

25,379. Was your house one of the open houses ?—No.

25,380. Was there no drinking going on there ?—No.

25,381. Did you have any bill ?—No.

25,382. (*Mr. Coleridge.*) Were you promised anything ?—Never promised anything.

25,383. At the last election did you get anything for anybody else ?—I did not.

25,384. Did you bribe anybody ?—No.

25,385. Or promise anybody ?—No.

25,386. (*Mr. Price.*) Did you attend the meeting at the "Clarence" ?—I did.

25,387. What did you hear Mr. Westropp say ?—He persuaded them all to go to the poll like men, and if they would all stick together they would undoubtedly win.

25,388. Did he say, "You don't want me to go to prison, therefore we will say nothing about money" ?—No, I heard nothing of the sort mentioned.

25,389. In 1866 did you vote at Vanderbyl's election ?—At Vanderbyl's election I voted.

25,390. Whom for ?—For Mr. Patton.

25,391. Did you receive anything then ?—I did not. Vanderbyl's last election ?

25,392. At Patton's second election you voted for Patton ?—I voted for Patton. I had nothing.

25,393. (*Mr. Coleridge.*) Did you have anything for anybody else ?—No.

25,394. Did you bribe anybody ?—No.

25,395. Or promise ?—Nor promise.

25,396. (*Mr. Price.*) You were not engaged in any way in that part of the business ?—I was not engaged in any way at all.

25,397. At the first election did you vote ?—Yes.

25,398. For Patten ?—Yes.

25,399. How much did you have then ?—10*l.*

25,400. Whom from ?—Frederick Harden.

25,401. When ?—Some time after the election.

25,402. How came you to have 10*l.* ?—He gave it to me. I was in his house and he gave it to me.

25,403. (*Mr. Anstey.*) Was it near the election of Vanderbyl ? —Yes.

25,404. They ran very near together ?—Yes, they ran very near together. It was before the other.

25,405. (*Mr. Price.*) Had you said anything about requiring money for your vote ?—No.

25,406. How came he to give it to you ?—He gave it to me. I do not know why.

25,407. Is there any reason why Harden should give you 10*l.* at that election ?—Because he gave me 10*l.* at the last election.

25,408. In 1865 did you vote for Westropp ?—Yes, in 1865. At the same election, the first election of Vanderbyl, I was offered also 15*l.*

25,409. By whom ?—William Heal, in the presence of Henry Cook.

25,410. Were you offered that to vote for Vanderbyl ?—Yes.

25,411. You voted for Patton, and a week after the election you got 10*l.* from Harden ?—I did.

25,412. In 1865 did you vote for Westropp ?—Yes.

25,413. Did you have anything then ?—Yes, I had 10*l.* then from Harden.

25,414. That is the reason why you suppose he gave you the other 10*l.* Had you anything offered on the other side ?—No.

25,415. In 1859 did you vote. The candidates were Tynte and Kinglake, and Padwick and Westropp ?—I had 10*l.* then.

25,416. Who from ?—John Bennett.

25,417. Which side ?—For the Conservatives.

25,418. Did you vote for Westropp and Padwick ?—I did.

25,419. Were you offered anything by the other side ?—I was not.

25,420. In 1857 did you vote ?—I voted for Follett.

25,421. Did you get anything then ?—I had nothing.

25,422. Were you promised anything ?—No.

25,423. Any offer ?—No offer, no promise.

25,424. Did you vote in 1852 when Kinglake first stood ?—No, I had not a vote then. I voted six times altogether.

25,425. (*Mr. Coleridge.*) And got paid four times ?—I got paid three times.

TWENTY-FOURTH DAY.

J. Denman.

20 Sept. 1869.

25,426. (*Mr. Price.*) And had an offer at Vanderbyl's election?—I had 15*l.* put into my hands by William Heal.

25,427. And you gave it to him back?—Yes.

25,428. (*Mr. Coleridge.*) Did you say William Heal or William Hill?—William Heal.

ALFRED DYER sworn.

A. Dyer.

25,429. What are you?—A painter.

25,430. A master or journeyman?—A journeyman.

25,431. Whom do you work for?—For different masters.

25,432. Had you a vote at the last election?—Yes.

25,433. How did you vote?—For the Liberals.

25,434. Did you get any money for it?—No.

25,435. Did you hear of any money being sent for you?—Yes.

25,436. How much?—10*l.*

25,437. Whom was it given to, to come to you?—Mr. Jarman.

25,438. How do you know it was given to Mr. Jarman to hand over to you?—I did not know it before he gave his evidence here.

25,439. (*Mr. Coleridge.*) How came he not to give it you?—I do not know.

25,440. Have you ever asked him for it since?—Yes.

25,441. When?—About three weeks after the election.

25,442. You said you did not know it at that time?—He said he had not had it.

25,443. How came you to ask him for it?—Because he promised me.

25,444. When did he promise it to you?—About a fortnight before the election.

25,445. That if there was money going you should have it?—Yes.

25,446. (*Mr. Price.*) You did not know that he had got the money till you heard of it here?—No.

25,447. When you asked him for it did he say he had got no money then?—No.

25,448. (*Mr. Coleridge.*) Did you press him?—No.

25,449. Did you ask him to give you something on account?—No.

25,450. Did he promise to give you something on account?—No.

25,451. (*Mr. Price.*) Were you a new voter last time?—Yes.

25,452. (*Mr. Coleridge.*) You have never got the 10*l.* yet?—No.

25,453. So that it is a moot question between you and Jarman now?—Yes.

25,454. (*Mr. Anstey.*) What is your qualification?—A 20*l.* house.

25,455. Then you are not a new voter?—Yes.

25,456. You have got a new vote and an old qualification?—Yes.

JOHN RICHARDS sworn.

J. Richards.

25,457. (*Mr. Price.*) What are you?—Butcher and beerhouse keeper.

25,458. What beerhouse do you keep?—The "Cow and Butcher."

25,459. Do you know anything about the last election?—Yes.

25,460. How did you vote?—For Westropp and Gray.

25,461. Did you get anything?—No.

25,462. Were you promised anything?—No.

25,463. Were you offered anything by the other side?—No.

25,464. How did you vote in 1866?—Westropp and Gray, I think.

25,465. No, 1866, when Vanderbyl stood?—Patton.

25,466. You voted for Patton?—Yes.

25,467. Did you get anything then?—I got 5*l.*

25,468. Who from?—I do not know.

25,469. You do not know?—No. It was from a hand from a door.

25,470. (*Mr. Coleridge.*) Where was it?—At the "Bull and Butcher."

25,471. (*Mr. Price.*) You did not see whose hand it was?—No.

25,472. You knew it was for your vote?—I supposed so.

25,473. Did you get anything more after the election?—No.

25,474. You had only the 5*l.*?—No.

25,475. How came you to get so little?—I do not know.

25,476. Were you offered anything by Vanderbyl's people?—No.

25,477. Did you vote in 1866, at Bagehot's election?—In 1866, yes.

25,478. Whom did you vote for then? Patton and Bagehot stood?—Patton.

25,479. Did you get 5*l.* then?—Nothing.

25,480. Did you vote in 1865 when Westropp stood?—Yes.

25,481. Whom did you vote for?—Westropp.

25,482. Did you get anything then?—Yes.

25,483. How much?—10*l.*

25,484. Who from?—I do not know. From a hand, as I told you before.

25,485. From a hand at the "Bull and Butcher?"—Yes.

25,486. (*Mr. Coleridge.*) Had you ever the luck to be paid on both sides at elections?—No.

25,487. (*Mr. Price.*) Did you vote in 1859?—No, I had no vote then.

25,488. (*Mr. Coleridge.*) How much have you received altogether for your votes?—15*l.*

25,489. Is that all?—Yes.

25,490. You had two tens, had not you, or only 10*l.* once and 5*l.* once?—Yes.

25,491. Are you sure you have not received two tens?—I was offered 20*l.* in my hand to vote for Vanderbyl.

25,492. (*Mr. Price.*) When was that?—1867.

25,493. 1866, I suppose you mean?—1866, I was offered altogether 50*l.* or 60*l.* then.

25,494. Who by?—Stephen Colin Jones gave me 20*l.* into my hand.

25,495. You gave it back?—Yes. Stephen Crocker offered me 15*l.*, Henry Cook offered me 15*l.*, all in about 10 minutes.

25,496. And you would not have it?—No.

25,497. (*Mr. Coleridge.*) You resisted the temptation?—Yes, I suppose I did.

25,498. (*Mr. Price.*) You voted for Patton and got 10*l.*?—No, not then.

25,499. You got your 5*l.* a short time before for voting at the previous election?—The election before.

25,500. (*Mr. Anstey.*) About two weeks before?—Six weeks before, I think.

25,501. When did you get the money, on the day?—On the day.

25,502. (*Mr. Coleridge.*) Did not you get that second 5*l.* afterwards, that so many have spoken of?—No, I did not.

TWENTY-FOURTH DAY.

W. H. Roberts.

20 Sept. 1869.

WILLIAM HENRY ROBERTS sworn.

25,503. (*Mr. Price.*) What are you?—A coach-builder.

25,504. Whom do you work for?—On my own account, in the firm of Roberts & Son.

25,505. You are on your own account in the firm of Roberts & Son?—Yes.

25,506. Were you a voter at the last election?—Yes.

25,507. Was that your first time of voting?—No.

25,508. Whom did you vote for?—Oh, not at all. I did not vote for anyone.

25,509. Did you take any part last time?—No.

25,510. Did you vote in 1866?—Yes.

25,511. Whom did you vote for then?—For Vanderbyl.

25,512. Did you get anything for it?—No.

25,513. Were you promised anything?—No.

25,514. Was your father employed for Vanderbyl at that election?—Yes.

25,515. As a briber?—He bribed, I believe, several.

25,516. Is he the man who bribed Hook, the provision dealer?—Yes.

25,517. You are sure you got nothing from him?—Yes, certain.

25,518. What, when he had money to give away, do you mean to say that he gave none to you?—I said I have not had any money.

25,519. I am asking, because it seems extraordinary that your father should go about bribing other people. Did you vote at the other election of 1866?—For Bagehot?

25,520. Bagehot?—Yes.

25,521. Did you get anything then?—No.

25,522. (*Mr. Coleridge.*) Did your father bribe at that election too?—No, I do not believe he did.

25,523. (*Mr. Price.*) Did you vote at any election before that?—No.

25,524. (*Mr. Coleridge.*) Do you mean you have never had anything at all for your vote?—I have never had any money or been promised any, either directly or indirectly.

25,525. (*Mr. Price.*) Do you live with your father?—I did when I voted for Vanderbyl. I do not now.

(*Mr. Price.*) The witnesses who have been called and have not answered will be put into the list for to-morrow, and then we shall have exhausted, so far as we know at present, the evidence to be given with respect to the bribing on the Liberal side. We propose next to go into the question of what bribery has taken place on the Conservative side.

R. Hurley.

RICHARD HURLEY sworn.

25,526. (*Mr. Price.*) What are you?—Commercially a butcher.

25,527. Are you a master?—Yes.

25,528. Are you a voter for Bridgwater?—I am,

25,529. Did you vote at the last election?—I did.

25,530. How did you vote?—Liberal.

25,531. Did you get anything for it?—No.

25,532. Were you promised anything?—I was not.

25,533. (*Mr. Coleridge.*) Did you bribe anybody else?—No.

25,534. (*Mr. Price.*) Did you vote at the election of 1866 when Vanderbyl stood first?—To save the time of the court I may say I have voted since 1852. I voted then for Kinglake and Mansell. There was a division in the Liberal camp just then. I voted for them, and I have never received anything for my vote in my life. I have never been offered anything but once.

25,535. When was that?—That was at Mr. Westropp's election in 1865.

25,536. What were you offered then?—25*l.*

25,537. Who by?—Edward Denner.

25,538. To vote for the Conservatives?—Yes.

25,539. Have you voted at every election since 1852, including the last, and never received anything for your vote, or had any offer except in 1865 by Edward Denner?—I have.

25,540. That is what you mean to tell us?—Yes.

25,541. (*Mr. Anstey.*) But, Mr. Hurley (I do not ask you out of curiosity as to your affairs), were you not in embarrassed circumstances shortly before the election of 1865?—I was.

25,542. Shortly after the election of 1865, is it true that your circumstances had so far brightened that your cheques were flying and circulating through the town?—Well, there was something said of that at the House of Commons by John Veysey, and I wish to call your attention also to the discrepancy in my evidence.

(*Mr. Anstey.*) Never mind that.

25,543. Shortly after the election had your circumstances so brightened as that you had recovered your credit, and your cheques were circulating?—I offered a composition to my creditors. If you will allow me I will go into the history of it.

25,544. (*Mr. Price.*) You can easily answer that question. Then you may explain as much as you like. Had your circumstances improved to that degree?—They had.

25,545. (*Mr. Anstey.*) Soon after the election?—Yes.

25,546. (*Mr. Price.*) And were your cheques going about the town?—They were, no doubt.

25,547. Well, now explain?—The previous election to 1865. Was that Mr. Follett's?

25,548. That would be Padwick and Westropp?—I am not sure whether it was the election of 1859 or 1857, but the Tories issued a paper here called the "Bridgwater Times," I believe, at that time, and they were defeated at that election, and they were very spiteful. They issued an article in that paper calling upon the people to exert exclusive dealing; and some of the tradesmen went so far as to put papers in the windows stating, "Exclusive dealing done here." It very much affected my trade, and there was a loss in stock.

25,549. That brought you into embarrassed circumstances?—It did. I lost 150*l.* in one season.

25,550. We will take that for granted that you were in embarrassed circumstances. Now tell us how it was that your circumstances brightened?—A report was rose by some ill-disposed persons that I had failed. I had to struggle with that for four years, until I was obliged to succumb to an offer of a composition. I offered a composition and it was accepted.

25,551. (*Mr. Anstey.*) When was that?—I think that would be some short time before Mr. Westropp was elected.

25,552. (*Mr. Price.*) In 1865?—Either 1865 or 1864, I am not sure which.

25,553. Well, how did your circumstances brighten after that election?—Mr. Benjamin Lovibond sent for me, and he said, "Mr. Hurley," he said, "I have "understood that you have had a misfortune in your "business." I said, "I have." He said, "I have "inquired into your character, and I am much "pleased to find we have a man like you in the town. "You have always gone to poll without any trouble, "and we think it due to you to assist you if we "possibly can," and he offered me some money.

25,554. How much?—25*l.*, and I paid him five per cent. for the interest of it, and I paid him the principal before he died.

25,555. (*Mr. Anstey.*) When did he make this payment to you? How long before the election?—Oh, it was after the election. It was between some elections. It was between two elections; it was nothing to do with my vote whatever.

TWENTY-FOURTH DAY.

R. Hurley.

20 Sept. 1869.

25,556. Was it between 1859 and 1865 you say you were in embarrassed circumstances, in consequence of the exclusive dealing of 1859, and that soon after the election of 1865 your circumstances improved?—It was after Sir John Shelley's election, between that and the next election.

25,557. Had he promised you this money before?—Never spoke to the gentleman in my life about my vote, or anything pertaining to politics, until that.

25,558. Not until he sent for you and told you this?—Yes.

25,559. Was that the whole amount of the assistance you got?—From him. I got some other assistance.

25,560. When?—At the same time.

25,561. Before the election or after?—At the same time.

25,562. (*Mr. Price.*) Was that the whole assistance you got from him?—It was.

25,563. 25*l.* would not enable you to send any cheques about the town?—I had other assistance.

25,564. Tell us how much altogether you had in the way of money assistance?—80*l.* at that transaction.

25,565. (*Mr. Anstey.*) Who were the other persons who advanced the money?—There was Mr. Francis Thompson.

25,566. Were they all of them active persons in the Liberal party?

25,567. (*Mr. Price.*) Is that Mr. Francis Thompson the ironmonger?—Yes.

25,568. How much did he advance you?—10*l.*, I think.

25,569. (*Mr. Anstey.*) Was there a subscription got up amongst the Liberal party?—I do not know how it was done. Mr. Lovibond did it.

25,570. Were they all Liberals who advanced the money?—They were.

25,571. (*Mr. Price.*) Did you pay back the whole?—I paid interest for the whole, and some I have paid all, and others I have paid portions.

25,572. Are you paying interest still?—I am. I think I have paid a little more than half of it.

25,573. (*Mr. Anstey.*) Is that the whole amount of the assistance you got?—It is. I was offered assistance by the Tories just the same.

25,574. Did anybody inform you before the election that this subscription was going to be made for you?—Not at all. I never heard of it.

25,575. Were you ever employed to bribe anybody else?—It is out of my line altogether.

25,576. Well, were you?—Never. I may say in confirmation of that there is a party in the town who has been accused of having put about this bill (*handing a printed bill to the court*), but I am the author of the printing and issuing of that bill, and I think I ought to bear the blame of it.

(*Mr. Coleridge.*) This is calling attention to the penalties under the Act.

25,577. (*Mr. Price.*) When did you put that out?—Some short time before the election.

25,578. The last election?—I distributed them at all our meetings, and I sent one to each candidate by post.

25,579. (*Mr. Anstey.*) You signed the petition in 1866?—I am proud to be one who signed it.

25,580. Have you any information to furnish of the kind stated there; information of the corrupt practices committed in 1865, besides those proved before the committee of the House?—I think if the Commission had been sitting at that time there would have been ample. According to the statement given at that time there was about 100, and only seven or eight cases were gone into.

25,581. Can you furnish us now with any information besides that which we have in the report of the committee, there were about 93 cases left?—I am not intimately acquainted with bribery, and therefore do not know anything but by hearsay.

25,582. (*Mr. Price.*) You wanted to have a commission then to inquire?—I wanted to have a commission and have my character vindicated.

25,583. (*Mr. Coleridge.*) You are asked about this commission. There is nothing about your character?—There is a great deal if you were to be kind enough to look into the blue book.

25,584. The learned commissioner asked you whether when you signed that petition you really wished a commission of inquiry?—I did, and I was given to understand that a commission of inquiry would have done the same as the scrutiny into Sir John Shelley's seat. That was my object in signing, and another object was, if you will look at the blue book, and compare it with Mr. Westropp and Mr. Veysey's evidence, you will find there was a great discrepancy.

25,585. I do not find that you were examined at all except to prove agency. You were not examined about your circumstances?—No, agency, I mean.

25,586. Nobody doubts your evidence as to agency. What Mr. Veysey said you were not examined upon at all, he came after you, and there is no reflection on you in the blue book?—He said he did not canvass me. I did not want canvassing.

25,587. Whatever there was as regards your circumstances, you have thoroughly and satisfactorily explained it now, but you think you would have done so much earlier if you had had a commission of inquiry like this in 1866?—Yes.

(*Mr. Anstey.*) I am bound to say you are only the second person hitherto discoverable who appears to have signed that petition with good faith and sincere adherence to its statement and its prayer.

Mrs. Susan Bennett sworn.

Mrs. S. Bennett.

25,588. (*Mr. Price.*) Are you the wife of Bennett who was examined this morning?—Yes.

25,589. And who says you received 20*l.* or 25*l.*, he does not know which. Tell us exactly under what circumstances you got it?—I do not know. Mr. Thomas left it there.

25,590. Tell us what passed, and do not give us the trouble to ask you questions. He came to your house. What did he say?—I cannot recollect all.

25,591. What did he say?—He brought the money and came in and told me to tell Bennett to go to the poll. I told Bennett, and he said he would not have anything to do with the money. He said I did not know the consequence of it.

25,592. (*Mr. Coleridge.*) And you said you did not care about the consequences and put it into your pocket?—I kept it.

25,593. You spent it?—Yes, I did, but Bennett knows nothing at all about it until after he came from poll.

25,594. He says he was absent, and Thomas came there and said there was the money, and he was to go and vote?—Yes, that is what Thomas said to me.

25,595. Is that all?—He might have said more, but I do not recollect, it is so long ago.

25,596. Did you tell him that he was going to vote Liberal?—He was always Liberal. Every one in Bridgwater knows that.

25,597. Did you say he was going to vote Liberal?—No, I did not.

25,598. (*Mr. Price.*) Did you know your husband would vote for Mr. Vanderbyl and did not want money for his vote?—If he had not had the 20*l.* he would have voted.

25,599. You know that?—Yes.

25,600. (*Mr. Anstey.*) As a matter of fact has the money been spent for domestic purposes?—No, it was not. I had some for a year and a half.

25,601. What has become of it? I was ill at the time and I went away. That is where I spent the money, and Bennett never had a farthing, and never a farthing went into the business.

25,602. Is it expended yet?—Yes, but I am not aware whether it was 20*l.* or 25*l.* I was under the impression at the time that it was 25*l.*

25,603. (*Mr. Coleridge.*) Is that all you know about elections here?—I do not know anything about them.

25,604. You never had another 20*l.*?—No.

JOSEPH REEVE sworn.

25,605. (*Mr. Price.*) What are you?—A veterinary surgeon.

25,606. How long have you been in practice here?—20 years.

25,607. Are you a voter?—Yes.

25,608. Did you vote at the last election?—No.

25,609. How was that?—Because I did not feel inclined to have anything to do with it.

25,610. What are your politics?—My politics are Liberal.

25,611. Why did not you vote for the Liberals?—Because I did not feel disposed to do so.

25,612. Why not? It was a very critical time for your party, was not it, the last election. I mean both politically as well as in the town here?—It might have been, but I was determined not to have anything to do with it.

25,613. Why?—Because when I went to London on the petition there I did not consider I was sufficiently paid.

25,614. Then it was a question of money with you last time?—No.

25,615. (*Mr. Coleridge.*) If sufficiently paid you would have voted, I suppose?—Yes, if sufficiently paid.

25,616. (*Mr. Price.*) Did you vote at the election of Mr. Vanderbyl in 1866?—Yes.

25,617. Who for?—Mr. Vanderbyl.

25,618. Did you get anything then?—Yes.

25,619. How much?—20*l.*

25,620. Who from?—Bulpin.

25,621. Did you vote at the election of Mr. Bagehot?—Yes.

25,622. How much did you get then?—10*l.*

25,623. Who from?—Bulpin.

25,624. Did you vote at the election of 1865 when Mr. Westropp stood against Sir John Shelley?—No.

25,625. You did not vote at all?—No, I do not think I did.

25,626. It is a very curious thing. It seems that you did not vote the last time, when it was said there was no money going on the Liberal side, and you did not vote in 1865, when it was also said?—No; I have always taken it in this light, that there was always money going, and I thought I might as well have it as other people.

25,627. How were you treated at the petition in the House of Commons in 1866, which made you not vote last time?—Because there was no money going.

25,628. But you said just now the reason was you had not been treated well?—You mean referring to this last election?

25,629. Yes; you said you did not vote this last election, and I pressed you very much, and you said because you did not think you were well treated in 1866 in the matter in the House of Commons?—I was determined I would wipe my hands of it.

25,630. But after that you told us you took money twice?—Which, previous?

25,631. When you were before the House of Commons was in 1866, was not it?—Yes.

25,632. In respect of Mr. Westropp's election?—Yes.

25,633. How were you unhandsomely treated then?—I lost all my trade and credit in Bridgwater by going there.

25,634. Where?—Up against the petition.

25,635. Against the petition?—Yes.

25,636. Did you go up for Mr. Westropp?—I went against him.

25,637. He was unseated?—Yes.

25,638. Then you must have gone for the petition?—It was for him.

25,639. Did you go for the petition or for Mr. Westropp?—I went against Mr. Westropp.

25,640. How did you lose credit and business by going up as witness for the petition?—I was there nine days and lost trade, and people lost confidence in me.

25,641. How did they lose confidence in you if you spoke the truth? Were you examined?—Yes.

25,642. Did you speak the truth?—Yes.

25,643. Then how should you lose confidence with people if you did?—Well, such was the case.

25,644. You lost credit then with your own party, do you mean?—Yes.

25,645. You lost credit with your own party for speaking the truth?—I lost credit with everybody, they thought I had not anything to do with it.

25,646. What had you had to do with that election?—It was very trifling. I was asked whether Mr. Veysey had ever said to me "Were you a supporter of Mr. Westropp?" and such was the statement I made before the House of Commons.

25,647. Did you say that which was untrue then?—It was true.

25,648. I do not know how you lost credit; is it the case that when a man speaks the truth when he is a witness he does lose credit in Bridgwater?—I am sorry to say he does.

25,649. That you mean to represent?—I mean to say that people doubted my word whether I had spoken the truth or not.

25,650. Then you were accused of saying that which was false?—They interpreted it as such.

25,651. (*Mr. Anstey.*) What were you accused of; what had you said?—I said I heard Mr. Veysey say he was attending to Mr. Westropp's interests—he was one of his agents.

25,652. (*Mr. Price.*) Was that true?—That was true.

25,653. Then what was the harm in that?—I cannot imagine. I do not think there was any harm on my part.

25,654. Was that all you said?—Yes.

25,655. (*Mr. Anstey.*) Stop a moment. Did you vote at that election at all?—No, I did not.

25,656. Was not it about an examination with regard to your reasons for not voting at that election that you got into discredit?—No, I do not think so.

25,657. What were your reasons?—Because I was not sufficiently well treated.

25,658. Because there was no money?—No.

25,659. Because there was no money, you mean?—I am bound in justice to myself to say that there was money, and I accounted for it, but I was promised more than I got.

(*Mr. Coleridge.*) You were not bribed enough, that is the reason you did not vote.

25,660. (*Mr. Price.*) Who gave you that money at the election of 1865?—Morris.

25,661. On whose side?—Westropp's.

25,662. (*Mr. Anstey.*) And yet you did not vote at all?—I did.

25,663. (*Mr. Price.*) How much did Morris give you?—10*l.*

25,664. How much did you expect?—I was promised 20*l.*

25,665. (*Mr. Anstey.*) That is what you mean by saying they did not serve you well?—Yes.

25,666. They are what you call in your evidence the blue party?—Yes.

25,667. You were asked by the committee, "What "do you mean by the party not serving you well, do "you mean they refused to give you money?" And you said, "Oh no, they did." And the committee asked you, "What do you mean?" The question I have asked you several times myself—to which you

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J. Reeve.

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answer, "They did not give me according to promise." So that what you meant to tell them was that they did and they did not; they did give you 10*l.* but not 20*l.*?—They did that amount, but did not give me sufficient.

25,668. Why did not you tell the committee that?—They did not ask it.

25,669. They did, and you give contradictory answers?—If they did I was not aware of the question.

25,670. Then probably the contradictory appearance of your answers gave you that bad credit which you say you have ever since obtained in this borough?—I think so.

25,671. (*Mr. Price.*) Have you regained your credit?—Partly.

25,672. How did you manage that?—By showing the public——

25,673. That you were in the habit of voting when you were paid for it?—As money was going.

(*Mr. Coleridge.*) By taking bribes at two subsequent elections?

25,674. (*Mr. Price.*) By taking money whenever you could get hold of it?—Yes.

25,675. (*Mr. Coleridge.*) You lost credit by professing to tell the truth?—Yes.

25,676. (*Mr. Anstey.*) Are you a Liberal or a Conservative?—I am a Liberal.

25,677. (*Mr. Anstey.*) I will not go through the list, but did you sign the petition of 1866?—No, I knew nothing of it.

FRANCIS WESTLAKE sworn.

F. Westlake.

25,678. (*Mr. Price.*) What are you?—A tailor.

25,679. A master tailor?—No, foreman to Lott and Edwards.

25,680. In this town?—Yes.

25,681. Are you a voter?—Yes.

25,682. Did you vote at the last election?—Yes.

25,683. How did you vote?—For Kinglake and Vanderbyl.

25,684. Did you get anything?—No.

25,685. Were you promised anything?—No.

25,686. What time of the day did you vote?—About 10. I think it may be a few minutes after.

25,687. Up to that time I suppose you heard no money was being spent?—I never heard of money being spent during the election.

25,688. (*Mr. Coleridge.*) Did you give any money to anybody at the last election?—No.

25,689. Or promise any?—No.

25,690. Or hand any to one of your men?—No.

25,691. (*Mr. Price.*) Did you vote in 1866?—Yes.

25,692. For Vanderbyl?—Yes.

25,693. How much did you get then?—Nothing.

25,694. Nothing at all?—Nothing at all.

25,695. Were you offered anything on either side?—Nothing on either side. The Tories know it is no use to offer me.

25,696. In 1866, at Patton's election, did you vote for Mr. Bagehot?—I did.

25,697. Without money?—No.

25,698. No money?—I received 10*l.* after Bagehot's election; some time after the election I did.

25,699. You say it was no good for the Tories to come to you?—Not a bit.

25,700. Not with 20*l.*?—Not with 30*l.* or 100*l.*

25,701. You never have had the chance?—I might have had it.

25,702. But did you ever have it?—Yes.

25,703. When?—Well, I have been offered a chance at Shelley's election. That was my first go.

25,704. What were you offered?—Not offered, an inducement.

25,705. What was the inducement then?—That there should be something.

25,706. Who said so?—Well, I really cannot recollect at the present time. I know there were inducements held out.

25,707. (*Mr. Anstey.*) Who offered you?—No offer. I cannot remember now.

25,708. (*Mr. Price.*) That is the only account you can give?—Yes.

(*Allan.*) It is returned in this bill of 30*l.* paid by me to Charles Lott in 1866, and Westlake is one of the men Lott said he paid. Lott is now dead.

25,709. (*Mr. Price, to the witness.*) How about that. Did Charles Lott pay you?—Never one farthing.

25,710. In 1866?—Never one farthing.

25,711. Did you hear until now that he had some money and returned your name as one to whom he gave 10*l.*?—This is the first time, on my honour, I ever heard that Charles Lott ever received one farthing for me, or ever asked me which way I would vote.

25,712. (*Mr. Coleridge.*) Is Lott a relation of yours?—No, I was foreman of Lott's establishment.

25,713. (*Mr. Price.*) And you never heard anything said about Lott returning your name?—No.

(*Mr. Price, to Allan.*) Did he return his name to you?

(*Allan.*) Yes.

(*Mr. Coleridge.*) How much?

(*Allan.*) He returned three voters for 30*l.* My business was with Charles Lott.

25,714. (*Mr. Price, to the witness.*) Now, Allan said Lott had 30*l.* of your money, and accounted for the 30*l.* that he had paid three men and gave in your name as one of the three he had paid?—It is not true decidedly. I never received one farthing from Charles Lott.

25,715. Are you now foreman?—I am in the same establishment. It is Mr. Isaac Lott and Mr. Edwards at the present time.

25,716. (*Mr. Coleridge.*) Did Lott ever make you a present about that time?—Never.

25,717. Do you know of his giving money to any of the other men in his employ?—No.

25,718. Did you ever hear any mention that he had got 10*l.* about the election?—No, I did not, and I deny it *in toto* that Lott ever gave me the value of one yard of ribbon in his life.

25,719. (*Mr. Anstey.*) I see a name of Charles H. Lott, draper, to the petition of 80 to the House of Commons in 1866, was that the same person?—Yes, I have been foreman with him or the establishment 16 years.

25,720. You were called for that purpose no doubt as to the 10*l.* to clear yourself?—I hope I have done so.

(*Mr. Price.*) We cannot get the evidence of a dead man, so we must trust the living.

WILLIAM PREECE sworn.

W. Preece.

25,721. (*Mr. Price.*) What are you?—A builder.

25,722. A master or journeyman?—Master.

25,723. Do you employ men under you?—Occasionally.

25,724. Are you a voter for Bridgwater?—I am.

25,725. Something has been said about your being supposed to have received money. Did you vote at the last election?—I did.

25,726. Did you get anything for it?—Not a farthing.

25,727. (*Mr. Coleridge.*) Did you get any promise?—No.

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W. Preece.

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25,728. (*Mr. Price.*) Did you vote at the last election of 1866, Vanderbyl's?—No.

25,729. Did you get anything then?—Nothing whatever.

25,730. Who is it said you had money?—Gold, in his evidence he gave; he accused me of receiving 10*l.* to bribe a man named Gane. I never received it.

25,731. What election?—I understood Bagehot's election.

25,732. (*Mr. Coleridge.*) Did you receive it from anyone else?—I received 10*l.* from Searle for the same man.

25,733. Then the only question is, whether you received it from the one or the other?—I received it from Searle, and it has gone forward that I have received it for my own vote.

25,734. Who did you give it to?—Thomas Gane, in my own house.

25,735. Did you keep any for yourself?—No, not a farthing.

25,736. Gave the whole 10*l.* to him?—I gave the whole 10*l.* to him.

25,737. (*Mr. Price.*) Did not you get anything for yourself?—No.

25,738. What did you get for your trouble?—Nothing.

25,739. (*Mr. Anstey.*) Who else did you bribe?—No one.

25,740. No other elector?—No other elector whatever.

STEPHEN CROCKER sworn.

S. Crocker.

25,741. (*Mr. Price.*) What are you?—I am nothing at all at present; lately an innkeeper.

25,742. Did you keep the inn next to Bussell?—A few doors below the "King's Arms."

25,743. Did you vote at the last election?—No.

25,744. Were you a voter?—No, I had no vote at the last election.

25,745. You had given up your house at that time?—I had.

25,746. Did you vote at the election before, Vanderbyl's?—Yes.

25,747. How did you vote then?—For Vanderbyl.

25,748. Did you get anything then?—No, I had 20*l.* of Andrew Allan to bribe John Richards with. That 20*l.*, they owed me 44*l.* odd, I kept towards my account.

25,749. Now let us have from you your account about being owed 44*l.*?—On the election of Sir John Shelley.

25,750. Who had you the 20*l.* to bribe?—John Richards.

25,751. And he never got the benefit of it?—He did not.

25,752. You embezzled it?—You may put that view if you like. No, I did not embezzle it, for I took the advice of a solicitor, and he advised me to keep it.

25,753. Who is the solicitor who advised you?—Reed and Cook, Mr. James Cook.

25,754. Did you undertake, when you got the 20*l.*, to hand that over to someone else?—I went after that for that purpose.

25,755. For the purpose of handing it to someone else?—Yes.

25,756. And you got it on the faith that you would hand it over to this man?—Ah, but I took it to him.

25,757. Did you give it to him?—Yes, and he told me he had voted, and gave it to me again.

25,758. (*Mr. Coleridge.*) Did you return it to Allan as having been given to Richards?—No. I gave him the account, and gave him credit in my bill for 20*l.*

25,759. (*Mr. Anstey.*) Now about the 44*l.*?—At the election of Sir John Shelley I was keeping the "Lamb" at the time, and Mr. James Cook came and was made a Forester there, and ran up a drink score of between 1*l.* and 2*l.* On the 7th of July Sir John Shelley and several other gentlemen came, and were made Foresters as well, and they ran up a drink score of something like 4*l.* altogether, I think about 6*l.*, and I got an order on the day of the election for the balance. That made up an amount of 19*l.* 14*s.* 10*d.*

25,760. How did it get up to 44*l.*?—I will tell you that in a moment. I gave an account in to Mr. James Cook. He sent for it in fact. That is the account (*handing it in*).

25,761. Did you send it in after Sir John Shelley's election?—They sent for it, and I sent that in, and at Mr. Bagehot's election I was keeping the "Lamb" and the "King's Arms." I got an order for 5*l.* at each house, and was to charge my own personal expenses, which I charged at 2*l.* That would be 12*l.* On the following election of Mr. Vanderbyl I received an order.

25,762. What were your personal expenses?—What I spent out of my own pocket in treating other people.

25,763. But you had your own beershop, and did not pay for it?—But I was not at home all the time.

25,764. You went about treating at other places?—Yes. If I fell in with a voter anywhere I took him to treat him. On Mr. Vanderbyl's election I charged 10*l.* again. I received the order on that occasion from Thomas Duddridge, in Brown and Company's employ, 5*l.* for the "Lamb" and 5*l.* for the "King's Arms," and I was told then to charge my own personal expenses. I charged half a guinea, having to go to Highbridge and Burnham.

25,765. (*Mr. Anstey.*) Did Duddridge authorize all those expenses?—Duddridge authorized to let go 5*l.* at the "Lamb" and 5*l.* at the "King's Arms," and on that occasion Allan let me have 20*l.* at the same election, and he asked me for it the next day. I told him I had not it in my pocket, but if he came to my house the following Sunday he should have it; but in the meantime I went to Reed and Cook, and told them I had this 20*l.*, and their advice to me was to keep it. If I gave it back to Allan I should never have the money.

25,766. They thought that Allan would not give it to you?—I do not know; the probability is I thought I should never get the money anywhere at all. Allan came to my house the following Sunday afternoon, and when he came there—I had had the bills made out—I gave him the bills, and gave him credit for the 20*l.* at the bottom.

25,767. Then you have not got the balance still?—No.

25,768. But you told Allan the whole of this when you gave up your account to him?—Certainly I would not have stopped it from Andrew Allan, but he promised me previously that he would see I was paid my first bill of Shelley's.

25,769. Allan had?—Yes, and Mr. Lovibond.

ANDREW ALLAN recalled.

A. Allan.

25,770. (*Mr. Price.*) Do you want to explain this, Mr. Allan?—My experience of him was about a month from Bagehot's first election to Vanderbyl's election. At Vanderbyl's first election he brought in a bill of 16*l.*, which had been incurred at Bagehot's election about a month prior. On Vanderbyl's first election I paid Stephen Crocker his beer bill at Bagehot's election, a month prior. That was about 16*l.*, to the best of my recollection. He had 20*l.* of me to go and poll Richards with, which money he never returned, and he never polled Richards. Three or four days after the election I found his name in Smith's list as having received 10*l.* the same day.

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Stephen Crocker recalled.

S. Crocker.

(*The witness.*) The 10*l.* I received from John Smith was to pay a man named Tooze, who kept the "Fleur de lis."

25,771. You never told us that?—I was going to tell you that I deny that Allan gave me the 16*l.*; I never had money in my life, barring the 20*l.*

Andrew Allan recalled.

A. Allan.

25,772. (*Mr. Coleridge.*) Did he ever give you a receipt for it when you paid him the 16*l.*?—He gave me a bill, and I gave that into the hands of Mr. Lovibond, and I was paid.

Stephen Crocker recalled.

S. Crocker.

(*The witness.*) No doubt Mr. Lovibond has it if it was paid in. I never received a farthing from Allan, barring the 20*l.*

(*Mr. Price.*) Mr. Lovibond has given up all the papers which he has, so we shall see whether it is here.

25,773. Now about this 10*l.* from Mr. Smith?—10*l.* I gave a man named Tooze, I do not know his christian name, he keeps the "Fleur de lis;" I gave him that for him not to vote. He voted at Patton's election. I saw him at Vanderbyl's first election, and he would not go to poll for Vanderbyl, and I gave him 10*l.* to go away and not vote.

25,774. How is it Mr. Smith returned your name to Allan as the man who had received 10*l.* in respect of his own vote?—That would be the 10*l.*

25,775. How did you account for that if Smith knew that you were going to give it to Tooze?—I do not know.

25,776. (*Mr. Coleridge.*) Did Tooze ever have the money?—Oh, yes.

25,777. (*Mr. Price.*) Is that all you have to tell us?—That is all.

25,778. (*Mr. Anstey.*) What are you to Captain Crocker?—Brother.

Mr. William Thomas Holland sworn.

Mr. W. T. Holland.

25,779. (*Mr. Price.*) What are you?—A merchant in the firm of Browne and Co.

25,780. And did you vote at the last election?—I did.

25,781. Who for?—The Liberal side.

25,782. Were you concerned in bribing at all?—None at all.

25,783. Either as receiver, payer, or promiser?—Not at all.

25,784. Or in offering bribes?—No.

25,785. Or in any way influencing?—Or in any way influencing the men.

25,786. Did you canvass them?—I did not canvass them, I refused to canvass them; I refused to go with the candidates when they came, and the only thing that I regret in my conduct is that I did not refuse any of the candidates coming to our yards. I gave permission to the lawyers on the Liberal side, and I immediately sent to the yards that Mr. Westropp and Mr. Gray were to be received with civility in the yards; but I would not have done that, only I had given permission to the other candidates. I am a signer of that famous petition, one of the 80.

25,787. Did you take a part in Vanderbyl's election in 1866 in offering bribes or bribing?—No, none whatever.

25,788. Did you at Patton's election?—No, I had no vote and purposely kept away.

25,789. You signed the petition?—I signed a petition when Mr. Westropp was unseated, for further inquiry. I came to this town in 1859, and of course had heard of the reports during six years residence here of the bribery and corruption which went on extensively at every election. When Sir John Shelley came here I became more interested and did all I could to secure his return. I went about with him, and when he assured us that he had plenty of evidence before him to turn out Mr. Westropp, and further than that to purify the borough, if we would back him in it, I became a subscriber to the fund which paid part of the expenses to turn out Mr. Westropp.

25,790. (*Mr. Coleridge.*) That club?—Yes; when Mr. Westropp was unseated, and when we were told that a writ would be probably issued, a good many of us who signed that petition got very indignant at it. We did not subscribe our money to unseat Mr. Westropp.

25,791. You hoped that further action would be taken in the House of Commons?—Yes, and signed it for that and for no other reason.

(*Mr. Price.*) You signed as one of the petitioners, and have given a very creditable account of why you signed it.

James Alfred Bounsall sworn.

J. A. Bounsall.

25,792. (*Mr. Anstey.*) You are an Independent minister, I think?—No, that is my father. I am a cashier in the employ of Brown & Co. at present.

25,793. (*Mr. Price.*) Were you a signer of the petition?—Yes.

25,794. And it is for that reason that you are asked to come here?—I really do not know.

25,795. Have you anything to do with any of the elections which you have been concerned in, either in the way of bribing or offering bribes?—I have not, no case.

25,796. Nor used the influence of your firm in controlling voters?—No, certainly not; no influence.

25,797. Nothing of the kind?—Nothing of the kind.

25,798. Did you sign the petition?—I did at the time.

25,799. Under the same impression as Mr. Holland?—Quite the same impression.

25,800. With a view to have this inquiry started, with a view of investigating?—Yes.

25,801. Not merely to stop the writ?—Certainly not.

John Turner sworn.

J. Turner

25,802. (*Mr. Price.*) What are you?—I am a brickyard labourer.

25,803. Where do you work?—At Mr. Major's.

25,804. Have you a vote?—I have.

25,805. Did you vote at the last election?—I did.

25,806. For whom?—Vanderbyl.

25,807. Did you get anything for it?—No.

25,808. What time of the day did you vote, 9 or just before, were you offered anything?—No.

25,809. (*Mr. Coleridge.*) Did you get anything after the election?—No, not a farthing.

25,810. (*Mr. Price.*) You never made any claim?—I never made any claim.

25,811. Did you vote before at Vanderbyl's?—No, I never voted before.

JAMES PARTRIDGE sworn. *J. Partridge.*

25,812. (*Mr. Price.*) What are you?—A chemist and druggist.

25,813. Do you know anything about the last election?—No; I signed the petition.

25,814. Did you sign the petition for the same reason which has been given?—Certainly I did.

25,815. That there should be an inquiry?—Yes.

25,816. Not for the suspension of the writ merely?—No, certainly not.

25,817. (*Mr. Coleridge.*) Have you had anything to do with bribing anybody?—No, never.

25,818. At any election?—At Bagehot's election I received a list from the legal agents which contained the names of five or six persons with whom I might try my influence to bring them to the poll. I called upon some of them, and I saw very plainly that they wanted money, and I broke the thing up and went home.

25,819. You did not promise any of them anything?—No, certainly not.

25,820. Did you poll any?—Not one.

25,821. You had nothing to do with bribery at any election?—Not any election.

JAMES STUDLEY sworn. *J. Studley.*

25,822. (*Mr. Price.*) What are you?—A tailor.

25,823. Whom do you work for?—Mr. Gold.

25,824. For whom did you vote at the last election? Kinglake and Vanderbyl.

25,825. Did you get anything for it?—I did not.

25,826. Did you get anything for it?—I did not.

25,827. Were you promised anything?—No.

25,828. (*Mr. Coleridge.*) Did you get anything the election before? Did you promise anybody else?—I did not.

25,829. Had you anything to do with it?—No; I was aware that bribery was going on. I happened to be at the "New Inn," and saw the men going up and down stairs.

25,830. There is another man of your name?—No, not another in the town of the same name.

25,831. (*Mr. Anstey.*) Were you one of the voters in 1865?—No.

25,832. Any of your family at that time?—No, not in Bridgewater.

25,833. (*Mr. Price.*) Did you see money going at the "New Inn"?—I did not see the money, but I was almost sure.

25,834. Did you see the Buttles there?—I did.

25,835. Going in one by one?—Yes.

(*Allan.*) Studley was one of the agents.

(*The witness.*) I stood at the bottom of the stairs in no way employed with it.

25,836-7. (*Mr. Coleridge.*) Did you see the estimable Buttles going up?—Yes.

25,838. Did you pass that one not a voter?—He went upstairs and came back again, and says, "I cannot see anybody." I thought that strange, so many going up and down, and I went up and saw Allan, and young Buttle went in.

25,839. Did you not know that he was not a voter?—I did not. I suppose I could have had it as well as the rest if I had liked, but I did not.

RICHARD TOOZE sworn. *R. Tooze.*

25,840. (*Mr. Price.*) What are you?—An innkeeper.

25,841. What inn do you keep?—The "Fleur-de-lis."

25,842. Did you vote at the last election?—Yes.

25,843. Did you get any money at the last election?—No.

25,844. Did you get any in 1866?—Not at the election.

25,845. After the election?—After the election.

25,846. Yes; Vanderbyl's election?—Some time after.

25,847. What did you get?—Five sovereigns and a 10*l.* note.

25,848. Who from?—Crocker.

25,849. Which?—Down near the quay.

25,850. (*Mr. Coleridge.*) Stephen Crocker?—Yes.

25,851. (*Mr. Price.*) He gave you 10*l.* and 5*l.*?—Yes.

25,852. You are quite sure about that?—Yes.

25,853. How long after the election?—I cannot say; a long time.

25,854. Did he tell you it was for your vote?—No, he did not.

25,855. What did he tell you? He did not say, "Here is 10*l.* and 5*l.*," and say nothing more about it?—No, he did not.

25,856. Then what was it? Tell us about it?—I do not recollect.

25,857. You must. You do not get 15*l.* paid you for nothing?—I never asked anybody for a farthing's-worth at any election.

25,858. What did you imagine you got the 15*l.* for?—I do not know what it was for.

25,859-60. Did not you know it was for your vote? Did not he tell you so?—I did not vote at that election.

25,861. Did he not tell you it was for not having voted? Did not he try to prevent your voting, and say you would get something for it?—He did not try to prevent.

25,862. Had you not voted at Patton's election before?—I had.

25,863. Had not Crocker asked you to vote for Vanderbyl?—He was speaking of Vanderbyl.

25,864. And did not you refuse, and did he not say, "I will get you money if you will not vote at all"?—I did not wish to have anything to say about elections.

25,865. Did he not say he would get you money if you would not vote at all?—Well, I think it was mentioned.

25,866. (*Mr. Price.*) Take care if you do not answer the questions.

25,867. (*Mr. Coleridge.*) If you go on lying in that way,——It is no lie.

25,868. What did he say about voting? Had you declined to vote for Vanderbyl?—I do not know what he did say.

25,869. Let us know what the effect of it was. I do not care about the words?—I said, I did not wish to vote.

25,870. You said, you did not wish to vote for Vanderbyl, but you voted for Patton before?—Yes.

25,871. Then why did you not wish to vote for Vanderbyl?—I did not wish to have anything to say.

25,872. What had you got the time before from Patton?—I am a person who does not understand election affairs.

25,873. What did you get from Patton the election before?—10*l.*

25,874. Now what was it that Crocker said to you about voting for Vanderbyl; he knowing you had voted for Patton before?—He was speaking to me about the election, but I cannot say what his words were.

25,875. Who did you get that 10*l.* from, when you voted for Patton?—Mr. Newton.

(*Temblett.*) That is wrong; I paid the man.

25,876. Where does he live?—At Budleigh. He did not say it was for voting.

TWENTY-FOURTH DAY.

R. Tooze.

20 Sept. 1869.

25,877. You knew it was for voting. You do not get 10*l.* for doing nothing.

25,878. (*Mr. Price.*) Will you swear it was not Temblett who gave you the 10*l.*? Is that gentleman (*pointing to Temblett*) the person who gave you the 10*l.*?—Well, he gave me 10*l.*

25,879. (*Mr. Coleridge.*) Did you get 10*l.* from Newton besides?—Newton besides?

25,880. Yes; you have just sworn that you got 10*l.* from Newton. Did you or not get 10*l.* from Newton?—I did.

25,881. Did you also get 10*l.* from Temblett?—Not at any election.

25,882. Shortly after Patton's election?—Before any election came off.

25,883. When was it you got 10*l.* from Temblett?—I do not know.

25,884. Now come! On your oath, when was it that you got that 10*l.* from Temblett?—I do not know.

25,885. Was it between Patton and Vanderbyl's elections?—I do not know. Temblett knows, I daresay.

25,886. Will you swear it was not?—I will not swear at all about that. That gentleman must explain that himself.

25,887. When was it you got the 10*l.* from Newton?—(*No answer.*)

(*Mr. Price.*) You appear to have been drinking this afternoon, and have drunk yourself into a state in which you are not able to answer questions, and if you do not take care what you are about you will be sent to sober yourself in the gaol to-night. Now, answer the questions.

(*Mr. Coleridge.*) When was it you received that 10*l.* from Newton?—(*No answer.*)

25,888. (*Mr. Price.*) If you do not answer these questions, most undoubtedly we will commit you to prison for the night?—It was at Patton's election.

25,889. (*Mr. Coleridge.*) Was it before or after the election?—At the election. On the election day, I believe.

25,890. And before you polled?—I believe so.

25,891. And for your vote?—Yes.

25,892. How long after that did you get another 10*l.* from Temblett?—I do not know.

25,893. Was it between that and Mr. Vanderbyl's election that you received the 10*l.* from Temblett?—No.

25,894. When was it?—It must be between the first election and that before Patton's election came off.

25,895. Before Patton's?—I should think so.

25,896. Did you vote in 1865; Westropp, Kinglake, and Shelley's election?—Yes.

25,897. How did you vote?—For Kinglake and also for Westropp.

25,898. What did you get for voting for Westropp?—Nothing, unless Mr. Temblett——

25,899. Then you got 10*l.* from Temblett?—Yes.

25,900. You got 10*l.* from Temblett after that election, and 10*l.* in 1866, and you in 1866 also got 15*l.* from Crocker?—15*l.* from Crocker?

25,901. You have sworn so?—I beg your pardon, gentlemen.

25,902. (*Mr. Price.*) You told us five sovereigns and a 10*l.* note?—I beg your pardon, gentlemen.

You have sworn it here. The fact is, you will go into custody of the police to the gaol for the night. You come here in a state of intoxication, and contradict yourself four or five times over.

Police-Supt. Lear.

Police Superintendent Lear was called into the box.

25,903. (*Mr. Price.*) Do you know anything of this man, Tooze?—I know him very well.

25,904. Is he stupid?—He is rather stupid in his way, and always was. He is a very steady going man. I never had a complaint made against him or his house. He is a stupid sort of man. I think he is taken by surprise.

(*Mr. Price.*) Then bring him back.

Richard Tooze was brought in.

(*Mr. Price.*) Now attend. Having made inquiry about you, it may be stupidity more than anything else, and as you were not summoned here to-day, and may not be prepared, we shall not send you to prison now, but allow you to go home. Now try and keep yourself as free as you can from liquor, and think over the circumstances of the money you have had, and the persons you received it from, and try and give us a clear account. To-morrow you will have it read to you from the shorthand note, so that anything you state will be brought against you.

W. Baker.

William Baker sworn.

25,905. (*Mr. Price.*) What are you?—A cord-wainer.

25,906. Who do you work for?—My father.

25,907. (*Mr. Anstey.*) You had a conversation, I believe, at the last election, with John Vearncombe?—No.

25,908. Did Vearncombe ever state in your presence that you had received a bribe of 7*l.* from Alway?—No, he did not.

Adjourned to to-morrow at 11 o'clock.

TWENTY-FIFTH DAY.

Tuesday, 21st September 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
HENRY FRANCIS PURCELL, Esq., Secretary.

Dr. HENRY BROOK sworn.

25,909. (*Mr. Price.*) We understand you are a surgeon practising here?—I am.

25,910. The man Tooze gave such confused answers that we were under the impression he had been drinking. What do you say?—That he is mentally weak at all times, and having to come before this Commission has made him a great deal worse. He is really not in a position to give an answer to any question.

25,911. Has he had any accident?—He had an accident some time ago, and suffers a great deal sometimes in his head.

25,912. What was the nature of the accident?—His head was cut open, and there is insanity in the family. I am afraid of his condition if you have him before you again.

25,913. (*Mr. Price.*) That is quite sufficient. We do not wish him to run any risk of that kind on any account whatever.

GEORGE ROSSITER sworn.

25,914. What are you?—A silversmith.

25,915. Do you carry on business in this town?—I am not in business now.

25,916. Were you at the last election?—Yes.

25,917. Had you anything to do at the last election in anyway?—Nothing whatever, more than voting.

25,918. You did vote?—I did vote.

25,919. For the Liberals?—I always voted for the Liberals.

25,920. Did you interfere in anyway in the election?—No, not in any election transactions or private affairs, not any more than attending public meetings to hear what was going on, but latterly I have not had anything to do with it.

25,921. You have not interfered in anyway in bribing?—No.

25,922. Or in paying or receiving bribes?—No.

25,923. I believe you were summoned because you signed the petition?—I signed the petition, I am happy to say.

25,924. Some gentlemen have given one account, and others another; what was your reason for signing it?—My reason is that I believe the prayer of that petition true, and it is high time that the borough should be purified, if possible.

25,925. That really the whole effect should be given to your petition, the writ suspended, and then a Commission of inquiry appointed?—Certainly my object was not to suspend the writ.

25,926. But that there should be such a Commission as is now sitting?—Yes, I have seen the necessity of it for years.

25,927. (*Mr. Anstey.*) You have had nothing to do with corrupt practices at any time?—No.

25,928. Have you any facts to state in support of this petition that we have not got already?—No; I had my own observation, and what I heard from those mixed up in the matter, the agents. My authority for my opinion would be Mr. Benjamin Lovibond. I have occasionally heard from him how matters were conducted, but I know nothing of it.

Mrs. MARY ANN TOOZE sworn.

25,929. (*Mr. Price.*) We are not going to examine your husband, because we are satisfied the display yesterday was not from any disinclination to answer, but really an inability; therefore, that he may not run any risk about injuring his health, perhaps you can give us the information we want?—Yes, all that I can.

25,930. What are the different sums of money he received at different elections?—Two 10*l.*

25,931. What election?—In 1865 he voted for Shelley and Westropp, when I know nothing of any money he had; if he had I am sure I should have known it; and the next was Patton's and Bagehot's in 1866. At that election he had 10*l.*

25,932. Who did he vote for?—Patton only.

25,933. Who did he get the money from?—I could not say. I did not see any one give it to him. I believe it was from Temblett. I always understood it was so. I do not think he gave it to him at the election, but, I believe, just before the next election. This was in June; and in July, a few days before the next election, was the time he had the 10*l.* given to him.

25,934. Then Mr. Vanderbyl came, and how did he vote then?—For Patton only.

25,935. (*Mr. Coleridge.*) The second time?—The second time.

25,936. And had another 10*l.*?—No, he had not. He had 10*l.* Crocker gave him. He went away for the day, I know. He was not in a state to be in the town, and I wished him very much to go away, and he went away just before eight by the train, and came back at half past four, and I heard nothing of any money until, several days after, he brought me 10*l.* I says to him, "Where did you get it from?" He says, "Crocker gave it to me for going away, because I should not vote against him."

25,937. Then he did not vote?—He did not vote at the last election of all; in 1868 he voted, but had no money at all.

25,938. Who did he vote for?—Westropp only; the only money I can account for are two 10*l.* I could not swear who gave it.

25,939. One 10*l.* for voting in 1865 for Westropp, and for voting one and one in 1866 he had one 10*l.*?—Yes.

25,940. And then another 10*l.* to stay away at the second election in 1866?—Yes.

25,941. Then he had no 15*l.*?—No; that is a mistake of his own. He cannot understand that he had ever had 15*l.*; that is a mistake, and everyone knew it was a mistake. There was something said about 5*l.* that Heal sent to him for going away to Weston-super-Mare, not to vote against him; that is

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Mrs. M. A. Tooze.

quite wrong. He does not know Heal. We had the man whom he said gave it to him at Ham Ward, and he said he never gave him the money.

25,942. (*Mr. Coleridge,*) Yesterday he said he had 15*l.*?—It is quite wrong; he did not know what money he had. It was done up in 5*l.* packets of sovereigns.

25,943. He is absolutely incapable of recollecting?—Yes, he did not know. What money he got he gave me, and he says, "If I am called on I do not know what money I gave you." And I put it away, and he did not know what money he had. That money was quite wrong that they said they gave him at Ham Ward.

Mr. Henry Lovibond presented himself.

Mr. H. Lovibond.

(*Mr. Lovibond.*) I wish to make an application with reference to my examination here the other day. The Court will doubtless recollect that I did not answer certain questions which the Court put to me, for I was unable to do so, in reference to a meeting at which Mr. Fennelly was present and Mr. Barham. The Court was under the impression that I was present at that meeting, and was able to give some answers, but the fact turned out from Mr. Barham's evidence that I was not at that meeting, and at the time I answered the Court I thought it was referring to another meeting, and the consequence was I was confused in my evidence; but as soon as Mr. Barham gave his evidence, within five minutes afterwards, my memory was refreshed, and I could then perfectly recollect the order in which the meetings were held. No doubt, one reason for my being confused was this; the Court put interrogatories to me instead of allowing me to tell my own tale, as the other professional men did.

(*Mr. Price.*) We were quite willing to have done that. The fact is, we gave you at first an intimation that that was what we hoped and expected. We did not expect to be obliged to drag the truth from professional men by question and answer; therefore, you had a full opportunity of stating it in that way.

(*Mr. Lovibond.*) I did not understand the Court to say that. In fact the Court put some interrogatories to Mr. Barham, and he begged the Court to tell his own tale.

(*Mr. Anstey.*) We expressly told you you were at liberty to make your own statement; and the questions put to you, particularly those which I put, were actually wrung from me by the manner in which you made your statement; and the questions you referred to, which had reference to what took place at a certain meeting, were not the only questions I put which I do not consider to have been answered. I may say that nearly every material question I put to you, whether referring to meetings or not referring to meetings, has been unanswered within the meaning of the Act; therefore we warned you that any statement you made would be made at your own peril.

(*Mr. Lovibond.*) If the Court will allow me, I am quite prepared to make a statement.

(*Mr. Price.*) You wish now to be allowed to make a statement.

(*Mr. Lovibond.*) I do.

(*Mr. Price.*) Which you will wish of course to be considered as your evidence.

(*Mr. Lovibond.*) Just so.

(*Mr. Price.*) As evidence taken upon oath.

(*Mr. Lovibond.*) Immediately after the last meeting I communicated the fact to your secretary that my recollection was refreshed, and I was then able to answer the questions which the Commissioners put to me, and then your secretary promised to communicate that fact to you on the following morning; and I heard from him that you were then considering whether you would call me or not. On Wednesday last I again applied to your secretary to know if you had come to a decision, and he gave me the same answer, that you were either considering or had not made up your minds. Upon that I thought the best course would be, having made a mistake, to come to the Court as soon as possible, to rectify that mistake. Now I have come here to make this application in open Court.

(*Mr. Price.*) We will retire.

[The Commissioners retired to consider; on returning:—]

(*Mr. Price.*) Of course we thought it our duty again to consider the position in which you stand with regard to your evidence before the Commission, and we have not come to any different conclusion from that which we arrived at at an earlier period. It is my duty, therefore, to tell you, that you may if you like, as we said before, make a statement now, or at any other time you think proper if you are not prepared now. You shall be at perfect liberty to make that statement, but we shall reserve to ourselves the right of distinguishing that statement which is now made by you, as something differing from evidence within the meaning of the Act of Parliament. You will be aware, no doubt, you must be, that to entitle a witness to a certificate the witness must have answered the questions to the satisfaction of all the Commissioners; and that he must have answered them in a way which satisfies the Commissioners that he is willing to tell the whole truth, and that it has not been wrung from him bit by bit. Under these circumstances, therefore, we have no desire to shut you out from making a statement, and you being a lawyer will no doubt have a perfect right, as any witness would, and a better knowledge of how to exercise that right, to make use of whatever privilege that will entitle you to at the conclusion of these proceedings. We shall also have the fullest right, and reserve to ourselves the right, of considering, as I have said before, whether that statement of yours shall be looked upon by us in the light of evidence, so as to bring you within the protection of the Act of Parliament. Under these circumstances, you may make your statement now if you please, or take further time to consider it and reflect on your further evidence; do just as you please about that; we leave it entirely to you; whichever is for your convenience.

(*Mr. Lovibond.*) I am obliged to you, and will take a little time, if it will not inconvenience the Court; perhaps either to-morrow or the next day.

(*Mr. Price.*) At any time before we leave this town you will have the opportunity of stating what you wish to say.

(*Mr. Anstey.*) You will understand that it is entirely with you whether you make a statement or not. If you do, it will be subject to what has been said.

T. Duddridge.

Thomas Duddridge sworn.

25,943 *a*. (*Mr. Price.*) What are you?—Superintendent of part of Brown and Company's works.

25,944. You have been here before?—Yes; but I have been told by my son when he came home yesterday that Crocker had been trying to get me into disgrace, and I thought I would come here.

25,945. Are you the one?—He said Thomas Duddridge.

25,946. He stated that a Duddridge, I do not know what the christian name was, paid two sums of 5*l.* for treating at two public houses during the last election?—The last election?

25,947. Yes?—No, never in my life; no election.

25,948. Then it must be another Duddridge, and the difficulty arises which?

25,949. (*Mr. Price.*) How many are there?—I do not know; there are several of the same name; but I thought I would not give you gentlemen the trouble

to send for me, and when I heard my name was at the door I thought I would come here.

25,950. (*Mr. Anstey.*) That was not only asked, but I asked him again to make it clear, and he said two sums, one at one public-house, and another at another; not only the house he keeps and frequents, but another one, and they were paid by Duddridge, which may have been you or some one else?—I never paid the man a farthing in my life.

25,951. Not at any election?—Not at any election at all.

25,952. (*Mr. Coleridge.*) Were you ever paid anything?—No. May I be allowed to ask the election, because there are some elections I have been out of the town.

25,953. (*Mr. Price.*) I will read you what he said, that there may be no mistake about it. "At "Mr. Bagehot's election I was keeping the 'Lamb' "and the 'King's Arms.' I got an order for 5*l.* at "each house, and was to charge my own personal "expenses, which I charged at 2*l.*, that would be "12*l.* On the following election of Mr. Vanderbyl "I received an order. *Q.* What were your personal "expenses?—*A.* What I spent out of my pocket "in treating other people. *Q.* But you had your "own beer shop, and did not pay for it?—*A.* But "I was not at home all the time. *Q.* You went "about treating at other places?—*A.* Yes. If I fell "in with a voter anywhere I took him in to treat "him. On Mr. Vanderbyl's election I charged 10*l.* "again. I received the order on that occasion from "Thomas Duddridge, in Brown and Company's em-"ploy, 5*l.* for the 'Lamb,' and 5*l.* for the 'King's "Arms,' and I was told then to charge my own "personal expenses, and I charged half a guinea, "having to go to Highbridge and Burnham?"—It is an untruth. I never gave the man an order in my life.

25,954. It must be you?—If there is no other Thomas Duddridge it must mean me.

25,955. Then Mr. Anstey puts the question, "Did "Duddridge authorize all those expenses?—*A.* Dud-"dridge authorized all those expenses, to let go 5*l.* "at the 'Lamb,' and 5*l.* at the 'King's Arms;' and "on that occasion Allan let me have 20*l.* at the "same election, and he asked me for it the next day, "and I told him I had not it in my pocket," and so on?—He never saw me till about a twelvemonth after. I was walking on the Quay, where I go to my work every day, and he said, "I want to speak to "you; how about that drink?" "What drink?" I said to him, "What do you mean? The drink you "ordered." I said, "I never ordered no drink of "you, or anybody else." He says, "I must look to "some one to pay it, and I thought I would to you." And I said, "I never ordered a glass of drink for no "man—no voter."

25,956. There it stands. Did anybody allow him this 10*l.*, or has he ever been paid it? He was to let go 5*l.*, he says, and then he says he got 20*l.* from you? "I told him I had not it in my pocket, but if he "came to my house the following Sunday he should "have it; but in the meantime I went to Reed and "Cook, and told him I had this 20*l.*, and their advice "to me was to keep it."

ANDREW ALLAN recalled. *A. Allan.*

25,957. (*Mr. Coleridge.*) This bill put in is not receipted?—Crocker had a bill for 40*l.* charged for beer at Shelley and Kinglake's election. He also had, I think it was about a 16*l.* beer bill and expenses at Bagehot's election, and after Bagehot's election and before Vanderbyl's election I paid him that bill.

25,958. (*Mr. Price.*) Then you state you found him put down in Smith's account for 10*l.*; he accounts for that by saying it was for that man Tooze?—Yes; he had from me 20*l.* to poll John Richards, and he wanted the balance of 20*l.* more.

THOMAS DUDDRIDGE recalled. *T. Duddridge.*

25,959. (*Mr. Price.*) You are clear about this. It is due to you that it should be cleared up?—Yes, I should like it cleared up.

(*Mr. Lovibond.*) It is quite right for me to say that Crocker had 20*l.* to pay a man, which I paid Allan. Allan says it was a gross swindle, and it never was paid. That may account for the evidence given yesterday.

25,960. (*Mr. Price.*) I think we must have Mr. Reed here, to know whether he is the person who advised him about it. It appears that he has had a great deal more than the bill, which is only 18*l.* 2*s.* 8*d.*?—He admitted, in his evidence yesterday, having 10*l.* from Smith. Smith charged me 10*l.* in his list for him, and he had 20*l.* to poll John Richards with, which he kept.

(*Mr. Price.*) His bill is 18*l.* 2*s.* 8*d.* It is not at all like what he said, to let go 5*l.* at the "Lamb."

(*Mr. Anstey.*) It was originally, I see, 19*l.* 14*s.* 10*d.*; then an item is obliterated, and it reduces it to 18*l.* 2*s.* 8*d.*

(*Mr. Price.*) And it is all incurred in one day.

25,961. Did you ever tell him to entertain the bands, or anything of that kind?—No. To the best of my knowledge I was never in his house at an election; and one house, the King's Arms, I was never in it, unless I went to call for a captain of a vessel, and it is very seldom.

25,962. Had you any authority from anyone to give drink away?—Not the least.

(*Bussell.*) I recollect something about this drinking account, and I do not think Crocker is right, for this very reason, that there was a sum fixed for a certain number of men holding up their hands, and it was 15*l.*; and my impression is that it was divided between some eight or nine houses, so that it was impossible for one man to have 10*l.*

(*Mr. Coleridge.*) You mean paid to get the show of hands?

(*Bussell.*) Yes.

(*Mr. Price.*) You say you knew that he had a bill over due at Shelley's election?

(*Allan.*) That is the bill he had the 20*l.* for.

(*Mr. Price.*) That is not the way he accounted to us yesterday. The reason he kept the 20*l.* was, that he was ordered by Duddridge to let go 5*l.* at the "Lamb" and 5*l.* at the other place. It was 20*l.* altogether, and he had a bill from you owing at Shelley's election, and therefore he kept the 20*l.*

STEPHEN CROCKER recalled. *S. Crocker.*

25,963. (*Mr. Price.*) Take this bill in your hand, and tell us what is scratched out?—I have a copy of that bill (*handing it in*).

25,964. When was it erased?—It was erased by Mr. James Cook.

25,965. When?—Just after I gave him the bill. He said he considered that to be a debt of his own, and he should pay me that himself; but the other portion was to be considered as owing by Shelley and Kinglake's election.

25,966. (*Mr. Anstey.*) For the Foresters' meeting?—Yes.

25,967. (*Mr. Price.*) This is a bill incurred at Shelley's election?—Yes.

25,968. You told us yesterday that at Vanderbyl's first election you were ordered by Thomas Duddridge,

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S. Crocker.

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in Brown and Company's employ, to let go 5*l.* at the "Lamb," and 5*l.* at the "King's Arms"?—Yes.

25,969. And that you did say?—Yes.

25,970. And that having 20*l.* from Allan?—You will understand there was 10*l.* as well at Bagehot's election.

25,971. 10*l.* as well?—10*l.* worth of drink at Bagehot's election; 5*l.* at the Lamb and 5*l.* at the "King's Arms."

25,972. That is 20*l.* at Bagehot's and Vanderbyl's, and 18*l.* 2*s.* 8*d.* for Shelley?—Yes.

25,973. So that you made out you were out of pocket 39*l.*?—Then I was told to charge my own personal expenses, which I charged 2*l.* at each election and 10*s.* 6*d.* on one occasion at Bagehot's election, for going from Highbridge to Burnham.

25,974. Thomas Duddridge denies, positively, that he ever gave you such an order?—Probably he will; he has denied it before to me.

25,975. Have you anything to corroborate your statement?—Well, I believe I have.

25,976. What?—I believe I have a person who was living with me at the time, who can corroborate what I have said to be the truth.

25,977. Who is the person?—(*Speaking to a person in court*) Hodge, will you kindly ask the person who lives at your house, Miss Silke?

25,978. Have you been talking to this man about it?—No; never in my life.

25,979. There is Duddridge; do you mean in his presence to say——?—Most distinctly. He came to the "Lamb." I was keeping two houses at the time. I was at the "King's Arms." He came to the "Lamb" and gave an order there for 5*l.*

25,980. (*Mr. Coleridge.*) How do you know?—Simply because I would not let it go until I had seen Duddridge.

25,981. How do you know?—Simply because I had some one who was there.

25,982. You were only told that?—I went to see Duddridge afterwards, and had the order from him.

25,983. (*Mr. Anstey.*) There are two houses; at which house did you personally receive the orders?—I received the orders for both. I told the party not to let go any drink until I had been and seen Duddridge myself. I went to see Duddridge.

25,984. When?—The same morning, 10 minutes after.

25,985. Which house, then, did yon get it for?—Both houses, to let go 5*l.* for the "Lamb." I said, "I "am living at the 'King's Arms' as well." He said, "You must let go 5*l.* there;" and on another occasion he said, "5*l.* in the neighbourhood, 5*l.* at the "'Lamb,' 5*l.* at the 'Market Inn,' 5*l.* at the Mansion "House," and I believe he said "5*l.* at the 'Duke of "Wellington.'"

25,986. (*Mr. Anstey.*) Let me see whether the figures are right according to this bill, 18*l.* 2*s.* 8*d.* at Shelley's election, besides the sum which Mr. Cook took to himself. Then you say, to-day, there were two further sums of 10*l.* each at Bagehot's and Vanderbyl's election. Then, in addition to that, I understand there were two sums of 5*l.* which Duddridge gave the order for?—No; 5*l.* would be that.

25,987. (*Mr. Price.*) Then there are your own expenses?—4*l.* 10*s.* 6*d.*

25,988. Therefore you make out as owing to you altogether 40*l.*?—Above 40*l.*

25,989. (*Mr. Coleridge.*) How much is there really owing?—It would have been 19*l.* 4*s.* 10*d.*

25,990. Were these items put down, gin and water 6*d.*, or is it a lumping together of what you thought they ought to have drunk?—No; it was had.

25,991. Actually had?—Yes; there were a lot of brickyard men sent to my house at the "Lamb." We had a large room there, and a great number brought their wives and children. I had my windows smashed in by the children.

25,992. How often did you draw 20*l.* worth of drink in one day?—Not very often.

25,993. Did you ever at any time but at an election?—No, not 20*l.* I did on one occasion, 15*l.* odd.

25,994. (*Mr. Price.*) You had better have your witness, and let us hear what she has to say. Did you make out a bill for the whole of it?—Yes, I gave it to Allan, and the receipt for his 20*l.*

25,995. (*Mr. Coleridge.*) With all the items?—No; not with the items.

25,996. Then he could not tell us whether it was a true bill or not which you sent him?—Certainly not.

25,997. (*Mr. Anstey.*) How was Allan, or the attorney who employed him, to know that some of the men you put down had not paid themselves for their grog and beer with which they were supposed to be treated?—It is not a very frequent occurrence for people to pay for beer or grog on election occasions.

25,998. Had they any means of checking it, because you do not put down their names as if there was a score?—No.

25,999. It depends entirely on the fancy of the person who is serving at the bar at the moment?—Most decidedly. They are put on a slate, and reckoned up, and so soon as there was 5*l.* worth it was put on a book as being let go.

26,000. (*Mr. Coleridge.*) I suppose the 5*l.* very soon came?—It would very soon go.

A. Allan.

ANDREW ALLAN recalled.

26,001. (*Mr. Price.*) Did he render any such bill as Shelley's to you?—I had nothing to do with Shelley's election.

26,002. But did he render any bill like this of Shelley's with respect to Vanderbyl's election of the matters he speaks of?—Yes; and that is the bill, 20*l.*, leaving a balance of 20*l.* still further due, which I passed to Mr. Lovibond.

26,003. Did he claim the balance of 20*l.*?—Yes.

26,004. Did he tell you that Thomas Duddridge had given him the order?—I do not remember his saying so at all; if so, he might have done it without referring to me. He never said anything to me about it.

S. Crocker.

STEPHEN CROCKER recalled.

26,005. (*Mr. Price.*) How long after the election did you first claim it of Duddridge?—I do not know. It might be a month or two that I spoke to Duddridge.

26,006. Did Duddridge repudiate all knowledge?—Yes.

26,007. (*Mr. Anstey.*) Duddridge says a year?—Did he say so?

Duddridge.—Yes.

The witness.—No; two or three months it might be; but I have spoken to Duddridge many times about this, and threatened to put him in the county court, but I have always considered I could not claim on account of its being an electioneering affair.

A. Allan.

ANDREW ALLAN recalled.

26,008. (*Mr. Anstey.*) Do you know whether he mentioned Duddridge or not; must he have mentioned some one as giving the order?—No; not necessarily.

26,009. Do you mean it is part of this profligate system of expenditure to allow any charge which anybody calling himself a publican on the Liberal side thinks fit to advance?—I did not pay any bills

on my own responsibility, but always took it to the solicitors. I never gave an order myself.

26,010. How do you distinguish between utterly unfounded demands and the demands which, although illegal and wicked, are not unfounded in fact?—I had nothing to do with that.

26,011. (*Mr. Price.*) You left that to Mr. Lovibond?—Yes.

26,012. As I understand the thing, you happened to be mixed up in this transaction simply because you called on Crocker to account for that 20*l.*?—Exactly; and instead of that he gave me a receipt.

26,013. He produces this bill of his, and tells you he has been advised to keep the 20*l.*, and intends so to do?—That is it exactly.

STEPHEN CROCKER recalled. *S. Crocker.*

26,014. (*Mr. Price.*) Who is your witness?—Miss Silke. She lives at Mr. Hodge's on the Cornhill.

THOMAS DUDDRIDGE recalled. *T. Duddridge.*

26,015. (*Mr. Price.*) Do you want to say anything more about this?—I say it is an untruth. I never gave Crocker an order.

26,016. Do not let us fence about words. Did you leave an order at either of the public houses that 5*l.* was to be spent?—No, never in my life. I think what Bussell or Allan said just now rather refreshed my mind. Something was said about the nomination day, I believe, in 1866. At Vanderbyl's election, John Smith said he had 15*l.* to separate between the houses, and after the show of hands the men were to go, and no doubt they did go; but I never gave an order or knew of one to this minute. I should never mix myself up with Crocker in any such thing as that.

26,017. It is not a matter worth your while to take a false oath about?—I would not.

26,018. It is not a matter that any one, I suppose, would take a false oath about, because there is no more in it than a hundred other things which have been proved against men quite as respectable as yourself in position, namely, that there was treating, but it is an extraordinary thing that we cannot get such a matter as that without perjury?—It is not. I was never at his house. I was never in the "King's Arms," to the best of my knowledge, and I believe I can swear it, while he lived in the house, except to look for a captain.

26,019. It resolves itself at last into a question of character, and one is obliged to put questions and ask what the characters of people are to see who is most likely to be telling the truth.

(*The witness.*) Thank you.

STEPHEN CROCKER recalled. *S. Crocker.*

26,020. (*Mr. Anstey.*) What was the name of the person you say received the order first of all from Duddridge?—Miss Silke.

THOMAS DUDDRIDGE recalled. *T. Duddridge.*

26,021. (*Mr. Anstey.*) You heard her name; did you ever give her such an order?—Never in my life.

26,022. (*Mr. Price.*) It will come to this, that we shall be obliged to inquire into what your character is?—Yes.

26,023. Whether you are a truthful man or not?—Yes.

26,024. Because it is a matter not worth while committing perjury about?—Certainly not. I tell you the truth. Duddridge stands there and perjures himself.

26,025. You must not say so.—He does when he says he did not give me the order.

26,026. He says the same thing of you, and we are to judge?—Yes.

26,027. Probably, when Miss Silke comes, she will place the thing in its proper light.

26,028. (*Mr. Coleridge.*) When did you last speak to her about it?—I have not spoken to her for many months. Not above once over a twelvemonth.

Mr. P. O. H. REED recalled. *Mr. P. O. H. Reed.*

26,029. (*Mr. Price.*) The matter we now want to get information about is this information of Crocker's. I rather fancy it is Mr. Cook who knows more about it, but perhaps you can tell us. Crocker says he had two bills against the parties at Vanderbyl's and Bagehot's election, 10*l.* each, for drink, and he also had an outstanding bill at Shelley's election of about 18*l.*; and he says, having received 20*l.* from Allan to bribe with, besides 10*l.* from Smith, which is not of importance, he was called on by Allan after the election to account for that 20*l.*, and he told Allan, as he tells us, that he was advised by Messrs. Reed and Cook's firm to keep the 20*l.* in respect of these bills he had outstanding for drink, and so therefore he did not return it; do you know anything about the matter?—No, not the least. I do not think my name should be mixed up with it. I never had anything to do with accounts.

26,030. He uses the firm's name, but probably it would be Mr. Cook. Who prepared the proofs in the brief that was got up for the Election Inquiry the other day?—They were prepared in our office, and some few were prepared in Mr. Lovibond's.

26,031. Which were prepared in your office; Mr. Vanderbyl's and Mr. Kinglake's proofs?—Mr. Kinglake's proof was prepared at Mr. Lovibond's.

26,032. Therefore you know nothing of that. Was Mr. Vanderbyl's prepared at your office?—No doubt.

26,033. By yourself or Mr. Cook?—By Mr. Cook.

26,034. And taken down from Mr. Vanderbyl's mouth?—I do not know, but I should say so, certainly.

26,035. Because Mr. Vanderbyl would never have gone into the box without having read what he was going to say. Then Mr. Kinglake's you say you knew nothing of?—We made a copy of the proof given us by Mr. Lovibond.

26,036. Then you had it put in your brief?—Yes.

26,037. Copied from Mr. Lovibond's?—Yes.

26,038. Because you had in yours, "Call Alexander William Kinglake." How came you to have the two candidates severed in their defence and appearing by different counsel? How is it you had a proof of Mr. Kinglake's?—We gave Mr. Lovibond all the proofs we took, if he liked to make copies, and Mr. Lovibond gave us proofs of some of those he took.

26,039. Can you identify this as the proof of Mr. Kinglake that came from Mr. Lovibond (*handing a document to the witness*)?—This would be a copy made by one of our clerks from it.

26,040. Did you see the one that came from Mr. Lovibond, and read it over, so as to be able to identify

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whether this is a correct copy?—I certainly read it at the time, and this is a copy; it is made by a clerk named Crocker at our office.

26,041. Then you have no doubt that that is a copy?—Not the slightest.

26,042. (*Mr. Price.*) There will be no harm in your communicating with Mr. Cook about this matter; but as he is on his holiday it is not worth while to bring him back till it ends. If you like to write to him we will take his recollection?—If you will pardon me, I think he would prefer making a statement personally.

W. Duddridge.

WILLIAM DUDDRIDGE sworn.

26,043. (*Mr. Price.*) What are you?—A mariner.

26,044. Were you a voter for Bridgwater at the last election?—Yes.

26,045. For whom did you vote?—Kinglake and Vanderbyl.

26,046. What did you get?—10*l.*

26,047. Who from?—Henry Bussell.

26,048. Is that the first election you have voted?—I had a vote nine years ago. I have not voted for nine years before that.

26,049. When you voted nine years ago who did you vote for?—Tynte and Kinglake.

26,050. Did you get anything then?—No.

26,051. (*Mr. Coleridge.*) Before that, did you vote?—Two elections.

26,052. Did you get anything at either of them?—No.

26,053. (*Mr. Price.*) Were you away at the other elections at sea?—No; I was home.

26,054. Why did not you vote then?—I had no house.

26,055. (*Mr. Anstey.*) What qualification had you last time?—10*l.* 10*s.*

G. Dimond.

GEORGE DIMOND sworn.

26,056. (*Mr Anstey.*) What are you?—A carpenter.

26,057. Did you take an active part in the last election?—Well, I did.

26,058. Did you distribute any money amongst the voters?—No.

26,059. Did you give any orders for treating?—No.

26,060. Did you treat any?—No.

26,061. Did you vote yourself?—I did.

26,062. Did you get anything for your vote?—I did not.

26,063. Nor any promise?—No.

26,064. Have you ever voted before?—No.

26,065. What is your qualification?—7*l.* I think.

26,066. Then you are one of the new voters?—Yes.

26,067. Have you ever taken any part in bribing or treating at any former election?—Never.

26,068. At the last election, were you present at a conversation between Mr. Westropp and Mr. Parker, the gentleman who proposed him?—No; I think there must be a mistake somewhere. I never spoke to Mr. Westropp or Mr. Parker in my life.

26,069. That is not the question. Did you overhear a conversation between Mr. Parker and Mr. Westropp?—No.

26,070. Is there another George Dyment?—I believe there are other Dyments; whether other Georges I do not know.

26,071. Is there another George Dyment?—Yes.

26,072. Your name is Dymond?—Mine is Dimond.

26,073. Do you know George Dyment?—I do not. I fell in with a man of the name of Dyment down at Dunwall last week, the first time I had the privilege of speaking to him, and I found his name was George Dyment.

26,074. Yours is Dymond?—I generally spell it Dimond.

(*Mr. Lovibond.*) I believe there is William Dyment.

(*Mr. Anstey.*) No; I am quoting from Mr. Cook's brief, where it is put down George Dyment.

Mr. G. S. Poole.

MR. GABRIEL STONE POOLE sworn.

26,075. (*Mr. Price.*) You are a solicitor practising in Bridgwater?—I am.

26,076. And have been very many years?—Yes.

26,077. How many years have you been in practice?—35 years.

26,078. Have you mixed up much in politics?—Not much.

26,079. Of late years have you taken any part at all in elections?—I have not taken any part at all of late years, for I have not been a voter for five or six years.

26,080. You live out of the town?—I live out of the town.

26,081. And had no vote?—And had no vote.

26,082. And have taken no part since when?—I have taken no part in the management of the elections at all from first to last.

26,083. I mean in any way being concerned in the contest?—Not since Mansell's election, I think was the last. I seconded his nomination, that was in 1852. I may have voted since that, I think I have voted since.

26,084. When did you cease to have a vote in the town?—About six years ago. I have taken no part whatever.

26,085. You can give no information whatever as to the elections, subsequent to the one you took part in by seconding the nomination of Mr. Mansell?—No.

26,086. At that election of 1852 did you know anything with regard to any bribery that took place at that election?—No, I did not.

26,087. Do you know whether it was an election in which there was bribery or not?—I always assumed that there is bribery at all contested elections; but I do not think there was any money spent by Mr. Mansell, beyond the small sum he paid for professional services.

26,088. I believe Mr. Tynte was a candidate?—There were five candidates: Lord Healey, Mr. Kinglake, Mr Follett, Mr. Tynte, and Mr. Mansell.

26,089. Who were returned?—Follett and Tynte.

26,090. That was the first election at which Mr. Kinglake stood?—That was the first election.

26,091. The Liberal party was split up very much then?—Yes.

26,092. The last election at which Mr. Follett stood?—No; he was beaten at the next election; he stood once more.

26,093. Did Mr. Follett spend any money?—I do not know. I only know that Mr. Mansell spent a certain sum of money, because he consulted me before he went to a meeting of Conservative agents as to what amount he ought to pay towards the expenses.

26,094. (*Mr. Coleridge.*) And what was that amount?—He came to me just before the election, to say he was going to attend a meeting of Conservative agents, to decide what portion of the expenses he ought to bear, and he wanted my advice upon it. I should say that I had been the agent of his aunt, who has some very large property in the neighbourhood, and therefore he came to me naturally to ask, independent of the agents, for advice.

26,095. (*Mr. Price.*) As to what was the proper sum for him to pay?—Yes.

26,096. (*Mr. Coleridge.*) And what was it?—The first thing I asked him was, whether his agents told him he had any chance. He said they thought he had very much, and then I asked him, "Why pay anything, if you are only put in for the purpose of taking Mr. Follett's second votes?" I thought he ought not to pay anything, and my advice to him was, if returned, he should pay half the expense, and if not, nothing; but he afterwards came to me, and told me that he had agreed to pay 200*l.*

26,097. (*Mr. Price.*) That would be a little over the legitimate expenses?—Hardly more.

26,098. Not very much more?—Not any more, I should think. I do not know how many agents were engaged, or what they were paid, or the printing, and of course there were the hustings expenses.

26,099. You believe that is all he paid?—I do not know, because it did not pass through my hands, but I am quite sure that is all he was to pay.

26,100. (*Mr. Coleridge.*) When the paid agents could vote there were probably more engaged than at present?—I do not know it, but I suppose all the solicitors were engaged.

26,101. At present, we know that paid agents have voted, contrary to law?—Yes; they do not have a retainer, and they have presents afterwards. I rather think it is made up in that way, but I do not know.

26,102. (*Mr. Price.*) Is there any election previous to that, which you can give information about, of your own knowledge?—I do not know of any expenditure of money at any election except that.

26,103. You have heard that there has been some question raised about this attack on Mr. Bowen's house in 1832?—Yes; that was in 1832.

26,104. Now your name has been mentioned, tell us your recollection of the circumstance?—I was there after the attack on Mr. Bowen. I was at a party of the Conservative electors that evening, and word was brought down that Mr. Bowen had been half killed, and several of us went up there. I think I arrived first, and found the whole place, the garden and the road going into his house, crowded with rioters with sticks, and they were very violent.

26,105. Did you understand that he had been attacked on his own premises?—On his own premises.

26,106. Not anywhere else; not at any meeting?—No; on his own premises. He went out from his house to try and pacify the rioters, and had a blow across his eyes which covered him with blood.

26,107. (*Mr. Anstey.*) Did you see him afterwards?—I saw him afterwards at his house.

26,108. And in that state?—Yes; he had a blow which almost blinded him, and he was suffering from something like concussion of the brain.

26,109. Was he a gentleman of some standing here, at that time?—Yes; he was editor at that time of the Alfred Newspaper.

26,110. Was he capable of what is imputed to him of proceeding to a randying meeting at a public house?—Yes; it was a large meeting at the "King's Arms."

26,111. A randying meeting?—Yes. It was a large meeting; it is called a randying meeting.

26,112. (*Mr. Price.*) Was the attack made on him there?—No. He had quitted the chair. I have no doubt he had been sent for, and told there was a violent mob at his own house, because I see, by looking at the newspapers which were published at that time, that there was a serious riot there earlier in the evening, before I got there, when the Riot Actwas read.

26,113. Were there any persons armed with bludgeons or sticks, and in disguise?—Yes, a good many.

26,114. How were they disguised?—They had what are called south-westers on, and pea jackets.

26,115. Did you see whether the side flaps were down or up?—Down over their faces.

26,116. So as to disguise the faces?—Yes.

26,117. (*Mr. Price.*) So that it would be very difficult to distinguish the men?—We could not without pulling up their hats. As soon as we got strong enough, we turned them out in the road and garden, and then they began to strip off the disguise.

26,118. Your people did?—Yes.

26,119. Did you see any stripped off?—I saw some. I heard at the time that Mr. Sully was one whose disguise was stripped off, but I did not do it myself. I slept at Mr. Bowen's house that night; I and another gentleman, protecting the house.

26,120. Was that necessary, in your opinion?—We thought so.

26,121. How many rioters did you see there altogether do you suppose?—I should think 200; the whole place was filled with people inside.

26,122. (*Mr. Coleridge.*) Where was the house?—In Fryern-street; a house I afterwards bought myself,

26,123. (*Mr. Anstey.*) Who keeps that house now?—Mr. J. R. Smith.

26,124. Where any of the rioters inside the house when you got there?—No; I do not think there was any man inside the house. I think Mr. Bowen's brother and six or eight people; it is under the archway, and there is a backyard which runs down to the stable.

26,125. Mr. Sully says some of the people, he does not admit them to be rioters, but larkers, got into the house, and were driven out?—That perhaps was before I came.

26,126. Was there anything like larking about it?—No.

26,127. (*Mr. Anstey.*) Did you think it was a serious cause of alarm to the premises or the person of Mr. Bowen?—We did so.

26,128. Which?—The person of Mr. Bowen. It was against him the attack was made. He was editor of the "Alfred" newspaper, which was a Conservative paper at that time, and had made himself very obnoxious to the Liberal party in consequence of it.

26,129. Was there no other reason?—No, not that I am aware of.

26,130. (*Mr. Price.*) How many of those people were there in south-westers and pea jackets?—I cannot say now.

26,131. A dozen?—A good many of them; they were the leaders; so we thought.

26,132. (*Mr. Anstey.*) Mr. Sully appears to be under the impression that he saw amongst those who came to rescue Mr. Bowen your late father, Mr. Ruscombe Poole?— I do not remember seeing him when I was there. I think it was an earlier period of the evening that he must have come up with the mayor when the Riot Act was read, because the riot was over when I came there, because the few there in Mr. Bowen's house had been overpowered, and there were only 8 or 10 there with the mayor. All the others had gone.

26,133. Did you see Bussell there?—I do not remember that. There is one thing I remember being said, "Who would have thought that Captain Sully would have been there."

26,134. That you heard said?—Yes. I did not see him there, but I remember it being the subject of conversation among the party afterwards.

26,135. (*Mr. Anstey.*) Was Mr. Bowen seriously injured by that blow?—He was very seriously injured.

26,136. How many days was it before he recovered?—I do not know how long, but I thought at the time it was concussion of the brain.

26,137. (*Mr. Price.*) Did you go as a witness at all at the trial?—No; but I had a conversation with one of the parties this morning, who could throw more light on it.

26,138. Who was that?—Mr. Carter Reeves, a shoemaker.

26,139. Was he indicted?—Yes; and I think he could throw some light on the question as to whether the jury were bribed or not.

26,140. (*Mr. Anstey.*) At what trial?—At the sessions. He told me it was understood among the party that the jury were bribed, and it cost 500*l.* to do it; he told me so this morning.

26,141. (*Mr. Coleridge.*) Were any of the jury

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from this place?—I do not know; he told me that this morning.

26,142. (*Mr. Anstey.*) Do you remember the passing of the Municipal Reform Act, and its coming into operation in this borough?—Yes.

26,143. Do you recollect how long it was after that that Bussell senior got his appointment?—I do not remember; it was not long after. I think there was a general change of all the appointments.

26,144. Is it a fact that there was not a single person put into the new commission of peace for the borough who was of Conservative opinions?—I believe so. To the best of my recollection, there was no Conservative justice put in.

26,145. Was the town clerk, Mr. Trevor, himself removed?—Mr. Trevor held several appointments. One of them he was retained in; I forget which; I think as clerk to the magistrates, and he was paid a pension for the others.

26,146. He was turned out of the others?—He was turned out of the others, and I believe he had a pension of 200*l.* a year.

26,147. Which I understand is a burthen to the ratepayers to the present day?—Yes.

26,148. Was there no other reason for his removal but the fact that he was Conservative?—No; to make room for some one else.

26,149. You had nothing to do with the last election; but had you anything to do with those who had, the night before the nomination day or the polling day? Had you any conversation with those promoting Westropp and Gray's election?—I do not remember any particular conversation.

26,150. The question has been put to some witnesses, and I put it to you. Did it reach your knowledge in any way, before the election, that the party was discouraged, and it was contemplated that the Conservative candidates should leave the town?—I heard that on the polling day. I happened to go up in the middle of the day to see how things were going, and I saw the Conservatives were a long way ahead.

26,151. What o'clock was it that you heard they were going to leave?—I think about one o'clock. I had a conversation in the committee-room. I think it was with Mr. Trevor or one or two of the gentlemen there, and I was expressing some doubts about the majority having been obtained by fair means, because I could not understand how the Conservative party were so far ahead without spending, and they assured me not a single shilling had been given, and that no promise had been given. I still shrugged my shoulders, and they gave me their word about it, and said that the Conservative candidates had made up their minds to go away the night before. In proof of it they said, "We assure you they were going away last night, "until we had told them we had spent all the money "it was necessary to spend, and it would cost no more, "and so they did." It was brought forward to induce me to believe it was a pure election, and I did, in consequence, and in consequence of that I went and asked a gentleman to vote whom I knew would not vote if he thought there was any money passing,

26,152. Was there any one except Mr. Trevor?—Yes; I am not quite certain it was Mr. Trevor.

26,153. Which of them; John or James?—James, I think, but there were several present.

26,154. (*Mr. Coleridge.*) I need hardly ask you whether you have altered your mind?—No, I have not, about the Conservatives.

36,155. About the elections generally?—Yes.

26,156. Have you heard of the general system on the Conservative side of promising money after the election on the last occasion?—No; I do not believe there was any promise at all. I dare say many who went up, went up in the hope they would be paid afterwards, because I always heard that they do so. There are great numbers of men who expect to be paid for their votes. Numbers would go up and vote on the Liberal side and the Conservative side without being promised before, who would expect to be paid afterwards if money is going. That is what I have heard.

26,157. (*Mr. Anstey.*) There are three forms of corruption in this borough, one money down, another promise of money, and the third the general expectation founded on the depraved custom of the borough?—Yes. I remember one election, which is a long while ago, but which induced me never to take any part in any election again; the first election I remember; the election when Mr. Tynte, Mr. Astell, and Mr. Shirley were candidates.

26,158. In what year?—'31 I think, and a very close election; the election lasted more than one day, and almost all the honest votes had polled on the first day, there were not above five or six left; but there were about 20 or 25 balance men who had stood over and the question who should win depended on who should get these men, and it was very well known in the town that they were all bought, and the next morning, when they came to the poll, the bribery oath was tendered to them, and they all took it one after the other.

26,159. (*Mr. Coleridge.*) Can you tell us anything about Leader and Broadwood's election?—No. I was here.

26,160. What was the general impression?—That he spent 12,000*l.* in three days.

26,161. And what did Broadwood spend?—I cannot tell, but not so much as that; a great deal, no doubt.

26,162. (*Mr. Price.*) But he had been member, had he not?—Yes; once before that, I think.

26,163. Mr. Astell was member, and with Mr. Tynte used to divide?—Yes. Before that occasion, in 1831, the two parties wanted to protect the town from this system of bribery, and it was proposed on one side, and accepted on the other, that Mr. Tynte and Mr. Astell who sat should be supported by both parties, to prevent a contest; and I found the first election that took place was in 1820, when Mr. Astell and Mr. Tynte were returned without opposition.

26,164. (*Mr. Anstey.*) Is it not more ancient than that, or is this a mis-report of Mr. Ruscombe Poole's speech in 1806, mentioning the first instance of the kind, when Mr. Astell and some one else were returned, and it was renewed in 1811?—I do not know what may have taken place before that, but I believe it began in 1820. Mr. Astell represented the town 26 years. In 1820 there was a proposal, made, I believe, by the Conservative party, which was very much the strongest at that time, if the other side would take Mr. Tynte, who was a neighbouring gentleman, the other side should support Mr. Astell, and our side should support Mr. Tynte. In 1806 there was a contested election in the No Popery time, and Sir Colin Campbell, the late Lord Clyde, came down as a candidate for Bridgwater, and Captain Hall, of this town, was his chief supporter, I think.

26,165. (*Mr. Price.*) Are you sure it was Lord Clyde? Was it not the other Sir Colin Campbell? He was not Sir Colin Campbell until after the Punjab compaign?—Was he not? I always understood it was the same.

26,166. Was it not Sir Colin Campbell whose daughter married Mr. Phipps?—Very likely; but I thought it was the same. At that time, at all events, the Conservative party carried Mr. Tynte, against a man holding their own opinions, Sir Colin Campbell.

26,167. (*Mr. Price.*) To keep the treaty?—To keep the compact.

26,168. In 1830 Mr. Astell and Mr. Tynte were again returned?—In 1831 the Liberal party broke faith, and there was an end of it.

26,169. That was the agitation of the Reform Bill?—Yes; I do not think that one Liberal man voted for Mr. Astell.

26,170. From that time you believe every election has been contested by one and the other?—Yes; that is the struggle of the old Conservative party. I believe Allan is pretty right, that out of 1,500, 1,200 will take money.

26,171. (*Mr. Coleridge.*) And 250 will give it?—I do not think so.

26,172. Including lawyers, bankers, and all, only 50 just men?—I do not think so.

26,173. (*Mr. Anstey.*) Do you remember the petition that was presented against Mr. Broadwood's return, charging him with personal bribery, which he declined by a letter to the Speaker to offer any defence to; that is some months before the death of William the Fourth?—There was a petition against Mr. Broadwood.

26,174. Yes, on the part of Mr. Richard Brinsley Sheridan?—I remember he was a candidate once.

26,175. And before Mr. Richard Brimsley Sheridan could obtain the benefit of Mr. Broadwood's refusal to defend, William the Fourth died, which gave the opportunity to Mr. Broadwood's supporters to present a new petition, stating that they were ready to defend; and that so far protracted the proceedings that nothing took place until the new election, which put an end to it all?—No, I do not remember it.

26,176. Till the middle of the summer of 1837. You do not remember that?—No; I do not know anything of it.

26,177. Were you present at the trial at the sessions at Wells?—No, I do not think I was present.

26,178. You do not know whether it lasted two days?—I only know that it lasted two days from seeing a report of it in the paper within the last few days.

26,179. You do not know what the chairman, the Right Hon. Henry Hobhouse, said, in charging the jury?—I have only heard of it from what has been stated in the report within the last few days.

Miss Elizabeth Silke sworn.

Miss E. Silke.

26,180. (*Mr. Price.*) Did you live, in the year 1866, at the "Lamb" Inn, kept by Mr. Crocker?—Yes.

26,181. Do you remember when Mr. Vanderbyl came forward in 1866?—Yes.

26,182. Did anybody come to you on the polling day, and give any order about money being spent in treating, or what quantity of drink was to be given away?—Not to me.

26,183. Nobody did?—No.

(*Mr. Price.*) Stand up, Thomas Duddridge. (*Thomas Duddridge stood up.*)

26,184. Did that gentleman at any time during Mr. Vanderbyl's election—now remember, and be very careful—give you any orders at the "Lamb" that 5*l.* was to be spent in drink on account of Mr. Vanderbyl?—No, I do not remember.

26,185. Did you see him at all?—He was in and out there.

26,186. But you had no order from him?—Not that I remember.

26,187. Did you tell your master, Mr. Crocker, that Mr. Duddridge had been there, and given you an order that 5*l.* should be spent in drink?—No, I cannot remember it.

26,188. Or that any sum was to be spent in drink?—No, I do not remember it. He was in and out during the day.

26,189. So you could not tell your master?—No. They had a great quantity of drink there.

26,190. You say you did not hear him give the order?—I do not remember it.

26,191. Did anybody authorize you to go to any particular extent as to the quantity of drink you were to let go?—I do not remember it.

26,192. Then who had given you orders to give drink away?—Mr. Crocker had told me to give drink away, and I had entered it on the slate.

26,193. Mr. Crocker had told you about it?—Yes.

26,194. What had Crocker told you about the quantity you were to let go?—He did not say what quantity.

26,195. Had he told you that morning before he left what quantity you were to give away?—I do not remember that he did.

26,196. We want to know to what limit you were authorized to go. Did you have any authority to draw any amount of drink you liked?—Not any amount. I only know that I was to draw it for them.

26,197. Who had given you the limit?—Mr. Crocker.

26,198. What was the limit?—He did not tell me how much.

26,199. What did he say to you?—I cannot say that. I cannot remember.

26,200. Were you left to give drink to them to what extent you liked?—No.

26,201. (*Mr. Anstey.*) Had you seen Duddridge the day before the polling day?—No. Mr. Duddridge had been in and out during the day.

26,202. (*Mr. Price.*) Had he given you any orders about the amount of drink you were to give away, or any sum of money you were to be allowed to spend in providing drink?—No; I do not remember that he did.

26,203. You are quite sure about it?—No, I do not remember it. I only remember Mr. Duddridge was in and out during the day.

26,204. There were some of Browne's men there, were there not?—Yes.

26,205. And he was in and out looking after them?—He was in and out.

26,206. Did you see him drinking with them?—No.

26,207. Or hear him order any drink?—No.

26,208. (*Mr. Anstey.*) Were these men drinking?—Some of them were.

26,209. Some of them were drinking?—They were drinking, some of them, as they usually do at election times.

26,210. How many were there?—I cannot say. They were in and out.

26,211. (*Mr. Price.*) Are you sure Duddridge did not order drink for any of them?—I cannot remember.

26,212. (*Mr. Anstey.*) Did you see any money distributed amongst them?—No, I do not remember.

26,213. Did you hear anybody say they were to have a pound's worth of drink?—No.

26,214. (*Mr. Price.*) You entered what you drew at once?—There were more than me there. Mrs. Crocker was there at the time. What I drew I entered on the slate.

26,215. *Stephen Crocker* (*addressing the witness.*) Will you kindly say whether there was a Miss Duddridge there, who gave you an order?—No; she gave me no order.

26,216. (*Mr. Price.*) Are you any relation to Miss Duddridge?—No.

Stephen Crocker recalled.

S. Crocker.

26,217. (*Mr. Price.*) You affirmed that it was to this woman you gave the order, and that she told you so herself?—Yes; she told me so herself, and I think she must have forgotten it; and I think if Miss Duddridge was here she could bring it to her knowledge.

Miss Elizabeth Silke recalled.

Miss E. Silke.

26,218. (*Mr. Price.*) Where is Miss Duddridge?—At Weston Zoyland.

(*Stephen Crocker.*) That is about four miles from here.

26,219. (*Mr. Price.*) You do not remember any orders being given?—As far I can remember, no orders were given.

26,220. Nor did your master give you any order?—No. I entered on the slate on the day what I drew.

TWENTY-FIFTH DAY.

Miss E. Silke.

21 Sept. 1869.

26,221. Mrs. Crocker was there?—Yes, she was there; and me and her niece.

26,222. She would be the person who would receive any order from Crocker?—Mrs. Crocker is not there now.

26,223. Was she living there?—Yes.

26,224. She would be the person who would naturally give an order, and not you?—She or her niece; I cannot say.

M. J. W. Veysey.

Mr. John Williams Veysey was then called, but did not answer to his name.

(*Mr. R. Veysey.*) Mr. John Williams Veysey has gone away. He went away yesterday morning. I understood he was going away on business to Dorsetshire.

(*Mr. Price.*) Who are you?

(*Mr. R. Veysey.*) I am Richard Veysey, but I have nothing to do with John Williams Veysey at all. He went away yesterday morning. I told him he ought not to go. He said his name was not down, and he would not be wanted. He certainly will come home to-night. I thought he would be home last night.

(*Mr. Price.*) Will you step into the box and be sworn, and then you can make your statement?

(*Mr. R. Veysey.*) I have nothing more to say than that.

(*Mr. Price.*) Will you go into the box, if you please?

Mr. R. Veysey.

Mr. Richard Veysey sworn.

26,225. (*Mr. Price.*) What are you?—No business.

26,226. Living on your own means?—Yes, certainly.

26,227. What were you originally?—Well, I was a grazier. I was a cattle dealer 40 years ago.

26,228. Have you retired from business all that time?—No; five years.

26,229. (*Mr. Coleridge.*) What have you been since?—A farmer and grazier.

26,230. (*Mr. Price.*) Are you a resident in Bridgwater?—Yes.

26,231. And a voter?—Yes.

26,232. And how have you voted?—For the Conservatives.

26,233. Did you vote at the last election?—Yes.

26,234. For the Conservatives?—Yes.

26,235. Did you take any part in the election?—Not any part in the election.

26,236. Well, in the election before, of Vanderbyl and Patton; did you vote then?—I always voted Conservative, for, I think, five years. I voted for the Conservatives always.

26,237. You voted for Mr. Patton?—Yes.

26,238. At both elections?—Yes.

26,239. Did you receive any money for your vote?—Never.

26,240. Or any gratuity or anything of that kind?—Never.

26,241. In the election of 1865, had you a vote then?—In April 1865 I was living in the country. Yes, I should suppose so, sir.

26,242. Now about your son. When did he go away?—Yesterday morning.

26,243. (*Mr. Anstey.*) Where is he gone?—I do not know.

26,244. You say you told him he ought not to go?—I did.

26,245. What did he say?—He said his name was not down, and he would not be wanted; but why he did not come home last night I do not know.

26,246. When do you expect him back?—Oh, to-day.

26,247. (*Mr. Coleridge.*) Does he live with you?—He does live with me.

26,248. I thought you said just now you had nothing to do with him?—I have nothing to do with him. I find him.

26,249. I do not mean to do with him with regard to bribery. You say you had nothing to do with him. You are his father, and you have to do with him?—I told him he ought not to go away.

26,250. (*Mr. Anstey.*) Did he make any remark when you told him that he ought not to go away?—Yes. I will tell you exactly what took place. He said his name was not down, and he would not be wanted, but why he did not come back last night I do not know.

26,251. Has he any business to take him away?—I do not know.

26,252. How did he know his name was not going to be down in the list?—I do not know.

26,253. Does he practise as a lawyer?—Yes; I think he has been on a particular business in the law now; I do not know.

26,254. We have it in evidence that he ceased to be employed by the Conservatives at or before the last election?—Oh, I know nothing of it.

26,355. You said just now that he lives with you?—Well, he does.

26,256. Then you can tell us if a man lives with you, who is your son, and who is a lawyer, whether or no he was employing himself, or taking any active part at all, in the last election?—Well, I do not know, I am sure.

26,257. (*Mr. Price.*) Perhaps you might tell us whether you took an active part yourself?—Well, I did not, on my oath.

26,258. Do you know a man of the name of Ambrose Dyer?—Yes.

26,259. Does he hold a piece of land of you?—Yes.

26,260. On an 18 years' lease?—Yes.

26,261. And with three years to run?—Yes.

26,262. Do you know that your son asked him to vote last time?—No; I know nothing.

26,263. Wait a moment; do not be so fast. You swear you do not know that your son asked him to vote?—No, I swear I did not.

26,264. Do you know a man of the name of Webber?—I know some Webbers, but I do not know about him.

26,265. Did your son ask Mr. Webber to vote for the blues, and tell him that if he voted for them he should have the piece of land Dyer had?—I do not know.

26,266. Has Webber ever applied to you for the land that Dyer held of you?—No; I do not know that he has.

26,267. You surely must know?—Not to me.

26,268. Have you tried several times to turn Dyer out, alleging that he has broken his covenants?—Yes.

26,269. Since the election?—Yes.

26,270. Why?—He broke up the terms of his lease.

26,271. Had you at any time accused him of breaking his covenants before the election?—That is a difference.

26,272. Never mind its being a difference. Had you at any time accused him of breaking his covenants before the election?—I did once before.

26,273. Is he now under notice to quit?—Yes.

26,274. To go at Christmas?—Yes.

26,275. (*Mr. Coleridge.*) Does he mean to go?—I do not know; I mean for him to go.

26,276. (*Mr. Price.*) I may be wrong about the election. Do you remember the election of 1866? Was it then that your son asked Webber to vote?—Oh, bless you, Sir, I do not know anything about him. The election has nothing to do with it.

26,277. Do not let us have any of your blessings. Was it after the election of 1866 that you gave Dyer notice to quit, and accused him of breaking his covenants?—Oh no, only just now; just before midsummer.

26,278. Do you know Webber?—I think I do. I would not swear I know him; I think I do.

26,279. Your son never asked you whether you would let Webber have the land?—I do not know whether he has.

26,280. Has your son ever asked you whether you

would let Webber have the land when Dyer gave it up?—No.

26,281. Never?—No.

26,282. You never heard that?—I do not know whether Webber said he would take it or not.

26,283. Has your son ever asked you to let Webber have the land when Dyer gave it up?—No.

26,284. That you swear?—That I swear. He said there were many who would take it, and Webber may be one of them he mentioned, but not particularly.

26,285. Have you ever at any election had anything to do with bribery?—No, I never had in my life.

26,286. In 1865, which way did you vote?—Conservative.

26,287. Did you get anything then?—No; nobody would offer *me* any money, I should think.

26,288. (*Mr. Anstey.*) Then you wish me to take your last answer but one to be literally true, that you never had anything to do with bribery in your life?—I swear I never had anything to do with bribery in my life.

26,289. Do you not know that you are reputed amongst your own party and amongst the Liberals with having been one of the principal bribing agents in all the old elections?—If you will hear me give an answer, I will explain to you. You ask Mr. Henry Bussell if he has ever seen me take a part, and he will tell you he never saw me take a part.

26,290. I put the question to you again. I ask you whether you are aware that you are reputed amongst politicians of all sides in this borough as having been one of the principal bribery agents in all the old elections?—I swear on my oath I never have been.

26,291. That is not an answer. Do not you know that is your reputation on all sides?—I cannot tell.

26,292. Do you mean to swear that you cannot tell you are so reputed?—I should think not; I should think I was not so reputed.

26,293. (*Mr. Anstey.*) Your answer is quite sufficient for me.

26,294. (*Mr. Price.*) You swear you never had anything to do with bribery at any election?—No.

26,295. Has money ever passed through your hands?—On my oath it never has.

26,296. Is there any other person called "Veysey" in this borough?—There is my son.

26,297. No other "Veysey" of your style of life?—No, not that I am aware of.

26,298. (*Mr. Anstey.*) Is there any Veysey senior, retired cattle dealer, in Bridgwater, except yourself?—No, I should think not.

26,299. And you never heard that you were reputed as being a bribe agent in all the old elections?—I should think not. I never took a part in those things, I was never engaged in canvassing. I was never at a meeting, and I never was into a committee-room to ask how they got on in my life. This I swear on my oath; and furthermore, I say that I never voted for one of each party, I never did such a thing.

26,300. (*Mr. Coleridge.*) Did you never vote for one of each party?—No.

26,301. Did you never vote for Tynte at anytime?—Yes.

26,302. (*Mr. Austey.*) When was your first election at which you voted?—I think I came to Bridgwater in April.

26,303. April of what year?—April five years ago.

26,304. You have not been in Bridgwater more than five years?—I was here in the year 1840. I could tell you by referring.

26,305. I ask you in what election in Bridgwater did you first vote?—Well, I do not think I was ever a voter before. I was away 18 years out of the borough.

26,306. (*Mr. Price.*) I understood you to say you did not live in the borough so as to have a vote until five years ago?—No, not until five years ago. I could tell you if I went home.

26,307. Where were you living before?—Out in the country.

26,308. Where? It has a name?—Coxpit Farm.

26,309. (*Mr. Anstey.*) How far from this borough is that?—A little more than a mile.

(*Mr. Anstey.*) And that you call in the country.

26,310. (*Mr. Price.*) I suppose you used to attend the markets at Bridgwater?—Yes.

26,311. As a cattle dealer and farmer?—I have not called myself a cattle dealer for 29 years past. I used to deal largely before.

26,312. What have you been doing during the last 29 years?—I have a very large property in Bridgwater. My father was born before me.

26,313. (*Mr. Anstey.*) When you said you had been 18 years away from the borough, you meant you had been living within a mile of it for 18 years?—Yes.

26,314. That you call being away from it?—Well, I was not a voter, I mean.

26,315. You did not tell us that?—That is what I mean; that I was not a voter.

26,316. You were not a voter?—No, I was not a voter.

26,317. Did you ever take any part in the elections?—Never in my life; not in the least way.

26,318. And you have never known you were a person who was spoken of as being a bribe agent?—I swear never did.

26,319. You never heard that you were so spoken of?—No, never in my life.

26,320. (*Mr. Anstey.*) Have you any brothers here in Bridgwater?—No, not here.

26,321. Where then?—I have a brother in Taunton.

26,322. Did he take an active part in these elections here?—No, not that I am aware of.

26,323. Did he come up from Taunton to take part in any of the elections?—No, not that I am aware of

JOHN CARTER REEVES sworn. *J. C. Reeves.*

26,324. (*Mr. Price.*) What are you?—A cord-wainer.

26,325. What we want to ask you more particularly about, is the part that you took in the riot at Mr. Bowen's house in 1832. I understood you were one of those who took part in it, and were tried for it?—I was. I ought to know some little about it.

26,326. Tell us what you know of it?—I was 21 weeks in Taunton gaol before the trial for it.

26,327. (*Mr. Coleridge.*) You mean they would not bail you?—No; I was a stranger in the town at the time.

26,328. How did you get mixed up with it?—I had a father in law living in the town, and he was opposed to me in politics, and I went to Bowen's in the night to see him; I could not see him there, and I went to the "Golden Ball," and I heard a cry of "the Friars." I heard Mr. James Sully's evidence here, but I do not believe Mr. James Sully would tell a lie on the subject but I think he quoted the defence set up by Mr. Serjeant Kinglake. That is what he referred to.

36,329. I do not know what you mean. Mr. Sully was there; he says so?—Yes; he makes it appear so mild.

26,330. You do not believe that it was so mild as he says?—Certainly not; when brick bats are flying about, it is not such a very mild thing.

26,331. (*Mr. Anstey.*) He was disguised?—Yes.

26,332. And these persons in the pea jackets and sou' westers were the leaders?—They were.

26,333. Amongst those that were disguised were Mr. John Snook, Charles Fann, J. Poole, George Gandell, Henry Fann?—Yes; Mr. James Sully, Mr. Gesty.

26,334. Robert Vearncombe in a kettle smock?—Yes.

26,335. And James Vearncombe?—Yes; that was the man who was with me the whole time.

26,336. You were committed to jail?—Yes.

TWENTY-FIFTH DAY.

J. C. Reeves.

21 Sept. 1869.

26,337. And you say Mr. James Sully did a good deal with Mr. Serjeant Kinglake in getting up your defence?—No.

26,338. I thought you said so?—No; because I did not know it. The defence he made to the jury I mean.

26,339. To your great surprise you were acquitted?—It was a surprise to me, there is no question about it.

26,340. How do you account for it?—I believe the jury had been tampered with.

26,341. How much were they bribed?—I do not know. I heard they got as much as 500*l.*

26,342. Who raised the money?—I do not know.

26,343. Were you one of the parties who raised the money?—No; I have no money myself.

26,344. Can you give me the names of any of the persons who were wealthy enough to raise the money?—They were all wealthy men, the whole of them.

26,345. Mr. Sully?—I do not consider Mr. Sully a wealthy man. I mean they were men in a good way of business.

26,346. Was he wealthy enough to raise it?—Certainly.

26,347. Was there anybody else?—Mr. Gesty, wine merchant, for one.

26,348. Anybody else?—Mr. Hodge, Masons' Arms.

26,349. The Fanns were very well off?—Yes.

26,350. Was there money raised by some of the prisoners?—No; not that I am aware of.

26,351. You did not hear of it?—No.

26,352. The trial lasted two days, I believe, did it not?—No.

26,353. It lasted to the second day?—It lasted to the second day. The jury, and the bailed prisoners, before the trial was over, went and supped together at a public house, and had a jolly nice supper.

26,354. Where were you?—I was under lock and key.

26,355. The bailed prisoners went and supped with them?—That is what I have heard. I saw them together after I got out of jail.

26,356. Where were they?—In a public house.

26,357. All the jury?—No; some of the jury.

26,358. Who were they by name?—I do not know.

26,359. They were drinking with the prisoners?—Yes.

26,360. (*Mr. Coleridge.*) Do you know whether any of the jury came from this town?—I do not know.

26,361. (*Mr. Anstey.*) Did you hear Mr. Hobhouse, he was the chairman, sum up the case to the jury?—I did.

26,362. Did you hear him tell the jury that the riot had been clearly proved, and even admitted by the counsel for the defendants; that some of them had offered no defence; that the cases of the two Vearncombes, and perhaps one or two others, differed a little from the other cases; but it was for the jury to consider how far those cases were removed in character from the others, and that the jury would remember that 20 of those others had not called a single witness. Did you hear him tell them that?—I do remember it perfectly.

26,363. I believe altogether you were 37 in number?—That is the number.

26,364. Is it the fact that the jury, after about an hour's consultation, returned a verdict of not guilty as to all the 37, including the 20 who had not given any evidence?—Yes; and if you had seen the chairman, Mr. Hobhouse, when the jury returned, and gave their verdict, you would not have forgotten it, he was so surprised.

26,365. And disgusted too, I suppose?—Yes.

26,366. (*Mr. Coleridge.*) Were you defended by counsel?—Yes; by Mr. Serjeant Kinglake.

26,367. You were all a batch defended by him?—Yes.

26,368. (*Mr. Price.*) Who paid the expenses?—I do not know.

26,369. Were they paid by subscription?—I do not know.

24,370. (*Mr. Coleridge.*) Did you pay anything?—No.

26,371. (*Mr. Anstey.*) Did Mr. Hobhouse say anything when the jury came in and returned that verdict?—I will tell you exactly what took place.

26,372. If you please?—The jury returned into court, and the names were called over, and the jury were first of all asked if the two Fanns were guilty; they said, "What think you, gentlemen, are they guilty, or not guilty?" And the foreman said, "Not guilty." And they went on seven or eight down the rank, and I saw Mr. Hobhouse turn his eyes up, and say "What! none of them are guilty?" And I saw the old gentleman throw himself back in the chair, and seem much surprised.

26,373. And you were surprised too?—I was.

26,374. You had no expectation of getting off?—No. We were sitting there with tears in our eyes.

26,375. You had no expectation of getting off at all?—No; and the vans were outside ready to take us off.

26,376. No vans were there; you could not be transported?—I do not know about that. It was a very serious crime in those times.

26,377. (*Mr. Price.*) You assaulted Mr. Bowen, and broke into his house. I do not know but perhaps you would have had a severe punishment visited upon you. Mr. Bowen was severely injured?—Yes; I was close to him when he was struck.

26,379. (*Mr. Anstey.*) You saw him struck?—I did.

26,380. Did you see the blow struck?—Yes.

26,381. Where was the blow struck?—Across the face with a stick.

26,382. Did you see him fall?—Yes.

26,383. And did you see him carried away?—Yes.

26,384. Was that on his own lawn?—Yes.

26,385. He was carried into his house?—Yes.

26,386. Some of them were made prisoners by the constables?—No; two of them were made prisoners.

36,387. That is some. Were the persons who were prisoners afterwards rescued, and carried out by your people?—No. I will show you how it was. They were not rescued, but there was a compromise come to between the two parties to get the men out. I will show you that one of the first parties to get into the room was a man of the name of Goose, and he was drinking that night. It is the same man who got Westropp unseated.

36,388. Do you mean Cooze?—Gooze.

36,389. (*Mr. Coleridge.*) How does he spell his name?—Some spell it C and some G.

36,390. (*Mr. Anstey.*) It is Cooze?—Well, he got in there by consent of some of Mr. Bowen's friends. We got in to get him out, and he swore he would not go unless he was paid for being made a prisoner, and four of us took him up in our arms, and while he was in our arms, and we were bringing him out by main force, a man of the name of Isaacs—he was a constable at the time, a special, I think—came up to my side, and struck him as heavy a blow as he could on the head, while he was in our arms, and I gave him one for it, and I knocked him down.

26,391. Is Isaacs living now?—Yes.

26,392–3. (*Mr. Coleridge.*) How did this riot arise?—It arose very simply. It originated through this Cooze. He was there, and the special constables were there, and some men that we called "watchers." They were appointed some years ago to watch the voters, and to patrol through the town. I rather think this was their rendezvous, at this particular house. This Cooze lives close by, and in passing by,—he was drunk,—and whether he interrupted them, or they interrupted him, I do not know, but so it was. He was passing by at the time, and this Cooze had got into a row with these constables, and Mr. Bowen came out on the lawn.

26,394. It was not a premeditated affair?—No.

26,395. (*Mr. Anstey.*) Is Cooze alive?—Yes, and

news was taken to the low public houses, and there was a rush, and so the riot took place.

26,396. I was going to ask about the chairman. It was the Right Honourable Henry Hobhouse, was it not?—Yes.

26,397. Brother to Sir John Cam Hobhouse?—I do not know.

26,398. He was a Liberal in politics, was he not?—No.

26,399. Was old Mr. Bussell at Wells that day?—He was.

26,400. Was he one of the 37 prisoners, or not?—Well, I am not clear whether he was one of that lot, because he was tried at the assizes previously for conspiracy.

26,401. He was one of those who had been tried previously at the assizes for conspiracy?—I am not aware whether he was one of the 37, but he was there.

26,402. He was at Wells at the trial?—Yes.

26,403. He was one of those who were drinking the day after the trial at the public house with some of the jury?—I do not know. I only go from what I have heard him say himself.

26,404. What have you heard him say?—I have heard him say how he bribed them. I do not know whether he was laughing or not. I dare say it was a good deal of bombast; he was drunk. I heard him say that he bribed them at Wells.

26,405. Did you hear him say that at the time of the trial?—Within the last 12 months.

26,406. But about that time did you hear him say that?—I was not intimate with him at that time.

26,407. But since you have been intimate with him you have heard him say that?—Yes.

26,408. (*Mr. Price.*) Are you a voter?—Yes.

26,409. How did you vote?—For Westropp and Gray at the last election.

26,410. Did you get anything?—No.

26,411. Nor any promise?—No.

26,412. Did you hear any promise made?—I do not think there was anything in the shape of a promise.

26,413. Did you hear Mr. Westropp say that if they would go and vote like men it would be all right?—Nothing of the kind.

26,414. (*Mr. Coleridge.*) Did you vote in Patton and Vanderbyl's election?—Yes.

26,415. Did you get anything?—Yes.

26,416. What did you get?—10*l.*

26,417. From whom?—Temblett.

26,418. Did you vote at Patton and Bagehot's election?—Yes.

26,419. What did you get?—10*l.*

26,420. Did you vote in the previous election of 1865?—Yes.

26,421. Whom did you vote for?—I voted for Kinglake and Westropp.

26,422. What did you get?—Nothing.

26,423. Did you vote in the election before that?—Yes; I was only bribed twice in my life.

26,424. Whom did you vote for?—I voted for Tynte and Kinglake.

26,425. In 1859?—Yes. Some months after that a gentleman came into my shop, and says to me, "Reeves, I am thoroughly surprised to see your name on the list in Lovibond's office."

26,426. Who was this that came into your shop?—A gentleman.

26,427. Give me his name?—I cannot remember his name. I would tell you in a moment if I did. Well, I says, "It is very possible you may see my name there, because, for two elections running, I have had the character of a man on night duty." He says, "It was not that; there was a ten pound pound note at the end of it." I said, "Well, if there is a 10*l.* note at the end of my name, it is more than I authorized any man to do; it was done without my knowledge or consent."

26,428. (*Mr. Coleridge.*) What year was that?—1859.

26,429. You got nothing?—I never had any money, and I could not bear the thoughts of it.

26,430. How did you come to take it afterwards?—Because it was put down in the list.

26,431. (*Mr. Anstey.*) Was it because you resented your name being put down in that list that you took a bribe?—No. Allow me to explain what I did. I went over to Mr. Lovibond's office, and I said to the clerk there, "Well, Freddy, here is a pretty thing you have put me in for?" He says, "What is that?" I say, "You have got my name down in your list for money." I said, "Did I ever authorize you to put my name down in the list?" And he says, "Never." I said, "I will have this cleared up; I will go to Mr. Tynte and Mr. Kinglake, and ask them about it;" and he seemed surprised at that, and said, "Will you?" I said, "So help me God, I will." He said, "Come over in a couple of hours." At that time I owed him 9*l.*

26,432. Owed whom? Mr. Lovibond?—Yes. I went over again in a couple of hours, and when I got over there, it was arranged that I should go home again; and I had not been home five minutes, when the clearance of the debt was sent over to my house.

26,433. (*Mr. Coleridge.*) Have you got the document?—No.

26,434. Was that Mr. Benjamin Lovibond?—Mr. Benjamin Lovibond.

26,435. (*Mr. Anstey.*) That was the 1859 election?—Yes.

26,436. And in consequence of that, out of gratitude, you voted for Kinglake and Westropp in 1865?—I did.

26,437. What made you change your opinions, you who had always been so strong a Liberal?—Some of the greatest men in the land change their opinions, and I have a right to do the same.

26,438. When did you change your opinions?—After I had been ill used.

26,439. That was 1859?—Yes.

26,440. You changed your party in consequence of having been used ill?—No; it was not in consequence of that. I have been in the habit of reading a good deal, and I always read on two sides of the question.

26,439. After changing your opinion, did you not vote on two sides of the question, by voting for Mr. Kinglake on the one side, and Mr. Westropp on the other side?—I did.

26,440. You had not quite changed your opinion then; you were on both sides at once?—I was.

26,441. When did you come fairly over to the Conservative side?—I had more respect for Mr. Westropp than for Sir John Shelley.

26,442. When did you come fairly over to the Conservative side?—I had thoroughly made up my mind not to vote on that election.

26,443. Having voted once for Mr. Westropp and Mr. Kinglake, you made up your mind to vote altogether for the Tory candidate?—Yes; I thought I might as well go the whole hog.

26,444. And you got your reward. How many elections did you take a part in before 1859?—Right up to 1831. I voted for Mr. Shirley and Mr. Richard Brinsley Sheridan. That was my first vote.

26,445. (*Mr. Coleridge.*) Did you vote for Leader and Broadwood?—No. It was before my vote was made good.

26,446. Did you know anything with respect to money going about in Broadwood's time?—There was not a child in the town but knew it.

26,447. Did *you* know it, is the question?—It was as common as a marsh-mallow.

26,448. Did you get anything?—No; I had not a vote. I had some drink.

26,449. (*Mr. Anstey.*) Were you one of those who invited Sir Thomas Lethbridge to come here and stand, promising him a majority if he stood?—Nothing of the kind.

26,450. Did you vote for or against him?—I voted against him. I forget who was at that election.

TWENTY-FIFTH DAY.

J. C. Reeves.

21 Sept. 1869.

26,451. Sir Thomas Lethbridge against Mr. Broadwood?—I know I voted for the Liberals.

26,452. Do you remember the following election, when Richard Brinsley Sheridan stood?—I must have voted before Richard Brinsley Sheridan's election. I was not exactly clear. I know I voted at those two elections.

26,453. Did you vote at that election?—Yes.

26,454. For whom?—I voted for Richard Brinsley Sheridan then.

26,455. Do you remember the petition that was presented against Mr. Broadwood's return?—I do remember something of it, but not the rights of it.

26,456. Do you remember the petition that was presented about the same time, not against his return, signed by 156 of the most important personages in the town, praying that the writ might be suspended; in 1838 that would be?—Do you mean the purity men who signed that petition.

26,457. No. That was in 1866. I am asking you about the one signed in 1838, praying that there might be an inquiry into malpractices at Lethbridge's and Sheridan's contests, and the contest in which Broadwood was concerned?—I do recollect something of it.

26,458. Did you sign it?—No.

A. Allan.

ANDREW ALLAN recalled.

26,459. (*Mr. Price.*) What do you wish to say?—This witness has himself told me the reason why he left the Liberal party and went over to Conservatives was because Mr. Salmon of Stuckey's bank had provided money to keep the bailiffs out of his house.

J. C. Reeves.

JOHN CARTER REEVES recalled.

26,460. (*Mr. Price.*) What do you say to that?—It is as big a lie as ever was uttered. I have dealt with Mr. Salmon ever since I have been in business, 18 or 19 years.

26,461. (*Mr Coleridge.*) Did Mr. Salmon ever pay a bailiff out for you?—No, never in my life.

26,462. (*Mr. Anstey.*) Has Mr. Salmon taken up bills for you?—Yes, when they became due; that is all.

26,463. To what amount has Mr. Salmon taken up bills for you?—I have no manner of knowledge of it. My daughter knows it.

26,464. What is her name?—Jane.

26,465. Is she at home now?—I do not know.

26,466. She is in Bridgwater, I suppose?—Yes.

26,467. When did Mr. Salmon first take up bills for you?—I have no recollection of the time.

26,468. Was it after the election of 1859?—Well, before that he had taken up bills for me. I should say so.

26,469. How much before?—I do not know.

26,470. A few days before?—I did not keep an account of it.

26,471. When was the last occasion of his taking up a bill for you; how long ago?—Oh, not these two years—three years.

26,472. Then from a period from before 1859 to 1867 he was taking up bills for you to an amount which you cannot state. Is that what you say?—I have no knowledge of it.

26,473. (*Mr. Coleridge.*) Who takes them up for you?—My daughter. She has the books to prove it.

26,474. Had you not better send your daughter here?—It is a matter of business, nothing more.

26,475. (*Mr. Anstey.*) Has your wife anything to do with it?—Nothing at all.

26,476. (*Mr. Coleridge.*) What is your daughter's Christian name?—Jane.

Mr. J. W. Veysey.

MR. JOHN WILLIAMS VEYSEY sworn.

26,477. (*Mr. Price.*) What are you?—A solicitor.

26,478. Practising on your own account?—Yes.

26,479. How long have you been in business for yourself?—Since 1864.

26,480. And before that where were you?—I was articled to Mr. Richard Smith in this town.

26,481. Then when you passed your examination you began to practise for yourself?—I did.

26,482. Were you employed at the last election of 1868?—No.

26,483. In no way whatever?—No; I was not spoken to even.

26,484. Not spoken to?—No.

26,485. You are a Conservative?—No; not spoken to in the least.

26,486. You are a Conservative in politics?—I voted for Westropp and Gray.

26,487. You are a Conservative in politics if you voted for them, I presume?—Yes.

26,488. Were you engaged for them in anyway?—No; in nothing whatever.

26,489. In anyway whatever?—No. Mr. Westropp asked me if I would vote for him, and I said I would.

26,490. In Patton and Vanderbyl's election did you vote?—Yes.

26,491. For whom did you vote?—For Mr. Patton.

26,492. Were you an agent at that election?—No.

26,493. Had you anything to do with the distribution of money?—No. I voted for Mr. Patton.

26,494. Had you any money yourself?—I had 20*l.*

26,495. From whom?—Mr. Bealy Smith.

26,496. Had you any money at the last election?—No.

26,497. You had 20*l.* from Mr. Bealy Smith in Patton and Vanderbyl's election?—Yes; because it was a losing election.

26,498. How was that?—Vanderbyl was returned.

26,499. What had you done for your 20*l.* besides voting?—Well, I had kept a look-out for the party; nothing more than that.

26,500. Tell us what you had done?—I had done nothing whatever.

26,501. Did you do anything whatever for the 20*l.* besides voting?—No; except advising other people to vote.

26,502. You got 20*l.* for your vote. What do you mean by saying you got 20*l.* because it was a losing election? Did you expect more than 20*l.*?—I had 25*l.* the time before.

26,503. Whom did you get the 25*l.* from?—Mr. Bealy Smith.

26,504. Did you ask for 25*l.* at Mr. Patton's election?—No.

26,505. Mr. Smith said you could only have 20*l.* because it was a losing election?—He said, "We have lost the election, we have not too much money in hand, and you must not expect more than 20*l.*" I was paid that either at the end of February or in March 1867.

26,506. Did you make any claim for your vote at the last election?—Nothing whatever. I never asked, directly or indirectly.

26,507. (*Mr. Coleridge.*) Nor for your agency?—Nothing whatever.

26,508. (*Mr. Price.*) Nor for expenses?—Nothing whatever.

26,509. (*Mr. Coleridge.*) At those two elections, when you got 45*l.*, did you do anything for it? Did you work for it or keep lists?—No; I kept no lists whatever.

26,510. (*Mr. Price.*) What did you do?—I simply communicated any information I received; nothing else.

26,511. (*Mr. Coleridge.*) Did you formally make a claim for it?—No.

26,512. You made no claim whatever for this 25*l.*?—No; none whatever.

26,513. (*Mr. Price.*) Not for professional services?—Nothing whatever.

26,514. In 1865, did you vote then?—I was not on the register then.

26,515. What part did you take in the election then?—There was a meeting on the 24th of June, or, rather, before Mr. Westropp came here, and my name was mentioned about attending at the committee-room.

26,516. Were you then under articles to Mr. Smith?—No. They had been completed. I attended the committee meeting in St. John Street.

26,517. Tell us all you know about it?—Well, just before Mr. Westropp came here there was a meeting in Mr. Lilly's office. I was asked if I would attend the meeting at St. John Street. I did do so, and I went over the register. There were different people at the meeting, and they had lists of the persons they knew, and they made reports of how those persons voted, and who they would vote for, and whether they would vote for us or not, and they would report from time to time—twice a day, for days together. I can tell you the names of the committee-men if you wish.

26,518. No; I do not care about that?—They reported from time to time that they had seen So-and-so, and So-and-so would do this, and So-and-so would be against us, and we found we had a majority for us, and that we were going to win the election. That was going on from time to time during the whole time.

26,519. Was anything said at these meetings as to whether money was to be spent?—We said money was to be spent.

26,520. Were those persons instructed to canvass the people, and say there would be money?—I cannot say that; to say it would be right, or something like that; nothing more than that.

26,521. (*Mr. Coleridge.*) How many persons have you made right yourself?—I did not make any right myself.

26,522. Did you promise anybody?—I may have said this——

26,523. (*Mr. Price.*) You may have said a hundred things?—They may have said, "Do you know whether there will be any money?;" and I may have said, "I "do not know; but if there is you will be paid the "same as the rest."

26,524. But have you said that?—Yes.

26,525. To several voters?—Yes.

26,526. (*Mr. Anstey.*) This was in 1865?—Yes.

26,527. (*Mr. Price.*) Did you do anything at the other election of 1866?—No. At the 1866 election I was unwell, and not able to get about very well. I voted myself, I should think, about mid-day, and the electors had a meeting. I saw one of the electors in the morning at the "Golden Lion." I heard nothing whatever about money. I heard about the "Clarence" hotel, that there were several voters. I went to look after several voters I knew, and the last man I came upon was Mr. Gilchrist.

26,528. What election are you on?—1866; Vanderbyl's election. I saw Mr. Gilchrist; I never said anything about money to him. Mr. Pym, at the "Golden Lion," asked me to call upon him. He is dead now. We went up to poll, and nothing was said about money.

26,529. Was there a "tally" at the "Clarence"?—I do not know.

26,530. (*Mr. Anstey.*) Were there voters at the "Clarence," "bottled up," as it is called?—Yes. I remember James Abbott was there.

26,531. (*Mr. Price.*) Where were they?—Upstairs.

26,532. In the ball-room?—Yes.

26,533. (*Mr. Coleridge.*) Who had charge of them? Mr. Leaker or anybody?—No; I do not think he had.

26,534. (*Mr. Anstey.*) Who had charge of them? You must know?—I do not know who particularly had charge of them. There they were.

26,535. (*Mr. Price.*) Who had control over these men? Who had them under command?—I do not know.

26,536. Who was the active party in taking care of them?—I do not know.

26,537. (*Mr. Anstey.*) I understand you, that at the time you got up there, that these "bottled" voters were, to some extent, free?—They were free.

26,538. Had you been in the hotel at an earlier period of that day?—Yes.

26,539. When you were there before, was the door of the room in which they were "bottled" shut or open?—First of all, they were down below in another room.

26,540. What room was that; the tap-room, or what room was it?—No; a room on the right-hand side.

26,541. The room on the right-hand side of the door as you go in?—No; further down than that.

26,542. (*Mr. Coleridge.*) Through the bar?—No, not through the bar, I believe.

26,543. (*Mr. Anstey.*) Was it a sitting-room or a kitchen?—A sitting-room.

26,544. When you first knew of their being there, was the door of that room locked or open?—Open.

26,545. Had you been there at all that day when they were under lock and key, or under bar or bolt?—No. I saw no bar or bolt, or anything of the kind.

26,546. (*Mr. Coleridge.*) Who kept the key of that room?—No; I do not know that they were "bottled."

(*Mr. Anstey.*) You said just now you thought they were.

26,547. (*Mr. Price.*) What do you mean by "bottled" men? Kept against their wills?—No.

26,548. Then what do you mean?—I mean the voters who waited to the very end, who were going up in a body.

26,549. Were they drinking in a body?—Abbott was drinking. I know that he paid for a bottle of wine himself.

26,550. Was there any drink in the room?—There was no drink in the room but what they paid for.

26,551. (*Mr. Anstey.*) But was there drinking going on?—Yes.

26,552. (*Mr. Coleridge.*) Was there free drinking going on; treating?—Not that I am aware of.

26,553. (*Mr. Anstey.*) Was there drinking going on?—No; I saw Abbott drinking. He told me afterwards——

26,554. As a lawyer, you know what he said is not evidence.

26,555. (*Mr. Price.*) Did you see anybody drinking?—I paid for what I had.

26,556. (*Mr. Anstey.*) Is it not the fact that there is no election at which you, John Williams Veysey, do not go about at public houses with different members of your party, and drink beer at the bar with them?—I do.

26,557. Do you know a person named George William Heal; a notorious man?—Yes.

26,558. And do you know, that in 1865, that he, of all men in the world, was in the habit, at election times, of taking a glass of beer with you, of all men in the world?—I remember going to his brewery, and having a glass of beer.

26,559. And he is your companion?—I knew him through Mr. Kirk.

(*Mr. Price.*) What did you tell Gilchrist when you went to him?

26,560. (*Mr. Coleridge.*) You told him it was all right?—I do not remember telling him anything of the sort.

26,561. (*Mr. Price.*) Now we will go to Patton's election?—I was down at the "Golden Lion" early in the morning, and I came down and polled early from the "Clarence" hotel, and we found that the men were standing about, and no money was going about. Afterwards, I found out there was 5*l.* going,

and a promise of 5*l.* more. Then we came out and we thought we had lost the election at the time. The next thing I recollect is, that I saw several electors go into the "Bull and Butcher," and then they went to poll.

26,562. That election was won at the last moment?—No.

26,563. At Patton's first election he got in by seven?—No; not the very last moment. I will tell you exactly what I heard. I found that Kiddle, at the "Salmon" inn, had not polled. I went out to Kiddle, and I found he had a man there who had not polled, and I said to Kiddle "come and poll."

26,564. Did you give him any money?—I do not know that he had any money.

26,565. That gives us no information. What we want to know is, whether there was any person bribed that day, or was offered money, or promised any?—I never saw a farthing pass.

26,566. Did you promise any?—No.

26,567. Did you say to anybody it would be all right?—No; I was kept away from it.

26,568. Now, 1865. You were going on with some story as to that election?—I was at the committee-room there in 1865.

26,569. (*Mr. Anstey.*) You had got so far as to say you had promised or bribed a number of voters at that election?—When?

26,570. 1865?—I may have said something about money.

26,571. Your attention was called just now to that absurd phrase, "I may have." You said, not that you "may" have promised voters, but you said distinctly that you did?—I told voters——

26,572. Did you or did you not promise them or offer them a sum of money? We cannot be kept here all day wasting our time by a man like you. Did you not promise or offer a sum of money to a voter called Osborne?—I did not, so help me God.

26,573. You swore the same thing before the committee of the House of Commons, and they did not believe you?—They did. It was not reported upon, excuse me.

26,574. Very well, we will see that. You are aware that the enquiry was broken off as soon as they had come to the conclusion that Gilbert and Jones had been bribed; you are aware of that?—Yes.

26,575. And there was a great dissatisfaction expressed. Your case was under consideration when the inquiry was broken off? Was not that so?—No, decidedly not. It was the first case mentioned.

26,576. Were you not contradicted in your statement upon that by old Mr. Osborne, the two Misses Osborne, and some other witnesses?—No; there was the old man and two daughters.

26,577. And no other witnesses?—No other witnesses, I believe.

26,578. You had none to support you?—No.

26,579. And the question which the Committee had to consider, and which of course we shall have to consider when we hear those other witnesses, will be, whether your character stood then so high in Bridgwater as to entitle you to belief, although contradicted by those three highly respectable witnesses?—Yes. What I said before the Committee of the House of Commons, and so reported in the Blue Book, is the truth and the whole truth in every respect. What the old man said about not having any scrutiny votes is totally false. As to what the daughters said, no doubt they overheard what I said, and they put a wrong construction upon it.

26,580. You need not tell me what they said; I have it all in the Blue Book. Do you mean to swear that they only swore to what they overheard pass between you and their father? Do you mean to swear that was all they swore?—No. They were not in the room in the beginning.

26,581. Do you mean to swear that was all they swore; what they overheard pass between you and their father?—They swore they heard me say so and so.

26,582. And no conversation passed between them and you?—Oh, a conversation did pass. I went there with them.

26,583. You had better take care what you are about. Do you mean to say that Miss Osborne's attention was not called specifically to the sum of 10*l.* as being the cost of a silk dress?—We ——

26,584. Answer my question. Did you or did you not call her attention to the fact that 10*l.* would go towards buying a silk dress for her?—She said——

26,585. Did you, or did you not say that to her?—She said ——

26,586. Will you answer the question? You can explain afterwards. On your oath, did you not say to Miss Osborne that 10*l.* would go a long way, or some way, towards buying her a silk dress?—I did not, to the best of my belief.

26,587. (*Mr. Price.*) What do you mean by "the best of your belief"? Do you mean us to believe that you have not now a sufficient recollection, so as to be able positively to say, one way or the other, whether you made use of that remarkable expression to Miss Osborne, that 10*l.* would go a long way towards buying her a silk dress?—She has stated that she said that 10*l.* would buy her a silk dress, or something of that kind. I did not offer a single farthing to Mr. Osborne either directly or indirectly.

26,588. Never mind that. The question is, did you not say that 10*l.* would go a long way to buy a silk dress?—I did not, to the best of my belief.

26,589. (*Mr. Anstey.*) This is what she said,—it is 20*l.* I find: "What is 20*l.*? I could spend it all in a dress." That is her evidence?—I was not there when she gave her evidence.

26,590. You were not there?—I was not. I did not go up till after she gave her evidence.

26,591. (*Mr. Price.*) But did Miss Osborne say to you that she could spend more than 20*l.* on her dress?—Yes, she said something to that effect; that she could spend more than that on a dress.

26,592. She said that to you?—Yes.

26,593. (*Mr. Anstey.*) Was not that in answer to a remark of this kind: "Mr. Osborne, you are a very foolish man; 20*l.* is useful in a family"?—I do not remember.

26,594. Or anything to that effect?—I do not remember.

26,595. Did you tell Miss Osborne previously to that, that you had been discussing politics with Mr. Osborne, her father?—I did say something like that.

26,596. Did he say in that conversation about politics, "If you were to offer me 2,000*l.* I would not take it"?—He did say so; and I told him I respected him for it.

(*Mr. Price.*) I should think he would feel himself more insulted by your respect for him than by your want of respect for him.

26,597. (*Mr. Anstey.*) What made him say that?—He said, "Now, my neighbour, Isaac Drake, would take 10*l.*, but I would not."

26,598. There is not a word about Isaac Drake occurs in your evidence before the Committee of the House of Commons?—He said, "My neighbour no doubt would."

26,599. (*Mr. Coleridge.*) His neighbour is Isaac Drake?—His neighbour is Isaac Drake.

26,600. (*Mr. Anstey.*) Why did you not mention about Isaac Drake before the committee?—I believe I did.

26,601. But you did not. It is not mentioned in the report in the blue book?—There are several misprints there.

26,602. But this is an important misprint. Nothing about his neighbour occurs in this report. Nothing appears about Drake, nor "my neighbour." Are we to believe your statement, or that of the respectable

short-hand writer?—I am telling you exactly the truth.

26,603. Did he tell you, in answer to something you said to him, "Supposing I was to take the money, "and it was to be found out, it would not only subject "me to six months' imprisonment, but it would unseat "the member?"—He did not.

26,604. And did you tell him, "If you will take the money it will never be found out?"—I did not.

26,605. Did he tell you, "There is another thing; I have promised my vote?"—I believe he did tell me he had promised his vote.

26,606. Did he tell you, "If I could not get 20*l.* in "an honester way than that, I would not have it at "all?"—He said he would not take money for his vote; he said that.

26,607. Did he say anything to you to this effect, "If I cannot get 20*l.* in an honester way than that I will not take it at all?"—I cannot say whether he used those words; but he told me this, that he would not take money for his vote.

26,608. Did he mention 20*l.*, that he would not take 20*l.*?—He said, "No; 10*l.* would not buy me, nor 20*l.*, nor 2,000*l.*;" something like that.

26,609. (*Mr. Coleridge.*) How came he to be talking about money to you?—I went there and began to talk to him about the election.

26,610. About money, I suppose?—I did not.

26,611. How came he to talk to you about money?—We began to talk about the election.

26,612. You must have said something to him about what was going?—No, I did not.

26,613. (*Mr. Anstey.*) Did you not know he was a Liberal when you went to him?—I did.

26,614. Did you not tell the House of Commons he was what was called an "old buffer?"—I did; a "buff."

26,615. You went to Mr. Osborne, knowing he was a Liberal, to ask him to vote for Mr. Westropp. Is that so?—When?

26,616. You know when. On that occasion?—On that Sunday evening?

26,617. Yes?—I did not go to him to ask him for his vote.

26,618. Then you have either perjured yourself here or before the House of Commons; for you were asked these two questions, "Did this conversation "take place? Did Mr. Osborne, the old gentleman, "say, "Well, Mr. Veysey, what is your pleasure?" in "a contemptuous sort of way, you perceive; and your "answer is, "Not that I am aware of." Then you "are asked, "Did you say, 'I am come to ask you, "Mr. Osborne, that you will vote for Mr. West-"ropp?'"; and your answer is, "No, I did not. "Then you are asked, "Did you say this, 'I will "tell you what I will do, we will have no scrutiny "votes, and you shall plump for Mr. Westropp, and "we will give you four smackers, smiting the action "to the word, that is 20*l.*?" And you say, "I did "not; I never heard the term 'smacker' applied "before." I had misread the passage I see?—No; I did not say anything of the kind.

26,619. Well, we shall see the Misses Osborne here, I have no doubt. Is Mr. Osborne alive?—I believe he is.

26,620. (*Mr. Coleridge.*) Where does he live?—Barclay Street.

26,621. (*Mr. Anstey.*) Is he not a highly respectable person?—I do not know much of him.

Miss Jane Reeves sworn. *Miss J. Reeves.*

26,622. (*Mr. Price.*) We understand that you keep your father's books, in which all his bill transactions appear?—Yes.

26,623. We want to know what bill transactions passed between him and Mr. Salmon?—I believe if you will look at this book you will find it (*handing a small book to the Commissioners*).

26,624. When was the last occasion that Mr. Salmon did anything in the way of a bill transaction for your father?—What he has done will appear on that book.

26,625. Has he paid any money at any time for your father to keep the bailiffs out?—No.

26,626. He has not?—No.

26,627. (*Mr. Anstey.*) Had he taken up any bills for your father?—He took up some bills.

26,628. Was your father threatened about those acceptances or bills?—No.

26,629. Threatened with an execution?—No.

26,630. When was the first occasion of his taking up a bill for your father?—You will see it on the book.

26,631. (*Mr. Price.*) It begins in 1865. Is this the earliest book you have?—Yes. That was the first time Mr. Salmon ever did it for him.

26,632. (*Mr. Anstey.*) Are you quite sure he never did anything for him in 1859?—It is not on that book as you will see.

26,633. But did he do anything in 1859? This book begins in 1865?—You will see on the book when the bills became due.

26,634. Did he or did he not do anything for your father in 1859?—I believe he did.

26,635. This book does not show it?—That book does not show it. It could have been only for a short duration, only for a few days.

26,636. Anything in 1860?—As far as my memory will serve me, he did.

26,637. And in 1861?—Very likely.

26,638. Very likely! I am asking you about your memory; do you remember?—I have not had time to charge my memory. I do not keep everything in my mind.

26,639. In 1862, 1863, and 1864, was anything done?—Whatever business we have done about bills was done at Stuckey's bank.

26,640. This is only the bank book?—That is the only one I have.

26,641. (*Mr. Price.*) The banker gives you that?—No. It is a book of my own, and Mr. Salmon enters it down for us.

26,642. (*Mr. Anstey.*) And that is the book you keep?—That is the only book we have for it.

26,643. (*Mr. Price.*) Does Mr. Salmon do all the banking business for your father?—He has always done all the banking matters for my father.

26,644. What is your father?—A boot and shoemaker.

26,645. Mr. Salmon has always done your banking business for your father?—Yes.

26,646. (*Mr. Anstey.*) Is Mr. Salmon a Conservative?—Yes.

26,647. Do you know whether Mr. Salmon has ever done anything for your father in the way of taking up bills, to prevent his being sued upon them?—No. He always did business of that kind himself.

26,648. I am asking you about taking up bills on which your father would be liable. I ask you, did you know of any bills of that kind taken up by Mr. Salmon in 1859; yes or no?—No, I have not.

26,649. You have not?—No.

26,650. What do you know of any bills having been taken up by Mr. Salmon, except the bills which are mentioned in that book?—Yes. I have other bills taken up.

26,651. Where are the bills referred to in that book?—We have never kept them, because we have never kept the parties long without the money.

26,652. (*Mr. Price.*) Mr. Salmon will know all about it?—Yes.

26,653. (*Mr. Anstey.*) How came Mr. Salmon to keep that book?—He never kept that book; he entered it down.

26,654. Did he never give you a book before?—No. We never required one.

26,655. You never asked for one?—No.

TWENTY-FIFTH DAY.

Miss J. Reeves.

21 Sept. 1869.

26,656. How came you to ask for this one?—I did not ask for it. He asked us for it, and we carried it over to him, and he entered it down for us.

26,657. (*Mr. Price.*) It is in several handwritings. Mr. Salmon is the manager of Stuckey's bank?—Yes. He is the manager of Stuckey's bank.

Mr. R. Salmon.

Mr. Robert Salmon recalled.

26,660. (*Mr. Price.*) What we want to know is about the business transactions which you had with Mr. Carter Reeves. It has been stated by Mr. Allan that the reason of Reeves changing his political views is because you had lent him money to pay out an execution, or to keep out the bailiffs; and then he denies that, but he acknowledges that you had bill transactions with him. Now just tell us about them?—La! There are so many, I can't tell you at all. He is not the only man in Bridgwater that I have assisted at times by scores. I know nothing of executions. I know nothing of that.

26,661. Was he a customer of your bank?—Well, a casual one.

26,662. Just look at that little book (*handing a book to the witness*).

26,663. (*Mr. Anstey.*) Do your transactions with him begin before the period to which the book relates?—Well, they may have been on for a great many years, but they are very minute transactions altogether.

26,664. (*Mr. Price.*) That book begins in 1865 only. Now just let us understand the relation in which he stood to your bank, Mr. Salmon, or to you?—I do not understand what you mean by relation.

26,665. Was he a customer of the bank?—A casual customer, that is all.

26,666. Now there is the book from 1865?—Yes.

26,667. When did his account first commence with you?—Well, I should think the man had been meeting his bills as a little tradesman, perhaps, for many years before this.

26,668. (*Mr. Anstey.*) How many years?—Well, now I really cannot tell you.

26,669. As far as from 1859?—Well, I really cannot tell you; I really cannot. It would be useless my guessing.

26,670. (*Mr. Price.*) Was it in the ordinary way of an accommodation as a banker that you did it for him as for anybody else, or was it done with reference to politics?—Not in the slightest. We know nothing about politics down at our place.

26,671. (*Mr. Anstey.*) Had he any custom or business at the bank that you know anything about, except when he went to get his bills taken up?—Nothing at all; decidedly not. That is all.

26,672. Except when he went to get a relief from your bank?—Yes.

26,673. (*Mr. Coleridge.*) When you talk about relieving people, you mean in the way of business?—Yes.

26,674. Not as a matter of charity?—No.

26,675. (*Mr. Price.*) Is it a regular bank transaction?—Precisely. Everything that appears in this book, and every transaction I have had with the man, has been in the shape of business, and nothing else.

26,676. I suppose a number of these small tradesmen are obliged to transact business in that way? They do business in the way of bills, and they come to a bank like yours?—The big and the little.

26,677. (*Mr. Coleridge.*) Just the same as the farmers, when they don't want to thresh wheat, and they give bills and hold over for better markets?—Precisely the same.

26,678. (*Mr. Anstey.*) Are you aware that you ever advanced money for the purpose of relieving him from liabilities, when he had the bailiffs in?—Not that I am aware of at all. I cannot bind myself to answer that question. I think I have never advanced him any money, except it was for a bill due in a day or two; and perhaps he has said, "In a week I shall be able to meet it."

26,679. Can you mention any occasion when he did not meet it?—Yes, many.

26,680. What did you do then?—Then it was carried on as an over draught.

26,681. (*Mr. Coleridge.*) Without a renewal?—Yes. There was no chance of renewal, because he might have given the bill to you or some one else.

26,682. Paid it away?—Yes.

26,683. (*Mr. Anstey.*) Was it then written off as a bad debt?—No; he owes me money now.

26,684. What is the longest date from which he has been owing you money which is owing you now?—He has been owing us money since 1865. It is very idle to talk about politics and us, because there is no man would hold his situation as I do down at our place if he mixed himself with politics.

26,684. (*Mr. Coleridge.*) Mr. Ford has?—But Mr. Ford is no pattern for me. I assure you that I could never hold the situation an hour if it was known that I had the slightest bias in politics, and I beg to make this public declaration to that effect. Our company would not allow it.

26,685. (*Mr. Anstey.*) I think you said you were a Conservative, the other day?—I do say so, and I defy any man living to say that business has ever altered me.

26,686. You mean no bias in the transactions of business?—I do say so.

26,687. (*Mr. Coleridge.*) Well, you know we have heard here that both the bankers in this town have mixed themselves up in a very awkward manner in these elections; therefore you must not be surprised if we should ask you just the same question?—Precisely.

26,688. (*Mr. Price.*) You would not have objected, as a banker, to do what Mr. Ford did?—I should, decidedly. I would not have done it for the best customer I ever had. I tell you this——

26,689. Well, don't make a speech. Supposing Mr. Brogdon, of the Conservative side, if there had been such a man, had come to you for the same thing when Mr. Patton first came here. Supposing Mr. Patton had a friend, we will call him Smith (I shall remember his name presently)—supposing he had come, or one of the lawyers on the Conservative side,—the Barham of the Conservative side,—suppose he had come to you with a cheque of this gentleman's upon a bank, we will say in Edinburgh, for 400*l.*, would you have cashed it?—Well, that would depend upon whether I knew that he wanted it for his own private expenses or not.

26,690. Do you mean to say that if, on the morning of the election, the Barham of the Conservative party, whoever he be, had brought you a cheque of this gentleman's (Mr. Patton's friend), and said, will you be good enough to let me have that in sovereigns, would you have gone, as Mr. Ford has done, over to Bristol, and brought the sovereigns?—No, indeed I should not.

26,691. Would you have inquired, "What do you want it for?"—No; I do not think if I was in that situation that I would have compromised the company at all.

26,692. Supposing a gentleman came to you, being a customer of your bank, the solicitor on the Conservative side. Mr. Brice, or Trevor, (I am speaking by way of supposition,)—supposing they had come to you, and said, "Will you be good enough to cash these "two cheques of Mr. So-and-So's for 400*l.* or 500*l.*", whatever it might be; would you have done it without inquiring whether it was for his own private purposes?—Decidedly I should not have done it;

especially if he had told me it was for election purposes.

26,693. But it was not said that it was for election purposes. Supposing he did not say anything about that?—Well, very likely I might not, but if he asked me for sovereigns I should think it was a very questionable thing, because you must understand that sovereigns do not pass in large numbers in Bridgwater.

26,694. (*Mr. Coleridge.*) Except at election times?—I stand excused from that, because I know nothing about it.

26,695. You know it perfectly well?—Look here, I have been mixed up with money for 40 years in Bridgwater, and never in my life do I recollect a single transaction that has gone through our bank where they have favoured the parties with money. I make that solemn declaration.

26,696. Are you the manager here now?—I am.

26,697. And do you mean that at no election during those 40 years that you have known Bridgwater, you have never known any suspicious transaction take place at your bank during election time?—I never have; I never have.

26,698. You cannot call to mind any occasion on which a cheque for 500*l.* or 1,000*l.* has been cashed in gold, or anything of that sort?—I stood at that counter——

26,699. I do not ask that question. Have you known any such transaction? Answer that. That is all. Do you know within your 40 years' experience any instance during an election, or about an election, when a large sum of money has been withdrawn from the bank in gold or notes?—Never.

26,700. You never have?—Never.

26,701. Never since you have been here?—Never. I was more than 30 years behind that counter, and then the public asked for the situation for me, and I got it.

26,702. Did you never know during that time any such transaction?—Never.

26,703. You were behind the counter?—And had the whole control of the money.

26,704. Do you mean that during election times you have not found, or if you turned to your ledgers you would not find, that a much larger sum of money had gone out a day or two previous to or a day or two after the election than upon any other day in the year?—No.

26,705. Then I should like to see your ledgers?—Very well. I tell you this (and I do not take any credit for the Conservative party; I think it is six of one and half a dozen of the other; I think one party is as bad as the other), that the Tory party always managed differently. They never compromised us in any way whatever.

26,706. Do you mean they always brought the money down?—I do not know anything about that. I mean to tell you that it never passed through my hands, because if it did I must have known it.

26,707. You gave the answer to my friend just now, that if any man came in with a cheque, and had a balance, and asked for cash, you would not have cashed his cheque if it had been suspicious?—I beg your pardon.

(*Mr. Price.*) That was not it. I put the question, if the Brogden of the Conservative party had brought it in?

26,708. (*Mr. Coleridge.*) I suppose if any customer of your bank, having a thousand pounds balance on the election day, brought his cheque to draw it out in sovereigns, you would be bound to satisfy him?—I am not bound to satisfy him in sovereigns at all.

26,709. How should you manage?—I should have taken out my book, and satisfied him with Bank of England notes.

26,710. He is not bound to have your notes?—No.

26,711. (*Mr. Price.*) You generally ask a customer how he will have it?—Generally speaking. It is not convenient for us always to pay in gold. I have gone through some very hard runs in Bridgwater, and I know a little about it.

26,712. To what extent would you give him gold?—We do not strain the point. If he wanted 40*l.* or 50*l.* in gold I might give it, but if he asked for 100*l.* I should say, "I do not think I shall pay it to you all "in sovereigns, but in Bank of England notes," for you may soon run dry, you know.

26,713. (*Mr. Anstey.*) Take the period of a month after the election, and suppose anybody comes to you for gold or money, or anything of that kind, about that time, or a few weeks afterwards, or a few months, it does not matter, a person comes to you for a large sum of money, much in the same way in which, during the election, Mr. Barham came for money to Mr. Ford, and said, "Here are some cheques "on Manchester banks and other places which we "wish to have cashed, but for convenience we would "rather have them in gold," would you say to yourself, the election being over, "This cannot be for election purposes; I will attend to it"?—Well, your question is rather a long one, and perhaps I am not so clear-headed as some people, to answer long questions, but I tell you this: It is not our custom to pay in gold. If a man comes to us and wants a large amount of gold or Bank of England notes, which is frequently the case—— Perhaps a person comes to us, and asks for 1,500*l.* or 2,000*l.* in gold. We say, "What do you want it for"? "I want it for a legal tender." "Then take it in Bank of England notes, which are a legal tender." That is as common as can be.

26,714. (*Mr. Coleridge.*) Suppose he said, "I want to make a number of small payments, varying from 4*l.* to 10*l.*, and I would rather have it in gold"?—Then I think, if it was convenient, I should let him have it.

26,715. (*Mr. Price.*) If, however, it is the fact,—I am not saying it is,—that the Conservative bribery took the form of promises before and payments after the election, your bank might in that way be made the medium of payment?—There are various ways of drawing money out of our hands which we know nothing at all about.

26,716. Is your bank, as a matter of fact, the Conservative bank?—Well, I do not know whether we have a right to arrogate that to ourselves.

26,717. Messrs. Sealy and Prior's bank is?—Certainly not.

26,718. (*Mr. Coleridge.*) Are you connected with the Mileses at all?—Well, it does not follow at all——

26,719. But I ask you as a fact?—I believe one of the Mr. Mileses has got shares in our company; but I do not think that it at all follows——

26,720. (*Mr. Anstey.*) I ask you whether it is not a matter of fact that the wealthier Conservatives chiefly bank with you?—Yes; I am bound to say so.

26,721. Is yours a company, in the ordinary sense of the word, or is it a private firm?—Oh no. It is a joint stock bank. They make choice of their shareholders.

26,722. Do you occupy precisely the same position that Captain Ford does in the other bank?—Well, I am manager of Stuckey's Banking Company. I do not know what his position is.

26,723. (*Mr. Price.*) Why is it called "Stuckey's"?—Mr. Stuckey first established the bank, when the joint stock companies were allowed.

26,724. In 1826?—Yes.

26,725. (*Mr. Coleridge.*) Is that the bank in Bristol?—Yes; we have a bank in Bristol.

26,726. Is that the bank in Bristol in which Mr. Montagu Bayly is a very large shareholder?—No, not that; we have a bank in Bristol called the Castle Bank.

26,727. Are you the bank in which the Mileses and the Harfords are mixed up?—No; that is another. That is the Mr. Miles you were speaking of just now.

26,728. Suppose one of the shipowners here came to you, having a balance, and said, "I want 3,000*l.* in sovereigns to take out as specie going abroad," would you require notice?—Yes.

TWENTY-FIFTH DAY.

Mr. R. Salmon.

21 Sept. 1869.

26,729. For an exceptionally large sum you would require notice?—Yes; just the same as you might come to me to-morrow, and say, "I want to "make a large payment in Dorchester of 5,000*l.* or "7,000*l.*, and I want Bank of England notes." I should do it, and I should say, "I will arrange for you to have it on Monday."

26,730. It is the custom, I suppose, for most of the banks, except very large ones, to require notice?—Yes; but our transactions are not so many.

26,731. (*Mr. Price.*) Is there a branch of the bank of England at Bristol?—Yes.

26,732. Therefore you would really have no difficulty?—No.

26,733. (*Mr. Coleridge.*) As far as your credit would go you would always get the cash?—We have always found it so. Sometimes we find a person like our friend Carter Reeve, gets credit when he has not got the cash. He does not stand singular in this town, nor yet in the neighbourhood, if you look at their books. I don't think it was worth their while, whoever it was, that dragged me up to tell you this. The same man may have had accommodation himself before.

26,734. You have given us a good deal of information?—Well, I am glad to do so.

26,735. (*Mr. Price.*) Then it is not so, that you gave any extra accommodation to a Conservative?—No; it is idle to talk about it. I never did it in my life.

26,728. (*Mr. Coleridge.*) It was stated here by Mr. Allan——

(*Witness.*) Mr. Allan! Who takes his word for anything? I don't.

26,729. (*Mr. Price.*) Allan does not say it himself.

(*Witness.*) If he makes up his account, Mr. President, as well as I can make up mine, I think you will be very well satisfied.

26,730. (*Mr. Price.*) Mr. Allan said nothing in disparagement of you at all. What he said was this. We were asking Carter Reeve about his different votes, and we found that he had voted on both sides, and we were asking the reason, and he gave us one, and Mr. Allan said, "This man gave me as a reason "for changing his voting that Mr. Salmon had done "him a favour by paying the bailiffs out of his "house." Therefore you must settle the matter with Carter Reeve. It is not an accusation of Mr. Allan's.—I do not think that I have anything to settle with Carter Reeve. I was here within five minutes of the question being asked.

26,737. I do not say anything about that. When you accused Mr. Allan of saying this thing, and said, "Who will believe him?" I do not think it was an observation at all called for by anything Allan had said about you, because Allan had told us nothing about you, except what he told us on the information of Carter Reeve. Therefore it was not worth your while in your position to make that remark about Mr. Allan.

(*Mr. Anstey.*) I am bound to say, whether you give credit to Mr. Allan or not,—I say nothing about this particular affair, though I believe that Reeves did say what Allan has stated,—I have no hesitation in saying, having observed Mr. Allan's evidence in this court, that I think him a very credible witness indeed.

(*Mr. Coleridge.*) I think we have all felt that.

J. C. Reeves.

JOHN CARTER REEVES recalled.

(*The witness.*) Will you be kind enough to ask Mr. Batten what he heard me say before I voted for Westropp, to show that I made my mind up to vote for Westropp just after the occurrence.

26,738. (*Mr. Price.*) That does not matter at all. Allan says that you told him that you had made up your mind to vote for the Conservatives because Mr. Salmon had paid an execution out, or paid the bailiffs out. He says he never did?—He never did; and I never had but one execution in my house, in my life, and I appeal to the Town Clerk as to who got that out of my house.

(*Mr. Price.*) It is a most extraordinary thing that we get so many different stories upon matters of the most unimportant kind, which it is not worth any man's while to perjure himself about.

(*The witness.*) I have not the slightest recollection of speaking to Allan in my life about it. I think I have told you all I know, and I have kept back nothing. I have attempted to tell all I know.

26,739. (*Mr. Coleridge.*) Your statement is that you never did tell Allan that you voted because Mr. Salmon had done a great favour in paying the bailiffs out of your house?—No; I never could have said so, because he never did.

26,740. (*Mr. Anstey.*) You told us some time ago that you left your party because they did not behave well to you?—They did not.

26,741. And it appears that Mr. Salmon did behave well to you in taking up your bills?—I dealt with him.

26,742. Is that so or no?—I will explain.

26,743. Did you consider he behaved well to you?—He behaved well to me years before this occurred.

26,744. When your party behaved ill to you, you left them?—I did.

26,745. You knew that Mr. Salmon was of the Conservative party?—I knew that perfectly well.

26,746. Did you ever go to Sealy's or Prior's Bank, or to the West of England Bank, or any Bank except Stuckey's Bank to get your bills taken up?—Never.

26,747. Why did you not go to Sealy's and Prior's Bank, that being what was called the Liberal Bank?—If you will allow me to explain I will explain. It is because the houses which I deal with always make their bills payable at Stuckey and Co's. Bank, so that I am bound to go there.

26,748. (*Mr. Coleridge.*) You mean the wholesale leather houses at Bristol and elsewhere?—Yes, they always make them payable at Stuckey's Bank.

26,749. (*Mr. Price.*) How had your party behaved badly to you?—By using my name without authority.

26,750. (*Mr. Coleridge.*) You got your ten pounds?—Yes, certainly I did. I was not going to let the attorney's clerk have my money.

26,751. You do not consider it ill-treating you to let you off that 9*l.*?—I do, because he used my name without my authority.

26,752. Did you ever pay that again; that 9*l.*?—I intended to do it.

26,753. It is six or seven years ago. Have you ever done it?—He gave me the bill of it, and the receipt.

26,754. I know he did, but you say you were ill-treated by having your name put down for 10*l.* You actually received the 10*l.*; because you were let off a debt of 9*l.*?—After I had found out that he had used my name unknown to me, I went, and charged him with that, and he denied it.

26,755. And he sent you a receipt for the very money which you accuse him of putting your name down for, and you kept the receipt?—I did.

26,756. Then you got the 10*l.*, just as much as if you had had it paid you?—It is a hard thing to have my name used without my knowledge.

26,757. But you got the money?—

(*Mr. Price.*) You got the benefit of your name being used. You have have been forgiven a debt.

J. W Veysey.

JOHN WILLIAMS VEYSEY (recalled,)

26,758. (*Mr. Price.*) Now go on, and tell us all that you did at that election?—I had a register of the voters, and at different elections.

26,759. Is there a practice in the Conservative party of going over to men whom they know look for money, and giving them tickets or cards?—I believe not then.

26,760. (*Mr. Coleridge.*) When was there ever such a thing?—I never heard of such a thing.

26,761. Why did you say "not then"?—I heard of the association, you know. I never went to one meeting.

26,762. (*Mr. Price.*) Tell us what you have heard?—I have heard that at the association different electors who were enrolled there had a card of membership.

26,763. The Conservative Association?—Yes; I know nothing more about it.

26,764. A card of membership?—Yes.

26,765. Was that to be presented afterwards, after the election, to entitle them to get any money?—I believe not.

26,766. (*Mr. Coleridge.*) Do you ever recollect a man called Satterthwaite down here?—I do not know him.

26,767. Do you know "the man in the moon," who came down, and did the card trick?—I do not.

26,768. (*Mr. Price.*) What did you do in 1865?—We met there, and I had a register of the voters, and different men on the committee had a list of men who they were to look after, and they said, "So-and-so will "be with us, and So-and-so we cannot do anything with; he is on the other side." They presented reports from time to time. We discussed the roll according as it was, and they reported proceedings from time to time; them that would be with us or them that would be against us, as they were.

26,769. Well, go on. We do not care what was done about that. We want to know what you did about money matters in 1865?—Nothing whatever.

26,770. Then how was it that you were brought up to London, and that this accusation was made against you, if you had done nothing?—Because I was on the rolls, and they wanted to prove agency through me.

26,771. If you had done nothing, what was the good of making you an agent. A useless agent—what is the good of that? What was it you were supposed to have done for which it was worth while to prove that you were an agent?—Because I attended this committee in St. John Street, and they thought from that they might prove agency.

26,772. There is no good in proving agency unless they could prove an act done by the agent which would imperil the seat of the person petitioned against. Was it your agency they wanted to prove?—Yes.

26,773. They wanted to fix that for the purpose of proving the bribery done through you?—Yes.

26,774. What was the bribery?—They brought up this case of Osborne, which was utterly false in every respect. Then there was the case of Jones. I met Jones on the bridge between two and three o'clock in the morning, and at the same time there was a man called Reeve, who was very much intoxicated, also on the bridge, and they were rolling a barrel up and down at the same time, and his brother, who was called Isaac Jones, the horse dealer just up here, a brother-in-law of Mr. Kirk, he came up to me, and said, "My brother will go with you." I said, "No; he is in Mr. Mogg's employ." He was the last man in the world I should have thought of speaking to.

26,775. (*Mr. Coleridge.*) Is Mr. Mogg a very strong man for the Liberals?—He was the leader of the party. One of the most respectable men. I do not know that he was ever mixed up with anything wrong. I never heard anything of the sort in my life. The man spoke to me, and asked me where I was going, just in the morning. He went to Mr. Harwood's, to have a cup of coffee, at the same time, and I never said anything to him. He said, "I suppose you are going to vote for Kinglake and "Shelley;" and when we were going by the Post Office, or Symons's, where the clock is, I met Mr. Bussell, and afterwards ——

26,776. Which Bussell?—Robert Bussell. He said that he had been promised so much money, and he would try to get it for him. I never directly or indirectly promised him any money. I went into Mr. Harwood's, and I left him. That was between two and three. I went round the district to see what was going on, round Union Street and Bath Road, and different ways; and then I found that the Bath Bridge House, where George Heal lived, who was examined here, was open, was open the whole night, and I heard that Gilbert was there afterwards, and several others on the Liberal side.

26,777. (*Mr. Anstey.*) Frederick Jones, I believe, swore distinctly before the Committee that that night he met you on the bridge you took him to Harwood? Is that so?—Yes; there were several Liberals.

26,778. But Mr. Harwood was on your side of the question in politics, was not he?—Yes; he voted for Mr. Westropp. He always has voted for the Conservative side.

26,779. Was Mr. James Leaker there; Mr. Leaker of the "Golden Bull"?—The "Golden Ball." He was, in the evening; and Mr. George Ralls, a farmer, was there.

26,780. They were all Conservatives, were not they?—No. Mr. John Smith was there the same evening on the Liberal side.

26,781. I am asking about when you took the man there. Were they all Conservatives at the moment you came there with Jones? The moment of the evening when you and Jones made your appearance there?—This was between two and three in the morning.

26,782. Will you answer the question? We call two or three in the morning the evening, if it is continuously dark. You know that very well. We want none of your word-splitting here. Answer the question. At that late hour of the night, or early in the morning, were they all Conservatives who were present when you and the man Jones came in. Yes, or no?—I believe Mr. Leaker was there then. I am not sure.

26,783. Were they all Conservatives there or not?—I think not.

26,784. Do you mean to say that there, on that occasion, in the course of your conversation with Jones, he told you, in answer to your question who he intended to vote for, "The side I can do the best for myself by"?—He did not. I never passed one word of that kind with him. He told me on the way there.

26,785. He never said a word about that?—I never said a word about that.

26,786. You are determined to evade my question. I do not ask you about what you said yourself. I ask you what he said. Did not you ask him which way he was going to vote?—I did.

26,787. Did not he answer,—not you, but he,—"The side I can do the best for myself by"?—Decidedly not. He told me he was going to vote for Kinglake and Shelley, and have his expenses paid.

26,788. Did you say "All right; we can do as well as any one"?—I did not.

26,789. Are you aware that he swore to that before the Committee?—I am.

26,790. Now, there was another case. Did you have any conversation with Philip Gilbert?—I did. I sold him two houses in Union Street.

26,791. Philip Gilbert is one of those found by the Committee's report to have received offers of money in order to induce them to vote for Henry Westropp?—Yes.

26,792. And for which Mr. Westropp was thereupon unseated. Now, did you tell the Committee that you did not canvass him to vote for Mr. Westropp?—I asked him.

26,793. Did you tell the Committee that?—I did not canvass him.

26,794. Did you tell the Committee that you did not canvass him to vote for Mr. Westropp?—I cannot say.

26,795. Well, here it is: "No, I did not canvass him." Is that true or false?—I did not canvass him.

TWENTY-FIFTH DAY.

J. W. Veysey.

21 Sept. 1869.

What I call canvassing was with the member, with Mr. Westropp.

26,796. I believe you are very clever, sir, in putting meanings to words. You told the Committee you did not know the meaning of a scrutiny?—I did not.

26,797. Although you were at that time a practising solicitor?—I did not understand a scrutiny.

26,798. You were asked whether either under articles or out of articles you had never inquired the meaning of a scrutiny with reference to a Parliamentary election?—I did not understand how it applied.

26,799. Now, I suppose, you do not call it canvassing unless the member is by your side?—I spoke to the man. I sold the man two houses in Union Street. I did speak to the man. I asked him which way he was going to vote. He told me he had been inclined to be a Liberal. He told me also that he had voted at the 1857 election on a promise given.

26,800. I am not asking you a question about the 1857 election. I am asking the question to which this reply has been given. Did you canvass him?—I spoke to him. I asked him which way he was going to vote.

26,801. Did not you ask him distinctly and directly to this effect: "Mr. Westropp's poll is standing very well; you had better vote for him"?—I did say so on the polling day. I did.

26,802. Did he then tell you that he wanted a little money?—He did. He said he was building some houses. He had bought some pits from Mr. Cook, from the railway company.

26,803. He said he wanted a little money. That is the question?—Yes.

26,804. Did any person then present say, "We are doing 10*l.*"?—I did not hear that.

26,805. (*Mr. Coleridge.*) What did you hear?—If you will allow me, I will tell you the whole transaction that took place.

26,806. What did you hear?—I did not hear anything. I left him up in the upper room at Pinner's, in the back room, sideways from Polden Street.

26,807. (*Mr. Anstey.*) Did he leave first—before you?—I left first.

26,808. As you were leaving, or at any period of that conversation, did you hear him say, "Recollect, I will not vote for Westropp for 10*l.*"?—I did not hear that.

26,809. That you swear positively?—I do.

26,810. Now who was the other person who was present at this conversation?—There were two or three people belonging ——

26,811. Was not the infamous William Heal present?—He was not.

26,812. Had you gone with Gilbert to Pinner's public-house?—He did go in the back way with me.

26,813. Had you gone there with him?—He went there with me.

26,814. Will you answer the question? Had you gone into that public-house with Gilbert?—I did go in with him.

26,815. Then why don't you say "Yes"?—Yes.

26,816. (*Mr. Coleridge.*) Can't you say yes at once?—Yes, sir; yes, yes.

26,817. (*Mr. Anstey.*) When in that house you went into the club room?—Yes.

26,818. There were other voters there?—Yes.

26,819. That is a Tory house?—Yes.

26,820. You were there about half an hour, I suppose?—I was not.

26,821. How long were you there?—Not a minute. I left him there.

26,822. What do you say?—I left him there.

26,823. There was drinking going on there, was not there?—I had none.

(*Mr. Anstey.*) You are giving a series of the most impudent replies in the most impudent tone and manner.

(*The Witness.*) No, sir, quite the contrary.

(*Mr. Coleridge.*) And with no earthly object either.

26,824. (*Mr. Anstey.*) Was there any drinking going on there when you were there?—There was not.

26,825. There were voters there?—There were.

26,826. Will you swear that Gilbert did not leave you there, saying, "I was not to stop only a few "minutes, and it is above a few minutes now, and "I must go"?—He did not. I went down the other stairs.

26,827. You are aware that Gilbert swore that "the other party" who was present, in Mr. Veysey's presence,—he says, "The other party" said, "We are "doing 10*l.*;" and that he added, "I don't see any "likelihood of getting anything here, and I shall not "stop any longer," and that thereupon you took hold of him, Gilbert, and held him fast by the collar of the coat, saying, "I won't keep you five minutes "longer,' upon which he promised you that he would stay for ten minutes. Is that true or false?—He did not.

26,828. (*Mr. Price.*) The whole of that is untrue?—That is untrue.

26,829. (*Mr. Anstey.*) He says at that moment there were twenty in the room, he should think; twenty persons?—I should think there were nearly twenty when I came in.

26,830. Was there a person there of the name of Lock?—I believe so.

26831. Did you hear Lock say, "If you had not spoken so loud we should have made it up to 15*l.*"?—I did not hear that.

26832. Did you hear Gilbert say, either afterwards or before this, "I shall not vote for 10*l.* for Mr. Westropp"?—No, I did not.

26,833. Did you say at any period of that conversation to Gilbert, "Don't hallo so loud so that every body in this room can hear you"?—I did not.

26,834. Nothing like it?—No.

26,835. Did you introduce him to Heal?—I did not.

26,836. Neither then nor afterwards?—No.

26,837. At any period of that day?—I did not.

26,838. Then if he has sworn that you introduced him to Mr. Heal after that meeting, that is untrue.—I did not see Mr. Heal at all.

26,839. Did you introduce him to anybody after that meeting?—No; he came in with me, and I left him there.

26,840. Did you see him pushed into a room?—I did not.

26,841. Will you swear that?—I do, really and solemnly.

26,842, Did you see him enter a room?—I did not, solemnly.

26,343. He has sworn that there were two or three pushing him into the room; that you were there, and that he then said to you, "You will recollect, Mr. Veysey, that I shall not vote for Mr. Westropp for 10*l.*" And this was said to you after you had introduced him to Mr. Heal?—No, I did not see Mr. Heal. I did not go with him.

26,844–5. (*Mr Coleridge.*) Did you see him at all that day?—No, I did not.

26,846. Not during the day?—No.

26,847. (*Mr Anstey.*) Will you swear that Heal did not say, "We are doing 10*l.*"?—Not in my presence.

26,849. Did you have any words with Heal about what passed that day?—No.

26,850. Did not Heal tell you that you had no business to send Gilbert in?—No.

26,851. He did not say so?—No.

26,852. Another thing. Did you at that election have any conversation with a voter of the name of Reeve?—No; not till after the election, when he promised me that he would swear against Lovibond, and Henry Lovibond seized my horse, and he swore against me.

26,853. (*Mr. Coleridge.*) Who seized your horse?—On the 16th of April, the very day when the witnesses

went to London, there was a sham distress put in by Henry Lovibond into Reeve's house, and he seized my horse; and Reeve's things were put out of the way for two or three weeks. They came back afterwards.

26,854. How do you mean, he seized your horse?—My horse had something the matter with him. He had been to the races.

26,855. Oh! he was at the "bets"?—Yes; I took him to Reeve's. He stayed there some time, and Reeve offered me that he would swear against Lovibond if he had money, or against Mr. Edgar Haviland, so as to make a case; and I said no, I would not have anything of the sort; and I spoke to Mr. Bealy Smith, and he said no, he would not be a party to anything of the sort, because it was untrue.

26,856. Do you mean to say that Reeve told you of his own motion that he would go and swear that?—Yes; he would make a case against Lovibond, if we would pay him.

26,857. Did he say he had a case, or he would make one?—He said "I will make a case."

26,858. Invent one?—Invent one. He said, "I "will make a case against Lovibond, and swear that he "gave me money." He said, "I have been attending "Mr. Benjamin Lovibond's old white horse, and I will "swear that he gave me additional pay, and also offered "me money to keep quiet." He offered to do that if I gave him money. That is true; the man cannot deny it. This horse was standing there, and Reeve was told to take away his things, and he took them up by the county court, to the very inside of the county court, Lovibond's office. They went to Betty's, and there they stayed for three weeks. They put in a sham distress, and seized my horse.

26,858. What became of your horse?—They put him up; and I got him back, paying the money under protest.

26,859. You did not replevy?—No; I ought to have done so, I believe. Then they came straight up King Street. Do you know where the county court is?

26,860. No, I do not. What did they do with the horse there?—The horse was left in that place.

26,861. Well, never mind that?—Will you kindly allow me a minute or two. The horse passed straight by there, and the household goods of Reeve. Directly after the Commission was over. Just after that they all came back again.

26,862. What! the witnesses?—No; all the things came back; and that man did not seize again then. He knew the things were there. He knew his horse and trap.

26,863. (*Mr. Price.*) What was all this done for by Lovibond?—Some political reason; I cannot say what.

26,864. (*Mr. Coleridge.*) That does not matter. The important point is this, about this man Reeve, who is said to have offered to swear against Lovibond by false testimony if you would pay him for it?—Yes.

26,865. It is important to know what that was?—He told me he would make a case, provided we paid him well; a retainer, and I declined.

26,866. What did he say he wanted? How much?—He wanted 100*l.*

26,867. He told us yesterday he had been ill-treated, and had not got enough for going to London?—Yes; I was away to Dorsetshire yesterday, and did not come back till this morning.

26,868. Are you quite sure that he said he wanted 100*l.*, and he would get up a perjured case against Lovibond?—Yes. He said he would do it for fifty.

26,869. He tried to drive a bargain with you for his perjury?—Yes, and I declined it.

26,870. (*Mr. Anstey.*) Now, Mr. Veysey, did you tell that story to the Committee just as you have told it now?—I did not; because I came to London in haste by night, and when I was examined they never touched upon the point.

26,871. (*Mr. Price.*) Were you asked it?—No.

26,872. (*Mr. Anstey.*) You swear you were not asked about it?—I was not.

26,873. You are in the index as well as in the report itself. I will read to you the questions without your answers. You were asked, "Do you know "Reeve? Had you any conversation with Reeve "about the election? What was the conversation "since the election?" to which you make an answer. "Did he say anything more than that? "Did you see Reeve the night before the polling "day? In what state was he? Did he vote? "Had you any conversation about bribery, except "that in which he said he wanted a retainer? "Was that since the election? Was that the only "occasion?" Those were the questions you had put to you. Will you still persist in the answer you made rashly yet deliberately a minute or two ago, that you were not asked about it by your own counsel, Mr. Longfield?—I saw him that night on the bridge. He was intoxicated. I never spoke to him.

26,874. Now you are refreshed about it. Tell us what you told the Committee about the retainer?—He told me he wanted a retainer.

26,875. (*Mr. Price.*) A retainer? What for? He was a veterinary surgeon?—It was to make a case against Lovibond.

26,876. Did you tell the Committee that?—I did say something about a retainer.

26,877. (*Mr. Anstey.*) Yes; I have just suggested that to you. What did you tell them the retainer was for?—To prove bribery the other side.

26,878. I will just read to you the answers. First I will ask you, did you say anything about 100*l.*?—I did not there.

26,879. Or any sum of money?—No. Reeve was intoxicated when he was in the box in London.

26,880. But you were not intoxicated. I am not asking you about his evidence, but about your own. How could his drunkenness make you drunk? These are your answers, and this is all the story you told them, and on re-examination only. "I do not know "Reeve. I had no conversation whatever with "Reeve until since the election. He said he was "going into bribery, meaning with regard to the "election petition?"—Yes.

26,881. "Yes; he said if Mr. Westropp's side will "give me a retainer, I will prove bribery like a shot. "He said why should not I get my retainer as well "as anybody else? I saw him on the bridge speaking. He was awfully intoxicated. I believe he "did not vote. He went to bed drunk, and went to "sleep. He had no conversation with me about "bribery, except that in which he said he wanted a "retainer, and that was months since the election"?—That is true.

26,882. "That was not the only occasion on which "I saw him in the awfully drunken state I have "spoken of. On the night before last coming up in "the train I did?"—I saw him drunk. I did not speak to him.

26,883. That is what you said about Reeve?—Yes.

26,884. If your recollection is so clear in 1869 about the 100*l.*, why, in the name of goodness, did not you tell the Committee in 1866 about it, and all the details you have given to-day?

(*Mr. Coleridge.*) And about his coming down to 50*l.*?—Yes; he offered that before, but I did not mention that.

26,885. (*Mr. Anstey.*) I will bring you to the point about Reeve. You have mentioned this of your own accord. You knew what I was going to ask about. Did you see Reeve at the "Three Crowns," Union Street, Mark's Street?—St. Mary's Street.

26,886. St. Mary's Street, on the following day?—I did not.

26,887. Were you there?—I was not.

26,888. Did you canvass with Boys?—I did not.

26,889. Now recollect; Boys will be called?—Yes.

26,890. And we shall have, if he states otherwise,

TWENTY-FIFTH DAY.

J. W. Veysey.

21 Sept. 1869.

—we shall have to consider whether you or he will be refused your certificate?—I understand that.

26,891. And we shall have to consider something more important than that?—I state with a clear conscience I was not with Boys.

26,892. Had you seen Boys frequently at that inn?—No.

26,893. Had you ever seen him there?—I have been with him this year.

26,894. I am talking about the election, and you know it?—I was. I kept myself distinctly the other side of the river.

26,895. Do you mean to say that you were never with Boys at all during that election?—I was not.

26,896. Very well. That is an answer at last. Now did you tell Reeve; had you any conversation with Reeve about Mr. Westropp at the time of the election?—No.

26,898. Before the election?—No.

26,899. You mean to swear that you never told him that you were attending to Mr. Westropp's interest?—I never did.

26,900. You are perhaps aware that Reeve, after being asked that question by Mr. Powell twice, so answered it in the affimative twice, and then, being asked again by the Committee, "Who said that," answered for the third time, "Mr. Veysey"?—Well, he was intoxicated at the time, and he told me———

26,901. Did you say to him, either on that or any other occasion, or to anybody, that "a trifle shall not prevent Mr. Westropp being returned"?—Never, upon my solemn oath.

26,902. (*Mr. Coleridge.*) I just want to ask you one question about Reeve. Did Reeve give you any reason for his ill-feeling against Mr. Lovibond, that he wanted to make a case against him?—No.

26,903. But did not you, as a lawyer, naturally say, "What makes you so bitter against Mr. Lovibond, "that you should wish to perjure yourself, in order to "get up a case against him?" Did not it occur to you to probe his motives?—No. I knew that Reeve was a man that would swear anything. I knew he would swear anything for a half crown.

26,904. You knew that his oath was not worth 100*l.*?—I knew it was false.

26,905. (*Mr. Price.*) I understand you to say this distress was put in by Mr. Lovibond?—Yes; and Reeve's things were taken away, while my horse was seized.

26,906. You said it was a sham distress?—Yes.

26,907. Was that the reason why Reeve had an animosity against Mr. Lovibond?—No; he was working with Lovibond. I applied to the magistrates for a summons for conspiracy, but they declined to issue it.

26,908. (*Mr. Coleridge.*) Reeve voted on the Liberal side?—No; he did not vote at all. He came drunk into the Clarence room.

26,909. Now I ask you this question. Do not answer it if you don't like, because it may be a libel. Do you mean, when you say that he would swear anything for half a crown, that he is a man who by general repute would not be believed on his oath in Bridgwater?—No one living would believe him, and Lovibond knew it when he called him in London.

26,910. He called him after he had offered to make a case against Lovibond for 100*l.*? Then, you never told Lovibond that?—I never spoke to him. I would not speak to a man like that.

26,911. Do you mean Lovibond, or Reeve?—Neither one of them.

26,912. (*Mr. Price.*) Do you know Ambrose Dyer?—Yes; he rents land of my father.

26,913. He holds land of your father on a 20 years' lease?—Yes.

26,914. There are three years, or there were three years to run. The three years were from last Christmas?—It is either two or three years unexpired at Christmas.

26,915. (*Mr. Coleridge.*) You have threatened to eject him for breach of covenant?—Yes.

26,916. (*Mr. Price.*) Did you ask a man of the name of Webber to vote for the blues?—I asked him which way he was going to vote.

26,917. You must answer the question, "yes" or "no," to vote for the blues?—I think not. I think I said, which way are you going to vote.

26,918. You won't be sure you did not ask him to vote for the blues?—I won't be sure.

26,919. Did you say if he voted for the blues he should have the piece of land which Dyer holds?—No; because the lease has not expired.

26,920. (*Mr. Coleridge.*) I suppose you are the lawyer in the matter? You were going to eject him?—I had no animosity against Mr. Dyer.

26,921. (*Mr. Price.*) Did you tell him so, or not?—I did not really.

26,922. Did you tell your father at any time that Webber wanted to have this land?—I told my father at different times that there were several people———

26,923. Will you answer my question? Have you told your father several times that Webber wanted to have this land?—I told my father———

26,924. Will you answer the question, "yes" or "no"?—Yes. I did tell my father he and different other people wanted it.

26,925. Every question has to be put three times over. Answer, and you may give any explanation afterwards?—I told my father Webber would like it, but my father was doubtful.

26,926. Did you tell your father that he could get rid of Dyer by alleging that he had broken the covenants of his lease?—No, I did not.

26,927. Did you discuss the question with your father as to how Dyer should be got out? Now, yes or no?—We did discuss the question.

26,928. As to how Dyer should be got out. And did you tell him, or was the result of your discussion, that if he could prove, or if he could allege, that the covenants had been broken, he could give Dyer a notice to quit or eject him and get rid of him? Yes or no?—We did discuss the question. Will you allow me to explain that?

26,929. You had better hear my questions about the matter, and then explain afterwards. Is Dyer now under notice to quit?—He is.

26,930. If you were going to eject him for breach of covenant, why did you give him notice to quit?—Well, in fact I do not wish to say anything at all about the matter.

26,931. Do you mean to say that you thought it necessary to give a notice to quit, although the lease has three years to run, or that the notice could be of any value unless he had broken a covenant of the lease?—The covenant was broken to a certain extent, but it had nothing to do with that notice.

26,932. (*Mr. Coleridge.*) Who drew the notice?—I did not.

26,933. Who did?—My father asked me to draw a sketch, but I did not copy it.

26,934. Did not copy it! But you did it?—No; I had nothing to do with the service.

26,935. You acted as lawyer in the matter. I suppose if that notice was bad you are liable for the negligence?—Yes, I suppose so.

26,936. (*Mr. Price.*) You drew the draft (lawyers know what the draft is), and it was copied out by your father, I suppose, and served by your father or somebody else?—Yes.

26,937. Did Webber vote for the blues?—When?

26,938. At the time you asked him?—Webber, I believe, voted for Kinglake and Vanderbyl the last time.

26,939. Did he at that election vote for the blues?—Last time he voted for Kinglake and Vanderbyl.

26,940. That is not the question?—He voted against the blues; for Kinglake and Vanderbyl.

26,941. Did he vote for the blues at the time you asked him which way he was going to vote?—No; he voted against them.

26,942. On all occasions?—No. He voted for the Conservatives twice before, and at the last time against them.

26,942. Does Webber want to get the piece of land?—I do not know.

26,944. Did he ever ask for it?—He never asked for it.

26,945. Did he ever say that he should like to have it?—Yes, I think he did.

26,946. Was it before he said he should like to have it that he voted for the blues?—No, I think not. The first time I saw Webber was in London at the time of the petition. Then he voted for us, and next time he voted against us.

26,947. Had he, before he voted for you, said he should like to have this land?—No, never in the world.

26,948. When was the first time?—The first time anything was said about this ground was just after he had voted for Vanderbyl the first time in 1866. I was present talking to him about his having money on the other side; and the reason he alleged for going against us was that he got money on the other side. Mr. Frederick Temblett said, "Mr. John Veysey's father has land he will let you have," and I made no observation.

26,949. Did he say he should like to have Dyer's land?—He said he should like to take it, but I never told him the lease was on it. I knew the lease was on it, but I never told him anything of the sort.

26,950. At the last election he voted for Kinglake and Vanderbyl?—I believe so.

26,951. Do you mean to say that no pressure has been ever put upon Webber by you at any one of these elections which you have spoken of to vote for the blues?—Never in my life.

26,952. None?—Never in my life.

26,953. Is there any other explanation you want to give about that matter, because you can give it if you like?—What I was telling you was the disagreement between my father and Dyer. It was not anything at all about elections, but there was something said. I happened to mention it to him one day, he being a gardener—I believe it was in the market-house—in the market place, and we were talking about it, not directly but indirectly.

26,954. (*Mr. Anstey.*) Now going back to the evidence you gave before that Committee, Philip Gilbert, as I reminded you just now, was found by the Committee to have received offers of money to vote for Westropp. You were called, I believe, to prove that Philip Gilbert had confessed to you—that a witness called Staples had confessed to you—that the 10*l.* that Philip Gilbert had received was not received for a bribe at all, but for freight?—He told me he had it from——

26,955. I do not want a long rigmarole, and, most likely, utterly false story. Did you tell the Committee that you were called to disprove Gilbert's testimony? Did you tell the Committee that? Were you called to prove that, upon the statement of a witness called Staples, the money which had passed to Staples and Gilbert was freight money, and not bribe money?—I was. He told me he had had it from Mr. Richard Stone of Taunton, a gentleman I had business with.

26,956. But the Committee did not believe you?—I cannot help that.

26,957. The Committee found that Philip Gilbert's was one of the two cases in which money was offered to a voter for his vote?—No; I think you mean Staples. Staples told me he had the money from Mr. Richard Stone of Taunton, a man I know well, and have done business with; and he told me that he had the money for freight, and not for his vote. He told me that in his own house, and his wife will corroborate me, I believe.

26,958. You also told the Committee that you were secretary to that Conservative Association of which you were speaking?—I believe not.

26,959. I will read it to you. "There is a "committee-room at John Street?—Yes. I believe "that you are named secretary to that committee? "—I have heard so. I know nothing more. "Read that circular (*reads it.*) There is the "circular in which you have the honorable "position of secretary?—Yes. I never saw one "of these before in my life. I never heard before, "except on one occasion, that there was such a "thing." Do you mean to deny that you did admit that on one occasion in your life, and upon the occasion of this circular being issued, at all events, you were set down as a secretary of this Conservative committee?—There was a circular in my name, but afterwards it was changed. But I never saw but one.

26,960. Was not it for that purpose you were asked the questions, to connect you with the Conservative Association and committee?—I believe so.

26,961. Why did you not tell my learned colleagues that just now? Until that was put into your hands, all that you could be got to say was that you had heard so, and knew nothing more?—I never saw it before.

26,962. Will you deny that it was in that capacity alone that you were employed at the election, as secretary to that committee?—No; Walter Matthews was made the secretary; honorary secretary.

26,963. Will you deny that it was in that capacity only that you were employed by your party at that election?—Only that.

26,964. Do you know that they repudiated you, and would have nothing to do with you?—Yes.

26,965. You know that old Mr. Smith told you you were utterly unfit, from your youth and other matters, to take any part in electioneering?—Yes.

26,966. That Mr. Westropp, according to his evidence, shunned you, and found fault with nearly all your proceedings?—Yes.

26,967. And yet did you dine with him at the Clarence?—I did; after the election.

26,968. You are aware that he has distinctly sworn that you did not, and he has no recollection of it. If you dined there, it was at your own expense and at your own table?—I did not. I dined there on the night of the polling day.

26,969. (*Mr. Coleridge.*) Who paid?—I do not know; I did not.

26,970. (*Mr. Anstey.*) Did you dine at the same table with Mr. Westropp or in the servants' room, or where?—At the table with the rest; there was a large number.

26,971. With Mr. Westropp?—Yes.

26,972. (*Mr. Coleridge.*) Was it in the ball-room?—I forget which.

26,973. The party seems to have had the same opinion of you as your own father, who says he had nothing to do with you?—I have not seen my father lately.

26,974. This is what Mr. Westropp says about that. "Mr. Veysey did not accompany me?"—I did not.

26,975. I am reading to you for your information. I do not want you to confirm Mr. Westropp's statement. If it is to be confirmed it must not be by you. "Mr. Veysey did not accompany me. I cannot "recollect where I met him, but on one occasion I "know I did meet him. Did he accompany you on "your canvass?—No; because, as I said just now, I "expressed to some person, whose name I really "forget now, a wish that he should not come with us. "Did you not also tell me that upon one occa"sion you had asked him to go and show you some "persons with whom he was acquainted?—That was "in Berkeley Street, the second time. And I presume "he did so?—He did so. Do I understand you to "pledge yourself that those were the only two occa"sions on which Mr. Veysey accompanied you during "your canvass of the borough?—To the best of my "belief they were the only two. You will not say "more than that, I think so. Has it happened that "this gentleman has joined you at Bridgwater?—No, "not that I recollect. I must beg you to recollect; "I have a reason for asking you the question, and I "will give you time to recollect it?—If I had my "journal here I could tell you in a moment. Have "you a journal of what took place during the canvass? "—No, a journal of ordinary things that occur, and of

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" the gentlemen who dine with me. Is that in London? " —I rather think it is. Is it or is it not in London? " —I am not sure whether it is or not, because when I " went to Ireland the last time I took over some with " me?—Did you not tell me just now that it was in " London; and now I ask whether it is or not you " cannot tell?—I really cannot tell you that. Will you be good enough to give me a distinct answer to a " plain question; did not Mr. Veysey dine with you at " Bridgwater?—My impression is that he did not. " Will you swear that he did not?—No, I will not. " Now I ask you this further; will you swear that he " did not dine with you after he had been out with you " canvassing?—Most certainly not, because he could " not have been out with me." Then the Chairman of the Committee puts it in another form. "On that " day, or on either of those days when you saw him, " did he dine with you?—I have said that to the best " of my belief he did not dine with me." Then on a subsequent day, after he has had time to refresh his journal, he says, that if you dined there it may have been the same room, but not at the same table; that he did not pay for your dinner; and he knew perfectly well if he invited those persons to dinner there would be bribery and corruption and treating. "And " I took care that I did not in any way give a penny " for that. I had heard on former occasions that " it was not right to do so, and I did not do it." Then the question is put, on re-examination by Mr. Sleigh: " Any persons who dined in the same room " as myself paid for what they had on all occasions." Is it true or false that Mr. Westropp so entirely repudiated you that he would not admit you to his table? You are said to have gone into the room where he was in the habit of dining, if you did you paid for your own dinner?—I did not pay.

26,976-7. Is it true that you have lost the small confidence of the Conservative party which you enjoyed in 1865?—I am not aware. I did not do anything to cause them.

26,978. Is it true that none of them would have anything to say to you at the last election?—It is not true.

26,979. Is it true that you sought to be employed at the last election, and were refused?—It is not. I never did in my life.

26,980. (*Mr. Coleridge.*) Was there any confidence to lose?—I am sure I do not know; I never cared for any, I know that very well.

26,981. Did you vote in 1858?—No; I was not a voter. I was only 16 then.

26,982. Had you anything to do with it?—I was at Mr. Smith's for some time; about a month.

26,983. What do you know about that election?—I was employed as a messenger for some time, and I heard that one party gave 10*l.* and another party 15*l.*

26,984. Had you anything to do with giving 15*l*?—Nothing whatever.

26,985. Did you ever see any of it given?—No.

26,986. And you know nothing about it?—No.

F. C. Temblett.

FREDERICK CHARLES TEMBLETT sworn.

26,987. (*Mr. Price.*) What are you?—I carry on the business now of baker and pawnbroker.

26,988. How long have you been in business for yourself?—11 or 12 years.

26,989. You have taken an active part in election matters. Perhaps I had better begin with the earlier elections with you. Did you know John Murlis?—Yes.

26,990. Had he for many years been manager of the Conservative bribery party?—He managed the election in 1859.

26,991. (*Mr. Coleridge.*) Is that the first election you know about?—It is.

26,992. (*Mr. Price.*) Was it under Mr. Richard Smith, the solicitor, that he acted?—I believe it was.

26,993. At that election did you get 20*l.* yourself, at Murlis' house, to pay two electors?—Yes.

26,994. Was that your first connexion with elections?—Yes, it was.

26,995. Were you a voter then yourself?—Yes.

26,996. Did you vote?—Yes.

26,997. How did you vote?—For Padwick and Westropp.

26,998. Did you get anything for it?—No.

26,999. Did you get anything by way of expenses?—No.

27,000. (*Mr. Coleridge.*) Or for services?—No.

27,001. How was it you were employed to take this 20*l.*?—I employed myself. I did not bribe the two men; I bribed one. In fact, I did not any of them, direct. I paid 10*l.* to Wm. White, of Durleigh, a farmer, to give to his brother. The other was for Matthew Wintle; but I took it back. He had had it from some one else.

27,002. You took that back?—Yes.

27,003. Whom to?—Murlis.

27,004. The whole of it?—The whole of it.

27,005. He did not tell you to keep any part of it?—No.

27,006. Do you know who provided the money at that election?—I do not.

27,007. Do you know anything about it?—No.

27,008. What money was spent on the Conservative side that time?— I do not know. Judging from what we have expended since, what we do know about it, perhaps 1,500*l.* was spent then; because since that, with a larger constituency, we pay more money.

27,009. Is that all you can tell us about the election of 1859?—Yes, that is all.

27,010. In 1865, had Murlis left the town, shortly before the election?—He had.

27,011. Was there a stranger come down, known as "the Man in the Moon"?—Yes.

27,012. Did he address you at your door, shortly before the election?—He did; on a Sunday evening.

27,013. Did he ask you for a private conversation?—Yes.

27,014. Had you been told by Thos. Boys previously not to be out of the way?—I had.

27,015. Did this man propose that you should meet the other agents, and make out a list?—He did.

27,016. (*Mr. Coleridge.*) What was this man like?—Something the growth of yourself; but a dark man.

27,017. Do you know his name?—I do not.

27,018. What name did he pass by?—Different names. Sometimes the name of Matthews, at other times Humphreys, at another time Mapleson, I think.

27,019. Taller than I am?—No.

27,020. Very dark?—Dark whiskers, and I think he had a moustache.

27,021. Did he pass by the name of Brown?—Never.

27,022. (*Mr. Price.*) Did you meet at Frederick Harden's?—I did.

27,023. At that meeting were all the following people present: yourself, Harden, Frederick Jarman, Truman, Batten, and Heal?—Sometimes we were there altogether. Heal I remember seeing only on one occasion there. I think the night after the nomination.

27,024. Did you object to his being present on the ground that he had robbed the Liberals?—I did.

27,025. (*Mr. Anstey.*) Was it William Heal?—William Heal.

27,026. (*Mr. Coleridge.*) This was 1865?—1865. It was previous to his coming into the room.

27,027. What did you know about him?—Nothing more than I had heard of the 100*l.* at the previous election.

27,028. (*Mr. Price.*) Where did this stranger live?—I cannot say. I believe he lived in London.

27,029. Where did he live when he was in Bridgwater?—With a widow. I never saw him at his

lodgings. At a Mrs. Harden's in King Street. That is what I was given to understand.

27,030. Is she alive?—I believe she is. Her husband was at one time in Stuckey's bank; as a clerk there.

27,031. (*Mr. Coleridge.*) Who took those lodgings for him?—I cannot say.

27,032. (*Mr. Price.*) Used he never to appear except at night time?—Never in the day. Only in the evening.

27,033. How much did he distribute amongst you and these other men?—In 1865?

27,034. Yes.—About 1,900*l.*

27,035. Heal had 200*l.*, which he stuck to, he told us?—Yes.

27,036. And Harden had 300*l.*?—I do not know.

27,037. And you?—I should think 200*l.* or 250*l.* It may be more or it may be less. I do not remember.

27,038. How much did you have?—I cannot say. At the time, I made up after the election an account with the man, and gave an account of all the moneys I had expended.

27,039. How much was it?—I cannot say.

27,040. About?—I should think 200*l.* or 250*l.*; it may be over, or it may not be so much.

27,041. (*Mr. Coleridge.*) Did this man tell you who had sent him?—No.

27,042. How came you to adopt him all at once, a perfect stranger, without introduction?—I think that Boys came to me. He was in Mr. Smith's office at the time.

27,043. (*Mr. Price.*) Did Boys tell you that a stranger would come?—He told me not to be out of the way. Some one would call this evening.

27,044. (*Mr. Price.*) It was on the faith of what Boys told you that you trusted this man?—Yes. I should tell you that previous to that I had taken an active part in the registration. That is how I came to do with it.

27,045. (*Mr. Price.*) Tell us the names of those you bribed at that election?—I cannot; but I will tell you the names of a good many whom I bribed at all the three elections, but I cannot at any individual election tell you what I did, because I gave in a list at the time.

27,046. (*Mr. Coleridge.*) And kept no copy of it?—I kept no copy whatever. I never thought about these proceedings. We gave in our accounts, which were all satisfactory at the time, with the exception of Heal's, at that election.

27,047. What was the ruling figure at that election?—10*l.*

27,048. All round?—Yes; all round. There was no difference.

27,049. Can you recollect then the 25 people whom you gave the 250*l.* to?—No. A great many people I paid at all those three elections.

27,050. (*Mr. Price.*) Could not you by taking the register in your hand make out the names of the men you bribed?—I do not know. I could if it had been the only election I had had to do with, but there were three others.

27,051. (*Mr. Coleridge.*) We have to schedule the bribers and the bribees at each of these three elections, so it is necessary?—I should be sorry to give you a list of names. There might be a name among them as bribed when he was not.

27,052. You can do it then to the best of your ability, and we will call these people before us?—I will give it you to the best of my ability.

27,053. (*Mr. Anstey.*) Make a list of all persons who were bribed at the different elections?—As many as I remember.

27,054. You cannot say at which election?—I cannot say at which election.

27,055. Then it will be for them to tell us at which election it was?—Yes, that is it.

27,056. (*Mr. Coleridge.*) I suppose many of them you bribed three or four times?—Some of them I bribed at three elections.

27,057. And some only once?—Some were not usually my men.

27,058. In giving names, cannot you say, "I "bribed so and so three times"?—No; I would not undertake to do it.

27,059. (*Mr. Price.*) Did you not communicate from time to time with this stranger in London?—Yes, I did.

27,060. And at different other places?—Yes; Woolwich I think once.

27,061. Where did you address your letters to him?—To be left at the Post Office to be called for. I never knew where to send until I got a letter from him.

27,062. How used you to address them to him?—Sometimes in the initials "R. P.," to be left at the Post Office to be called for; and Mapleson, I think one time, and Sunflower.

27,063. Did you ever address him at Parliament Street?—Yes; I think once.

27,064. At the Post Office in Parliament Street?—Yes.

27,065. (*Mr. Anstey.*) Did you ever gather from his conversation or his expressions that he was a lawyer?—No; he appeared like a lawyer's managing clerk; he had got that style about him.

27,066. Or a parliamentary agent, or something of that sort?—Yes.

27,067. (*Mr. Price.*) Did he bring the money down with him?—I believe he did.

27,068. (*Mr. Coleridge.*) Was it in gold or in notes?—In gold.

27,069. (*Mr. Price.*) When he distributed it among you and the other men, did he give it you in packages of gold?—Yes; done up in packets, cartridges. I think in packets of 5*l.*

27,070. (*Mr. Coleridge.*) When did you last hear of this man?—Just after Mr. Vanderbyl's first election.

27,071. (*Mr. Anstey.*) Did you never see him in London?—No. I heard Mr. Harden say he once saw him at Devizes, and has since seen him in London; but I have not at any other place than here.

27,072. Was it at the time of the election at Devizes that he saw him there?—I think not.

27,073. When did Harden tell you?—Some time afterwards. I think it was by an arrangement that Harden made with him.

27,074. What is Harden's Christian name?—Frederick.

27,075. (*Mr. Price.*) Had he been in the town for about ten days altogether?—At the first election in 1865, I think he staid perhaps more.

27,076. (*Mr. Coleridge.*) What day did he give you the money?—After the nomination, and about two or three in the morning.

27,077. Before the poll?—Before the poll.

27,078. (*Mr. Anstey.*) Did you notice anything in his pronunciation which would lead you to say he was a west countryman?—No; he appeared like a Londoner.

27,079. Did you observe whether he used his H's right?—No.

27,080. (*Mr. Coleridge.*) How was he dressed?—Like a gentleman, with a long black coat, and very respectable.

27,081. Did he stoop in his walk?—No; he was uprighter than I; very stiff in his back, and would swagger in his walk.

27,082. (*Mr. Anstey.*) Did any of the gentlemen of your party appear to take any notice of him?—Not that I am aware of. I think he kept himself aloof from them altogether.

27,083. Or they from him?—I do not know. I know he did from them.

27,084. (*Mr. Price.*) Did he give you any directions that you were not to know him in the street if you met him?—He did.

27,085. Did he also caution you against telling anything to Joseph Richard Smith?—Yes, he did.

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27,086. Did he say why?—He did not; but two or three times he said to me, "Whatever you do, do "not say anything to the alderman." That is the way we spoke of Mr. Joseph Richard Smith.

27,087. (*Mr. Coleridge.*) Did he never mention who his employers were?—Never; he was too dry for that.

27,088. Did you never have a glass of grog with him?—Yes, many.

27,089. He never opened out then?—He would not take so much that he would not know what he was about.

27,090. In fact you never got anything out of him?—No.

27,091. (*Mr. Anstey.*) Did he never tell you what he was to get for coming down here?—No; but I considered he was pretty well paid.

27,092. What made you think so?—I thought so from a remark that I or Mr. Bealy Smith made at one time.

27,093. What was it?—At the first election he asked me if I would act, when he told me there was to be another election, as Mr. Patton was about to accept office, and there would probably be another election; if there was a contest, would I undertake the management of it? I said, "No, certainly not." He said, "Well, if you would, it would save a good "deal of expense. It costs a good deal of money to pay this man coming down here?"

27,094. (*Mr. Coleridge.*) Where is Mr. Bealy Smith?—In Australia, I think.

27,095. Have you heard from him since the last election?—No.

27,096. Who is likely to have any correspondence with him?—His father, I should think; he has been away some year and a half. He went off his head some time before he went away.

27,097. His father is ill, I believe?—Yes.

27,098. (*Mr. Price.*) There were about 190 bribed at that election?—Yes.

27,099. That is in 1859 you are upon?—In 1865.

27,100. That would make the 1,900*l.*?—Yes.

27,101. (*Mr. Coleridge.*) Of that 190 bribed, how many names can you give us?—Of course I cannot give you any more than those I have to do with, and not all of them, because they were mixed up with other elections.

27,102. Will you do all you can to inform us?—I will do all I can. I have a list in my pocket which I will give you before I finish my evidence.

27,103. (*Mr. Price.*) Did these men poll early?—Yes; we polled them off like smoke.

27,104. By 10 o'clock the election was won?—Yes; by 10 o'clock the election was won.

27,105. (*Mr. Coleridge.*) What did you win by?—By 70 or 80 majority.

27,106. (*Mr. Price.*) Yourself, Harman, Batten, Heal, Francis Jarvis, Frederick Jarman, William Truman, and Boys were the bribers?—I believe so.

27,107. You were the men who had the disposal of that 1,900*l.*?—We had.

27,108. Do you know anyone else?—No, I do not.

27.109. Do you believe any more than 1,900*l.* was spent?—I do not.

27,110. (*Mr. Anstey.*) The contest was between Sir John Shelley and Mr. Westropp, was it not; Mr. Kinglake's election being considered quite safe for him by 11 o'clock?—No; Mr. Kinglake's election would not be safer than any other person's election in this town.

27,111. But we have it in evidence?—People may consider so.

27,112. (*Mr Coleridge.*) Were any of your second votes given to Mr. Kinglake?—No, not many. We could have knocked him over at any time in the morning, and put up Sir John Shelley.

27,113. (*Mr. Price.*) If you had had a second man here, you conld have carried him?—Yes, or Shelley, and left Mr. Kinglake.

27,114. (*Mr. Anstey.*) Mr. Kinglake was in a majority, was not he?—Next to Westropp.

27,115. (*Mr. Price.*) Was Mr. Westropp at the head of the poll?—Yes.

27,116. (*Mr. Anstey.*) At 11 o'clock Kinglake had a majority?—No; he was ahead all day.

27,117. (*Mr. Price.*) Westropp?—Yes; there were overtures, I believe, from some one on the other side, to get us to turn out Kinglake and put in Shelley.

27,118. (*Mr. Anstey.*) Who made the overtures?—I do not know. I know that I have heard so.

27,119. You mean overtures from the Liberals?—Yes.

27,120. (*Mr. Price.*) To throw Mr. Kinglake over?—To throw Mr. Kinglake over.

27,121. The other side were playing a waiting game, I believe?—They were.

27,122. Were they desired to go at 11 o'clock to Mr. Benjamin Lovibond, the night before the election?—I have heard so.

27,123. And put off until the next morning?—And put off until the next morning at six o'clock, and when they went there was no money, then I believe they were merely waiting to see the Conservatives show their hand, and see what they were going to do, and then they were prepared to expect money as well as the others; but I know up to that time men like myself who were about with the voters on the Liberal side had led them to believe there was money, and they were very much disappointed, and so were the men who were going to pay it out, that there was no money. I thought they were only waiting to see what the Conservatives would do.

27,124. (*Mr. Coleridge.*) Had not there been a report that it would be a pure election?—No.

27,125. (*Mr. Price.*) Not on the part of Sir John Shelley?—No.

27,126. (*Mr. Coleridge.*) We have had a great deal of evidence about it?—I daresay that you have.

27,127. (*Mr. Price.*) What makes you believe it was not?—Because men like myself about the town were telling the voters that there would be money.

27,128. Men on the other side?—Men on the Liberal side.

27,129. Like Henry Bussell?—Like Henry Bussell.

27,130. (*Mr. Anstey.*) Did you hear that stated during the election?—Yes.

27,131. By the Liberals?—Yes. I heard for one thing, William Bowering went to Mr. Benjamin Lovibond's office as late as 11 o'clock at night to get some money, and had to go again the next morning at six.

27,132. (*Mr Price.*) How many men do you think at that election were buyable?—I think nearly two thirds of the voters were.

27,133. At that election?—Yes.

27,134. You made 190, calling that 200, and on the other side 200 would make 400, only leaving about 200 unbribable?—That is about it.

27,135. Is that all you have to tell us about that election, with the exception of giving the names as far as you can?—Yes.

27,136. (*Mr. Anstey.*) You were going to say something about what was said to Mr. Benjamin Lovibond?—I heard William Bowering had a list of men he had to pay. He went to get the money, and was told to come at six the next morning. When he went there he was told to wait a little longer, or something of that kind; in fact I believe it was a waiting game all through.

27,137. Was the next morning the polling morning?—Yes; the next morning was the polling morning.

27,138. Is this man Bowering alive?—Yes; he is a town councillor.

27,139. (*Mr Price.*) You think the voters nevertheless had all been led to think they would be paid on the other side?—Yes, up to the time.

27,140. It is not that they were waiting to let Mr. Westropp come in, and bribe, and petition against him?—No.

27,141. That was not the waiting game?—Not a bit of it.

27,142. Therefore they were outwitted by your

having bribed?—I believe we commenced all at one time organising things about half an hour before the poll. The Liberals knew what we were doing. We had sent up so many more to poll that about nine o'clock we were about 50 ahead; about an hour after that we had come to 80 or 90; so before they found out we were spending money we had won.

27,143. By one o'clock then the constituency was polled out?—Very near upon it.

27,144. Now the election when Bagehot and Patton stood, Westropp was unseated, and Patton came down; did the same man-in-the-moon come down again?—He did.

27,145. How long before the election?—Some time before the election. We were expecting the writ to issue, and some time before it did he came down, and then through Sir Harry Verney there was a hitch in the House of Commons. He wanted a commission, or something of that kind, and the writ was postponed for two or three weeks, and this man went back again, and when they were about to issue the writ again he came down again; in fact I knew two days before the writ did issue that it would issue. When I say I knew, I knew what Mr. Smith had told me; he told me there had been an agreement between the heads of both parties in London, that Colonel Taylor was to move for the writ, and he was to bring up all he could to support it, and the Liberal whip on the other side would do the same thing so as to shut out Sir Harry Verney altogether.

27,146. To shut out the inquiry?—To shut out the inquiry. In fact nobody wanted the inquiry. It was merely to stave off the election.

27,147. (*Mr. Coleridge.*) What was your interpretation of that petition which was talked about?—It was all bosh. The only thing was to postpone the issuing of the writ, because they thought Mr. Westropp's money would have a certain influence in getting in another Conservative candidate.

27,148. They wanted to get rid of the effect of Mr. Westropp's money before fighting another battle?—Yes.

27,149. (*Mr. Price.*) When he came down the second time, where did this man stop?—At Robert Bussell's, in Fryern Street.

27,150. Did he put himself in communication with you, Heal, Boys, and Truman?—With myself. I think Heal, Boys, and Truman had nothing to do with it.

27,151. Heal had been found out then, I suppose?—Yes. He stated here he was not asked for a list. I heard at the time he was asked for a list, and he refused to give it, stating it was the worst thing in the world to have any documents.

27,152. He was discovered then to be a scoundrel?—Yes.

27,153. (*Mr. Anstey.*) What Mr. Smith was it told you about the two whips?—Mr. Bealy Smith.

27,154. (*Mr. Price.*) Did he say he had had that from London, from authority?—He did.

27,155. How was it that Boys was thrown over?—I suppose they thought he ought never to have been thrown in. He was managing clerk at Mr. Smith's office, and it was a mistake to have him.

27,156. The evidence had been proved against him on the petition?—Yes.

27,157. What was the reason of Truman not acting?—I do not know.

27,158. Did the man in the moon bring a second man down with him that time?—Each time he brought a second man; a tall raw-boned sort of fellow, with not much flesh on his bones.

27,159. Who brought him, the stranger?—The first man, the stranger.

27,160. (*Mr. Price.*) Is he the man we have heard described at the "Bull and Butcher," who put his hand through the door?—That is the man; we used to know him as Tom.

27,161. That was his station, at the "Bull and Butcher"?—Yes.

27,162. (*Mr. Coleridge.*) Did he ever tell you that he had been at another job of the same sort elsewhere?—Yes. I do not know whether he ever mentioned any other place, but he certainly did say he had done that kind of business before.

27,163. Had he ever been at Windsor?—No.

27,164. Or Yarmouth?—No.

27,165. (*Mr. Anstey.*) Did he appear to know any of the boroughs in the north of England?—I cannot say what quarter; but he certainly did say he had been engaged in that kind of thing elsewhere.

27,166. (*Mr. Coleridge.*) Did he tell you whether he had been to Totnes?—He did not mention Totnes.

27,167. Do you recollect his mentioning any place?—He did mention a place, but I cannot tell where.

27,168. North or south was it?—I cannot remember where it was, but he did mention that.

27,169. (*Mr. Anstey.*) Did you see much of Mr. Westropp when he came down here?—I had nothing at all to do with Mr. Westropp. I used to keep out of his way.

27,170. I will not waste time by reading the passages, but the general effect of his evidence before the Committee of the House of Commons in 1865 was this, that from the time of his coming down to the time of his going away he took care not to learn what the lawyers were doing, and his agents, and they had nothing to do with his movements, or he with theirs?—That is something about it.

27,171. And he was asked, "Was that studiously "done?", and he said, "Yes; done deliberately"?—Yes; and we on our part studiously avoided him.

27,172. And the object of that was to prevent each knowing what the other was doing?—Yes, that is about it.

27,173. (*Mr. Price.*) When this man came down the second time, that is at Patton's election, did he tell you how much he had with him?—Yes.

27,174. What did he say?—When he came first he said he very much regretted the result of the petition, "However," he said, "it is no use regretting a "byegone, byegones are byegones; the only thing is "to win again, and when you see me here you know "that I am come to win." I knew pretty well what winning was, and as he had been here before, I thought of it, and no questions were asked. That went on for some time, and a few days before the election he said his instructions were that we were to pick up 50 men. He had the names of 50 picked out, which he showed us a list of, and we were to find the 50 men to take 5*l.* each, and the others were to go up without anything; all the money he had was 250*l.*

27,175. Did you get any?—No. I said, "Is that "your idea of winning. You had better look sharp, "and get home again;" and I said, "I shall do the "same," and I got up to leave. I think it was at Robert Bussell's house. He called me back, and after a time he said, "I will see what can be done." I think I saw him again the next day, and he said he could manage 500*l.* I told him that would not do. Eventually he mustered about 700*l.* or 750*l.*; it was not over 750*l.*, and I do not believe it was under 700*l.*

27,176. Did you get that amount from him?—We did.

27,177. And set to work with that?—Yes, paying 5*l.* each only, and making promises in some places; and some did not get anything. We got some up without any money, and others would not go without 10*l.*

27,178. Did you promise them?—We promised them to make up the sum.

27,179. (*Mr. Coleridge.*) What was the most you gave any one at that election?—I have no recollection of giving more than 10*l.*, with the exception, I think, that Robert Wills had 15*l.* I am not certain: I know that we had a trouble in getting his vote.

TWENTY-FIFTH DAY.

F. C. Temblett.

21 Sept. 1869.

27,180. How was that?—I do not know. He wanted more money.

27,181. He would not go without?—He would not go without.

27,182. Was it late in the day?—It was late in the day.

27,183. (*Mr. Price.*) On the day of the election did you find yourselves behind Bagehot all the morning?—We did, up to something like 11, I should think. About 11 o'clock I went to the "Bull and Butcher," where my father lived, and I went to the "Clarence Hotel," and saw several of the clerks coming out with books under their arms. I said, "What is up." They said, "We are going home; "what is the good of staying here." I went in, and just about the same time Richard Hooper, who lived in Eastover, and had received 10*l.* from Henry Bussell ——

27,184. (*Mr. Price.*) Before Hooper came up did you see Mr. Bealey Smith about the same time?—About the same time; and Hooper, who had received 10*l.* from Henry Chapman Bussell, came to the Conservative room, and brought up the sovereigns, and told us all about it. Mr. Joseph Richard Smith got up on the balcony stating perfidy, and all that kind of thing, of the Liberals, petitioning against Westropp, and then coming down to bribe wholesale, was something disgraceful. That flew over the town like wildfire, and I think from that time the Liberals stopped paying, and Mr. Richard Smith said they would petition against the return of Mr. Bagehot; but everybody believed then it was a certainty for him. Mr. Smith said to me, "Temblett, I have been "looking for you; come in here for a moment, and "just tell me what you think of this matter, you "know more about it than I do." I said, "If you "will get me a list of the unpolled electors I will "tell you pretty well what I can do." There were some who had not voted at that time, and he came into the committee-room, and told the clerks to get out a list of the unpolled electors. It was done in a few moments; one took letters A and B, and another C, D, and he said, "Get into that little room there."

27,185. (*Mr. Coleridge.*) Was this at the "Clarence"?—At the "Clarence" committee-room. I went into the little room by myself, and put a cross opposite the name of every man I considered we could have with money. I then called him, and said, "There is just about 30 there you can have, if you "can find the tin for them." I said, "If you can "get about 10*l.* each that would be 300*l.*"

27,186. At that time you had paid away all you had?—Yes.

27,187. The whole 750*l.*?—The whole 750*l.* I told him what we could do; there are 30 men you can have if you find 300*l.* He said, "Do not you think "you are too sanguine now, because if we poll 30 "we shall only be up to the others," who were about 30 ahead at the time. I said, "No, I do not think "I am sanguine at all, because I have looked through "the list carefully, and I think after we have polled "them there will not be another man left the others "can pick up; and where they can get one we can "get two."

27,188. Why?—I knew from the polling of the men we had left unpolled. There is always more left unpolled who are considered Conservatives than there is Liberals.

27,189. (*Mr. Coleridge.*) More balance men who are Conservatives?—No; good men, not to be bought, but still do not care about voting at all, and it took much trouble to get them up.

27,190. (*Mr. Price.*) Who only liked voting on the winning side?—Yes; or some reason or other.

27,191. What was done?—He said, Get the men together, and I will see if I can get the money, and he did. I set to work, and told one or two other friends that some money would come up directly, and set to work to get the men together. It did not take much trouble either; we soon picked them up.

27,192. Were they waiting about?—They were waiting about.

27,193. Did you drive them into the Clarence?—No; took them into my father's, the Bull and Butcher.

27,194. And penned them in?—They were not penned in at all.

27,195. Were they treated while there?—Well, very likely they were. I said to Harden, "They are a long time getting this money together; go down and see what they are up to." Down he goes to the Clarence, as he told me after. When he came, there was Wm. Heal, the man who nailed the 200*l.*, trying to get this money, and Harden asked them why they were so long. I do not know who it was, but some one made a remark to Harden, that Wm. Heal was there trying to make them believe that these 30 who were hanging about would go up and vote on his promise. I must tell you that Wm. Heal had never been given any intimation that we had any idea that he had nailed this money, because, till the election was over, we thought it would not do to say anything because it would blow the rose over us. That was 1865, and up to 1866 we never gave him any idea that we thought he had nailed this money. So Harden says, "Take, and send the money up to the Bull and Butcher."

27,196. (*Mr. Coleridge.*) How had you found out about Heal having nailed this money?—Frederick Jarman used to work with Heal down at the Golden Lion. On the morning of the poll, Heal was to have been down there between 7 and 8 o'clock. Heal did not appear, so we sent up for him; and I remember, some time after 8 o'clock, I was going across from my father's house to Harden's just opposite, and there I saw Heal. He had his hat on, a "jim crow," pulled down over his ears, walking along in this way (*describing*). I said "Holloa, Heal! how came you up here?" He said, "What for? I thought you were to be at the Golden Lion in East Over. Am I wanted down there? "You know you are wanted, don't you?" "Well," he says, "if I am, I am coming; in fact, I was going now." He got down to the Golden Lion, and when he got there the men were waiting about a long time. Jarman would not pay the money he had until Heal had come, and when Heal got there he put him into a room to pay the money, and Jarman took the men in. He new the men better than Heal did in that neighbourhood; they were mechanics who worked mostly at the works in the neighbourhood. After paying about five men, he sent in a sixth. He sent him back again, "Tell Jarman I do not want him." Jarman went in, and says, "What do you want?" "I want some stuff." Jarman says, "Go on, and pay what you have until it is all gone; then I will let you have mine." "Mine is all run out," he says." "You have only paid 5." He says, "I paid 20 men before I came down." Jarman began to smell a rat immediately, but did not say anything to him. He took care to keep in the room a little time until he paid the money, and I believe Heal paid the whole money at that time down in that part of the town. Jarman will tell you so.

27,197. Now you say Heal had gone down to try and persuade these men?—They got rid of him. Heal then found that the money was sent up to the Bull and Butcher.

27,198. How much came up?—I did not have the money, but I think about 300*l.* We got the men together there, and while waiting for the money, Newton come over from the Three Crowns, and got some of them away there, and wanted to get hold of the money, and pay it; but Harden went over and paid them. We trusted Newton then much the same as Heal. And the other money was paid by the man in the moon; that is, this tall fellow we knew by the name of Tom; and I kept the door and let the voters in.

27,200. You paid away 300*l.*?—Yes.

27,201. To 30 men 10*l.* each?—Yes.

27,202. You took them all to the poll?—Yes; polled all in three or four minutes.

27,203. Did that turn the scale?—It did.

27,204. Did the Liberals try to buy more votes, offering as much as 50*l.*?—Yes; I heard 50*l.* was got there.

27,205. You won by seven votes?—Yes.

27,206. Did you get any more after those 30, or did they give you the majority of seven?—I do not think we bought any more, but we polled a few more; the 30 about got us level; we polled about a man in an hour after that.

27,207. (*Mr. Coleridge.*) How many bad votes did you poll?—I do not think that was done on either side.

27,208. (*Mr Anstey.*) Was that Newton the same man who supplied the Tory voters with beer at the election of 1865, on tickets that were brought to him?—I never heard anything about tickets.

27,209. A man called Ford was asked about it, and he says, in his examination before the Committee in 1866, after stating that he went to the "Bull and Butcher" and so on, Boys, who was then briber for the Tories, asked for a pint of beer, which he gave him a note or ticket to take to Newton and get the pint of beer upon it. It appears that Newton was distributor of beer at that election. Was there anything like that at Mr. Bagehot's?—Every election.

27,210. That is the way beer was given?—Never given by tickets.

27,210a. Not in this way?—No.

27,211. But at all events, with or without tickets or notes, beer was given at every election?—Yes.

27,212. (*Mr. Price.*) Do you know how this 300*l.* was got together?—Yes; got from various tradesmen in the town.

27,213. By subscription?—By subscription.

27,214. Do you know if it was repaid to them or not?—I believe it was.

27,215. Whom by?—I believe it was paid by Mr. Joseph Richard Smith, through a young woman who then lived with him, and now lives with me.

27,216. She can tell us?—Yes. Her name is Edith Harkett.

27,217. (*Mr. Coleridge.*) Is that all the money that went at Patton's first election?—No. After that, between that and Mr. Vanderbyl first coming down, we paid up the whole of the men; or at least I do not know but what the whole were paid up. If not, it was by mistake. Everyone was supposed to be paid the other 5*l.*

27,218. Where did it come from?—There were 20 or 30 that they would not pay it the second time. Men who were paid in 1865, that they would not pay.

27,219. (*Mr. Price.*) Why?—I do not know.

27,220. How many had 5*l.* additional given afterwards?—The old ones. Some of them had not had anything. That man, Tooze, who was called yesterday, went up without anything.

27,221. (*Mr. Coleridge.*) How much was paid after the election?—About 1,700*l.*, 1,800*l.*, or 1,900*l.*

27,222. Therefore something like 3,000*l.* by Bagehot. 750*l.*, 300*l.* subscribed, and 1,900*l.* afterwards?—No; it made it up to 1,800*l.* or 1,900*l.*

27,223. Where did that last thousand, or whatever it was, come from?—The man-in-the-moon brought it down.

27,224. How long before the election?—About two days before Vanderbyl's election.

27,225. Where to?—Into the town; in my own house; I think he gave it to me.

27,226. The whole amount?—No; Frederick Jarman had a portion.

27,227. When he brought it to your house had he the whole amount with him or not?—He might or might not.

27,228. How much was it?—700*l.* or 800*l.*

27,229. He gave you what you wanted for your men?—Yes.

27,230. How much?—I do not remember. I had some of Harden's men.

27,231. Surely you can recollect how much?—No.

27,232. Had you 500*l.*?—No.

27,233. 300*l.*?—No. I should think it might be 200*l.* I don't know how much it was.

27,234. (*Mr. Price.*) You said how many men you dealt with at the "Bull and Butcher?"—I dealt with more men at Patton's than Westropp's.

27,235. Five pounders?—Yes.

27,236. Then the men you made promises to ——?—Yes.

27,237. All had to be paid?—All had to be paid. Then Harden was away in Devonshire, who had made promises.

27,238. Should you say any more than 1,900*l.*?—I should think not.

27,239. The same as Westropp spent then?—Yes, about the same.

27,240. (*Mr. Coleridge.*) What did you suppose at that time Mr. Bagehot spent?—I heard about the same sum.

27,241. (*Mr. Price.*) That is your idea?—Yes.

27,242. We have been told they only spent 800*l.*?—I rather doubt it.

27,243. Is there a kind of combination amongst the voters here, or anything like an understanding, that both sides must pay the same?—No.

27,244. Or is it left to the bargain of each man?—Yes, that is it.

27,245. What is that?—On the Conservative side, as far as I have had anything to do with it, they always pay the same price all round.

27,256. Never more than 10*l.*?—Never more than 10*l.*

27,257. (*Mr. Coleridge.*) You may very likely assist us in finding this out. We are told there was no money at all at Bagehot's election, and then the four attorneys entered into a guarantee for 1,000*l.*?—On Bagehot's side?

27,258. On Bagehot's side; and out of that they spent about 700*l.*?—Yes; but then they had to take up their promises afterwards, the same as we had.

27,259. We have had no evidence whatever of any money employed for that. I thought you might give us some hint as to how that was supposed to be done?—Mr. Vanderbyl came down here afterwards, and they paid 25*l.* to some, perhaps including the old score.

27,260. At the second election they paid up the old scores?—Yes.

27,261. And also the old score of Shelley and Kinglake?—I believe he did.

27,262. (*Mr. Price.*) You say the second payments made by your side were made just before Mr. Vanderbyl came down; that is, there was very little time between the two elections; but do you know whether, before there was a knowledge that there would be a fresh election, it had been agreed that these men should have their additional 5*l.*; the men who had been promised?—Yes.

27,263. I mean, supposing Mr. Patton had not accepted office, and there had been no fresh election, had it been understood that these men should have this additional?—Yes; they would have been paid.

27,264. It had no immediate reference to the fact of there being a second contest?—Not the slightest.

27,265. Whether there had been or not they would have been paid?—The men must have been paid.

27,266. Are you sure of that?—Yes, no doubt.

Adjourned to to-morrow at half-past ten.

TWENTY-SIXTH DAY.

Wednesday, 22nd September 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
HENRY FRANCIS PURCELL, Esq., Secretary.

TWENTY-SIXTH DAY.

G. Dyment.

22 Sept. 1869.

GEORGE DYMENT sworn.

27,257. (*Mr. Anstey.*) What are you?—A painter.

27,258. Were you present at a conversation between Mr. Parker and Mr. Westropp at the last election?—No; I never saw them together in my life.

27,259. (*Mr. Price.*) How do you spell your name?—Dyment.

27,260. How many are there in this place?—I know two.

27,261. What are the other two?—I am one, and Dimond, a carpenter, is the other; the one that was examined, yesterday I think.

27,262. George Dimond?—Yes.

27,263. Where does he live?—I believe he was examined yesterday, was not he?

27,264. (*Mr. Coleridge.*) Are there people called Dyment who spell their names in a different way from yours, in addition to the ones you spoke of?—No; we spell ours in the same way sometimes.

27,265. (*Mr. Anstey.*) Are you the brother of Mr. William Dyment?—No; no relation.

27,266. You say there is a George Dyment besides yourself in this borough?—I do not know that. They call him in common Dyment, but I do not know whether he spells his name the same.

27,267. Do you know Mr. William Dyment?—I do.

27,268. Is his brother George?—He had a brother at Thompson's; I do not know what his Christian name is.

27,269. (*Mr. Coleridge.*) Did you vote at the last election?—Yes.

27,270. Who for?—Westropp and Gray.

27,271. What did you get for it?—Nothing at all.

27,272. How was that?—I do not know. I suppose there was not anything knocking about.

27,273. Were you promised anything?—No.

27,274. Did you vote the time before, in 1866?—No; that was the first time.

27,275. Did you never get anything at all that election?—No.

27,276. Then you are a very unlucky fellow?—Yes, I am.

W. Vickery.

WILLIAM VICKERY sworn.

(*The witness.*) Dyer has made a wrong statement against me about 10*l.*

27,277. (*Mr. Coleridge.*) Did you vote at the last election?—Yes.

27,278. How did you vote?—Liberal.

27,279. What did you get for it?—Nothing.

27,280. How was that?—Because there was nothing going. I did not see anything going.

27,281. Were you promised anything?—No.

27,282. Did you expect anything?—No.

27,283. Did you vote at the election before?—Yes.

27,284. Who did you vote for?—Vanderbyl.

27,285. What did you get then?—10*l.*

27,286. Who gave it you?—Ambrose Dyer.

27,287. The time before that, Bagehot's, what did you get then?—10*l.*

27,288. Who gave that to you?—Searle.

27,289. What has Ambrose Dyer stated wrong?—That I had 10*l.* at Bagehot's election.

27,290. But you have just said so?—That he paid me 10*l.*?

27,291. No; he said he gave Searle 10*l.* for you?—It was put on the paper that I received 20*l.* in that way.

27,292. Did you?—No; only 10*l.*

27,293. And that was Searle?—Yes.

26,294. So if Ambrose Dyer says he gave you 10*l.* he stuck to it?—I mean to say I never saw it. Whether he stuck to it or no I cannot say.

27,295. I suppose he did, if you did not get it?—Not the least doubt about that, unless he gave some account for it.

27,296. Are you quite certain you did not get 20*l.*?—Yes.

27,297. Did not you after the election get another 10*l.*?—No.

27,298. Or your wife?—No.

27,299. Are you sure about that?—Yes.

27,300. Do you think she would have told you?—I am sure she would.

27,301. The time before that, in 1865?—I had no vote.

27,302. So you have received 20*l.* in all, instead of 20*l.* at one election?—Yes.

27,303. How long after Bagehot's did you get the 10*l.*?—I received it before, on the poll day.

27,304. And when on Mr. Vanderbyl's election?—The night before.

27,305. Is that all you know about it?—That is all I know about it.

27,306. Had you any money to pay away to other people?—No.

J. Luckes.

JAMES LUCKES sworn.

27,307. ((*Mr. Price.*) What are you?—A mariner.

27,308. You want to go to sea?—Yes.

27,309. Were you a voter at the last election for Bridgwater?—Yes.

27,310. How did you vote?—Kinglake and Vanderbyl.

27,311. Did you get anything for it?—No.

27,312. Nothing at all?—Nothing at all.

27,313. Were you promised anything?—No.

27,314. (*Mr. Coleridge.*) Any expenses?—No.

27,315. Nothing for coming up?—No.

27,316. (*Mr. Price.*) Did you vote at the election before Vanderbyl's?—No; I never had a vote before.

27,317. Are you one of those unlucky ones who never received anything for your vote in Bridgwater?—The same sort.

27,318. Your brother is one who votes for the Conservatives?—Yes.

27,319. (*Mr. Anstey.*) Who is Meaker?—He is a mariner.

27,320. What were you to do when you were told to mind Meaker?—When he came up in the train with me from Cardiff to Bridgwater, I suppose.

27,321. Did you get a telegram from Bussell?—I got a telegram from Bussell.

27,322. The telegram was, "Mind Meaker"?—The telegram was, "Mind Meaker."

27,323. What did you understand by that?—I had a telegram and produced it, and Meaker came home in the train.

27,324. Did you pay his expenses?—No.

27,325. Did you bring him with you?—He came along in the train with me.

27,326. Do you know what Meaker did when he came here?—No.

27,327. You went straight home, I think?—I went home.

27,328. You did not go to Bussell's?—Not at all.

27329. (*Mr. Coleridge.*) What were you to mind him for?—I do not know.

27,330. To see that he did not tumble out of the train, or what?—Perhaps so.

27,331. (*Mr. Anstey.*) Why do you think Bussell sent to you?—I do not know.

27,332. Bussell spoke to you on the polling day?—Yes.

27,333. What did he say to you?—"Luckes, have you polled?"

27,334. When was that?—About 3.15 I think.

27,335. About a quarter past three?—Yes.

27,336. What did you say?—"Hours ago."

27,337. Did he say then anything to you about money?—No.

27,338. Did he tell you that money was going?—No.

27,339. Had you heard of it?—No.

27,340. You have heard of it since, of course?—Oh, yes.

27,341 Have you claimed your share?—Have I claimed it?

27,342. Yes?—No.

27,343. Has nobody said anything to you about it?—Not a word.

27,344. At any former election, did you vote?—No, never before.

27,345. (*Mr. Price.*) Were you told why you were to come here; why you were wanted as a witness?—No.

27,345. (*Mr. Coleridge.*) Did you ever sign any petition here?—No; that was too far out of my scale.

27,346. You do not know why your name was put down to come here?—No.

27,347. Did you receive a summons?—A summons?

27,348. Yes; to appear?—A fortnight ago it was left at my house, and I have not been home since.

27,349. Do you know Bussell well?—Very well.

27,350. Were you at his house on the day of the election?—No, nor since.

27,351. Treating there?—No.

HENRY CHAPMAN BUSSELL recalled. *H. C. Bussell.*

27,352. (*Mr. Coleridge.*) What do you know about this?—I only wanted to explain this, that on the day of the nomination I was walking along the quay, and I met his owner, and he said, "There is Meaker and Luckes over to Cardiff," and he said, "You had better try and get them over."

27,353. Who is the owner?—Mr. James Wood Sully. Then I telegraphed to Luckes. I did not know what vessel Meaker was in. I understood he was in a vessel over there, and I telegraphed to Luckes, and I said, "You must come home to poll, and mind Meaker." That is how it was. Meaker was another man in the same employ.

JAMES LUCKES recalled. *J. Luckes.*

27,354. (*Mr. Price.*) You and Meaker are in the same employment of Mr. Wood Sully?—Yes.

27,355. Did you and Meaker vote for Kinglake and Vanderbyl?—I believe Meaker did. I do not know for certain.

27,356. And did you?—I did.

27,357. (*Mr. Coleridge.*) Who asked you to vote?—No one.

27,358. Did not Mr. Wood Sully ask you?—No.

27,359. (*Mr. Anstey.*) Had you never taken any part in politics before?—No.

27,360. How did Bussell know which way you were going to vote?—He did not know.

HENRY CHAPMAN BUSSELL recalled. *H. C. Bussell.*

(*The witness.*) It is a matter I have done, to look after these captains when they are away, and I telegraphed to him.

27,361. (*Mr. Anstey.*) Did you ever telegraph to any captain of a vessel to come and vote for the Tories?—No.

27,362. Then you had some notion of the way he would poll?—Yes.

27,363. How did you know he was going to vote for Kinglake and Vanderbyl?—I had some anticipation he would, because I do not think among the whole lot of them, masters of vessels, there are three who are Conservatives.

27,364. Was the reason you telegraphed to him the knowledge that he was in the employment of Mr. James Wood Sully?—I knew he was in the employment of Mr. Sully.

27,367. Is that your only reason for telegraphing to him?—No; my reason was this, that with the exception of about three of the masters of the vessels belonging to the party they all vote Liberal.

27,368. Suppose this had happened to be the fourth?—Then it would have been our misfortune to have got hold of him.

27,369. Did not you telegraph to him because you knew the captains of vessels in Mr. Wood Sully's employment always voted as Mr. Wood Sully went?—I always understood that Mr. Sully had nothing to do with any election, and I know at this very election Mr. James Wood Sully had nothing to do with speaking to the captains.

27,370. (*Mr. Price.*) If Mr. Sully had not spoken to you you would not have taken the trouble to telegraph to this man?—I could not be aware of it.

27,371. Therefore he told you, "There is Luckes and Meaker over at Cardiff"?—No; he told me Luckes, and I found out afterwards that Meaker was there.

27.372. He told you Luckes was at Cardiff?—Yes.

27,373. And of course upon that you telegraphed for him?—I did.

27,374. And you were under the impression that Sully knew his politics, whether you did or not?—I anticipated so.

27,375. (*Mr. Coleridge.*) Who paid all these telegrams you sent?—Unfortunately, I did.

27,376. Did not you charge it to the party afterwards?—I have not had any chance.

27,377. Not this time?—No.

TWENTY-SIXTH DAY.

22 Sept. 1869.

H. C. Bussell.

27,378. On former occasions?—I have always been paid.

27,379. (*Mr. Anstey.*) By whom?—Mr. Henry Lovibond has paid me every transaction.

27,380. (*Mr. Coleridge.*) And he has paid you for your trouble as well, has not he?—No, not a penny. I never charged a penny.

27,381. Do you mean you only sent in "telegrams 1*s.* 6*d.*," whatever it was, and did not lump it together with other things?—In the account for drink.

27,382. You put the telegrams and the drink?—Altogether.

27,383. Beer and telegrams all mixed together?—Yes; I did not put down telegrams.

27,384. (*Mr. Anstey.*) I understood that Mr. Sully told you these men were there; did he tell you that he knew which way they were going to vote, or must vote?—No.

J. Luckes.

JAMES LUCKES recalled.

27,385. (*Mr. Anstey.*) Did Mr. Sully ever ask you which way you would vote?—No, never.

27,386. Did you ever tell him?—Never.

27,387. (*Mr. Price.*) He must have formed in his own mind the conclusion that if you did come you were going to vote on his side?—He did not ask me the question.

27,388. Had you made up your mind which way you would vote?—I had before leaving Bribgwater.

27,389. Had you said so?—Yes.

27,390. To whom?—To my wife, or whoever was at home; no party else.

27,391. Then your wife may have told Mr. Sully?—No, I do not believe so.

T. Smith.

THOMAS SMITH sworn.

27,392. What are you?—A mariner.

27,393. And want to go to sea?—Yes.

27,394. Are you a voter for the borough?—Yes.

27,395. Did you vote at the last election?—Yes.

27,396. How did you vote?—Liberal.

27,397. For Kinglake and Vanderbyl?—Yes.

27,398. Did you get anything for it?—No.

27,399. Any promise?—No.

27,400. And never made any claim?—No.

27,401. (*Mr. Coleridge.*) Any expenses?—No.

27,402. (*Mr. Price.*) Where did you come from? Were you resident here?—I came from Saundersfoot.

27,403. Were you telegraphed for?—Yes.

27,404. (*Mr. Coleridge.*) How did you come up?—By train.

27,405. Did not you get your expenses for coming?—No.

27,406. You paid your own expenses?—I paid my own expenses.

27,407. There and back?—I paid my own expenses.

27,408. (*Mr. Price.*) Did you vote at the former election?—Yes.

27,409. The election when Mr. Vanderbyl first came, did you?—No.

27,410. The one before that?—Bagehot's.

27,411. Did you get any money then?—No.

27,412. Did you vote before that?—Yes.

27,413. (*Mr. Coleridge.*) How came you to get none at Mr. Bagehot's election?—Unfortunate.

27,414. Did not you ask for any?—No.

27,415. Did not you get any after the election?—No.

27,416. A good bit after?—No.

27,417. Do you mean you did not get a farthing directly or indirectly for your vote since you have been in Bridgwater?—No.

H. C. Bussell.

H. C. BUSSELL recalled.

(*The witness.*) This is one of three. There were a certain number told off for me to give 5*l.* apiece to, and I had 70*l.* to pay, and there were 17, I think, I was given to understand I should have to pay, and the result was that Mr. Lovibond gave me 70*l.* to pay it, and I paid it away, and if those men had been home I should have paid them likewise, and have been that money out of pocket; but this man did not happen to be at home at Vanderbyl's election, and the result was he did not vote, and he did not have the 5*l.*

27,418. (*Mr. Coleridge.*) He did not have the 5*l.* which he would have had for voting at Bagehot's?—Yes; but he always expected that 5*l.*, and has been under the impression that I kept the money.

T. Smith.

THOMAS SMITH recalled.

27,419. Did you ever hear that you ought to have had 5*l.* from Bussell?—I have been told so.

27,420. Who told you?—Some of the voters that got it.

27,421. Did you ever tell Bussell that you thought he ought to give it to you?—We have had a conversation about it.

27,422. If he had you would have taken it, I suppose?—No doubt but I should.

H. C. Bussell.

H. C. BUSSELL recalled.

(*The witness.*) In regard to this last election, this person who was at Saundersfoot telegraphed to me, and I took the precaution to reply to his telegram that if he came here he must come on his own expense.

27,432. (*Mr. Price.*) Why did you take the precaution to tell him he must come on his own expenses?—Because at that time I did not know anything of him.

274,33. He has made no claim on you for expenses the last time?—The fact was I lent him 30*s.*, and he has repaid it.

T. Smith.

THOMAS SMITH recalled.

27,434. (*Mr. Coleridge.*) What were you doing at Saundersfoot?—We were there with a cargo of culm in Carmarthen Bay.

24,735. Was it out of your own pocket that you repaid the 30*s.*?—I repaid it out of my own money.

27,436. (*Mr. Coleridge.*) Then you did not consider that he owed you 5*l.* in such a way as that you had a right to deduct the 30*s.*?—No.

27,427. You paid it back honestly?—Yes, straight.

H. C. Bussell recalled.

(*The witness.*) It is quite right that he had a conversation on the second day when I was under examination; he said that I had got the 5*l.* and kept it.

27,428. (*Mr. Price.*) Those are imputations which men in your position lie under. We have no reason to suppose now you did not tell us the truth?—I am not surprised at it all. The fact is, at Mr. Vanderbyl's election, after the election was won, I saw Mr. Lovibond in the committee-room, and he came up to thank me for the services I had performed. I said I did not want anything at all. All I wanted was that he should satisfy these people's employers that I did not have 10*l.* and give them only 5*l.*

27,429. (*Mr. Anstey.*) Besides the bribing, what were the other services for which Mr. Lovibond thanked you?—Getting the voters up.

27,430. For bribing them, I suppose?—I never did anything unless I could.

Mr. Paul Octavius Haythorne Reed recalled.

27,431. (*Mr. Price.*) Do you remember, on the occasion of the trial before Mr. Justice Blackburn, any telegrams being produced which were handed up by Mr. Serjeant Parry to the judge, and handed by the judge to Mr. Serjeant Sargood, and looked at by him, but never read publicly in court?—No; not the slightest.

27,432. Just before the inquiry closed?—No.

27,433. Nothing of the kind?—No.

27,334. Did you never hear of any telegram? The clerk at the telegraph office was called as a witness, was not he, or called to produce telegrams?—Yes.

27,435. And he declined to produce them?—Yes; at first.

27,436. And the judge insisted on their production?—Yes.

27,437. And they were then handed to Mr. Serjeant Parry?—They were.

27,438. What is the clerk's name; do you remember?—I have not the least idea.

27,439. What became of those telegrams afterwards?—They were handed back to the clerk.

27,440. Were they read aloud?—No. As far as I recollect, it was like this: Mr. Serjeant Parry perused the various telegrams, and apparently those that would be wanted, and then they were passed to the clerk again.

27,441. Before reading one, did he take the opinion of the judge about it in any way? Did he hand it up to the judge?—I do not recollect it.

27,442. After Mrs. Hobbs was examined, shortly before the adjournment of the court?—I have not the slightest recollection of such a thing.

27,443. And the judge pointing it out to Mr. Serjeant Sargood, and calling him up, and reading it himself?—No; I have not the slightest recollection of it.

27,444. (*Mr. Coleridge.*) You would probably have if it occurred?—I think I should.

27,445. You were watching the case?—Certainly.

27,446. Anxiously?—Yes, very.

27,447. (*Mr Price.*) Do you know of any telegrams that were sent on the day of the polling from this town to anybody at Taunton?—Not one.

27,448. You do not know of any?—No.

27,449. On the morning of the poll?—No.

27,450. Would you have the control, supposing there to have been a telegram, on behalf of Mr. Kinglake; would you be the person to know that, or Mr. Lovibond, or Mr. Barham?—Mr. Lovibond, I should say.

Mr. Eustace Barham recalled.

27,451. (*Mr Price.*) Do you know anythiug of a telegram being handed up to Mr. Justice Blackburn, read by him at the trial, and handed to Mr. Serjeant Sargood, at any time just previons to the breaking up of the inquiry, and not made public or read aloud?—No.

27,452. You do not remember such a thing?—No, I do not remember it at all.

27,453. Assuming it was a telegram from some one on Mr. Kinglake's behalf, either at Taunton or at London, would you know anything of it?—No; I was no party to sending it, and never received it.

27,454. You do not recollect the circumstance taking place during the trial?—I remember there was something about telegraphic messages during the trial, but I think they were not read.

27,455. (*Mr. Anstey.*) It was before Mrs. Henry Hobbs was examined, and the court adjourned, and Serjeant Sargood withdrew the opposition?—There certainly was something about telegraphic messages; that I do remember.

27,456. (*Mr Price.*) Do you remember the judge receiving it from Mr. Serjeant Parry; before he read it looking at it; and then calling up Mr. Serjeant Sargood, and handing it to Mr. Serjeant Sargood?—No; I do not remember that; but I do remember something occurred about telegraphic messages; what it was I do not know.

Mr. John Trevor sworn.

27,457. (*Mr. Price.*) Will you tell us all you know about the elections for this borough?

(*Mr. Coleridge.*) And what you know about the other side, as well as your own, as you go on?—Yes. I am a solicitor, and have been upwards of 39 years in practice in this town. I was articled in 1824, and the first election with which I was at all mixed up was in 1826. I was at that election.

27,458, 9. Who were the members?—The candidates were Mr. Astell, Colonel Tynte, that is the old Colonel Tynte, and Sir Colin Campbell.

27,460. Not the Sir Colin Campbell who was afterwards Lord Clyde?—No; but he was a K.C.B. I should say that previous to that election, for some years, I think for 25 years, Mr. Astell had represented the town.

27,461. Had he property in this neighbourhood?—No; he had no property. I think the first time he came here was in 1807, from the books and poll papers which I have, as Mr. Thoraton. That was his first introduction, and he afterwards took the name of Astell.

27,462. (*Mr. Price.*) He wast the great East Indian director?—He was an East Indian director, and for many years the chairman of the East India Company. He was returned for Bridgwater on the 5th May 1807.

27,463. And, I suppose, during the time of his reigning at the East India House, the Bridgwater people had their share of the good things in India?—They had on both sides. It was said in Bridgwater that he would do anything he could for us.

27,464. (*Mr. Coleridge.*) Which side was he in politics?—The then Tory side in politics. One of the Lord Pauletts had the patronage of the borough, and a relation of his, the Honourable Vere Paulett, came to oppose Mr. Astell, then Mr. Thornton, and Lord George Paulett.

TWENTY-SIXTH DAY.

Mr. J. Trevor.

22 Sept. 1869.

27,465. (*Mr. Anstey.*) Which of the two opposing Pauletts had the distribution of the Government patronage spoken of in Oldridge's Parliamentary History? It is said all the Government patronage passed through the Paulett family, and they split, as you say; you do not know which?—It was Lord Paulett, because his relation, the Honourable Vere Paulett, came to oppose.

27,466. (*Mr. Coleridge.*) What is the name of the place where Lord Paulett now lives?—Hinton House, Hinton St. George, is the place. The first recollection I have of any election at all is 1818, June 19th, as a boy, when Mr. Pocock, Mr. Moggridge, and Mr. Perkins were candidates, and Mr. Pocock and Mr. Astell were returned. My object in mentioning that is this, that I believe at that election, I am not certain, but I think that there was a petition, and there was a good deal of talk at that time of bribery.

27,466. Did you know anything about money being spent then?—Not the slightest in the world; nor, in fact, at any time. I have never been a party to expending money at elections.

27,467. No; I mean by general rumour?—Only as a boy. That was in 1818. I was ten years old then, but I recollect it very well as a boy. My reason for mentioning that is just to tell you that after that the gentlemen in the town came to a determination, if they possibly could, to get rid of that system of bribery and corruption which had existed; and with a view to that, Colonel Charles Kemys Tynte, the old man, was requested by his own party, who were Liberals, to come forward for this borough, in conjunction with Mr. Astell. Colonel Tynte declined to come forward. Afterwards, I believe, but I will not be certain, I know Mr. Richard Woodland and my late father, and, I believe, the late Mr. Ruscombe Poole, went as a deputation from the Tory party to Colonel Tynte, who, I believe, was at Bath at the time, when they requested him to come forward.

27,468. (*Mr Coleridge.*) Colonel Tynte was always a whig?—Colonel Tynte was always a whig, an old-fashioned whig, and he resided in the neighbourhood. He was a country gentleman, and did all the good for the town that he could as long as he was alive. Colonel Tynte took great interest in the town. In 1820, March 7th, Mr. Astell and Colonel Tynte were elected without opposition. In 1826, June 9th, the Catholic question was then mooted, and Mr. Astell and Colonel Tynte came down for re-election, and Sir Colin Campbell was then brought to oppose Colonel Tynte.

27,469. As a Conservative?—As a Conservative, to oppose Colonel Tynte. He was brought by a third party into the town. In those old-fashioned days there were two parties; the high party and the low party they were always called in my younger days; but then a third party sprung up, and the third party brought down Sir Colin Campbell. The arrangement having been made, all the Tory party voted for Colonel Tynte, and he was returned. I have the numbers here, if they will interest you at all.

(*Mr. Price.*) I do not think they are of any importance.

(*The witness.*) Then on the 30th July 1824 Mr. Astell and Colonel Tynte were again elected without opposition.

27,470. Were there rumours of bribery at that election too?—Not the slightest. Mr. Astell and Colonel Tynte were elected without opposition. Sir Colin Campbell merely came down for a special purpose. There was a strong anti-Catholic feeling.

27,471. Do you say 1830 was a pure election?—It was a pure election. Mr. Astell and Colonel Tynte were returned without opposition.

27,472. (*Mr. Anstey.*) There was no contest then, was there?—There was no contest.

27,473. Sir Colin Campbell did not stand at that time?—That was 1826.

27,474. In 1830 he did not stand again?—In 1830 his name was put down, but he went to Barnstaple instead, because I recollect going to Barnstaple and seeing him there. In 1831, April 30th, Mr. Astell, Colonel Tynte, and Mr. Henry Shirley were candidates. That was at the time of the Reform mania, and people in this town, and, I believe, all over England, were almost mad on that question, and the Liberal party—the Reform party in those days—did not keep faith with the Tory party, and it was a very close run. Mr. Astell polled 213, and Mr. Shirley 202.

27,475. (*Mr. Coleridge.*) Was that afterwards General Shirley?—I do not recollect who he was. I will not be certain about that. That election was the last time that Mr. Astell ever came to Bridgwater.

27,476. Was there a good deal of money spent then?—I understood that there was some money spent. The election was adjourned, and I believe money was spent for Mr. Astell, or that he spent money. He was obliged to, to get his election. I believe it was that election; it was a very close run. Then Mr. Astell gave up his connexion with Bridgwater. That was in 1831. Then there has been a good deal said about the election of 1832, and I would only say this, that at that election two gentlemen came down here to contest the borough on the Tory side. They were a Mr. Chatteris and Mr. Horace Twiss, the Queen's Counsel.

27,477. Not the Mr. Chatteris who is the present Lord Elcho?—No. I do not think he was a man of any great standing. He was a merchant, or something of that kind, and he came down here. However, they found out that they had no chance at all, and party spirit ran exceedingly high. I recollect canvassing very well with Mr. Chatteris and Mr. Twiss, and it was almost dangerous to walk through the town. It was just upon the Reform Bill.

27,478. (*Mr. Anstey.*) Then Mr. Bussell, senior, probably meant the previous election?—No; I think it was that.

27,479. When he represented himself as having expended some thousands of pounds for Mr. Tayleur in 1832, he must have meant 1831?—Mr. Tayleur was candidate in 1832,—Colonel Tynte and Mr. Tayleur,—and he was returned without opposition.

27,480. Was he a candidate in 1831?—Not Mr. Tayleur; it was Mr. Astell, Colonel Tynte, and Mr. Shirley.

27,481. Although Mr. Bussell told us some weeks ago that he bribed very largely, and Mr. Tayleur spent some thousands of pounds, and he called it the election of 1832?—So it was, I believe, 1832, December 11th.

27,482. Probably he meant the candidate who succeeded Mr. Tayleur in 1831?—No.

27,483. He certainly gave that date?—I think he is right.

27,484. But it was without contest?—Well, it was, up to the night before the election.

27,485. (*Mr. Coleridge.*) And plenty of money spent?—I do not know. If it was it was on the Liberal side.

27,486. Was that Mr. Tayleur, the Liverpool merchant?—I think he was. He was a merchant; a very respectable man. That was the time these riots took place. I do not know whether you wish to hear anything from me about it. Several witnesses were asked about the riots at Mr. Bowen's.

27,487. (*Mr. Anstey.*) Do you agree with the account given of them by Mr. Poole?—Yes, there is no doubt of that, because my father and myself were the solicitors for the prosecution in those cases.

27,488. (*Mr. Coleridge.*) Then you can tell us, perhaps, a good deal about that?—I recollect it very well, and I can tell you how those riots arose. Mr. Chatteris and Mr. Twiss had declined the contest, and the solicitors on the other side,—Mr. Benjamin Lovibond was one,—were informed they had declined the contest. They wanted to see those two gentlemen, and did not see them, and they, I believe, were not satisfied. In those days there was no nomi-

nation; you could put up any gentleman on the morning of the poll, and propose any one you liked.

27,489. (*Mr. Price.*) There was no deposit of money?—There was no deposit of money, nor anything of the kind. There was a rumour in the town on the Liberal side that Mr. Astell was secreted at Mr. Bowen's house in Fryern Place, and in consequence of that a large mob, or a large number of persons—I will not call them a mob, because, perhaps, that is using a strong term,—but a large number of persons got round Fryern Place. I do not know whether you know it; it is enclosed with a lawn in front. There are four or five houses, and then a large house which Mr. Bowen built. They got inside in Fryern Place. I was with Mr. Bowen.

27,490. Is it a row of houses with a field in the front?—Yes.

27,491. Where the school feast is held?—Yes. I think there are four houses, and then there is a large house where Mr. Smith lives now.

27,492. His house was the further house?—The further house; a large house; and there was a private entrance to his house. That evening I was with a party of men. In those days they used to have what are called randyings, for the purpose of making speeches and drinking; and then, previous to the issue of the writ, there was no illegality in holding these meetings, and it was at a meeting at the "King's Arms" with Mr. Bowen. While there Mr. Bowen had a message to say there was a great riot at his house, and that they were afraid his house would be burnt down. I was sitting near him, and I immediately accompanied him to his house. We walked through a crowd of persons, and they were very orderly. I walked with him into his house. I stayed there some time, and then I found the people quiet, and I believe a good many left, and I went home. Well, after that, the numbers increased, and he went out,—I did not see this; it is only what I heard at the time, and from seeing the evidence in the brief,—Mr. Bowen went out, and then he was assaulted, and then there was a great riot, and I believe the Riot Act was read by the mayor.

27,493. (*Mr. Coleridge.*) What we want to know is about what the jury did at Wells?—Well, I can tell you that; there was an indictment against 34 persons for an assault and riot.

27,494. (*Mr. Price.*) Were any of those called leaders amongst them; we have heard of certain men dressed in south-westers and pea jackets, said by Mr. Carter Reeves to be the leaders; were any of those people in the dock for trial?—Well, Mr. Sully was there, who gave evidence the other day. He was quite a young man at the time; quite a youth. I should think that none of the old inhabitants were there.

27,495. But I am speaking of those who were said to be the leaders of the riot?—Oh, they were all tried, the leaders were.

27,496. (*Mr. Coleridge.*) This riot was something more than a spree; was it not a rather serious matter?—I daresay it commenced in a spree, but it was likely to end seriously.

27,497. (*Mr. Price.*) Was it an assault combined with riot?—Yes; they were indicted for riot and assault.

27,498. (*Mr. Austey.*) Did you see Mr. Wood Sully there when you walked up with Mr. Bowen?—No; I do not recollect seeing him.

27,499. Did you see him afterwards that night?—No; I went home afterwards.

27,500. You did not go back again?—I did not go back again. I was not aware till next morning.

27,501. Did you go up next morning?—I went up next morning.

27,502. We have it in evidence that some young gentlemen found it necessary to remain in the house all night. Were there any there when you went up?—I do not think there were. A good many were there. Mr. Gabriel Poole, I understand, and Mr. Ruddock, and many others. Mr. Bowen had a void house close by, and they slept there.

27,503. Mr. Ruddock is still in the town?—Mr. Ruddock is still in the town.

27,504. (*Mr. Coleridge.*) Was no endeavour made to get this case put off to the assizes, instead of being tried at the sessions?—I will tell you. There were three indictments preferred at the Wells sessions. It must have been at the Michaelmas sessions; and then the bills were found. The one for conspiracy, which you heard of, was removed by *certiorari* into the Court of Queen's Bench, and tried at the Taunton assizes.

27,505. On the civil side?—On the civil side. I recollect perfectly well the late Lord Chancellor, Mr. Wyld, afterwards Lord Truro, and the present Sir William Erle, and the late Mr. Montague Bere were our counsel for the prosecution. Mr. Serjeant Kinglake defended the prisoners.

27,506. (*Mr. Anstey.*) No; Serjeant Coleridge was not it who defended the prisoners at the assizes?—I think he did.

27,507. (*Mr. Price.*) And Serjeant Kinglake at the sessions?—Either the conspiracy broke down,—I will not be certain,—but it was on the brief that the prisoners were acquitted.

27,508. (*Mr. Anstey.*) There is a report, which has been spoken to several times, and which we had in court yesterday, that states that the whole question turned on, was it a conspiracy or was it a riot and assault, and Mr. Serjeant Coleridge took that objection. The evidence really brought home riot and assault, but there was no evidence of conspiracy, and the judge took the same view, and therefore the jury, under his direction, acquitted the prisoners of that one charge?—Now you bring it to me, that is so, I recollect. Then at the next sessions at Wells, the Easter sessions, all the persons were tried for riot and assault. The case lasted a very long time, and being a misdemeanor, the Court adjourned the case till the next morning, and told the jury to go away.

27,509. (*Mr. Coleridge.*) They had no power to do otherwise?—They had no power to do otherwise. They took it rather late in the day, and to the astonishment of the chairman and every one in court, all the parties were acquitted.. Now I recollect particularly one man, I forget his name, there was a clear case of assault against. Several witnesses had spoken to him, and there was not one who gave evidence who offered to rebut it.

27,510. (*Mr. Coleridge.*) There were 20 defendants there who offered no defence?—There were a great many; but there was one man who clearly committed an assault; it is unquestionable he had; however, they were all acquitted. Afterwards it was notorious the jury had been tampered with by the defendants. Many of the defendants and the jury were drinking together that night.

27,511. (*Mr. Price.*) Several of the defendants were out on bail?—Several were out on bail. I think there were only one or two in custody.

27,512. (*Mr. Coleridge.*) There was one man here yesterday who told us he was 13 weeks in jail?—I think he was the only man in jail.

27,513. He had some companion there, he said?—I do not know that.

27,514. (*Mr. Anstey.*) Some of those out on bail were drinking with the jury, or some of the jury, on the night between the two days?—Yes; when the court was adjourned.

27,515. The witness we had yesterday, who was then in prison, stated that when he was released he found them, after the trial, about, drinking together?—They went so far as to say this, that Wells was exceedingly crowded at the sessions, and that some of the defendants could not get beds, and that they absolutely slept with some of the jury. That was the story current at the time.

27,516. (*Mr. Coleridge.*) Then if the prisoners were let out on the night of the trial, they had to be rebailed?—Just so.

27,517. They were rebailed?—They were rebailed, and let out for the night.

27,518. (*Mr Anstey.*) Was old Mr. Bussell that night in the town of Wells?—Yes, I think he was

27,519. He had been indicted for conspiracy at Taunton?—Well, I think he was one of the defendants at Taunton; I am almost certain.

27,520. (*Mr. Price.*) Then as to money, was anything said, besides drinking together, that money was spent?—It was said that the jury were bribed. It was openly stated afterwards.

27,521. The jury were a jury of the county, I suppose?—A jury of the county.

27,522. And I suppose none were Bridgwater men?—No.

27,523. I suppose some one watched the panel, to see who were called?—The jury at the sessions in fact are not a very high class of men—the petty jury at the sessions, but they are generally not selected from Bridgwater.

27,525. (*Mr. Anstey.*) Was the name of the person given who was supposed to have tampered with the jury by money?—No; I never heard the name.

27,526. (*Mr. Coleridge.*) Who was the under sheriff who summoned that jury?—Old Mr. Nicholls must have been.

27,527. Which side was he in politics?—I do not think he interfered much in politics.

27,528. (*Mr. Anstey.*) Did the chairman give any opinion about the acquittal?—The chairman thought it was a monstrous decision of the jury.

27,529. He said so?—Yes, he said so at the time.

27,530. Then in 1835, that was the next election, Broadwood came here for the first time,

27,531. (*Mr. Coleridge.*) That was Leader's time?—That was Leader's time.

27,532. We want to know something about this?—I can tell you something about that; Mr. Broadwood, Mr. Francis Mountjoy Martin; he was Captain Martin, I believe.

27,533. (*Mr. Price.*) Now Colonel Martin of the Life Guards?—Now Colonel Martin, Old Colonel Tynte and Mr. John Temple Leader were candidates, I recollect very well. Mr. Broadwood and Mr. Martin had been here some days canvassing, and met with a great deal of support, and we were almost certain of carrying our election, and I think I am borne out by this one fact, that we ascertained at the time that Colonel Tynte had written his address taking leave of the electors, and it was in the hands of the printers to be published.

27,534. (*Mr. Coleridge.*) Who were you acting for at that election?—Mr. Broadwood and Mr. Martin; but Mr. Leader came down on a sudden, and Colonel Tynte's address was withdrawn, and I think there was a joint address from Colonel Tynte and Mr. Leader.

27,535. Mr. Leader was connected with the Luttrells, was not he?—Yes; the Reverend Alexander Luttrell married a Miss Leader, and I think Sir Peregrine Acland married a Miss Leader also.

27,536. (*Mr. Coleridge.*) But they were both Conservative families?—Yes. I know very well that after Mr. Leader came here the late Mr. Ruscombe Poole called on Mr. Leader. He rather found fault with him for coming here, and interfering with Bridgwater, connected as he was with Conservative families in the neighbourhood; and Mr. Poole went further, and told him, "The fact is, you have come here too "late, because Broadwood and Martin's election is "pretty safe." "Well," said Mr. Leader, "I wish "to have no misunderstanding at all with you, "Mr. Poole. The fact is, I have come here, not only "determined but prepared to have my election, cost "what it will.

27,537. What did it cost, do you know?—Well, I have heard various sums meetioned. I have no doubt it cost him from 8,000*l.* to 10,000*l.*

(*Mr. Coleridge.*) 12,000*l.* we have heard.

27,538. (*Mr. Price.*) So that the voters must have got more than 100*l.* apiece?—Well, they did so, I believe.

27,539. 200*l.* or 300*l.* apiece; there were only 400 voters then?—I recollect well. I will not say the name, because he is dead now, but men were coming out of his house, and as they saw me they rattled their pockets, and I heard the sovereigns chink.

27,540. (*Mr. Anstey.*) Would not it have been directly in accordance with old precedents, if some voters, at least, had received 100*l.* for their vote? What I find stated in Oldridge's History, volume 4, page 445, published in 1816, is this: "The contests "in this borough have been productive of the "greatest bribery. We have heard one elector "boast of his selling his pig for 100 guineas, and "being allowed to eat it himself. Another sold his "parrot for the same sum, and the candidate never "claimed his purchase. Some 300, 400, and 500 "guineas have been given for single votes"?—I do not believe it was so bad, for this reason, that the number of votes had increased, and it was not so necessary to give such high sums for votes.

27,541. That is what I said. Therefore, if Mr. Leader gave 100*l.* for a vote, it is not more, according to old precedents, than had been given at Bridgwater?—Just so; but I think Mr. Leader may have given 40*l.* or 50*l.* for a single vote; quite as much as that.

27,542. It may refresh your memory with regard to that particular sum you have mentioned, that the word "forty" was mentioned, was it not, at the election?—I think it was.

27,543. In connection with a piano?—It was a mistake about the piano. Mr. Broadwood was a son of the pianoforte maker, but he himself was a brewer of the Lion Brewery.

27,544. (*Mr. Price.*) Broadwood, Mundell, and Co.?—Broadwood, Mundell, and Co. I took the numbers, which were, for Colonel Tynte, 234; Mr. Leader, 208; Mr. Broadwood, 190; Mr. Martin, 102.

27,545. (*Mr. Coleridge.*) Did you hear a speech which Mr. Leader is reported to have made, in which he said, if Broadwood brought his piano-forties, he would bring his piano-fifties?—It is very likely, I think.

27,546. (*Mr. Price.*) However, he realized his own prophecy?—Just so; they were not very particular.

27,547. And Colonel Tynte got the benefit of that expenditure?—Colonel Tynte got the benefit of the expenditure. He had a good deal of interest; he was a gentleman living in the neighbourhood, and Mr. Leader had plenty of money.

27,548. That would be the present Colonel Tynte?—No; the old gentleman, I think. The present Colonel Tynte at that time represented the county, or shortly afterwards.

27,549. (*Mr. Anstey.*) Have you done with the election of 1835?—That is in 1835.

27,550. Now I want to ask you,—I think that is the date,—if not it was the next year, but I am pretty sure it was 1835,—do you remember whether the result of that election was not to produce a petition, and a new election?—No, it was not so.

27,551. Then was there a vacancy? I will fix the date of the vacancy thus: a vacancy occurring about that time to fill up which a majority of those on the register signed a requisition to Sandhill, asking Sir Thomas Lethbridge to stand, and pledging themselves to support him if he had stood in the Liberal interest?—Oh, that was some time afterwards. I will come to it. I have all the elections here in rotation. In 1837, May the 16th, the previous election having been in 1835, there was a vacancy occurred in consequence of Mr. Leader having accepted the Chiltern Hundreds, and stood for Westminster.

27,552. (*Mr. Coleridge.*) What was the reason of his doing that?—I think vanity.

27,553. (*Mr. Anstey.*) It was to oppose Sir Francis Burdett, who had quarrelled with Mr. O'Connell and the ministers?—That was it. I think you are right; however, he lost Westminster and lost Bridgewater. Then there was a very sharp contest between Mr. Broadwood and Mr. Sheridan.

27,554. That was Sir Thomas Brinsley Sheridan?—No; Richard Sheridan.

27,555. Mrs. Norton's brother?—Mrs. Norton's brother. Then Mr. Broadwood was returned.

27,556. Was there a large expenditure of money then?—Well, I think not a very large expenditure.

27,557. Still it was not a pure election?—No, not on either side. I think Mr. Sheridan, from what I have heard since, was disappointed that he did not get the money he thought he should to oppose Mr. Broadwood.

27,558. (*Mr. Anstey.*) Do you remember a petition being presented against Mr. Broadwood's return?—No; it was the next election after that; that was not it. Was it not Sir Thomas Lethbridge's petition? His was July the 26th.

27,559. Well, that was the election; there were two petitions?—I will see if I have made a mistake. 1837, July the 26th, Mr. Courtenay, Mr. Broadwood, and Sir Thomas Lethbridge.

27,560. There were two petitions presented at once, you will recollect, the following year, or rather the end of that year, against both those returns; but the first return is what I am speaking of now, of Mr. Broadwood. Do you remember, Mr. Richard Brinsley Sheridan himself petitioned? I have it here?—I do not recollect it. It was a very common thing for a member to have a petition in his pocket if the other succeeded.

27,561. It is in the 92nd volume of the Commons Journal, folio 396–7, Mr. Broadwood, praying that the return might be set aside; and then Mr. Broadwood wrote to Mr. Speaker the usual letter, printed in the notes; stating that he did not intend to defend the said return?—You are perfectly right; I have referred to my almanack, and remember now that it was so, because it was in 1837, June the 20th, that William the 4th died, and the petition was presented against that return on May the 16th, 1837.

27,562. The petition was presented and referred on the 23rd of March 1837, and then Mr. Broadwood, by letter dated the 5th of June 1837, read to the house on the following day, reported at folio 439 of the same volume, declared,—these are his words,—that it was not his intention to defend his election or return, on which the further consideration of the petition was put off until a day which is the 11th of July following?—Yes. Then Mr. Sheridan expected to get in, but in the interval, on the 22nd or 23rd of the month, the King died.

27,563. On the 20th of the month. Then a number of the electors of the borough, who were Mr. John Woodland, Mr. Jonathan Toogood, Mr. John Reed, Mr. Richard Cave, Mr. Thomas Howell Watson, and Mr. William Poole, presented, on the 28th of June, a petition stating that it was their intention to defend. That of course prevented Mr. Sheridan from taking his seat, and a few days afterwards the necessary dissolution of Parliament, by reason of the demise of the Crown, took place?—Yes.

27,564. Is not that the fact?—Yes, that is it; you are perfectly right.

27,565. You are aware that that petition, which Mr. Broadwood declined to contest,—the petition against his own return,—charging him personally with bribery as well as his agents,—and the letter is unconditional, declining to defend either his election or his return,—do you happen to recollect, at this distance of time, whether there was evidence, in the opinion of Mr. Broadwood and of his advisers and friends, that would or might have fixed him personally, and not merely his agents, with bribery?—I have no recollection, but I should say, from knowing Mr. Broadwood, as I did most intimately, that it would take a good deal of evidence to convince me that he had been personally guilty of bribery. I do not think so; my own impression is, not having papers before me, that he was too discreet a man to do anything of the kind.

27,566. You see that he declined to defend the petition; and if he had defended the petition, would he not have had an opportunity, on the Committee, of saying, if the charge of bribery is withdrawn Mr. Broadwood might be ready to give up the seat. He did not do that, you see?—No. No doubt there was a good deal of bribery at that election, and they could not defend the seat; that was the object of his giving it up. Then afterwards, I imagine, the electors defending the seat was in consequence of the serious illness of the King, William the Fourth, and he died very shortly afterwards, and there was a dissolution of Parliament.

27,567. That cannot be, can it, because they did not present their petition until eight days after the King was dead?—That must be a mistake, I think.

27,568. No; I have it?—Would not it be, if the King was dead Parliament would be dissolved as a matter of course?

27,569. That is what I was going to ask you. Was not it considered important that Mr. Sheridan should not be allowed to take the seat that session, even for the few brief days that remained; therefore this petition was presented on the 28th of the month, pretending, or alleging, if a further time was given them, they could make a defence? Was not it considered important to the party that Mr. Sheridan should not be at liberty on the 11th of July, if the session lasted so long, to take his seat even for a day?—If you asked me, I should have said my idea of the law was this, that immediately on the King's death Parliament naturally dies.

27,570. Not immediately, you know, by the Act of Settlement; and it is not altered by the late Act; but still the session ran through its course, and Parliament was not dissolved until the 17th of July; that is nearly a month after the death of the King?—Just so. I have no recollection; but very probably what you say is the reason; no doubt of it, if that was so; but I was under the idea that the Parliament died at once.

27,571. (*Mr Price.*) They must meet for a certain time to vote the supplies, and to make other provisions, and then allegiance is sworn at the proclamation?—Just so.

27,572. No doubt there was time for all that, and no doubt it was to mortify Mr. Sheridan?—Then the next was in 1837, July 26th, and then Mr. Broadwood, Mr. Philip Courtenay, Sir Thomas Lethbridge, and Mr. Sheridan were candidates.

27,573. Sheridan again?—Sheridan again. I believe at that time they were very anxious to get up an opposition, and a requisition was sent to Sir Thomas Lethbridge.

27,574. (*Mr. Anstey.*) Of Sandhill?—Of Sandhill. He formerly represented the whole county. I acted as his agent when he was a Tory. The requisition was signed, I believe, by a majority of the electors, an immense number of electors, and it stated that they wished to return him for the borough; but when he came here he found that although they had signed the requisition that they were not so eager to promise him their support.

27,575. (*Mr. Price.*) They wanted a contest there in fact, and nothing more?—Well, there was no contest at all.

27,576. Their object in signing the requisition was to try and get up a contest?—There was no contest at all, in fact. I think it was more out of lark than anything else. The electors polled the next day, and the numbers were, Broadwood 280, Courtenay 278, Sir Thomas Lethbridge 5, and Sheridan 2.

27,577. (*Mr. Anstey.*) So the majority who signed that requisition to Sir Thomas Lethbridge kept the promise contained in it by going against him?—Just so.

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27,578. (*Mr. Price.*) I suppose at that election there was money spent?—Well, I do not think there was any occasion for it.

27,579. (*Mr. Anstey.*) Do not you remember that in the following month of December there were presented a cluster of petitions, one complaining of the return at that election, and two or three more, not in the nature of election petitions, but praying the house, in the exercise of its ordinary privilege at common law, to inquire into the late election, into the election of Mr. Broadwood in the previous month, the previous election of Mr. Broadwood, and former elections? and there was a great discussion about it in the House of Commons. Mr. Gladstone opposed the reception of the petition. It was supported by the whole of the Liberal party. Mr. Courtenay spoke, and they all spoke, and all the leaders on both sides. Then it was finally withdrawn, on the Speaker pointing out that pending the election petition it was irregular to discuss the merits of the election in any other form, as it might prejudice the trial of the election petition. Then Sir Henry Ward, then Mr. Ward, member for St Albans, withdrew the petition for the present, and said that as soon as the trial of the other petition was over it would be presented again; but I cannot find from the journals that he ever did. Do not you recollect those circumstances?—I recollect the petition, and there were all kinds of proceedings at the assizes.

27,580. It was what I call a great petition?—It was the time of the action against young Mr. Smith.

27,581. Yes; but this petition I am referring to was a petition signed by 156 persons; and what may perhaps answer the question which was put to you by the Chief Commissioner a little while ago, as to the number of voters at the time when Mr. Leader stood, and paid those large sums, is this, that Mr. Ward, in presenting the petition, stated the sum total of the registered voters at that time to be 568?—Yes.

27,582. So that 156 signed it, and it gives the classes, "two yeomen, 13 gentlemen and esquires, six merchants, two dissenting ministers, three surgeons, one solicitor, one conveyancer, seven innkeepers, and 119 shopkeepers." Do you remember that petition going about for signature?—I do not recollect that.

27,583. Presented in the House of Commons on the 1st December 1837?—No; my recollection does not carry me back to those details.

27,584. However, there was an election petition against the last return, that is the return of the general election of 1837?—Oh, there was a petition, decidedly, because I recollect very well there were all kinds of proceedings taken then, as I said before. There were actions for libel against newspapers, and lots of proceedings taken, and I believe it was withdrawn after that.

27,585. The time for striking the committee, for perfecting recognizances, and so forth, was allowed to lapse, because it appears by an entry in the Commons Journal that the election petition was not brought on on the day named, nothing was done, not even the committee being struck. How did that happen, do you know?—Why, my own idea is, that Sir Thomas Lethbridge had had quite enough of law, and he did not wish to go on with the petition.

27,586. He signed the second petition?—Oh yes.

27,587. Not only the long petition, but he signed the second also, praying for the seat?—He was so disgusted with having this requisition sent him, that I think that had a great deal to do with his signing the petition.

27,588. Do you remember Mr. Sanford?—Oh yes, very well.

27,589. Mr. Sanford (waiting for the time of the petition to expire, so that he might be in order,) presented a petition on the 26th July 1838, referring to the same election, from Mr. Thomas Perratt of Middleshoy, now deceased, in which a very grave statement was made as to the collateral effect of corruption in Bridgwater upon electoral purity in the county. Do you remember that?—Well, I recollect; but the only thing I can say in answer to that is, that the only parishes that I think could at all be affected by the corruption of Bridgwater were two or three parishes in the neighbourhood, that very much supported Mr. Charles Sandford and Colonel Tynte at the election.

27,590. It was of those parishes that Mr. Perratt's petition particularly spoke. The petition stated, that when he and Mr. Sanford went canvassing in the neighbourhood, on previous elections, the voters promised or refused, without more; but of late, that is, since the Reform Act, Lord John Russell's Act, in no case would they promise unless a promise was made to them, and the argument they used was: "Why are not our votes as well worth 10*l.* as the votes of the people in Bridgwater." Therefore it must have been as you say, that it was the people in those parishes who made him that answer?—They were in the habit of coming in here at the elections, interfering with the nomination, coming in, and holding up their hands at the show of hands, and I suppose from that they got rather inoculated.

27,591. (*Mr. Coleridge.*) A sort of epidemic?—A kind of epidemic. I have heard that in those parishes some of the lower orders asked for 5*s.* for their expenses.

27,592 (*Mr. Anstey.*) No; they asked for the same sum as they had in Bridgwater?—I should hardly think so.

27,593 (*Mr. Price.*) It would be hardly worth while to purchase them at the same sum that was paid in Bridgwater?—No; it would not be worth while.

27,594. (*Mr. Anstey.*) This is what Mr. Perratt says in the petition:—"That in consequence of the notorious and systematic bribery which now prevails in the borough of Bridgwater many of the county electors at the last election did ask him to give money for their votes; a thing which never happened before. They stated that they considered they were as well entitled to money for their votes as the borough voters." This is what they stated to Mr. Sanford and Mr. Perratt?—Yes.

27,596. "That from the notorious and extensive "bribery which has been practised in the borough of "Bridgwater the whole of the neighbouring popula- "tion was much demoralised. That 5*l.* were "demanded for a vote, and this demand being "refused, he (the petitioner) was then immediately "told that there was an understanding that 5*l.* were "generally given for a vote, and that they, the "voters, considered they had a right to receive it." —That is, the county voters?—I should think there is a good deal of moonshine about that. That is my idea.

27,596. At all events, you say, it may be so, as to these parishes?—Well, not to that extent, that they asked for that amount, because it is absurd that a large body of men would do so. No gentleman would ever come forward for the county if that were the case.

27,597. That is how the petition stated it?—Oh, yes.

27,598. And Mr. Sanford, in presenting it, said, he was present when it took place?—Mr. Perratt was a very likely man to sign a petition of that kind, and he was a very great friend of Mr. Sanford.

27,599. Mr. Sanford backed it by his speech. He said, "I was present." Now you can go on?—Then the next election was in 1841.

27,600. By-the-by, you were going to tell us about the trial of Mr. Smith in the action for penalties?—Yes; the action for penalties.

27,601. Against Mr. Smith, for bribery at Taunton?—Mr. Smith was quite a young man at the time; quite a young man. I think he was a clerk in the office of a solicitor, a Mr. Symes, of this town. I think you have had that detailed to you. Mr. Jones stated in evidence that young Smith gave the money at the election, and he was tried for the 500*l.* penalty

at the Taunton Assizes, and the verdict went against him.

27,602. Do you know who defended the action; what firm of attorneys?—Why, Mr. Symes.

27,603. Is he dead?—He is dead.

27,604. Where did he carry on business?—He carried on business in this town. Mr. Ruddock succeeded him.

27,605. Has Mr. Ruddock his papers?—I do not know.

27,606. This Mr. Smith, who was then a young man, afterwards became an attorney in large practice, did not he?—Oh yes. I shall be able to tell you a great deal about that when we get on with the election. I shall be able to tell you when he commenced.

27,607. What is his Christian name?—Richard.

27,608. We shall hear what he did afterwards. I want to know who paid the penalties for him. He was only an articled clerk then?—Nobody paid the penalties for him. He went through the court.

27,609. He could not pay them?—Well, he did not choose to pay them. His father was a man of good property.

27,610. He went through the Insolvent Court?—He went through the Insolvent Court.

27,611. Up in London?—Up in London.

27,612. In Portugal Street, that would be, in 1838?—He was in the Fleet.

27,613. That was according to the old law?—He went through the Fleet.

27,614. That was in 1838?—That was in 1838.

27,615. Were you at Taunton on that occasion?—I was.

27,616. You were in court when it was tried?—I was.

27,617. I have here a full report of the evidence taken, and I want to know if you can give me the name of the man who distributed the money. It was deposed by one or two witnesses that the method of the bribery was this:—I mention it to you now to refresh your memory, although that appears to be very good:—Jones stated, "I know Murlis's house." First of all, is that the father of the present Murlis?—That is the father of the present Murlis.

27,618. "Near the 'Rose and Crown.'" The Murlises, I take it, have always been on the Conservative side?—Well, one portion of the family.

27,619. This portion?—Yes.

27,620. The father was a very active man, was he not?—Yes.

27,621. And the present Murlis has stated,—rightly or wrongly it does not matter,—he has stated, which has been stated in fact in evidence in this court,—that he is to the Conservative party, or to the bribery portion of the Conservative party, what Bussell or Allan is said to be with regard to the Liberal party?—Well, that may be very likely. I must leave him to you.

27,622. Well, this is Jones's evidence:—"I know "Murlis's house, near the 'Rose and Crown.' It is "a private house. I know Murlis. He has lived "in Bridgwater ever since I have known him. "Nomination was on the 15th May. On the 14th "I saw a person called Bennett. Had some conver-"sation with him. He mentioned some things to "me. I had been applied to to go to Murlis's house. "I went there on a Sunday, about 5 o'clock in the "afternoon. I saw Mr. Smith within the door;"—that is the defendant, the young articled clerk. "I "saw Mr. Smith within the door. When you enter "the front door there is a door on the right-hand "side which leads into a small room. I saw Smith "in this room. He spoke to me. He said, "I am "'glad to see you, and hope we shall have you "'on our side.' I told him that was what I came for. "He said, 'Do you not know what we give?' I said "I did not. He said, 'We give 10*l.* at the present "'time.' He said, 'I believe the others give more, "'and if so, we shall.' Smith then left me, and I "remained in the room. He turned on his right "hand into the house. He returned in a few "minutes, and brought me a bit of paper, gave it to "me, and told me take it into the next room. I "went into a room on the opposite side of a passage, "and saw there a respectable looking person sitting "on the sofa. There was a table before him. The "sunblinds were drawn; the room was gloomy. I "did not consider it darkened. I did not know the "gentleman. Never saw him at Bridgwater before "nor since. He spoke to me. He said, 'Do you "'want me?' I told him I had a bit of paper "for him, which I handed to him. He told me to "see what o'clock it was. A clock was behind me. "I turned and looked. I told him the clock was not "right. It was pointed at two, and it was near five. "I heard a noise, and turned, and saw him withdraw "from a cartridge packet."—I suppose that means that he withdrew from something else a cartridge.—"I took it up, and he said, 'Have you got that?' "Upon that I turned to go away. He said, 'You "'will be with us at eight o'clock at the the "'Clarence.' I said I was ill, and could not spend "my evenings out. The 'Clarence' was Broad-"wood's house. He said, 'You will be with us at "eight o'clock to-morrow at breakfast.' That was "the day of polling. I went away again. When I "had left the house I opened the paper, which con-"tained 10 sovereigns. They were done up in a "small parcel of cartridge paper with the ends turned "in. When I got home I showed the money to my "wife," and so on. We have had that man's son here, and another witness speaks to the same effect, and there were one or two other cases. They all quite agree in this, that the persons were shown to Smith, who knew them, and then that he gave them the bit of paper to take to the respectable looking person (who never has, before or since, been seen in Bridgwater), sitting in the darkened room, that he went through some kind of form with them, and paid them their money. I have read to you this long extract, in order that I may explain to you why it is that I want what I want, and that is, any information, whether hearsay or not, which you can give us, to enable us to ascertain the identity of that "respectable "looking person?"—No.

27,623. The "man-in-the-moon" of 1837?—There was a man at one election that I heard came here, and he was a very celebrated man, and I think he is dead. I think that was Croucher. My own impression is that it was at that election.

27,624. He was down here with money at that election?—I do not know that he had money; but he was here, a stranger, no doubt for the purpose of expending money.

27,625. Was he known to Mr Broadwood?—That I cannot say. I only recollect seeing a man at the nomination in a peculiar dress. He had got a smock-frock on, and a low crowned hat, which were not so common as they are now; and I asked who he was, and they said he was a stranger from London, and I afterwards heard it was Croucher.

27,626. Have you seen this Mr. Smith lately?—I will not be certain whether at that period it was Mr. Richard Smith the solicitor, or the late Mr. Richard Smith, his father, who was very much interested, I think. Very likely it was his father, and not the young Mr. Smith.

27,627. He is described in the speech for the defence as "a young man," an "articled clerk"?—Then it was the same. Then I have seen Mr. Smith lately. I saw him one day in a carriage while this enquiry has been going on.

27,628. Supposing at his own house one of the Commissioners were to ask him, in the presence of the others, simply these questions, "What is the name of that respectable looking person?" and if he cannot tell us, then, "Can you give us the names of those who can inform us, if you cannot recollect it yourself?" Do you think that he is too ill to answer such simple questions as those?—Well, sir, from what I have seen and heard of him, I really believe he is. I will explain

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to you why I think so. I think it is more than twelve months ago, perhaps two years ago, that I met him on a matter of business; it is the only time I have met him at all upon any matter of business, and that was at a meeting of the charity trustees, of which we were both members. He came to his son's office, and remained there a very short time, and I was very much struck indeed with the alteration in him, and the manner in which he expressed himself, and so on. He had been there a very short time, when his man servant came, and told him he was wanted. and he left the room. Now that is the only time I have met him at all in a room, or upon any business. I have merely seen him in the street, and spoken to him.

27,629. Did he understand your questions when you spoke to him?—Oh, he perfectly understood the questions at the time; but from what I have seen and heard of him he is in that state that the least excitement,—of course I am not a medical man, but I acknowledge to the world, that if he were a brother of mine, or a son of mine, I should certainly say he was not in a state to be examined, and that I think that any examination or any excitement would endanger his life.

27,630. Supposing he was prepared for the examination, by having sent to him beforehand a paper containing the questions that were going to be put to him, *ore tenuo*; that would not excite him, would it?—No. I question from what I have seen of him, and what I have heard, whether he is in that state to answer these questions.

27,631. (*Mr. Coleridge.*) But there is a very important thing we have to find out, and that is, who, at the election of 1837 was the "man-in-the-moon."

(*Mr. Anstey.*) How would that excite him, supposing he had these questions put to him beforehand?—I will tell you of one instance that occurs to me. I remember at one election he was very anxious to come and record his vote, and his medical man would not allow him to do it.

27,632. When was that? That would be, perhaps, the last election?—Well, I think it must have been.

27,633. Was it at Patton's election?—Patton's election, 1866.

27,634. I mean Vanderbyl's election?—That was Patton and Vanderbyl.

27,635. That is three years ago, or more?—Well, sir, my impression is, he is no better at all.

27,636. But he answers your questions when you meet him in the street?—Well, I can only give my own opinion. I cannot give you more than an opinion, because I have only seen him once or twice in the street.

27,637. You are quite right?—I will go further, and say, my impression is this:—I have been asked to go down and call upon him, and I have refrained from calling upon him and having interviews with him, thinking it would excite him.

27,638. (*Mr. Price.*) Of course you are not a medical man, but do you think he has capacity and recollection enough for this process to be gone through. Supposing we administered the oath to Mrs. Smith, that she would truthfully relate to us the answers that she got from her husband, and, without his knowing that we were in the house at all, that she should go and ask him these two or three simple questions, and when she came back that she should communicate to us his answers to them. Do you think he would have capacity enough for that?—Well, I have no doubt if one of you gentlemen would see Mrs. Smith that she would be very happy to tell you, and give you every information in her power.

27,639. We want it direct?—From him.

27,640. Yes, from him. He may never have talked about it to her. Supposing, instead of his being hurried and excited by our presence, that we were there in another room, and swore his wife to report to us faithfully and truly his answers, and if she then asked him, "I want you to tell me who was the man who was down from London," has he really capacity and recollection enough to answer it?—Well, I have never seen enough of him to answer that question. As far as I am personally concerned, I should be very glad indeed if he were examined, because I have been mixed up a great deal with election matters, and he has had the management of them, and I should be very glad indeed if he were here to tell his own story.

27,641. (*Mr. Anstey.*) This Mr. Croucher you spoke of, how soon after 1838 was he said to be here, or was it in that year?—I think it was in the year 1837.

27,642. 1837, the year of the election?—I think that was the year.

27,643. What was this Croucher?—Well, he was a gentleman who was employed by Tory and Whig to go to the various boroughs in the kingdom and bribe. That was his employment, I understood.

27,644. Where was his domicile?—In London.

27,645. Was he a lawyer?—Oh no. He was a kind of under parliamentary agent, or something of that kind.

27,646. So I should think. To make it quite clear that it is the Smith we are talking of, and that there may be no mistake about it,—there are two or three Smiths, some pawnbrokers, some retired, and so on, —some related, and some not,—I will just call your attention to this. At the close of Mr. Serjeant Bompas's speech for the defence he says, "that the wit-"nesses were not worthy of credit, and supposing "them to be worthy of belief the giving a piece of "paper which was exchanged for money by another "person was not bribery. It was not pretended "that the money came directly or indirectly from "the pocket of the young man." The "young man," you see, "charged with the offence;" and he called upon them to consider the consequences, &c., &c. "If they had a doubt," &c., &c. "to give that doubt "in favour of the defendant, who was *not of age*, "and whose whole life would be affected by a verdict "against him"?—Yes.

27,647. Then it must have been the articled clerk?—It must have been the articled clerk. There were two counts, were there not?

27,648. Yes; there was evidence that he bribed Jones?

27,649. Yes; there was evidence that the witness who supported the second count had been spirited away. Then Lord Denman said, in summing up. "He considered it his bounden duty, at the very outset "of his remarks, at once to inform them that the law "laid down to them by the learned serjeant was "entirely wrong. It mattered not by what contri-"vance, by what indirect means, a bribe was con-"veyed to the voter's hands, the person aiding in "the purchase of the vote was guilty in law as in "fact." Does that tally with your recollection?—Yes.

27,650. Then you see clearly it must have been this Mr. Smith, who is now paralytic?—Oh yes; there is no doubt it must have been this Mr. Smith who was tried at Taunton, who had the action brought against him. I was under some doubt just now, but no doubt it is the same man, no doubt at all.

27,651. Have you seen Croucher here at any time since 1838?—No.

27,652. (*Mr. Price.*) As this unknown gentleman has been mentioned, I will take the opportunity of stating, that with regard to the person about whom we had evidence yesterday, who acted a similar part at later elections in 1865 and 1866, at the "Bull and Butcher," and several of the later elections, that we shall think it essential, before we close our labours, to get, if possible, at the identity of that man, whatever it may cost; and therefore, if there is any person in the borough, of whatever rank or degree he may be, who can give us any information about that, and withholds it, he will only be adding very much to the expense of this inquiry, which he, with others in the borough, will have to share the burthen of. Whatever may be the expense to which we shall

think it necessary to go, and whatever means it may be necessary to use, we certainly shall use them, and we shall not close the inquiry until we have discovered who that person is. We cannot but think there must be persons in the borough who must know perfectly well who this man is, who acted a similar part to that of the man of whom Mr. Trevor has spoken. I am not saying this to you, Mr. Trevor. I give you all the opportunity of making it known, because the sooner it is made known that that is the determination we have come to the sooner they can make up their minds to come forward, and give us the required information, and in that way, possibly, save a great deal of expense?—You will perhaps allow me to say this, in answer to that observation, that until I came into this court, until this inquiry, I was not at all conscious of any money being spent at the "Bull and Butcher."

27,653. Oh no?—And let me further say this, that I will endeavour, as far as I can, to get that information for you, and, as far as I am concerned, it shall not fail for want of inquiry.

(*Mr. Coleridge.*) Mr. Smith is the person who must know it. Begin at the beginning, begin with Mr. Westropp and all the persons he employed. He must know who sent down this man. Either the parliamentary agents, or Smith, or somebody must know who this man was.

27,654 (*Mr. Price.*) It must be known where he comes from?—It must be known.

27,655. (*Mr. Coleridge.*) It must be known where he got the money?—On my own impression of Mr. Smith's health, I should not like to ask him the question. I should be afraid of what the consequences might be.

27,656. That is the question we wish to have answered?—I will make every inquiry I can and give every information in my power.

(*Mr. Price.*) If you please. The thing is discoverable somehow or other, and it will only entail a great deal of trouble and loss of time on us, and a great deal of expense on the borough, if we have to adjourn the inquiry from time to time till we get this information.

27,657. (*Mr. Coleridge.*) We must know where the money of Patton's came from in those two elections?—I wish I could tell you. Then the election of 1841 was the next. That was June the 29th. The candidates then were Mr. Broadwood, Mr. Forman, Mr. Drewe, and Mr. Robinson.

27,658. (*Mr. Price.*) Augustin Robinson?—Yes. Mr. Broadwood and Mr. Robinson were returned. Mr. Forman was a large iron merchant in Wales. Mr. Drewe was a Devonshire gentleman. I think he married a Leader.

27,659. (*Mr. Coleridge.*) No; he married a Genevese woman.

(*The witness.*) Mr. Robinson was a merchant, I think.

27,660. (*Mr. Price.*) No. I know him very well. He was at Oxford with me. He was a barrister, and he is now a magistrate for Middlesex, and a very rich man?—Well, he did not spend his money here.

27,661. He was a Liberal?—He was a Liberal. Then the next election was in 1847, July 29th.

27,662. That was not a pure election?—Which one?

27,663. The one you are speaking of?—1841?

27,664. Yes?—I do not know that money was spent in bribery. Mr. Broadwood spent a great deal of money here, but whether he got in or what he had previously done, or whether money was spent then, I have no recollection at all. But I have come now to what I think was a pure election, and that was in 1847, July 29th.

27,665. Who were the candidates then?—Mr. Broadwood, Colonel John Kemys Tynte, the present Tynte,—there were two Colonel Tyntes, and Mr. Serjeant Gaselee.

27,666. (*Mr. Coleridge.*) The Colonel Tynte who represented Cefn Maberley never stood for this borough?—No. He was asked, but declined.

27,667. (*Mr. Price.*) What makes you think he declined?—I will tell you. I think that was the last time that I took the lead in election matters. I did at that election, and I saw Mr. Broadwood in London, and I saw Colonel Tynte, and we were very anxious at that time to get Mr. Broadwood and Colonel Tyne returned, and to prevent bribery.

27,668. As you had done with Mr. Astell and the Colonel's father?—As we had done with Mr. Astell and the Colonel's father for years. I should say that Colonel Tynte was a personal friend of mine at the time, although we differed in politics. I had been with him in the yeomanry for a great many years. He was a personal friend of mine, and I believe he put a great deal of confidence in me, although we stood on different sides in politics, except on one occasion, when he stood for the county on Conservative principles, and then I did support him. I saw Mr. Broadwood, and I had one or two interviews with Colonel Tynte. I also had interviews at Cefn Maberley with Colonel Tynte, and in consequence of those interviews Mr. Broadwood and Colonel Tynte came to an arrangement that they would support each other.

27,669. Split their votes?—Yes; would be friends, and split their votes. The late Mr. Benjamin Lovibond was then acting and always had acted for the the Tynte family, and he was the leading man. When I say, "always had acted," at the first election, I remember Mr. Benjamin Lovibond held a brief for Mr. Astell, but at the next election he turned Liberal. But Mr. Lovibond was acting for Colonel Tynte at this election in 1847, and he, at some meeting of the Liberal electors, made a speech, and the other professional men were not satisfied with his speech, and they went to London, the late Mr. Thomas Ford and the late Mr. Bate, and I think Mr. Henry Lovibond,—I will not be certain. However, those two went to London, and they brought down Mr. Serjeant Gaselee as a third man, and they went to the poll. A great number of the Liberal party, respectable tradesmen and others in the town, voted for Broadwood and Tynte, and the Conservatives voted for Tynte and Broadwood, and they were carried in consequence.

27,670. How many did Mr. Serjeant Gaselee poll?—He polled 196.

27,671. The constituency was then about 700?—I can tell you exactly. I have the figures. The constituency then were 529 on the register.

27,672. It had rather decreased, then?—Mr. Serjeant Gaselee (I do not think he was serjeant at that time) polled 196; Colonel Tynte polled 395; and Mr. Broadwood 265. Well, then, there were 55 electors unpolled.

27,672. That rather gives the key to your belief that there was no expenditure in bribery, to a certain extent?—It gives a key to there being no expenditure, I should say.

27,673. (*Mr. Anstey.*) Were you present at the election?—Yes.

27,674. Was there drinking going on?—This is 1847. Well, most probably. I will not be certain about drinking.

(*Mr. Coleridge.*) That is a matter of course, I suppose?—It might have been before the writ was issued. It would not have been illegal in 1847, I think not.

27,675-7. No?— They were more particular after the writ was issued.

27,677. Just go back. I have a question to ask you, which I meant to ask you before. Do you remember this being printed on yellow silk in 1835 (*handing a yellow silk handkerchief with the poll-sheet of* 1835 *printed on it*)?—This is John Temple Leader.

27,678. It is not usual to print the poll sheets on silk. Do you remember anything about that?—No.

I do not recollect the meaning of that. This was at Leader's election, was it not?

27,679. Yes?—Well, he was rather an extravagant man. That is the only way I can account for it.

27,680. Do you recollect any other instance of printing the polling sheets on silk?—No, never.

27,681. (*Mr. Price.*) Those were sent to the wives of the electors in gold colours?—Well, I cannot account for that at all, except money was no object with him. He was a bachelor.

27,682. (*Mr. Anstey.*) Was not that colour used by the Liberal party?—Oh yes, always here; orange purple and orange on the side of the Liberal party, and blue on the side of the Conservatives. Blue and pink it used to be.

27,683. I believe,—if I am wrong you will correct me,—but I believe that one of their flags, the flags which are put away when done with, and then brought out at the next election, is a yellow or golden coloured flag, is it not?—Yes.

27,684. With the words on it, whether seriously or ironically meant I cannot say, "purity of election"?—Oh yes; and I have seen 20 voters come up on the Liberal side, who were supposed, in fact who were known always, to have had 10*l.* apiece, with the words "honest voter" in their hats.

27,685. (*Mr. Coleridge.*) And take the bribery oath too?—Yes; because they did in Leader's election take the bribery oath.

27,686. (*Mr. Anstey.*) Was it to be supposed to be orange or gold colour?—Well, the two colours are so near that it may do for either.

(*Mr. Coleridge.*) It may be emblematical or not.

27,687. (*Mr. Price.*) In 1847, you think, so far as the expenditure of money was concerned, you had more knowledge then than you have now, but practically you think there was none spent on the Conservative side?—Yes.

27,688. And none on Mr. Serjeant Gaselee's side, he being a stranger, and those two gentlemen being well known in the town?—When Serjeant Gaselee was brought down, I understood there was a quarrel between the Liberal lawyers, and that the Liberal lawyers, Mr. Payne and Mr. Ford, and the others, absolutely paid Mr. Serjeant Gaselee's expenses in coming down here. That is what I understood at the time.

27,688. (*Mr. Coleridge.*) The lawyers paid the candidate's expenses coming down?—The lawyers paid the candidate's expenses coming down. Mr. Serjeant Gaselee was a very good speaker.

27,689. (*Mr. Anstey.*) There were some cases of treating proved?—I think a man named Lee swore he had an offer of 20*l.* I did not pay much attention to that, because I did not think there was much necessity for it. I understood there was an arrangement made between Colonel Tynte and Mr. Benjamin Lovibond that Mr. Broadwood should be returned.

27,690. If we believe that 20*l.* were offered to one man for his vote, it is not too much to believe, whether he accepted or refused that offer, that he was not the only person to whom that offer was made, and therefore it was not a pure election?—Well, I will give you another reason. As I have said, I do not believe that the offer of 20*l.* was made to him, because there was no occasion for it; and I will give you another reason. Although old Mr. Smith must have been and was mixed up with election matters, yet I do not believe he ever deceived any man. If he promised a man he always kept his promise.

27,691. He was a pawnbroker?—He was a pawnbroker, and the father of Mr. Richard Smith, the solicitor, and the father of Mr. Joseph Richard Smith, the magistrate.

27,692. He was a pawnbroker?—Yes; that Mr. Smith was. Those are the two reasons which make me believe it was not so. Then I come to 1852, July 7th. At that election, or previous to the election, Mr. Richard Smith, the solicitor, took the part of managing solicitor on the Conservative side, and he went to London.

27,693. (*Mr. Price.*) And you abdicated?—Well, I played second fiddle. I found that Mr. Smith was a younger man than myself, and a more active man; and he was very well up to his work, and had a much greater knowledge of the electors than I had, and in consequence of that I was very happy indeed to be second man.

27,694. (*Mr. Anstey.*) Who selected him?—Well, I think that was done by arrangement of the Conservative party.

27,695. Yes; but who selected him, and desired him to represent them?—Well, I have no doubt, if he had asked me, I should have said, "I shall be happy for you to take the lead, Mr. Smith."

27,696. But who was it thought of him to succeed you?—Well, I think he thought of it himself.

27,697. That was the same man against whom the action had been brought?—Just so.

27,698. Was not this the reason: I will first of all explain,—it is due to you that it should be stated,—that in 1866 Mr. Westropp, who was then guilty, by his agents certainly, of very great general bribery, when asked about the connection of your firm with him, said what I suppose you feel to be a compliment?—Quite so. I am quite aware of what you refer to.

27,699. That your firm were very "slow coaches," by which I understand him to mean, that you would not go with him and with the party in the depraved line they took?—Just so.

27,700. Now, having prefaced my question with that remark, I will ask you this: Is it not the fact, that the reason why Mr. Smith was selected, or selected himself, to act instead of you, was, that he was less scrupulous than you or your brother with regard to bribery?—Well, he had been, decidedly, because the penalty had been recovered against him.

27,701. (*Mr. Coleridge.*) Has the same system obtained here on the Conservative side as on the Liberal, of the attorneys employing the candidate, and not the candidates the attorneys? Has it been the practice on the Conservative side as well as on the Liberal one? Because we have heard that the fate of the candidate on the Liberal side is in the hands of the attorneys. Is that the same on the Conservative side?—Well, the candidates, generally speaking, who have been brought here, have been brought here by the attorneys on the Conservative side also.

27,702. In the same way as on the Liberal side?—In the same way as on the Liberal side. That is the way they have been brought here. Perhaps you will allow me to say, at this particular moment, with regard to the candidates, that there always has been an impression that all the lawyers in the town have wished to continue bribery in this borough, that we were always anxious to continue it; but I, and others, have always endeavoured to get rid of the system. I will give you instances in which we have endeavoured to get rid of the system. With that end in view, I have myself been to two or three country gentlemen here in the neighbourhood, and asked them to become candidates, and they declined.

27,703. Mr. Alfred Slade was very anxious to get rid of the system?—Yes. I asked him to become a candidate, and he declined; and the late Sir Alexander Hood, I waited on him, and asked him, and he declined, and the late Mr. Colson also.

27,704. Mr. Henry Luttrell?—Yes. We asked him to come forward, and he declined.

27,705. They all knew the place too well?—Yes. We thought if we made an arrangement with the country gentlemen we might have the place represented one and one, and the place was never so well represented as when the seats were divided in that way.

27,706. (*Mr. Price.*) When you went to London, was there a gentleman that you saw who acted the part of Mr. Drake on the Conservative side?—I saw Mr. Rose on one or two occasions when I went to London, and I saw Mr. Spofforth.

27,707. Neither of them, I believe, have received knighthood for their services to their party?—No; they have never been so fortunate as that.

27,708. (*Mr. Anstey.*) This is Mr. Westropp's description of his position towards the attorneys here, and those who manage the election. He says, "The only one who managed the election, who was "not a lawyer, was one who was very near a lawyer, "that is, a land agent and auctioneer, a Mr. Lilley," and he names him. Then he says, "The names are "Ruddock, Lilley, Bealy Smith the younger, "Mr. John Trevor"?—Yes, he was quite right.

27,709. You were one of those called "slow coaches," I suppose, because you would not bribe. "And Mr. William Brice and Mr. Payne." And this is his description of what he did after he was brought down by these gentlemen. "I have never taken "the trouble of looking since at the resolution pro- "posed with reference to myself, and adopted, but "there was one, appointing the committee in a "general way to further the purposes of the election, "but there was no one named, nor did I in any way "connect myself with that or any other committee. "On the contrary, I studiously avoided going into "any place of meeting or of committee, or being in "any way connected with the election. I had no "committee, in the proper sense of the term, during "the whole of the time, of persons acting for me; "not the slightest. I am not aware of any person "acting for me. Mr. James Trevor was my "election agent for election purposes, but my pro- "fessional agent was Mr. Smith, junr. In point "of fact, I spoke to Mr. Smith the younger upon "the general politics of the election." Then he was asked, "I believe Mr. Smith, senr., was not "engaged by you? Quite the reverse; Mr. Smith, "from the moment that the last election took place,—" that is the one in 1859,—"told me, in the most positive "terms, that he would not act." And then he states this again and again, and he is asked, whether he did not studiously avoid making himself acquainted with these matters, and his answer is, "just so." Now, is that exactly, as far as you recollect, the position which Mr. Westropp occupied towards those who brought him here?—It is such a long paragraph, I scarcely know what to say. The only thing I know is this, that he certainly placed implicit confidence in Mr. Bealy Smith, and Mr. Bealy Smith acted for him principally. We only came in if we were asked an opinion, and asked to do anything to assist.

27,709. His own counsel brought it out of him in examining him in chief, and the purport was this, that he was to studiously avoid knowing anything of what was being done by his creators, his patrons, those who brought him here. You are only mentioned as being one who acted in any way?—Yes.

27,710. And the others are named. Was that the system, according to your recollection, pursued with candidates in general? They are brought down here, and then they are told, that they must not have a committee, "We will do it all, and you must not "ask any questions about it. That is what he says "himself; he studiously avoided going to any place "of meeting or committee"?—Well, I have not had the opportunity of hearing the evidence. I was not there. You are speaking now, I suppose, from the report of the Committee of the House of Commons?

27,711. (*Mr. Price.*) Yes; 1865?—I had nothing to do with that.

27,712. (*Mr. Anstey.*) That is why I read to you those passages?—They are rather unconnected. I was not present.

27,713. I have read them quite correctly, and I ask you, is that the position in which he stood?—It is a very unusual position for a gentleman to stand in. It is very unusual with other candidates.

27,714. I was going to ask you is it usual with other candidates?—No. It has not been the custom at all.

27,715. (*Mr. Price.*) When you took an active part in the matter, and were in communication with Mr. Broadwood and other gentlemen, was that the sort or position you took up with regard to them?—Oh, certainly not.

27,716. That they were to keep their mouths shut, and not to attend meetings, and so on; nothing of that kind?—Oh no. It is absurd.

27,717. (*Mr. Anstey.*) How do you account for Mr. Westropp having said this, in respect not only of the election in 1859, but of the election in 1865, according to his own account; and it is not in cross-examination; it is asked him by his own counsel in his examination-in-chief?—I fancy he must have misunderstood the thing. His answer is rather an inconsistent one.

27,718. But it is asked in every form. You think he could not have understood it. Do I understand you to say, it is not consistent with what you recollect of Mr. Westropp's words and deeds, and sayings and doings, while he was here at those elections?—Well, it is putting my opinion against Mr. Westropp's.

27,719. Well, I should like to have it. Perhaps I would rather have yours. Do you remember any words or acts of his which are not strictly consistent with the passages I have read to you?—Well, I should think the answer was an inconsistent one.

A short adjournment took place.

MR. FREDERICK FARMER, recalled.

Dr. F. Farmer.

27,720. (*Mr. Price.*) We wanted to know from you, Mr. Farmer, what report you can give us of Mr Smith's health, and particularly as to whether you think he has sufficient capacity of intellect, supposing we pursued this course: that we attend at his house without letting him know that we were there, and then, having an interview with Mrs. Smith, administering to her an oath to report to us truthfully his answers to certain questions, that she should then see him as to the questions which really require a mere name; in point of fact, as to inquiring the name of an individual; and then that she should ask him those questions. Would he be of sufficient recollection and sufficient capacity to be able to understand and give an answer?—I had better state first that Mr. Smith is not in Bridgwater. He is in Exeter. He was obliged to go away. The very idea of this being about had made him excitable, and it was necessary for him to go a little distance away, so as to be out of the atmosphere of it; but he is within that distance that anything can be done, and in my opinion anything judiciously done, just in a very simple manner, with very short questions, and not many of them, would not be hurtful.

27,721. Well, then, would it be necessary for him to come back, or do you think he ought not to be brought back to Bridgwater?—If it could be done without bringing him back, I think it would be better.

27,722. Supposing our secretary?—I would go down with your secretary, if you wish, or assist in any way I could. I would go down with him, and be present.

27,723. Supposing we were to do this; supposing we were to administer the oath to you to truthfully represent his answers, and you went down there, and saw him, and asked him the questions, do you think that would be hurtful?—No, I do not think so.

27,724. (*Mr. Anstey.*) Supposing we give you the questions that we want answered in writing, or, which perhaps would be better still, a short statement founded on the point which we want to ascertain. Then you will take your own course, and get the information from him?—Certainly, I will do so with pleasure, and I do not think that would injure him.

TWENTY-SIXTH DAY.

22 Sept. 1869.

GEORGE DYMENT, sworn.

G. Dyment.

27,725. (*Mr. Anstey.*) What are you, Mr. Dyment?—A clerk and assistant to Thompson Brothers, the ironmongers.

27,726. Was your evidence taken down by Mr. Cook just before the election trial?—I was questioned about a report that I had heard and I believe——

27,727. The part I want to know is,—I don't want the rest, about the treating and so on,—but I want to know is it true, as stated in the brief, that you can speak to a conversation between Mr. Westropp and Mr. Parker his proposer, with respect to illegal expenditure at the then approaching election; that is, the last election?—Oh no; I know nothing of it. I never heard Mr. Westropp speak, beyond in public, in my life.

27,728. Did you tell Mr. Cook anything about it?—I told him that I had heard a report that he was overheard to say, "No, I'm damned if I do."

27,729. "Damned if I do," what?—I don't know more than that. That is what I told Mr. Cook. I believe he made further inquiries, and found there was no foundation for the affair at all.

27,730. Perhaps the person who made the statement would be more communicative. Who is the person?—That is what I can't tell you.

27,731. Why?—Because I do not know. It was a report that went about from one to another. I told other people, as it was told to me, casually.

27,732. Do you think Mr. Cook would put so positive a statement in his brief if you had not told him a little more?—I never spoke to Mr. Cook about it in my life.

27,733. To whom did you speak about it?—I spoke to my brother. He was in communication with Mr. Cook.

27,734. What is your brother's name?—William Dyment.

27,735. (*Mr. Price.*) Your brother had learned it from you?—Yes; I told him the same as I told other people. I told him of it soon after the election, but I heard nothing more of it until just before the petition was tried.

27,736. (*Mr. Anstey.*) Is that the William Dyment who has been examined here?—Yes.

Mr. J. Trevor.

Mr. JOHN TREVOR, recalled.

27,737. (*Mr. Price.*) Now, Mr. Trevor?—I think now, sir, we were going to the 1852 election. 1847 is the last unless you want to ask anything more about that.

27,738. (*Mr. Coleridge.*) You do not consider that a pure election of 1847?—Well, I consider it myself so far a pure one that (I do not know what arrangement was made between Mr. Broadwood and Col. Tynte). I do not believe any money was spent at the election in bribery.

27,739. We have got witnesses who have sworn that they got money in 1847. Perhaps they may be confused about it?—The only evidence I recollect (and I have attended the court pretty regularly) was that of a man who swore that old Mr. Smith offered him 20*l.* I do not recollect any other man. That is my impression, that only one person spoke of it. That is George Lee, who gave rather confused evidence, if I recollect.

27,740. (*Mr. Price.*) He did.

(*The witness.*) He says that old Mr. Smith offered him 20*l.* I think he is mistaken. I won't say that the man stated what was untrue, but I think he was mistaken.

27,741. But supposing it was true, you would not be so positive then in your belief that it was a pure election?—No; but my reason, as I told you before, was, that I do not think there was any occasion to spend money, there having been an arrangement, and the great majority of the respectable Liberal tradesmen and others having voted for Broadwood, and the Conservatives having voted for Col. Tynte. I think it would have been a reckless expenditure of money.

27,741a. (*Mr. Price.*) I should think that a more forcible observation if you had not given us the numbers; but it appears that Serjeant Gaselee polled 196, as against Mr. Broadwood's 200 and something, 260, or whatever it was, which showed a large majority over Gaselee; but it was still a large number for Gaselee, under the circumstances?—There were a great many balance men in the borough then.

27,742. There were 50 men unpolled, I think you said?—Yes, there were 55 unpolled.

27,743. (*Mr. Anstey.*) But you also do not know whether there was treating during the election?—No. I would not say that there was not treating, because I am only speaking, you know, from books and memoranda and poll papers. I could not go so far as that, to say whether in 1847 there was treating or not; but I should think, as there was an arrangement, that every precaution was taken that the election should be a pure one.

27,744. Still there was a contest?—I will tell you another reason, which is (I do not think that he was a serjeant at that time,—Mr. Gaselee, however I may call him Serjeant Gaselee)——

27,745. Oh yes, he was a serjeant at that time?—Well, he came in, I believe, on the morning of the poll. I recollect breakfasting with others at the mayor's, with the corporation, and he drove up through the town, very much to our astonishment. We thought we were going to have a walk over. That was the morning of the poll, and that therefore strengthens my impression and belief that no money was spent.

27,746. But a similar impression existed, we are told, on both sides, with regard to the last election, almost at the moment of the poll, did it not, that the Liberals were in an enormous majority, and could get the election? That was the opinion of the Conservatives, was it not?—Well, it was so far the opinion, certainly, that at one time, the evening before the poll (the day of nomination), it was seriously discussed whether Mr. Westropp and Mr. Gray would not leave the town. And then on the other side, I believe——

27,747. So also at the very time when you were having those misgivings similar misgivings were entertained on the other side?—Yes.

27,748. And nevertheless, or, perhaps, therefore, there was a considerable deal of bribery committed on the following day?—Well, I should say, in answer to that, that on the evening of the day of nomination our party had come to the determination that no money at all should be spent. That was an understood thing, that no money would be spent in any shape or form; and we were under the impression that the other side would not spend money. And having this Conservative Working Men's Association, a large body of men who were tired of being all one side at the elections, as at Mr. Vanderbyl's, and so on, (these were an immense number of fresh men,) we were under the impression that we should carry the election by these men.

27,749. Yet you thought the same night that the candidates had better go?—We did.

27,750. I will put this shortly to you. Can we therefore found any belief as to the non-existence of bribery, merely upon the fact that down to the last moment it was supposed there would be no contest?—Well, we were under that impression certainly, but it is very difficult for any man to come to the belief that any election in Bridgwater could possibly be a pure one, after the evidence that has come out in this inquiry.

27,751. (*Mr. Price.*) It may possibly have been in the election of 1847, as in other elections, that there may have been a whip made at the last moment,—a

subscription, or something of that kind, to secure a certain number of men just to get a majority?—Just so.

27,752. (*Mr. Anstey.*) And for instance, did you suppose, when you commenced the poll on the polling day, that Mr. Serjeant Gaselee, in the face of such a compact as had been made between Tynte and Broadwood, would have pressed Broadwood so hard; did you suppose that?—I do not know that we had time to make any calculation. The thing took us so by surprise.

27,753. (*Mr. Price.*) But I should imagine, from the numbers that Serjeant Gaselee polled, that he must have had a very large number of split votes with Tynte; for surely he could not have polled 196 votes, plumpers?—Well, I think I could tell you.

27,754. I mean it is hardly possible, I suppose, that he could have polled 196 plumpers; therefore there must have been some little treachery or something on the part of the Tynte people which may have assisted him, Broadwood spending money?—I have got an analysis here of the poll paper. I think I can account for some now without mentioning names. I know that some gentlemen connected with the Liberal party voted for Gaselee.

27,755. (*Mr. Coleridge.*) In what way?—Why this: that they did not choose to allow their party to know that there had been any compromise.

27,756. (*Mr. Anstey.*) That would account for a few of them?—Well, yes; it would account for several.

27,757. (*Mr. Price.*) I should have thought that Mr. Serjeant Gaselee coming down in that unexpected manner on the morning of the poll, after a compact of that kind, would have been pretty much in the same position as Brinsley Sheridan and Lethbridge were on a former occasion. He might have polled 20 or 30 votes, but he would be in a hopeless state; whereas 196 is a very respectable minority?—But there was this distinction: Mr. Sheridan was an old candidate, who had spent money here previously, and Sir Thomas Lethbridge had been here with Mr. Broadwood.

27,758. Therefore it would be all the more surprising?—No, excuse me. The electors found out that they would not spend money on the night before, and then they ran away, and the people in the town were going about with lanterns to look for them.

27,759. (*Mr. Anstey.*) If anything could be predicted with certainty of a Bridgwater election, it might have been supposed that Sir Thomas Lethbridge, at least, was sure of his return, having had a requisition signed by a majority of those on the register; and yet that very number, or nearly so, represented the majority which voted against him?—My experience of an election at Bridgwater is this: that no man is certain of his election until the clock has struck four.

27,760. Therefore it would be vain—that is my question which I put to you some time ago—vain to form any belief now, at this time of day, upon those probabilities which you have suggested. They are all founded upon the fact that there was a compact between one Whig and the solitary Tory candidate, and that it was meant to be honourably kept on both sides?—But you know they were both the representatives at that time. At the time that this compact was entered into they were both representing the town, and they were both anxious to keep out a third person from coming. There has always been a party in Bridgwater anxious to get a third.

27,761. (*Mr Price.*) No doubt the candidates would be only too glad to do it, but the question is whether (or in fact there is no question that) they are not the persons who pull the strings. It is somebody else who pulls the strings behind the condidate, and though they may have had every intention and every desire to keep out a third, yet at the last moment Serjeant Gaselee is brought down here, and tumbled out of his carriage into the borough all of a hurry, and polls 196 votes?—Yes, and I think if he had come the day before he would not have polled so many. I think it was on the spur of the moment.

27,762. (*Mr. Anstey.*) Which of the Liberal lawyers were the patrons of Serjeant Gaselee?—Mr. Ford and Mr. Bate the Conveyancer.

27,763. Do you think they would have relaxed their efforts to get Serjeant Gaselee returned instead of Broadwood?—No; but then Mr. Lovibond, on the other hand, although apparently I daresay he voted for Gaselee.

27,764. (*Mr. Price.*) Well let us see how Mr. Benjamin Lovibond voted?—(*After referring*) Oh yes! He voted for Gaselee, but at that very moment he was doing all he could to prevent Gaselee getting his election.

27,765. (*Mr. Anstey.*) His doing all he could to prevent Gaselee's getting his election necessarily implied, did it not, to you, who must have known Mr. Lovibond's character, necessarily implied *per fas aut nefas*, or rather *per fas et nefas*?—I can only give you my impression, you know. I am still under the impression, and nothing I have heard shakes me in my belief, that at that election———

27,766. (*Mr. Price.*) Assume that Mr. Bate was patriotic enough on another occasion to advance 1,100*l.*,—at a future contest, a subsequent contest,—to advance 1,100*l.* to the then candidate, which he saw his way to having back again, there is no great improbability that if they were keen enough to go to London, and unearth Mr. Serjeant Gaselee, and bring him down on the morning of the poll, Mr. Bate might have been equally patriotic then, and have advanced a sum of money to Serjeant Gaselee, and so have got 196 votes?—Well, my answer to that is, that Mr. Bate did not see his way clear to get his money back from Serjeant Gaselee. I think the other was a professional advance to Mr. Kinglake, and I dare say that if Serjeant Gaselee had spent money at that election he would have got in.

27,767. But although Serjeant Gaselee might not have been a rich man, in the Bridgwater sense, he might have been able to spend money if he chose to do it?—I think it very probable he might have got his election if he had.

27,768. Very well, then we will go to 1852?—1852 just brings us to that election at which I said just now Mr. Richard Smith, the solicitor, undertook the management of the elections, and he had an introduction to Mr. Spencer Follett. I recollect having a letter from Mr. Follett, asking with regard to the Bridgwater election and concerning it. Knowing what had taken place, I answered it, and probably I gave rather a discouraging answer to Mr. Follett's candidature, for he wrote afterwards, and requested that I would have an interview with him, and on the 19th of March 1852 I accompanied Mr. Smith to London, and dined at Mr. Follett's, and talked the election matters over, and told him the chances of success and so on.

27,769. How had Mr. Follett been mentioned as a candidate?—That I do not know. How Mr. Smith came to bring forward Mr. Follett I have not the slightest recollection or the slightest knowledge. I only know that having taken, and my father before me, having taken an active part in the elections, and being well known in the town, Mr. Follett was desired to communicate with me, and he wrote to me, and upon that I went to London, and saw Mr. Follett. I think I saw him on the 19th March. I think that was on a Friday, and I think Mr. Smith returned home the next day. In consequence of this interview with Mr. Follett he either then or shortly afterwards made up his mind to come to Bridgwater, and he came here. I went with the deputation. Something has been said about Mr. Mansell being a cat's paw or something of that kind.

27,770. (*Mr. Anstey.*) I think Mr. Gray was said to be a cat's paw?—Oh, that was the last election.

27,771. (*Mr. Anstey.*) Not Mr. Mansell?—I thought there was something said about Mr. Mansell.

27,772. (*Mr. Price.*) There was something said about his being only put forward as a cat's paw?—Something of that kind, I know. But he came forward as a gentleman connected with the town and neighbourhood. He had property here, or his relations had, considerable property here at the time, and he came forward; and it was a perfectly understood thing that Mr. Follett was to be the first man and Mr. Mansell the second. They made the arrangement between themselves, and there is no doubt that that was the fact; that Mr. Follett was the first man, and Mr. Mansell was the second. Well, they came here. I think Mr. Follett came here on the 3rd of April; he and Mr. Mansell; and the election did not take place till the 7th of July. Mr. Follett was indefatigable in his canvassing; no man more so. He worked hard, and got a great many promises in the town. Well, then, on the 7th of July 1852, the candidates were Mr. Follett, Mr. Mansell, Colonel John Tynte, Lord Henley, and Mr. Kinglake.

27,773. (*Mr. Coleridge.*) We have not heard yet about what was the cause of Mr. Kinglake first coming forward. This was his first election. Perhaps you can tell us?—This was his first election. I think he was introduced by the late Mr. Bate. He was a client of Mr. Bate; and then he was connected in some way with Mr. Sealy. There is a kind of connection between Mr. Sealy and the Kinglakes, and he was introduced by Mr. Bate, I think.

27,774. (*Mr. Price.*) Not a bad thing to be introduced under the patronage of a banker?—Well, no, sir.

27,775. (*Mr. Coleridge.*) I suppose that the bankers here, as elsewhere, have all the trade in their hands?—The bankers. Oh, they have great influence. I recollect very well Mr. Follett being very much annoyed, at the time of his coming here, because he had been on very intimate terms with Mr. Kinglake and his brother. He knew Mr. Kinglake very well. And there was a split in the Liberal party. Mr. Kinglake, I believe, was a great deal too moderate a man for some of the Liberal gentlemen, and he would not pledge himself to the ballot. Lord Henley did.

27,776. (*Mr. Price.*) Before you go into that further, Mr. Trevor, how was it Mr. Broadwood then gave up the representation of the place?—He retired of his own accord. Then the split was the consequence in the Liberal party, and Mr. Follett and Colonel Tynte were returned.

27,777. (*Mr. Anstey.*) That was not a pure election, as we have heard?—Oh no; certainly not; that was not a pure election.

27,778. You took no part, I think, in that, except ———?—I took no part in any illegal expenditure of money, but I heard that money was going, and pretty freely, that a good many men had 10*l.* apiece at that election.

27,778. On your side?—No; they voted for Tynte and Follett.

27,779. Well, on both sides then?—Well, I do not know what arrangement there was. I was never aware that Mr. Follett had spent any money at that election, and I know he always impressed me with the idea that he would not, because Lord Derby's Government were either in power or coming into power at that time, and he came forward, and would not spend any money in bribery.

27,780. (*Mr. Price.*) Well, I should have thought that might possibly be rather a reason why he would, if he was very anxious to get in, seeing his party were in power?—Well, I really think that Mr. Follett and Colonel Tynte were on intimate terms, and that Colonel Tynte was rather afraid of Mr. Follett, it being an object to Mr. Follett to get into Parliament, and being a lawyer he was rather a formidable opponent in case of any bribery.

27,781. (*Mr. Anstey.*) Do you know whether the polling day was in July?—The polling day was the 7th of July.

27,782. I will take this opportunity of ascertaining a certain date. The only other election that was in July, except the first election of Mr. Vanderbyl, was the election of 1865, and can you tell me, Mr. Trevor, for I have no date to the document, what is the date to which this petition refers. It states, "The election of last July." It does not seem to have ever been presented to the House of Commons. It is signed by Gabriel Poole, Carey Bailey Mogg, Henry Lovibond, John Sealy, John Lovell Sealy, James De la Hook, Robert Russell Sewell, M.B., James Haviland, Paul O. H. Reed, and Alfred Haviland. It is a petition stating, "That it is notorious that bribery and other "corrupt practices have been much resorted to at "every election of members to serve in Parliament "for this borough within the memory of the oldest "inhabitant; that at the general election of 1847 the "leading men of both parties in the borough entered "into a coalition to affect the return of a member of "each political party, for the avowed purpose of "preventing such corrupt practices; but a third "candidate having arrived in the borough on the "morning of the election, it was then found that in "spite of this coalition the election could not be "carried without again resorting to bribery."

(*The witness.*) I think this is the first time I ever heard of that petition.

(*Mr. Anstey.*) Then it goes on to say, "That at "the general election of July last———"

(*The witness.*) That must be July 1852.

27,783. When Lord Derby advised Her Majesty to dissolve, on his becoming for the first time Prime Minister, "That at the general election in July last "one half the number of electors would not promise "their votes previous to the day of election, when "nearly half the electors who voted were bribed, "bribery being carried on openly in the streets and "in the public houses. That your petitioners are "prepared to prove the above allegations. Therefore "they pray that your Honorable House will be "pleased to cause an inquiry to be made into the "existence of corrupt practices at the election of "members to serve in Parliament for the said "borough of Bridgwater; and to pray Her Majesty "to cause an inquiry to be made, under the powers "of the Act passed in the 16th year of Her said "Majesty's reign, entitled an Act to provide for "more effectual inquiry into the existence of corrupt "practices at elections of members to serve in "Parliament, by appointing commissioners for the "purpose of making such inquiry. And your "petitioners will ever pray, &c." Now that Act, you know, was passed at the end of the spring of that year, 1852, and this was a petition to Parliament presented after "the last general election," and that would be therefore either at the end of 1852 or some time in 1853, if it was in that year. Now, from the names that occur there, both the Sealys names being to it, and others, will they enable you to say whether it was 1852 or 1865 that is meant by the words that I have read to you, "At the general election of July "last?"—Oh, no doubt that was in 1852. No doubt at all that was in 1852; and I think I can now———

27,784. But you have never heard of that petition before, I think you said?—No, I never heard of it.

27,785. You see it is signed by gentlemen on both sides, headed by Mr. Gabriel Poole, and it is signed by gentlemen who were not of his party?—Yes. I do not know what made Mr. Poole sign. I do not think he took much part in politics, not in borough politics, a that time.

(*Mr. Price.*) We hear of some very remarkable names here, when you come to look at it. There is Henry Lovibond and Mr. Mogg. Then there is Mr. Paul Reed. All very remarkable names connected with future events.

27,786. (*Mr. Anstey.*) And also you see that the very fact which you mentioned, viz., the arrival at the

last moment of Mr. Serjeant Gaselee, which you thought of importance in 1847, is assigned as a reason why they were obliged to resort to bribery again?—Let me say, with respect to two names which you have mentioned, the Mr. Sealys, that one of those gentlemen, John Sealy, who signed that petition, voted for Broadwood and Tynte.

27,787. (*Mr. Price.*) Then that you see is consistent, because he says there was a coalition to prevent bribery?—He went over with Mr. Kinglake. When Mr. Kinglake came here Mr. John Sealy went over his side.

(*Mr. Price.*) His voting for Broadwood and Tynte is quite consistent with his signing this petition, because it says that for the purpose of putting the corrupt practices down there was an attempt to form a coalition, so as to get a member of each political party.

27,788. (*Mr. Anstey.*) And the more so because the petition goes on to say that the object of the coalition was frustrated in that very election; therefore the whole thing may be supposed to have fallen to the ground?—There is no doubt.

27,789. (*Mr. Price.*) The election could not be, you see, they say,—in consequence of this candidate coming down the election could not be carried without again resorting to bribery?—My impression with regard to that petition was this, that that petition was after Mr. Kinglake was defeated, and it was got up by friends of Mr. Kinglake.

27,790. No, no; look here! Here is Mr. Gabriel Poole?—Well, Mr. Poole took no part in the election except voting for Mr. Mansell.

27,791. (*Mr. Anstey.*) There is Mr. De la Hook?—Well, Mr. De la Hook was on the Liberal side, I believe, at that time.

27,792. The two Havilands?—They were always Liberal, and they were friends of Mr. Kinglake.

27,793. But Mr. Gabriel Poole is not?—Well, he was a friend; he was connected with the Kinglakes.

27,794. (*Mr. Price.*) But I assume that these gentlemen would not put their hands to that petition, stating that the election of 1847 could not be carried without resorting to bribery, because they say that the leading men of both parties tried to effect a coalition which would ensure the return of a member of each political party, to prevent corrupt practices, and then they say that a third candidate having arrived on the morning of the election, which was Gaselee, of course. In spite of this coalition the election could not be carried (that is, the election of the two members, I suppose),—the election could not be carried without again resorting to bribery?—Well, that does not alter my view which I took of that election. That is, my impression and my recollection. You only ask me my own impression, and I think, notwithstanding, that it was merely with that view.

27,796. (*Mr. Anstey.*) I did not read it with the view of shaking your impression; it was merely to fix the date?—Well, now you have fixed the date as 1852, I think with certainty, and I believe that is almost the only time that I heard of any bribery to any extent. That was the election of 1852. I happened to go into a shop in this town, and there saw a friend of mine, who was Mr. Tynte's agent. He is dead now, Mr. Gooden, the solicitor, and from what I heard in that shop I was led to the belief that a large body of men were going up to vote for Tynte, and that they had received 10*l.* apiece. I went back to the Clarence Hotel, and I there saw a connexion and friend of Mr. Follett's, the late Mr. Hennet, who was an active partizan and a very clever man, and thoroughly understood anything that he took in hand. I told him the impression that I was under, and while I was talking to him a band of music passed the hotel. They came down at the back of the hotel by Stuckey's Bank, and they then went down, I think through the square, and then I saw a tally of men, about 20 voters, with their favours in their coats, and I told Mr. Hennet. I said, "Those are the men." "I will be after them," said Mr. Hennet, and he did. Well, afterwards he told me that he went down, I think to the Fountain Inn, on the quay, and went upstairs. He followed these men into a room, and he there addressed them, and he said, "Now I "know that every one of you fellows have got 10*l.* "apiece, and unless you go up and vote for Follett "as well as Tynte I will split upon you." Those men went up, and they voted for Follett and Tynte. Now that is the only thing that I know.

27,797. None of them denied "the soft impeachment"?—No.

27,798. (*Mr. Price.*) Mr. Hennet was the brother-in-law of Mr. Follett, was not he?—Yes. I think he married Miss Follett.

27,799. (*Mr. Anstey.*) Is he any relation to Mr. Hennet of the firm of Hennet and Spinks?—He is the father of Mr. Hennet.

27,800. (*Mr. Price.*) You were going to say that was the only thing that led you to do something?—That led me to have very strong suspicion of bribery. Do you wish to ask anything more about that election?

(*Mr Price.*) Nothing.

27,801. (*Mr. Coleridge.*) Unless there is something you can tell us?—No; there is nothing that I can recollect. I do not think anything can be brought up in judgment against me.

(*Mr. Price.*) You were too slow a coach, Sir, for the times.

(*The witness.*) 1857, March 28th, was the next election.

27,802. (*Mr. Coleridge.*) The Tories had not become reformers in your days?—I think there was a good deal of reform at that time. The next election was Mr. Follett and Colonel Tynte and Mr. Kinglake.

27,803. (*Mr Price.*) There never was another attempt made, such as was made in 1847, to try by a coalition to return one to one?—No. Mr. Broadwood was gone then.

27,804. I know; but there was never another attempt after that. Mr. Tynte had been returned, and Mr. Follett seems to have coalesced to a great extent, but there was no further attempt made to try and carry them out?—It would have been perfectly useless, and I believe it would be at the present moment, and if we were allowed to have two members, I don't think that even after what has taken place in this court it would be possible to return one and one.

27,805. (*Mr. Anstey.*) I will put another point. Was it ever possible, and if so, would it now be possible, suppose you had another election either of a single member or of two members, or of any number of members, to come to an understanding on both sides, by which each side would be bound and hold itself bound to abstain from corrupt practices, so that each side would have reliance on the other side adhering to the compact?—I think not.

27,806. Never?—I do not think it would be possible.

27,807. And never was possible?—Oh yes, it was possible, because I have given you my evidence that years ago, when the gentlemen of the town had more influence———

27,808. That was the *annus mirabilis*, the year of the reform. But since the year of the Reform Act has it been possible?—I think not.

27,809. Then is your experience, Mr. Trevor, that purity of election has not been promoted by an enlargement of the franchise?—Quite so. I believe that the enlargement of the franchise would only have this effect in this town, that they would come and vote for less money.

27,810. (*Mr. Price.*) It would enlarge the area of corruption and the number of recipients, but lower the tariff?—Just so.

27,81d. (*Mr Anstey.*) And if we went back to the limited number of electors there were in 1816, I

presume that we should only return to the period when a pig or a parrot was sold for a hundred guineas apiece, and not delivered after the payment was made, and other votes were sold without the pig or the parrot for three or four hundred guineas a head?—Well, after the immense amount of bribery that has taken place here it would be very difficult indeed to instil pure principles into the minds of the voters.

27,812. (*Mr. Price.*) Especially when you have instances of gentlemen coming down, like Mr. Brogden, who comes down, not for his own purpose, but comes down with a deliberate intention to corrupt the constituency, or at all events, if not with the intention, the principle carried out in practice of corrupting the constituency, can you ever hope to stem the torrent?—No, certainly not.

27,813. Commercial men of large fortunes get into Parliament, who not only bribe for themselves, but come down and bribe for their friends?—My own desire has been, previously to the last election, to have this place disfranchised, and my hope is to live to see the day. That is as far as I am concerned.

27,814. (*Mr Anstey.*) Would that have the effect of letting loose the many hundreds of persons who have been educated in bribery upon the hitherto virtuous county constituencies?—There are not a great many, I think, who would be county voters.

27,815. Are you in favour of what is called personal disfranchisement, nominal disfranchisment, disfranchisement by name?—Well, that would prevent of course———

27,815. (*Mr. Price.*) So that a man who has once taken a bribe for his vote in the borough could not hereafter have the chance of having a vote in the county?—That was done by the New Shoreham Act.

27,816. (*Mr. Coleridge.*) And you probably know that at Yarmouth and Totnes all the persons who were scheduled there were forbidden from voting thereafter for the county?—Yes, and a very good resolution.

27,817. (*Mr. Anstey.*) You were going to say something as to 1857?—In 1857 Mr. Follett was again a candidate, and Colonel Tynte and Mr. Kinglake. Then Colonel Tynte and Mr. Kinglake's party united, and they canvassed and acted together, and Colonel Tynte and Mr. Kinglake were returned.

27,818. Then in 1859?—1859, that was when Mr. Padwick came.

27,819. (*Mr. Price.*) Padwick and Westropp?—Padwick and Westropp.

27,820. Is there anything with regard to the election of 1859, any peculiarity?—Nothing that I am aware of at the present moment, nothing at all.

27,821. Now, Mr. Trevor, we will not trouble you at greater length, unless there is anything more with regard to the elections which is special. It is not necessary to go into everything in detail. We won't trouble you to do that. If you can give us any information other than that we shall be very glad to have it?—No, I can give you no information at all. The only thing I can say is, that Mr. Padwick and Mr. Westropp were brought here by Mr. Smith, and I never saw them till they came.

27,822. (*Mr. Anstey.*) You knew nothing about them until they came?—Nothing at all, either by name or reputation.

27,823. Did you know anything about Mr. Gray until he came?—No, except that he was introduced here by Mr. Toogood.

27,834. Which Mr. Toogood?—William Toogood. Mr. Henry Toogood had nothing to do with it.

27,825. (*Mr. Price.*) Had Mr. Westropp any connexion with the borough at all?—Not the slightest.

27,826. He was brought down here under the auspices of Mr. Smith?—I think Mr. Westropp was introduced, I won't be certain, by the late Sir Frederick Slade. I am not quite clear about it.

27,827. (*Mr Coleridge.*) As far as you know, Mr Trevor, has Mr. Smith been the motive power on the Conservative side for the last ten years in bringing members?—He has, ever since 1847.

27,828. (*Mr. Price.*) There is one thing you may tell us, and give us information about, the mode in which the solicitors on the Conservative side have been remunerated. You told us something about presents. We know that on the other side they have received sums of more or less amount in the shape of presents, on the Liberal side?—At the last election, as you are aware, there was an Act of Parliament which prevented paid agents from voting.

27,829. (*Mr. Coleridge.*) They all seem to have done so here?—I will tell just how that was. At the last election, when Mr. Westropp and Mr. Gray came here, we intended,—I can speak for myself and for the other professional men,—I know that my brother and myself did, and I believe all the others, intended to have been paid for our services, and it was so arranged that we should be paid for our services. On the morning of the poll, seeing that so many men had voted for Westropp and Gray, and that we had a very good chance of getting the election about the middle of the day, I think about one o'clock or between one and three (I won't state exactly the time, because I do not recollect exactly what time I polled,) we came to the determination that we would not accept anything for our services, but that we would vote instead.

27,830. (*Mr. Coleridge.*) I suppose you are aware, Mr. Trevor, that the clause prohibiting you from voting does not appear in the Reform Bill at all, but is in the new Registration Bill?—It is in the new Registration Bill.

(*Mr. Coleridge.*) Yes, it seems to have slipped in there in a curious manner.

27,831. (*Mr. Price.*) Many people were quite unaware of it at the last election, and really required to be informed of it?—We were aware of it.

27,832. (*Mr. Coleridge.*) And it seems also that it is simply a corrupt practice, and it is a great question whether it is anything more than a vote to be knocked off on a scrutiny?—Well, we did not even want. We thought possibly that our votes might carry the election when they began to poll up.

27,833. You knew they would go off on a scrutiny, but they would not void the election otherwise?—They would not have voided the election, even if they had gone upon scrutiny, because we had taken the liberty of seeing Mr. Westropp and Mr. Gray, and saying that we would take nothing for our services.

27,834. (*Mr. Price.*) You avoided the difficulty, by saying you would take nothing, and therefore your votes were perfectly good?—Just so; our votes would have been perfectly good.

27,835. Otherwise the votes of the professional gentlemen would have been struck off?—We were so strongly under the impression that we should get the election, that I should have been very glad to sacrifice anything.

27,836. (*Mr. Coleridge.*) Were you and the other gentlemen who acted at that election afterwards paid, after the whole thing was over?—Never paid a farthing.

27,837. (*Mr. Price.*) How were you paid on former occasions?—On former occasions we were paid in this way; after the election, I believe Mr. Smith, who had had the management, used to send us what there was for the professional men. He sent us our share.

27,838. (*Mr. Coleridge.*) What was the best paid election you have ever had?—I think the largest sum was 75*l.* between my brother and myself.

27,839. 75*l.* apiece?—No; between us.

27,840. (*Mr. Coleridge.*) You never came in for a couple of hundred pounds, like Mr. Levibond?—No, we never had that chance.

27,841. (*Mr Price.*) When you had charge of the purse, before you were a slow coach, and were put on a siding, when you were on the main line, how much did you get then?—I never had command of the purse.

27,842. Before Mr. Smith had it, how much did you get?—I do not think I ever had more than fifty pounds at any time.

(*Mr. Price.*) Then there was a kind of fee of fifty guineas.

27,843. (*Mr Anstey.*) You spoke of yourself and your brother; but did any professional man on your side receive a present after this last election?—I can only answer for myself.

27,844. That is what I thought. I do not think you understood the Chief Commissioner's question?—What I said was that Mr. Smith sent our share.

27,845. (*Mr. Price.*) Mr. Smith kept the purse?—He kept the purse; just so.

27,846. From having kept the purse he may have made of you the same example as was made of Messrs. Reed and Cook by Mr. Lovibond and Mr. Barham, giving 50*l.* between them, and 200*l.* for themselves?—I do not say so, because I am not aware of it; they understood from me at the last election we were not paid anything.

27,847. We quite understand that you made up your mind, and voted?—Just so.

27,848. (*Mr, Anstey.*) That is, you and your brother?—Yes.

27,849. And the other professional men as well, as far as you know?—I was present when it was arranged together; we would not take anything ourselves.

27,850. Will you undertake to promise and vow so much in favor of Mr. Veysey, for instance?—He had nothing to do with us.

27,851. Not now?—Mr. Veysey was not employed at the last election.

27,852. Was not he at all?—He was not at all, that I am aware of.

27,853. I want to get you to consider an answer which you made a little while ago. You said you had always been of opinion that this borough ought to be disfranchised. You were not of that opinion in 1866?—When I signed the petition to the House of Commons?

27,854. You were the third in the list of 820 who described themselves as electors and other inhabitants of the borough of Bridgwater, presented between the 18th and the 30th of May. You may have my book back again; it is from the Appendix to the 24th Report of Public Petitions for that year (*it was handed to the witness,*)?—Yes; I think I can explain that.

27,855. What do you state there?—This is, "The "humble petition of the undersigned electors and "other inhabitants of the borough of Bridgwater "in the county of Somerset, sheweth that your "petitioners have been deprived by a decision of a "committee of your honourable house of one of their "representatives. That a petition signed by a small "number of the constituency has been presented to "your honourable house, praying an enquiry into "certain alleged corrupt practices at the last election, "having for its object vexatious delay in the issuing "of the writ for the election of another member. "That your petitioners believe that corrupt practices "did not extensively prevail at the last election, and "that the spirit and prayer of the petition which has "been presented to your honourable house is in direct "opposition to the wishes and feelings of a very large "number of electors and other inhabitants of the "borough of Bridgwater of all shades of political "opinions. Your petitioners therefore humbly pray "your honourable house will direct that a writ be at "once issued for a member to serve in Parliament for "this borough, and thereby restore to your petitioners "their undoubted right to be represented by two "members in Parliament; and your petitioners, as in "duty bound, will ever pray. Signed Joseph Richard "Smith Thomas."—That is a mistake; I do not know such a name.

27,856. Who is Hatley?—That is a mistake.

27,857. Who can it be?—I cannot think at all.

27,858. The third name is "John Trevor"?—"John Trevor." I am the third.

27,859. And there are 817 others?—Yes. 820 altogether. I will explain that. I do not think I have said I have always been of opinion that it would be a good thing for the disfranchisement of the borough, but I certainly said so previous to the last election. I do not say all my life I had said so, because I could not have been of that opinion when Mr. Askell and Mr. Tynte represented the town. But, in answer to that, I may say that just shortly before this petition was presented, a petition was presented by several of the small party of the Liberal electors praying that a writ should not issue.

27,860. That is the petition of the 80 purists?—Of the 80 purists. When that petition was got up and brought to me, I signed it, coming to this conclusion.

27,861. (*Mr. Price.*) To prevent confusion, do you mean this petition we have been speaking of by the purists, or do you mean the other?—The other, to which my name is attached. When that petition was brought to me for signature, I signed it, because I considered this petition was merely meant and signed for the purpose of being presented to the house for the purpose of staying the writ, and not going into a parliamentary enquiry.

27,862. (*Mr. Anstey.*) It so states here, having for its object a vexatious delay in the issuing of the writ?—Yes; just so, and the only object was this, that if we had got the writ at once the Liberal party were in that state in consequence of presenting the petition that they would have no chance of success at that election.

27,863. (*Mr. Price.*) I believe it is a fact, is it not, that in all boroughs like Bridgwater the party who petitions, although he may succeed the man who is opposed, is not popular at the next election?—Certainly not. That is our view of the popular party, and I was anxious to get the writ down.

27,864. (*Mr. Anstey.*) You state distinctly that you believe the real object of the other petition was to cause vexatious delay in the issuing of the writ; but then the last passage in the stating part, not the prayer, is your petitioners believe that corrupt practices did not extensively prevail at the last election. Now, in the month of May 1866, it was after the committee had made its report, and gone through its inquiry; therefore were you of opinion, in the language which I have just read to you, that corrupt practices did not extensively prevail. That was the election of 1865, against which a petition had been presented. Do you mean by the setting aside?—Well, I certainly am under the impression that corrupt practices had not to any great extent prevailed in the borough at that time.

27,865. That is what you say here?—Just so. I was not before the House of Commons, but I read the report in the paper, and my idea was———

27,866. I ought to ask you, did you get up the defence of the seat?—I had nothing on earth to do with it.

27,867. Therefore, had you any means of knowing the truth, not only with respect to the seven cases, I think there were, which were enquired into, but with respect to the hundred and more which were not enquired into; Mr. Baxter, the chairmam of the committee, having thought that he would break off the enquiry at that point?—I was not aware. I had not seen the brief, and knew nothing at all about it.

27,868. This part of the petition to which you subscribed your name represented the then state of your knowledge?—Yes, just so.

27,869. Who presented this petition?—By which I mean, who drew it, and got it up, your petition?

(*Mr. Price.*) The one of 820?—Really I do not recollect.

27,870. Would it assist you to know that the first name was Joseph R. Smith? Would it be his doing?—No, I should think not.

27,871. Then it would be his brother, the lawyer's, doing?—Very likely.

27,872. Especially as he was a great patron of the borough at that time?—Yes, very likely.

27,873. You cannot give me any idea of who this misprinted "Hatley" is?—Not the slightest idea.

27,874. Is there any leading Conservative whose name is Thomas in the borough?—There is no Thomas beginning with "H" that I know.

27,875. That may be in itself a misprint?—I cannot say.

27,876. Now, with regard to the electors and other inhabitants, do you happen to recollect how many of the 820 were electors and how many not?—No. I think I must have signed that petition on its being brought to me, for I have no recollection of the manner in which it was got up; in fact, if I had not heard of it at this enquiry I should have had no recollection of having seen such a petition.

27,878. Then I suppose it will be useless to ask you the question which I have asked former witnesses; I think the town clerk, and some other gentlemen connected with the borough; and that is, the original petition having disappeared from the Journal Office of the House of Commons, being unable to obtain inspection of the other signatures, no account being given at the Journal Office of the manner in which it was lost, do you happen to know how that accident occurred?—I was not aware that it had been lost, until I heard of it at this inquiry.

27,879. You never heard how it is?—No, never in the slightest way.

27,880. It was presented, I suppose?—It looks so, by the minute of the House of Commons.

(*Mr. Anstey.*) It was presented by Mr. Gore Langton, and printed by the order of the house.

27,881. (*Mr. Price.*) He was the county member?—He was the county member, and is now.

27,882. (*Mr. Anstey.*) It had a number in the Journal Office; the number is there, but the place of the original petition is vacant?—I have no recollection whatever.

27,883. Where those 820 persons of great mark or not?—I have no recollection of having signed it myself, and really could not tell you a man who signed it.

27,884. (*Mr. Price.*) That is perhaps all you can tell us?—That is all. I shall be happy to answer any questions.

27,885. Then the last election; will you take us to that?—I had very little to do with the last election.

27,886. (*Mr. Coleridge.*) Perhaps you had better sketch through all the elections?—I will. We left off in 1865, Bagehot's election, when Mr. Patton came down here.

27,887. (*Mr. Price.*) Who brought Mr. Patton down?—I think he came through Mr. Smith.

27,888. The lawyer?—The lawyer. The first time I saw him was in Bridgwater, and there is only one observation which I wish to make with regard to him, and I think it due to him to say so, that when he came here at that first election I verily believe, and am satisfied in my own mind, that Mr. Patton had not the slightest idea of any corrupt practices whatever being used or being about to be used on his behalf; that is my firm conviction.

27,889. (*Mr Price.*) What makes you think that?—From the conversation I had with him.

27,890. (*Mr. Anstey.*) Was it only from what he stated to you?—From what he stated to me, and the man himself, and his manner, and Mrs. Patton's manner.

27,891. You and your brother, that is your firm, as well as yourself personally, would be precisely the gentlemen, would not you, from whom any one meditating or aware that others were meditating to use corrupt practices on his behalf would certainly conceal the fact, having regard to the reputation of yourself and your firm?—Quite so; but Mr. Patton expressed his surprize on seeing the manner in which he had been received here by the electors. I suppose, having been resident in Scotland, he was quite surprized to see the warmth of the south of England, and he certainly left that impression on my mind, and what I stated. He was returned at that election. The next election Mr. Vanderbyl came, and Mr. Vanderbyl was returned, as we have heard in this court, by expending a very large sum of money.

27,892. Did you hear, when Mr. Patton was here on the second occasion, of corrupt practices being had recourse to on his side of the question?—I believe from what I have heard there were corrupt practices.

27,893. Did you hear that at that time, whilst the election was going on, that corrupt practices were going on?—Well, I will tell you why I think so, because Mr. Patton expressed his desire on the hustings to petition against the return of Mr. Vanderbyl.

27,894. That would be after the result of the election; but my question is, whilst going on?—That satisfied me at the time that Mr. Patton, even up to that time, was not aware of any corrupt practices, because if he had been, on his own side, he was not a man who in his position would have on the hustings declared his intention of petitioning against Mr. Vanderbyl.

27,895. Your answer then to the question I put to you will be this, that you did not hear, whilst the election was going on, of any corrupt practices?—Oh, I did hear so.

27,896. Then what you mean is, that Mr. Patton had not heard of them?—Mr. Patton had not heard of them, certainly.

27,897. And you found your belief of Mr. Patton not having heard on the fact that he made that declaration which is reported in the newspapers, that it would not rest there?—Just so.

27,898. That there should be an inquiry?—Just so.

27,899. Into the means by which Mr. Vanderbyl's election had been brought about?—Yes.

27,900. I had intended to draw your attention to that; but is not it a fact that neither Mr. Patton nor any of his party did venture to present a petition against Mr. Vanderbyl's return?—Certainly not. They did not venture, for this reason, they found afterwards that they could not venture on presenting a petition.

27,901. And as it was all one parliament, and one session of one parliament, they must have been fully aware that the malpractices at the election of the month before, when Mr. Patton was returned, would or might have been brought forward?—Quite. And I have no doubt it weighed with Mr. Patton afterwards.

27,902. (*Mr. Price.*) You, as I understand you, believe that Mr. Patton was so far guileless of corrupt practices that in his position of Lord Advocate he would not talk about his petition against Mr. Vanderbyl unless he had intended also to pray for the seat?—I do firmly believe it.

27,903. That in his petition he would not have condescended to petition out of spite against Mr. Vanderbyl?—Certainly not.

27,904. But it would be really to gain the seat?—Quite so.

27,905. And would not have pledged himself or spoken in that way if he had had any knowledge of it?—Yes.

27,906. (*Mr. Coleridge.*) Holding those views, how do you account for the large sum which Mr. Patton undoubtedly did send down to this borough at both of the elections; because we have it beyond doubt that he did spend a large sum in bribery at each of

these elections?—I account for it in this way, that he had friends of his who came down here, and they must have brought money here without his knowledge.

27,907. Where do you imagine it came from?—I have not the slightest knowledge.

27,908. Have you any doubt that in reality it came from the Carlton Club or the Conservative party in some way?—Well, my own experience of clubs is that you get very little money for a borough from any club.

27,909. What is your experience of Colonel Taylor, apart from the club, or the gentleman who represents Colonel Taylor? Do you not think that there is a purse master of the Conservative party as well as there is of any other party?—Well, if there is any great election to be fought they would then get a considerable sum of money;—but if you go to-morrow about a general election, and asked at the Conservative head quarters for money, they would laugh at you.

27,910. (*Mr. Anstey.*) Did you advise Mr. Patton not to petition; you personally?—Well, I do not know. I do not think at the second election I saw him.

27,911. He was in Mr. Smith's hands, the same as Mr. Westropp was?—No; I do not think he would be then. I think Mr. Smith was ill at the second election.

27,912. Well; young Mr. Smith?—Young Mr. Smith.

27,913. You recollect Mr. Westropp told the committee in 1865 that young Mr. Smith was his agent and adviser in what he calls the politics of electioneering, and that your firm only advised him in matters of election agency in general? Was Mr. Patton in the same position with regard to Mr. James Smith the younger, that is to say, was Mr. Jomes Smith his adviser in all matters in respect of all politics and electioneering?—Well, my own impression is that Mr. Patton was a man quite capable of coming to his own judgment as to whether he would proceed with the petition or not, without having been told what had taken place.

27,814. His judgment could only proceed on information, and who would give him the information, Mr. James Smith the younger, I suppose, would not he?—Mr. Bealy Smith you mean.

27,815. Yes?—Well, that might be, or it might perhaps be through Mr. Patton's own friends.

27,816. But you at all events did not give him any information?—No.

27,917. (*Mr. Price.*) Have you heard since in any way, on any reliable authority, what amount of money Mr. Patton did spend at the two elections or at either of them?—I have not the slighest knowledge what he spent; not the slightest.

27,918. (*Mr. Anstey.*) As you come now to the end of those elections at which you say you believe there have been corrupt practices on your side, I wish to ask you did you ever hear, or not, that the way in which the bribery at those elections was conducted was the same way as that described at Taunton, namely, a person, going into a room, receives his ticket or order for a bribe, and then goes into a dark room to receive the money in exchange for that voucher?—I heard that for the first time during this inquiry; it has come out in evidence. That is the first time I have heard of it.

27,919. Have you heard the name of any person besides Croucher as that of the man who brought down money into the borough at any of those elections for distribution on the Conservative side?—No.

27,920. Croucher is the first and the last you have heard of?—The first and the last I have heard of. I do not think he brought the money; he merely came to spend it.

27,921. To distribute the money, which is more important?—Yes.

27,922. Do you know the names of any of the gentlemen in London of the Conservative party with whom on those various occasions communication was had about money?—No.

27,923. For instance, whether it would be the patronage secretary to the treasury, or the Carlton Club, or the firm of parliamentary agents, or in fact who it was?—I do not know at all; but I will tell you at once that I have not the slightest notion where the money came from. My brother reminds me of one gentleman who was here, and that was Mr. Pitman of Edinburgh; he came here as the agent of Mr. Patton.

27,924. Did he bring money with him?—That I do not know.

27,925. Did he distribute money?—Not that I am aware of. He might have brought a large quantity of money, for what I know.

27,926. I thought you said your brother had reminded you?—My brother reminded me of this gentleman having come here as the agent of Mr. Patton.

27,927. At which election was that; the first or second?—I think both.

27,928. (*Mr. Coleridge.*) Were you ever in communication with the firm of Baxter, Rose, and Norton before or at the time of those elections?—Yes; those are the parliamentary agents; Mr. Rose; it is Mr. Spofforth now.

27,929. Have you had anything to do with Mr. Spofforth at the last election?—No, I had not, at the last election; I had at one election.

27,930. Who had on behalf of your party?—My brother, I think.

27,931. In the election of 1866 had you communication with Mr. Spofforth,—Mr. Patton's election?—I think the last communication I had with Mr. Spofforth was when Mr. Edwards came forward as a candidate.

27,932. Mr. Francis Edwards?—Yes; I forget what election that was.

27,933. That was the general election of 1865?—I went to town with Mr. Smith while the election was going on in 1865, to try and get a second man to come here, and I went to Mr. Spofforth, and found that we had got such a bad name that they would not recommend any one to come here.

27,934. What had Mr. Edwards to do with it?—His name was mentioned to us as having gone to Barnstaple to stand there. I think there were two Conservatives, and he went down as a third Conservative, and there were two Liberals also.

27,935. Mr. Hawkins and Mr. J. Stucley?—Yes. He went down there, I believe, to make a little mischief, from what I heard afterwards, and on his way from Barnstaple he heard Bridgwater wanted a man, and he stopped here on the Sunday evening.

27,936. Did you see him?—Yes, I saw him. He stopped at the "Clarence," and we were in one room and he was in the other. He had got his family, I think, with him. His daughter I know was with him, and his servants, and so on. Mr. Smith saw him privately, and then came into the room where we were. I forget who was there. I know I was one, and he then introduced Mr. Edwards to us, and said he would be the candidate with Mr. Westropp the next day, which was the nomination day.

27,937. (*Mr Coleridge.*) Then he had had no canvass?—No; this was on the Sundayevening, and his address was written,and there were large placards posted, about, or were to be, next morning, inviting electors to meet him, and and give him a grand reception.

27,938. (*Mr. Anstey.*) Did he state in his address, "Having been called upon by a numerous and "respectable body of electors of the borough of "Bridgwater"?—I dare say he did. It is generally the commencement of any electioneering address.

27,939. (*Mr. Price.*) A common form?—Yes. Well, the first thing I heard the next morning was, that Mr. Edwards would not come, he had changed his mind, and I found out afterwards that was in consequence of some Liberal gentlemen in this town knowing his brother, and Mr. Lovell Sealy, wrote to his brother, who is a magistrate living in the neighbourhood of Rington, and told him there was not the slightest chance of his success, and he would

TWENTY-SIXTH DAY.

Mr. J. Trevor

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have to spend a good deal of money, so Mr. Edwards declined the honour.

27,940. (*Mr. Coleridge.*) Did you know who or what he was?—He was a London attorney.

27,941. (*Mr Anstey.*) Did you know anything then of his atecedents?—I thought he was an attorney.

27,942. (*Mr. Coleridge.*) Yes; he is an attorney in Delahay Street?—Yes I thought so. I thought he had gone to Barnstaple to make mischief.

27,943. That is all you know about him?—That is all I know about him.

27,944. What way?—Because there were two Conservative candidates there, and be down as a third.

27,945. (*Mr. Price.*) He was a man they rather wanted to get rid of than support him?—Well, I suppose they thought he would do for Bridgwater.

27,946. (*Mr. Coleridge.*) Had Mr. Edwards any connection with this county?—Yes; his brother was a magistrate who took great interest on the Conservative side in the eastern division.

27,947. He lives at Brockley Coombe?—Yes.

27,948. (*Mr. Anstey.*) Did you see Mr. Wellington Guernsey, sometimes called Major Wellington Guernsey, at that time?—No; I never heard of him till this moment.

27,949. Was there anybody with Mr. Westropp at that election from London?—When was that? 1865?

27,950. (*Mr. Price.*) Was there any gentleman down here to prepare the way for Mr. Edwards?—Not that I am aware of.

27,951. Passing under the name of "Wellington Guernsey"?—Not that I am aware of; it is new to me.

27,952. And he found out the thing was so tremendously expensive, or might be, that he was the means of turning Mr. Edwards aside from his intention?—I do not think so, because I was offered to be introduced to Mr. Edward's brother after the election, and a gentleman told me that I should hear the whole story.

27,954. (*Mr. Anstey.*) Do you remember some one coming from Barnstaple with Mr. Edwards. He came on the Sunday night? Do you recollect his being in the company of any one?—No; my impression is that he was on his way to his brother, and stopped here, having heard that we wanted a man.

27,955. That may be, but as a matter of fact was any one, a stranger, with him that night?—I have no recollection. If you ask me, I should say, to the best of my recollection, no.

27,956. Did you see much of him that night?—No, only a short time, and we looked at his address, and he wished us good night, and said he should be down in the morning.

27,957. What o'clock was that?—I do not recollect; I should think about nine.

27,958. At the last election, did you attend any meeting of the Conservative party before the nomination day?—At the last election I have no doubt I attended meetings.

27,959. Do you remember whether there was not some disunion in the ranks of the Conservative party about Mr. Westropp coming at all, after having announced, some few years ago, that he was not going to stand for Bridgwater?—Well, as far as I am personally concerned, I advised him on several occasions not to come to Bridgwater.

27,960. Now I am asking with reference to a meeting here; was not there some uproar, or disunion at least, at the first meeting held on his arrival here at which that matter was broached?—No, I do not think I was at a meeting.

27,961. A meeting on the 10th of October, was not there?—Yes.

27,962. He came on the 6th, I think?—No, he arrived on the 10th. I have a memorandum here, and I attended the meeting in the Town Hall at the evening, and I think the two were cordially received.

27,963. Now was not a resolution moved at that meeting to the effect that he and Mr. Gray should be accepted as Conservative candidates?—Yes; they were accepted.

27,964. Do you remember some uproar arising?—No, I do not remember any uproar.

27,965. Do you recollect the chairman saying from the show of hands he could not say which side got it, for or against?—No, I do not recollect; very likely it may have been.

27,966. Do you remember Mr. Westropp at any time making any observation on the subject of corrupt practices, and the new law passed with regard to it?—No; the only thing I know about Westropp is that he said he should fight a pure election.

27,967. Do you remember his saying at any time, "You cannot expect me to go to prison"?—No; I never heard him say that. I do not think he said it; never in my presence.

27,968. Had he, to your knowledge, in that interval between 1859 and 1868, been distributing large sums annually in the borough?—Yes, he had; and I was going to say, with regard to that, I recollect his telling me one day, "Since my election I have spent nearly 300*l.* a year;" and I made rather a short answer, and perhaps a very rude one. I think I said, "More fool you."

27,969. Did he tell you how he had spent it?—I knew how he spent his money. If any Bridgwater man got into difficulty, and wanted money, he would send down 5*l.* or 3*l.*, and he would spend it in charities, and send it to people who were opposed to him in politics, and so on. He made himself very popular with the lower orders in consequence; but I told him at the time I did not think he would get a vote for it.

27,970. Do you remember his giving anything to children?—I dare say he did.

27,971. (*Mr. Price.*) Is it the fact, that since he came here almost all the male children have been christened with his Christian name, and that silver cups have followed the christening?—I do not know.

27,972. Because I am told that all the boys have been christened Henry John in Bridgwater since 1865?—I have no children so young as that.

27,973. (*Mr. Anstey.*) Do you remember Mr. Westropp's last canvass; that is, the last election; it begins about the 26th of October?—Yes, I think it begins about that time.

27,974. And when did it end?—I canvassed the first time with him on the 30th of October.

27,975. When was the canvass closed on his side?—On the nomination.

27,976. Not until then?—Not till then, I think.

27,977. After the day of nomination there was despondency, as you have already said, among his friends?—Yes.

27,978. At what o'clock?—That is not on the nomination; it was the evening before.

27,979. On the Sunday night?—You are right; it was on the evening of the nomination. I was confusing the election with the nomination.

27,980. After the nomination had taken place, and a poll had been demanded, and the meeting broken up, was there despondency among you, and an idea that he had better go away from the borough?—There was a division amongst the party; some thought he had better go away.

27,981. Was that because it had been ascertained on the canvass, which had then closed, that he had no chance of success?—Quite the reverse; he thought he had a very good chance of success, but that our opponents were going to spend money.

27,982. What did you ascertain, not personally, but according to your informants; what had been ascertained as to the relative strength of your party, and Kinglake and Vanderbyl's party, if no money had been spent?—I certainly was under the impression at that time,—it might have been a false one,—that

there was a good chance of success on account of this Conservative Working Man's Association.

27,983. What would the canvass disclose ?—The canvass, I believe, showed a very good result.

27,984. Did it show a majority ?—That I will not say.

27,985. Because you have heard, I dare say, before you heard it here, or knew it, the canvass books of this borough contain not merely for and against, but doubtful for and doubtful against, and so forth, and that those doubtful for and doubtful against and so forth mean easy bribable on the one and less bribable on the other side, cheaply bribable on the one side and less cheaply bribable on the other side. And in like manner the opposite column means just the converse of that, more cheaply to be bought by the Liberals and less cheaply by the Tories ; whereas the converse to that is, more cheaply to be bought by the Tories and less cheaply by the Liberals. Was that the result of the canvass at Mr. Westropp's last election ? Was there a majority of doubtful fors and doubtful against ?—Well, I could not say ; I did not see the result of the canvass ; I only heard what the result was.

27,986. Then your opinion was not founded on the canvass ?—Only from what I had heard. My opinion was formed on his popularity in the town with the lower orders of the people, because at the election at which he was returned I went round with him in the carriage afterwards, and I never saw any man in my life so popular in the town, almost every one was in his favour, and so it was when he canvassed. Perhaps it had to do with that little anecdote of the chairman's.

27,987. (*Mr. Price.*) His popularity in the nursery ; that he was godfather ?—All the women decidedly were very much in his favuor.

27,988. (*Mr. Anstey.*) I wish you to keep your attention to that point. I do not want other reasons. But was there or not a majority of promises in his favour ?—I cannot say.

27,989. (*Mr. Price.*) Your impression, whatever it was, of his chance of success, was not founded upon the canvass ? — I should not give any one a chance of success upon the result of a canvass in this borough, because it is a most unsatisfactory thing, the result of a canvass, because we know that a good many promise you, and you are not quite certain of their fulfilling their promise.

27,990. Then your answer is, that it is not founded on the success of the canvass ?—No, certainly not.

27,991. Then I understand that at the close of the day, when you and the rest of them thought he had a good chance of success because of his personal popularity, you heard something which made you think that the profusion of the other side was about to be called in to purchase them some popularity like that which he had acquired. What time of the day was that ?—I think the turning of the election was between one and two.

27,992. No ; I mean on the nomination day you heard there was a chance of the other side going to try to purchase a little popularity for themselves ?—It was on the evening of the nomination day.

27,993. What did you hear ?—Why, it was only from Mr. Vanderbyl's antecedents.

27,994. But what did you hear that evening ?—All kinds of rumours. We heard the other side was going to spend money.

27,995. Had you heard what had taken place, or anything like what had taken place, the day before, at the different meetings we had heard of ?—On the Sunday I had heard of all that, because I had been at one of the meetings.

27,996. Was it that made you think they were going to purchase popularity ?—I will tell you why I thought they were going to purchase popularity, because Mr. Vanderbyl had proposed to come to a compromise with Mr. Westropp, and we heard no more of that, although they were to let us know, and from that very fact I thought they intended to spend money, and win their election.

27,997. That is what I want to bring you to. Were you present at one of those conversations ?—I was, at Mr. Brice's.

27,998. Was Mr. Westropp there ?—He was.

27,999. Was Mr. Vanderbyl ?—No; I did not see him at all.

28,000. I understand from a witness that Mr. Vanderbyl and Mr. Westropp met face to face ?—No. My impression is, that Mr. Westropp had a note from Mr. Fennelly, saying that Mr. Vanderbyl would meet him at Mr. Kennett's ; but, instead of Mr. Vanderbyl, Mr. Fennelly came, and Mr. Westropp was rather annoyed at that.

28,001. Mr. Westropp and Mr. Fennelly met ?—They met.

28,002. Were you present there ?—No.

28,003. Did Mr. Westropp communicate to you what took place between him and Mr. Fennelly ?—Yes.

28,004. Will you tell us what that was ? — That they wanted to make an arrangement, and when they asked me, I at once said, " No ; although disliking " Mr. Kinglake, as I do, I certainly, after what has " been said of Mr. Vanderbyl in the public prints, will " not vote for him as a candidate at the election."

28,005. I particularly want to ask you what Mr. Westropp told you had been proposed to him by Mr. Fennelly, and I want more particularly to know whether Mr. Westropp told you this :—I am quoting from the brief which was held in support of the petition,—that Mr. Vanderbyl had put himself in his, Mr. Fennelly's, hands, and that he, Mr. Vanderbyl, had had a row with his agents, Messrs. Reed and Cook, and at the same time offered Mr. Westropp to meet him half way. Upon which Mr. Westropp said to the gentleman who prepared this brief, I suppose that he inferred that Mr. Fennelly's meaning was that Mr. Vanderbyl would join him, Mr. Westropp, in bribery ?—No ; I have no recollection of ever having heard that.

28,006. Who prepared this brief ?—Is it the brief on behalf of the petitioners ?

28,007. Yes ; the brief on behalf of the petitioners ?—It was prepared by Mr. Brice and my brother. I have never seen it. When I say that I have never seen it, I have never read a page of it. My brother, perhaps, can throw a light on that.

28,008. (*Mr. Price.*) So far as any part you took in it, you objected to the compromise on the ground of what had appeared about Mr. Vanderbyl in the public prints ?—I did.

28,009. (*Mr. Anstey.*) Did you tell me all that Mr. Westropp stated that had passed between him and Mr. Fennelly ?—He merely stated that there had been an offer of a compromise. I did not pay much attention, because I did not at all fall in with it with regard to Mr. Vanderbyl.

28,010. Then you were in a state of despondency ; and who was it thought your candidate should leave the town and have no contest ? Do you remember ?—No, I do not.

28,011. Mr. Poole has mentioned that either you or your brother told him next day that one of you, I think, you or your brother, said, " No ; as the expense is already incurred, let us go on " ?—I daresay I did. I know I had a good deal of talk with Mr. Poole on that day.

28,012. I mean what took place the night before ?—

(*Mr. Price.*) That you or some one had said to Westropp, " It is no good retiring now all the expense

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is incurred; fight it out." That is to say, I presume the hustings and all the legal expenses?—That could not have been me, because I was not there that evening.

28,013. (*Mr. Anstey.*) Then you know nothing further about that election?—Not that election. Very little indeed.

28,014. Was it you who went up to town about the election petition, or your brother?—I went up once.

28,015. Did you go up the first week after the election?—I will tell you in one moment, if you will allow me to look at my notes. I went to London on the 3rd December. I should say that my brother had been up previously to London to prepare the petition.

28,016. It was your brother who went up?—Yes, my brother went up.

28,017. And then you went up, and joined him in London, did you?—No. Mr. Lovibond had made an offer to my brother, proposing a compromise, and my brother came home on the Friday night,—it was the 27th November,—and told us the offer which Mr. Lovibond had made, which was that Mr. Vanderbyl should retire at the end of a twelvemonth; and my brother had said that he could give no answer to that; he would consult his friends at home. Upon that we had a meeting, and it was agreed that the thing was not feasible at all, and we did not feel at all satisfied by such an offer, that he was to retire in a twelvemonth. Then on that Mr. Lovibond called on me, on the 2nd December, and I had been informed before that there had been some misunderstanding between him and my brother, that is, that that he put a different construction on what my brother had said; that he thought he had acceded to a compromise, when my brother said he certainly had not, and he could not do anything without consulting his friends. In consequence of that Mr. Lovibond urged on me very strongly again a compromise. I said, "Well, I think it is quite useless to say anything more about it." "Well," said he, "would not your brother go to town again?" I said, "My brother is laid up at home; he "has an attack of bronchitis, and I know he cannot "go with you." After a good deal of talking I arranged to go to Stowey with Mr. Lovibond to see my brother. I went over, and my brother then satisfied Mr. Lovibond, I believe, first of all with regard to this misunderstanding. He quite put himself right there with regard to the offer of compromise, that he must consult his friends, and we then told him that we did not think there was the least chance. However, Mr. Lovibond pressed us a good deal, and I said at once, "Now to show you that we "will do all we can, if you wish it I will go to "London with you, instead of my brother." Well, I went to London with him. That was on the same day; we went up that evening, and the first day had a conversation with Mr. Lovibond at the "Tavistock," and afterwards had an interview with Mr. Westropp, and told him the arrangement which Mr. Lovibond had proposed.

28,018. (*Mr. Price.*) What was that distinct arrangement; the last?—The distinct arrangement at that time was with regard to the twelvemonth. Then in the evening I saw Mr. Gray; he was to meet us at the Union Club, and Mr. Gray met us, and Mr. Toogood, and that evening the petition was signed by Mr. Westropp and Mr. Gray.

28,019. The petition had not been signed then?—It had not been signed then. The petition was signed by them in my presence.

28,020. (*Mr. Anstey.*) Was Mr. Gray disposed, if other matters had been settled, not to have allowed his own claims to interfere; would he have retired so as to enable this compromise to have had effect?—He would.

28,021. From first to last, was he very anxious to get a seat in Parliament?—Well, he was anxious to get a seat, no doubt of it, but he said he would do everything to secure Mr. Westropp his seat, and I should say he was a man who took a good deal of time to consider, because it was arranged in the morning. I sent to my agent to meet me there to sign the petition, and he did not come, but sent a message that he would come in the evening instead, and then the petition was signed. Then the next day Mr. Westropp came to me at the "Tavistock," and there we had a conversation with Mr. Henry Lovibond, Mr. Cook, and Mr. Kinglake, and there it was proposed that Mr. Vanderbyl should retire at Easter; and I recollect very well that there was some little hesitation, some little doubt, while talking matters over; and Mr. Vanderbyl was very anxious to retain his seat at that particular moment, on account of what had taken place recently with regard to the Lundy Granite Company, and so on. It was of great consequence to him to keep his seat, and he laboured rather under the impression perhaps that it would be doubtful with regard to our getting the seat or not.

28,022. (*Mr. Coleridge.*) Whether he would give it up or no?—Just so; and Mr. Kinglake said, to secure that he would give it in writing, that in the event of Mr. Vanderbyl not retiring, he, Mr. Kinglake, would retire, and that letter was to be lodged in the hands of Mr. Gore Langton, to be used if necessary.

28,023. And was there to be any undertaking that they would not stand again?—There was something of that kind as well, that they would not stand again, and their friends in the country would do all they could to secure Mr. Westropp. Then Mr. Lovibond and Mr. Cook were to see Mr Vanderbyl, and we agreed to meet again in the afternoon.

28,024. (*Mr. Price.*) When Mr. Kinglake was there, and discussing this matter, and offered to do that, did anything pass from his lips as a reason why he should sacrifice himself? We are told that his friends thought a great deal of his gaining a seat this last time. Was there any reason given by him of his knowledge of corrupt practices that his seat could not be preserved on petition?—No; Mr Kinglake said nothing, but it took me by surprise his coming at all; and I drew my own conclusion.

28,025. Can you account for it in any other way?—I cannot account for it in any other way.

28,026. Mr. Kinglake, a man of position, and in the House, being ready to sacrifice himself, rather than that there should be an election inquiry, unless he was confident his seat could not be preserved on inquiry?—I think I so remarked to Mr. Westropp on the occasion, that I was astonished at seeing him there, and there must be a good deal behind the scenes we were not aware of.

28,027. (*Mr. Anstey.*) You had not expressed any wish that Mr. Kinglake should be present?—Not the slightest. He came voluntarily. I had no idea of meeting him there. Then Mr. Westropp and myself went to see Mr. Gray in Great St. Helen's, and told him, and he said he should like to have a little time to consider, and we agreed to meet again in the evening, and Mr. Westropp and myself returned to the "Tavistock Hotel," and then we said the matter would not come to anything, and we did not see a chance at all of coming to any arrangement. Then in the evening I met Mr. Westropp and Mr. Gray, and then Mr. Westropp fully came to the determination that he would not be a party to the compromise in any shape or form; and I should say this, that I had consulted his brother-in-law, who is since dead, who was a judge in Ireland, and he told him that the thing was full of difficulties, and advised him to have nothing to do with it.

28,028. (*Mr. Price.*) After the petition was filed the thing was full of difficulties?—The petition was not filed then. I think it was filed the next day. It was filed on the 7th December, and this was on the 4th.

28,029. (*Mr. Anstey.*) But independently of that Act, there was the Corrupt Practices Act passed in 1843, which would have placed a great difficulty in the way?—That would have been a question. There was no money to pass at all.

28,030. But there was the indemnity against having to pay money in the shape of costs. However, did you see Mr. Kinglake again or Mr. Vanderbyl about this?—No, never.

28,031. (*Mr. Coleridge.*) Did you see Mr. Vanderbyl at all?—I did not see him at all.

28,032. (*Mr. Anstey.*) At the trial of the election petition in this hall, it is stated by one witness that he rushed forward to you when Mr. Vanderbyl was pronouncing upon himself a panegyric ascribing to himself purity of motives and innocence of heart down to that moment; do you recollect Mr. Cook or Mr. Reed rushing forward to you, saying, "For God's sake do not have Mr. Vanderbyl cross-examined."?—I think that must have been my brother.

28,033. Your brother took the active part?—Yes.

28,034. I will ask you, as a matter of form, do you know anything of this telegram I have spoken of this morning which was handed up by Mr. Serjeant Parry to the judge, and passed by him to Mr. Sargood shortly before the termination of the inquiry?—I know nothing about it. My brother will tell you. I think he saw all the telegrams.

28,036. You were a town clerk, I think?—Yes.

28,037. From what year?—I think I was appointed in 1832 or 1833.

28,038. Was that in succession to your father?—In succession to my father.

28,039. Then in 1835 the Municipal Reform Act passed?—Yes; it came into operation the 1st January 1836.

28,040. Do you recollect the first meeting of the Town Council?—Yes, very well; that was the 1st January 1836.

28,041. Do you remember a speech being made by any member of that new body on the subject of the patronage vested in their hands, in which words to this effect occur: "And now, gentlemen, let all our appointments be political"?—Yes.

28,042. And who was it said that?—It was the late Mr. Joseph Thompson, who was an ironmonger in the town, and who was also a justice of the peace.

28,043. Did he make any specific proposal with regard to your office?—He was one of those who turned me out of office as clerk.

28,044. (*Mr. Price.*) How did he get rid of you?—I thought the town clerkship was for life?—So it was.

28,045. Then how did he get rid of you?—By removing me. It was for life, but they had the power of removing me, and making me compensation.

28,046. You were competent to perform your duties?—I had been, a good many years.

28,047. (*Mr. Anstey.*) You did not finish your answer. I asked, did Mr. Thompson make a specific proposal with regard to you?—He did afterwards.

28,048. Not on that occasion?—Not on that day.

28,049. Was the tenor or effect of his proposition, that Mr. John Trevor the town clerk be removed, and that a Liberal be appointed in his place?—I held office some time; I suppose to the 30th July 1836.

28,050. I am not asking that, but was that the tenor of the proposition made by Mr. Thompson?—No; the proposal was not made openly, to turn me out. That was the first thing done, underhand.

28,051. But the speech was made openly?—Yes; that was that all the appointments should be political.

28,052. Was that proposal adopted by the Town Council?—Yes, decidedly.

28,053. And from that time were all the appointments political?—Yes, they were, all of them.

28,054. Before coming to your case, was at that time the office of Bussell, the jailor, vacant?—He was appointed on the 30th January 1836, therefore in the same month.

27,055. What was he appointed?—He was appointed at that time weigher to the engines.

27,056. Did they displace some one to put him in?—I do not recollect. Then, the 20th of June, he was appointed jailer.

28,057. And when superintendent of police?—September 1849, I think.

28,058. Was any reason whatever given for the appointment of Bussell to those highly responsible offices?—Well, the jailer, a man named Gover, resigned, and there were several candidates for the office of gaoler, and several were proposed at the meeting. It was understood at the time that this office would be vacant, and three or four were nominated to the office; and a very singular thing is, that they all voted for Bussell; although other men were proposed and seconded, the proposers and seconders did not vote for their own men, but for Bussell.

28,059. (*Mr. Anstey.*) The same as they did at Sir Thomas Lethbridge's contest?—Yes.

28,060. (*Mr. Price.*) What kind of qualifications had he? He had never performed police duties in his life?—It is very right to say of him, that he was a very capable man.

28,061. (*Mr. Anstey.*) Bussell says he has now come over to the Conservative body?—Yes. I do not think he has any vote now.

28,062. About appointing Bussell; did they give any reason for it beyond his being a political partisan?—They gave no reason at all for it when they proposed him. They proposed him, and he was seconded and elected.

28,063. And they turned you out about the same time?—I held two offices; in fact several offices, under the charters. I was the town clerk, clerk to the magistrates, and clerk of peace. Then the two offices of clerk to the magistrates and clerk of peace were incompatible. Then, under the Act of Parliament, we were obliged to apply to the Queen for a grant of quarter sessions, and the application was not made for that immediately, but in February.

28,064. (*Mr. Price.*) Had Bridgwater no separate quarter sessions before that time?—We had separate quarter sessions, and a barrister, here, who was recorder. Then in February 1836 I was removed from the office of clerk to the justices.

28,065. (*Mr. Coleridge.*) On what ground?—Political.

28,065a. Had you compensation for that?—I had 101*l.* 12*s.* 9*d.*, I think.

28,066. Was that equal to what you had before?—No; it was not; only one third, but I forget the basis. I had to give in an account of every fee I had received for years, and I luckily kept books, and the committee who were appointed, after going through the books a few months, were satisfied.

28,067. Do you mean you only got one third of the aggregate you got when performing them?—One third.

28,068. (*Mr. Anstey.*) That remains a charge for your life on this borough?—It does; it was two thirds.

28,069. You were well capable during the whole of this period that has elapsed between your removal on political grounds to the present moment of performing all the duties of all those offices?—I will say this, in answer to that question, I have been for 10 or 12 years past clerk to the magistrates of the county.

28,070. (*Mr. Price.*) There is nothing in the duty of town clerk or clerk of the peace for the borough,

or clerk to the magistrates, in which political feeling can be displayed?—Not the slightest.

28,071. (*Mr. Anstey.*) And I suppose you were removed by the justices?—I was removed by three justices.

28,072. From the clerkship to the justices?—From the clerkship to the justices. One justice would not vote for my being removed; a Liberal, Mr. Inman. He said, if the other justices would give him a bond for the payment of my compensation, if any should be granted, he would vote with them, and he stated that openly in public.

28,073. Were all the justices at that time of the Liberal party?—They were.

28,074. The town council, of course the town council which removed you from the town clerkship, was also Liberal?—Yes; there were only two Conservatives out of 24.

28,075. Is that the way in which the patronage has been distributed by the local authorities from the time of the Municipal Corporation Reform Act, 1845, down to the present time, in rewarding, that is to say, political partisans, and mulcting political opponents?—Well, it has generally been so, except, I think, there was one time a kind of arrangement between the parties that one gentleman should hold the office of town clerk on one side, and the clerk to the magistrates should be held by one on the other. When Mr. Smith was town clerk he resigned that, and Mr. Carslake was appointed town clerk, and Mr. Smith clerk to the magistrates.

28,076. (*Mr. Price.*) It is so now, is not it? Mr. Brice is clerk to the magistrates?—Yes; he succeeded Mr. Smith.

28,077. (*Mr. Anstey.*) With the single exception you have mentioned, is it the rule in this borough to distribute patronage in the way I have described, so as to reward political partisans and punish political opponents?—I will not go so far as to say to the present moment, but it was to a certain period, certainly.

28,078. What happened to Mr. Parker in the month of November last?—Well, he was removed from the office of alderman simply on political grounds.

28,079. (*Mr. Coleridge.*) Did they offer you a lump sum instead of this annual pension at any time?—No; they would not do that; that is what one magistrate wanted them to do. It was a proposition from some one, I know.

28,081. (*Mr. Anstey.*) Is there any office vacant now in the gift of the corporation?—Not that I am aware of.

28,082. (*Mr. Price.*) Did not the ratepayers protest against so outrageous a thing as the charging of your pension on the borough rates, a gentleman in the prime of life?—So far as this, that the Conservatives are in a minority in the town council again.

28,083. Whom did they put into the town clerkship in your place?—Mr. Thomas Ford, and Mr. Benjamin Lovibond became clerk to the magistrates. Mr. Ford was a town councillor at the time. He resigned office, and took the town clerkship.

28,084. Are you quite sure that no office in the gift of the town council is now vacant by resignation or otherwise?—I do not know, I am sure. It has been talked of the bailiff resigning.

28,085. Why is not that filled up?—I do not know whether he has resigned. There was a talk of Bussell being appointed.

28,086. Old Bussell?—No; Henry Chapman, the only man acquainted with navigation matters.

28,087. The council at present consists of two Liberals to one Conservative?—Quite that.

28,088. 16 to 8; Yes, I think it is.

28,089. (*Mr. Coleridge.*) I suppose, taking it altogether, this is a Liberal borough. There is no money spent in any shape or way by the Liberals?—Well, I believe if no money was spent the respectable portion of the constituaney, if you will allow me to put the others aside,—I will not say now———

28,090. But now, taking the new voters, is not it a Liberal borough?—It is a Liberal borough, for this reason that the great employers of labour are Liberals.

28,091. (*Mr. Anstey.*) Supposing there was no undue influence exercised, or apprehended, which is the same as exercised, on those in the employment of those great men, would it be a Liberal borough, or what?—I will give you this answer, having been Conservative or Tory all my life, I have never been an advocate of the ballot; but I believe if it were in operation in this borough we should have a much better chance of success than we have now.

28,092. That is, with respect to undue influence?—With respect to undue influence.

28,093. Do you take any interest in the Conservative Working Men's Association, so as to be able to give some information?—I never attended a meeting there. I do not know how many voted at the last election.

28,094. Kinglake and Vanderbyl?—No, I do not.

(*Mr. Price.*) We are much obliged to you. You do not require any commendation from us, or that we should express our thanks to you.

You will be sorry to hear, that in consequence of a paragraph which appeared in the Times, we thought it right to telegraph to Mr. Patton's friend, Major Malcolm, and the answer is that the Lord Justice disappeared on Monday morning, and has not been found. He is supposed to be drowned.

Adjourned to to-morrow at ½ past 10 o'clock.

TWENTY-SEVENTH DAY.

Thursday, 23rd September 1869.

PRESENT :

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
HENRY FRANCIS PURCELL, Esq., Secretary.

Mr. JAMES WOOD SULLY recalled.

28,095. (*Mr. Anstey.*) I asked you some questions about a man of the name of Robert Coles, and your answer was, that he had been excommunicated because of the perjury he had committed before the House of Commons?—For swearing false.

28,096. The perjury, you said, consisted in this, that he was asked whether he had been at the "Golden Lion," and he said he had not. I have referred to the Blue Book since you were here, and at least half a dozen times he stated positively he had been there?—I may save the time of the Court by saying to the learned Commissioner that I have a memorandum here to correct that statement on my first examination.

28,097. (*Mr. Coleridge.*) When was it made?—Which I made here on my last examination.

28,098. (*Mr. Anstey.*) But when did you make the memorandum?—This morning, in the prospect of coming here.

28,099. Why, when you discovered the error, did not you at once correct it?—I did not know it, until last night I had a copy of the shorthand notes.

28,100. (*Mr Price.*) How do you mean a copy of the notes?—A copy of the notes of the shorthand writer, taken at the Committee of the House of Commons.

28,101. (*Mr. Anstey.*) But that is in the blue book, which has been printed nearly four years ago?—Yes, I am aware of it.

28,102. We do not want any other copy of the shorthand notes than that?—It is to that I refer.

28,103. What made you refer to it this morning?—In consequence of Mr. Whitby telling me I was in error on that point.

28,104. When did he tell you so?—Since my examination.

28,105. But he told you immediately after your examination, did not he?—No, not immediately.

28,106. The same day?—Not the same day.

28,107. The day after?—Possibly it was. I cannot say.

82,108. Why did not you, in justice to the man Robert Coles, at once correct that error?—I had not any opportunity of seeing this copy till last night; he told me I was in error, and found this copy for me yesterday.

28,109. You told us that you had a certified copy of these very notes, which had been sent to you from London, before they were printed at all?—I had the copy when we met at Mr. Perkins', that Mr. Whitby read those extracts, or read the whole of Coles' evidence to him, which at that interview he contradicted, and said it was no such thing.

82,110. Had you that copy in your power when you gave your evidence last?—No; I borrowed it for the time from Mr. Lovibond's clerk.

28,111. You say he was not excommunicated for perjury?—No; I do not say that.

28,112. Coles is coming here, and perhaps the Commisssoners may not wish to call you back again. You had better, therefore, be careful in what you say?—I hope I shall.

28,113. You had better state what he was excommunicated for. The question is, was his excommunication intended to act *in terrorem* over those of the congregation who voted as he voted, or whether it was really intended to discountenance wickedness and crime?—It had nothing to do with his vote, and so he was told distinctly, over and over again; it had nothing to do with his evidence. We believed, and the minister believed, that he had sworn that which was false, knowing it to be false; and I think in his evidence you will find that he stated that he went to the "Golden Bull" on the morning of the election with his son, and he was asked which son, and he stated the son at Mr. Backwell's, the grocer. On cross-examination he altered that statement by saying it was not that son, but the son that was at Mr. Bealy Smith's, the solicitor. He was asked, in cross-examination, if he entered in the house, and he admitted he did; and there he was in error.

28,114. Stop a moment. I see no statement in his examination in chief about his having had his son, who was at Mr. Backwell's?—No; I think if you refer to his cross-examination by Mr. Powell you will find it there.

28,115. I see nothing of the sort. He is asked the question, "What is your son?" And his answer is, "Well, he is at the grocery now, Mr. Bartley's, one of my sons?" Then it is, "Which is the son that went to the 'Golden Lion' with you? Not that son?" He expressly says, giving the account of his son in that employment, that it was not that son. Then, "Which is the son that you took into the 'Golden Lion'?" The one at Mr. Smith's. Then he goes on to say, "Mr. Bealy Smith." Now was that all that was laid to his charge?—No.

28,116. What else?—He stated he was in the house of the "Golden Lion" ten minutes or a quarter of an hour or more; he saw a great number of men there, and spoke to several of them. When he was asked the name of the person he saw or spoke to, he stated he did not know either of them, and never gave the name of one person he saw or spoke to there. He also stated that he did not go to the house of the "Golden Lion," I believe, with the other men in the tally, as I believe, but that he joined them in Barclay Street, at the bottom of John Street.

28,117. The story in regard to the number of persons is this: "I do not remember the names; it was very hot, from what I can recollect, and there were a great number of people about, as there would be on an election morning." How are you to assign perjury upon that?—All I know is that which I stated before, and I suppose you had it before you, that when Mr. Powell came to comment on that man's evidence, the Chairman of the Committee said, "You can pass that over, we take no notice of that man's evidence," evidently conveying the idea———

28,118. Did he say, "Pass it over"?—"Pass it

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over," or "We will not trouble you to comment upon that." You will find something to that effect; and he did not.

28,119. (*Mr. Price.*) We do not have the counsel's speeches reported, so we cannot tell that?—There were a number of persons in the committee-room who heard it.

28,120. (*Mr. Anstey.*) There may be many reasons why it was passed over; one because it was unimportant or irrelevant, but another, that it was not believed.

(*Mr. Coleridge.*) Or not admissible, perhaps.

(*Mr. Anstey.*) Perhaps, on reflection, they found that they had omitted it erroneously?—It was apparent, from the manner he answered the question. The committee had to interpose several times.

28,121. Did the chairman, Mr. Baxter, say anything of that kind?—He did not say why; oh dear no. I do not recollect that.

28,122. I think you told us last time that you were of opinion that perjury and bribery were offences; it was a crime to commit them?—I am.

28,123. It is of more consequence to show us that this was not a solitary case, and that you had acted in your congregation *in terrorem* upon other persons besides this one who happened to be a supporter of your opponent, and had been giving evidence in favor of your opponent and against you. Can you show that?—No. All I can say is, that we were not at all influenced as to the man's vote, and if we had another instance he would have been dealt with in the same way.

28,124. Have not you numberless instances which had taken place since you have been connected with that church?—No; I never knew of a similar instance.

28,125. Not of bribery and perjury?—No.

28,126. Do you mean to say that you had never heard there had been any case of bribery, any provable case of bribery, in any member of your congregation, in the enjoyment of what you call the ordinances; a member of the church as distinct from the congregation?—Certainly not.

28,127. That you swear?—That I swear most solemnly.

28,118. Take the case of that other riot in which you appear to have been engaged. Was there nothing there which would have moved a member of the congregation to visit the part described to have been taken with the same penalty?—I do not know that there was one who was guilty. I was not a member at that time.

28,130. And you say that deliberately, with a knowledge of all the names?

(*Mr. Price.*) There are not 200 pure people in the borough; that is the universal opinion on your side and on the other side.

(*Mr. Anstey.*) You say deliberately that your knowledge was that this one offence consisted, in whatever way you may have presented it, in his giving his evidence against you, and, on the whole, as it appears to me, not untruthfully?—Not in giving his evidence against me.

28,131. Against your party?—But his giving his evidence falsely.

28,132. (*Mr. Price.*) You prejudged him; he had never been indicted and tried?—That was the conviction of the pastor.

28,133. (*Mr. Anstey.*) And it proved entirely erroneous; yet you do not retract the charge?—I do most readily retract it, and I have a memorandum here.

28,134. But you still say he was guilty of false swearing?—Will you look at my memorandum?

28,135. I will do nothing of the sort.

28,136. (*Mr. Price.*) What was it that you believe that the man did commit perjury in?—I stated last time that the man went to the "Golden Lion." It was proved that he went there, and he stated that he did not go there. I was in error there.

28,137. Is that the only perjury he was supposed to have committed?—No.

28,138. What was the other?—The fact of the man's first stating that his son was with him, and afterwards retracting that, and saying it was the son of Bealy Smith; the fact of his being there a quarter of an hour, seeing men and speaking to them, and going with them from the "Golden Lion," and stating that he did not remember or did not know one of them, or could not give the name of one.

28,139. That may be?—That was in the morning, and it was not believed.

28,140. Who did not believe it?—I did not; the committee did not believe it.

28,141. Are you to constitute yourself the judge of whether a man has spoken the truth or not, when there have been no judicial proceedings?—Oh dear no! I do not mean it; but you ask me the question, and I give you my answer. The committee did not believe it.

28,142. (*Mr. Anstey.*) Then you carried down from London to Bridgwater your impressions of the fact you have just stated, and did you communicate those impressions to the pastor, Mr. McMichael?—No. The pastor was the late Mr. Perkins. No, it was quite otherwise. I did not return from London for several days, and when I arrived home the matter was notorious about the town how falsely this man had sworn. Several persons came to me, also my brother deacon, Mr. Whitby, to know whether we were not going to take action upon it, not to allow that man to remain longer as a member of the church.

28,143. (*Mr. Price.*) Did you call him up, and hear him?—Yes; we met at Mr. Perkins' house, and, as I said before, I had the copy of the evidence read to him, and he contradicted it, and said he gave no such evidence, and the committee were so perfectly satisfied with his evidence that they did not ask him a question.

28,144. (*Mr. Anstey.*) Have you heard the Rev. pastor, who nominally took the leading part on the occasion of putting him out of the church, complain afterwards that you had compelled him to take that course?—Certainly not; he never could have said it; he was too truthful a man.

28,145. Was Coles before that time respected and beloved in the church of which you and he were members?—Well, I really cannot say; I never knew much of the man.

28,146. You, yourself, said just now you were not a member of that church at the time of the riot in 1832. Were you then a member of another communion or church meeting in Zion Chapel?—Yes.

28,147. Were you expelled from that communion?—Certainly not.

28,148. Did you leave it of your own accord?—Of my own accord, many years after, when I joined the other.

28,149. What communion?—The Baptist; I left it of my own accord when I joined the Baptists.

28,150. What communion was that at Zion Chapel?—Congregational; Independent.

28,151. Had your leaving anything to do with your conduct at the riot?—Certainly not.

28,152. Or any other election?—I became convinced of the truth of baptism, and therefore I left them to join the Baptists.

28,153. After you joined the Baptist denomination, had you a sharp discussion with the Rev. Mr. Macmichael, the then pastor of the chapel which you attended?—There was a difference.

28,154. Do you remember the question at issue between you and him was whether your statement was true, and his telling you that he would not believe you on your oath?—There was some statement of that kind made by him.

28,155. What had that statement reference to? Had it reference to Coles's case?—Oh dear no. Coles's affair had not happened then, I think.

28,156. At the farewell sermon which he, as pastor, preached on leaving his pulpit, did he inform the congregation that you and the other deacons had deprived him of his rule?—No.

28,157. You never heard that?—I heard the sermon, but I never heard that he ever said it.

28,158. Now, in reference to that same riot, it is in evidence before us that it was a very serious riot, brickbats were thrown about, that a respectable gentleman of the town, a literary gentleman, a person who did honour to Bridgwater, let his opinions be what they may, was very dangerously struck over the eyes with a bludgeon, that he fell, and for some days was in a critical state; that one of your own party was indignant at their having struck down a man, and committed this cowardly assault; will you still adhere to that statement that it was only a lark, that there was no riot, and that no riot to your belief took place?—I do not think I said in my former evidence that it was only a lark. I said with reference to the riot it was a farce. I still believe there was no riot.

28,159. (*Mr. Price.*) Do you mean to say it was a farce when the mayor thought it necessary to read the Riot Act?—As stated to me, what took place——

28,160. (*Mr. Coleridge.*) But you were there?—I was not there.

28,161. Not at the house?—No.

28,162. (*Mr. Anstey.*) I thought you saw the people in the house smoking their pipes in the kitchen?—Nothing of the kind.

28,163. (*Mr. Coleridge.*) You told us about sending for your sou'-wester?—Yes; if you will read my evidence, I understand the disturbance took place at Mr. Bowen's about 10 o'clock.

28,164. When were you there?—Between 12 and 1.

28,165. There was a row going on then when you were there?—No; we were not at Mr. Bowen's at all in Friern Street.

28,166. (*Mr. Price.*) Where was your disguise pulled off your face?—Just opposite the Congregational Chapel.

28,167. (*Mr. Anstey.*) How far from Mr. Bowen's?—There is the street, and then you go into the gateway.

28,168. Still it would be a few yards?—A considerable distance.

28.169. (*Mr. Price.*) Close by the place leading up to it?—Yes; it was opposite.

28,170. (*Mr. Anstey.*) You told us that the person who took off your hat was so struck that he said to you, "Captain Sully, I thought you were a respectable man," and you said, "So I am"?—Not the person who did that. Mr. Watson took off my sou'-wester. It was Mr. Ruscombe Poole, the father of Mr. Gabriel Poole, who said that.

28,171. And you went there on one of your party saying, "Mr. Bowen's house is on fire"?—No; I was with two other men.

28,172. You told me he said so, and I asked you at once, "Were those words words of signal"?—If you will refer to my evidence you will find it was not one of my party.

28,173. I asked you, and you said, "the other two"?—The men I was with were two Liberals, out for the night.

28,174. When you stated you heard the man call out, "By God, Bowen's house is on fire," showing pretty well what he expected to be the case, I asked you whether that man was one of your party, a Liberal, and your answer was, "Yes, and so were the other two." And then I asked you, naturally, "were those words a signal"? And you said, "I was not in the secret, or not aware that was the case."—I think you will find that a mistake; if you refer to the notes of evidence you will find this to be the case. I said, "While near the bridge with Headford and "Manning, who were out with me for the night, it "was after 12 o'clock, we were standing by the corner "of the bridge when a man passed on in an excited "manner, and said, 'By God, Bowen's house is on fire,' and I immediately said, 'Well, if it is the greatest enemy I had I would go and help to put it out,'" and we went there. It has been proved in evidence."

28,175. (*Mr. Price.*) It has been proved in evidence that the men who were the leaders of it were men disguised as yourself. You disguise yourself, and I should have thought that a good Christian would have gone unmistakeably as Captain Sully, that all the world could see?—So he did. At that time seamen, captains of vessels, more frequently wore their sou'-westers than now.

28,176. You went to get it; you were in another dress at the time, and if you had been a good Samaritan going to put out a neighbour's fire you would have gone as Captain Sully, hoping that your influence would put it down; but you went to your cabin, and put on these garments, so as not to be known, and you would not have been known if your hat had not been pulled off?—I beg your pardon. The front brim of my sou'-wester is no broader than an ordinary hat, but I had not the flaps down, as I stated.

28,177. (*Mr. Coleridge.*) You had flaps to it?—I had flaps to it, but they were inside.

28,178. ((*Mr. Anstey.*) Did the justices hear the explanation which you have now been giving?—No; there was no evidence given for my defence.

28,172. Did the justices who committed the case for trial here in Bridgwater hear your explanation of the case?—I am glad you ask me that question.

28,180. Did you tell the justices?—My mouth was closed.

28,181. Did you give the explanation which you give to-day?—They would not hear me.

28,182. Did you give the explanation?—I commenced doing so, but they stopped me. I was about also to cross-examine Thomas Watson before the magistrates, and they would not allow me.

28,183. (*Mr. Coleridge.*) Were you tried at Wells or at Taunton?—At Wells.

28,184. Had you witnesses to call, if, in the discretion of your counsel, they thought fit to call them?—I had ten witnesses there.

28,185. Who was your counsel?—Mr. Serjeant Kinglake. He was not serjeant then.

28,186. And he, in his discretion, thought it best not to call them?—I was going to observe, that there was no need of it, if you will allow me to say it. The witnesses for the prosecution, each one, swore that they saw me between 12 and 1 o'clock in the morning in Fryern Street, that they had not seen me on Mr. Bowen's premises before the riot, at the time of the riot, or after the riot, upon the counsel for the defence cross-examining them.

28,187. (*Mr. Coleridge.*) Have you the newspaper account of the trial?—No, unfortunately, I have not. I have searched but cannot find one.

28,188. (*Mr. Anstey.*) Was it reported in the newspapers that your name had so appeared?—Yes.

28,189. Was the "Alfred" one of those papers, for I have searched through the Alfred, and can find nothing?—I should think it was not to be found there.

28,190. Why not?—Because that was the Conservative side, and anything favourable they would hardly publish.

28,191. But they have published everything favourable to almost all the accused?—If you will kindly allow me to say, with reference to that trial, I knew before the jury retired from the box that I was acquitted.

28,192. No doubt you knew it the night before; very likely you slept in the same room with one of them?—Hardly, after the evidence I gave the last time on my solemn oath; hardly, I think.

28,193. (*Mr. Anstey.*) You do not know, possibly, that, unless you had tampered with them?—You have not heard me out.

28,194. (*Mr. Price.*) You told us that you knew nothing?—Allow me to finish my sentence. I said, "I knew I was aquitted before the jury left the jury box, and for this reason, the chairman, in charging the jury, and recapitulating the evidence against the individuals, called their attention to the fact that, among the accused, or among the defendants, there

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were men who had not been there at the time of the riot, had not seen the riot, and therefore, of course, would return a verdict immediately."

28,195. You swear that?—On my oath. I remember I am on my oath.

28,196. (*Mr. Anstey.*) Then I will read in extenso a report of what the chairman is said to have said in summing up to the jury. I read that not only to one of the opposite party, who was present merely as one of the audience, but to one of your fellow-accused, Mr. Carter Reeves, and asked him, "Is that what the chairman said"? To which he said "Yes." Now, it is there stated that the only two persons as to whom the Right Hon. Henry Hobhouse thought the jury might be inclined to make some distinction on account of youth, or other circumstances, were the two Vearnecombes, but added, "that will be for you, gentlemen, to say." And the only other distinction that he took between one class of prisoner and the other was, that at the end when he said, "You will remember, gentlemen, as to 20 of the 37 there can be no doubt at all; they have not called any evidence." Now, do you still persist in stating that the chairman on that occasion said, "that a great number were proved to be not there at all"?—Certainly; most decidedly.

28,197. Did you see the chairman throw himself back and express astonishment as name after name of the acquitted was read over?—He was surprised, because I expected John Cooze and the others who got into the house would be punished, as deservedly they ought to have been.

28,198. You were out on bail?—I was out on bail.

28,199. Some were in prison?—I do not know.

28,200. Where you present the night before as one of those in any room where the jury were drinking?—No.

28,201. Did you the next night after the verdict meet them?—No; I got my witnesses together, and went home as soon as I could.

28,202. You challenged the accuracy of my statement of what you swore on a former occasion. It devolves on me to point out that the inaccuracy lies with you, and not with me. You were asked by the Chief Commissioner about your disguise, and so on, and then you go on to state this: "I met with Man-
" ning and Captain Headford, and told them what I
" had heard, and resolved that we would not go near
" Mr. Bowen's house, because we thought it was a joke,
" with the view of throwing our men off their guard,
" therefore we would watch in other parts of the town."
You see this was before twelve?—No; after 12.

28,203. You say you heard of the riot, as we call it, and as it certainly was, before you went up there?—Oh yes.

28,204. Then you went about watching in other parts of the town?—Yes, sure.

28,205. And I suppose one part, where you yourself were watching, was the part you have spoken of close to the Congregational Chapel?—No; we went up there in consequence of the report of the house on fire.

28,206. "Therefore, we would watch in other
" parts of the town. We did so, and at 12 o'clock,—I
" think it was past 12,—and we were in the 'Castle
" Inn' at the corner of the bridge, a man passed on,
" and said, with an oath, to Headford, 'By God,
" Headford, Bowen's house is on fire.' Well, I said,
" if it is the greatest enemy I have I will go and help
" to put it out, and though we have not been up, let
" us go and see." Here, I see, the shorthand writer erroneously attributes the next question to the Chief Commissioner, but I put it, "Was that man one of your party?" And your answer was, "Yes, both of them"?—Just so.

28,207. Then I went on to say, "Was that a signal?" And you answer by asking a question, "What?" And I ask again, "Those words, 'By God, Headford, Mr. Bowen's house is on fire'?" And you answer is, "I believed it was a truthful statement on the part of the man, and that induced me to go up there"?—I abide by that.

28,208. Then I have correctly stated the effect to you?—Quite, and the two persons I refer to there of our party were Manning and Headford.

28,209. How could that be? You said, a man passed, and said the house was on fire; and I asked, "Was that man one of your party?"—Then I mistook the question.

28,210. (*Mr. Anstey.*) You might just as well have thought it was Mr. Gladstone, whose name has been taken so much in vain by you and others.

(*Mr. Coleridge.*) Am I to understand you to say now that you were not present at all at the riots, for which you were all indicted?—Certainly not.

28,211. Then how long after the riot, for which you were all indicted, were you on the scene of action at all?—Rather over two hours, I should think.

28,212. (*Mr. Price.*) What were the mob doing when you got there?—They were doing nothing. There were there constables and other men; the row was over when we got there.

28,213. Then why did they take off your sou'-wester, and say, "I thought you were a respectable man"?—I cannot answer. We were going on, and we never stopped.

28,214. How is it that the leaders of the party wore sou'-westers, and you happened at that unlucky moment to put on the same dress?—Which I sent for in the morning, intending to be out at night, and which I always wore at night.

28,215. (*Mr. Coleridge.*) In the morning?—In the morning.

28,216. I understood you sent for it afterwards?—No; I had it home.

28,217. (*Mr. Price.*) But you had been out up to 12 o'clock without your sou'-wester?—No; I put it on at seven o'clock.

28,218. Had you it on when Manning and Headford were there?—Yes; when I joined Headford and Manning it was about seven in the evening. I wore it for the night, and I had witnesses at Wells to prove that they had seen me frequently to wear it, both on board and on shore.

28,219. (*Mr. Coleridge.*) Had you witnesses to prove that you were not at the scene of the riot?—I had witnesses, those two and another; but those two were with me from between seven and eight in the evening until six the next morning.

28,220. (*Mr. Anstey.*) And they were prepared to swear, were they, that there was no riot, only an amusement or practical joke, at which you were not present?

(*Mr. Price.*) The question was put to you, "You
" are quite sure you were not present. First of all,
" were you any participant in that riot?—There was no
" riot. In that amusement, or whatever you like to
" call it." Then I say, "Practical joke?—I was not
" present. (*Mr. Anstey.*) Were you present?—No.
" Do you mean to say you have not been reported in the
" town to have been?—Very likely." Now, let me draw your attention to what you say here, and I will ask any man who hears this whether he could draw any other conclusion than that you prepared your sou'-wester to go up to Mr. Bowen's. "It was a very
" common thing on the night preceding the election for
" men to remain up all night, and walk about the town,
" and some of them disguised. At that time I went to
" sea. I was spending the evening with the late Mr.
" Helyar in Eastover, and about nine o'clock a message
" was sent to me that the Tories where bribing at
" Mr. Bowen's. I resolved then to sit up for the night,
" and I sent for one of my men and requested him to
" go aboard and bring my sea clothes." You afterwards hear that there is a row at Mr. Bowen's, and the men were there in sea clothes; and I ask whether any man would come to any other conclusion than that you prepared yourself?—I am thankful, Sir, to say that you are in error.

28,221. There is your evidence?—I heard of the riot about ten.

28,222. (*Mr. Coleridge.*) When did you hear of the bribery? Was it nine in the morning or in the evening?—Early in the evening; nine in the evening.

28,223. Then it was not until after that that you sent for your sea clothes?—That is a mistake; my clothes were sent for in the morning, and were at my house.

28,224. (*Mr. Price.*) Now listen. "I then about "nine o'clock heard that the Tories were bribing "at Mr. Bowen's. I resolved then to sit up for the "night, and I sent one of my men and requested "him to go aboard and bring my sea clothes."

(*Mr. Coleridge.*) Now you say you sent in the morning for them.

(*Mr. Price.*) And the men at the riot were in sou'-westers and pea jackets, and the moment you hear of the row you go like a good Samaritan to put it out?—No; I did not go for more than two hours after that, and then I went, and there was evidence given before the trial—it was circulated generally throughout the town—many witnesses gave evidence to the same effect, that that report was circulated that the house was on fire.

28,225. (*Mr. Anstey.*) Since you were examined here we have heard about the bribing the jury. Did you subscribe any money, either during the trial or after the trial, or give any one anything whatever, for the purpose of corrupting the jury, or recouping those who had corrupted them?—Such a thing never entered my thoughts.

28,226. (*Mr. Coleridge.*) What did the defence cost you altogether?—I paid Mr. Benjamin Lovibond 10*l.*, which he supposed to be my share towards the legal expenses.

28,227. What was the whole expense of the defence?—The expense of my witnesses cost me about 6*l.* or 7*l.*

28,228. (*Mr. Anstey.*) How much more did you pay after that?—Nothing more.

28,229. Not to Mr. Lovibond?—Nor to anyone else, sir.

28,230. (*Mr. Coleridge.*) There were 37 persons; all paid the same?—No; some were in a humble position.

28,231. What did the whole cost of that defence come to?—I never heard. There was a question asked one of the witnesses as to my position at that time. I should be pleased to tell you. At that time I held a quarter of a little trading vessel, I was master of a quarter of another vessel, and had an interest in a couple of houses, together with my furniture. I was possessed of about 500*l.* or 600*l.* at that time.

28,232. (*Mr. Anstey.*) Did you hear of any person in the borough of more property than yourself contributing towards expenses either at the trial or the acquittal?—I did not.

28,233. You did not hear that as much as 400*l.* or 500*l.* were given to buy the jury?—Well, I heard some report of the sort, and told you the other day. I heard all sorts of reports, but never believed it.

28,234. (*Mr. Coleridge.*) Were there any Bridgwater men on the jury?—No; they were yeomen; and they were very particular in selecting the jury.

28,235. (*Mr. Price.*) Do you mean to say, having been so deeply interested in this matter, you were not perfectly aware,—I am not asking about all kinds of rumours, but were you not perfectly aware,—that the jury had been got at?—Certainly not. I was surprised that the jury should have returned such a verdict as to those men proved to be in the house.

28,236. (*Mr. Anstey.*) Had you any doubt that they were corrupted?—I had not any idea at all. I cannot say. How should I?

28,237. (*Mr. Coleridge.*) When was the trial at Taunton for the conspiracy?—It was before.

28,238. Were they acquitted?—They were acquitted. There was the late Mr. Spiller, Mr. Jessy, Mr. Hodge, and I think Mr. Bussell, the man you had before you.

28,239. (*Mr. Price.*) You called it a practical joke, or rather adopted and said it was not a riot. Do you mean to say now, considering that Mr. Bowen was nearly beaten to death, that you call that amusement or practical joke?—Certainly not; it was a most abominable attack.

28,240. You told us the other day, before we heard the history of the transaction, that it was a practical joke, that he had been at a randying meeting, and it was a sort of thing that might happen at any election, one of those hustlings, and that was the impression you left on my mind. Now we find that the man was nearly beaten to death?—I kept back nothing. I did not know until I heard the evidence of Mr. Poole.

28,241. You had no business to keep back anything?—I did not. I considered it a gross assault, and the man ought to be punished who did it.

28,242. (*Mr. Anstey.*) But you saw Mr. Bowen in that dreadful state for days afterwards?—Certainly not. I never saw him afterwards until at Wells giving his evidence.

28,243. Now do not confound two things. I am not talking of Wells; but almost immediately after this base and cowardly attempt to murder him that it appears to have been you saw him before the justices who committed the case for trial?—No.

28,244. But he was examined before them?—Very likely. I was not here. My vessel was loading a general cargo, and had to go away two days after this happened, and I took the precaution, having been summoned, to go to the late John Hoare, the harbour master, and tell him that inasmuch as my vessel had a valuable cargo in it, and I had to deliver it, I could not by possibility attend this summons before the magistrates, and I asked him, as a favor, kindly to attend the court, and explain the fact to them, and state to them that on my return I should be happy to appear before them.

28,245. (*Mr. Coleridge.*) You would be obliged to; it was not a matter of happiness?—He did so; and they issued immediately the warrant for my apprehension.

28,246. (*Mr. Anstey.*) In other words, you took on yourself to disobey a summons, and they, as they were bound to, issued a warrant?—I thought they would hardly examine the whole of the witnesses before I returned. I was only a few days away; not a week.

28,247. Were you apprehended?—I was bailed.

28,248. Were you apprehended under that warrant, and brought before the justices?—No; I will tell you. I came up in the vessel on Saturday afternoon. My late brother heard that I was going up, and went and saw the mayor at the time, and he said, "Let your "brother remain out; the constables shall not put him "in prison until Monday, on the faith of your promise "that he shall appear," and the constables did not give me the warrant until I was here on the Monday morning.

28,249. (*Mr. Anstey.*) Did you see Mr. Bowen in court?—No; it was in the grand jury room.

28,250. Did you in the grand jury room or in the petty jury room see Mr. Bowen?—He was not there.

28,251. Did you see him on your return that day?—No.

28,252. You swear that, do you?—I do.

28,253. And you had not heard the man had nearly lost the sight of his eye?—Not until I heard the evidence of Mr. Poole.

28,254. (*Mr. Price.*) Was not that evidence given at the trial?—I heard there was fighting.

28,255. Was not that evidence given at the trial?—I heard that he was assaulted, but not that he was struck in the eye.

28,256. (*Mr. Anstey.*) I read it myself not two days ago?—I do not rember it.

28,257. Do you mean to say 37 years ago you never heard of the blow across his eye, until Mr. Poole stated it the other day?—I heard he was struck.

28,258. But about the eye?—No; I do not remember that.

28,259. (*Mr. Price.*) Let me read this question and answer of yours, and then I will ask you whether you

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think it an ingenuous answer. Remember we were in the dark to a great extent about this riot and the part you took in it; therefore you had us entirely at your mercy. "Do you mean to say that on that night "during the row the person who came to you did "not immediately come to you and take off some-"thing which you had on your face or body which "covered you or disguised you, and so revealed your "identity to all the people around." I paused there. We now know that you had a sou'-wester and pea jacket on?—Yes.

28,260. And we now know that the man who came up took your sou'-wester off, revealed you, proclaimed your identity, and said, "I thought you were a respectable man," and this is your answer, "I was not secreted, therefore I know nothing of it." Is that an ingenuous answer?—No; I said I was not disguised.

28,261. I have it here. "I knew nothing of it." You knew nothing of the man coming up and taking your hat off?—No.

28,262. Let me read the question. "Do you mean "to say that day or that night during the row, the "person who came to you did not immediately come "to you, and take off something which you had on "your face or body which covered you or disguised "you, and so revealed your identity to all the people "around." I suppose the sou'-wester was on your head, and that is the way you answer, "I know nothing of it"?—I know nothing of the riot; of the fact that the man took my hat off.

28,263. "'Disguised,' I said.—"Nor disguised."—Then tell us what happened. You go on to tell us, and never mentioned one word about this man coming up, and saying, 'Captain Sully, I thought you were a respectable man'"?—Have not I said that Mr. Watson took my sou'-wester off.

28,264. (*Mr. Anstey.*) No, not until afterwards, and under a degree of pressing?—My dear sir, I have no need of pressing.

28,265. Which a deacon of a chapel ought not to require?—I had nothing to conceal, and did not intend to. There was no reason to conceal anything.

28,266. I see I was right, that you did call it a lark. Here are your own words. You said just now that you did not, in answering the Chief Commissioner; but Mr. Coleridge interposed a question to explain, and got the name of the doctor, and you say, "Oh, Doctor Toogood," and he said, "Well, he said, 'Mr. Sully, I am going home with you,' and as we went home,"—This was after 12 o'clock?—Yes, sure.

28,267. "I heard from him what had taken place "during the evening at this place. There was no "riot there, and not a pane of glass was broken; but "it seems that while some low fellows were randying "at some low public houses, Mr. Bowen being absent, "presiding at a meeting, they thought they would "have a lark, and get into his house, and sit down in "the kitchen, and some smoked a pipe there; but "there was no riot that I could hear of. At all "events, I was among 36 others," which made it necessary for me to say, "You do not mean to say "that was with Mr. Bowen's consent. Certainly not; "they took advantage of Mr. Bowen's absence. "Therefore, the men must have forced their way. "Certainly, no doubt." You see that is near the end of your examination, and you did not say a word about Mr. Watson and Mr. Ruscombe Poole, until, I said a few minutes, but I believe it was half an hour afterwards, when you most reluctantly allowed us to extort it from you, having previously told us that you knew nothing about it?—I am sorry you should have such an impression. I did not intend to. All I can say is, that I gave my evidence at a time I was suffering great pain. I ought not to have been here. I came earlier than I otherwise should, lest you should be subjected to any inconvenience, but I had no idea more than now of concealing anything.

28,268. You do not call it a lark now?—Certainly not; I cannot after the evidence which has been given.

28,269. (*Mr. Coleridge.*) What was the object of ever saying it was a lark I cannot see. 37 years ago, if you had said it was a regular riot, and you were young, one could understand it?—I had no recollection of the nature of it.

28,270. (*Mr. Anstey.*) You admit that Mr. Toogood, the old doctor, told you it would be an act of kindness to take you home?—No; I agreed to take him home, which I did.

28,271. Then I do not know whether the mistake is with you or with the shorthand writer. "Well," Mr. Toogood said to me, "Well, Mr. Sully, what do you do there? It would be an act of kindness to take you home?"—No, I said, "I will go home with you, and I will take you home."

28,272. My impression agrees with what is here?—Then if I stated that, it is another proof of the state I was in when I gave my evidence.

28,273. Because Mr. Coleridge says, "Was that the old doctor?—Old Dr. Toogood." And then you give the conversation. "'Well,' he said, 'Mr. Sully, I am going home with you,'" et cetera, which I said just now. Did he say it would be an act of kindness?—No.

28,274. You see what position you put yourself in by this mode of paltering with the truth. Now about the man, James Luckes, did you tell Bussell to telegraph to him to Cardiff, the man who had a vote for the first time the last election?—I had no recollection of it. Bussell came to me about elections, when I have been home, to inquire of me where our vessels were, to send to the men, and he may possibly have done so on this occasion. I do not remember.

28,275. Do you remember your telling him that James Luckes and Meaker were both at Cardiff?—No; I did not know this man Luckes, and I did not know he had a vote, therefore I could not have told him that, it is not possible.

28,276. Did you tell James Luckes to look after Meaker?—No.

28,277. Did you send a telegram in these words, "Mind Meaker"?—No, certainly not, because I did not know the man.

28,278. Then Bussell says he did not know which way the men were going to vote, except that they were in your employ, and that you being a Liberal these men would probably vote for the Liberal candidate; is that so?—I do not at all know; all I know is that I did not interfere with the men.

28,279. Did you give Bussell general instructions to get up all persons in your employment?—No.

28,280. All captains?—No; he asked me where they were.

28,281. (*Mr. Price.*) Why did you say Luckes was at Cardiff?—I did not; I did not know the man.

28,282. (*Mr. Anstey.*) Then you contradict him?—There must be a mistake. I do not think Bussell would tell an untruth knowingly, but I never knew the man until I saw him in the box.

28,283. Can you explain to me this fact, for it is a fact, that James Luckes, being at Cardiff, and not here, never having voted before, and thereby furnished any evidence of what his politics were, was telegraphed to by Mr. Bussell, not only to himself, but to bring another captain in your employment, that is, to "Mind Meaker." Can you explain that in any way?—Not at all; I do not know what Bussell's movements were.

28,284. The point I draw your attention to is this, you say you did not canvass?—No.

28,285. Bussell says he did not?—I canvassed down Eastover, but not my men.

28,286. Did you canvass Luckes?—No, I did not know the man; I canvassed generally.

28,287. You say you did not canvass these two men. Bussell says that he did not canvass these two men, or at least not James Luckes. You say you gave Bussell no instructions to telegraph to either. Bussell says he did telegraph to one, and told him to mind the other. Being asked what means he had of knowing that James Luckes was on the other side, his answer is only that they were in Mr. Wood Sully's employment. Being asked then, "Do all Mr. Wood Sully's

men vote as he votes?" He said on that nearly all were Liberals, but a few were not. Then I asked him, "How did you know that James Luckes was not one of the Conservatives instead of being one of the Liberals; and then his answer is, "You had better ask Mr. Wood Sully; he can explain that." How can you explain it?—Certainly not, because I did not know the man.

28,288. Have you the smallest doubt that there is not a single man in your employment who dares to vote contrary to your wishes?—Certainly.

28,289. (*Mr. Price.*) Have you one?—I do not know; I do not know how the men voted.

28,290. Did you never mention Luckes name to Bussell?—Certainly not. I could not have done so, because I did not know the man.

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H. C. Bussell recalled.

H. C. Bussell.

28,291. (*Mr. Price.*) Tell us what I understood you to say about this?—I think I will refresh Mr. Sully's memory, perhaps, and perhaps he will recollect it. The fact is there was a good deal of excitement at the time, and he might have forgotten it. I met Mr. Sully on the morning of the nomination, and Mr. Sully says there was one of his captains over at Cardiff, which was Luckes. I suggested to Mr. Sully they should telegraph themselves, and Mr. Sully said his son could do it, only he was home, and we had better not lose any time, I had better do it, and then Mr. Sully said to me, "Telegraph over to Luckes." You might recollect that circumstance now.

Mr. James Wood Sully recalled.

Mr. J. W. Sully.

(*The witness.*) Yes; that is Captain Luckes; not the Luckes of the "Carry Winch." I thought you were referring to the man on the "Carry Winch."

28,292. (*Mr. Anstey.*) I asked you James Luckes over and over again?—I beg your pardon; that is a mistake.

28,293. No one can doubt that your answers are perfectly false?—I regret you should think so.

28,294. (*Mr. Price.*) It was said over and over again one of your captains at Cardiff?—I regret that you should put such a construction.

H. C. Bussell recalled.

H. C. Bussell.

(*The witness.*) I should like to finish. As far as Meaker is concerned, Mr. Sully never said a word to me, but with regard to all his people you will find on the list there is a certain number of his people voted Conservative.

Mr. J. W. Sully recalled.

Mr. J. W. Sully.

28,295. (*Mr. Price.*) Then it does turn out; I put it so distinctly that a child might have understood it; I said, "Now let there be no mistake about, did you mention the name of Luckes in any way whatever to Bussell?" And you said, "Certainly not"; and the only Luckes who had been spoken of was one of your captains. How could anybody believe you could be under any misapprehension as to identity?—I had no recollection of it, and can hardly call it to mind now, though I do not at all doubt Bussell's word.

28,296. Why say, "Certainly not," to carry conviction to our mind that the whole thing is perfectly impossible? "Certainly not," you said, in a most deliberate tone. Why not say, "I cannot remember"?—Because my mind was reverting to the man Luckes, the mate of the "Carry Winch."

28,297. (*Mr. Anstey.*) You could not have thought anything of the sort?—Very good.

28,298. You knew well James Luckes had been examined here since your last examination, and that Bussell had been examined with reference to his evidence?—I have two Luckes in my employ, but I do not know which is James Luckes, or which vessel he is in.

28,299. You know that two persons were examined on this very point since your examination on this question about Meaker?—Well, I do not remember reading it.

28,300. Had you any conversation with Bussell about it?—No.

28,301. Have not you seen it in the papers?—It has been read to me, but I do not recollect it.

28,302. It is a most important point, and very strange, that in a question whether or not your house or yourself exercised what to me is a worse form of corrupt practice than bribery, that is undue influence over men who live by their daily bread, that you should have thought the point was so unimportant that you could afford to forget it.

(*Mr. Price.*) We had it in evidence beyond all question that the employers' influence here is of such a kind, or their supposed influence, that it interferes practically with the independent exercise of the franchise, and I have not the slightest doubt in my mind, as was said by Mr. Trevor yesterday, if the tables could be turned, and all the employers were to become Tories, it would be as much Tory as it is now Liberal.

(*Mr. Anstey.*) And he went further, and said, that though he was opposed to the ballot himself, if they had it here now, most of the great Liberal houses, yourself amongst others, would vote Conservative?—I can only repeat what I said before, that I never influenced men in my life.

28,303. (*Mr. Price.*) Coles is going to be called. I do not know whether you will care to hear what his evidence is?—Yes; but allow me to refer to his statement in reference to Mr. Justice Byles' remarks upon his evidence at the trial at Taunton. I should say that no witness for the defence was called; had they done so his evidence and the other witnesses for the prosecution's evidence would have been contradicted on very material points.

28,304. (*Mr. Coleridge.*) You are aware that counsel in their discretion did their best?—Sir John Coleridge, now the Solicitor General, argued that, and his lordship thought it was a privilege, and he depended on it, therefore he did not call any witnesses.

28,305. (*Mr. Anstey.*) How could that be Serjeant Coleridge?—He was Queen's counsel, and counsel for the defence.

28,306. You mean the trial at Taunton?—The trial at Taunton.

28,307. (*Mr. Price.*) You mean in the matter of Coles?—Yes; we are referring to Coles and the judge ruled otherwise, and the jury had only the evidence for the prosecution to guide them.

28,308. (*Mr. Coleridge.*) I suppose Sir John Kars-

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lake was for the plaintiffs?—I forget who was for the prosecution.

28,309. (*Mr. Price.*) We can understand that perfectly well, and no doubt the present Solicitor General exercised a very wise discretion in not calling witnesses?—May I refer one moment to the evidence of Mr. Salmon in connection with the man Luckes, whom I was referring to just now.

28,310. Which?—Luckes, the mate in the "Carey Winch."

28,311. William Luckes?—I forget. I see Luckes is in court. He was asked, "Do you recollect who "were the magistrates on the bench when the second "summons was tried, and the captain was fined?" I said before I never saw so strong a muster of Tory magistrates as on that occasion. He stated to you that there was Mr. Ritson, Conservative, the Mayor, Liberal, Mr. Hammill, and Mr. Axford, and himself, and then it was stated by one of the gentlemen of the court, two Liberals and three Conservatives, and he said, "Yes."

28,312. (*Mr. Anstey.*) You are mistaken altogether. He said these gentlemen you named, including, I suppose, your relation the mayor, were present on the bench when the first summons came on. I recollect afterwards I had forgotten to ask him, and so had my brother Commissioners, whether the same justices were on the bench the following Monday when the second penalty came on. What he said was with regard to the first occasion?—I am glad I stated it, because it gives an opportunity of being corrected; but I was at Sydney when the first trial took place, but I was at home on the second, and I believe it will be found, in addition to those names, Mr. Joseph Richard was present.

28,313. (*Mr. Coleridge.*) Do you live here or at Sydney?—I am a good deal at Sydney. The details of business here I am not aware of, but I am acquainted with the larger business at Sydney. For many years I have left it here to my cashier and clerk Bounceall, and the last two years to my third son, and therefore I only know the names of some of my captains.

28,314. (*Mr. Price.*) You see you are the most unfortunate man who ever got into a witness box, because you leave such an impression on the minds of those who hear what you say that it afterwards has to be removed with great trouble. I understood you to say: when Luckes was brought up there was such a muster of Conservative magistrates as was never seen, but it turns out what you meant to say was, that when Luckes was first brought up there was no muster, no whip of the Conservative magistrates at all, there were three to two; but on another occasion, some days afterwards, when the question of the penalties was taken up, there was a large muster?—I could not have intended to say that, because, as I have said before, and as I have stated in evidence, I was at Sydney.

28,315. Then you should not have left us under that impression. We were inquiring about the first accusation; that was the material one?—I regret I should have given my evidence in the state of health I was in, and if I did that was another reason.

(*Mr. Price.*) It requires some excuse, and we are willing to accept that.

28,316. (*Mr. Anstey.*) I will give you another opportunity of correcting another inaccuracy which appears in your evidence to-day. You volunteered information which we did not want you to give us, calling attention to what took place that the defendants or prisoners at Taunton in the riot were acquitted?—The conspirators.

28,317. Yes?—Yes, sure.

28,318. That is literally true, but as it implies an inaccuracy which others will probably be deceived by, I will ask you, do you mean to say they were acquitted of the riot?—The riot was not tried; it was the conspiracy; they were tried afterwards at Wells.

28,319. Therefore, nobody was acquitted by a jury of the county of the riot at the Taunton assizes?—Oh dear no; it was not tried.

28,320. And you were probably present at the trial?—Yes.

21,321. You probably heard Mr. Serjeant Coleridge, afterwards one of the judges of Her Majesty's Court of Queen's Bench, who defended the alleged conspirators on that occasion, tell the court and the jury both, for it went to the jury after all, that the evidence in his opinion, if true, made out the riot and assault, but was insufficient to make out the conspiracy?—Very probably he did say so.

21,322. And that the judge put it so to the jury, and told them they were not to consider whether a riot or assault had been committed, or no, but whether there had been a conspiracy to commit a riot, and whether the prisoners at the bar were guilty of that conspiracy?—That was the only thing tried at Taunton; it was before the trial at Wells.

(*Mr. Price.*) Now you may stand down, and we will hear Mr. Coles.

ROBERT COLES sworn.

R. Coles.

28,323. (*Mr. Price.*) What are you?—A sawyer.

28,324. Who do you work for?—Mr. James Harwood.

28,325. Were you a voter at the last election?—I was.

28,326. How did you vote?—For Westropp and Gray.

28,327. Did you get anything for it?—I did not.

28,328. Or any promise?—Never a promise.

28,329. (*Mr. Coleridge.*) Or any expenses whatever?—No expenses.

28,330. (*Mr. Price.*) Did you vote at the election of Mr. Vanderbyl in 1866?—The election before? Yes, I did.

28,331. How did you vote then?—For Patton.

28,332. Did you get anything then?—Yes, I did.

28,333. How much?—10*l.*

28,334. Who from?—Frederick Jarman.

28,335. Did you vote at the other election of Mr. Patton, the other in the earlier part of the same year?—I did.

28,336. You voted for Patton then?—I did.

28,337. Did you get anything?—Yes.

28,338. What?—10*l.*

28,339. Who from?—From a hand. I did not see the owner of the hand.

28,340. At the "Bull and Butcher"?—No.

28,341. Where?—At the "Golden Lion."

28,342. Did you vote at the election of 1865?—Is that Westropp's election?

28,343. Yes?—I did.

28,344. How did you vote then?—For Mr. Westropp.

28,345. How much did you get?—10*l.*

28,346. From whom?—I do not know the party I had it from.

28,347. A stranger to you?—Yes, a stranger to me.

28,348. Do you mean quite a stranger to you?—I saw his back. I did not see his face.

28,349. Where did you get it?—At the "Golden Lion."

28,350. You only saw his back?—I only saw his back.

28,351. Was it in a room, or how?—In a room.

28,352. (*Mr. Coleridge.*) Was he a tall or a short man?—He was a tall man. He was looking out of the window, with the blind down.

28,353. (*Mr. Price.*) Tell us how you saw his back?—As if this was the window (*describing*), he was looking at the window, and I walked out behind him, and I believe he said, "The name."

28,354. Your name ?—I believe he said "name," or something, and I said, "Coles." He put his hand behind, there was a table opposite, and put down two pieces of paper.

28,355. He was looking out the window all the time ?—Looking out the window. I did not see his face at all.

28,356. (*Mr. Anstey.*) Could you recognise his face ?—I did not.

28,357. (*Mr. Price.*) Was his head out of the window ?—No ; it was very gloomy ; the blind was down.

28,358. Was his face hidden ?—I did not see it. I did not stop for a moment. He put this down on the table, and I took it off the table ; he put his hand back. I did not see his face.

28,359. Did you go to London on the petition ?—I did.

28,360. (*Mr. Anstey.*) Did you take any money from the other side at that election ?—No.

28,361. Was any offered you ?—Before the election I was offered if I would vote that side they would get me some.

28,362. How much was offered you ?—I was to name what I wanted, and they would get it for me.

28,363. Who ?—Chapman Bussell.

28,364. Was that after Mr. Westropp had got your promise to vote for him ?—It was after Mr. Westropp called at my house.

28,365. Did Bussell know you had promised Mr. Westropp ?—He did, because I told him so.

28,366. I may as well ask you at either of the subsequent elections,—you have described the two elections of 1866, and the last election,—did the Liberals offer you any money ?—Since Westropp's election ?

28,367. Since the election of 1865 ; there have been three ?—No ; never been near me to ask me to vote for them.

28,368. (*Mr. Coleridge.*) How many elections were you paid by both sides ?—I was never paid on the Liberal side in my life.

28,369. You never got any money from the Liberals at all ?—Never in my life. I was never tampered with, but that once, when Bussell tampered with me after he saw me talking to Mr. Westropp.

28,370. (*Mr. Price.*) Did you go to London on the petition in 1866 ?—I did.

28,371. And you were examined there ?—I was.

28,372. And was what you stated there as to your own movements at the "Golden Lion" true ?—It was, as far as lay in my power to answer them.

28,373. What was the mistake you made ?—Well, as regards the names that were there, I could not give an answer then, and if I had been asked a day or two after the time I might, but after so many months I could not distinctly, if I had I would have sworn false.

28,374. With the exception of the names of the persons, is there anything else you swore false in ?—Not to my knowledge.

28,375. (*Mr. Coleridge.*) What names did you mention ?—My son's name.

28,376. (*Mr. Price.*) You did not give any names. I see it was your son ?—If the counsel in cross-examining me had given me time I should have explained respecting my younger son, who was a lad at Backwell's, but before there was time to explain it he said, "Was that the son with you at the 'Golden "Lion ?'" I said it was not. Then again he said, "What son was it ?" And I said, "The one at "Smith's."

28,377. Now tell us what took place ; you were at that time a member of the Baptist Church ?—I was.

28,378. Not merely one of the congregation, but a member ?—I was a member.

28,379. How soon after the petition were you called up and examined about this matter by the pastor and deacons of your church ?—I believe a week after I came home from London. I went to church the following Sunday, and the Wednesday after Mr. James Sully came where I was at work, and I considered then he came, instead of coming as a Christian as he ought, more like a snake in the grass, I should say, because he came, and called me from my work to the other part of the establishment, and said "Mr. Coles, "I want to speak to you," and I went out, and spoke to him. He said, "Would you be kind enough to meet "a few of us at Mr. Perkins',"—he was the minister,— "to night ; we are to have a meeting ?" I said, "I "will be there." It was to be a private meeting.

28,380. (*Mr. Coleridge.*) A sort of social meeting, or a trial ?—He never said what it was for.

28,381. (*Mr. Anstey.*) Did he name about you ?—No, never a breath ; he never named it.

28,382. (*Mr. Price.*) Who is Mr. Perkins ?—The minister.

28,383. You were to meet at Mr. Perkins' ?—At Mr. Perkins' house.

28,384. (*Mr. Coleridge.*) What denomination was his ?—The Baptists. I agreed to go, and we appointed the time at half past six o'clock.

28,385. (*Mr. Price.*) Are you in the habit in the church of having prayer meetings, or anything of that kind ?—At the chapel.

28,386. Not at the minister's house ?—Not at the minister's house.

28,387. (*Mr. Anstey.*) Did you hear that your conduct was in question ?—Not in the least ; not a breath of it.

28,388. (*Mr. Price.*) Did you ask why this hospitality was to be shown to you by the pastor ; why you were invited to be present at this species of tea party ?—I did not. I promised to meet him at half past six o'clock. I found I could not go at that time ; and I sent a boy to Mr. Whitby's, to say I could not be there at the time. I managed to be up there about seven, and I saw Mr. Whitby. He said, "You are "too late ; Mr. Sully has made an appointment, and "if you will fix the time I will write him a note, "and tell him what time you will meet at Mr. Perkins' "house." I said, "I am at liberty now ; I can go at "any time." "Very well," he says ; "say nine "o'clock." "Very well," I says, "at nine o'clock I "will be there." I went away. I suppose he wrote the note to Mr. Sully, but when I went out in the street I saw the woman who looked after the chapel. Her name was Press. I said, "What meeting is this "that is going to take place at the minister's house this "night ?" She says, "Nothing that I am aware of." That was the woman that looked after the cleaning of the chapel. She said, "Nothing that I am aware of." I says, "Mr. Sully has sent down to me to say there "is to be a meeting at the minister's house, but I do "not know anything about it." "Well," she says, "I know nothing of it." I went up to the meeting at nine o'clock, and as I got up to the door, Mr. Whitby and Mr. Sully came up, and they waited till I came up Fryern Place, and they said, "Mr. Coles "is coming." I remember they said that, and we got up to the door, and we went into the house together. Mrs. Perkins came to the door, and we were asked to go into the drawing doom. Mr. Perkins was there, and he had been very ill, and Mrs. Perkins left the room, and Mr. Perkins, I believe, said, "How are you," and shook hands.

28,389. Did he ask you to sit down ?—He did. He said, "I believe you have never been in my house "before." I think those were the words he used. I says, "No, I have not ;" and he says, "I hope this will "not be the last time, but it is a painful circumstance "which you have come here upon now." Well, it startled me ; and I says, "What is the matter ?" "Just sit down," says Mr. Perkins. I sat down, and Mr. Sully began to blare out to me sharp enough. He said, "You have been to London, have not you ?" I says, "I have ;" and he says, "You have been up "there and committed perjury." I says, "Not that I am aware of." "Yes, you have," he says, "I can give you an instance of it." I says, "I have not." Then he began to tell me, "You have been up there, and "swore that the son that was at Mr. Backwell's was "the one who was with you at the 'Golden Lion,' "and you repeated it again and again." He said,

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" that that was the sin. I said, "It is no such thing." And he says, " You can see it in the papers ; " and there was a gentleman who had a conversation " with us to-day, that heard another gentleman say, " that he had been in company with another gentle- " man that was in the court, that he could see by the " colour of your face that you were swearing " false."

28,390. Let us hear that again. Let us have Mr. Sully's idea of the law of evidence ?—Mr. Sully said, there had been a gentleman who had had a conversation with them that day, who said that he had been informed by a gentleman that another gentleman was in the court in London who could see by the colour of my face that I was swearing false.

28,391. That is proof positive, no doubt ?—I said, " I very often have got a red face."

(*Mr. Anstey.*) You were accused upon the evidence of an expert, supported by three-fold hearsay.

28,392. (*Mr. Coleridge.*) At that time you were a Baptist ?—I was.

28,393. What are you now ?—I am a Wesleyan now.

28,394. (*Mr. Price.*) It would be very difficult for you to contradict that ?—Well, I did.

28,395. I do not see how you could ?—I said, " I hope you will not be too harsh." I said, " Wait ; " the blue book will be up ; do not listen to what one " will say, and what another will say, there are so " many lying reports about, without waiting till the " blue books come up. I said that, because these lying " newspapers you cannot place any dependence on, " but wait till you see the books."

28,396. (*Mr. Coleridge.*) Had you seen the blue book ?—Yes.

28,397. You had seen it ?—Yes, I have seen it. I have seen one at home.

28,398. But before that ?—No. I was told the shorthand writer's notes of everything that was said would be published.

28,399. (*Mr. Price.*) What was said to your appeal to justice ?—Then Mr. Sully went on to say, that it had been continually remarked about the town. I said, "I have not heard a breath of it about the " town ; nobody has named that any such thing was " the matter." He says, " Oh yes it has. It has been " proved in the House of Commons that you have " sworn false." I said, " They did not say anything to " me when I was there, and I expect if I had sworn " false that I should have been put in prison." He said, " When the chairman summed up the evidence, he said 'Throw that evidence out ; it is all false.'"

28,400. Did the chairman say that ?—Not a word.

28,401. Did he say it in your presence ?—He did not say it in my presence.

28,403. (*Mr. Coleridge.*) There was no summing-up ?—Every person was turned out when there was a summing-up. I will tell you what the chairman said after I had given my evidence respecting Bussell. He said, " The evidence is quite sufficient ; and now you have got to prove agency." That is what he said to the counsel.

28,403. (*Mr. Price.*) He said, when you had given your evidence, that it was quite sufficient for that purpose, " and now you have to prove agency " ?—Yes, that it was quite sufficient, " and now you have to prove agency."

28,404. Did you tell Mr. Sully that ?—I told him so.

28,405. What did he say ?—I said, " You talk about " my character having been flying about the town. " I have as good a character as you have or ever had, " and I never had a stain on it in my life, and now " you want to stain it for me," just like that ; and I said, " It would be better that neither of us mixed up " in electioneering affairs as we do, because," I said, " you are accounted as being one of the biggest bullies " on the hustings." I told Mr. Sully so to his face. I said, " You will go up from the prayer meeting, and " go to an electioneering party as much as any person." Then after that they told me that I was not to attend on the Sunday. There was a communion in the afternoon. It was a Sacrament Sunday. I consented. I abstained from going there the Sunday, because I was too polluted, I suppose, to mix up with them, as they were so very pure. I said I would stop away.

28,406. (*Mr. Coleridge.*) Have you a wife and children ?—I have.

28,407. Have they turned them out ? I suppose they did not turn them out ?—How do you think ?

28,408. I want to know how far they went ?—No. I have a wife and son who used to attend with me.

28,409. And they both left ?—They both left, and they have not been in the chapel since. Well, I begged them to let it stop over, and they said they would. After that, when I left, I left with the impression that it was going to remain, that nothing was going to be done until the blue book was out, and I wished them " Good night." Well, there was to be a church meeting the Thursday night, which is always a monthly meeting before the ordinance, where they carry on business. My son was going to that church meeting, but I never named it to my son that I had been up before the minister and the deacons.

28,410. Before this star-chamber ?—I did not like to upset his mind about it. Well, he went to the church meeting, and while at the church meeting, the first thing that was brought up, I believe, was respecting me.

28,411. In your absence ?—In my absence. I was not there. Mr. Sully was there, and said, " I am sorry " to see Coles's son here ; I would much rather not " have seen his son here." But what did the Judge say at Taunton ? Why, he said, " If Mr. Coles's son " was there, and be slandered him, what would he " have done if Mr. Coles's son had not been there."

28,412. Quite right. What was done after that ?—Then my son gave his evidence. I cannot say any further than that. I saw Mr. Sully in the market-place the Saturday night after that ; that was before the Sunday, and I begged and entreated—no, I beg your pardon, it was the next morning after the church meeting,—it was decided in the night I was not to be turned out, because one of the members came to my house, and told my missus, " Mr. Coles is not turned " out of the chapel," but the next morning a letter was sent to me.

28,413. Let us look at it ?—If you like to see it, I will hand it to you (*a copy of the letter was handed to the Chief Commissioner*). The letter was sent to me the very next morning after the church meeting, and I have heard Mr. Sully, when I was here present, stating a falsehood. He said he had a copy of the shorthand writer's notes.

28,414. I will just read this letter, so that it may get upon the notes. This is a letter, dated " Bridgwater, 3rd May 1866." Signed, " Joseph Perkins, Pastor. J. W. Sully, and John Whitby, Deacons." This is a copy ?—Yes.

28,415. Did you make it from the original, or who made it ?—It was copied in Mr. Boyle's office, but Mr. Bealy Smith had the original, I believe, or Mr. Veysey had got the original.

28,416. (*Mr. Price.*) Have you the original, Mr. Veysey ?

(*Mr. Veysey.*) I have.

(*Mr. Price.*) Then give it me.

[*The original letter was then handed to the Chief Commissioner.*]

" Dear sir,—Since our interview with you last night, when you denied the charges brought against you, we have obtained a certified copy of the evidence given by you, taken down by the shorthand writer employed. We grieve to find that the case, as stated to you, is most fully confirmed. The deacons have likewise had an interview with the gentleman who was present during the whole time of your examination. He also confirms the report of the shorthand writer, and also states his own feeling, that your evidence was of the worst description. It was to him. A gentleman standing near him said, he could see from your manner that you were stating what you knew to be untrue. Under these painful circumstances, we felt that we could do no other than bring

the matter before the church, who have, this evening, passed a resolution for your expulsion. As we reminded you last night, this step taken by them has nothing to do with your voting one way or the other. It is solely taken on the ground of the character of the evidence given by you before the Committee, which is already the topic of general remark in this town, to the injury of the cause of Christ with which you and we are connected. We most earnestly assure you, that we have taken this step in no spirit of unkindness, but solely as a duty we owe to Christ; and our earnest prayer is, and will be, that God will give you repentance to life eternal, and that you may find peace and pardon again through the blood of Christ, which cleanseth from all sin."

That is signed by "Joseph Perkins, Pastor, J. W. Sully, and John Whitby, Deacons."

(*The witness.*)—Now it has occurred to my mind, that at that meeting, when I was at the minister's house, I told Mr. Sully, "If I had gone up to London "on your side, and swore white was black, you would "have been the very man who would have said, 'Well "done, Coles, I believe you have done right.'"

28,416*a*. What did he say to that?—He says, "You must not think that, because we have nothing to do with electioneering in this;" but I proved that it had been so.

28,417. (*Mr. Anstey.*) I see that they state in that letter, first, that you swore falsely; that you have disposed of. Then the other statement is, that you gave bad evidence?

(*Mr. Price.*) "Of the worst description?"

(*Mr. Anstey.*) "Of the worst description." The evidence you appear to have given, which they so characterised, was evidence that went to convict Bussell, and through Bussell, the Liberals, of having offered you a bribe. Did they say anything to you the night that you were with them, or the next day, about that part of your evidence?—No; they never said anything at all about Bussell.

28,418. Or about your having said that Bussell had offered you a bribe?—No, nothing at all. It was all about my son.

28,419. Then they all confined their remarks to that part of your evidence, where you said that you had several sons, that one went to the grocer's, and the one who went to the "Golden Lion" was in the lawyer's office?—That is the charge against me.

(*Mr. Price.*) That is the most immaterial charge that can possibly be conceived.

28,420. (*Mr. Anstey.*) Then you heard the passage I read from your evidence to-day to Mr. Sully, and there was nothing that you said before the Committee, more or less, than what I read to Mr. Sully to-day, was there?—Nothing more. I did not know that I was going.

28,421. (*Mr. Coleridge.*) Is there any appeal from such a judgment as that which was passed upon you by this precious conclave?—At Taunton?

28,422. (*Mr. Price.*) No. Is there any appeal to any higher body?

(*Mr. Coleridge.*) You were dismissed from the religion to which you belonged?—I was.

28,423. As far as I understand it, you were dismissed from the community?—I was.

28,424. Is there no appeal to any other tribunal than the Mr. Sullys, and those who sat in judgment upon you?—No.

28,425. Is there no appeal to the deacons?—No.

28,426. Is there no appeal to the general congregation of the church?—There is, to all the members of the church. If a person should do a thing that is wrong, the rule of our church was, to call a special church meeting, and then, all the members are directed to attend at that church meeting, and not for any other member of any other church to be there.

28,427. That is only a local meeting?—Yes.

28,428. Is there nothing in the sense of a metropolitan meeting to review that decision?—No.

28,429. (*Mr. Anstey.*) If there were, you would be Presbyterians, and not Congregationalists. The peculiarity of your religion is, that each congregation is independent of the other?—Yes,

28,430. If there was an appeal to any higher body, you would be Presbyterians, and you would cease to be independent?—There is no other body.

28,431. Is it not that which distinguishes you from the Presbyterian body, that the Presbyterians have an appeal from the local body to a higher body, and you have none?—No. There is no appeal except to the members.

28,432. The Presbyterians have an appeal to a higher body, and you have not?—No, we have not.

28,433. But that is the only point of difference between you and them?—We have no appeal.

28,434. I am talking of the difference between the two bodies, the Congregationalists and the Presbyterians?—The Congregationalists have nothing to do with the Baptists.

28,435. The Baptists are Congregationalists?—They do not call the Baptists Congregationalists.

28,436. They do, I think?—They do not here.

21,437. (*Mr. Price.*) You are now a Wesleyan?—I am. I have not joined them. I go there. I attend.

28,438. If you joined a Wesleyan body, and you did anything for which you were reprimanded by the local body in the town here, you would have a power of appeal to the conference, would not you?—I do not understand anything about that. I have not joined them. I do not know how that is.

28,439. (*Mr. Coleridge.*) What I want to know is this. When you were dismissed from the congregation to which you belonged, being of the Baptist denomination, did you consider that final, or was there any superior tribunal to which you might have appealed as against Mr. Sully and his lot?—No, I could not by the Baptist law.

28,440. By the Baptist law, it is local?—Yes.

28,441. The local rules govern the church?—That is all.

28,442. (*Mr. Price.*) Do we understand you to say this, that according to the rules of the society, before you were expelled, you ought to have been heard before the whole meeting of the church?—Before the whole church.

28,443. (*Mr. Anstey.*) And witnesses called?—And witnesses called.

28,444. (*Mr. Price.*) And the thing inquired into properly?—Yes.

28,445. You also told us, as I understand, that you were not expelled at the church meeting held before the communion; is that so?—It was one of the members came to my house, and my son did the same, and said I was not expelled that night, because there was one poor old woman who was hard of hearing, who held up her hand against me; and she was asked afterwards what she held up her hand for, and she did not know.

28,446. (*Mr. Coleridge.*) Were there any deacons present?—There were the two deacons and the minister.

28,447. And one female?—There were eight or nine females there. If the whole church had been there there would be 50 or 60 there.

28,448. (*Mr. Price.*) If they had been summoned in the ordinary way, and the case inquired into, there would have been a large party there?—Yes; the room would have been nearly full. I have seen it so before now.

28,449. Instead of that, this was merely the ordinary church meeting before the communion?—Just so.

28,450. At which you discussed business?—At which we discussed business.

28,451. And at this meeting before the communion, without any notice being given that there was any special business to be transacted, your expulsion was moved?—Yes.

28,452. And seconded and carried?—Yes.

28,453. (*Mr. Coleridge.*) And your son was there accidentally, or else you would not have known anything about it?—Yes.

TWENTY-SEVENTH DAY.

R. Coles.

23 Sept. 1869.

28,454. (*Mr. Anstey.*) Was anything said about bribery at this meeting over-night?—Over-night?

28,455. When you went to the house of Mr. Perkins, did they charge you with being a corrupt person?—I believe almost the first words Mr. Sully said to me were, "You have been to London with dirty hands, as to bribery and perjury."

28,456. Was the accusation made against you specifically?—That was all he said about it.

28,457. Because I find nobody asked you a question in London; of course not in your examination-in-chief; but nobody asked you a question in the cross-examination, as to whether you had been bribed on behalf of Mr. Westropp?—They did not. I was never asked the question.

28,458. Therefore, it is clear that the evidence you gave in London did not refer to your bribery?—Mr. Sully accused me of bribery.

28,459. Did Mr. Sully tell you, or say anything to you, or did anybody there say anything to you, in what way or with respect to what you had gone to London with "dirty hands;" did he, or anybody else, say what he meant by it?—Mr. Sully said so,

28,460. Did he explain to you what he meant by it?—Not till afterwards. He said, "You have been "to London with dirty hands, with bribery and per-"jury."

28,461. Did he tell you what he had been to London about, with "dirty hands"?—No, he did not.

28,462. Was that ever discussed at all?—No, he did not.

28,463. Now listen to me. At the time they made this accusation against you, of having gone to London with "dirty hands," was Henry Chapman Bussell a member of the same congregation with you?—No. I never saw him in the chapel in my life.

28,464. Of what chapel is he a member?—I believe he goes to this new chapel, the congregational; I believe he does. I never saw him.

28,465. Did he then?—I never saw him go.

28,466. In 1865 and 1866, was he then a member of any congregation?—I do not know. I never saw him in a church or chapel in my life; not that I am aware of.

28,467. Do you know of any person who was then a member of your congregation, who was guilty of taking bribes, or giving bribes?—Not that I am aware of. I never heard of one, because that was the first time I was ever mixed up with it.

28,468. Can you tell me the name of any person who was guilty of giving or taking bribes, who was a member of your congregation at that time?—No, I cannot.

28,469. Can you tell me whether any proceedings were ever taken, to your knowledge, against any member either of that congregation or of any other congregation of the same kind in Bridgwater, for the expulsion from church membership of any person guilty or supposed to be guilty of bribery, that is, of giving or taking bribes?—No, I cannot.

28,470. Can you tell me, under those circumstances, therefore, whether or not the charge of bribery against you, and of going to London with "dirty hands," on which you were excluded without trial, was then, in your belief, a trick and a pretext to cover an act of violence and injustice against you, for no better reason than that you had voted for the opposite party, and had given evidence on oath in London against their party?—It rested on my mind that that was the cause of it.

28,471. (*Mr. Price.*) You were going to tell us, when you produced that letter, that Mr. Sully had stated something which was not correct?—When he stood here just now, if I did not mistake, he said, that when I met him at the house, that they had a copy of the shorthand writer's notes present, but I believe in that letter he said they got it after they had had the interview wtth me.

28,472. I want to know how they could have got a copy of the shorthand note in a few hours. What time at the meeting did they have you up?—At 9 o'clock, and I was there till nearly 11.

28,473. What time was the church meeting held?—About 9 o'clock in the night.

28,474. (*Mr. Price.*) Then they had a copy of the shorthand note the next day?

(*Mr. Coleridge.*) Are there any records kept of these proceedings amongst the Baptists? Would what has occurred to you be written down in any book, and kept?—There is a book which the deacons send to the pastor.

28,475. Do you know, or have you heard, of any proceedings that were taken against Mr. Sully at the time that the riot took place?—No; I was not in the town.

28,476. (*Mr. Price.*) He was a member of a more lenient body in those days?

(*Mr. Anstey.*) With reference to the remark which Mr. Sully says the chairman of the committee made, I have been going through the case against Mr. Kinglake, in support of which you gave evidence, and I find that Mr. Kinglake was declared a sitting member, it having been sworn positively, both by Mr. Kinglake himself and Henry Lovibond, that Henry Chapman Bussell, who offered you the bribe, was not his agent. It broke down, therefore, on the case of agency, and on Mr. Kinglake's oath. I also find, that in your evidence of Bussell's being an agent, was that of an attorney called Veysey, and that the other witness who was called to prove agency, Temblett, brother-in-law of Bussell, failed to do so, saying that he had only seen him once with the sitting members in Chilton Street. Do you recollect whether or not that was so, that the chairman thought that the agency of Bussell had not been made out?—I never heard that; but after I finished my evidence, I believe the chairman said, "The evidence is sufficient;" and he said to the counsel, "Now you have got to prove agency;" and upon that I left the Court.

28,477. (*Mr. Price.*) And Mr. Lovibond, upon that, comes and deposes that he was no agent?—I asked Mr. Sully again and again who it was that injured my character. I saw him in the market-house, and I said, "Mr. Sully, will you be candid, and tell me who was the gentleman who tried to scandalize my character?" And he said, "I shall have nothing more to do with it, I shall do no more in it," and he went on, and treated me like a dog, and he would not bring up the names of those who scandalized my character. If you have not seen the remarks of the judge at Taunton, I should like you to do so.

28,478. We know what they were. You have got a verdict?—Mr. Coleridge, their own counsel down at Taunton, said, when he was addressing the judge, "We did think it so of Mr. Coles at first that he had committed perjury, but we do not think so now." That is the very thing he said to him in their presence; he had no grounds to work upon.

28,479. Did you ever apply to go back to the communion?—I have never applied to go back since. Mr. Perkins, the minister, came to our house just before the trial, and he asked my missus why we did not come back again, and she asked him how he could think we could go back again until my character was cleared up; and she begged him to get some of the members to come and ask him to make it up, for it was not her wish for me to go to law with them; and he said he wished we would come back, because, he said, he would not have had it happen for a thousand pounds if he could have helped it. Those are the very words he used. But he seemed to say in my house it was not in his hands, it was in the deacons' hands. That is what she told me.

28,480. The charge of perjury they made against you was simply with respect to your mistake as to which of your sons it was that went with you to the "Golden Lion"?—Yes. It was on that simple statement which they said I swore falsely about, and which I should have explained if I had been allowed to do so.

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R. Coles.

23 Sept. 1869.

28,481. (*Mr. Anstey.*) And you say you made no mistake about that?—I did not. I should have explained it if I had been allowed. One of my sons was in the band at the time playing the kettle drum, and I should have explained that; and before I had time to explain that the counsel said, "Was that the son who was in the 'Golden Lion'?" and I said "he was not."

28,482. (*Mr. Price.*) That will do, Mr. Coles. I think myself that you a very ill used man.

(*Mr. Anstey.*) The passage is this, and I do not see how they could found a charge of perjury against you even on that:—"There were a good many of the "foundry people at the 'Golden Lion,' but whether "they were electors or non-electors I could not say. "I cannot recollect the names of any of the persons "except my son. My son went with me. What is "your son? Well, he is at the grocery now. What "grocery? Mr. Backwell's; one of my sons—— "Which is the son that went to the 'Golden Lion' "with you? Not that son. Which is the son that "you took into the 'Golden Lion'? The one at "Mr. Smith's. What Smith's? Mr. Smith, the "lawyer's. I was out for a walk, and I met him. "Mr. Bealy Smith? Yes. How long has your son "been at Mr. Bealy Smith's? He has been with "him three or four years. What is his age? Nearly "20." In point of fact the counsel cut you up short by putting a question to you before you had answered his first question?—Yes.

28,483. And then you told him it was not that son?—It was not that son, as quick as I could.

28,483. And your answer that you had a son in the grocery was in answer to the question "What is your son?" Then the counsel asked you, "Which is the "son that went to the 'Golden Lion' with you?" and you said "Not that son."—I did.

28,485. And what you said was perfectly true?—It was.

28,486. (*Mr. Price.*) As there is a species of spiritual terrorism which has been brought to bear upon you, I want to know whether, in addition to the spiritual privileges of which you have been deprived by being excluded from such a community as this to which you have belonged, any temporal loss or disgrace has been entailed upon you?—I often hear of it now.

28,487. In your way of business? I do not know what you are. Do the members of the congregation to which you formerly belonged decline to deal with you, and purchase at your shop, and so forth, and turn their backs upon you in the world?—I do not keep any shop, but I am not treated as I was before, and my children have got it thrown out to them very often.

28,488. And it has thrown indignity upon you, and humiliation upon your family in the town?—It has.

(*Mr. Price.*) It is a most atrocious proceeding, that is all I can say.

28,489. (*Mr. Anstey.*) Did it create great terror at the time amongst the rest of your communion?—It did; and they have not said anything at all to me since.

28,490 (*Mr. Anstey.*) Well, I must say that I have but one opinion about it, and I formed it in the first instance, and that is, that a more atrocious case I have never heard of.

(*The witness.*) I hope you will be kind enough to give me some protection, because since last Wednesday, when I was up here, and Mr. Sully said I was the cause of hurrying on the death of the minister, there was a gentleman who came in on passing by while I was at work, and he said, "I am sorry to hear that you "have been the cause of hurrying on the death of the "minister." It was a most improper thing for Mr. Sully to say that.

28,491. (*Mr. Price.*) Did he say that?—Yes, he did; it is a scandalous thing to say.

28,492. (*Mr. Coleridge.*) In that case you can bring an action at law. We cannot help you?—I will bring an action.

28,493. (*Mr. Price.*) We cannot help you about that; you will have our certificate as a witness, and I may say that I thoroughly believe your story?—He said I hurried on the minister's death. It was proved before he came here that he was almost dead, and I stood up and opposed his coming here. His labours were almost done. He could hardly stand, and he used to take a great deal of cod-liver oil.

(*Mr. Price.*) I hope what has passed in this court will do you good. It will show that those who have come here to discuss this matter with unbiassed minds think that you have been very illused indeed.

Mr. Gabriel Stone Poole recalled.

Mr G. S. Poole.

28,494. (*Mr. Price.*) With reference to this petition which Mr. Bate handed in, will you just look at it, and give us the history of it (*the petition of* 1852 *was handed to the witness*)?—Well, I have not a very strong recollection of what took place, but the date of this petition, I believe, is ——.

28,495. There is no date?—It was after, I believe; the election when Mr. Kinglake and Lord Henley stood.

28,496. That would be 1852?—1852, I believe.

28,497. (*Mr. Anstey.*) Just to identify it. That was the petition which was shown or read to Mr. Trevor in his evidence yesterday, as to which he said, he thought it was got up by some friends of Mr. Kinglake, you being a friend of Mr. Kinglake, and a connection, I think he said, of Mr. Kinglake?—I am no connection of Mr. Kinglake's; there is no relationship between his family and ours.

28,498. A friend?—Oh yes, they have been friends of ours. That is my handwriting. I signed the petition, and I was desirous at the time of getting an inquiry instituted, the very inquiry which is now going on. The reason why this petition was not gone on with was, because we understood that the House of Commons would not entertain the petition for the inquiry into corrupt practices unless there was a petition against the sitting members. I do not know whether I am right upon that.

28,499. (*Mr. Coleridge.*) There is a provision in the Act to that effect?—That is the reason why that petition was abandoned. We wanted to have just such an inquiry instituted in the town as the present, in order that the place might be disfranchised, or something might be done to put a stop to the prevalence of these corrupt practices.

28,500. (*Mr. Anstey.*) That is your signature to it?—That is my signature.

28,501. Do you know those other signatures to it?—Yes. Carey Bailey Mogg, Henry Lovibond, John Lovell Sealy, James De la Hook. I do not know Mr. Sewell's well. I believe they are all the signatures of the persons they purport to be the signatures of.

28,502. (*Mr. Price.*) Of course you were not prepared to go to the expense of the petition?—Oh dear no; besides, it was a petition praying for an inquiry into the existence of corrupt practices in the borough. It was not a petition against the actual return of the members at that time. It begins in this way, "It is "notorious that bribery and corrupt practices have "been much resorted to in every election of members "to serve in Parliament for this borough, within the "memory of the oldest inhabitant."

28,503. The prayer is for a commission of enquiry?—The prayer is, "That your petitioners are prepared "to prove the above allegations, therefore they pray "that your honourable House will be pleased to cause "an inquiry to be made into the existence of corrupt "practices in the election of members to serve in "Parliament for the said borough of Bridgwater; "and to pray Her Majesty to cause an inquiry to be "made under the powers of the Act passed in the

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Mr. G. S. Poole.

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"16th year of Her said Majesty's reign, intituled 'An "'Act to provide for more effectual inquiry into the "'existence of corrupt practices at elections of mem-"'bers to serve in Parliament, by appointing com-"'missioners for the purpose of making such in-"'quiry.'"

28,504. The first paragraph in that petition which you have just read, about the "oldest inhabitant," is nothing more than what you have stated already. There is also a paragraph about the election of 1847, the facts of which you have stated already?—There is one passage in that I should like to call attention to, relating to the compact that was entered into. This is the paragraph: "That at the general election of 1847 "the leading men of both parties in the borough "entered into a coalition, to effect the return of a "member of each political party, for the avowed pur-"pose of preventing such corrupt practices; but a "third candidate having arrived in the borough on "the morning of the election, it was then found, that, "in spite of this coalition, the election could not be "carried without again resorting to bribery." I have always heard that was the fact.

28,505. It is the last passage I refer you to. Did that mean that Mr Serjent Goselee, the third candidate, had recourse to it, or that Colonel Tynte had recourse to it?—It meant that Colonel Tynte had recourse to it. It was endeavoured to carry out the coalition that was agreed upon, between, I believe, Mr. Bowen and Mr. Lovibond, but although the coalition was agreed upon, it could not be carried out when a third candidate came into the borough to resort to bribery.

23,506. Was it bribery on the Conservative side?—I believe not.

28,507. How was that?—Because it was the Liberal party who were bringing the third man in.

28,508. (*Mr. Anstey.*) By-the-by, there was only one Conservative?—There was only one Conservative; it was the Liberal party who were bringing the third man.

28,509. (*Mr. Price.*) Is there anything else you can tell us?—I want to say a few words. I do not think the reports are exactly correct. It appears in one of the reports I read, that I stated that at one time I was the professional agent for the borough, and ceased to act at some time or other. I say I never acted as professional agent for the candidates in the borough, and I gave as a reason that I never had done so, that at the very first election I was at, before I was of age, and when I was a clerk in my father's office, there occured that scene which I described, when Sir John Shelley was a candidate, when 33 men came up and perjured themselves, by taking the bribery oath, when it was notorious that they had been bought; and it was after that that I said I would not have anything to do with the conduct of an election in Bridgwater, either directly or indirectly, to bring about such a result as that.

23,510. There was one question which was put to you, and which I should like to have your answer to; no doubt you have considered the point. Has it struck you that there has not been, during the period of these corrupt practices, which appears to be a long period, anything like a public opinion sufficiently weighty among the respectable and enlightened inhabitants within the borough to keep down these practices, without the necessity of having recourse to penalties to punish them?—The public opinion of the leading gentlemen on both sides in this borough, has always been against such practices; but so long as the feeling in the House of Commons is what it is the public opinion in the borough will never be above that. The general feeling in the borough is that the House of Commons is not in earnest; that it is idle their taking two or three small boroughs, and making an example of them, in order, by degrading them, to sacrifice to public opinion, when there are cases of large boroughs where corruption extensively prevails. Take the case at Bristol, for instance; in Sir Morton Peto's balance sheet 15,000*l.* is put down as the cost of his election for that borough. Will the House of Commons dare to probe into that? Again, there is a feeling in the borough, that, while this thing is being probed to the very bottom, we ought to have it probed upwards also.

28,511. (*Mr. Coleridge.*) How do you mean "probed upwards?"—You have it in evidence, that when the gentlemen on the Liberal side went in search of a candidate to contest this borough in the old way, with corrupt practices, they went to a gentleman in London, who was known as the whipper-in of the Liberal party, and he recommended them to Mr. Brogden, perfectly well knowing what Mr. Brogden's antecedents were.

28,512. (*Mr. Price.*) Not the whipper-in. The legal agent, Sir something Drake?—I believe it is that gentleman, who, it is said, has received the honour of knighthood for his services to the Liberal party; now we think that gentleman ought to be examined.

(*Mr. Price.*) Undoubtedly he will be called.

(*The witness.*) What I meant is, that it shows that the Liberal party in the House of Commons do look upon this offence of bribery as a thing to be connived at; and until there is a different feeling in the House of Commons, it is quite in vain to hope for a difference in the public opinion in the boroughs.

28,513. (*Mr. Anstey.*) Let us hope, now that the House of Commons have a very tangible case with regard to Mr. Brogden, that they will deal with it sharply and severely?—It is all very well to deal with two or three little boroughs. Why do not they deal with a case like that of Bristol? Why is Bridgwater selected?

H. Osborne.

HENRY OSBORNE sworn.

28,514. (*Mr. Price.*) What are you?—A whipthong maker.

28,515. For whom do you work?—For myself.

28,516. Are you a voter?—Yes.

28,517. Did you vote at the last election?—I did.

28,517a. There is no imputation against you, as we understand. In what election was it that Mr. Veysey came to you?—In 1865, on the 9th day of July, Sunday evening, he came to my house with my two daughters. My daughter Emma came to me, and said, "Father, Mr. Veysey wants to speak to you." I says, "What for?" She says, "He wants to see you about your vote; he is going to offer you 20*l.* for your vote." I said, "I shall not see him." She said, "It is very unkind "of you not to see him. Do speak to him, even if you "do not take his money." I said, "Very well; take him into the parlour, and get a light." She got a light, or one of them did, and when she had got a light, and shown him into the parlour, she comes, and says, "Mr. Veysey is in the parlour." I says, "Very well, I will go and see him." When I went into the parlour, I said, "Well, Mr. Veysey, what is your pleasure?" He says, "Mr. Osborne, I am come to ask if you are not going to vote for Mr. Westropp," and I candidly told him, "No;" and I thought that was a decided answer. He said, "Will you take 5*l.*?" "No," I said. "Will you take 10*l.*?" "No," I said. "Will you take 15*l.*?" "No," I said again. He was sitting down with one leg across the other, and he clapped his hand upon his knee, "I will tell you what I will do; I will give you four smackers, 20*l.*" I said, "I will not take the money." He said, "You are a very foolish man for not taking it." I said, "I will not take the money." He said 20*l.* would be very useful in a family. "Yes," I said, "I know the value of 20*l.* as much as any man, but I will not take the money."

28,518. (*Mr. Anstey.*) Did you say anything about 2,000*l.*?—Yes. I will tell you about that. In the midst of my conversation with him, my daughter Anne came into the room. I was sitting in the room, and she came, and sat at the side of me, and he turned his

face to her, and said, "I have almost succeeded," or something to that effect. She said, "Father, don't take the money." I said, "I shall have nothing to do with the money." She left the room directly, and Mr. Veysey then said, "Now, Mr. Osborne, why is it you are such a strong Liberal?" I said, "I tell you what, I have promised my vote, and I am not going from my word." He said, "There are a great many on your "side who have done that, but who will not vote on "your side." "That is for them; that has nothing to do with me." He said, "You are a very foolish man." I may say, I had nothing to do then. I said, "Offer me 2,000*l.* and I will not take it." "He said, I should be afraid to offer you 2,000*l.*, because I should fear you would take it." I said, "If I had 1,000*l.* I would wager that one that I would not take the two." I began to get rather tired of it. Then he began to talk about religion. He said his religion was church rates religion. We followed on in a little conversation like that until I got tired of it, and I wanted to get him out of the room, and I picked up the candle to go out of the room, and he followed, and my two daughters were in the paasage. I then bade Mr. Veysey "Good night." From the first to the last, he pressed me to take money for my vote; and he said at the very last, when he got to the door, "Mr. Osborne, you are a very foolish man not to take 20*l.*; it is very useful in a family;" and my daughter Anne said, "20*l.* What is 20*l.* I could spend that upon a dress;" and that concluded the conversation.

28,519. (*Mr. Anstey.*) Did any business bring him to your house that night to talk about?—No, nothing at all.

28,520. Was he an intimate friend of your family?—Not at all. I never saw the man to speak to before.

28,521. That was the sole business on which he came?—It was the sole business.

28,522. (*Mr. Coleridge.*) Had he been courting your daughters?—Courting them! No.

28,523. That is the excuse he made of having gone to you?—No. He kept outside of my house, so far as that was concerned. He did not come within my reach to court my daughters.

28,524. (*Mr. Anstey.*) Are you aware that, to use his own expression before the House of Commons, he was a "gallant" man, and courted your daughters, and was in the habit of escorting them home?—I knew nothing in the world about it. He never did so; not to my knowledge. And you may remember, when I was asked in the House of Commons whether he had ever been there before, I said "No." "Has he ever been there since?" "No;" and the thought came over me, that he might have been there while I was away from home, and I said, "No, not my knowledge."

(*Mr. Anstey.*) Yes, that is true.

28,525. Had you ever heard that he had been to your house after your daughters?—Not at all.

28,526. (*Mr. Anstey.*) It is an imputation you resent?—Yes. I know nothing at all of the man. I never saw the man in my house before.

28,527. (*Mr. Price.*) Are your daughters here?—Yes.

(*Mr. Coleridge.*) Let them stand up.

TWENTY-SEVENTH DAY.

Mr. G. S. Poole.

23 Sept. 1869.

Mrs. Anne Cull sworn.

Mrs. A. Cull.

28,528. (*Mr. Coleridge.*) You are a daughter of the last witness?—I am.

28,529. You are a married woman, and are Mrs. Cull now?—Yes.

28,530. (*Mr. Price.*) Do you remember this occasion when Mr. Veysey came to your father's house?—Yes.

28,531. Were you at home at the time?—Yes. He came home with us. We met him on the Salmon Parade, and he came home with us.

28,532. Had he been in the habit of walking with you and your other sister on other occasions?—No; mere friendship; we had known him.

28,533. Was there anything like the intimacy between you that he has represented?—Oh no, not at all.

28,534. (*Mr. Anstey.*) He had met you by accident?—He had met us by accident, coming home.

28,535. On a Sunday evening?—Yes, Sunday evening.

28,536. (*Mr. Price.*) You had not met by appointment?—No.

28,537. (*Mr. Coleridge.*) What time was that?—In the evening.

28,538. Was it dark?—Yes.

28,539. (*Mr. Anstey.*) What month was it? July 1865, was it not?—Yes.

28,540. (*Mr. Price.*) Tell us what passed between you about your father's vote?—We walked down Salmon Parade, and he asked us, which side our father was going to vote, and I said, "Father is going to vote on the Liberal side." He said, "Do not you think he will vote for us?" I said, "No." He said, "I am going to ask him." I said, "It is no use for you to go and ask him, because he is going to vote on the Liberal side, and his mind is entirely made up." He said, "Do you think he would not vote if I gave him 20*l.*?" I said, "No; I know he will not." He said, "I will try him." I said, "You may try him, but I know it is all of no use;" and he kept on like that all the way home. He came home with us to the house, and I went in, and told my father he was come. My sister went in first, and went into the parlour. I then went out and got a light, and showed Mr. Veysey into the parlour. Father came into the room, and directly he came in and spoke to Mr. Veysey I left him.

28,541. (*Mr. Coleridge.*) Do you remember anything of what occurred in the passage, and your speaking about the dress?—Yes.

28,542. What is that?—I went into the room again, while they were there, and Mr. Veysey said to me, "He had almost succeeded in persuading him to take the money." I said to my father, "Do not take the money," and then I went out of the room into the back kitchen, and when I heard them moving, I went out in the passage to bid them "Good night," with my sister, and he said, "You had better take the 20*l.*, Mr. Osborne, it will be of use to you. "I said in a jocular way, "What is 20*l.*? I could spend that on a dress."

28,543. (*Mr. Coleridge.*) I hope you do not spend 20*l.* on a dress?—No; but I dare say I could if I tried.

Emma Osborn sworn.

Emma Osborne.

28,544. (*Mr. Coleridge.*) What have you to tell us about this?—On the 9th July, me and my sister were returning home; I should think it was about half-past nine; when we met Mr. John Williams Veysey on the Salmon Parade. He said, "Are you going home?" I said, "We were." He asked us if he might accompany us; "I said, "He might if he liked."

28,545. Had you known him before?—Well, merely to speak to him. He asked us if he might accompany us home; I said, "He could do so if he liked." He asked how my father was going to vote. I said, "On the Liberal side." He said, "Oh nonsense; I

TWENTY-SEVENTH DAY.

Mrs. A. Cull.

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am going to offer him 20*l.*; don't you think he will vote?" I said, "I am sure he will not." He said, "I shall go and try him." I said, "You may, if you like, but I am sure he will not take it"; and he went home with us, and saw my father; and he asked him to vote, and offered him the 20*l.*, but he declined it. I did not hear him say so. When he was leaving I went out to wish him "Good night," and I heard Mr. Veysey say, "You had better take the 20*l.*, it will be useful for your family," and my father said he would not do so; and I heard my sister say, "What is 20*l.*? I could spend 20*l.* on a dress."

(*Mr. Price.*) We have called the Osbornes before us, for the purpose really of giving them an opportunity of explaining the part they took in this transaction. It was in justice to them that we have done so, so that it might not be supposed that Mr. Veysey's story was implicitly believed here or elsewhere.

Mr G. S. Poole.

Mr. Gabriel Stone Poole recalled.

(*The witness.*) I wish to make a correction of what I said. I understand that I was in error in the gentlemen who recommended Mr. Brogden as a proper person.

28,546. (*Mr. Price.*) Mr. Travers Smith?—Yes, I thought it was. He is not the gentleman to whom I allude. I believe he used to be an agent of the Liberal party, but he was not the person who recommended Mr. Brogden. And now I would beg you to ask Mr. Allan, as the question was mentioned, whether the ballot would prevent bribery in a place like this? I should like you to ask Mr. Allan what his opinion would be of that.

(*Mr. Price.*) That is rather beyond the limits of our jurisdiction.

F.C. Temblett.

Frederick Charles Temblett recalled.

(*Mr. Price.*) Now then, Mr. Temblett.

(*The witness.*) Before I commence my evidence, I should like to put the learned Commissioners straight with respect to my connection with Mr. Henry Chapman Bussell. They are under the impression, I think, that we are brothers-in-law. We are not brothers-in-law,—no relation whatever,—no more than that Bussell's brother married my sister.

28,547. (*Mr. Coleridge.*) Then he is a quasi brother-in-law?

(*Mr. Anstey.*) I took it from the shorthand writer's notes of the evidence before the House of Commons. It is said you were a brother-in-law of Mr. Bussell.

(*Mr. Price.*) I think the last thing you told us about was the election which cost 1,900*l.* That would be, therefore —— ?—The first of Patton's.

28,548. The first of Patton's. Now I will just read to you the last part of your evidence. "When "the man-in-the-moon brought down the 700*l.* or "800*l.*, just previous to Vanderbyl's election, he "brought it to my house, and gave me what I wanted "for my men. I do not remember how much. Was "it 500*l.*?—Oh no; it might have been about 200*l.* "I dealt with more men at Patton's election than at "Westropp's. On the Conservative side the same "price is paid all round. Never more, I believe, "than 10*l.*" That was where you broke off. Now we will go on?—I said never more, I believe, than 10*l.* There is one man I know I spoke to, Wills; but there is another, that is, Benjamin Stoodley; he got hold of 15*l.* That was by a mistake. He said he would go the next time. I asked him to give the money back again, and he said he should not give back any money; but he said, "There is another "election coming off soon, and I will go for 5*l.* less "than what the price is." But when the election came I found he wanted just as much as the others, and he would not go for less.

28,549. (*Mr. Anstey.*) You heard what the Chief Commissioner said yesterday about the determination of the Commission to spare no expense to find out "the man-in-the-moon." Have you, since you were examined before, found out the name of that person?—No, I have not the slightest knowledge.

28,550. (*Mr. Price.*) We rely very much upon men like yourself, who come here making a clean breast of it, and not only telling us what they know, but also trying to find out every person who you think may know, and telling us to the the best of their knowledge. The best thing is letting us know who the men are at once?—If I could give you the names I would; but my impression is that there is no man in Bridgwater ——

28,551. That we are inclined to believe; but still you know, carrying the thing back, this "man-in-the-moon" has a locus, he has a place, he has a habitation, and he has a name, and he must be known to somebody, and somebody must have sent him here; and I should think his whereabouts and his name must be known by somebody in Bridgwater?—I think the only person he communicated with at the time he was here, except ourselves, was Bealy Smith. He certainly communicated with Bealy Smith; he told me so.

(*Mr. Coleridge.*) Well, Bealy Smith is unfortunately in Australia.

28,552. (*Mr. Anstey.*) If the ratepayers in this borough are willing to undergo such a heavy addition to their expenses merely for the sake of a mere stranger—— ?—I do not think anybody would wish to suppress the name if he knew it. Harden since that has told me that he saw him in London.

28,553. Do you know who sent the man down? Did Spofforth send him down?—I do not know.

(*Frederick Harden.*) I think he was connected with that same office.

(*Mr. Price.*) What is your name?

(*Witness.*) That is Mr. Harden.

(*Mr. Price.*) Then we will have him afterwards.

28,554. The last thing you said was about the subscription that I asked you about. You said you could get 30 men, and the money was whipped up in the town by way of subscription?—Yes.

28,555. Can you give us the names of the subscribers?—I can give you some names. Mr. Tant of the "Bristol Arms" was one; Mr. Gent was another; then Hodges; Mr. Moore, draper; Mr. Harden's father, George Harden, was another. There may be others, but I do not remember the others.

28,556. Then I think you told us that the money was paid back through Mr. J. R. Smith?—Yes; by a young lady, an assistant of his at that time, and she is now assistant at the pledge counter; at that time he carried on the pawnbroking.

28,557. Did you succeed Mr. Smith?—I did.

28,558. Then she can come?—She can come.

28,559. Now we come to Patton and Vanderbyl's, if that concludes all you have to tell us about this election?—I believe it does.

28,560. You said, I think, that the Liberals at that time, to try some more votes, offered as far as 50*l.*; but it was too late, and you won by seven votes?—That is right. I wish to state that Charles Haste said that he could get but 5*l.* That is quite true; he did get but 5*l.* I spoke to Bealy Smith about

it when I wanted to get the money of "the man-in-the-moon," and he said, "No; Mr. Smith has told me "that Charles Haste is not to get any more, for he "had his share of putting up the hustings; he had a "pull out of that." But Haste was not satisfied, and I think that was the reason why he left us, and voted for Vanderbyl. I was never so much abused by any man in my life as I was on that occasion. He thought I had nailed his money.

28,561. What did he get out of putting up the hustings?—I do not know. There was very little labour attached to it. There were a few barrels and two rails, and so on; and there are two persons named on each side if there are two candidates on each side.

28,562. What do they charge?—I think they get 8*l.* or 10*l.*; but Mr. Carslake can tell you.

(*Mr. Coleridge.*) It costs them about one, I suppose?

28,563. (*Mr. Price.*) Now at Patton and Vanderbyl's election, did Mr. Smith send for you, and tell you that Mr. Patton was about to stand?—Yes; he told me. He sent for me, and asked me if I would manage the thing, and I told him no, I would not. I gave him my reason for not doing so; and the reason was, I said, "Two of them that worked with "us in 1866 (Robert Bussell was one, and I think "Boys was the other,) were very dissatisfied because "they had nothing to do with Patton's first election "of 1866." I said, "We only won by a majority of "seven; we cannot afford to lose a single vote; "therefore, if I were to undertake a thing of this "kind they would be worse. I know they are "jealous of me now."

28,564. What was the cause of their dissatisfaction?—Boys's name was certainly left out, and because I remarked he never ought to have been let in. He was a clerk in Mr. Smith's office at the time.

28,565. Left out! in what way?—As a man who ought to have nothing to do with spending money; paying of it out. I said, "We cannot afford to lose "a single vote now, and the best thing is to get the "same men again."

28,566. Did you also say anything about promises being paid up?—Yes.

28,567. What did you say?—I told him that the promises must be paid up, or else it would be no use to go and offer the men, or say anything to them, because we should not stand the slightest chance.

28,568. There were men outstanding whose promises were not paid?—Yes. He asked me if I would get out a list of the names of parties, as far as I could, those that were unpaid, and send to him, as he was going to London. I did so. I got out a list, and sent to him; and a short time afterwards this man came down, and brought down the list which I had sent up, and the money.

28,569. Brought down the list with him?—He brought down the list and the money.

28,570. And those promises were all liquidated?—Yes, as far as I know.

28,571. And those that had had 5*l.*?—It was made up to 10*l.*

28,572. With a few exceptions, such as Haste, who you thought had his share?—Yes.

28,573. How much was brought down at that time, that you knew of?—Well, I do not know what was brought down. Mr. Jarman had a portion of it, and I think Mr. Batten had a portion of it, and I had some. Harden had none. He was in Devonshire at the time; but I should think that that election would cost nearly about the same as Mr. Westropp's, 1,900*l.*

28,574. You do not think it at all probable that at that second election of Mr. Patton anything like ——?—I mean the first election? Are you gone to the second election?

28,575. Yes; we are now at the second; we have left Mr. Bagehot's. Mr. Smith sent for you, and told you that Mr. Patton was about to stand for re-election?—I thought you were speaking then of the promises.

28,576. Wait a moment. Then you told him that unless all the promises were paid up it was all over. Then you put down the promises that had to be paid up, which brought it up to 1,900*l.*?—Yes; and everything was paid up, as far as I know, before we commenced the other.

28,577. Now, about the beginning of the other election, how long before the election do you think it was that that man came down and paid up the outstanding promises?—About two days.

28,578. Two days before?—Yes.

28,579. Then you started upon the next election?—I think we were paying some of the promises on the nomination morning. At all events, I paid several on the evening before, I know.

28,580. What I want to know is, can you give us an idea of how much in the gross was spent with respect to promises made at the former election; whether those promises were paid at the second election, or paid at the same time?—The second time, I think, we had the money at the "Albion" (Grabham's); the third time that he came,—Patton's second election,—the third election at which the man was down here,—he stayed at Grabham's, "Albion."

28,581. Did you hear then that the voters were holding back until they could have 20*l.*?—I did.

28,582. Did you tell him so?—Yes; I believe I heard it almost before Vanderbyl came into the town.

28,583. Did you tell him so?—Yes.

28,584. What did he say to you?—I told him they were holding back, and wanted 20*l.* a man, and we must have more than 10*l.* a man to win it. I said, "I do not think our men will vote for us for less "money than for the Liberals; but having voted a "month previously for us, they would not like to "turn their coat so quick." I mentioned it to the "man-in-the-moon." He said he would see about it. He told me afterwards that he could not make any hand with Mr. Smith. He said, "You go, and "see him yourself; you can do more with him than "I can." I saw Mr. Smith. I saw him three times on the matter. He told me the first time that he would consider, and think of it. He said he would consider the matter.

28,585. He declined it at first?—He declined it at first.

28,586. Now we come to the morning of the election. Did you tell him again that it was no use to fight the election at 10*l.* a head?—I did; at seven o'clock in the morning, outside this hall.

28,587. And did you say that he had better spend more, or not spend the money at all?—I asked him to let us have 200*l.* more, to go over the whole lot again, and those who would not go for less than 15*l.* to give it rather than lose their votes.

28,588. Did you say if he did not spend more it would have been better not to spend the money at all?—Yes. I said, "If you don't, we shall go and throw away all this money."

28,589. How much money had you then?—I do not know how much I had; it was not very much. I must tell you that, at my request chiefly, there were some strange men got here,—two or three strange men,—sub-men under the other man,—who he got here for the purpose of paying out the money. Those are what you have heard of when witnesses have spoken about the hand. Those men paid the money. We paid very little money ourselves.

28,590. Where were those men got from?—I cannot say. He got them down. He told me one of them was his brother-in-law.

TWENTY-SEVENTH DAY.

F. C. Temblett.

23 Sept. 1869.

28,591. At 9 o'clock you were 50 a-head?—At 9 o'clock we were 50 a-head.

28,592. Did you find out then that the price was raised after that?—About that time I saw Mr. Bealy Smith; and he said, "If we had taken your advice we should have thrown money away"; and he said, "Now be very cautious, and do not deal with an unsafe man." I said, "Don't you be too sure about "throwing money away, for I have just been told "that there was a man who has just gone up and "polled for the Liberals who I knew had been offered "10*l.* from our side, and he would not have left us, "I believe, unless he had been offered more." I told him so. He said, "Oh, nonsense, we are 50 a-head, and we shall be sure to win." I said, "Well, I do not "think so. From what I know of what took place, "I think it is very likely that they will soon be "alongside of us." Sure enough, about 10 o'clock they were just level with us.

28,593. Did you find out there were men at the "Clarence" who were asking at that time 20*l.* a-head?—Yes; some 20*l.* and some 15*l.*

28,594. Did you tell that to Mr. Smith?—Yes.

28,595. Did he say he had no more money?—He said he had not; that there was not a shilling in the town. I asked him whether he could not get it. As he got money at the previous election, I thought whether he could now; and he said "No, I am informed that 10*l.* is plenty of money." What I think he meant by that was what I heard from Mr. Harden after the election was over. Mr. Harden told me that about a day or two before the election took place he sent for him to go to his house. He went up, and he asked him the question whether he thought more money was wanted than 10*l.* a man; and he said, "I "do not think so. I think if you get 10*l.* a man, and "get the money paid down, and no promises, we can "go in and win like smoke." Harden evidently did not know so much about what had taken place in the town as I did, because he had just come back from Bampton in Devonshire, and he had not heard what was going on, otherwise he would not have given that answer.

28,596. When he said he had no more money, did you find that three or four of your men did go away?—They did.

28,597. Did you tell them that?—I did. I left Mr. Smith, and told them that I could not get any more than 10*l.* for them, and they voted on the other side.

28,598. How much had you in hand when you found that you were beaten?—When we found that we were beaten I had got 40*l.* or 50*l.* I met the man-in-the-moon (that was the first time I had ever seen him out in the day when the election was on). I met him just here by Rowe's, the grocer's. He seemed very much frightened at the state of the poll; and I said, "Well, its all up, you know; there's no chance for you to win." I said, "I have got 40*l.* or 50*l.* here, which you had better take with you." I said, "If you meet with any one, don't you let them "have the money, because you may meet somebody "who will tell you they can do wonders if they can "get hold of some money, but there is no chance for "them;" and he promised me he would not part with it. I found afterwards that within five minutes he met Robert Newton, and let him have 40*l.* or 50*l.*

28,599. (*Mr. Anstey.*) Had he seen Newton before?—Yes; I was present when he saw him in the morning at Grabham's. Harden and me were together, and there was going to be a fight there.

28,600. (*Mr. Price.*) Newton is in America, I am afraid, now?—He is.

28,601. Is all that took place at the election that you know of?—That is all that I know of.

28,602. Now, I must put the question to you again, what sum of money do you believe, from what you have heard, and from what you know yourself, was spent on behalf of Mr. Patton at that election up to that time?—In bribery?

28,603. Yes.—Under 2,000*l.*; very close to that amount.

28,604. (*Mr. Anstey.*) How much above 1,500*l.*?—Nearer 2,000*l.* than 1,500*l.* Very close to 2,000*l.* About 1,900*l.*; nearly the same each time.

28,605. Were you at the "Clarence" much that day?—Yes.

28,606. Can you tell us anything about the bottling of voters there?—I knew there were several men there,—perhaps 30 or 40 at one time,—waiting to get money. Some of them had been paid 10*l.*, and wanted more; a good many of them had.

28,607. By "bottling" I understand the shutting them up in a room?—They were in a room by themselves.

28,608. And the door was fastened, I suppose?—They could have got out if they chose. There was a man at the door, not so much to keep them in as to keep others out.

28,609. Nobody could get in to them?—No, they could not. I know one man who tried to get in, and he had a smack in the head.

28,610. What room was it; the ball-room?—The assembly room, or ball room as they call it.

28,611. Who was the man that stood at the door, and would not allow the people to get in?—I do not know who it was. There was a couple of working men; good stout fellows.

28,612. Were any of them drunk?—Oh, no; they were all right enough.

28,613. But the men inside the room?—I did not see any man drunk at all.

28,614. What time was that?—About 11 o'clock in the morning, up to 12.

28,615. We have heard that when they were found useless, to use the language of one of the witnesses, they were bundled out into the street?—No; they were not bundled out; they were told they could not have any more money.

28,616. What time was that?—About one o'clock.

28,617. How many of these went out and voted afterwards for Vanderbyl?—Not a great many.

28,618. How many went out and voted for Patton?—Well; I should think the greater part of them voted for Patton.

28,619. Without money?—Some of them did. Some of them had been paid before.

28,620. Why were those who had been paid before bottled up with those who were not paid?—Because they all wanted money.

28,621. Those who had been paid wanted more?—Yes; they wanted more.

28,622. (*Mr. Price.*) Well, that is all about that election. Well now, some time after the election, was there any further money brought down here?—I am not aware of it. Some time after the election?

28,623. Was there any sum of money, after the election, paid by Mr. Lilly?—Oh, before you come to that, I can tell you that some time after the election, directly after the election, there were bills out to say that Harden and myself had nailed 800*l.* I went to Mr. Bealy Smith, and carried one of the bills in my hand, and showed it to him; and I said it was a very unpleasant thing for me to have this report circulated about. I said, "You know very well it is "untrue; but I cannot bring any one here to you "for you to satisfy them that it is not true; because "if I was to, you would say, 'What did you bring "'the man here to me for? I know nothing at all "'about the money matters,' and you would be annoyed." He said, "Very right, Temblett, I should." I said, "I will tell you what you must do. If you "want me ever to assist you at an election again, "you must bring down a man, and let him go round "and ascertain the truth of it, and find out who is "right and who is wrong." I said, "I think there "has money been nailed by somebody, but I am not

" one of them. And if you will bring him down, " I will tell you what I will do," (I had given him one list,) " I will not only give a list, but I will " furnish him with another list, with the residences " of the people to whom I paid the money ; and I " will send some one with him to show the party ; " and if any one denies having the money," I said, " let him bring them to me." Well, he did so; he brought a man down.

28,624. Where did he stay the second time he was down ?—When he came down afterwards ?

28,625. Yes ?—He went into the " Clarence Hotel." I do not think Mr. Leaker knew who he had got there; but I knew, because I saw him there.

28,626. How long did he stay ?—He came one day and back the next.

28,627. He stayed at the " Clarence " ?—Yes.

28,628. Well?—Before that, I had heard that Master Newton was not exactly right.

28,629. I suppose the man who came was a man who had no name on his luggage ?—No, he had no luggage.

28,630. No luggage ?—Not he ; because he was not here very long. He used to carry a little black bag with him.

28,631. The same sort of luggage that Mr. Brogden carried, a black bag full of sovereigns.

28,632. (*Mr. Coleridge.*) The first time he came down he stayed with a widow woman somewhere ?—Yes. He was accompained each time by his wife, or she passed as his wife ; and I should think it was his wife, or he would not have let her into the secret.

28,633. What was the widow woman's name?—Harden.

28,634. Where of?—Ball's Lane ; King Street. Ball's Lane ; it is generally known as King Street.

28,635. (*Mr. Anstey.*) Was she a relation of Frederick Harden ?—None whatever, I think.

Mr. Anstey (*to Frederick Harden*). Do you know her ?

(*Frederick Harden.*) I do not know her address.

(*Superintendent Lear.*) This woman has been married since, and is now living at Canton near Cardiff.

(*Mr. Coleridge.*) That is a part of Cardiff; it is a suburb of Cardiff.

(*Superintendent Lear.*) I forget the address.

28,636. (*Mr. Anstey.*) When she was here she lived in King Street ?—In King Street.

28,637. Do you know her Christian name ?—I do not.

28,638. (*Mr. Price.*) You have made a statement about a sum of money ; you say it was paid by Mr. Lilly, a magistrate here. You said, " We had all 20*l.* for our trouble." Just let us understand what that is ?—We had more than 20*l.*

28,639. Tell us what that is ?—Some months after the election, I heard that Mr. Lilly had got a sum of money. I do not know where he got it from ; I never heard. But he had got a sum of money, and there was something for us, and I got 5*l.*, and Harden 5*l.*, and Jarman 5*l.* What he paid otherwise I do not know.

28,640. That would be 5*l.* apiece?—Five pounds apiece he paid us.

28,641. Was that paid for your services at Westropp's election ?—No ; that was paid for our services at Patton's election. We had been paid previously for Westropp's. When " the man-in-the-moon " came down to fight Patton's election, twelve months after, or near upon it, eleven months after, he paid us 20*l.* apiece ; me 20*l.*, Harden 20*l.*, and Jarman 20*l.*

28,642. Twenty pounds for your trouble in Westropp's election, 5*l.* apiece for Westropp's election, and 20*l.* for the two elections of Patton ?—That 20*l.* of Patton was not paid until some time after the election. That was paid by Chapman, a clerk at Smith and Boyle's.

28,643. What did you expect to have, instead of 20*l.*, for the two elections of Patton ?—We expected to have 20*l.* for each.

28,644. (*Mr. Coleridge.*) Was it a bargain ?—Not much of a bargain. He told us we were to have it.

28,645. (*Mr. Price.*) You never made any disguise of it, that you intended to be paid for your trouble ?—Certainly not.

28,646. The money that was paid by Lilly, do you know how that was expended ?—No ; I do not know who he paid any other sums to. I know he paid us 5*l.* each, or I know he paid me 5*l.*, and I heard the others say they had 5*l.*

28,647. Did he pay anything for treating or expenses ?—I do not know that he did.

28,648. Is that all you can tell us of the election of Patton and Vanderbyl ?—Yes ; I cannot say anything more. Oh, I will tell you who was paid at Patton's election; a man of the name of George Webber, who I paid 10*l.* to on the morning of the election. Two days before that he went down to the station to meet Mr. Patton. We went down to meet him in procession. That is what Mr. Trevor was speaking about yesterday. This man was one of them. He was covered all over with blue nearly, a sash round him, and goodness knows what. On the morning of the poll he came, and had 10*l.* of me, and it has come out in the evidence since this Commission has been on that he immediately afterwards had 30*l.* from Gold, his landlord.

28,649. (*Mr. Coleridge.*) On the other side ?—On the other side, and he voted for Vanderbyl.

28,650. (*Mr. Price.*) Did he go and vote in that blue costume ?—I do not know ; he left me. I did not know any other but what he would vote for us, or I should have sent somebody to look after him.

28,651. (*Mr. Coleridge.*) He paid back the 10*l.* ?—Yes; I was not there. He gave it to my father. I told Mr. Smith of it, that this 10*l.* was brought back. He said " Very well then, your father can keep that " out of his account. When he is paid he can take " the 10*l.* out ;" and when Mr. Chapman paid him the account that 10*l.* was kept out.

28,652. What was the account ?—For beer and spirits. We keep an inn.

28,653. What inn do you keep ?—The " Bull and Butcher."

28,654. (*Mr. Price.*) In 1868 were you present at the " Lamb," before the election, when Mr. J. R. Smith addressed the people ?—Yes, I was, and I will explain to you how I came there. When Mr. Purcell asked me the other day about that, he asked me what meeting I attended. I said, " No meeting at all," and if you had asked me the question here I should have given you the same answer, and believed I was giving you a truthful one. He then asked me something about this M. D., and the thought struck me at once, and it took my attention. Up to that time I had taken no part whatever in the election ; I had attended no meeting, and had had nothing to do with it. I was standing at my door one night, and I saw some people at the " Lamb " door opposite. I said to some one, " What's up there ? " They said it was a meeting. I thought it was a political meeting, and a Conservative meeting. My supper was not quite ready, and I ran across the road. I got into the room, and I heard Mr. Smith saying something about a bill which he had, and something about 100*l.* reward, and he said, " Mind and not have any promises, but have what the Americans recommend ; M. D. You know what that means, money down." Those remarks of his were received with shouts of approbation, clapping of hands, and stamping of feet. I knew it to be an old building, and I thought, " The sooner I get out of this the better," and out I cut. That is all I know about it.

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28,655. (*Mr. Anstey.*) Did you hear him say anything about sugar ?—Not a word. I did hear him say something about "M. D., money down,"

28,656. How many were there, do you think ?—I should think the room was full ; from two to three hundred people.

28,657. Chiefly voters ?—Chiefly voters.

28,658. Chiefly new voters ?—Chiefly new voters. I think it was the Working Men's Association.

28,659. Then it would be chiefly new voters ?—Yes.

28,660. Was there any dissent from this ?—No ; it was received with shouts of approbation from all.

28,661. And the demonstration was so noisy that you thought the whole building was coming down ?—Yes ; I thought the whole building was coming down. The next day I remember seeing Mr. Batten, and I told Mr. Batten that I thought it was very indiscreet talking about "M. D." and "money down." Mr. Batten said, "Oh, you mistake altogether the meaning of that;" and then he explained to me that it referred to a handbill that had been issued, saying that there would be 100*l.* reward, and Mr. Smith, in speaking of this handbill, said that if they were going to desert their party he should advise them to have the money down, and not promises.

28,662. (*Mr. Price.*) He did not mean that they were to take care to have "M. D." from your side, but from the other side ?—Yes ; from the other side. I remember speaking to Mr. Moore about it, and he gave me the same explanation.

28,663. (*Mr. Anstey.*) Did you understand that these two persons, Mr. Batten and Mr. Moore, thought that the sting of the offence of bribery consisted of taking money from the other side, or from their own side ?—No ; I understood them to say that it referred in this way, that if they were going to desert the party they should take care to have the money, and not trust to promises.

28,664. Therefore there was less harm in that than in taking money from their own side ?—No ; I did not hear anything about taking money from their own side.

28,665. I do not understand what the nice distinction is ?

(*Mr. Price.*) He thought the other side were not to be trusted ; their word was not to be trusted ?—Their word was not to be trusted.

28,666. Therefore they were to have the money down ?—They were to have the money down, or if not to stick to their party.

28,667. It was, that where promises were given they would not be observed ?—Oh, I do not know about promises. He will give you his construction of it.

28,668. (*Mr. Anstey.*) Or the general expectations would be sooner or later realized ?—I cannot say. He will give you the real explanation, I have no doubt.

28,669. (*Mr. Price.*) Were you at all consulted at the last election about how the thing was to be conducted ? Were you a Conservative agent ?—No ; I had nothing at all to do with it, up to the polling day.

28,670. Well, was it the general opinion of the town that Mr. Gray was brought down as a rich man to be put in the scale against Mr. Vanderbyl ?—I think it was. That was the opinion I formed of it, and I thought there would be more money spent on the last election than any other election I had known.

28,671. In consequence of Mr. Gray ?—In consequence of Mr. Gray.

28,672. They have said on the other side, what is quite consistent with your idea, that Gray meant money ?—I do not know that the name Gray meant money. My reason for coming to that conclusion was this——

28,673. (*Mr. Coleridge.*) You were going on to say the renson why you expected that more money would be spent.—Yes ; I will tell you. Mr. Vanderbyl came down at the previous election, and brought out Mr. Patton, and spent a larger sum of money than had been spent in the town for a great many years ; and knowing that to be the case, I quite thought they had brought down a man who was a match for him—a man of large property.

28,674. (*Mr. Anstey.*) And you were told, when he was brought down, that he was a match for him ?—No ; I was never told so, but that was the inference I drew.

28,675. (*Mr. Price.*) Had you given any cause of dissatisfaction to them that they would not consult you ?—I was so annoyed at the result of Vanderbyl's election ; I thought the election was quite thrown away, because we had not got two or three hundred pounds more in the morning, or we should have won in a canter, and I was so annoyed at that that I thought, "I will not have anything more to do with an election, if that is the game." I did not like the idea of being defeated.

28,676. (*Mr. Coleridge.*) They were not corrupt enough to please you ?—That was about it.

28,677. (*Mr. Anstey.*) When did you first hear on your side that there was not going to be more money spent on your side than had been before ?—At the last election ?

28,678. Yes ?—I heard on the night before the election that there would be no money.

28,679. Then down to the night before the election you were under the impression that there would be ?—I was.

28,680. Was that the general impression amongst the voters ?—I think so.

28,681. How late on the night before was it that you were disabused of that impression ?—About seven o'clock in the evening. Mr. Batten was the first that told me of it.

28,682. The next day, the polling day, did you meet with any electors who required still to be disabused of that ; who still were under the impression that money was like to be going ?—Well, I got up early that morning ; and about six o'clock I walked down towards the "Golden Lion," and I thought I would just see what was going on.

28,683. What did you find was the impression then ?—I saw a lot of men standing about the street ; I remember meeting a man of the name of Barrow as I came back, on the Cornhill. He said, "Look here, this is a damned pretty game. This is the worst thing out." I said, "What's up ?" He said, "Why, there's not a penny, and here I have got a lot of chaps waiting for money, and there's not a penny."

28,684. What did you say to him ?—I do not know hardly what remark I did make.

28,685–6. Well, did you say, "There may be by and by ?"—No, nothing of that. I was not going to deceive him.

28,687. (*Mr. Price.*) Did you go from him to the meeting at the "Clarence" at 8 o'clock that morning ?—No.

28,688–9. Did you go to the "Clarence" that morning ?—I did, some part of the day. I was in and out there. I was there in the morning some time. In the morning I saw Mr. Gray and Mr. Westropp at the door. I said, "If I was in your place, and there "was no money to spend, I would not stand about "here. I will tell you what I would do. I would not "stand about like this ; I would take and get out into "the streets, and up to the polling booths." I addressed myself more particularly to Mr. Westropp. I said, "You being a very popular man, the very "sight of you would do a good deal towards carrying "the election," and it did. They went out, and they had a throng of people about them, just like a lot of harlequins would. Perhaps there were about 150 people following him where he went.

28,690. (*Mr. Anstey.*) Did you recognize amongst those people any who had benefited by his generosity during the period from 1859 up to that time?—No; I did not. They were men, women, and children.

28,691. It is precisely the women and children that I speak of. It was stated in evidence yesterday that he had been spending about 300*l.* a year in distributing money amongst voters on both sides, and especially to their women and their children. Did you recognize amongst the men, women, or children any who during that period of nine years had been receiving his bounty?—No, I did not. I do not listen to what you have heard about giving the women and children money. I know he spent a good deal of money in the borough; but as to saying he gave money to the women and children, it is all humbug. I will tell you what I have known him to do. If an old man met him in the street he would give him half-a-crown, perhaps, or if anybody was hard-up he would send him, perhaps, two, or three, or five pounds sometimes.

28,692–3. But it is in evidence at the trial that some person who was asked his reason for giving his vote said, "I did so because he had been so good to our children for so many years"?—It might be so; I never heard of it.

28,694. You say he was very popular, and so popular amongst the people here that he could not go from the door but they followed him in the manner you have described. Had not that popularity been purchased by the charities, if you like to profane the term, which he had committed during the last nine years?—In a certain sense, perhaps it had. I will tell you. He was this sort of a man. If he met a poor man or a poor woman, it is no odds whether their hands were as hard as nails, he would shake hands, which the gentry would not do. He made himself like one of themselves. That made him very popular amongst poor people.

28,695. (*Mr. Price.*) And the kissing of the children also?—I do not know about that.

28,696. That used to be an old-fashioned way of canvassing?—So I have heard. I have heard that when Mr. Kinglake was here, and Mr. Vanderbyl, one woman kissed him. I do not know exactly what it was.

28,697–8. Perhaps he paid very dearly for that kiss in the end. At that time did the men who voted on the Conservative side go and poll pretty briskly up to 10 o'clock?—They did poll briskly; much more briskly than the Liberals, because about half-past 1 I should think they were 250 ahead.

28,699. Do you think that they expected, from their polling, that they would be paid after the election, as that had been the usual practice?—No; I know that the usual practice was to pay them before, with the exception of the time when Patton came here.

28,700. (*Mr. Anstey.*) I believe you say it was the practice, if the money had not been paid before, but only promised or expected, for it always to be paid, if possible, before the next election?—I believe so.

28,701–2. Well, is there anything that should take the last election out of that rule? Do you know any fact that would make the last election an exception to that rule?—No; but I never heard that money was paid without it was promised. I never heard that if a man went to poll without a promise he was ever paid.

28,703. We have it in evidence from other witnesses that if bribable men voted early, and then money was going or was about, as the expression is, later in the day, it was the practice to come upon the bribery agents, and say, "I have voted early, and I am entitled to my money"?—That would be the case when the persons were in the habit of receiving bribes; but you see that many of these men were men who had not been bribed.

28,704. We have it in evidence that many of those who voted early were those who never voted without a bribe, or the expectation of it?—Yes; many of them. I was surprised to see some of them going to poll so early.

28,705. On that account?—No; that they had previously never polled without money.

28,706–7. (*Mr. Price.*) Do you know of no case where there was any direct promise held out, or do you suppose that they went upon the belief that they might have some?—I know one case, about two or it may be nearly three o'clock, I was in the "Clarence" Hotel, and I was passing by the foot of the staircase going up into the assembly room. Mr. James Leaker called me. I went towards him, and he said, "Look here, Fred, here's Jem and his father." He referred to James Trapnell and his father named Isaac. He said, "I have promised to give them three." He never said whether it was three shillings, or three pounds, or three half crowns. He said, "I have promised to give them three if they will poll for our side, but they want five." At that time I was under the impression that our party were spending money or promising money. I don't know whether I made any remark to him, but I certainly did wink to him, or something of that kind. He understood, I suppose, what I meant by the wink, that I did not think it was worth while to split about 2*l.*, and he went and joined them, and immediately took them to the poll.

28,708. Who was that?—James Leaker.

28,709. At the "Clarence"?—Yes.

28,710. What time?—Nearly three, I should think. That was the only transaction of the kind, I think, that took place at that election that I have ever heard of.

28,711. (*Mr. Anstey.*) To whom did he make the offer? You say Jem and his father?—It was James Trapnell.

28,712. (*Mr. Price.*) Now can you tell us as to treating at all these elections that you have spoken of? I do not know whether that is all you have to tell us about the election of 1868?—I do not know that there is anything more.

28,713. With regard to treating at all these elections, what was the plan upon the Conservative side?—Well, I think the plan was they would go on and draw the beer and supply the refreshments, as they call it, without any order for it whatever, on the strength of believing that they would be paid afterwards.

28,714. And were they paid afterwards?—Yes.

28,715. (*Mr. Anstey.*) How did the drinkers know the people who were going to drink? how did they show which side they were on? had they badges or anything of that kind?—No; we know them pretty well.

28,716. Yes, you would; but the bar maids and the bar men, and others?—Oh, I dare say that very often the other party would get hold of some.

28,717. Therefore, when we hear that a man, being a Liberal, went into the Clarence, and then came out again after drinking a glass of beer, it may be that he went in to get drink, under pretence of being a Conservative, and so *vice versâ*?—Yes. I do not think there was anything of that ever carried on at the "Clarence;" that the "Clarence" was ever opened in that way.

28,718. We have had it in evidence that it was?—Well, I know nothing about that.

28,719. (*Mr. Price.*) Do you know anything about a man by the name of Bottomley?—Yes.

28,720–1. What do you know about him?—In 1865, Mr. Westropp's election, I heard Mr. Joseph Richard Smith say that Bottomley went to his house one night. He was a tenant of Mr. Smith's. I think he went up to pay his rent. He was accompanied by his wife, and after some time he said, "Now, then, Mr. Smith, we will go to business." Mr. Smith was rather surprised at what business he meant, because, as far as he was concerned, he thought that all the business he had to do with him was over; and he then

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got on speaking of the election and of bribing, and said that he was disgusted with bribery, and all that kind of thing.

28,722. (*Mr. Price.*) Did he say he abhorred bribery?—He abhorred bribery.

28,723. But he wanted a present?—Yes; he wanted a present. He did not think it any harm for a man to take a present, and, out of curiosity, Mr. Smith asked him what present he wanted, and before he left he said that he wanted the moderate sum of 200*l.*

28,724. Is that the same man who has been spoken about by Dyke?—Yes, I believe so.

28,725–6. (*Mr. Coleridge.*) Is Bottomley alive?—I believe so.

28,727. Where does he live?—I do not know.

(*Andrew Allan.*) I think he keeps a drapery establishment in Dudley.

28,728–9. (*Mr. Price.*) Did he get his 200*l.*?—No. I think he voted the other side.

28,730. (*Mr. Anstey.*) May we take it that all those who received bribes, or were willing to receive bribes, on the Tory side, did so without protestation, and that all those who bribed, or received bribes, or were ready to do so, on the purity of election side, did so with protestation of their abhorrence of bribery?—Oh no, I do not believe they all protested. There were very few of them that did.

28,731. (*Mr. Coleridge.*) When you say that you think Mr. Patton's two elections cost somewhere about 2,000*l.*, do you mean merely for bribery, or do you include all the payments for treating and so on?—No; bribery only.

28,732. Then where did the money come from to pay for the treating?—I think Mr. Bealy Smith paid it.

28,733. Do you know what that came to?—I think that at both Patton's elections it would not come to more than 200 or 300*l.*

28,734. Then, taking his legitimate expenses, and also the bribery and treating, what do you put down the cost of his two elections at?—Exclusive of that?

28,735. No. Inclusive of everything, bribing, treating, and legitimate expenses. What do you put the cost of his two elections at?—I cannot tell what the lawyers would get.

28,736. Independently of that?—Independently of the lawyers, I should think about 4,500*l.*

28,737. Well, putting them at 500*l.*, it would be about 5,000*l.*?—Yes.

28,738. (*Mr. Price.*) So far as you know of the last election, and from what you have learned since, with the exception of what you have told us, was there or was there not any money paid at the last election on the Conservative side?—I do not know of any.

28,739. I am only asking you as to your own knowledge. You did not take a very active part, but so far as you know (and you are a person who would be likely to get at the knowledge of it afterwards) was any money paid at the last election on the Conservative side in the shape of bribery?—At the last election I do not thing there was.

28,740. After the election?—I believe there has been a little paid.

28,741. How much?—I believe Mr. Leaker has paid a portion of the money promised.

28,742. How much has Mr. Leaker paid?—I cannot say, but I believe he has paid a portion. He asked my advice, and I advised him not to pay it.

28,743. Which of them?—The son. I advised him not to.

28,744. How long after the election was that?—Some time after.

28,745. Before the petition was tried?—No; I think since. He spoke to me about it, and I said I would take and send them about their business.

28,746. Was that since we have been down here?—No.

28,747. Was it after the address went up to the Queen, praying that a commission might issue?—I really do not know. I should think it would be before that.

28,748. After Her Majesty granted it?—I should think it would be before that.

28,749. (*Mr. Price.*) Mr. Justice Blackburn was down here in February?—It was after Mr. Justice Blackburn was here.

28,750. He was down here in February, and the Commission was actually voted in May.

(*Mr. Anstey.*) It was voted in April, but it was not assented to till June.

28,751. (*Mr. Price.*) Was it after Mr. Justice Blackburn was here, and before the month of June?—I should say so. I should think so.

28,752. With the exception of that, I will ask you again have you heard since, or have you any reason whatever to believe, that any amount of money, whether a large sum or a small sum, or any amount of money besides that, was paid after the election on the part of Mr. Westropp and Mr. Gray?—No, I do not believe there was.

28,753. Have you heard whether there are men in the town, though now of course through this Commission of inquiry it may not have been so, but were there any men in the town after the election and before the inquiry before Mr. Justice Blackburn, any men on the Conservative side, who claimed money, and grumbled because they had not got it, and expressed their expectation to get?—I believe there were a few.

28,754. (*Mr. Anstey.*) How many, do you think?—I have heard there were a few, but I never heard those men say that they were promised money, but they thought they should have some.

28,755. They expected it?—During the day of the election, about three in the afternoon, when I found that the Liberals were pulling up fast, I said to Mr. William Brice, "The Liberals seem to me to be polling up pretty sharp; they are spending money like a flash; why not go in and win? There is plenty of chances." I think we were nearly abreast, and he said, "No, Temblett, not a shilling will we spend on our side. If a shilling would win we would not spend it. And not only that, but who for goodness sake would do it if we would spend?" I said, "Never mind that. If you will get the money to expend I will pay it like a bird."

28,756. Who was that?—Mr. William Brice. And he said, "Not a shilling we won't spend."

28,757. How long was this before the close of the election?—Some time; an hour; two hours; an hour and a half before the close, or something like that.

28,758. (*Mr. Price.*) When the Liberals were creeping up very fast?—Yes.

28,759. Do you believe at that time, if you had had money, you would have carried the election?—I do. I believe we could for 100*l.* The only thing I am surprised at was, that the Liberals should be paying 10*l.* a man when no body was competing with them, and they could have got them for 10*s.* as well as 10*l.*

28,760. You think that rather than not have any money they would have taken 10*s.*?—Yes.

28,761. (*Mr. Anstey.*) You think if the price of the vote was to be reduced from pounds to shillings, as it appears it has been reduced from hundreds of guineas to 10*l.*, or even less, if it was reduced still further, to shillings, to so many shillings a head, do you think the same people who now vote for pounds would vote for the shillings?—Yes; I believe some of them, a great many of them, would now. I believe on the old list a great many of them that had money then would not, but now there are so many poor men brought in they would.

28,762. (*Mr. Price.*) You think if they could compound for it now this inquiry is sitting, and thought they could get off without disfranchisement by saying, "No, we won't ask for 10*l.*, but we will vote for 10*s.*," do you think they would like that to be the result?—Oh yes, they would take that.

28,763. (*Mr. Anstey.*) Who were the other persons employed actively in the election like yourself. Was Murlis ?—Murlis was in 1859.

28,764. Has he not appeared at the late elections ? —No.

28,765. (*Mr. Price.*) There are Harden and yourself and Robert Bussell ?—Robert Bussell had a little to do with it; not much with paying money.

28,766. With what ?—With paying money out to voters.

28,767. (*Mr. Anstey.*) Not at any election ?—At only one, I think. That was Mr. Patton's, but not very much then; Patton's first election.

28,768. At the previous election he did ?—I do not remember.

28,769. For instance, Westropp's election in 1865. Do you remember that Robert Bussell was one of the persons named through whose acts Mr. Westropp was unseated ? Was not that so ?—A lot of people were named in the brief, but there was nothing whatever against him.

28,770. No, no ; but named in the shorthand writer's notes ? — I never heard that Robert Bussell was charged with having paid money to voters.

28,771. With having promised ?—That may be.

28,772. With reference to that election of 1865 (I did not catch whether you stated it or not, but let me ask you),—you have heard what has been stated about the proceedings of Sir John Shelley's side,—now, do you remember a promise, or a hint which was equivalent to a promise, given to you by Mr. Paul Reed, in the presence of Sir John Shelley, that———?—I remember perfectly well———.

(*Mr. Price.*) No ; wait and hear.

28,773. (*Mr. Anstey.*) That you should receive remuneration if you would only give your promise to vote for Sir John Shelley ?—It was not exactly like that. The evidence which I gave in the House of Commons is every word of it true.

28,774. (*Mr. Price.*) Tell us about it.

(*Mr. Anstey.*) You can now recollect ? He came up to the door.

28,775. Who did ?—Mr. Paul Reed, Robert Fletcher, Mr. Kinglake, and Sir John Shelley. I think that was the four. And I said, "Well, you do not expect me to vote for you ?" or some words to that effect. I said, "I suppose you mean to pay me a compliment by canvassing me." That might not have been the precise words, but they were to that effect. I addressed myself more particularly to Sir John Shelley, and said, "As for you, sir, your programme won't do for me." He said, "Programme, what do you mean." I said, "You vote for the ballot, and a large extension of the suffrage, and I don't agree with it." "Ah, my fine fellow," he said, "I have advocated the ballot for years before you were born," or "years before, when you were a child," or something of that kind. And then Paul Reed came up, and said, "Well, Mr. "Temblett, if you don't like the programme of the "vote by ballot and extension of the suffrage, what "do you say to a little sugar ?" and walked off with the same,—the whole lot. He took me by surprise. I did not say a word to him then. In fact he was gone out of sight, and I had no chance. During the day I thought over the matter, and I did not exactly relish it. At that time Kinglake and Shelley's committee-rooms were two doors from my house, an house between. I thought to myself, "I suppose Mr. Reed will be up to attend the committee by and by, to state the result of the canvass at the committee meeting." So I waited at my door to see if he came up. Just before he came to the door, Mr. Robert Bussell came across from the lane, and spoke to him. They were in consultation for a short time. I do not know what about ; it may have been about business. And as Robert Bussell drew off from him I went towards him, and I then said, "Mr. Reed, I want to say a word to you about what passed between you and me this morning." Mr. Bussell was there. He had not gone a yard or so, and he immediately came back, and joined us, and heard all that took place. So I repeated what he had said to me, and I said, "I should like to know what you mean by it." I said, "Did I ever give you any cause whatever to say such a thing to me ? I look upon it as a great insult." He said directly, "I "assure you, Mr. Temblett, I never meant it as such. "I have known you and your father for years, and I "should be very sorry to say a word to insult you "or annoy you in any way, and I must beg to apolo-"gize, if you take it in that way." The reason why Mr. Robert Bussell was not called to support that evidence in London I do not know. He never was called by Mr. Smith for that, and I think the reason he gave was, that Mr. Bussell had been called so many times into the witness box that he did not like to call him again. I think he had been in the box several times. That was the chief reason; but I stand by every word that I said there. Every word of it was true, although it was contradicted by Sir John Shelley and Mr. Paul Reed.

28,776. (*Mr. Anstey.*) Yes; you are quite right. You were not examined until after Robert Bussell had been examined for the last time. He was not called again ?—He was not called.

28,777. (*Mr. Price.*) Well, now, is there anything else you have got to tell us, because we rely upon your giving us the fullest information ?—I will tell you what I wish to say in passing. I heard the evidence of Thomas Jefferies yesterday. He wished to impress upon you that he was a man that took but little part in elections. Now there are very few men in the town that take much more part, both in municipal elections and others. I do not mean to say in paying money, but in getting voters up to the poll.

28,778. (*Mr. Price.*) He is a bribed man, and the particular thing we called him about is this particular promise of money. You have never known him ?—Never known him promise any. I will tell you what I have known him do at municipal elections.

28,779. He does not deny that he was an active partisan ; but you have never known him as a person dealing with money ?—Oh no, I never did. I suspected as much, but find out now———.

28,780. We have got that. Did he take any part in elections ? He said he did not ?—Oh yes, he takes a very active part. It is well known to every one in the town that he did.

28,781. Has it ever been supposed that he uses the influence of the position he holds in Browne and Company's employ ?—No doubt of it whatever. I will tell you what I have known him do at municipal elections. I have known him bring up the whole of the men in the yard, like a flock of sheep, to the poll, and immediately after they had been and recorded their votes, I know at one time particularly there was a compromise, an arrangement entered into between the Liberal party in the town and the Conservative party to put so many men into the corporation, so many Liberals and so many Conservatives; at that time there were several men that were annoyed at the arrangement, and thought they should like to have a fight, so that there were other names put up ; other persons were nominated, and when the day of election came on there was a fight for those men ; and then Mr. Brown and his partner and others had to stand by this arrangement, and the whole of those men were brought up to vote. Some would vote by the list, as they call it. Three men would be on the list for each ward, and they would come up and vote for those men, and not one out of ten, I believe, knew who they were voting for.

28,782. They were brought up by Jefferies ?—Yes.

28,783. Have you known such cases as this, that men have had lists shoved under their doors with half crowns, lists with the names of candidates, and next morning they have gone and voted for quite different people ?—I know they did, at the last election.

28,784. And the presiding alderman refused to take their votes in consequence ?—I never heard about the

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presiding alderman refusing to take their votes; but I did hear that money was put under the doors at the last election.

28,785. (*Mr. Anstey.*) Did you hear of this man asking for the vote of one of the people in his master's employment under his control at the Parliamentary election?—No; they did not want to ask them at all; they knew pretty well.

28,786. You never heard of it?—No, but they did not want to do that.

28,787. Why not?—Because they pretty well understood what they were to do, or else they would make it too hot for them.

28,788. But we have had it in evidence that on either side of the question it was believed that they were at the last election hanging back, these particular men of whom you speak, Browne's men, that they were hanging back because they wanted payment for their votes?—Yes; if they could have had payment from the Conservatives they would have voted for them.

28,789. I am drawing your attention to the facts. I wish you were not quite so quick in your answers. You have said that these persons did not want to be asked; they must go in droves as they were sent up by Browne's foreman, and this man in particular whom you named. I want you to tell me how you reconcile that with what we have in evidence, that they were holding back, and declined to go up at the last election upon the inducement which had been offered to them; that they wanted something more; wanted money?—I spoke of the municipal elections.

28,790. I am asking about the parliamentary elections. I ask you, did you ever know of their being canvassed or asked for their votes by the man Dudderidge?—No.

28,791. Then you say they did not want to be asked. I ask you how do you reconcile that with the fact that at one or two o'clock at last election they were hanging back because they wanted money, and the undue influence to which you refer was not a sufficient inducement to vote?—I suppose if money was offered for their vote they would have it, but at the same time if they could have got a good lump sum from the Conservatives ——

28,792. I said they were holding back; they could not be under undue influence if they were holding back?—Oh yes, they were just the same for all that, because they would have voted before the day was out without money if they could not have got money, —they would have voted.

28,793. Voted under that influence?—Yes.

28,794. Do you suppose that if Messrs. Browne and Co. were to sell their business, go away, and sell off to a firm as jealous on the Conservative side as they are said to be on the Liberal side, the voters would all go as a matter of course over to the Conservative side?—Yes, every one of them, I believe, would go over to a man.

28,795. (*Mr. Coleridge.*) Did you ever know an instance of Messrs. Browne and Company discharging men for voting against them?—No.

28,796. Very few ever did, as far as we can make out?—I will tell you. It is like this: they make it hot for them in this way, that, supposing a man should go and vote according as he thought proper, they would say nothing to him at the time, perhaps several weeks would go on, and then, although he may be a very good man, and do his work very well, the foreman would begin to find fault with him, and if the man had got any "go" in him at all he would not stand it, he could not put up with it. He would get at loggerheads with his foreman, and then he would go for cheeking him.

28,797. Like Luckes?—Like the man Luckes; he would be told "you have been loafing on shore."

28,798. Who is the Browne and Company on the Conservative side who does exactly the same thing?—I do not think there is anything of the kind.

28,799. Who is the Browne and Company?—Hennett and Spink.

28,800. I suppose they do exactly the same thing?—No, I do not think they do, because there were 30 at the last election voted for the Liberals.

28,801. Out of how may?—Out of 120 or more.

28,802. (*Mr. Price.*) 30 out of 120 voters, or 120 workmen?—30 out of 120 voters; I should think there is about 120.

28,803. (*Mr. Coleridge.*) Do you mean to say you believe there is a particle of distinction between the way in which intimidation is practised on the one side and on the other?—Not very much distinction.

28,804. (*Mr. Anstey.*) But you see, Mr. Temblett, Mr. Cook has been called here, and he says, after reading over what he himself prepared, the instructions to counsel for Mr. Vanderbyl at the trial of the last election petition, he says that there is only one or two at the most three establishments at Bridgwater in which labour is employed which are Conservative, and that at those three places there is an influence which prevents either the employers or the persons who have control over the workmen from influencing the voters, and therefore he concludes that the advantage is on his (Mr. Cook's) side, Mr. Vanderbyl's side, in all the other places, because there the voters go according to the politics of their employers?—I believe the advantage is on the Liberal side.

28,805. Therefore there is not a pin to choose between the two. This is what he says: I will draw your attention to the last answer: "The whole of the "manufacturers are Liberals, with the exception of "Mr. Charles Major, who does not influence a single "voter in the employ of the firm, but, on the con-"trary, the employées usually vote Liberal." That is Mr. Cook's admission as to Mr. Major's establishment. Well then he says that Messrs. Hennett and Spink, the iron founders, until the last election, used their influence largely for Conservatives, but through their connection, through their large engagements with Mr. Vanderbyl in commerce, which enable him to give the principal orders, that influence has been to a great extent neutralized too?—That is about it.

28,806. Then there is another establishment called the Carriage Sheds, used for the manufacture and repair of the carriages of the Bristol and Exeter Railway Company; that would be a place where voters are likely to be influenced by the Conservative side, but for the fact that the manager is Captain Henry Bridges, who, although a Conservative, is favorable to Mr. Vanderbyl, and bound himself by a promise to that gentleman, that although he would not vote for Mr. Vanderbyl, because he had a vote for the candidate, and intended voting for the Conservatives there, yet he would afford every facility to forward his election. Do you know that to be so?—I think there is a good deal of truth about that, and I will tell you what I think the cause of it. Mr. Bridges was annoyed when there was a batch of magistrates made at one time, and thought he ought to have been one, and was not. I think he ought to have been one, for he rendered more service to the party, and if they ought to be made for political services no man had rendered better services than he had.

28,807. That is why he withdrew his influence on the Conservative side?—I believe so; I do not believe he withdraw his influence altogether.

28,808. Is it true, as stated here, that there were as many as 200, or nearly 200, persons at that establishment who were under his immediate command as Captain of the Rifle Corps, all paid by the company?—I believe so.

28,809. And you say you think it is true, as Mr. Cook states, that he promised to afford every facility to forward Mr. Vanderbyl's election; and now are you aware that that was done in open disobedience of a printed notice which we had in evidence which had been issued by the company just before the election under the name of the secretary, to persons employed, that they would be expected to vote as they pleased,

and that no influence would be allowed to be exercised over them?—I do not think he intended any, if he could.

28,810. I am speaking of the pledge which is said to have been given to Mr. Vanderbyl that he would afford every facility he could to forward his election. You said just now that was about it. Now are you aware if he gave any such pledge as that it must have been in open violation of the notice put forth by the company?—Certainly it was.

28,811. Therefore now you are of opinion that it came to a question, not of bribery, but of influence exercised by the employers of labour over the employed, there is a very great distinction between the facilities and that kind of thing enjoyed by the Conservative party and those enjoyed by the Liberal party?—I do not understand you exactly.

28,812. If it come to a question of undue influence, and facilities of exercising undue influence over employed persons in the borough, by employers of labour, there is a very great distinction between the amount of facilities of that kind enjoyed by the Liberal party and those enjoyed by the Conservative party?—Certainly.

28,813. I only wanted to explain your answer, which seemd to me very rapidly given just now, that there was not a pin to choose between them, which appeared to me to be quite in contradiction to what Mr. Cook himself had stated. Now it appears that you agree with Mr. Cook.

28,814. (*Mr. Price.*) Now, is there anything else you have to state to us?—I do not know that there is.

28,815. Bearing in mind what I have told you of the discovery, if possible, of this stranger, for the present we dismiss you?—I have told you all I recollect. There is one thing I may mention. Richard Hurley gave his evidence here yesterday, and I think he said the cause of his failure in 1865 was through the Conservatives withholding their support. Now I have heard from Mr. White, whom I spoke of in my evidence before,—Mr. White of Darleigh, a farmer whom Hurley served his apprenticeship with, states,—that for years he has been under water with him, owing him money, and that the man never was in a solvent state from the time he got into business. I have heard Mr. William White say so.

28,816. (*Mr. Anstey.*) Do you mean that he is still in difficulties?—I do not know; not up to that time.

28,817. What time?—The time he failed, and paid so much in the pound.

28,818. You mean to say that you have heard that his embarrasments were not owing to exclusive dealing?—Yes.

28,819. That is what he stated, that there were bills out for exclusive dealing on the Conservative side, and that he suffered from that dealing in consequence he having voted in 1865 for the Liberals, and that by the election of 1865 he was obliged to call his creditors together?—I do not believe it to be true, for I heard Mr. White state the contrary.

28,820. Is it the fact that there were bills out?—It is a fact that there was an article published in the Conservative paper at the time.

28,821. Advocating that?—Advocating that or something approaching it, but I never heard that fact until he stated it.

28,822. In such an article as he alluded to, was that system of exclusive dealing acted on in the borough?—No, I do not think it was.

28,823. Not at all?—Well, not to the extent he would impress on your mind.

28,824. To some extent?—To some extent, no doubt it was.

28,825. On both sides?—Well, on both sides

28,826. (*Mr. Anstey.*) Has that system been acted on to this day, or has it been discontinued on either side or on both sides?—On both sides.

28,827. Discontinued?—No; continued now at the present time.

28,828. (*Mr. Price.*) Do you mean to say that people on the Conservative side do not go into Mr. Nicholl's shop, for instance?—A great many of them do not, and merely because the man is a Liberal; and the Liberals do the same with the Conservatives.

28,829. (*Mr. Anstey.*) Do people go and discount bills, that by getting bills discounted for their own personal relief from claims at the Conservative bankers, they being themselves Liberals, or is it only the Conservative persons who get money advanced?—No; I think chiefly Conservatives go to Conservative bankers, and Liberals go to Liberal bankers.

28,830. (*Mr. Price.*) Let me ask you this? You deal in money matters in your own business; do you believe all this bribery money which has been spent in this town, as represented to us as being notorious to that fabulous individual the oldest inhabitant; do you believe the town to be a bit benefited by all this expenditure?—I should think it impossible for 3,000*l.* or 4,000*l.* to be brought into the town without benefiting it.

28,831. (*Mr. Anstey.*) A general election every three or four years, not speaking of a bye election?—Yes.

28,832. (*Mr. Price.*) Is it looked forward to as part of the commercial prosperity of the place?—I do not know.

28,833. (*Mr. Coleridge.*) As a part of the income of the borough?—Yes, I think it does some of the men a great deal of harm; they get 10*l.*, and perhaps never saw so much before, and get on the spree, and lose their work.

28,834. (*Mr. Price.*) That is why I asked whether you thought people were materially benefited, or it added to the material prosperity of the town, and of course the town is made up of individuals, to have this continued large expenditure?—I should think it did.

28,835. (*Mr. Anstey.*) Have you any reason to believe that this lucrative system has had the effect which indiscriminate charity in some towns, such as Bedford, for instance, had of tempting persons to come into the town and become occupants of small tenements, in order thereby that they themselves in course of time should become the regular recipients of the money going?—No, I never heard such a thing.

28,836. But it is a fact, is not it, that small 10*l.* tenements, and now we may say smaller still, have very much multiplied of late years, that is, since the Reform Act of 1832, as compared with the increase in the number of tenements before the Reform Act?—They sprung up as a matter of necessity as the trade increased.

28,837. (*Mr. Coleridge.*) And as the population increased?—And as the population increased.

28,838. (*Mr. Anstey.*) You attributted it entirely to that?—I do.

28,839. Not to the share which the great extension of the suffrage in 1832 gave to the practice of bribery?—No, I think a great many more men might have had votes a great many, in the system of compounding. who lived in the lower part of the town, where the rates were compounded for, and consequently they did not get any vote, but thay might if they chose.

28,840. I forgot to ask you about one man in particular, an influential person, that is the person who has been examined to-day, Mr. James Wood Sully. Do you know whether it is the general impression amongst people in his employment, like that you have spoken to as being the impression with regard to those in Brown and Company's employment, that whether canvassed by him or not canvassed by him, if they do not vote according to his colour of politics, they will, be it sooner or be it later, lose their berth?—I believe they are under that impression, whatever Mr. Sully says.

28,841. Do you recollect the instance of Thomas Symes at the canvass of Westropp in 1865, spoken to by Robert Bussell before the committee of the House

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of Commons in 1866?—I do not remember that case.

28,842. (*Mr. Coleridge.*) You said just now, in answer to the Chief Commissioner, that people deal almost exclusively according to their politics here, which I believe is a custom all over the world pretty nearly. Is not it the custom here also that they deal according to their religions?—Yes.

28,843. The dissenting people go to the dissenting shops, and church people to the church shops?—That is about it.

28,854. And that is quite as marked, if not a more marked distinction, than the political one?—That is about it.

FREDERICK HARDEN sworn.

F. Harden.

28,845. (*Mr. Price.*) Are you landlord of the "Golden Ball"?—Yes.

28,846. We begin with 1859; is that the first election you have any practical knowlege of?—Yes.

28,847. Were you engaged then with Mr. John Murlis to get up two voters?—Well, not exactly to get up two voters.

28,848. Tell us what you were employed in?—I merely kept the book for him; I had nothing to do with money matters, and went to one or two places where he asked me to go, just to see a voter or two, to ask them whether they would vote for our side if they got 10*l.*, or something like that. That is all I know about the 1859 election. I did not pay any money or anything of that sort. I never had the handling of any money either for myself or any one else.

28,849. Did you have the handling of any money at that election?—Not at all.

28,850. Did you understand from Murlis how it was that Padwick and Westropp lost that election?—I was told afterwards that 53 he had paid had turned over the other side, and got money from the other side.

28,851. How much did he pay them?—10*l.* each.

28,852. 53?—Yes.

28,853. Had some returned the money, did he say?—Yes.

28,854. How many?—I do not know; I think Frederick Waters was one, a man of the name of Williams, out of the Hope, was another, and I cannot recollect anybody else.

28,855. (*Mr. Coleridge.*) Did you hear what those who had returned the money had received from the other side?—I understand they had received 15*l.*

28,856. It was a sort of honour among thieves?—Yes.

28,857. (*Mr. Price.*) Some few had returned it; not all?—No.

28,858. Now go to 1865. Tell us what you know about the election of 1865?—I think the first I had to do with 1865 was in this hall. There was a meeting called of the Conservatives, and Mr. Westropp was to address them on the platform. At that time the heads of the Liberals came and filled up the platform. They got about two or three to one, and filled up the platform here, and Mr. Westropp was about to address the people assembled here, and Mr. Cook, the lawyer, by the side of Mr. Benjamin Lovibond, pulled out a yellow handkerchief, and shook it over or close to Mr. Westropp's head, which was a signal for a row in the body of the hall. People began to hoot, and kick up a tremendous row. I came from the other end of the hall, followed by Temblett, and they tried to keep me off, or shove me off the place. John White, the old gentleman, gave me one shove, I recollect, but however we managed to get up and clear them off.

28,859. (*Mr. Coleridge.*) Do you mean there was a regular fight?—Yes; a regular row.

28,860. (*Mr. Price.*) Who were on the platform on the Liberal side?—Mr. Henry Nicholls.

28,861. That is the draper?—Yes. Dr. Sewell, Mr. Robinson, the brewer, who was named the other day. Mr. Searle, I think. I cannot remember them all; however, old Mr. Benjamin Lovibond was here.

28,862. A few of the celebrities?—Yes.

28,863. (*Mr. Coleridge.*) Who was the ringleader?—Mr. Benjamin Lovibond, assisted by Mr. James Cook; those were the two ringleaders.

28,864. Was that meeting called for the purpose of meeting to hear Mr. Westropp explain his principles?—Yes; after the Liberals had had theirs.

28,865. And they thought it right to come and get you out?—We wanted fair play, that was all. Mr. Richard Smith was with our party, with Mr. Westropp and others, and I, in getting up here on the stage was knocked off three times, I think, down here, and was assisted up once or twice by old Mr. Smith, and then he got knocked off once or twice, and I helped him up, and a mutual friendship sprang up from that time between us, and that is how I came to be engaged in these matters.

28866. Was there any regular assaulting?—I was summoned for an assault by Mr. Benjamin Lovibond, but acquitted. I was not near him within two yards.

28,867. (*Mr. Price.*) What was the end of the assault? There was a whip up of the Liberal magistrates?—Yes; all the Liberal magistrates, but they acquitted me.

28,868. (*Mr. Anstey.*) And of the Conservatives too?—No; not one; they purposely kept away.

28,869. How was that?—I do not know, because they left them to do what they liked.

28,870. Probably at this time the Liberal magistrates were in a majority, anyhow?—We could have got one or two Conservative magistrates, but I understood that they purposely kept away to see what they would do with me.

28,871. Was there at that time a majority of Liberals in the commission of the peace?—I do not know.

28,872. If there was a majority of Conservatives, I cannot understand how they could serve you by keeping away?—I will tell you, then. This summons was taken out by the Liberal party, and they determined to let the Liberal party do what they liked with it.

28,873. (*Mr. Coleridge.*) On whose information was it?—Mr. Benjamin Lovibond's.

28,874. (*Mr. Price.*) Tell us the history of it; what became of the assault case?—I said I was acquitted. We had a shorthand writer here, to go further if I had been committed. Mr. Smith engaged a Mr. Trenchard, of Taunton, and got a shorthand writer to take down the whole evidence, so as to take it to a higher court, if I had been committed.

28,875. (*Mr. Coleridge.*) With a view to an action for malicious prosecution?—Yes.

28,876. (*Mr. Price.*) What was done?—I was acquitted, and never heard any more of it. I did not pay anything.

28,877. (*Mr. Coleridge.*) Did you not pay your own lawyer?—Not a penny.

28,878. Who defended you?—Mr. Frederick Trenchard of Taunton.

28,879. (*Mr. Price.*) Now give us the history of this; that brought you into connection with Mr. Richard Smith?—Yes. I forget the day the 1865 election was on. Can you tell me the day of the week the 1865 election came on? It was Westropp, Shelley, and Kinglake's. However, on the Sunday following this, Mr. Tom. Boys came to me, and told me a gentleman would wait upon me at my house in the evening on the Sunday. He came; and, I think, the same

night Temblett, Jarman, and William Heal, and Boys were all there.

28,880. (*Mr. Price.*) Describe this man as nearly as you can?—I should think he was about 5 feet 6; round features, rather good looking, and full at the chest.

28,881. Dark? — Darkish, not very dark; dark whiskers and moustache. He seemed to be a Parliamentary agent, or something of that I should think he was, by his conversation with me at different times. He seemed to say he knew all about different places where he had been engaged.

28,882. (*Mr. Coleridge.*) That is what we want to know. Where did he say he had been?—I cannot name the places, but a lot of places. He said he had been all over England.

28,883. Cannot you recollect any?—I cannot tell you one single place.

28,884. Not one?—No.

28,885. (*Mr. Price.*) Did he lisp at all in his talk?—Not the slightest.

28,886. (*Mr. Anstey.*) Were the places which he had been to Parliamentary boroughs?—Yes.

28,887. Where there had been elections?—Parliamentary boroughs; he had been engaged in that sort of work, he said.

28,888. All over England, north, south, east, and west?—Yes.

28,889. Or only in the west of England, or the south, from what you recollect of the names; for instance, if he told you Newcastle, you would have known it was in the north of England?—I do not think he mentioned that one.

28,890. (*Mr. Coleridge.*) Did he mention Totnes?—No; I think he mentioned Liskeard as one of the places.

28,891. And Helston?

(*Mr. Anstey.*) Lancashire, Yarmouth?

(*Mr. Coleridge.*) Or Windsor?

(*Mr. Anstey.*) Any place in the west country?—I cannot remember. He mentioned a list of places.

(*Mr. Coleridge.*) Gloucester?

28,892. (*Mr. Anstey.*) Though you do not remember the names of the places, perhaps you can remember whether those which he did mention were all places which appeared to you to be in what you call down here the west country?—I do not remember. They were all places where bribery was carried on; I know that.

28,893. (*Mr. Price.*) Barnstaple? — Yes, such places.

28,894. (*Mr. Coleridge.*) Did he say he was at Barnstaple?—I cannot say.

28,895. (*Mr. Price.*) Tiverton?

(*Mr. Anstey.*)

—I do not know.

28,896. (*Mr. Coleridge.*) Dartmouth, Ashburton?—He said that was his business. He went all over. He said, "I am engaged in this constantly."

28,897. (*Mr. Anstey.*) Launceston, Falmouth?—I cannot remember.

28,898. (*Mr. Coleridge.*) When he said he was engaged in this constantly, engaged in what?—Going about with such men as ourselves, getting up lists, and paying money; because he complimented us, I remember. I was a teetotaller at the time, and we kept up nearly all night, working these lists, till very late, and he said he never had a better lot of men to work in his life.

28,899. (*Mr. Coleridge.*) He brought his wife with him?—He did the second time.

28,900. (*Mr. Price.*) Had he any luggage?—I do not know; he never lodged at our house; he stayed at our house during the day of the election.

28,901. Was there any mark or initial on his linen?—He had some on his cigar case, but I cannot remember what.

28,902. "W?"—I think one letter was "G."

28,903. (*Mr. Coleridge.*) Was his name Grant?"—That I cannot tell. I addressed my letters to Humphries, Mapleson, and Matthews, Moorgate Street, London.

28,904. What number in Moorgate Street?—The Post Office.

28,905. Did you ever address him in Parliament Street?—No.

28,906. (*Mr. Anstey.*) Those names were not the names of the firm; three different names he went by at three different elections.

(*Mr. Coleridge.*) And addressed to different post offices?—Yes.

28,907. (*Mr. Anstey.*) I thought you said Moorgate Street?—Yes.

28,908. (*Mr. Coleridge.*) Where else?—St. John's Wood, I think.

28,909. Post Office?—Yes, always the Post Office.

28,910. (*Mr. Price.*) Would you know him again?—Yes, among a thousand. I met him in the dark at the Marble Arch,—I will tell you by and bye,—in the night.

28,911. (*Mr. Anstey.*) Had he any hair on his face?—Yes, as much as yours. He had a full round face, with hair nearly the same colour as your own, but not of full growth, it was cut off just under the chin. He had a sort of moustache.

28,912. (*Mr. Coleridge.*) An imperial rather than a beard?—Cut off from below; but he had a moustache, dark.

28,913. (*Mr. Anstey.*) Allowed to grow under the chin?—Yes.

28,914. And above the lips?—Yes.

28,915. But not between the lip and the chin?—No.

28,916. Cut off between the under lip and the chin?—Yes.

28,917. (*Mr. Price.*) When you saw this gentleman for the first time, what did you do with him?—Went into the lists, worked up the lists; and I did not know exactly for what purpose we were working up those lists, but I very soon found out what it was for, by meeting Mr. Richard Smith at the day of the nomination, that is, the old gentleman, and he said, "Now what do you think of it? I should like to "take your advice about this. Do you think we had "better lay out a lot of money on this or no." I said, "I would not; if I were in your place I would not lay out money." I was rather nervous at that time. I had not been engaged in it.

28,918. (*Mr. Coleridge.*) Then how came he to ask you if you had not been engaged in it?—I had not been a briber. I suppose he consulted with some others. However, at the night of the nomination this agent came again, and distributed some money to those who were there. I think Heal and Jarman went away down King Street to his lodgings to receive theirs. However, I received a parcel of money that night for myself to expend on the lists I had, because it was 10*l.* each they were to be paid.

28,919. (*Mr. Anstey.*) And you spoke to him, of course, repeatedly?—Oh yes.

28,920. Could you judge from his voice whether he was an English, a Scotch, or an Irishman?—English, most decidedly.

28,921. Did he appear to have a west country dialect?—He seemed more like a Londoner.

28,922. Did you observe whether he used his H's right?—Yes, I think so; there was no Cockney about him.

28,923. What made you think him a Londoner?—Because he spoke very nicely. He spoke not as the east end Cockneys.

28,924. (*Mr. Price.*) No peculiar dialect you could discover?—No; not the least.

28,925. (*Mr. Anstey.*) Why you say so is, you mean you did not discover any provincial dialect or cockneyism?—No, not the slightest.

TWENTY-SEVENTH DAY.

F. Harden.

23 Sept. 1869.

28,926. But you are quite sure he was English, and not Scotch or Irish?—Quite sure he was English. On the morning of the poll in 1865, I think, John Truman came to our house, and we were supposed to work together, but he kept it back, I think, while I paid the men. I continued paying.

28,927. (*Mr. Price.*) How much did you pay away?—I really cannot tell. I never counted the money he gave me. I only received one lot. I said to him,—he was up stairs at our house at the time,—"I have paid away all this; there are more men waiting," and he said, "It is useless letting you have more money," or something like that, "because the election is won." I remember the two Hodges came late in the day, Frederick and John Hodge, and I said, "It "is too late; we have paid away all the money, you "cannot have any."

28,928. Can you give the names of those you did pay?—I remember Abraham Frost was the first in the morning, and another, John Pole, and another, Mr. Stacey, up in Fryern Street. I cannot mention all these names. I am almost afraid to, because there are three elections in one year, and not all the same.

28,929. You must get it to the best of your belief, because we can call them, and find out which election it was. They were probably paid at two or three of them?—Supposing they should come up, and contradict me, I should be in an awkward fix.

28,930. Give it to the best of your belief; we are not asking you to swear positively; but give a list of the names to our secretary, and we must judge?—There was a man named Isaac Smith, in the first election, 1865.

28,931. Try and furnish a list of names to our secretary, and we will have them summoned, and if they say they did not get money, and if you cannot identify them when they come, there will be no blame attaching to you, if you do it to the best of your recollection?—I will prepare it.

28,932. You cannot say how much you spent at that election?—No.

28,933. After the election, did you meet the same man again by appointment at Devizes?—I did.

28,934. How long after the election was that?—I can scarcely tell; perhaps a month afterwards; something like that, because I had to collect the bills in and around the town.

28,935. Innkeepers' bill?—Innkeepers' bills and others.

28,936. Did he give you any money to pay them?—When I met him at Devizes, I was to meet him at the hotel.

28,937. When did he tell you?—He wrote to me.

28,938. (*Mr. Coleridge.*) Have you any of his letters?—Not one; I have not got any at all.

28,939. How did he sign it?—"Humphries," or one of the other names.

28,940. Did he never in any shape or way tell you where he came from or anything about himself?—No; but I think he came from somewhere about Knightsbridge; from the communication I had with Mr. Bealy Smith at one time I considered his residence was somewhere about Knightsbridge.

28,941. Do you know whether it was somewhere about Parliament Street or Victoria Street?—No.

28,942. (*Mr. Anstey.*) What communication did you have from Mr. Smith?—I was going to take lodgings for the witnesses for the petition, and I said I should not go unless I had the money to pay my expenses, and he said, "Well, if you are short of money," or something of that sort, "you could go to such a place, and get the money there."

28,943. What was the place?—Somewhere at Knightsbridge. I cannot recollect. I wish I could. I should like to get it out very well.

28,944. (*Mr. Price.*) Was it Alfred Place?—No; that was not the place.

28,945. (*Mr. Anstey.*) What did Smith say to you, that you were to go to Mr. Satterthwaite at Knightsbridge?—No; he did not mention that name.

28,946. (*Mr. Price.*) Some number of some street at Knightsbridge?—Yes.

28,947. Montpellier?—No.

28,948. (*Mr. Anstey.*) Brompton Road?

(*Mr. Coleridge.*) Earl's Court?—No.

28,949. You cannot tell?—I cannot tell. I could if I heard it, I think.

28,950. (*Mr. Price.*) Drayton Terrace?—No.

28,951. (*Mr. Coleridge.*) Montpellier Square?—No, I know that; it was not that.

28,952. (*Mr. Anstey.*) Anything like Redcliffe?—Redcliffe.

28,953. Or Holland Square or Redcliffe Gardens?

28,954. (*Mr. Coleridge.*) Or Hill Street?—That is more like it.

28,955. Just by the side of Montpellier Square?—That is like it.

28,956. (*Mr Price.*) Did you go there ever?—No; I did not go to take the lodgings. He got some one else to do it.

28,957. You met him at Devizes?—Yes; I went round, and collected all the bills, and took them round to him, and we sat up all night at the hotel.

28,958. (*Mr. Coleridge.*) When was this?—About a month or six weeks after the election of 1865; Westropp's election.

28,959. (*Mr. Anstey.*) You took them where?—To Devizes.

28,960. (*Mr. Price.*) Did he pay you there?—Yes.

28,961. How much?—He paid me sufficient to pay those bills which he considered were right; those bills which he thought were too high he said he should send some one down to pay; he should not pay the full amount.

28,962. (*Mr. Coleridge.*) Did he give you anything for yourself then?—I had my expenses paid up there.

28,963. Nothing else?—No.

28,964. And liberal expenses, I suppose?—Yes, I received 3*l.*; but I had to pay all my own expenses.

28,965. (*Mr. Price.*) Did he give you 50*l.* to pay these bills?—I think it was 50*l.*

28,966. Did you pay it all away?—I paid it all away.

28,967. Were you employed in getting up evidence for the defence in the petition?—Yes.

28,968. And for the petition against Mr. Kinglake?—For the petition against Mr. Kinglake, mostly.

28,969. When you went to London about that, were you told by Bealy Smith to be at the Marble Arch at a certain hour?—Yes.

28,970. Did you go there, and meet this same stranger again?—Yes, I did, about 8 o'clock at night.

28,971. Did you adjourn from there to a public house in Oxford Street?—Yes.

28,972. And discuss the characters of some of your townsmen?—Yes.

28,973. Was he of opinion that there was some traitor in your camp?—Yes.

28,974. Or else the other side would not have got to know so much?—Yes; that is quite right.

28,975. (*Mr. Coleridge.*) Did he point at all to who the traitor was?—He did mention several names.

28,976. *Mr. Price.*) There is one man who cannot be painted much blacker than he has been by himself; did he mention William Heal as one of the gentlemen?—He did.

28,977. (*Mr. Coleridge.*) Did you mention any one to him you thought was a traitor?—No; I could not tell him at all; he knew a lot more than I knew.

28,978. Where did he learn it?—He must have learnt it from Mr. Smith.

28,979. (*Mr. Anstey.*) How long did you stay with this man at the public house after you left the Marble Arch?—It might have been 20 minutes or half-an-hour. We had just a glass or two; we stood in a little jug department, by ourselves.

28,980. Where did he go after he left you?—I do not know; he took a cab from the Marble Arch, and I walked across the park.

28,981. Did you hear him give any directions to the cabman ?—No.

28,982. Did he say where he was going?—No.

28,983. Did he say when he was going to see Mr. Smith again or any body else ?—No ; he told me that most likely I should see him in and out of the House of Commons during the petition, but I was not to know him.

28,984. (*Mr. Price.*) Did you see him ?—No, I did not. I dare say I might have seem him, but I was sent off a day or two after or the next day down here again.

28,985. (*Mr. Anstey.*) Did he tell you what he was going to do down at the House of Commons ?—No.

28,986. He did not tell you he was on a Committee or anything of that kind ?—No.

28,987. Did you hear from what he said that he was a member of the House of Commons ?—No ; he was not a member of the House of Commons.

28,988. Or a parliamentary agent ?—A parliamentary agent, I should think.

28,989. Did you infer from what he said he was employed in that very affair of the petition ?—No ; he did not say. I thought he must have been, else he would not want to know this.

28,990. Did you infer from what he said that when he was about the House of Commons, if you happened to see him about the House of Commons, he would be then occupied in the matter of this petition as one of the agents or persons employed in the support of the petition ?—Well, I thought he must have something to do with it, or else he would not have said this about his going in and out.

28,991. That is what he said, "Going in and out ?" —He said, "If you see me going in and out of the House of Commons you must not know me."

28,992. He did not tell you that he was going to be a witness ?—No.

28,923. Or a mere spectator, or anything of that kind ?—No.

28,994. His expression was, "In and out" ?—Yes.

28,995. From which you inferred employment ?—Yes. He wanted to know when he met me there how I thought these people were going to give their evidence, and whether they were all right, or whether they were traitors, or something of that sort.

28,996. He did ask you those questions ?—Yes ; that is what he wanted to see me for.

28,997. Had he a list of witnesses ?—I do not know at all.

28,998. Had he the names of the witnesses ?—He seemed to have it hand pat, and did not want a book.

28,999. Did he know all about it ?—He seemed to know more than I did.

29,000. He did not ask you, for instance, who was this, and who was that ?—No.

29,001. What did he want you to tell him about giving their evidence right ? Merely that they were "traitors" ?—Yes.

29,002. He did not want you to inform him of any information which they were to swear to ?—No.

29,003. That he knew already ?—That he knew already.

29,004. It is pretty clear then, is it not, that he was some one or other connected with the parliamentary agents ?—I should think so.

29,005. The agents, I find, were Baxter, Rose, and Norton ?—That is where we went.

29,006. Who ?—I and Mr. Boys, when we went on Sunday morning, and saw Mr. Spofforth.

29,007. (*Mr. Coleridge.*) Did the same mysterious stranger ever go with you to Baxter, Rose, and Morton's ?—No ; the only place I ever saw him in London was at the Marble Arch.

29,008. (*Mr. Anstey.*) Did you ever mention, in talking to this man, that you had either been or were going to be at Baxter, Rose, and Norton's about business ?—No.

29,009. Did he mention them at all ?—He never brought up their names at all.

29,010. Did he know that the briefs had not been delivered ?—I cannot say.

29,011. Or had they been delivered ?—There was nothing said about it.

29,012. The only other agents mentioned in that blue book are the local attornies here, who for the purpose of the petition are described as agents, Smith and Son and Mr. John Ruddock ; the only London agents are Baxter, Rose, and Norton. Did you, putting everything you heard him say and that which you knew besides together, then suppose that he was connected with or a member of the firm of Baxter, Rose, and Norton, or in their employment ?—I did not know what to think about it. I could not think at all ; he was quite a stranger to me ; I answered what questions he asked me about these people at Bridgwater ; and that is all he seemed to want to know from me.

29,013. (*Mr. Price.*) Is that all you can tell us about that matter ?—About this mysterious stranger ?

29,014. At that time ?—At that time.

29,015. (*Mr. Anstey.*) Except this : I want to know, did Spofforth, or the person you saw at Baxter, Rose, and Norton's, ever allude to this man ?—No.

29,016. Did anybody ever allude to him besides Mr. Bealy Smith ?—Not while in London.

29,017. Not while you were in London ?—He told me at the hotel by the Victoria Station, where we were staying, to go and meet some one ; some one wanted to meet me at the Marble Arch, and I went.

29,018. After that, did you tell Smith that you had seen him ?—No doubt.

29,019. Anybody else ?—No ; I was not to tell anybody else.

29,020. You were not to tell anybody else ?—Not to tell anybody else.

29,021. (*Mr. Price.*) That being so, the petition took place, and Westropp was unseated ?—Yes.

29,022. (*Mr. Coleridge.*) When was the last time, after this election of 1865, that you saw this mysterious stranger again ?—When he came down at Patton's first election.

29,023. Had you seen him between ?—No.

29,024. (*Mr. Price.*) Then when Mr. Patton came down here, a short time before he came down, did you see this man again ?—Yes.

29,025. He came down again ?—Yes.

29,026. A little time before Mr. Patton came ?—Yes.

29,027. Tell us what communication you had with him ?—He paid me 20*l.*, and, I think, the rest 20*l.* ; we were promised 25*l.* to work for the election of 1865. He paid us, I think, 20*l.* each all round, and he said, "I want you again for this election." I want "you," he said to me, "Temblett and Jarman," and he says, "I want Robert Bussell." And I think he said he was going to stay at Robert Bussell's house ; but, however, he said, "I do not want William Heal, Boys, or Truman, to know I am in the town, and you must not tell them I am here."

29,028. (*Mr. Coleridge.*) Does Robert Bussell keep an inn ?—No ; a private house.

29,029. (*Mr. Price.*) Where did he stay then ?—He stayed at Robert Bussell's.

29,030. How long was he there ?—I cannot tell ; two or three days, I should think.

29,031. Did he go away before the election ?—No.

29,032. He stayed over the election ?—Yes.

29,033. (*Mr. Coleridge.*) Have you had a communication with him since this Commission has been sitting ?—No ; I have not heard from him since 1866.

29,034. Do you know whether anybody has heard from him since this Commissisn ?—No ; I have never heard a word about him.

29,035. (*Mr. Price.*) Did you make out a list, and get 5*l.* a head for the men named in it ?—Yes.

29,036. Now, in the course of the day you found that you were behind hand ; and there was a want of 300*l.*, you have heard Temblett say ?—Yes.

29,037. Did you have the disbursement of part of that 300*l.* ?—Yes.

TWENTY-SEVENTH DAY.

F. Harden.

23 Sept. 1869.

29,038. (*Mr. Coleridge.*) Tell us who you gave the money to?

(*Mr. Price.*) You must make out a list of all the names you can remember, and, as near as you can, the year you paid them, and if incorrectly as to the year the men must come and correct that. We will not take you through it now, but be prepared to hand it in. Now did you pay them after the election the 10*l.* each?—The latter part of the day there were about 30 wanted or hanging about, and this 300*l.* was laid out on 30 men at 10*l.* each, that was sufficient for the election. That was borrowed in the town.

29,039. (*Mr. Coleridge.*) Did you contribute towards it?—No.

29,040. (*Mr. Price.*) Did you have anything for your services at that election?—Not until after the election.

29,041. (*Mr. Coleridge.*) Do you know how that money was repaid?—No; I heard my father subscribed a part of it.

29,042. Shortly after that, did you have a note from Temblett, telling you about Mr. Vanderbyl?—Yes, when I was down at Dulverton fair. I was staying at a friend's in that neighbourhood for a week; and he sent a letter to say that the great gun of Yarmouth notoriety had come down, determined to win the election; all hands would be wanted. I must come home immediately.

29,043. Did you go home?—Yes.

29,044. Did you find this unknown man, the stranger, again there?—Yes.

29,045. At the "Albion"?—Not that night; that was too late; the next day.

29,046. Where was he staying?—At the "Albion."

29,047. How did you know that this stranger was at the "Albion"?—There is no doubt that Temblett or one of them told me word for word; I cannot tell you. It was all electioneering just at that time.

29,048. (*Mr. Price.*) Who is the landlord at the "Albion"?—Grabham.

29,049. Is he alive?—Yes.

22,050. How long was the stranger there then?—I do not know; perhaps a couple or three days.

29,051. Did you go through the same matter, making up the lists as before?—Yes.

29,052. (*Mr. Coleridge.*) What did he tell you at that time? We want to know something about him. What did he tell you he had come down for?—We pretty well knew that.

29,053. He said something to you, I suppose?—He wanted us to go through the lists, or something of the sort; I do not know exactly the words he used.

29,054. Did he tell you where he had come from, or anything about himself?—No.

29,055. What he was going to do?—We pretty well understood.

29,056. Did he tell you?—I daresay he did.

29,057. Then what did he say?—I cannot tell you; to look at the list and to get the money.

29,058. Did he tell you how much he had got?—I never knew and never heard.

29,059. Did he tell you what the price was to be?—Oh, 10*l.*

29,060. How much did you have from him?—At Vanderbyl's election? I cannot say; from 80*l.* to 100*l.* I think; not more. He brought down a stranger at each district to pay the money, and we were to introduce the voters to this stranger, who paid the money instead of our paying them.

29,061. Therefore you had not the control so much as at the election before?—No; I had not the control of money.

29,062. (*Mr. Coleridge*). Where was he to pay the money?—At Newton's, the "Three Crowns," for my district. There were men engaged by this agent to go to the public house in each district, and pay away money.

29,063. Another man besides the mysterious stranger?—Yes.

29,064. How many houses were engaged?—Three.

29,065. Who were the men engaged?—Temblett, Jarman, and myself.

29,066. There was no other stranger in the town but one?—Yes; each place.

29,067. Where did they come from?—I do not know; they were brought down by this man, no doubt; he always had one or two with him.

29,068. They were to be a kind of check, or what, to pay away as well as you?—To pay away; we were to introduce the men.

29,069. Did you go down to the "Three Crowns"?—Yes.

29,070. Who did you find there?—I saw Newton. He said he did not want my assistance, he could manage it himself. I saw Boys and one or two others there.

29,071. Buttle?—I saw Buttle later in the day.

29,072. And Haste?—That was the last thing.

29,073. Did you see a man named Buttle there?—I saw him later in the day.

29,074. Is it one of those who were before us?—The elder.

29,075. Did you offer him anything?—10*l.*

29,076. What did he say?—He and Haste were together, and I offered them 10*l.* They said they would not go for less than 15*l.* I told them I had not got the money; they must go, and they went the other side. That is all the money I had left, 20*l.*

29,077. Did you hear anything afterward from this stranger about the way the election had been lost?—Yes.

29,078. What was it?—He went down to Newton's, and he came to my house, and got my list, and went through the list, and he said, "Well, there is 20*l.*" I said, "I have got that." He said, "I shall want that, for I have several bills to pay in the town;" and I gave him the 20*l.*, and I have not seen him since.

29,079. (*Mr. Coleridge.*) When did you get paid yourself?—A long time afterwards, after writing to Mr. Patton, and one thing and another. I had a great deal of fuss to get paid at all.

29,080. (*Mr. Anstey.*) Did you write to Mr. Patton yourself?—I did.

29,081. Telling him what you wanted?—Yes.

29,082. What did you tell him?—That we were engaged for 20*l.* each to act as captains; we were called to lay out the money in bribery.

29,083. (*Mr. Price.*) Did you tell him you were engaged in laying out the money in bribery?—Yes; that I was engaged to lay out the money in bribery.

29,084. (*Mr. Austey.*) That is not all you told him?—I told him we were engaged by an agent and by Mr. Smith to bribe voters, and that we were to have 20*l.* apiece for our services.

29,085. What else did you tell him; that you had not had the money?—That I had not the money.

29,086. (*Mr. Coleridge.*) What answer did he make to that, if any?—I received an answer through Mr. Pitman, saying, he knew nothing about it, and referring me to Mr. Smith.

29,087. (*Mr. Anstey.*) He said he knew nothing about it himself?—Mr. Pitman said he knew nothing about it.

29,088. (*Mr. Coleridge.*) Have you Mr. Pitman's letter?—I have one.

29,089. Did you get a letter from Mr. Patton?—No.

29,090. How do you mean, he referred you to Mr. Patton?—I said Mr. Pitman answered the letter.

29,091. And referred you to Mr. Smith?—Yes.

29,092. (*Mr Price.*) Was Mr. Pitman down here on both occasions?—I do not know both, but he was the first.

29,093. Therefore you knew him as a friend of Mr. Patton's?—Yes.

29,094. This is a letter dated 3rd April 1867, signed Frederick Pitman, addressed to Mr. F. Harden, High Street, Bridgwater; "48, Castle Street, Edinburgh, Sir, The Lord Justice Clerk has requested me to

say that he forwarded your first letter to Mr. Smith. His Lorship knows nothing of the matters to which you refer. Your obedient servant, Frederick Pitman." Did you in consequence of that see Mr. Smith. Yes.

29,095. Did you get your money from him?—He offered me 15*l.* for the 40*l.* I would not have it. We were engaged at 20*l.* for each election; we had worked two elections, and he offered me 15*l.* for the lot. I told him I would not have it, and then I wrote to Mr. Patton again, and this is the letter I received.

29,096. (*Mr. Anstey.*) The letter just read was the answer to your second letter?—Yes; the next was one like it, but I cannot find it.

29,097. (*Mr. Price.*) What did you do after getting that second letter?—I saw Mr. Smith again two or three times about it, and could not bring him to any terms at all. We had a row at his office, and I told him if ever he wanted any one else to work at elections he had better get some one like Mr. Heal, for if we took all the trouble, and the risk of being imprisoned, and one thing and another, and he did not pay what he had agreed to pay, I would not work another election as long as I lived, and we parted very bad friends, and I do not think I saw him afterwards.

29,098. (*Mr. Price.*) Was it believed in the town that Mr. Smith had a great deal of the money himself?—I never heard so.

29,099. Did you hear anybody who had stuck to any of the money?—William Heal and Newton.

29,100. (*Mr. Anstey.*)—Newton, on your side?—Yes; that is Vanderbyl's election. We considered he lost the election.

29,101. 200*l.* was got by Heal at this very election?—Yes.

29,102. Had Newton always been on your side?—No; he turned over in 1865.

29,103. Did you ever get paid this money?—I think I got 20*l.* or 25*l.* altogether.

29,104. From whom?—15*l.* or 20*l.* from Mr. Chapman, at Smith and Boyle's office.

29,105. Since when did you get that?—A long time after this.

29,106. A long time after you had a row with Mr. Smith?—Yes; after he went away, I think.

29,107. Was it after the election of 1868?—No.

29,108. But Mr. Smith did not go away until after 1868?—Yes, he did; I think so.

29,109. Was it just before the election of 1868 that you got this money from Chapman?—No some time before a twelvemonth, I should think.

29,110. In 1867, perhaps?—Yes.

29,111. How long was it?—Some time after this letter.

29,112. How long after you had seen Mr. Smith, and had the row with him that you got payment from Mr. Chapman?—It may have been a month or two. I cannot tell the date. I kept no account of it.

29,113. (*Mr. Price.*) Did you get your 20*l.* at last?—Yes. I got about 10*s.* in the pound. We were promised 40*l.*

29,114. (*Mr. Anstey.*) Did Mr. Smith give any reason to you besides the want of money for not paying the full demand?—None whatever. He said he was short of money.

29,115. He did not deny your statement to be true, that you had been employed in that way?—No.

29,116. And for this purpose?—And for that purpose.

29,117. (*Mr. Price.*) How much was it said that Newton stuck to?—I cannot tell. According to the list, he had several names put down who never had money, and he made a draw in the middle of the day. I have heard he came up in the middle of the day, and said he wanted some more, and put it in his pocket, and stuck to it.

29,118. (*Mr. Anstey.*) Did this stranger appear to be a man who mixed in society on the same footing as a gentleman?—Yes.

29,119. Did he visit any of the respectable families in the town on that footing?—I never heard that he visited anybody.

29,120. Did anybody ask him to dine with them?—I never heard so. He used to keep himself close.

29,121. Then how do you know he was a man that of that estate?—I knew him by his manner.

29,122. By his appearance?—By his manner.

29,123. (*Mr. Coleridge.*) How did he dress?—Very nicely.

29,124. A frock coat or a short one?—A sort of round coat, neither a frock coat nor a cut-away coat; he was very fashionably dressed.

29,125. (*Mr. Price.*) Was that the last time you had any communication with this stranger?—I think I have heard from him since.

29,126. Have you seen him since?—I considered I saw him on the Paddington platform about two months ago.

29,127. Did you know him?—I did know him, and lifted my hat to him; and he turned his face the other way, and walked on.

29,128. You did not go up and speak to him?—No; I did not run after him.

29,129. (*Mr. Anstey.*) He did not return your salutation?—No; he walked on, and turned away.

29,130. (*Mr Price.*) Did he look the same with regard to his moustache?—Just the same.

29,131. (*Mr. Anstey.*) What were you doing?—Just seeing a friend off to Taunton. I had come from the Wimbledon meeting.

29,132. Did he appear just to have arrived?—He seemed to be waiting for a train.

29,133. (*Mr. Coleridge.*) The trains do not come in the same side as they go off?—No. He was on one side and I on the other, about eight feet between us.

29,134. (*Mr. Anstey.*) Did he go off by a train whilst you were there?—No.

29,135. Did you see him go anywhere?—He walked off on the other platform towards London way.

29,136. He disappeared, did he?—Yes; he walked on.

29,137. You watched him till he disappeared?—I did not watch him; he passed on.

29,138. Did he pass out of your sight?—No; he was not on my platform.

29,139. He did not pass out of your sight?—No.

29,140. He was walking towards the entrance, I suppose you mean, by which you come in from London?—Yes; towards Paddington way; Hyde Park.

29,141. You did not see him quit the platform?—No, I did not. I saw he did not care to notice me, and I did not run after him to catch him by the coat.

29,142. (*Mr. Coleridge.*) Should you know the lady who was with him?—No.

29,143. (*Mr. Price.*) Had you anything to do at the last election?—Nothing whatever.

29,144. Did you after the election attend a meeting at Mr. Trevor's where it was decided to petition?—Yes.

29,145. After that did you hear something was going on among the lawyers which you did not like?—Yes.

29,146. About this petition?—Yes.

29,147. With a view to a compromise?—Yes.

29,148. Did you then, with a man named Lewis, who had been a clerk to Mr. Bates, write out the heading of a petition yourself?—Yes.

29,149. Did you get that signed by about 300 people?—Over 300.

29,150. And were you deputed to go to London with it?—Yes.

29,151. What was the petition for?—To present the petition.

29,152. In case the other was got rid of?—Yes. This was not a petition to be presented to Parliament. It was just a heading to Mr. Westropp, showing the wishes of the Bridgwater people, that the petition should be presented.

TWENTY-SEVENTH DAY.

F. Harden.

23 Sept. 1869.

29,153. (*Mr. Anstey.*) It could not be to Parliament?—No.

29,154. (*Mr. Price.*) Then you went to Mr. Westropp's?—Yes.

29,155. Did you see him?—We called him out of bed in the morning.

29,156. Did he pledge himself he would go on with the petition?—Yes, he did.

29,157. Was there afterwards a meeting at Mr. Gray's office?—Yes.

29,158. Mr. Gray, the candidate?—Yes.

29,159. In London?—Yes.

29,160. Were Mr. Brice and Mr. Trevor there, Mr. J. R. Smith, and Mr. Patton?—They came some little time after we were there.

29,161. And yourself?—Yes.

29,162. What passed at that meeting?—They talked about a compromise.

29,163. Who talked about a compromise?—The lawyers, and Mr. Westropp, and Mr. Trevor, Mr. Brice, and the rest of them. Mr. Gray had seen the lawyers that morning, and he thought the offer was very fair, that Mr. Vanderbyl should resign in July, I think it was, and Mr. Westropp was to have a walk over, and all the Liberal lawyers, and all the heads of the Liberal party in Bridgwater, bar one, were to agree to it.

29,164. Who was the one?—Mr. J. W. Sully, the man who was up here this morning.

29,165. He was against it?—He was the only one in the town who was against it.

29,166. Did you also express your dislike to it?—I said I had only come up with this list, and people seemed very much bent on the petition, and I did not think it would be quite safe for us to enter on a compromise; our heads or homes would not be very safe.

29,167. What was the cause of the great desire to have the petition gone on with; merely to unseat Vanderbyl and Kinglake, or what?—Merely because there were members of the Conservative Working Men's who had been educated to politics some little time before the election, and they seemed to take the greatest interest I ever saw taken in a parliamentary contest for Bridgwater.

29,168. Were they men who had been paid?—No; they were members of the Working Men's Association.

29,169. Still they might be bribed. Were they men who took bribes at elections?—I do not know at all.

29,170. Then what was their feeling about it?—That the petition should be presented, because there was no bribery on our side, and they considered the seats were obtained entirely by bribery.

29,171. (*Mr. Anstey.*) That is, when you say no bribery on your side, no money actually paid?—I never heard of any treating, bribery, or promises. I think I should have known if it had come off.

29,172. There is such a thing as an expectation, and we know what that means?—I do not.

29,173. (*Mr. Price.*) Did you go away with Mr. Westropp?—Yes; they wanted to take Mr. Westropp down to the Tavistock.

29,174. (*Mr. Coleridge.*) In London?—Yes, where the Liberal lawyers, I understood, and Mr. Sealy, and some others, were waiting to see whether they could come to terms. Before we left Mr. Gray's, they offered that Mr. Vanderbyl should resign in July, I think, and Mr. Westropp was to have a walk over; but if Mr. Vanderbyl did not keep his word, then Mr. Kinglake was to resign instead, and Mr. Westropp take it. Those were the terms of compromise there, I think.

29,175. (*Mr. Price.*) Supposing it couid be done, and the proper thing to do, why would not that satisfy the men with whom they were acting?—Because Mr. Westropp read us a letter he had received from his brother, or a member of Parliament, stating that any compromise made was illegal.

29,176. But I say, assuming it could have been carried out, why would not that compromise have satisfied the 300 who signed with you this petition; because, assuming it to have been carried out, Mr. Westropp would have had the seat; would that have satisfied them?—I should think it would, if they could have felt themselves safe.

29,177. (*Mr. Anstey.*) When you talk about the enthusiasm of these Conservative working men, and their association, is not it a fact that of that association 28 members who had promised to vote for Westropp and Gray voted for Kinglake and Vanderbyl? They would not have done so if they had not been bribed.

29,178. I am not asking you that; but answer my question. Do not you know the fact, that of this enthusiastic Conservative Workingmen's Association, 28 who had further pledged themselves to vote for Westropp and Gray, nevertheless ended by voting for Kinglake and Vanderbyl?—I said, if so, they were bribed.

29,179. Is not it a fact that they did?—No doubt. I am not aware of it. I am not aware that there were 28 at all; I heard there were some.

29,180. I am not here to discuss the matter with you, but only ask you the fact?—I am not aware of it.

29,181. (*Mr. Price.*) You do not know it?—No.

29,182. (*Mr. Coleridge.*) You know there were some?—Yes, I know there were some.

29,183. (*Mr. Anstey.*) You do not know that 41 of these enthusiastic new voters, including the 28, after promising Westropp and Gray, voted for Kinglake and Vanderbyl?—I did not know it.

29,184. (*Mr. Price.*) Is that all you have to tell us about this matter?—Yes.

29,185. You will make out a list of the men?—I will try.

Adjourned to to-morrow at half-past ten o'clock.

TWENTY-EIGHTH DAY.

Friday, 24th September 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
HENRY FRANCIS PURCELL, Esq., Secretary.

FREDERICK JARMAN sworn.

29,189. (*Mr. Price.*) You are a baker here?—I am.

29,190. At St. John Street?—Yes.

29,191. We begin from the earliest election, and so work down to the last. What was the first election in which you took any part as a briber, or any part at all?—In Padwick and Westropp's.

29,192. (*Mr. Coleridge.*) When did you first vote?—I really cannot say. I voted for Mansell and Follett. I think that was my first vote.

29,193. Did you get anything for your vote then?—No.

29,194. Anything subsequently?—I never had anything for my vote then or since.

29,195. Were you a briber previously to the election of 1859?—I was not.

29,196. In 1859, who was it who employed you to pay voters?—Mr. John Murlis.

29,197. Were you also to send voters to his house?—Yes.

29,198. How many men did you pay?—I remember paying four. I do not remember more.

29,199. What are their names?—John Allen, Mr. Foxwell——

29,200. William Foxwell?—William Foxwell, John Squires, and John Whiteaway.

29,201. (*Mr. Coleridge.*) Were these men in your employment? How came they to be singled out for you to pay?—Mr. Murlis told me the names at that time.

29,202. (*Mr. Price.*) How much money did he give you to pay them?—I cannot tell what he gave me.

29,203. Oh yes, you can?—I can remember what I returned afterwards; I returned 30*l.* to him after the election.

29,204. How much did you pay?—I paid 40*l.* and returned him 30*l.*

29,205. Did you get anything yourself?—No.

29,206. (*Mr. Coleridge.*) Nothing for your own trouble?—Oh, he gave me 15*l.* after the election.

29,207. (*Mr. Price.*) You did not stop it out of the money?—No.

29,208. (*Mr. Coleridge.*) You voted for the Conservatives?—Yes.

29,209. And you got 15*l.* after the election?—I voted for the Conservatives, and got 15*l.* afterwards when I returned the money to Murlis.

29,210. You got 15*l.*?—Yes.

29,211. Then you were as much bribed as any of the persons to whom you gave money. You were bribed as much as though you were actually paid for your vote at the time?—No doubt.

29,212. (*Mr. Price.*) Murlis gave you the 15*l.* on the squaring up of the accounts?—Yes.

29,213. Was that all the part you took in the election of 1859?—That was all the part I took.

29,214. In 1865 did you see this man who was the "stranger"?—I did.

29,215. Where did you see him?—I saw him at Harden's first; at least that is a story, he came to me here from Mr. Boys.

29,216. (*Mr. Coleridge.*) What are you?—A baker.

29,217. (*Mr. Price.*) He came to your house with Mr. Boys?—Not with Mr. Boys; he told me that Mr. Boys had recommended him to me.

29,218. He told you so?—Yes.

29,219. Can you give me any description of this stranger?—He was a very good-looking man, and as nice pleasant a man as ever I was in company with in my life.

29,220. Should you know him again?—I think I should.

29,221. You saw him at your house first?—I did. He asked me if I would assist him in that part of the town in electioneering. I said, "I have no objection." Then he went away, and said he would send for me when he wanted me, and he sent for me to Hodges. I suppose I went to Hodges when I saw him.

29,222. How much did you get from him?—300*l.*

29,223. Did Heal get his money at the same time?—Yes, we went together. He saw us about the middle of the nomination night, and we followed him down to a lane called Balls Lane, which turns down into King Street; and then I saw the man go into a house to a widow there, I think named Mrs. Harding, and told us to wait a few minutes, and we did so; and he came out in a few minutes and gave me 300*l.* and gave Heal 200*l.* He said if we would poll as many as we could with that it should be all right. We went a little towards the bridge.

29,224. (*Mr. Price.*) You went with Heal. You say that Heal got 200*l.* and you got 300*l.*?—Quite right.

29,225. Then as you subsequently went along did Heal say anything to you?—Yes; he said, "Now we will go down to Eastover," and we walked down towards the bridge, and then he altered his mind, and said, "We will not go down there, people will think we have got something;" and we walked back, and we walked down towards his house. He said, "You have "got 300*l.*, and I have only 200*l.*, you may as well "turn over to me 50*l.* of it."

29,226. To him?—Yes; and I said, "Let us walk "down towards the 'Golden Lion,' and ask if we "can have a room to-morrow morning," and he said, "All right." We then went to Pym's, and I asked him if we could have a room, and he said we could. I then left him, and told him I would meet him at 6 o'clock in the morning at Pym's.

29,227. Did you go to Pym's at 6 o'clock in the morning?—Yes.

29,228. Did you keep the door while he distributed the money inside?—I did.

29,229. You had 250*l.* left then?—250*l.*

29,230. What did you do then?—Heal paid five men, and then he sent out to me to say, "I want your money." I went in and said, "My dear man, you have only paid five men." He said, "I have paid others before I left my house." I said, "Then it "was a very wrong thing for you to do. You were "not to pay a man in that district, and it was contrary "to orders."

29,231. (*Mr. Coleridge.*) You did not believe that he had paid the men, I suppose?—I did not believe it.

TWENTY-EIGHTH DAY.

F. Jarman.

24 Sept. 1869.

29,232. Then he got some more money from you?—He got the 250*l.*

29,233. And he pretended to distribute all that?—And he pretended to distribute all that.

29,234. Did you get any more money that day?—Yes, 100*l.*

29,235. From the same stranger?—Yes.

29,236. Where was he?—At Mr. Harden's.

29,237. At the same place?—Yes.

29,238. Did you give that to Heal also?—I did not; there were certain persons that I had promised. I said, "I have promised certain persons to give them "money, and it will not look well if I do not give the "money to them."

29,239. Did you distribute that money?—I did.

29,240. How many men did you give the money to?—Ten men; one had 15*l.* and the other had 5*l.*

29,241. If you paid 15*l.* to one man and 5*l.* to the others, that was only 65*l.*?—Ten men I said.

29,242. You said one had 15*l.* and the others got 5*l.*?—Only one man had 5*l.* and the other had 15*l.*, the rest had 10*l.* each.

29,243. Can you give us the names of those men?—Yes. Vincent Case, William Matthews, John Henry Carter, James Gilchrist, James Abbott, George Attwell, Robert Preece, Samuel Lee, Henry Harris, and Edward Jarman.

29,244. (*Mr. Price.*) Was that all the money you had to distribute at that election?—That was every farthing I had.

29,245. Did you get anything for yourself then?—Yes, nearly a twelvemonth after.

29,246. How much?—20*l.*

29,247. About a twelvemonth after?—Yes, just before Mr. Patton's first election.

29,248. Now we come to Mr. Patton's first election. Did you see this stranger again shortly before that? Yes, I did. He sent to my house, or at least somebody came to say that he wanted to see me at Harden's.

29,249. Where was he living the second time?—He stopped at Robert Bussell's.

29,250. Did you see him there?—Yes; that is where we made out our lists.

29,251. You made out your lists again?—Yes.

29,252. What did you do?—He wanted us to promise all our men without having a shilling in hand, but I said I would not do it. Then he told me to go home, and he would send Robert Bussell in the morning. Robert Bussell came, and brought me 250*l.*

29,253. On the polling morning?—On the polling morning.

29,254. Did you get any men to go on promises?—Yes, I had a great many myself. All of them went on promises, because I do not believe I paid more than two or three that morning.

29,255. Did you pay them afterwards?—I did.

29,256. How much per head?—10*l.*

29,257. How much money did you pay away in respect of that election; you had got 250*l.*?—Yes.

29,258. How many men did you pay?—44; 46 it ought to be altogether. I let one man, Mr. Wadden, have 30*l.* out of that.

29,259. (*Mr. Coleridge.*) How was that?—Because he said he wanted to pay two other men.

29,260. Did he stick to it, or pay them?—I do not know.

29,261. Did the other two men complain at any time that they had not had it?—No, not a word.

29,262. (*Mr. Price.*) You must give us the names?—John James Quick, George Attwell, Robert Preece.

29,263. (*Mr. Coleridge.*) All ten-pounders?—All ten-pounders. John Sharman, James Aldridge, Henry Cooksly, Isaac Smith, Robert Coles, William Rees, William Criddle, George Kerle, Samuel Lee, Henry Sandell. I paid the son for his father. William Luxton, William Baker, Henry Harris, George Finner, Vincent Case, Edward Jarman, John Jobson, Robert Stacey, James Roberts, Edward Parsons, John Squires, Francis Dyment, James Abbott, John Irish, James Southwood, William Smart, James Gilchrist, Henry John Carter, Henry Maidment, Robert Whitfield, Richard Casely, Benjamin Stokes, William Poole. I paid the son for the father. William Poole, the younger, Abraham Hawkins, James Murlis, Stephen Price, George Dowden, John Dyer, Charles Hobbs, paid by Robert Bussell. John Baker. I lent Robert Bussell the ready money. I let Mr. Wadden have 30*l.* for two men.

29,264. (*Mr. Coleridge.*) Have you any notion where the money came from?—I have not.

29,265. I mean, were you under the impression at the time that it was Mr. Patton's own money?—No.

29,266. Or that it was found by somebody for him?—I have no idea where the money came from. I had nothing to do with him except just meeting him.

29,267. We have had a great deal of evidence about nobody being recommended for Bridgwater unless he was a rich man. I suppose it was pretty well known that Mr. Patton was not a rich man?—I do not know.

29,268. He was a Scotch lawyer, and was not very likely to be a rich man. You had no idea where that money came from?—No, I had not.

29,269. Had you any conversation with Mr. Smith in your life about it?—Never. I never spoke to him in my life. All that Mr. Smith spoke to me was after Mr. Westropp's election, and that was to send up to me for the names of some men that voted, for the evidence.

29,270. I mean was the general impression that Mr. Patton was spending his own money, or that it was found by some one?—Really I cannot say.

29,271. (*Mr. Anstey.*) You heard Mr. Trevor's evidence about that yesterday?—Mr. Trevor may know better than I do about it. I do not know where the money came from.

29,272. Will you listen to my question. You heard yesterday that Mr. Trevor said that Mr. Patton neither had the ability nor the inclination to raise money for bribery purposes, and he, Mr. Trevor, thought it must have been some friends of Mr. Patton who raised the money?—Yesterday?

29,273. Yes; the day before yesterday?—No, I do not.

29,274. We are not taking issue upon the day. You heard that?—Yes, I heard that.

29,275. Did you concur in that opinion or not?—I think it must have come from the gentleman himself. I should say so. I do not think a man would pay money for another man.

29,276. I do not see why there should be all this delicacy; you do not hesitate to give up the names of every man who was bribed?—I give them as far as I recollect.

(*Mr. Anstey.*) I cannot see why there should be more delicacy in giving up the names of those who came into the borough and brought the money, than there should be in giving up the names of those who were bribed with it.

29,277. (*Mr. Price.*) You have no idea in the least whose money it was?—I have not.

29,278. (*Mr. Coleridge.*) Was it not the common report that it was not Mr. Patton's own money, but that it was sent down by the party?—I never heard any such words.

29,279. Do not the people on the Conservative side in Bridgwater inquire, as they always did on the Liberal side, who the man was that was coming down, and whether he was a rich man?—I do not know.

29,280. Can you tell us how Mr. Patton was first introduced here?—I cannot tell; Mr. Westropp came down here with him; he introduced him, I should say.

29,281. (*Mr. Anstey.*) Can you tell whether Mr. Westropp contributed anything towards Mr. Patton's election?—I do not know.

29,282. Do you know whether it was part of the arrangement that Mr. Patton at the next general

election was to make way for Mr. Westropp?—No, I do not.

29,283. (*Mr. Price.*) He was to come here as a kind of warming pan?—What! Mr. Westropp?

29,284. No, Mr. Patton; to keep the place warm for Mr. Westropp?—It may be so; I cannot say.

29,285. (*Mr. Anstey.*) Mr. Westropp could not stand again that Parliament?—No.

29,286. He had been unseated for bribery?—Yes.

29,287. Did you ever hear that Mr. Patton would make way for Mr. Westropp as soon as there was a new Parliament?—I never heard so.

29,288. Did Mr. Westropp stay here with Mr. Patton all the time?—He did.

29,289. And went away with him?—Yes.

29,290. And was very active for him?—Yes, no doubt.

29,291. Did he canvass for him?—Yes.

29,292. Speak for him?—Yes.

29,293. (*Mr. Coleridge.*) Mr. Westropp was not much of a speaker?—Not very much of a speaker; Mr. Patton was very much better.

29,294. (*Mr. Price.*) Were there any men at that election whom you promised, but had no money to pay them with?—There were a great many I promised.

29,295. Did you get any money afterwards, and pay them before the next election?—Certainly.

29,296. How many did you pay?—I think I have 22 on this list.

29,297. Twenty-two on the list you have handed in?—Yes.

29,298. They were paid the night before the election?—The night before the election; and they would not have been paid by this time if another election had not come on.

29,299. (*Mr. Coleridge.*) Should you have personally felt bound to pay them, having promised them?—No, I should not like to have paid them. I had to pay them, and, as it was, I was grumbled at for having kept them so long out of their money.

29,300. Between the time that you promised them and the time that they were paid, had they been bothering you?—Yes, they had.

29,301. Can you tell us in what sort of way they did it?—They wanted to know how it was that they had not had the money, and some of them said I had had it.

29,302. Some of them accused you of having stuck to it?—Yes.

29,303. (*Mr. Price.*) They believed you had had the money?—Yes.

29,304. (*Mr. Coleridge.*) Did they go to higher quarters to know if you had had the money?—No; I do not see how they could go to higher quarters.

29,305. They might have gone to Mr. Patten or Mr. Westropp?—No; I always thought it came from the "man in the moon."

29,306. One man, as we have heard, went to Mr. Harden. How much in all did you pay to those men in the list you have handed in?—470*l.* That is on the list, I think.

29,307. That would be 44*l.* altogether?—44*l.*

29,308. One man having got, you say, 30*l.*?—One man having had 30*l.* to pay to two voters.

29,309. Which he had to account for?—Yes.

29,310. What did you get for yourself at that time?—I never got anything for it.

29,311. (*Mr. Coleridge.*) Not at the time, but afterwards; altogether?—We got nothing at all till afterwards.

29,312. What did you get for your trouble?—I say we never got anything till a long time after the last election was over.

29,313. You got it before Vanderbyl's last election?—After the last election.

29,314. What did you get then?—I have always believed, that is my impression, that I got 15*l.* from Smith's clerk, and 5*l.* from Mr. Lilly.

29,315. That is your impression?—That is my impression; my impression is, it was 20*l.* altogether; I know I had 5*l.* from Lilly.

29,316. And 15*l.* from Smith?—That is my impression, 20*l.*

29,317. They say you had 25*l.*?—Mr. Smith's clerk said he paid me 20*l.*, but I recollect but 5*l.*

29,318. Now we come to the election of Mr. Patton. Did you see the "stranger" then again?—Yes.

29,319. Where at?—At the "Albion."

29,320. How much did you get then?—I did not get so much then.

29,321. How much did you get; just tell us?—He would not undertake to do so many, and therefore he sent the stranger down to the "Golden Lion" to pay some.

29,322. He would not undertake to pay so many men?—No.

29,323. How much did he pay you?—240*l.*

29,324. Amongst how many men was that distributed?—25. It is here (*referring to a list.*) They had 10*l.* apiece.

29,325. If they had 10*l.* apiece there is 10*l.* short?—Yes, I will explain that.

29,326. Give us the names of those men?—John James Quick, George Attwell, Robert Preece, John Sharman, Henry Cooksley, Isaac Smith, William Luxton, William Baker, Vincent Case, John Irish, James Southwood, James Gilchrist, Henry John Carter, William Matthews, Stephen Price, William Evans, paid by Mr. Pole; John Pole, James Abbott, George Finner, Robert Richards, William Poole, paid the son; William Poole the younger, and Robert Whitefield.

29,327. (*Mr. Price.*) That is all, is it?—That is all.

29,328. Was there one man who got 10*l.* from you and afterwards voted for Mr. Vanderbyl?—There was.

29,329. Who was that?—William Matthews.

29,330. Do you know whether he got money for Mr. Vanderbyl as well?—He came to the "Clarence" hotel and said he had got 25*l.* I said, "You had "better go and poll for us, Matthews, and come and "take the money." He came a second time, and whether he got the money from me the second time or not I do not know.

29,331. Did he give the 10*l.* up to you that he had got from you?—No, he did not.

29,332. Was there any man who voted for you in the first election of 1866 that voted for you in the second election?—There was. I could tell from my list. I think it was about seven or eight. I can tell you the names. I have got them marked down. (*The witness handed a paper to the shorthand writer.*)

29,333. (*Mr. Price.*) What is it you handed in to the shorthand writer?—The list of the men at Mr. Patton's first election.

29,334. The first 44 men?—Yes.

29,335. It is out of this list that you can pick the men that voted for Mr. Vanderbyl a second time?—Yes.

29,336. Tell us about how many there were; give us their names?—I do not know what their names are. I think there were about seven or eight; I think so. I could tell you if I had the list.

29,337. Was it after that election that you got this 25*l.*, as it is said, but which you suppose to be 20*l.*?—It was.

29,338. But before the last election?—Oh yes, it was; eight men.

29,339. Give their names?—Charles Haste, George Crane, Henry Harris, John Jobson, James Roberts, John Squires, John Dyer, and John Baker.

29,340. Is that all you can tell us about the two elections of 1866?—No. I have not explained the 10*l.* After I paid this list I went to the "Golden Lion," and saw the "stranger," not the "man in the moon," but one of those who paid.

29,341. An underling?—Yes.

29,342. (*Mr. Coleridge.*) How many underlings had he?—I think he had three. I will not be certain.

TWENTY-EIGHTH DAY.

F. Jarman.

24 Sept. 1869.

29,343. (*Mr. Price.*) One at the "Albion"?—Yes; one at the "Three Crowns," and one at the "Bull and Butcher." I went down and saw this man. I says, "I wish you would go up and see your master, for I cannot get the men to poll." "For why?" he says.

29,344. Did these men seem to be the clerks for the "man in the moon"?—No, they did not.

29,345. What did they seem like?—They seemed to be got for the purpose of doing the work; they did not seem much like clerks.

29,346. (*Mr. Coleridge.*) As assistants rather?—As assistants.

29,347. (*Mr. Price.*) Did you know any of their names?—No, I did not hear the names.

29,348. (*Mr. Coleridge.*) They were not Bridgwater people, I suppose?—No.

29,349. (*Mr. Price.*) Somersetshire people?—I do not know about Somersetshire; they seemed to me up-country people. I went up and saw him at the "Albion." He said, "How are you going on?" I says, "I cannot get the men to poll." "For why?" says he. "Why," I says, "they can get 20*l.* or 25*l.* "on Mr. Vanderbyl's side, and we cannot get them to "go for 10*l.*; we can for 15*l.*, if you will let me do "that." He says, "I cannot, for I have not the cash in hand; let me look at your book;" and he had my book, and he says, "Some you have not paid." I says, "I do not know about that; I have 10*l.*" He said, "It is very lucky; there are two men in the large room down underneath." I says, "Tell me their names." He says, "Vincent Case." I said, "He has had 10*l.*" "Well," he says, "he will not go under 5*l.* more, and William Webb." I said, "He does not belong to me, he is not in my district." He says, "Never mind that."

29,350. (*Mr. Coleridge.*) He was not one of your parishioners?—Not one on my list; so I went down under and distributed the two 5*l.*, 10*l.* altogether, one to Case and the other to Webb.

29,351. (*Mr. Price.*) You gave that 5*l.* to this other man?—I did give 5*l.* to Case, who had the 10*l.* before, and 5*l.* to Webb. I do not know whether he had his money before.

29,352. That accounts for your 10*l.*, because you paid 25 men?—23 I paid.

29,353. That is the other two?—Yes.

29,354. Is that all you have to tell us about those two elections of 1866?—Well, I do not remember anything else at all.

29,355. At the last election, were you employed at all?—I was not.

29,356. (*Mr. Coleridge.*) You have not told us yet how it was that you first got led into this bribery business?—I have.

29,357. How?—Mr. John Murlis asked me.

29,358. Is there any reason why he should have thought you a fit person to do it?—No; he knew me very well, living in that part of the town.

29,359. Had he, on a former occasion bribed you himself?—Never in his life.

29,360. Then there is no reason you can give why he should hit on you as being a likely person to put yourself in all this peril for the sake of 20*l.*?—Not as I can give any reason.

29,361. (*Mr. Price.*) You were a master baker at this time?—I was.

29,362. And in a respectable position in the town?—For what I know, and am now at the present time too, but for this bribery work.

29,363. Did not it strike you as being a very revolting thing to do?—No, it did not.

29,364. That you, a respectable man, should be employed to do all this dirty work?—No, I did not think of it at the time.

29,365. (*Mr. Coleridge.*) Have you done anything at municipal elections in the way of bribery?—Never in my life. I gave away a little drink myself once, when I was elected,

29,366. How much?—I think, for clerks and everything, it cost me about 5*l.* or 6*l.*

29,367. That was when you were elected?—When I was elected myself.

29,368. Which began to be employed first, you, on the Tory side, or Henry Jarman, on the Liberal side?—I cannot say.

29,369. Is he any relation of yours?—Yes, third cousin, I think.

29,370. You know that he has been about as active on the Liberal as you have been active on the Conservative side?—Yes.

29,371. Which began first, you or he; which set the example?—I cannot answer you that question, because I do not know when he began.

29,372. Did you follow his example?—I did not.

29,373. You knew, I suppose, that he was at that work?—I did not.

29,374. Never?—Never.

29,375. Never, until you entered this hall?—I heard, of course, that he was very busy, but not in the bribing, because I never heard he bribed people.

29,376. You know there was a question about him at the last election?—Yes, I heard that at the hall.

29,377. Before we came here you had heard that?—No, not until the last election.

29,378. Had you never heard that he was engaged in bribing practices at the election of Mr. Vanderbyl in 1866?—I was never aware he was a briber.

29,379. Did you never hear of it?—There may be such things talked about.

29,380. You said just now you did not?—I never heard it until in this hall.

29,381. (*Mr. Price.*) At the last election you say you had nothing to do?—Nothing at all.

29,382. Did men come and ask you whether there was any money going?—There were several.

29,383. What did you tell them?—That I had not heard anything about it, and I had not got anything to do with it.

29,384. Who had told you there was going to be no money spent at the last election?—I never heard no more than what the men, when they came from the "Clarence" hotel that morning, said.

29,385. Were you present at the meeting?—No.

29,386. What did the men say?—They said no money was going, and I said, "You had better go to "the poll like men." I never went out of my house till 11 o'clock that day to go to poll.

29,387. Is that all you have to tell us about the last election?—Yes.

29,388. (*Mr. Coleridge.*) How came you to have nothing to do with the last election?—The fact is I was very ill. I had the bronchitis, and could not go out.

29,389. Had they asked you to have something to do with it?—No, no one ever came to me at all.

29,390. (*Mr. Price.*) Can you give any clue as to who this man is in London?—I cannot. I wish I could. I would do it in a moment if I could. I was never with him no more than just the night before the election, and had my money from him. Harden and Temblett were mostly with him.

29,391. (*Mr. Anstey.*) Do you know whether Mr. Joseph Richard Smith, at any of the elections you have been speaking about, used influence over his tenants and people in his employment?—I do not.

29,392. You make me put the question two or three times by answering it quickly. Did you hear at any of the elections whether Mr. Joseph Richard Smith used any influence over his tenants or workmen to induce them to vote for the Conservatives?—Not until I was in this hall.

29,393. You never heard of the case of a man called John Pitman, in 1866, who was threatened with notice to quit if he did not vote for Mr. Patton, and whose rent he actually raised 7*l.* by the way of keeping him in control?—Pitman the butcher over here, I imagine. I never did.

29,394. Have you heard any case of undue influence at that time, perhaps they may be considered lawful

influences down here, but influences which I call undue influences, on your side of the question at any election?—No.

29,395. A screw put on debtors by creditors, tenants by landlords, and on persons in employ by their employers?—No.

29,396. Have you heard of any cases of persons being dismissed from their employment and ejected from their tenancies, or made to pay up debts after the election by reason of their having voted on the other side?—Since I have been in the hall. That is all I have heard. The fact of the matter is that when I had done the list I had done with electioneering.

29,397. (*Mr. Price.*) And it would have been a very good thing for you if you had never done that?—Yes it would.

29,398. (*Mr. Coleridge.*) Is that all you have to tell us?—I do not know anything. If I do know of anything I shall be happy to tell you.

(*Mr. Price.*) Then you will give in your lists.

JOHN TRUMAN sworn.

J. Truman.

29,399. (*Mr. Price.*) You are a fishmonger?—Yes.

29,400. Carrying on business in this street?—Yes.

29,401. Are you a Conservative?—Yes.

29,402. How did you vote at the last election?—Westropp and Gray.

29,403. Perhaps you had better begin with the earliest election; what was the first election you voted at?—Westropp's, in 1865.

29,404. That was the first time you voted?—Yes.

29,405. How was it you did not vote here before?—I did not apply to be on the register for years.

29,406. (*Mr. Coleridge.*) Had you formerly been on the register?—No.

29,407. (*Mr. Price.*) Were you keeping the same shop as now?—No; I lived in Fryern Street for 14 years.

29,408. Was yours a house which would give you qualification?—Yes.

29,409. But you did not care about it?—I had it before I left.

29,410. How long have you been resident in Bridgwater in a house which would give you a vote?—I have been in Bridgwater 32 years.

29,411. Have you had a qualification all that time?—No; I suppose about 15 or 16 years.

29,412. In 1865 you were qualified?—Yes.

29,413. (*Mr. Coleridge.*) What was your reason for not getting on the register before?—I was from home on one occasion, and was not here to claim my vote.

29,414. Had you never claimed your vote before the revising barrister?—Oh yes.

29,415. Then why had not you got it?—I was out of town once, and previous to that the house I was living in was not sufficient to give me the vote until I laid out some money, and I pulled it down and rebuilt a portion.

29,416. It was not 10*l.* a year?—No.

29,417. (*Mr. Price.*) Did you put yourself on the register as soon as you could?—Not as soon as I could by one year, because I was out of town.

29,418. (*Mr. Coleridge.*) Your present house of course is above 10*l.*?—Yes.

29,419. (*Mr. Price.*) In 1865 you were qualified?—Yes.

29,420. Tell us what part you took in the election of 1865; did you vote?—Yes.

29,421. Who for?—Westropp.

29,422. Did you get anything for it?—No.

29,423. Were you promised anything?—No.

29,424. Did you receive anything in the shape of services or expenses?—I did after the election.

29,425. Tell us what you got for your services?—I was along with Mr. Harden all through the election, assisting him in bribing.

29,426. Did you have money entrusted to you by Harden or anybody, or simply go with Harden?—I had money given me by the "stranger."

29,427. How much did he entrust you with?—He supplied me with 200*l.* in packages.

29,428. Do you supply him with fish?—No.

29,429. Have you any idea who he is?—Not any more than I have given you. I have seen him five or six times altogether, and should know him if I saw him.

29,430. He gave you 200*l.*?—200*l.* at first.

29,431. Did you pay that all away?—I paid that all away at Harden's house.

29,432. When you say "Harden's," do you mean the man who has been examined here?—Yes; there were six of us.

29,433. The "stranger" was lodging at another Harden's house, I believe, a widow?—Yes, in Balls Lane, now called King Street.

29,434. How many men did you pay with that 200*l.*?—Twenty.

29,435. 10*l.* each?—10*l.* each.

29,436. Give the names?—Parminter, I forget his christian name; Lawrence Dare, stonemason; Charles Mogridge, John Mogridge—that is father and son; Captain Brooks——

29,437. (*Mr. Coleridge.*) A sea captain?—Yes. Abraham Frost; William Jarman; Joseph Southard, he lives in George Street; Galter, Fryern Street; William Harwood. Now there is 50*l.* I gave to Robert Newton, who is now in America. I can give the names of those he had the money to pay.

29,438. (*Mr. Price.*) It is supposed that he stuck to it, is it not?—No, I think not the whole of it; some of the men are living now. William Stone, Back Street; John Richards, butcher, Back Street; Charles Lear, senior, hairdresser; Charles Lear, junior, hairdresser—the father is dead I believe; and William Crocker, I believe he is dead. That is the five.

29,439. That would exhaust the 50*l.*?—Yes.

29,440. Do you know from these men that they have had it?—Those alive I should think so. I think Richards and Stone will say that they had it, and Lear, what are now living; the others I cannot of course say. Then I paid Jarman 40*l.* for four voters.

29,441. (*Mr. Coleridge.*) And you believe they got it?—I do not know. I will give the names; Charles Haste, Silver Street——

29,442. (*Mr. Price.*) The man who has been mentioned over and over again?—Yes. Stacy, I do not know what street he lived in; and Haste, Albert Street; Oliver, Fryern Street. That is the 20*l.*

29,443. How much does that make altogether that you had?—200*l.*

29,444. That exhausts the 200*l.*?—Yes.

29,445. Had you any more?—Yes.

29,446. How much?—I cannot say how much more was given me; there were several other parties came in after Heal stuck to that money, and I think some money would have been given to Edward Phillips; he was not up soon enough, and parties came up from the lower part of the town and I gave it to them. I can give some of the names, but not the whole.

29,447. (*Mr. Coleridge.*) They were out of your own district?—Yes. Heal had a few to look to up at this part of the town, and Edwin Phillips had his, I think, but he was not up in time. There were two Poles in Eastover; I do not know their names; one keeping the "Exeter Inn," and the other a tailor, if I recollect right. Irish, working for Mr. Sealy at that time, and Hayward the hairdresser; I think he had money from two parties. That is all at present I can recollect.

29,448. When did you first know that Heal had stuck to the money?—About half-past 9 in the morning.

29,449. You knew it the same day?—Some of the parties on his list came to Harden's.

29,450. Was nothing done by the party to try and make him disgorge?—No, I think not.

29,451. They were afraid of his turning round on them?—I expect that was it.

TWENTY-EIGHTH DAY.

J. Truman.

24 Sept. 1869.

29,452. (*Mr. Price.*) You cannot tell us how much money you had?—Not the second time. Harden went to the "stranger" upstairs.

29,453. Did you pay away all you received?—Every penny.

29,454. You are quite sure of that?—Yes.

29,455. What became of your book?—Harden had the book, and of course his was there, and he asked me when the election was over to take charge of all the books. I looked over his sometimes, and he over mine.

29,456. He would have the account there?—Yes.

29,457. Which you rendered?—He would have the 20 names, and I saw Harden's book.

29,458. Was that all the money you had at that election?—Yes.

29,459. What did you get yourself for your services?—Before Patton's election this stranger came again and gave me 10*l.*

29,460. Before Patton's first election?—Yes. I should have stated that he said when all was done he should make each of the individuals a present, but he did not say the amount.

29,461. Did you go up to London about the petition at all?—No; I was not subpœnaed upon the petition.

29,462. Then Mr. Patton came down?—Yes.

29,463. Were you employed again at that election?—No.

29,464. Not at all?—No.

29,465. In no way?—In no way at all.

29,466. How was that?—I do not know; I have no idea.

29,467. Had there been any quarrel between you and the "man in the moon"?—No; Harden seemed to be rather dissatisfied. Some parties were going to split on him, and because I would not go up to London and back him. I told him I would not go unless I was subpœnaed, and I told Mr. Bealy Smith the same. I was in London on the Somerset and Dorset Railway Bill, who were getting a new branch, and Mr. Bealy Smith wanted me to stop there.

29,468. What did he want you to say?—I did not know. I said if I was subpœnaed I would tell the truth.

29,469. You said something about backing up?—Yes, there was Harden and someone I forget now. He said, "You can clear me." I said, "I do not know."

29,470. How were you to back up Harden?—Supposing this party were to split on him, I understood from the men at Mr. Smith's office that I had not seen the man, which of course I could not have done.

29,471. You were to say he was not the man?—That is what they wanted me to back up.

29,472. That is, to perjure yourself?—Yes.

29,473. (*Mr. Coleridge.*) You said someone from Mr. Smith's office?—I saw Mr. Bealy Smith. When I came up to the office I was sent for.

29,474. Who came for you?—I do not know; I do not know the party.

29,475. (*Mr. Price.*) Do you know which clerk it was?—I do not know the name; but when I came up there was part of the evidence drawn out.

29,476. (*Mr. Coleridge.*) Must it have been one of the two or three clerks there?—Yes.

29,477. Are they all there now?—No, one or two have left since that election.

29,478. Can you find out?—I cannot tell; I may.

29,479. (*Mr. Price.*) That is as grave an offence as there could possibly be, because it is subornation of perjury?—I could not understand why I was subpœnaed.

29,480. Do you mean to say they really proposed to you, Mr. Bealy Smith or some of the clerks?—Not the clerks did not propose.

29,481. To forswear yourself?—Not the clerks.

29,482. Bealy Smith himself?—There was a man spoken of by Harden; he had been to Mr. Bealy Smith.

29,483. What part did the clerks take in it?—No part; only to come and fetch me.

29,484. (*Mr. Coleridge.*) Who?—I cannot recollect.

29,485. Did the clerk who came tell you what for?—No; I was to come up and see his master.

29,486. (*Mr. Price.*) Then it was with his master that this passed?—Yes.

29,487. That you were to go up and forswear yourself?—There was a paper drawn up—some voter in West Street. I told Mr. Bealy Smith I should not go and speak for him, because if the man was seen there of course I should not deny it; and I was asked again while in London.

29,488. You have no hesitation—because this is a matter which we shall take care to report upon—you have no hesitation in saying you were sent for to Mr. Bealy Smith's, and your understanding was that you were to be asked to go to London and back Harden up if he said such and such a man had not received a bribe?—Yes, that was it.

29,489. You knew he had received it?—Yes; I was asked while in London; I think while the petition was pending.

29,490. (*Mr. Coleridge.*) Is Mr. Bealy Smith a solicitor?—Yes.

29,491. And still on the rolls?—I do not know.

29,492. (*Mr. Anstey.*) Was old Mr. Smith present when you had the conversation with Mr. Bealy Smith?—No, he was ill.

29,493. Had you any conversation with old Mr. Smith at all?—No.

29,494. Just after the election at all?—Just after the election he asked me whether it was correct about Heal; taking the money he meant of course, and I said, "Yes, it is too true."

29,495. Was anything said by him about your evidence?—No.

29,496. Had you anything to do with the next election?—No.

29,497. Have you had nothing then?—Nothing at all.

29,498. They have never employed you since?—No.

29,499. (*Mr. Coleridge.*) How did you offend them; what was the reason you had nothing further to do?—I do not know, I was not subpœnaed, but all the others were, whether they thought anything wrong. I was not subpœnaed at all.

29,500. You at all events said you would not go without a subpœna, and if you did you would speak the truth?—I said I would not go.

29,501. And since that you have not been employed?—No.

29,502. I should think you were glad of it?—If I had been subpœnaed I should have spoken the truth.

29,503. Did you vote at the second election of Mr. Patton?—Yes.

29,504. At both elections?—Yes.

29,505. (*Mr. Coleridge.*) Did you never ask anyone, Mr. Bealy Smith or anyone, why you were not employed at the second election?—No; I knew I had done the thing which offended them.

29,506. We heard from Mr. Harden yesterday that the "stranger" said you were one of those not to be used again?—Yes.

29,507. Did you ever hear that he had made use of your name as one of those who in connexion with Heal were traitors in the camp?—No, never; that I can defy them.

29,508. But he might have said so?—No, never.

29,509. At the last election did you do anything?—No.

20,510. Did you vote?—Yes.

29,511. For Westropp and Gray?—Yes.

29,512. Did you have anything to do with promising a man or treating?—No.

29,513. In any way whatever?—I took several men to the poll.

29,514. Have you men in your employment?—Only one.

29,515. (*Mr. Anstey.*) If money had been spent at the last election would you have been employed?—I do not know.

29,516. Now recollect was anything said to you on the subject of the money some time before the election?—This last election?

29,517. Yes?—No.

29,518. Did anybody tell you that there was money in the town on your side?—No.

29,519. Did you ever tell anybody that money was in the town on your side?—No.

29,520. Will you swear that?—I will give you the names of the persons.

29,521. Do you know a lawyer's clerk of the name of Boys?—Yes.

29,522. Did you tell him just before the last election that the money, that is the Conservative money, was in the town?—Not that I am aware of.

(*Mr. Price.*) You must be aware of it.

29,523. (*Mr. Anstey.*) What do you mean by qualifying your answer in that way? Did you tell him or not anything to that effect?—Not that I am aware of.

29,524. What do you mean?—Not that I am aware I ever said such a thing.

29,525. You mean that you are not aware of it?—No.

29,526. Will you swear that you did not say so?—I do not know if speaking jocularly in the shape of chaff I said anything about the money or not, but I thought there was money.

29,527. You thought there was money?—I did so.

29,528. When?—Before they came down.

29,529. What?—Before they came down that there would be money brought with them.

29,530. That is before the 10th of October?—Yes. When I heard the two were coming, Westropp and Gray, I thought money would be spent.

29,531. Their address was issued on the 6th of October?—Yes.

29,532. And they came down on the 10th?—Yes.

29,533. Were you present at a meeting held on that day?—Yes.

29,534. Held here?—Yes.

29,535. Were you present at any other meeting that day elsewhere?—I think we had a meeting; there were several meetings about that time at different houses, but not called on purpose; friends of the Conservatives meeting together.

29,536. Do you remember that there was a good deal of feeling, or some feeling, against Mr. Westropp on that day, at first on account of his having come down to the borough, although he had previously stated he was not coming down; do you remember that there was some discussion about that among the electors?—I do not recollect.

29,537. Do you remember that at one of the meetings, I think the one held here, that there was a good deal of uproar on the question whether he should be accepted as the Conservative candidate?—That was at his meeting in 1865, on the Monday night, the previous election.

29,538. Not the last election?—Not the last election, in 1865.

29,539. Are you sure of that?—Not that I am aware of.

29,540. It may have been in 1865 too. I will draw your attention to it. Do you recollect after he was unseated in 1866 he published an address, or suffered it to go forth in his name, that he should never come here again?—Yes, I recollect that well.

29,541. And he did come again in October 1868; and I ask you again whether there was not some public discussion on that subject invited by an elector who reproached him with his inconsistency?—I do not recollect it.

29,542. Was the subject mentioned at the meeting of which I have been speaking, any meeting on the 10th of October?—No.

29,543. The day of his arrival?—No, not that I heard.

29,544. Will you still say that there was no opposition which you heard to the usual resolution proposed that he and Mr. Gray should be accepted as candidates?—Not that I am aware of.

29,545. I do not understand you Bridgwater people qualifying your answer by not that you are aware of. Cannot you say yes or no?

29,546. (*Mr. Price.*) You did not hear it?—I did not hear it, that is what I meant to say.

29,547. (*Mr. Anstey.*) Do you remember a good deal of uproar at either of those meetings; noise?—At one of the meetings in 1865?

29,548. No, I am speaking of the last election?—No, I do not remember much noise.

29,549. Do you remember some discord then?—A little with the Liberal party; a few in the hall, the back part.

29,550. Then why do not you say so? There were some who expressed dissent, and you think they were of the opposite party?—Yes.

29,551. After that meeting, I am endeavouring to fix the date in your mind, more than a fortnight, about 16 days after that the canvass first began?—I believe so.

29,552. First of all take that period between the meeting of the 10th of October and the beginning of the canvass; were you of opinion during that time that there was money in the town?—I was.

29,553. Had you heard anything on the subject?—My impression was that there was money in the town from those two.

29,554. Who gave you the facts from which you formed that impression?—No one, but from the account of it up at Joseph Smith's one night; and there were a number of books sent out for each party to take lists, and I thought by those names coming out there would be money given, as at the previous election.

29,555. What did you do at Mr. Smith's?—I was at Mr. Smith's at a meeting, and there were a number of books handed round to different parties to take the names, and I understood, and many other parties supposed, it was to put down money to pay them.

29,556. Did you look into any of the books?—At the time, do you mean?

29,557. To see what names were put down?—Yes.

29,558. Were the names put down, names of persons you recognized as being bribeable persons?—Several.

29,559. In each book?—In the book that I had.

29,560. How many books did you see?—I might have seen eight or ten.

29,561. Did you observe the same with regard to each of the books you saw?—No; I only looked at my own.

29,562. You did not look into any other?—No.

29,563. Did Mr. Smith or anybody say anything to you?—No, not Mr. Joseph Smith.

29,564. Did Mr. Smith or anybody say anything to you as to what you were to do with the book?—No, not then.

29,565. Do you mean that he gave you the book, and said nothing more?—We understood, of course, we were to look after those men to go to poll.

29,566. Did he say that?—No.

29,567. What made you understand it, then?—From the work at the previous election.

29,568. That was the usual course?—That was the usual course.

29,569. Did Smith or anybody say anything about money on that occasion?—No.

29,570. Or on any other occasion?—No.

29,571. Nothing was said?—No.

29,572. (*Mr. Price.*) You judged from the lists, I suppose?—Yes.

29,573. I understand that you had had lists when you first acted as a briber?—Yes.

29,574. And having had lists, and being sent for on this occasion, and having a book given you in which were the names of men you had looked after before, you took it for granted that it was preparatory to the same sort of business?—Yes.

29,575. (*Mr. Anstey.*) The canvass began on the 26th of October, we have it in evidence on both sides?—Yes.

TWENTY-EIGHTH DAY.

J. Truman.

24 Sept. 1869.

29,576. Now turn your attention to the second period, which begins with the canvassing and ends with the polling day. How long did you continue to think that there was money in the town for Westropp and Gray?—Up to 12 of the nomination night; then we heard there was none to be spent.

29,577. Who told you at 12 o'clock on the nomination day there was no money to be spent?—I really forget for a moment; some parties in at the "Clarence."

29,578. Perhaps you will remember presently. Did you continue to hear during that second period, from the 26th of October down to the nomination day, anything which confirmed you in the impression you had already formed, that there would be money in the town, or was money in the town for Westropp and Gray?—I thought so.

29,579. You continued to hear——

29,580. (*Mr. Price.*) Did you hear anything?—No, I did not hear, not more than that was imagination, and many others who had not to do with the election before.

29,581. (*Mr. Anstey.*) That was the common talk?—Yes.

29,582. And people did expect money would be paid?—They did.

29,583. As you were the agent who would be trusted, supposing there was any money, did you understand those who expected the money expected it to be paid before voting, or expected it to be paid in a certain time after the election?—Yes.

29,584. You think that they expected that?—Yes.

29,585. You think that they would not be satisfied if told to let the election go, and then we shall see what we shall see?—Not one out of a hundred, I should think.

29,586. Then at 12 at night on the nomination day someone satisfied you that there would be no money?—Yes.

29,587. Who was that?—A party; I do not know whether it was Cooper; I almost think it was Cooper, in the "Clarence;" he would not be certain there would be no money.

29,588. What is his christian name?—I do not know; he keeps a ready-made clothes shop in St. Mary's Street. He was in the "Clarence," and came out and told me; he said he had it from Mr. Lilly.

29,589. Had what?—This information, from Mr. Lilly.

29,590. What were the words?—He went over to know if there would be any money, and we had some doubts whether it was coming. I was along with Cooper and two or three other people, and we had our doubts whether we should get any money, and he said he would go to the "Clarence" and see some parties.

29,591. Who expressed their doubts besides you?—Cooper was one; I cannot recollect the others.

29,592. Where were you when you discussed these doubts of yours?—Opposite to Cooper's house.

29,593. In the roadway?—Yes, in the street, not talking very loud.

29,594. Then it was arranged that Cooper should go and state those doubts of yours?—Yes.

29,595. To whom?—Go to the "Clarence," to see whether he could see the agent of the party.

29,596. Who did they look to as agent when you went in; who did Cooper expect to find as the agent of the party?—He considered Mr. Lilly as one, I suppose.

29,597. And who else?—The lawyers, if there, I suppose.

29,598. No one else?—No one else.

29,599. Then he did see Mr. Lilly, and came out to report to you what he had said?—Yes.

29,600. What did he say were the words used by Mr. Lilly?—There would not be a penny spent.

29,601. Then or afterwards?—Not for this election.

29,602. But he did not say what would be done afterwards?—He said there would not be a penny spent.

29,603. That is all?—That is all.

29,604. (*Mr. Price.*) Did he say there would not be a penny spent on the election, or at the election; which?—At the election.

29,605. (*Mr. Anstey.*) Then as soon as this statement was made, and you were satisfied there would be no money spent, what did you and the others say to it?—I think we went home, to go to bed.

29,606. Did you think the election was lost?—I offered to make a bet in the morning there would not be 600 polled on both sides.

29,607. As soon as you heard this did you think the election would be lost?—I did.

29,608. You went to bed, and offered in the morning to bet there would not be 600 polled on both sides?—On both sides, unless money was spent.

29,609. What o'clock in the morning did you offer?—It might be about 7 o'clock.

29,610. (*Mr. Coleridge.*) Who did you offer it to?—Speaking to some of the Conservative party.

29,611. Who were they?—I cannot recollect.

29,612. Did you after offering that bet, some time after, go to a meeting at the "Clarence" at 8 o'clock?—Half-past 7 at the "Clarence."

29,613. Where were you when you made this bet; at the "Clarence"?—No, somewhere in the street.

29,614. Then the meeting lasted till about 8 o'clock, did not it?—Nearly 8.

29,615. Mr. Westropp we have heard was present?—I did not see him.

29,616. You did not see Mr. Westropp?—I did not see Mr. Westropp.

29,617. Were you there the whole time?—I was there the whole time till 8 o'clock, and came out with some of the voters.

29,618. Perhaps we are speaking of different voters?—No.

29,619. I am speaking of the meeting at the "Clarence"?—So am I.

29,620. What room was it held in?—The large ball room.

29,621. It may have been a meeting of a more select or less select kind at the hotel at which Mr. Westropp was present?—I do not know that was the room; I was in the large room.

29,622. Can you explain how it is that so many witnesses have spoken to the fact of seeing Mr. Westropp there, and heard what he said?—I never saw him that morning, not at that meeting.

29,623. Did you see him at the "Clarence" that morning; I am keeping you to the time you went there?—Not from half-past 7 till the time I left.

29,624. When did you leave?—Just before 8, the time the polling commenced.

29,625. Was the meeting broken up then?—Yes.

29,626. And all that time you had not seen Mr. Westropp?—All that time I had not seen Mr. Westropp.

29,627. When next did you see him?—I think about 9 o'clock.

29,628. Where?—In the hall of the "Clarence."

29,629. Was there another meeting then?—No.

29,630. Do you happen to know whether the meeting at half-past 7 was succeeded by a meeting at 8 o'clock?—Not that I am aware of.

29,631. Do you know that two meetings were held that morning at any hour?—I never heard of but that one.

29,632. Persons have stated that Mr. Westropp said, "There will be no money spent; go and vote like men?"—I never saw him. I certainly should have seen him if he had been at the meeting.

29,633. I am reminded that what he is stated to have said is not that there would be no money, but "Go and vote like men"?—I heard Hodges make use of that expression.

29,634. I daresay; but Mr. Westropp is stated by some witnesses to have used those words, because immediately afterwards each witness was asked, "Did you hear him say something more?" and words were suggested, and the answer was no. Nobody asked

about Hodges, or talked about Hodges?—Hodges took the chair, and was the only one I heard speak there on that morning; he was speaking about 20 minutes.

29,635. Has Hodges any likeness to him in the face?—No, he is quite a shadow of Mr. Westropp in size.

29,636. You must be either mistaken, or there were two distinct meetings, or else many of the witnesses are mistaken?—They must be. I never saw Mr. Westropp, and if he had been at the meeting I certainly should have seen him.

29,637. Is it possible that you went in and out of the room?—I went in when it commenced and stopped till it was over.

29,638. You did not go out till it was over?—I did not go out till it was over.

29,639. When you saw Mr. Westropp at 9 in the morning had you any conversation with him?—I think not; I might have wished him good morning. I do not think I had any conversation.

29,640. Did you hear him say anything at all?—No.

29,641. What is the use of saying no before you know what you are going to say no to. Did you hear Mr. Westropp say anything that day on the subject of the expenses of the election?—Not about the expenses of the election.

29,642. What did you hear him say during the day on the subject of the course the election was taking, or was to take?—I saw him about 1 to 2 o'clock in St. Mary's Street with Mr. Gray speaking to the parties and thanking them for their support. He said, "What do you think of the election?" I said, "The others will win in a canter; there is plenty of money; they will win in a canter." He said "Do you think so?" I said, "Yes, they will be sure to spend money on that side and you will be beaten."

29,643. What did he say to that?—I forget what reply he made to it now.

29,644. Did he seem to be surprised?—Yes, he did seem surprised.

29,645. And not to have expected that there was that danger?—He thought he was safe or nearly safe.

29,646. Did he go anywhere after you told him that?—No, he left me and walked up the street. I do not know where he went afterwards.

29,647. You do not know whether he went to look after his agent?—No.

29,648. And after 4 o'clock, or between 4 and 5, he had left the town I think?—Not that I am aware of.

29,649. Mr. Westropp?—Had he? I do not know, as I saw him so long ago I do not recollect about his leaving the town; he may have done.

29,650. Did he leave the town after the poll was over?—He may have done so, but I do not know it.

29,651. And Mr. Gray too?—They may have done so.

29,652. Did you see him that day again after that conversation?—No.

29,653. He was not present when the poll was declared?—I cannot say. I was on the hustings. I cannot say whether he was there or not.

29,654. Had he shown himself much that day?—Yes, a great deal; walking about the streets more than I ever saw him.

29,655. Were you ever present in court when Mr. Barham and Mr. Cook's evidence, and the evidence of some other witnesses were given, as to the mode in which Messrs. Kinglake and Vanderbyl shut themselves up each in his own hotel during the day?—Yes.

29,656. Did Mr. Westropp or Mr. Gray shut himself up?—They were walking about nearly the whole of the polling time.

29,657. (*Mr. Price.*) I think someone recommended them to do that, as they determined to spend no money?—I do not know that.

29,658. Mr. Trevor said there was no money going to be spent, and "You are so popular you had better go and show yourself about the town"?—Yes, I never saw him so much about.

29,659. Was he followed by women and children and others about the town?—Yes. At many places there were many following him.

29,660. (*Mr. Anstey.*) Did you personally, between the year 1859 when he first came, and 1868 when he went away from the borough, ever dispense any of the charities, as they are called?—No.

29,661. Amongst the people?—No.

29,662. (*Mr. Price.*) You never applied to him on behalf of anybody for money?—No.

29,663. (*Mr. Anstey.*) It appears by Mr. Trevor's evidence that he gave as much as 300*l.* a year or thereabouts in indiscriminate charities to persons of both sexes and all ages?—I heard he was very charitable.

29,664. And thereby obtained a large popularity, did not he?—I do not know whether he obtained his popularity by it.

29,665. He was not known until he came?—He was not known until he came with Mr. Padwick.

29,666. But Mr. Padwick was not much of a recommendation. Was he a man like Mr. Padwick?—I should think not.

29,667. Therefore have you any doubt that his present popularity was an article which was purchased and paid for by those charities and other gifts?—I daresay that was the chief cause.

29,668. (*Mr. Coleridge.*) Do you know what brought Mr. Padwick down here in the first instance?—I do not.

29,669. (*Mr. Anstey.*) I understood you to say that though you do not remember it you will not on your oath say you did not tell this Mr. Tom Boys that the money was in the town?—No, I would not say whether I told him so or not. I was going to tell you that there are two names I saw in Mr. Harden's book, and checked off by him as paid, which I was surprised to see, and that is Messrs. Gibbs and Best, pawnbrokers, in the High Street. They had not been in the town long—long enough to obtain a vote. I saw it in Harden's list, and checked off and paid in 1865.

29,670. (*Mr. Price.*) They had not been in the town long enough to vote then?—Yes; but not more than 12 months, or not so much.

29,671. What was your surprise?—At there being two respectable men in the list.

FREDERICK HARDEN recalled.

F. Harden.

(*The witness.*) I want to contradict a statement made by Mr. Truman about Mr. Bealy Smith and me, and this man Pole, in West Street. I knew he was prepared to go to London to swear that I gave him the 10*l.*, and I was prepared to acknowledge it. Mr. Smith on the contrary. What Truman has said about my wanting him to swear false or back me up, said, "You can go and prove it if you like, they can prove no agency against you." I never asked him to swear false, or a word of it.

29,672. (*Mr. Price.*) What I understood as what passed between him and Mr. Bealy Smith was that he asked if he would go up and back you if you denied you paid a certain sum of money. You cannot answer for Mr. Bealy Smith, and I should advise you not to.—I do not want to; but such a proposal was never named to me, and I never intended to swear false.

29,673. You say that it was, that they might say what they liked, but they could not prove agency?—Yes, that is right.

TWENTY-EIGHTH DAY.

F. Jarvis.

24 Sept. 1869.

FRANCIS JARVIS sworn.

29,674. (*Mr. Price.*) Are you a clerk at Hennet and Spink's?—I am.

29,675. Are you a voter for the borough?—I am.

29,676. How long have you been a voter?—Since 1852.

29,677. Whom did you vote for then?—At the first election of 1852 I voted for Follett and Mansell.

29,678. Were you employed in any way on the part of the Conservatives at that election?—Not at all.

29,679. In no way at all?—In no way at all.

29,680. Did you get anything for your vote in 1852?—I did not.

29,681. Were you promised anything?—Nothing.

29,682. Any bribe?—Nothing of the kind.

29,683. Were you in the employ of Hennet and Spink?—I was in the employ of Mr. George Hennet.

29,684. The same Mr. Hennet?—No, the father of Mr. Hennet.

29,685. At that time do you know whether Mr. Hennet's men who worked for him were compelled or influenced in any way to go up and vote for the Conservative party?—No, not at all.

29,686. Were you in a position to know if any such influence had been used?—I was.

29,687. Were you a clerk then, or the manager?—I was the chief clerk.

29,688. Directly or indirectly you know of no influence; whether they went up from any fear of being discharged you cannot say?—Nothing of the kind.

29,689. Did you never hear it said of Hennet's men that any were influenced for their votes?—No.

29,690. How many had he in his employ at that time?—Between 200 and 300 I think; I cannot speak exactly.

29,691. There were not many of them voters then?—A very few; not more than 10 or a dozen.

29,692. (*Mr. Coleridge.*) I suppose you canvassed them?—I did not.

29,693. (*Mr. Price.*) How many voters have you now?—71. We had 71 at the last election of 1868.

29,694. Did you hear anything of money going in 1852 at your works?—Not at all. I never heard there was any going in 1852.

29,695. In 1857 did you vote?—I did.

29,696. Had you anything to do with the management of that election in any way?—Not anything.

29,697. In the way of bribing or treating?—Nothing of the kind.

29,698. Now come to the election of 1859. Did you hear then that there was money going?—After the election.

29,699. Where did you hear that, in your works?—In the works, some short time after the election.

29,700. From some of your men?—Some of our men complained that money had been going in the town, and they thought the party in the yard ought to look after their interest.

29,701. Were they men who had voted on the Conservative side?—They were men who had voted for Westropp and Padwick.

29,702. And they complained that there was no one in the yard to look after their interests?—That is it.

29,703. Did you understand that there were men in other yards who looked after the interest of the men there?—I understood so from our men that it was done so at Browne & Co.'s.

29,704. That there was someone to take care and see that they were paid?—Yes.

29,705. (*Mr. Coleridge.*) Who was that?—I never heard the name. It was merely a general thing that Browne & Co.'s men were looked after by their employers, clerks, and foremen, and that they thought the same thing ought to be done by them.

29,706. You did not seem to see it in that light?—No.

29,707. You did in 1865?—I did in 1865.

29,708. You thought it right to do it?—I did.

29,709. Were you present in 1865 with Temblett and the others when a stranger came to your house?—I was not. There was no one but the stranger came to my house.

29,710. Did he come?—He did.

29,711. How did he introduce himself, or had you any intimation of his coming?—Yes, I had an intimation from Mr. Bealy Smith that very likely I should see a party, a stranger, who would make a proposition to me.

29,712. Before that had you communicated to the heads of the party what your men had complained of?—I did to Mr. Bealy Smith; no one else.

29,713. Before 1865?—Before 1865, when I was checking the registrations in 1864; that was the time.

29,714. That being so, that would be a reason for Mr. Bealy Smith sending for you?—It was.

29,715. And he told you that someone would very likely call?—He did.

29,716. With money?—Yes, I understood with money.

29,717. After that did a stranger come to your house?—He did. He came first in the middle of the day. I was from home; I was out at the time, and my nephew came in very shortly afterwards, and the servant told him there was a gentleman waiting to see me. Although he had expressed a wish not to send for me but let it remain until I came back, she thought it better to ask him to go and find me, and he found me, and I went home.

29,718. How did he introduce himself?—He introduced himself by saying his name was Matthews. He daresay I had heard of Mr. Matthews through Mr. Bealy Smith; he asked me if I had not. I said I had not heard any name, but I expected to see a gentleman.

29,719. What sort of a man was he; was he like a parliamentary agent?—No; I should have taken him for a well-to-do yeoman; he was a jolly, full-faced man, a good-tempered looking fellow.

29,720. Not like a London clerk, or anything like that?—No; I should not have taken him for a London clerk.

29,721. (*Mr. Coleridge.*) Did he seem up to his work?—Very well indeed; I was not just at that time.

29,722. Did he talk to you about what he had done at other places?—Oh, no.

29,723. (*Mr. Price.*) Now tell us what passed?—After introducing himself in that manner, he said, "Do you go to bed very early?" I said, "Generally about 11." He said, "Well, do not close your doors to-night, as I will be here some time after 12."

29,724. Where did you live?—In Monmouth Street, near the Eastover turnpike-gate.

29,725. (*Mr. Coleridge.*) How far from your works?—Not half a mile, rather more than a quarter; and he came to my house.

29,726. He told you not to go to bed early?—He did; but I felt very tired and went to bed about 11, and I heard a slight knock at the front door between 1 and 2 o'clock.

29,727. You were restless?—I was restless. I expected someone. I was not undressed. I came downstairs; he would not come inside, but was under a tree just outside the door; he was with another party, and he introduced this other as his man, and I think he called him Stevens, but I am not quite certain now; a tall man, evidently of a different standing from himself; he did not look so much a gentleman.

29,728. An inferior man?—Yes. He then gave me a list of men, and said, "Now you are dealing in this "sort of thing be careful not to deal with other "parties."

29,729. Did you have him in the house?—Yes, of course he came into the front parlor; no one knew he was in the house but myself; there was no other party in the house but two servant girls who had gone to bed, and they slept together. He said, "Here is the "list; be careful not to have anything shoved on to

" you more than is in the list, or you will be out of " pocket." I said, " I will do my best;" and he gave me the amounts, which I am prepared to put in; he gave me the list and the money. I am not prepared to swear exactly the amount. I think I got rather over the amount; I think 5*l.* more. I think it was 100*l.* I received then.

29,730. Give us the names?—James Bishop, 10*l.*; Thomas Brawley, 10*l.*; E. Cann, 10*l.*; Henry F. Cook, 5*l.*; Isaac Drake, 10*l.*; Henry Dunn, 5*l.*; Thomas Gardiner, 10*l.*; George Holland, 10*l.*; Henry Jones, 10*l.*; Thomas Paterson, 10*l.*; Robert Saunders, 10*l.*; John Sully, 5*l.*

29,731. (*Mr. Coleridge.*) Were these all men in your employ?—With the exception of Thomas Paterson; and then he was living at Chippenham, and I was going to observe that that man did put me into a difficulty. I gave him 10*l.*; he was not on my list, but I gave it to him for this reason, that he would not come down and the other party had got hold of him, so I thought it better to secure him, and I was obliged to make the others 5*l.* each to make that good.

29,732. How did you get hold of him if he was at Chippenham?—I do not know. I did not write to him, but he knew me from being the clerk of the works before.

29,733. How came he to come to you, he being a resident at Chippenham?—I do not know. I had not sent for him. I was surprised to find him here.

29,734. When did you pay these men?—On the morning of the polling day.

29,735. Did this man from Chippenham without your having sent for him come to you on the polling day?—He came to me the evening previous.

29,736. Did he tell you how he knew you were the person?—He did not.

29,737. This was your first time?—This was the first time.

29,738. How did he know you were the person to deal with?—Because some of the other men had told him I had money.

29,739. (*Mr. Price.*) Had you told these other men before the polling day that it was all right?—I had told them that I should get something for them.

29,740. He had worked with some of these other men?—Yes; he was a smith, and had worked with many of these men before.

29,741. (*Mr. Coleridge.*) I understand it was the day before the polling that this stranger came to you?—The day before the polling, about the middle of the day.

29,742. How did you know you were going to have money?—I saw the stranger the day before the polling, on the nomination day, the same evening.

29,743. Then you mean some of the men had let this man know you?—Yes.

29,744. (*Mr. Price.*) That is the list you make out?—Yes.

29,745. Is that all the money you got at that time?—That is all the money I got.

29,746. Did you get anything for yourself?—No, never.

29,747. Never anything?—Never anything.

29,748. Would you know that man again if you were to see him?—I should if he had his whiskers on. I do not know whether his whiskers were natural or not.

29,749. Now go to 1866, Mr. Patton's election; did you see the same man again?—I saw the same man again.

29,750. Did he bring you money again?—He brought money to my house.

29,751. How much?—I cannot tell how much he brought then.

29,752. How did you get over the difficulty with the man who you say you were obliged to give 5*l.* to in consequence of having paid this man at Chippenham?—They were never paid any more.

29,753. Did they complain?—They did; one especially, James Sully, complained very much of it.

29,754. Did you recoup him?—I did not.

29,755. Never?—Never.

29,756. You cannot tell how much you had then?—I can tell; they were paid twice. In the first instance there was only 5*l.*, and about, I think very shortly before the following election, I cannot tell exactly the day, I think it is in evidence though, the other 5*l.* were brought to me so as to make it 10*l.* to each man; and I paid down 10*l.* to every man in this list, except Thomas Broadwood; and I think it is in evidence, or it will be, that another of our party paid that other 5*l.*

29,757. Did you pay so many as 15 men, do you think?—I did.

29,758. 5*l.* down?—5*l.* down, and 5*l.* promised.

29,759. If you paid them 10*l.* apiece it would be 150*l.*?—Yes, it was 145*l.* I made good before the following election in July.

29,760. You have a list of the names there?—Yes.

29,761. Let us have them?—John Bennett, 10*l.*; Brawley, 5*l.*; Eliab Cann, 10*l.*; H. F. Cook, 10*l.*; Isaac Drake, 10*l.*; Henry Dunn, 10*l.*; Thomas Gardiner, 10*l.*; John Haste, 10*l.*; George Holland, 10*l.*; Henry Jones, 10*l.*; Robert Proles, 10*l.*; Robert Saunders, 10*l.*; William Sellar, 10*l.*; John Roberts, 10*l.*; Joseph Scott, 10*l.*

29,762. Was that all you had to do at the first election of Mr. Patton's?—That was all I had to do with that.

29,763. You say that some of them were dissatisfied before; were any of them dissatisfied at that time?—They all had 10*l.* each from one of the other agents.

29,764. And they got all they expected?—They got all they expected.

29,765. Did you get anything in respect of your services then?—I did not.

29,766. Now, on the morning of the polling day of Mr. Patton's second election, did you get any money from the same man again?—I did at Mr. Patton's election.

29,767. How much?—150*l.*

29,768. What time in the morning?—I think about half-past 5.

29,769. Of the polling day?—Yes.

29,770. Did you pay that away?—I did.

29,771. In tens?—In tens.

29,772. To 15 men?—To 15 men.

29,773. Give us their names?—John Bennett, Eliab Cann, Thomas Brawley, Henry Frapnell Cook, Isaac Drake, Henry Dunn, Thomas Gardiner, John Haste, George Holland, Henry Jones, Robert Prole, James Roberts, Robert Saunders, William Sellar, and James Sully. That is all.

29,774. That you paid all away, did you?—I did.

29,775. Was there a man of the name of Roberts, who is the father-in-law of Hook, of whom we have heard and seen something; did he take money from you, and vote for Mr. Vanderbyl?—He did.

29,776. How much?—10*l.*

29,777. Did you ask him to return it?—I did.

29,778. Did he refuse?—He did. He said he was in difficulties, and that he was in the hands of Messrs. Reed and Cook, and that they had then got him in court, as I understood, the very same day.

29,779. They had got him in court?—Yes.

29,780. That is in the county court?—That is what I understood.

29,781. Do you know whether he paid off Messrs. Reed and Cook's debt?—I do not.

29,782. You understood that Messrs. Reed and Cook put him in court for a debt?—They had him in court. That is what I understood.

29,783. Probably Messrs. Reed and Cook got their debt paid by Mr. Westropp's money?—Very likely.

29,784. Is James Roberts here in this place?—He lodges in Bridgwater. I do not know whether he is in court or not.

29,785. I mean is he still alive?—Oh yes.

29,786. Did you see whether this stranger had the same assistants at that time?—I did at the last election, the second election.

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29,787. Was that all you received at the second election of Patton?—That was all I received.

29,788. Did you get anything yourself then?—I did not.

29,789. In any way whatever?—Never.

29,790. Have you benefited in any way whatever, directly or indirectly, by advance of salary, or anything of that kind, for the part you have taken in these matters?—No, nothing of the kind.

29,791. (*Mr. Coleridge.*) Have you been injuriously affected by the part you have taken in them?—No.

29,792. (*Mr. Price.*) You are still in Mr. Hennet's employ?—Yes.

29,793. (*Mr. Coleridge.*) And they do not think any the worse of you?—No. I am in the same situation.

29,794. (*Mr. Price.*) In 1868, had you anything to do with the bribery then?—I had not.

29,795. Were you employed in any way, and were you spoken to; were you in communication with the heads of the party?—No. I was the secretary then of the Bridgwater Working Men's Association, and I led the men to understand that it would be too dangerous a game to attempt any more on account of the new law, and the better way would be to try and form an association, for we wanted to carry our own man, and I endeavoured to do it by——

29,796. Did you take an active part in promoting and attending the Working Men's Association?—I did; I was secretary.

29,797. (*Mr. Anstey.*) That association was only formed about the same time that Messrs. Westropp and Gray's address was issued?—The first meeting was on the 11th of June. I have the minutes here.

29,798. (*Mr. Coleridge.*) Was that a mutual aid association? Were you to pay one another money?—No. I had nothing to do with it.

29,799. What was the meaning of a "Working Men's Association?"—I think the meaning will be explained to you, if you will kindly look at these books (*referring to some minute books*).

29,800. (*Mr. Price.*) Just give us the history of the formation. Give us the history and objects of it, as well as you can, in your own language?—The object of it was to endeavour to educate the working men, especially the new voters, in Conservative ideas.

29,801. (*Mr. Anstey.*) That was in June?—That was in June.

29,802. With the certain knowledge that there was to be an election before the end of the year?—It was expected.

(*Mr. Anstey.*) There was not much time for education, unless you mean in a particular sense.

29,803. (*Mr. Coleridge.*) The first thing I find in this book is exactly what I expected, and is no explanation at all: "The chairman having explained the "objects of the meeting, and read some of the rules "of the Bristol Working Men's Conservative Asso- "ciation." He explained the objects, but the objects are not given?—I do not know what was done. I was not there.

29,804. (*Mr. Price.*) What did you understand to be the object of the association? You say the working men were to be educated; how were they to be educated?—By meetings to which delegates from other parts should be invited; and also by reading the papers, and the men talking to each other, and general discussion.

29,805. The motion is, "It was proposed by Mr. "T. Claxton, and seconded by Mr. William Luxton, "that those present form themselves into an asso- "ciation to be called the 'Bridgwater Working "Men's Conservative Association,' the object of "such association being to promote the diffusion and "maintenance of Conservative principles; and to use "all legitimate means to return, as representatives to "Parliament such men as will support those prin- "ciples."—That was our object.

29,806. That was the object?—Yes.

(*Mr. Coleridge.*) Of course, it being a packed meeting, it was carried unanimously.

29,807. (*Mr. Anstey.*) How many were present at that meeting?—I should think about 120.

29,808. And were they all working men, or were some of them amateurs?—They were chiefly working men.

29,809. Were they amateurs, those who put on fustian or serge, and acted the part of working men for that time?—I cannot say who were present.

29,810. (*Mr. Coleridge.*) Did anybody explain to them what "Conservative" and "Liberal" meant?—Oh yes.

29,811. There is no mention of it here. I suppose, as a rule in Bridgwater, they do not know a bit the difference between the one and the other?—Our object was to tell them the difference.

29,812. Was the Irish Church question talked about?—Yes, it was.

29,813. Which side did you take?—I opposed Mr. Gladstone's motion.

29,814. (*Mr. Anstey.*) Was purity of election talked about; I suppose not?—I think not.

29,815. (*Mr. Price.*) Why was that?—I do not know.

29,816. (*Mr. Coleridge.*) Or "vote by ballot;" was that talked about?—No.

29,817. What politics were talked about; were any politics talked about?—Yes; chiefly the questions of the day; the Reform question.

29,818. (*Mr. Price.*) The Reform question had passed you know?—The Reform question had passed previously, the whole question.

29,819. (*Mr. Anstey.*) But was not the whole attention of the people present directed to one object, namely, the approaching election for Bridgwater?—Well, that was very often mooted.

29,820. Now, was not that the real object of founding at a late hour (you mentioned June 1868) an association intended to work great things in the general election of 1868? Was not that the real object of the association, the purposes of that election and no other?—Not for the purpose of that election and no other. It was intended to be a permanent association.

29,821. (*Mr. Coleridge.*) I suppose nobody alluded to the probable wealth of the candidates?—No.

29,822. That was never mentioned?—I never heard it.

29,823. (*Mr. Anstey.*) Have you not in effect told me as much? In answer to a question I asked you, or a question which was asked you by one of us, as to the course you took and the advice you gave, you say you told them that this recent law against bribery made bribery so painful that it would be better for you, instead of going in for bribery, to form yourself (that is what you say you told them) into a Conservative Working Men's Association. Well, then, you have told us, in effect, that the Conservative Working Men's Association was intended to accomplish the union, and the gathering together of those whom it was no longer safe to bribe?—Yes, certainly.

29,824. In what way was that union to supply the want of open and avowed bribery; how was it to supply that defect?—Well, the men were anxious to get their own representatives, and there was no other means of getting themselves represented unless they did collect themselves together; that was our opinion.

29,825. Was not one of the objects this: that it was not safe, not that it was immoral, wicked, and unlawful, but that it was not safe to bribe; was it not your idea, or one of your ideas, that it would be better that the thing should be transacted within the four walls of a private association of that kind, where men could be got together without exciting suspicion, and where their interests could be represented by a secretary, a president, a treasurer, or a clerk?—I do not think it was contemplated, or anything of the kind.

29,826. I only want you to explain your answer. You say, it being no longer to bribe, you then formed

yourself into an association called "The Conservative Working Men's Association"?—Yes.

29,827. Is it not the fact, that that association, when formed, contained a great number of very corrupt electors indeed, namely, those who would sell their vote to any person who would pay them high enough?—Yes, it is.

29,828. Is it not the fact that of those "enthusiastic" Conservative working men, as Mr. H——— called them, 28 who had promised to vote for Mr. Westropp and Mr. Gray sold themselves like sheep to Mr. Vanderbyl and Mr. Kinglake, and voted for those two bribe masters?—The number of our members were 570.

29,829. And were there not 28 of them who did that?—There were 34.

(*Mr. Anstey.*) Then I am under the mark.

29,830. (*Mr. Coleridge.*) Will you explain this to me; this, out of one of the reports of your meetings on the 29th September 1868: "In consequence of a "letter received by the secretary to the effect that it "was the wish of some of the members of the Con- "servative party in Bridgwater that the Conservative "candidates should come to the town on Friday the "9th instant and address a meeting of their friends "and supporters at the town hall the same evening, "it was contrary to the wishes of the Working Men's "Conservative Association." What is the meaning of that?—They wished them to come on the following day, the Saturday, so that they might have an opportunity of meeting the members at the station and accompanying them to the platform.

29,831. Then I see at the end of the discussion which took place as to the propriety of dissolving the association until after the election, it was agreed to be postponed until a future meeting. What is the meaning of that? Why was the association to be dissolved?—Well, there were some members who considered that it would be unadvisable to have this association in existence at the time of the election, and it was thought it was better not to keep it open.

29,832. Why?—I do not know the reason. I was never a party to it.

29,833. (*Mr. Price.*) Was that carried?—It was not.

29,834. It was not carried?—The association has never been broken up.

29,835. How many were your members altogether?—570.

29,836. (*Mr. Coleridge.*) Do they subscribe anything?—Some do.

29,837. Not everybody?—Not everybody. It is a voluntary thing.

29,838. What are the expenses of it? What is there to pay besides? What is expended on this book?—Printing.

29,839. (*Mr. Price.*) And hire of rooms I suppose?—Hire of one room. That is the only expense.

29,840. (*Mr. Coleridge.*) A secretary?—No, I am not paid. We have paid for banners.

29,841. (*Mr. Price.*) Is there any drink paid for at any of the meetings?—Not any.

29,842. Is drinking going on while the meetings are being held?—Yes, after some of the meetings there was drink.

29,843. I mean while the resolutions are being passed, are there men sitting there drinking?—No, not that I am aware of.

29,844. (*Mr. Coleridge.*) Is the drink afterwards charged to the candidates?—It is not.

29,845. (*Mr. Anstey.*) By whom is it paid for?—By the parties.

29,846. Which parties, the imbibing parties or the candidates?—The imbibing parties.

29,847. Are the 570 members all voters?—No.

29,848. How many of them are voters?—There are about 450. I cannot tell you exactly the number of voters. There were a few who did not poll, but there were 408 voted Conservative and 34 Liberal out of the 470, and the remainder did not vote at all.

29,849. How many virtuous men were there who did not vote at all on either side to be added to the 34, do you know?—Perhaps four or five.

29,850. (*Mr. Coleridge.*) Take it with a liberal margin, and tell me how many out of that 500 odd members of that society knew the difference between a Conservative and a Liberal. Did half a dozen, do you suppose?—Oh yes.

29,851. Well, how many would you put it at?—Well, I think we had so many meetings that they were pretty well inoculated in the principles of Conservatism. I should think there were 300, if not more.

29,852. The "principles of Conservatism"?—Yes.

29,853. What section of Conservatism; there are so many variesties now-a-days. Do you really mean that these were old Tories, these men?—No.

29,854. What do you mean by "Conservatism"?—A great number of them were Church and State men.

29,855. Therefore you mean to say they were opposed to the Irish Church Bill?—Yes.

29,856. Was that the only question? Was the ballot not one of the questions?—The ballot was not one of the questions.

29,857. (*Mr. Anstey.*) Was Mr. Joseph Richard Smith, who lectured them, or "inoculated" them, I think is your phrase——

(*Mr. Price.*) No, "indoctrinated" them.

(*Mr. Anstey.*) "Indoctrinated" them into the principles of Conservatism?—He was after he ceased to be mayor.

29,858. No matter about that. I am speaking of the value of the lessons he taught. Was it at one of those meetings when he was "indoctrinating" them that he told them, "If you are going to be bribed, my advice to you is, M. D.—money down"?—I do not know; I was not present.

29,859. You were not?—I was not.

29,860–2. May I ask, would that be considered one of the attempts made to "indoctrinate them into the principles of Conservatism"?—Certainly not.

29,863. Was your association formed before the Liberal Working Men's Association, or after?—Before.

29,864. And they followed your example?—Yes. I rather think they branched off from the Reform League, I mean in their associations.

29,865. Whatever the result has been, probably there will be no great result from it now; but whatever the result was at that time, did you, as far as you were concerned, and several others to your knowledge, join it with an earnest desire to put down bribery?—I did. That I swear distinctly.

29,866. It is a very difficult thing to get rid of bribery out of a place like this; but did several others join it also with the same purpose to your knowledge?—I think so.

29,867. (*Mr. Coleridge.*) You had been employed as a bribery agent?—I had; and I determined to have no more to do with it.

29,868. From a sort of repentance?—No, not so much of that. I certainly did repent of it, but I felt this, that if I attempted anything of the kind now it would be a very dangerous thing.

29,869. Less safe?—Less safe.

29,870. But not more wicked?—But not more wicked.

29,871. Is it not the fact, that in addition to the 34 who showed by their noble acts at the election that they were prepared to sell themselves soul and body to the opposite side, and the four or five who held back so long and so consistently, that, unfortunately for them, they did not vote at all at the last election; or, perhaps fortunately, is it not the fact, that in addition to those a great many of the enthusiastic persons who voted for Mr. Westropp

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would, if Mr. Westropp, or Mr. Gray, or their agents had offered them the usual 10*l.* ahead, have taken it? —I believe they would.

29,872. Then, how in the name of goodness, Mr. Jarvis, can the formation of a Conservative association or a Liberal association, composed of men of that stamp, produce any other effect than this: to make it more easy to bribe them, by obtaining a sort of responsible officer or medium of communication, such as yourself for instance, a known bribery agent, or somebody equally notorious? What other effect could it have had?—I believe that there were many who received money before, who did not expect any at the last election.

29,873. That has nothing to do with it. You see, the Chief Commissioner asked you, if you were determined to put down bribery, and you, forgetting all your antecedents, fastened upon that, and said at once, with a generous enthusiasm, "I was"?—Yes.

29,874. Now the very men you were marshalling in that way were not bribed by Mr. Westropp and Mr. Gray, because Mr. Westropp and Mr. Gray had no money to bribe them with; but you say if they had offered them money they would have taken it. How can bribery be put down by means of that association? —(*No answer.*)

29,875. (*Mr. Price.*) Was the question of there being no money discussed, or rather, was the determination to spend no money on the part of the Conservatives thoroughly well known by the members of this Conservative association before the last election?—On the morning of the nomination day, I think there were many who did expect that money was going to be spent.

29,876. You think so?—I think so. That is, from my experience of them.

29,877. Is it your experience, seeing the working of the last election, so far as it went, that any attempt made by Liberal associations or Conservative associations to put down bribery would fail, if only there came down a candidate with money. If you could always be sure of a Vanderbyl, or a Westropp, on the one side or on the other, do you believe that all the efforts you could make by means of this association for getting rid of bribery would be in vain?—I should be sorry that it should be so. We all did our best.

29,878. You had some experience of it last time?—I believe there were some of them who would have gone for money, but I believe there were a great majority who would have gone without money.

29,879. (*Mr. Coleridge.*) Were the horrors of bribery discussed at the meetings of this association of Conservative working men?—No, I never heard it.

29,880. (*Mr. Anstey.*) You have already told me that if Westropp and Gray had offered these members of your association money they would have taken it. You have already told me that?—I did not catch the meaning of your question then.

29,881. Have you not told me twice over, in answer to my question, that if Westropp and Gray had offered money to the members of the Conservative association that they would have accepted the bribe? —I do not remember making that reply.

(*Mr. Anstey.*) You distinctly said so in answer to my question. I will not be trifled with in this way by you, and I must request the shorthand writer to refer to your answer. (*The shorthand writer referred to the answer, which was, "I believe they would."*)

29,882. (*Mr. Coleridge.*) You do not mean to say surely that the formation of this society was for the purpose of purifying the borough of Bridgwater?—I do.

29,883. (*Mr. Anstey.*) You said just now that you believed they would accept a bribe if it were offered to them. I ask you, have you the smallest doubt that every Conservative working man who is a member of your association, excepting always the amateurs, the men of wealth, who are honorary members of it, would have accepted a bribe if it had been offered him by their own favourite candidate?—I do doubt it. I believe there were a great many Conservative working men who did not care for it.

29,884. Never mind about not caring for it. If they had been told after the election, "Mr. Westropp's "compliments," or the "agent's compliments to you, "there is a present of 10*l.* for you as a mark of his "gratitude," do you believe that the vast majority would not have accepted it? (*A pause.*) What do you think?—I believe there are a great many that would accept it.

29,885. The majority of them?—I would not say the majority.

29,886. (*Mr. Coleridge.*) We have been told over and over again, that if we take 250 out of the whole constituency of 1,600, as representing those who would not bribe or be bribed, that we get the whole extent of the pure electors in Bridgwater? — I do not believe it.

29,887. Do you believe there are 250 out of the 570 members of your Conservative association who would neither bribe nor accept a bribe?—Yes, under the present state of things.

29,888. (*Mr. Price.*) Has that been brought about by the terrors of the law, or by disgust at bribery; which?—By both.

29,889. (*Mr. Coleridge.*) Your own determination was only brought about by the terrors of the law?— It was.

29,890. Do you attribute the change that has been brought about in these men, who are certainly not so blameable as those who bribe them, to the fact that they are really afraid of the law as it now stands, or to the fact that there is a better feeling in the place? —I think there is a better feeling in the place.

29,891. In some of them, or all?—Not all.

29,892. Which do you think has played the principal part in producing this change, the terrors of the law, or the absence of money; which is it? (*No answer.*) Has this feeling been brought about by the fact of the election inquiry before Mr. Justice Blackburn, and the issuing of this Commission, and the chances of disfranchisement? Has it been brought about by that?—It may.

29,893. (*Mr. Anstey.*) I presume from the whole tenor of your answers to the questions put to you that you are strongly of opinion that this is a virtuous borough, and sufficiently virtuous not to be disfranchised, are you not?—For myself, I should be pleased for it to be disfranchised.

29,894. Mr. Trevor has prepared a brief, which we have had before us, from which it appears there were others besides members of this Conservative Working Men's Association who, being Conservative, and having promised to vote for Mr. Westropp and Mr. Gray both, kept their promise by voting for Mr. Kinglake and Mr. Vanderbyl both, and almost all of them having done so after the time at which the Liberals began to bribe, and that their number was 41 altogether. Do you agree in that statement?—I agree that there were 34.

29,895. No, 41?—Not belonging to the members.

29,896. Well, 41, including those who were members of the Conservative Working Men's Association? —Oh, it is very likely. Yes, I should think it was.

29,897. (*Mr. Price.*) Not 41 in addition?—No, not 41 in addition.

29,898. Forty-one altogether? — Forty-one altogether.

29,899. (*Mr. Anstey.*) Including the 34?—Including the 34.

29,900. Then there were members who abstained from voting altogether. Of course you know what that means in a borough of this kind. How many abstained on your side, including the association men? —Well, perhaps 20.

29,901. (*Mr. Price.*) I think you said in 1868 you had nothing to do with bribery yourself?—Nothing at all.

29,902. Nor with holding out any promise?— Nothing at all.

29,903. Did you take means in your yard of showing

your men that they were at liberty to vote how they liked ?—I did.

29,904. What means did you adopt ?—I spoke to Mr. Hennet about the bill which had been put up in the first place, when Mr. Hennet was absent.

29,905. What was that bill ?—A bill put up in the first place, putting Mr. Vanderbyl's name in great prominence before the men.

29,906. In what respect ?—It was a bill got up by Mr. Spink under Mr. Vanderbyl's instructions, calling upon the men to vote for Vanderbyl and Westropp, and I spoke to Mr. Hennet about the matter as soon as he returned; he was absent at the time; and he was very indignant about it, and he got up another bill, calling upon the men to vote as they pleased, to vote independently, and not be biassed by the foreman or any other party in the yard, but to vote exactly as they pleased.

29,907. Was that bill issued ?—It was posted about the yard.

29,908. (*Mr. Anstey.*) Was that on the polling day ?—No, before the polling day.

29,909. (*Mr. Price.*) How long before ?—Three or four days.

29,910. (*Mr. Anstey.*) Was it before Mr. Spink and Mr. Hennet had interviews with Mr. Vanderbyl ?—No, after.

29,911. Mr. Vanderbyl's last interview with them was on the Saturday, which was only two days before the nomination ?—Well, yes; Mr. Hennet had seen Mr. Vanderbyl before then.

29,912. How often ?—Twice or thrice, at the works.

29,913. I believe it has been stated that Mr. Hennet was a Conservative ?—Yes, Liberal-Conservative.

29,914. Did you know that Mr. Hennet had promised Mr. Vanderbyl that if he could he would promote his election, or his success at that election ?—I did not know it at that time.

29,915. But you know it now ?—Yes.

29,916. From Mr. Hennet himself ?—I know it from the evidence, not from Mr. Hennet.

29,917. Did Mr. Hennet ever object to Mr. Vanderbyl's coming there to see the people in his employment, and using Mr. Hennet's name, or Mr. Spinks's name ?—I do not know what Mr. Hennet said to Mr. Vanderbyl at all. I know Mr. Vanderbyl came there, and went into the yard with his agents, Mr. Lovibond and another; I am not quite sure about Mr. Lovibond.

29,918. You know this much, that when Mr. Hennet expressed himself angry about what had been done he told you that he was angry about it, and prepared that bill to be put up, "Vote as you please." Do you know whether he then told you anything which was inconsistent with that ?—He did not.

29,919. (*Mr. Price.*) I understood you to say that the bill was put up at your suggestion ?—Mr. Hennet as soon as he saw the bill (I brought it under his notice) was very angry about its being put up in that way, and he said, "I will put up another bill telling "the men to act independently; to vote as they "pleased," and that he would be very angry if any other bill was put by any other man in the yard in his employ.

29,920. (*Mr. Anstey.*) Was not that bill put up to make it more accessible to the Liberal party for canvassing than it would have been without it had been put up; because Hennett and Spink are not Liberal, they are Liberal-Conservative ?—They were not more accessible than they were at any other time, because the candidates had always gone down to the men in the yard, down to 1865.

29,921. Was not Mr. Hennet, when that bill was put up, personally anxious that Mr. Vanderbyl should be returned ?—I do not think he was. I think that was about the time that the Lundy Island Granite Company had been spoken of, and I think Mr. Hennet had altered his views about Mr. Vanderbyl.

29,922. I thought you said it was three or four days before the election ?—It was.

29,923. (*Mr. Price.*) When was the Lundy Island Granite Company brought before the notice of the electors here ?—The Thursday or Friday before the election.

29,924. (*Mr. Anstey.*) We have had it in evidence that Mr. Hennet, after the Lundy Granite Company had been made the subject of great discussion here, agreed to do all that he could with Mr. Vanderbyl to promote a coalition between him and Mr. Westropp, for the purpose of effecting Mr. Vanderbyl's return, and that as late as Saturday or Sunday ?—My impression was that Mr. Hennet formed different views.

29,925. You have Mr. Hennet's own evidence on the point ?—I have.

29,926. Well, now, after hearing that you do not think so, I suppose ?—I do not think Mr. Hennet wished to form a coalition on the Sunday night at all.

29,927. Then you do not believe Mr. Hennet's evidence ?—I do not believe Mr. Hennet intended to form a coalition on the Sunday evening. I believe Mr. Hennet was taken by surprise by Mr. Vanderbyl's proposing it.

29,928. You say that the men were as accessible to the Liberal party without that placard as with it ?—I do.

29,929. (*Mr. Price.*) Is there anything else you have to tell us about that last election, or any other election, beyond what you have stated ?—Nothing whatever that I am aware of. I think I have told you everything about all the elections I have had to do with.

29,930. Do you know anything about the show of hands at Patton and Bagehot's election ?—I was present.

29,931. Was the show of hands in favour of Mr. Patton ?—I think it was.

29,932. Do you know how that was obtained ?—I believe justly; I considered that we had the majority.

29,933. Were your men employed to go and hold up their hands ?—Our men were there; the works were closed.

29,934. Were they paid for it ?—I believe a bill was sent in for it.

29,935. (*Mr. Coleridge.*) Fifteen pounds for holding up hands ?—I believe a bill was sent in; I do not know whether it was to their solicitors. Mr. Hennet will tell you about that.

29,936. (*Mr. Anstey.*) Were you at the meeting at the "Clarence" at 8 o'clock in the morning of the polling day ?—I was not; I intended to go up. I heard there was a meeting, and I went up the town at the end of the meeting, and I saw Mr. Sharman, and he said, "The meeting is over, you had better go up to poll," and I went up to poll with him. That was about 8 or a quarter-past 8 in the morning.

29,937. You cannot tell me anything about that ?—I cannot.

Mr. JOHN WILLIAMS VEYSEY recalled.

Mr. J. W. Veysey.

29,938. (*Mr. Price.*) Yesterday, when you were not in court, Mr. Osborne and his two daughters were called before us, and examined as witnesses, and with reference to the evidence they gave, and with reference to the evidence given by Gilbert also, we think it right to state to you, that we believe the evidence given by the Osbornes and Gilbert in preference to the evidence given by you ?—I am very sorry to hear it.

29,939. (*Mr. Price.*) That is so. Neither your manner nor matter has impressed us with the idea of your truthfulness; and, with regard to the Osbornes, your evidence before us is a reiteration of what we do not hesitate to say was very much like false swearing before the committee of the House of Commons ?—I assure you I told the truth.

29,940. (*Mr. Price.*) You could not both be telling the truth, and that is the judgment we have formed ?—I think the two young ladies would intend to speak what is true, but they are mistaken.

TWENTY-EIGHTH DAY.

Mr. J. W. Veysey.

24 Sept. 1869.

29,941. (*Mr. Price.*) We do not wish to discuss the matter further. A different complexion has been put upon the story by Mr. Osborne than that which you attempted to convey to us. If your evidence had been direct there would have been no question about your having committed perjury; but it was more the complexion you attempted to put upon the matter than what you actually swore. You tried to convey to us a false impression; therefore I say it is not so direct a perjury as it otherwise would have been, and as it has been in the case of other witnesses who have been before us. But you have attempted to deceive the committee of the House of Commons, and you have also attempted to deceive us?—Not in the least. I have neither attempted to deceive the one nor the other, neither them nor you.

29,942. (*Mr. Price.*) That is our impression. With regard to Gilbert, that extenuating remark of mine, if it be one, does not apply. That is all I have to say to you.—There is one thing I was going to remark upon, and that is about my having received 20*l.* and 25*l.* The money was paid to me, not direct, for my vote. I never asked for one single farthing. It was before Mr. Vanderbyl's first election I was paid the 20*l.*, and I was not paid the other amount until the February or March afterwards; it was some time in the March following, just before the trial of Coles *v.* Perkins.

29,943. (*Mr. Coleridge.*) You expected to get paid at some time or other; you did not expect to work for nothing?—The last time I almost thought I should have to do so.

HENRY WARE sworn.

H. Ware.

29,944. (*Mr. Price.*) What are you?—Groom and coachman.

29,945. Were you formerly groom and coachman to Mr. Spink?—I was.

29,946. Well, now, I understand what you wish to say is something about what Andrew Allan says he paid you. He says he paid you 10*l.* at the election in 1868?—That is it.

29,947. Is that true?—I never received a penny.

29,948. Were you a voter?—I was not.

29,949. It does not follow that you did not receive money on that account, only you mean positively to deny that you were paid anything?—I was not paid anything at all from anyone.

29,950. (*Mr. Coleridge.*) What did you get?—Nothing at all, of any sort or kind.

29,951. Have you got a wife?—I have.

29,952. Did she get anything?—No.

29,953. (*Mr. Price.*) You are not a voter?—No.

29,954. Have you ever been a voter?—No.

29,955. Did you ever represent yourself as a voter?—No.

29,956. Were you returned on any list as a voter?—No. I paid a rate, but I did not claim my vote.

29,957. You were not on the register?—No.

29,958. Are you quite sure of that?—Certain.

(*Andrew Allan.*) He was returned to me. I have no individual recollection or knowledge of him.

(*Mr. Price.*) Who returned him?

(*Andrew Allan.*) I think Culliford, more than any others, kept a list.

(*Mr. Price.*) You do not know anything about him personally?

(*Andrew Allan.*) No.

(*Mr. Price to witness.*) Allan does not represent that he paid you personally, but that your name was sent in by some other person to him.

(*Andrew Allan.*) His name was given as one who was paid.

29,959. (*Mr. Coleridge to witness.*) Do you mean you got no present of any sort or kind?—I had not.

29,960. Are you quite sure your wife did not?—Certain; quite sure.

(*Mr. Coleridge to Allan.*) You say "Culliford more than anybody else." Everybody must know whom they paid.

(*Andrew Allan.*) No, I paid them all; Culliford and Stacey and Webber. Bridges kept the checks at the door.

(*Mr. Coleridge.*) But who do you say returned him?

(*Andrew Allan.*) Culliford, more than any others.

(*Mr. Coleridge.*) Do you recollect his going upstairs?

(*Andrew Allan.*) No, I do not.

29,961. (*Mr. Coleridge to witness.*) Did you go upstairs on that day?—I did not. I do not know where the stairs are at all.

(*Mr. Price.*) There are two Wares on the list, Allan. It appears there may be, possibly, some mistake. There is a James Ware and a Thomas Ware; and I see that both those men, James and Thomas, voted for Kinglake and Vanderbyl. There seems to have been some mistake with this man. I think this cannot be the man. Where is Culliford?

EDWARD CULLIFORD recalled.

E. Culliford.

29,962. (*Mr. Price.*) Did you pay that man, Henry Ware; is that the man you paid 10*l.* to?—I never paid anyone.

29,963. Did you show that man upstairs?—I saw this man in the passage. I won't swear that he went upstairs. I imagine that he went upstairs.

HENRY WARE recalled.

H. Ware.

29,964. (*Mr. Coleridge.*) Were you in the passage?—I was in the passage. I was in the "New Inn" passage, not near the staircase.

29,965. What were you doing there?—I was there, the same as the rest of the people.

29,966. Looking out for money?—Not looking out for money. I had no vote.

29,967. (*Mr. Price.*) Well, one of the Buttles had no vote. Do you mean to say you did not go there because you heard money was going?—I went there to help assist in the election, to pick up some people.

29,968. Were you driving any conveyance?—No, I was not.

29,969. How were you to help; you said you were there to help?—I just merely went along with the rest of the people who I know.

29,970. (*Mr. Coleridge.*) You are a connexion of the Buttles, are you not; a relation?—Not at all.

29,971. What have you got to do with the Buttles?—I have nothing to do with the Buttles.

29,972. Are not you a witness?—I am a witness this afternoon, stating as I seen Mr. Allan speaking to Mr. Buttle, to Alfred Buttle; nothing more than that.

29,973. A witness for the prisoner?—For the prisoner.

29,974. Well, now did not you go there just the same as that young Buttle who was not a voter and got 10*l.*; to see what you could pick up?—No, I do not know that I did.

29,975. What did you go there for?—I merely went there just the same as the rest of the people did.

(*Mr. Price.*) Well, they went for that purpose.

29,976. (*Mr. Coleridge.*) What are you in politics?—I am a Liberal.

29,977. Then having gone there, did you not go to

see what could be got in the scrimmage ?—No, I did not, because I knew I had no vote.

29,978. What are you ?—A groom and coachman.

29,979. Well, had you any employment at all ?—No, I had not ; not that day.

29,980. So you went to this inn simply to see what was to be done ?—Merely to see what was going on.

29,981. You are quite sure you were not passed up by mistake ?—Certain of it.

29,982. To get 10*l.* ?—As far as that goes I wish I was as sure of 1,000*l.* as I am sure that I was passed by no one.

29,983. (*Mr. Coleridge.*) You are better without the 10*l.* now ?—I never received anything from anyone.

29,984. Were you offered anything ?—No, I was not ; nor promised.

29,985. How comes Culliford to say that he passed you up ?—He said he saw me in the passage ; the passage going into the house.

ANDREW ALLAN recalled.

A. Allan.

23,986. (*Mr. Price.*) Mr. Allan, how did the man's name appear at all ?—I went to the man who kept the check at the door to get a list of the names of the men who were paid.

29,987. Who kept the names ?—George Stacey.

AMBROSE DYER recalled.

A. Dyer.

(*The witness.*) I wanted just to correct one statement that I made the other day.

29,988. (*Mr. Price.*) What do you want to say ?—I returned giving a man of the name of Vickery two 10*l.*, but I found since it is only one, and that the other 10*l.* I gave 5*l.* to a person of the name of Cooze, and 5*l.* to a person of the name of Kerle.

29,989. (*Mr. Coleridge.*) Is it a Mrs. Cooze ?—Yes.

29,990. Is she in court now, can you tell us ?—Not that I know of.

29,991. (*Mr. Anstey.*) Dyer, as you are here I want to ask you about the houses ; I won't call them committee rooms ; I will say the houses that were taken at the election of 1865 and used. I do not know how you want me to put it, but they were used as places of resort of Mr. Kinglake's and Sir John Shelley's supporters. You know you were examined about them before the committee of the House of Commons. I want to know first of all whether they had committees at or committee rooms at some of the public-houses in Bridgwater ?—Not to my knowledge.

29,992. But secondly, is it a fact that public-houses were open for the convenience of their supporters drinking during the election and before the election ?—Not to my knowledge they were not. I never was in one if they were.

29,993. You were an active supporter of those two candidates ?—I was.

29,994. And you canvassed with them and for them ?—No, never.

29,995. Which ?—Neither, before nor after.

29,996. Did you canvass ?—I beg your pardon. I recollect one.

29,997. Now did you canvass voters in company with those two candidates ?—I did, I believe ; they went to my house in North Street and asked me where different voters lived in that street.

29,998. Did you canvass voters in their behalf when the candidates were not present ?—No, I did not.

29,999. There is, I know, a meaning given to the word "canvass" in this borough ; an extraordinary meaning ; and I will ask you, therefore, in another form : did you request persons to vote for those candidates ?—I might have asked any voter that I knew ; I might have said I should like for them to vote in the Liberal interest.

30,000. You might have asked them to vote for Westropp ?—No, I did not.

30,001. No, but I say you might have done it ; therefore you did not answer my question positively. Did you ask persons to vote for the Liberal candidates ?—I think it is very likely I did.

30,002. Now, on those occasions, or any of them, were the candidates present ?—No, I believe not ; not more than what I have told you before. I went in two or three houses in North Street with the candidates and the agents to find out different parties that they did not know anything about.

30,003. Well, now, let me refresh your memory. Were not their colours orange and blue ?—Yes, I believe.

30,004. Did not you see those colours hanging from the windows and rooms at some of the public-houses in the borough ?—I believe I did.

30,005. Have you any doubt that the houses from which these colours were hanging were houses open for the convenience of the candidates or their agents, or the voters, or all of them ?—I never went into one of them, so that I cannot say anything at all about them.

30,006. Have you the slightest doubt that they were open in that sense ?—I cannot answer that question at all, for I was not in them.

30,007. As a man of common sense and an active supporter of the orange and blue, can you have any doubt of that fact, that the houses from which orange and blue colours were waiving were houses opened for or taken on account of the Liberal interest ?—If I answered that question I should be just as likely to speak wrong as right ; because that is a thing that I do not know to my knowledge. I never had a sixpenny worth of liquor in any public-house at election times in my life ; no more than what I paid for.

30,008. I am not asking you a syllable about that. It is very important that we should know the fact that public-houses had the orange and blue colours hanging out ?—I believe there were, just the same as there were the blue houses ; in the lower part of the town particularly.

30,009. Do you mean to swear that you cannot say what public-house, or cannot give me the name of a single public-house, to which the Liberal candidates or their committees or their agents resorted for the purposes of the election ?—No, I cannot, for I never went into one of them.

30,010. That has nothing to do with it ?—There is one thing more that I wanted to mention ; that was, Mr. Alway stated the other day that he had 10*l.* from me at one of the elections. That was sent up by Mr. Allan, and I think it was Mr. Bagehot's election instead of Mr. Vanderbyl's that I gave it to him.

30,011. (*Mr. Price.*) You gave it to whom ?—Mr. Alway.

30,012. Oh ; and Alway has put it at some other election, has he ?—He says I made a mistake in the election ; which it was I would not be positive. Mr. Allan kept account.

30,013. (*Mr. Coleridge.*) You had it at some time or other ?—Yes.

(*Mr. Price.*) Is Mr. Jarvis here ?

(*Mr. Jarvis.*) Yes.

(*Mr. Price.*) Then let that man Roberts stand up in the witness box.

TWENTY-EIGHTH DAY.

F. Jarvis.

24 Sept. 1869.

FRANCIS JARVIS recalled.

(*Mr. Price.*) The shorthand writer will read that part of your evidence as to Roberts. (*The following extract was read from the previous examination of the witness*): "Was there a man of the name of "Roberts, who is the father-in-law of Hook, of whom "we have heard and seen something? Did he take "money from you and vote for Mr. Vanderbyl?—He "did. How much?—10*l.* Did you ask him to "return it?—I did. Did he refuse?—He did. He "said he was in difficulties, and that he was in the "hands of Messrs. Reed & Cook, and that they had then "got him in court, as I understood, the very same "day. They had got him in court?—Yes. That is "the county court?—That is what I understood."

30,014. (*Mr. Price.*) That you acknowledge, Mr. Jarvis?—That I acknowledge to be my statement.

30,015. That was at Vanderbyl's election?—That was at Vanderbyl's election.

J. Roberts.

JAMES ROBERTS recalled.

30,016. (*Mr. Price.*) You said you voted for Westropp last time, and that you always promised yourself whenever that gentleman came forward again to vote for him. You said, "I made up my mind "whenever he came forward again—whenever the "chance occurred—I would vote him." Then you are asked "Why?" "Because I considered he had been used ill." Then you are asked, "Have you ever had "any money from him?—Never in my life. Why did "you think he had been used ill?—Because I con-"sidered the Liberals had been as guilty of bribery as "the Conservatives had been. Then why did you "vote for Mr. Vanderbyl instead of Mr. Patton at "the election before?" you say, "There is an old say, necessity is the mother of invention." Then it is put to you: "I hope you don't mean to act upon it to-day." Then you say, "That very morning as I was "going to vote for Mr. Patton, I met Mr. William "Symmons?"—I beg your pardon.

(*Mr. Price.*) Now listen, sir. (*The remainder of the witness's evidence with regard to that election was then read by the learned Chief Commissioner.*)

30,017. (*Mr. Price.*) Now, then, sir, do you mean to say that you did not get 10*l.* to vote for Mr. Patton, and because Reed and Cook had put a pressure upon you, you went and voted for the other side, and got money from them?—I am not aware, sir, but what I omitted that I received 10*l.*

30,018. (*Mr. Price.*) Not aware! You were asked over and over again what you got for your vote, and you kept carefully concealing from us that you ever received the 10*l.*?—I beg your pardon; I said I was going to vote for Patton in the morning.

(*Mr. Price.*) You never told us that you got 10*l.* for it.

(*Witness.*) I intended to do so.

(*Mr. Price.*) "Intended to do so!"

30,019. (*Mr. Coleridge.*) I asked you myself whether you got money from both sides for voting?—I do not remember a breath about it. I have no desire to conceal anything at all from you, not the slightest.

(*Mr. Price.*) Don't talk about "a breath about it;" it seems nobody cares one breath in Bridgwater; don't say you did not want to conceal. You were examined for a considerable length of time, and you were re-called, and you deliberately concealed from us the rascality of your conduct, viz., that you had got 10*l.* from Mr. Patton's party, and that you refused to return it, having got money from the other side. You were asked, and you told us you did not; you con-cealed it.

30,020. Did you refuse to return the 10*l.*?—No-body ever asked me for it.

30,021. Do you mean to swear that?—I do. That I swear positively.

30,022. I ask you—there is one man in the other court now upon his trial for perjury—do you mean to say that Mr. Jarvis did not ask you for that 10*l.* back?—Never in his life.

30,023. And that you did not refuse, on the ground that Reed & Cook had put a pressure upon you at the time?—Never.

30,024. Never?—No.

30,025. Nothing of the kind?—No.

30,026. Not a word?—Not a word.

30,027. Were you under pressure from Reed & Cook?—I was not, any more than they were my attorneys carrying me through the bankruptcy court.

30,028. Did you owe them any money?—No.

30,029. Not a farthing?—Not a farthing.

30,030. What became of the 10*l.* that you got from Jarvis?—That went to pay my solicitors.

30,031. Reed & Cook?—Yes.

30,032. Now, then, you say you did not refuse to give up the 10*l.* You were never asked?—I never was asked.

F. Jarvis.

FRANCIS JARVIS recalled.

(*Mr. Price to James Roberts.*) Stay where you are.

30,033. Now, Mr. Jarvis, do you affirm in his pre-sence that you paid him the 10*l.*?—I paid him the 10*l.*

30,034. And that you asked him to return it?—I went to his house afterwards, and asked him to return the 10*l.*

30,035. Have you any means of corroborating that, because if so we will send him before the magistrates at once?—No, there was no other party present; only him and I.

(*Mr. Price.*) That is an unfortunate thing. Of course it is a very wholesome regulation of the law that it should not be merely oath against oath.

(*The witness.*) My object in going to ask him——

30,036. (*Mr. Anstey.*) Mr. Jarvis, will you attend to me. Has Roberts ever since admitted that he had the money?—Oh, he could not deny it. I had no conversation with him since that same day.

30,037. Has he admitted to anybody else that he had the money?—I cannot tell.

30,038. Cannot you tell us any person who will corroborate your statement?—He does not deny receiving the money.

(*James Roberts.*) I worked at Mr. Hennet's foundry at the time.

(*Mr. Coleridge.*) He denies that he refused to give it back.

(*Witness.*) He does deny it. I swear most positively that I asked him, and that he refused to give it back.

30,039. Was his wife present?—She was not; she was in the back part of the house.

J. Roberts.

JAMES ROBERTS recalled.

(*Witness to Francis Jarvis.*) I remember you coming to my house, and we had a conversation together.

30,040. (*Mr. Price.*) We don't want you to talk. It is a very unlucky thing indeed that according to the law of the land—it is a very wholesome thing, and I do not at all quarrel with it—that mere oath against oath will not sustain an indictment for perjury; but it is quite clear that you kept back from us the fact of the 10*l.* altogether?—I never had it in my heart I declare solemnly. I do not recollect anything on the

subject any more than I said I was going to vote that morning.

30,041. (*Mr. Coleridge.*) You must have known perfectly well that you had taken money on both sides ?—I was perfectly aware of it.

30,042. Why did not you tell us ?—I did not know but what I admitted it.

30,043. You were asked over and over again, and you denied it ?—I am very sorry I should cause anything of this, but I did not recollect that I had not admitted it.

30,044. (*Mr. Price.*) We do not believe you are a bit sorry. The only thing is I should like very much to know—and I think we ought to know—whether Reed & Cook knew where that 10*l.* came from. When did you pay them that 10*l.* for their services ?—After I had passed the bankruptcy court.

30,045. (*Mr. Coleridge.*) How long after the election ?—I think about three or four days after.

30,046. (*Mr. Anstey.*) Which of them did you see ?—Mr. Cook.

30,047. Did you tell him that the money had been given you by Jarvis ?—No, I did not.

30,048. (*Mr. Coleridge.*) Who kept the money between the time you received it, and the time you paid it to Mr. Cook ?—Myself or my wife.

30,049. Was it your wife ?—She generally keeps it.

30,050. What is your wife's name ?—Mary Ann.

(*Mr. Price.*) You were recalled, and what lends additional conviction to our minds, if conviction were wanted, that you were keeping the truth back from us is the fact that you are the father-in-law of the man Hook, who took money on both sides, and to whom you said, when he came back from Bristol, that there was plenty of money going on the Liberal side. A grosser case has not been presented to us than that of you and your father-in-law combining together to get money on two different occasions from both sides.

30,051. (*Mr. Anstey.*) You will understand that it is just possible that somebody may recollect something which will supply what is wanted as corroborative evidence to support Mr. Jarvis's statement, in which case you must not suppose that you will escape from being sent before a magistrate yet ?—I sent for Mr. Jarvis at my house a day or two after the election, by his own servant; he came over, and I stated to him how I was situated, and how I had voted; but as for his asking me to return the 10*l.*, he never did in his life.

(*Mr. Price.*) Very well; he says he did. We do not want to hear your denial, because we do not believe it. You may go down.

(*Mr. Coleridge.*) Do not leave the court.

George Stacey recalled.

G. Stacey.

30,052. (*Mr. Price.*) With regard to this matter of this man Henry Ware, now look again. What do you know about that man being passed up, whether as a voter or not, into the room ?—I cannot recollect him at all.

30,053. Did you see him there at all ?—No, I cannot remember it.

30,054. Did you return him to Allan as one of the men whom you were liable for or had undertaken for ?—I cannot swear that I did.

30,055. Culliford saw him there, but you were at the door, were not you ?—Yes.

30,056. You were to be a check ?—I put down all the names of those that were paid.

30,057. Do you remember putting down Henry Ware ?—I do not remember.

30,058. Did you put down any man of the name of Ware, for there are three Wares on the list, George, James, and Thomas ? Do you remember putting down any Ware ?—I do not.

30,059. You do not remember passing that man in ?—No, I do not.

30,060. Do you know him now ?—I know him by sight.

30,061. Did you know him at that time ?—I had seen him before.

30,062. Would you have known him then as a voter or non-voter ?—Well, no, I should not; but I should have known him by sight if he had come into the room.

(*Mr. Price.*) I think there must be some mistake somehow or other.

(*Andrew Allan.*) I think there is. I have no recollection of him.

Edward Culliford recalled.

E. Culliford.

30,063. (*Mr. Coleridge.*) Culliford, supposing you did not pay this man, you have got 10*l.* unaccounted for, have not you ?—No; I did not pay this man.

30,064. You only showed him upstairs ?—Yes.

(*Mr. Price.*) Where is the original list of the men who went into the room to be paid ?

(*Andrew Allan.*) After I came back from America all the original lists were destroyed, and we had to refer to the printed lists to get the names. I believe there is some error.

30,065. (*Mr. Coleridge to witness.*) You cannot speak beyond seeing him in the passage ?—Perhaps I might state, sir, that some two hours before Mr. Allan got any money to bribe the voters with, me and Mr. Henry Jarman and some others of the Liberal party were engaged in bottling men at the "New Inn," and amongst the lot that I saw there bottled was this man Ware; and I had lent my pocket-book to a man of the name of Oliver Bridges.

30,066. You thought he was a voter ?—I did. I did not know till he told me two days ago that he was not.

30,067. You said just now that you could not speak farther than to his being in the passage; but if he was bottled was not he bottled somewhere upstairs ?—I am speaking of before the money came there. I had lent my pocket-book.

30,068. Was he one of those who you knew wanted money ?—He was.

30,069. Did he say anything to you ?—He did not; but I will tell you the circumstance if you will allow me. Some time before, an hour and a half or two hours before, any money was got, or we knew there was any money, our impression was that we would bottle the men and keep them from going over to the enemy's camp, the Conservatives; and I lent my pocket-book to a man of the name of Oliver Bridges to take down the names of the men who wanted money.

30,070. Where is he ?—Oh, he is at work, I have no doubt. And when he returned the pocket-book to me I found the name of Henry Ware on the pocket-book as a man that required money. I saw him there and spoke to him, and from that I concluded that he was a man who received 10*l.*

30,071. Therefore you do not speak more certainly than a sort of general idea that he must have received 10*l.* ?—Well, he was there bustling about along with the rest who expected to get money, and I thought he required money; his name was on my book that he required money.

30,072. Who had given you that book ?—It wa own pocket-book.

30,073. Who had written down his name ?—A man of the name of Oliver Bridges.

(*Mr. Coleridge.*) Then we must have Oliver Bridges here.

TWENTY-EIGHTH DAY.

H. Ware.

24 Sept. 1869.

HENRY WARE recalled.

(*Mr. Price.*) You volunteered yourself as a witness, and therefore you really stand in a different position from many who have been here, because you were under no compulsion to come, or anything of the kind; but you asked to be examined about this matter.

(*Witness.*) I did.

30,074. (*Mr. Price.*) Listen to me. You have asked to be examined about this, and it now becomes a much more serious question than it was before. It is quite clear that you were at that place in the passage, and you do not deny it?—Yes, I was at the place.

30,075. Were you one of those who were bottled up at the "New Inn"?—No, I was not bottled up at all.

30,076. Were you at the "New Inn"?—I was.

30,077. Were you upstairs with the other voters?—I was not.

30,078. (*Mr. Coleridge.*) Were you in any room at all?—I was not.

(*Edward Culliford.*) It was in the club room.

(*Witness.*) I was in the bowling alley, where lots were. There was a great many men there.

30,079. (*Mr. Coleridge.*) Then you were in a room?—No, it is no room at all; it is an open place, a bowling alley with stables alongside of it.

H. W. Batten.

HENRY WILLIAM BATTEN sworn.

30,080. (*Mr. Price.*) Are you clerk in the carriage department of the Bristol and Exeter Railway?—Yes.

30,081. Have you got a statement there you are prepared to make, or am I to ask you? In 1857 were you a poll clerk?—At the time of Follett's election, when he was defeated, in 1857, I was a poll clerk in the south ward; the mayor and returning officer at that time being Mr. Ruddock. The only thing I can remember in connexion with the election was the Liberal committee conceiving that I was so strong in politics that they put some part of their committee to watch me every two hours in the booth, afraid that I should not do my duty as a poll clerk; and I remember some little umbrage that I had with Mr. Carter Reeves there, who I had to request the town clerk to take away from the place. I was under the idea that the election was carried out purely, and free from bribery, and I think that if there had been bribery I believe I was sufficiently connected with the party at that time to have known something about it.

30,082. (*Mr. Coleridge.*) We have heard there was bribery at that election?—I have no knowledge of it on the part of Mr. Follett, nor do I believe there was.

30,083. Not on the other side?—I cannot tell. I should think so from the way they beat us.

30,084. (*Mr. Price.*) We will go to 1859. Did you have money in 1859 from John Murlis?—I did.

30,085. Was it John Murlis employed you?—I was living very near John Murlis.

30,086. Were you then a clerk?—I was not.

30,087. What were you?—A bookseller and stationer in the town at that time, living very near John Murlis, and had taken knowingly a very active part in politics in this town before. I may say I was not solicited, but through frequenting Mr. Murlis's house, which was then the "Albion," frequently I suppose that that may have led me more into it, and I being a member of the committee on the Conservative side, and working at different times.

30,088. I suppose at that time there was a feeling, whenever there was a contest, that if there was money going all of you must do the best thing you could for the cause, and use the money?—Yes, I believe so. My opinion is this, that if a young man goes into politics he soon gets into such a way, if he makes up his mind to go into politics, that he must go the whole hog.

30,089. In Bridgwater?—In Bridgwater.

30,090. He cannot do it without mixing himself up more or less in money matters?—I believe not.

30,091. How much money did you have from John Murlis then?—I had no amount from him. I remember if anyone would come in there, and I be in there, Mr. Murlis would say to me——

30,092. That was at the "Albion"?—At the "Albion." He would say, "Go into the parlour, and let so-and-so have this." And the only man that I can remember is a man of the name of John Ekers, and why I remember him is because he was at that time connected with my family, inasmuch as he married a servant of my mother, and I remember taking him there and giving him 10*l.*; and what makes me still more remember is that afterwards we were paying the voters within a fortnight before the election, and I was chaffed a great deal about losing this man, and I remember getting into the man's house through the window.

30,093. You are sure about the man?—Oh, certainly.

30,094. You cannot give us the names of any other men, or the amount?—I cannot; I don't know them.

30,095. Can you give us as nearly as possible the amount you disbursed?—I should not think there were more than three or four that I paid.

30,096. (*Mr. Coleridge.*) Where did you get the money from, from Murlis?—From Murlis.

30,097. (*Mr. Price.*) There was no "stranger" then employed?—No "stranger" at that election.

30,098. (*Mr. Anstey.*) Was the old man then alive?—It was the present John Murlis.

30,099. The old man was not alive?—I never knew him.

30,100. (*Mr. Price.*) Did you get anything for your services then?—No; I lost a lot of money at that election.

30,101. Out of your own pocket?—Yes.

30,102. Were you ever recouped for anything you spent?—No, never; not in any shape or form.

30,103. Did you at any time afterwards ever make a claim?—For other elections?

30,104. Yes?—I sent in a bill of expenses. I determined at that election that I would never at any other election, if I could help it, spend any more money out of my own pocket.

30,105. Did you ever at any other election send in a bill of expenses, including what you thought you were out of pocket for what you had spent in 1859?—No, never a farthing.

30,106. (*Mr. Coleridge.*) Then you are still out of pocket?—I am considerably.

30,107. How much?—I should think that election cost me 20*l.* or 30*l.* I had plenty of money in my pocket at that time, and I consider I lost in pocket and trade——

30,108. (*Mr. Anstey.*) Why did you not make a claim?—Because I knew it would be no use. As a bookseller and stationer I supplied the committee rooms of the Conservative party with newspapers and writing paper, and did some printing as a printer, and my account, as far as I can remember, was between 6*l.* and 7*l.*; and I considered that, being the hardest working man of the party, and a printer and stationer, they ought to have given me more work; but I know that my account was the lowest of all the booksellers and stationers in the town, and when I presented my account and wanted the money to go to London, they then grumbled that I was in a hurry at the time for the money. That 6*l.* or 7*l.* was paid by John Murlis, the legitimate account which I presented.

30,109. (*Mr. Price.*) How long after the election?—I should think about a week, as far as I can remember now. I was solicited by the committee;

we had a committee room at the next house to this, which was then occupied by Mr. Boulting; we had a committee meeting there on the night before the nomination, and after having had my windows smashed by the Liberals beforehand, they said, "It is better "that you should go out of town during the nomina- "tion," and I did go out of town, down to Watchet, and they said, "We will pay your expenses;" but I never had my expenses; I never received a farthing for all the expenses I was out of pocket during that election.

30,110. (*Mr. Price.*) Was there any reason ever given to you that you had not accounted for all the money you had had?—Oh no.

30,111. (*Mr. Coleridge.*) You made a bad business of electioneering?—Well, I was determined afterwards that I would not pay any more money out of my own pocket.

30,112. Till you got paid yourself?—Oh no, but that I would keep a proper account, and I would not do anything unless; I made up my mind not to spend money out of my own pocket at the next election, because I could not afford it.

30,113. But you would pay money if they gave you money to spend?—Certainly; and besides that, I would do so on trust if I knew who gave me the proper order and I could depend upon the person to pay it.

30,114. (*Mr. Price.*) Now then, in 1865. Did you see the stranger on each occasion of his coming?—That is the election of Westropp and Shelley?

30,115. Yes, when first Westropp came?—My impression is that I did see the man whom we may call Matthews at that election.

30,116. Can you give us any clue to this man at all?—Well, my opinion is this: it has been, and I told your secretary so some days ago, that I considered and believed he was in some way connected with Mr. Spofforth.

30,117. What led you to that conclusion?—His knowledge of electioneering generally, throughout other towns. I cannot say at which election, or at what time, but at one of the times he particularly said that if he had such a staff of men to work under him at other places, he should never have lost an election, or something to that effect.

30,118. (*Mr. Coleridge.*) If he had had—— ?—If he had had such a staff to work under him——

30,119. (*Mr. Price.*) As he found here?—Yes.

30,120. (*Mr. Coleridge.*) He complimented the bribery organization of Bridgwater?—He complimented us.

(*Mr. Price.*) You were such accomplished hands in Bridgwater!

30,121. (*Mr. Anstey.*) You were going to say that from what he said on this subject you inferred he was connected with Mr. Spofforth. Why?—Simply because, as I have ascertained since, and being in London at the petition when Mr. Westropp was turned out in 1866, I had an interview with Mr. Spofforth respecting my account. The Liberals subpœnaed me.

30,122. (*Mr. Coleridge.*) Now tell us everything here, because this is very important. Tell us everything you can think of here?—I was subpœnaed by the Liberals and Mr. Henry Cornelius White, who has been before you, he came to me during the time I was at the "Grosvenor Hotel," and went to the place and received a letter from Mr. Paul Reed, saying that my services would be no longer wanted; and I went that morning, and Henry Cornelius White came to me and said, "Oh, here is your bill; will you sign it?" and I looked at the bill and found that they had put me down at the amount of 10*s.* a day, in fact, the bill was not above 3*l.* or 4*l.* I said, "Most certainly "not." The remark I remember making was, "If you "had treated me as a man I would sign it properly, but "now, as you are inclined to serve me as badly as you "can, I will go in for every penny I can legally obtain." I went and spoke to Mr. Bealy Smith, and I said, "I wish you would give me an interview with Mr. "Spofforth, because I believe I can claim higher fees." So after, on the same day we were at the committee room, the committee room Mr. Westropp was engaged in, the very last of the corridor, going through the room, and then, at the end of that place, where the committee went in, there is another little room at the right.

(*Mr. Coleridge.*) Turning to the left as you get in at the corridor, and then the last room to the right?

(*Mr. Price.*) A little consulting room?

(*The witness.*) Yes, there is, at the very end, and I was shown in, and Mr. Spofforth said to me, "Are you "Mr. Batten?" I said, "Yes, sir;" and he said, "Come with me," and I went into the room, and he said, "They are trying to"—something—I cannot give you the exact words, but I will give you the sum and substance of it. "They are trying to do you out "of some of your just fees." I said, "I consider they "are, I consider they are treating me very badly;" and he said, "Well, what is it"? So I told him what they had offered me, and I said, "I believe that as I "am at present I can claim professional fees." He said, "How so?" I said, "Simply through being paid "an annual stipend from the Church of England as an "organist, giving public concerts and training people "in singing and giving music lessons," and he said, "Well," he said, "yes, you can;" and he put me down two guineas a day and first-class expenses. I remember instead of the account being 4*l.* odd it came to about 18*l.*, and Mr. George Sully, who is at present mayor, I went up to him and he paid me the money in the room. I believe it was about 18*l.*, I am not certain as to the amount.

33,123. (*Mr. Coleridge.*) Mr. Sully paid you the money?—Mr. Sully paid me the money in the committee room, the present mayor. I am not certain exactly about the amount, but I believe it was about that. I am not certain whether there was not a day afterwards withdrawn from that amount through someone taking out his watch and saying, "Oh, if you like "you can get back to Bridgwater by such a train, "and therefore we shall not pay you that extra day." I am not certain, it being so long ago, whether it was so or no, but I have given you this as far as I can remember it.

30,124. (*Mr. Price.*) This was to lead up to a more important thing, not merely the question of your expenses, but something which would throw light on the identity of this man in the moon?—Well, I had understood from that petition that Mr. Spofforth was our agent in every respect, and from the way I saw him with Mr. Bealy Smith, I concluded, and I have said so to Mr. Purcell and others, that I believe neither of our candidates, I will say Mr. Westropp and Mr. Patton, because I was as intimate with them nearly as with anybody, I do not believe they had any idea of him. And why I believe that is, that Mr. Patton at one election came and said, "Let us walk down "through the town, I want to go, and Mr. Bealy "Smith will go too." I had first of all told him I was going down, and he wanted me to take his arm, and I said, "Oh no, certainly not, I shall not walk "down in the town at all." That convinced me that Mr. Patton never thought there was any bribery going on at his election.

30,125. Is it your impression, therefore, that Mr. Patton did not know of the existence of this man or of his presence in the town?—Well, I won't go so far as that, but I will go so far as this, that I do not believe in my own mind that Mr. Patton or Mr. Westropp had the slightest idea of the man being sent, who he was, or where he came from.

30,126. Now won't you qualify that by saying that you don't believe that Mr. Patton was aware, but that Mr. Westropp was?—I do not believe Mr. Westropp was. I believe Mr. Bealy Smith was the man. That is my impression. Of course, I cannot say why I believe it, but my firm——

30,127. You are aware that Mr. Westropp paid the expenses? You are aware that Mr. Westropp paid the bill for 1865?—I am not aware of it.

TWENTY-EIGHTH DAY.

H. W. Batten.

24 Sept. 1869.

30,128. (*Mr. Anstey.*) Mr. Batten, do I understand you to say that the partner in the firm of Baxter, Rose, and Norton, as it is now called, and whom you had a conversation with about your expenses was precisely Mr. Spofforth himself whom you have already—— ?—Yes, Mr. Spofforth.

30,129. Did you ever converse with any other member of the firm ?—No.

30,130. Or with any of their clerks ?—Yes, I did.

30,131. As this is very dirty work it is possible that it may have been done by a clerk, that is, through a clerk. Which of their clerks did you see ?—I will tell you, sir. I forgot to tell you just now. After I had seen Mr. Spofforth he said to me, "Here," he said, "I will call someone, I will call one of my clerks, and "you shall go down to the Speaker—to the Speaker's "counsel."

30,132. (*Mr. Price.*) To Mr. Rickards ?—I think it was to Mr. Rickards, that is the name ; and I went down with one of his clerks, and he and I had, I should think, half an hour's talk together ; I believe it was to estreat the recognizances because they would not pay me my just demand at first when I made the demand ; and they found out afterwards, the Liberal party, the process about this, and I believe that is very likely the reason that they paid it.

30,133. (*Mr. Anstey.*) What was the name of that clerk ?—I assure you that my interview with that clerk would not help in the slightest shape or form.

30,134. (*Mr. Price.*) What was the name ?—I do not know. He was a gentlemanly young fellow.

30,135. (*Mr. Anstey.*) Was there any other clerk with whom you conversed ?—No.

30,136. Therefore the person with whom you conversed on the business of the petition, except only the person who was appointed to show you down to Mr. Rickards's room at the Speaker's house at Westminster, was Mr. Spofforth, the only person with whom you conferred ?—No other.

30,137. (*Mr. Coleridge.*) You saw nothing of Mr. Baxter ?—No, I do not know Mr. Baxter.

30,138. (*Mr. Anstey.*) Do you think it possible that Mr. Bealy Smith, who has found it convenient to go to Australia, may have found this agent himself, or whatever you call him, without the help of anybody in London ?—I do not think there is a doubt about it.

30,139. I ask you, is it possible that Mr. Bealy Smith got this man appointed without anybody's help in London ?—I should not like to say that.

30,140. Do you think, from what you recollect of that stranger's conversation, that he must have been selected by somebody who was not in Bridgwater ?—Oh, certainly.

30,141. I do not know whether you take the trouble to understand the questions that I take the trouble to put ?—I will endeavour to do so.

30,142. You say "No doubt" one moment, and "Certainly" the other. What I want you to distinguish is between Mr. Bealy Smith and Mr. Spofforth. Do you recollect sufficient of your conversations with this man, this stranger, to satisfy you that the person who chose or selected him and sent for him to come down here was somebody in London, and not Bealy Smith or anybody in Bridgwater ?—I do not think that Bealy Smith picked that man out. I believe that that man was picked out by somebody who knew a great deal more about it than Bealy Smith or anyone else in Bridgwater.

30,143. (*Mr. Coleridge.*) Is it your impression that he was employed by Mr. Spofforth ?—I do think so.

30,144. I have no doubt you are equally anxious with us to find out who this stranger is ?—I am sir, and I should know him again anywhere.

30,145. Do you believe that the best channel to find him out is Mr. Spofforth himself—That is my firm conviction.

30,146. (*Mr. Anstey.*) Can you tell me the name, I do not say of the managing clerk of that firm, but of the clerk who was chiefly employed under Mr. Spofforth in the matter of that election and this petition ?—I have already told you that I know nothing of anybody else connected with Mr. Spofforth. My remark respecting that is an entire matter of assumption on my own part that this man was connected in some way with Mr. Spofforth, merely because Mr. Spofforth as I have known since was our agent, and I believe from what I know of Mr. Bealy Smith that it was some man appointed from that office ; and another reason why I believe it is because the same man came at three elections and for two different candidates, knowing at the same time that Mr. Spofforth acted as our agent at that time.

(*Mr. Price.*) Now we will go on with the election of 1865. You have told us this very candidly.

(*Mr. Anstey.*) Have you any further clue to this man, or a clue to a clue ?

30,147. (*Mr. Price.*) Can you give us anything else which will lead to it ?—I assure you I have not. If I have any possibility of doing it, I will take any trouble to do it. I spoke to Mr. Purcell the day before yesterday when the court adjourned for lunch. I said, "There was a gentleman in this court this "morning as much like Matthews as ever I saw a "man in my life," and Mr. Purcell said, "If he "comes into the court again this afternoon will you "point him out, that I may show him to Mr. Coleridge, "who thinks he knows him?" and I came here that afternoon for the purpose and waited the whole afternoon to point him out if he came. I was so much surprised to see him that I said to two or three around me, "By God! There's Matthews."

30,149. (*Mr. Price.*) Have you seen him here to day ?—He is not here.

(*Mr. Waddon.*) He went away by the two o'clock train that day.

(*Mr. Price.*) Have you seen him since ?

(*Witness.*) I have not.

30,150. (*Mr. Coleridge.*) Was he a stranger to the place ?—Yes. I think Mr. Hodges the draper knows him, and it is very remarkable that not only I noticed him, but Temblett who was here was looking at him for a long time saying "Is it he ? Is it he ?" and I said, "Well, upon my word I do not know whether it "is not. I think very likely it is."

30,151. (*Mr. Price.*) He is a stranger to Bridgwater and you have not seen him since ?—This was the day before yesterday.

30,152. That man was a stranger to you and you and you have not seen him since ?—I have not seen him.

30,153. (*Mr. Anstey.*) Are you quite sure that your first impression is not the correct one, that he was the man ?—I do not think I could say.

(*Frederick Charles Temblett.*) He looked exactly the same man, and if I had been called into the box at the time I could not have sworn that he was or was not. I never saw two pins more alike.

30,154. (*Mr. Anstey.*) Was the likeness that of brother to brother ?—Yes, I never saw two brothers more alike in my life.

(*Mr. Anstey.*) It may be a brother of the man.

(*The witness.*) I have told you that to show you that I am anxious to give you every information.

30,155. (*Mr. Price.*) Quite right, you have shown every disposition. Well, now, Mr. Batten, we must go on with the 1865 election. Did you get any money at that election of 1865 ?—Yes.

30,156. From Thomas Boys did you get 150*l.* ?—I did not know the amount until now. I know I had an amount from Boys. I was too late at the meeting and Boys brought me the amount. I have got a list of the men. I prepared a list of the ones that I considered I had bribed. I will tell you the number.

30,157. (*Mr. Coleridge.*) Read out the names that the shorthand writer may take them ?—I am not certain about them, but I want to say before I give the statement that there is one man whom I had bribed,

and if I had had to account for the names a fortnight ago I should not have been able to do so. A Mr. Bryant, a baker in this town, came to me and said, "Do you "remember giving 10*l.* to Luckes?" and I said, "No, "I do not remember," but after some little time I did remember that there was some stranger that when they were short of money came to me and said, "Have you got any money?" and I said "Yes, I have "10*l.*," and I gave it to this Luckes, who, it appears from what Bryant has told me, went to Sellar who had already been bribed. If that had not been so I could not have given his name, but Mr. Bryant said I gave him 10*l.*, and therefore I have put his name down. I remember bribing a man afterwards named Sellar. I will give you the names now. There is David Brock, Charles Cavill, Andrew Haste, John Hawkes the younger, Thomas Herbert, (the next name I am not certain about,) Isaac Hooper, James Innalls, Charles Jones, Thomas Lee, James Murphy, John Spencer, John Stone, William Tremlett, Robert Webber, Thomas Williams, Andrew Wright, William Luckes.

30,158. What did you give them all?—All 10*l.*, I believe, that election. You will find that according to the money that would be more than I had, I think, in 1865.

30,159. (*Mr. Price.*) What Luckes is it?—I cannot say.

30,160. (*Mr. Anstey.*) William or James?—I cannot tell. I did not know the man at all at the time.

30,161. Was he a mariner?—He was a mariner, and was brought to me by Edwin Bryant the baker.

30,162. Did you give any account in of that money?—I always did. After every election I always made up a balance sheet on a sheet of foolscap paper with the creditor on one side and the debtor on the other, and gave it in at Mr. Richard Smith's office. Mr. Richard Smith, I think, at that election, and Mr. Bealy Smith afterwards.

OLIVER BRIDGES sworn.

O. Bridges.

30,163. (*Mr. Price.*) What are you?—A printer.

30,164. Do you know this man, Henry Ware?—Yes.

30,165. Where is he?—Here (*pointing*).

30,166. That is the man, is it? Tell us what you know about his being present at the "New Inn" that day and getting any money?—I cannot recollect his being there at all. I recollect writing down a list of the names at the "New Inn," about two o'clock. Whether his name was there or was not I cannot say. If I saw the list of the names now I could recognize my own writing.

30,167. How did you make out the list of names? I went into the "New Inn" and found the house so crowded with voters and non-voters that there was no telling who had been to poll and who had not been. Mr. Culliford, the cabinet maker, came to me and said, "I can't write so quickly as you, you take down the "names of those that have not been to poll." I went into the club room and took down 17 or 18 names, and immediately after I had finished the list I handed it to Mr. Culliford, and I have not seen it but once since, and that was two days after the election.

30,168. That pocket book contained a list of the men who had given in their names as voters and had not polled?—Yes, that was at about two o'clock.

30,169. That was the only list you made out that day?—That was the only list. It has been stated that I was a check down at the bottom of the stairs. I was no check at all. I merely saw the voters passed up, and if Mr. Allan or anyone else depended upon me for giving the names of the persons who were bribed I could not have done so.

30,170. Now we understand that you took down the names of men who had not polled. Did you ask for their names?—I was in the club room and sat at the end of the table, and the men that had not polled were asked to come to me and have their names taken down.

30,171. Who asked them to come?—That I cannot tell.

30,172. Did you hear them asked to come?—I think I went round the club room myself, and said, "Those who have not polled had better give me their names." I think I went round the club room.

30,173. You went round, and as each man said he had not voted, you took his name down?—Yes. I took eight or nine names like that, and then afterwards the list was increased to the number of 18 by men who came up and asked me to take their names down.

30,174. Who sent those men?—I cannot tell. That list I gave to Mr. Culliford, within half an hour afterwards, and I have not seen it since, but once, and that was two days after the election.

ANDREW ALLAN recalled.

A. Allan.

30,175. (*Mr. Price.*) Now then, Allan, do we understand from you that you had that pocket book of Mr. Bridges in your hand?—No, I had not.

30,176. Did you ever see it; the last that he made out?—I have no recollection of seeing Mr. Bridges' list.

30,177. Who gave you the list of the men?—Stacey.

OLIVER BRIDGES recalled.

O. Bridges.

30,178. (*Mr. Price.*) Whom did you give the book to, Mr. Bridges?—If I may be allowed to state, it was some hour and a half after I took down the first list of names before Mr. Allan came into the house at all, and then the list was handed to Mr. Culliford at the "New Inn."

30,179. You gave your pocket book up to Mr. Culliford?—It was Mr. Culliford's own pocket book.

30,180. Oh, it was his own pocket book?—Yes, he handed it to me. He had his private memorandums in it at the same time.

EDWARD CULLIFORD recalled.

E. Culliford.

30,181. (*Mr. Price.*) Where is that pocket book of yours in which the names were put down by Mr. Bridges?—I tore it out.

30,182. What did you with them?—Well, I threw it in the fire.

30,183. (*Mr. Coleridge.*) On purpose?—Well, I did that at the time, you know; just afterwards.

30,184. (*Mr. Price.*) Then, you see, you have no means of assuring us that Henry Ware's name was there, except your own recollection?—It was not me that wrote it, sir; it was Bridges.

30,185. I know; but it is only your own recollection. Here is a man who has had a list made out at the time. You see, you go and destroy this list made out at the time. Ware swears positively and distinctly that he was never shown up and never got the 10*l.*?—I do not know about the 10*l.* I will swear his name was in the book, Henry Ware.

30,186. But it is only your recollection?—I know it was there.

30,187. But then, if you are to be cross-examined about it, what makes you swear Henry Ware's name was there?—I will swear it was.

TWENTY-EIGHTH DAY.

E. Culliford.

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30,188. (*Mr. Anstey.*) What makes you recollect?—Because I saw him there and spoke to him on the occasion.

30,189. You do not recollect seeing him upstairs?—No, but I saw him in the club room and in the bowling alley behind.

30,190. (*Mr. Coleridge.*) Can you give us any account of what this club room was?—It is rather a combination in my mind; some of them call it a club room and others a bowling alley?—It was over the bowling alley.

30,191. Upstairs?—There is a sort of ladder to get up to it.

30,192. When you got up was it weather-tight?—Oh yes! of course it was. It was the place where we had them bottled up.

30,193. It was a room?—It was undoubtedly a room to all intents and purposes.

H. Ware.

HENRY WARE recalled.

(*Mr. Price.*) You know you volunteered yourself as a witness about this matter. I do not know that anything further can be done about it, but certainly the preponderance of testimony is against the truth of your statement here to-day, whether a jury would think so or not. One does not want to multiply needlessly prosecutions for perjury at the expense of the borough, but the preponderance of the testimony, as far as my judgment goes, is against your statement.

(*Mr. Anstey.*) I quite agree.

(*Mr. Price.*) Still there are loopholes and links which are wanted in the matter, and perhaps, under all the circumstances, I do not think we should be warranted as a matter of example in ordering you to be prosecuted; but I have no hesitation in saying that from the fact of your being there the preponderance of testimony would convince my mind that you did get the 10*l.*

(*Mr. Anstey.*) And that your name was on the list.

(*The witness.*) I never received a farthing.

O. Bridges.

OLIVER BRIDGES recalled.

(*The witness.*) May I say this, that the list that I made out was made out an hour and a half before there was any money in the place, and that there were many men on that list that went away to poll immediately after their names were written, without any money whatever.

(*Mr. Price.*) That is another matter.

H. W. Batten.

HENRY WILLIAM BATTEN recalled.

30,194. (*Mr. Price.*) Now, Mr. Batten, we will go on?—I should like to make a remark before you go any further. Very likely an impression may go through the hall as to one of the names that I mentioned, the name of John Stone, that that may be a tradesman in this town. That John Stone is not tradesman, but he was a blacksmith. He is not living in the town at all. He was a working man and labourer at the time.

30,195. He was at that time a voter?—Yes, but there is another John Stone in the town.

30,196. It is right that you should state that, that it is not the John Stone who is now living in the town?—No, it is not. I recollect at that first election of 1865, when Sir John Shelley was here, that we were very much impressed with the idea that money was going to be spent on the Liberal side at that election. I remember coming from church on one Sunday morning, and hearing that a meeting had been held at Mr. Henry Lovibond's at which there was some division.

30,197. (*Mr. Price.*) You all go to church here?—A great many go to chapel.

30,198. (*Mr. Price.*) Or to chapel. I mean you all go to a place of worship?—I go, because I am paid to go. I do not mean to say I should not go otherwise.

(*Mr. Anstey.*) We have it in evidence, Henry Chapman Bussell told us, that in the interval between the planning and doing of some gigantic scehme of bribery he went to chapel.

30,199. (*Mr. Price.*) Well, go on?—I remember hearing a report that there had been a division in the Liberal party on one Sunday morning at Mr. Henry Lovibond's. This is merely the report that I heard, of course I give it to you as I heard it, that they would not agree for Sir John Shelley to pay any money unless Mr. Kinglake would go his half, and that he was not going to carry Mr. Kinglake in on his back, and I think I can substantiate the remark, that not only we thought money was going to be spent by the Liberal party, and the men that usually do what the Commissioner just now called the "dirty work" on their behalf at elections, but that it was believed until the night of the nomination by those who generally bribe on the Liberal side that money was going to be spent on their side; and I know as a fact that I have heard from two or three of the principal men who usually bribe that they did not know until the night of the nomination but what they were going to have money to spend to fight against us at that election.

30,200. (*Mr. Anstey.*) Is not that the case on both sides? One side bribes and justifies it on the ground that he has heard the other side is going to bribe, and the other side at another election bribes because someone has heard that the opposite party is going to bribe?—All I can say is, that I do not wish to justify it at all. I bribed with the idea of getting in my candidate, not caring whether the others were bribing or not. That is not at all an idea of mine.

30,201. (*Mr. Price.*) What were the expenses you returned at that election of 1865?—I think it must have been 8*l.* or 9*l.*

30,202. What expenses were they?—As near as I can. All I remember is that I never would give an order. They were continually asking to stand a glass of beer, and I would say, "I cannot stand, certainly not;" and they would say, "They will give it if you give an order," and I never would. When I did stand I used to pay for it, and I remember, I think it was that election, I paid several little amounts, and one of the heaviest items was for a man named Male. I sent off to Dartmoor Prison, he was a warder there. He had been before that a drill instructor of the Fifth Rifle Corps of Bridgwater.

30,203. How could he vote?—He voted Conservative.

30,204. How could he vote? I suppose he was not struck off?—No.

30,205. (*Mr. Coleridge.*) It would have been a bad vote on a scrutiny?—Yes, it would have been a bad vote on a scrutiny, no doubt. However, he was on the register, and I sent for him.

30,206. (*Mr Price.*) And paid the expenses?—And paid the young fellow the expenses of going. He got 3*l.*, I think. I cannot tell, but he could.

30,207. That is the heaviest item?—That is the heaviest item of the lump sum.

30,208. Was there a balance left to you besides that?—There was a balance owing to me.

30,209. Was that paid afterwards to you by a person coming to your house?—I believe that is the election. I was paid by Mr. Smith and once from the stranger, but I cannot remember which election it was.

30,210. It was not the man we have been speaking of?

(*Mr. Anstey.*) No, a shorter man, who never came before or since. I remember seeing him afterwards on the market day buying some fish, that is all I can remember.

30,211. Had you anything to do with the petition in London?—I was there. I was subpœnaed by the lawyers.

30,212. Now in 1866 Patton came down. What part did you take then?—That was Patton and Bagehot. The first thing I can remember is engaging the band to play, and I know what I paid them. I think it was about 25*l.* some time afterwards for their services.

30,213. Did you see the stranger again that time at Robert Bussell's?—Yes, I remember now the time he was at Robert Bussell's, at the first election of Patton's. I happened to sleep a little bit longer than I made up my mind to, and Robert Bussell came up to my house and told me afterwards, "I never knew anyone sleep as you did." However he did not see me. He left word that I was to come to his house as soon as possible, and I went down and then Matthews ——

30,214. On what day?—On the morning of the election Matthews gave me some money. I know he told me to pay the men in 5*l.* I know I used to give a list in beforehand of what men I would do, and after the election gave in a counter list showing what men I had done to account for the money I had received, and I gave the men 5*l.* and promised them another 5*l.*, and they went to poll, and I remember after we had expended our money there going to the "Clarence" and seeing Mr. Bealy Smith, and having some conversation with him about it, he said "Now "we are going to lose this election, in fact we have "lost it," and I told him a conversatson I had overheard with Mr. Reed and Mr. Bagehot. At the same time I do not know whether you wish me to tell the conversation; it was merely complimentary to Mr. Bagehot on his being returned.

30,215. We do not care for it?—I said "I do not "think it is so bad as that. I believe if we had now "some money I could go in and win." He said, "Do you think so?" I said, "Yes, I have no doubt "of it in my mind," and it appears others had not from the evidence given. He said, "Wait a bit." While waiting I remember his sitting down and going into some calculation; going into the committee room and drawing out a list of unpolled men. Then he came to me and said, "Now you at once go off to "Bussell's;" and I remember Frederick Harden accompanying me to Bussell's, where we had another interview with Mr. Matthews, and his saying, "Well, "now do you think there is any chance of winning?" I said "Yes, I think we can win now." And I remember he says, "Now you go on down to "Newton's," and Harden and myself went on to Newton's, and went upstairs into a large room, and there found a lot of voters waiting in the long room ready to go to the poll, but would not go; they were determined not to go unless they had money. They said they would not, and they were waiting for it. You go up over the staircase, and on the left as you go up over is a large room. On the right is a little bedroom, and we sent the men into this bedroom and they came out with money, and I took some of them to the poll, and who paid them I cannot tell. I have an impression it was Robert Bussell, because he brought the money, and I did not see him in the large room, but I know he came up over, and I believe he paid the money. He was in the room with Harden, or they both paid it between them. Then we won that election, and by a majority of seven.

30,216. How much did you pay away altogether at that time? It is only to get the names?—The list, as near as I could make out, is Henry Billinger, David Brock, John Brown, William Burridge, Charles Cavill, Andrew Haste, Isaac Hooper, James Junalls, Charles Jones, William Marels, John Spencer, William Stocker, William Tremlett, George Tremlett, Thomas Wills. Those men were paid 5*l.* at the time, and promised another 5*l.*, and I gave in my list after that election to Mr. Smith, with the amount of money I had received on the debtor side, with the list of names that I had promised to also on the debtor side and for my expenses, and on the other side was the money I had actually paid the men, 5*l.* each. I remember saying "Mr. Bealy," we used to call him, those who were more intimate with him, than anything else,[5] I said, "Oh, Mr. Bealy, I have not filled in the item of my own expenses." He says, "No, do not do that. I think if you leave that to me to fill in afterwards I shall be doing you more justice." And I say, "Very well, I will leave it to you," and I remember very well the time Matthews came down, three or four days before the second election of Mr. Patton, when Mr. Vanderbyl was elected, and I met him at Frederick Harden's, I do not think Harden was there himself, but I am certain Frederick Temblett was in the room with me at the time, and he brought up this list, my own sheet of foolscap I always used to give in, and he says, "Here you are, just take this money and sign it;" so I looked at it, and then as to my own expenses no figure had been put against it, and I says "Oh no, I do not see that "at all. I left it to Mr. Bealy because he thought "he might do me more justice, and it is just *vice* "*versâ*," or something of that sort, "nothing at all. "I have had to pay money out of my own pocket in "treating, and it is not fair." He says, "I have no "more to give. I cannot give you a farthing. You "have sent in your statement, and this is what Mr. "Bealy has credited you with put together." I said, "I do not see that it is fair," but however, I remember Temblett saying, "Do not be a fool; take that "money, or you will not get it at all; those fellows "will be on you," and I took it, and I signed the receipt so much on account, so as not to have any misunderstanding with him on that point.

30,217. So you received everything except what would reimburse you your expenses?—Yes. There was a man called Lee at that time I did not have the 5*l.* for, because they were making up the lists for the election. Mr. Bealy says to me, "That man is now "living at Swansea." I said, "Yes." He said, "Do "you think we had better have him?" I said, "He "will want the money the same as anyone else, and "there is 5*l.* due to him at the former election." He says, "Why, it will amount to 20*l.*, and we can "have two with that amount." Mr. Bealy says that to me. That man, Lee, only had 5*l.* for that election.

30,218. (*Mr. Price.*) What calculation did you make; how many men you would be able to bribe at these elections?—We always reckoned it like this: if we bribed 200 we should win the election.

30,219. Under the old constituency?—Under the old constituency. We could nearly always get our men to go to the poll for 10*l.* each; that is, if paid straight off, without the bother of promising anything.

30,220. (*Mr. Coleridge.*) Then 2,000*l.* was the least sum you could win an election with?—I believe so.

30,221. Besides your own expenses, perhaps 500*l.* more?—As far as I was concerned, they were very immaterial.

30,222. You would want about 2,500*l.*?—I do not know; we should want 2,000*l.* probably on the day of the election.

30,223. (*Mr. Anstey.*) At least?—At least, to win the election, because there were always some men who stuck out for 5*l.* more, and if we had that money we could have won always.

30,224. (*Mr. Coleridge.*) Could you win on the Conservative side if there was no money going on the other side?—At the last election we could have, there is no doubt.

30,225. (*Mr. Price.*) Would that have been because Mr. Westropp had been known as a Liberal man, and had plenty of money, and Mr. Gray was supposed to be a rich man; would it have been because your party would have trusted to their paying them afterwards, or really done for love of the cause, without expectation?—I do not believe in it at all.

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30,226. Therefore your men would have had sufficient trust in the honour of the party. They would have voted last time for Westropp and Gray, if no bribery, and they would have had a majority, but the majority would have expected something or other to be paid?—I cannot tell what they would have expected, but I believe they would have won. It was an election won by a great amount of trickery, and what I call diplomacy.

30,227. Still, when you say won without money, do you mean without men ever being paid afterwards, or do you think they would have won it in this way: that your party would have trusted your 200, or the bribable body, to the honour of the party, and expected something or other to be paid?—I believe they did trust that time, I do not believe there was an intention; in fact I know the contrary; there was not to be a penny spent.

30,228. We know, but I want to know what your belief is the impression was on the minds of the voters?—No doubt that they were going to have money.

30,229. (*Mr. Coleridge.*) We have heard a deal of rubbish about the Conservative Working Men's Association. Do you believe it had any effect?—Well, it had, and did a good deal of good to our party.

30,230. Had it an effect?—It only made the men come-atable.

30,231. (*Mr. Price.*) Those two societies in Bridgwater only mean this, that a certain number of men on either side you could be sure of?—That is it.

30,232. One called the Liberal, and the other the Conservative Association?—Yes.

30,233. (*Mr. Anstey.*) In reference to these questions which the Chief Commissioner and my other colleague have put, I ask, do you remember a very important circular, signed by the man who was the chairman at the meeting at the "Clarence," at 8 o'clock on the morning of the poll. The circular was issued some weeks, or days at least, before that. It is headed, "Cornhill, Bridgwater, November 1868," and the copy, of which I hold in my hand, purports to be addressed to a Mr. Hayward. I will read it to you, and then ask you if any copy of it fell in your way:

"Dear sir,

"As a Conservative, and one deeply interested "in the coming contest, I beg to solicit your vote and "interest for our old friend Mr. Westropp and his co-"partner, Mr. Gray, feeling that it would prove, in "the future, everything you should wish for.

"Yours respectfully,

"R. Hodge."

"Postcript.—Will you come to me or write to me "by return. Polling, Tuesday."

—That is the first intimation I ever had of such a thing; it was perfectly new to me—what you have just read.

30,234. But it is very significant, is not it, feeling assured that it would prove in the future, not the present, everything you, Mr. Hayward that means, could wish for? Then, calling Mr. Gray a sharer in the election, and the expense, because it very properly calls him Mr. Westropp's copartner, do not you see that it is very suggestive, profit and loss?—I understand perfectly well how you put it, but my opinion is this, that that is not a genuine document, and I should be very much surprised to hear it, as you will find, before I have finished my evidence respecting Mr. Hodge.

30,235. Very much surprised if he ever wrote such a thing?—He never had any authority, I am sure.

30,236. That is another thing; we are not here to try questions of agency, it is no matter to me, and I suppose to no one, certainly not to the legislature; whether a person who bought up the cattle, as they are described to be, rambling about the streets looking for purchasers on that day, was an intruder into the noble office of bribe agent, or had Mr. Westropp's and Mr. Kinglake's authority to do so, it is nothing to me, it is sufficient that they were bought or purchasable?—That I cannot say, as I do not believe that can be a genuine document.

30,237. (*Mr. Price.*) Is that all you have to say with regard to Mr. Patton's first election. Some were paid 5*l.*, some were left with a promise, that is the state of things at the end of that election?—Yes.

30,238. Now come to the next election. Shortly before the second election did you see the mysterious stranger at Harden's?—I did.

30,239. Did he say he wanted to pay up the promises?—Yes.

30,240. And drew out your balance sheet?—Yes.

30,241. That is what you have told us about your expenses?—Yes, I have explained that fully.

(*Mr. Price.*) Now we will interpose Dr. Farmer.

Dr. Farmer.

Dr. Farmer recalled.

(*Mr. Price.*) You have been sworn, but you will have to be again as to the answers which you will have to take down to the questions which you will be provided with. We shall want you to go down, as you have been informed, to Exeter, and you will take with you a copy of the questions which we propose you should put to Mr. Richard Smith, and obtain from him such answers as he is capable of giving through his wife or otherwise. If it requires the presence of his wife to make intelligible to you what he says, why of course she may be present, but you will take care that she does not dictate any answers. We will assume that he has sufficient intelligence to prevent that being done. We think that you may, according to you discretion, let Mr. Smith know if you observe (and we shall certainly put you upon your oath when you return as to your giving us a full account of what passed) that he is in any way shrinking from giving answers to the question put, and you believe he has understood them, and is merely disinclined to give us information, let Mr. Smith know that we shall reserve to ourselves the right of insisting on his presence, I will not say in this court, but in this town, he having gone away under the advice of yourself, as his medical man, to avoid the excitement, and being therefore removed from the atmosphere of excitement here. You will exercise your judgment therefore, as his medical man, in addressing him for the purpose of eliciting the truth from him as to making him understand that it will be more unpleasant for him if he does not give intelligent answers. We reserve to ourselves that right, and therefore it it no use for him to try to escape from examination by that mode of dealing with it. It would only be on the assurance which you might give as a medical man, that it would be dangerous to his life, that we should not insist on his being brought back, and that you will also impress that on Mrs. Smith before you see him.

(*The witness.*) I shall have a conversation before I see him, of course.

(*Mr. Price.*) Under those circumstances we will get you to go down to-morrow and carry with you this paper, and it will be sufficient for us to swear you when you return that you bring back a truthful account of what took place.

(*The witness.*) Of course I have power, if I see that the questions are acting injuriously on him, of desisting.

(*Mr. Price.*) If you are able to tell us when you come back that you desisted from pressing the matter further on that ground.

(*The witness.*) I have a letter from Mrs. Smith this morning and she is alarmed about it.

(*Mr. Price.*) We must consider that if you tell us on your return that you consider, as his medical man, it would be dangerous to press any question on him in the then state in which he was, and take on yourself the responsibility of a medical man to say it was injurious, we should not press the thing further.

(*Mr. Anstey.*) We cannot take on ourselves before to say what we should do. We may or may not be satisfied that that is so.

HENRY WILLIAM BATTEN recalled.

30,242. (*Mr. Price.*) Go on now, if you please, with your account?—The next election is Patton and Vanderbyl's second election of 1866. The first thing I have a recollection of is the night of the nomination. I took a very active part in the nomination. I was at the "Clarence," and Mr. Bealy Smith, about 11 o'clock, came to the bar where I was and beckoned me out, and says, "Here Batten, I want to "talk with you; just walk home with me, will you." He lived at that time a mile out of the town, at Wembdon. I walked home with him, and he says, "We want you to do all you can, mind to work," and I complained to him that they had not treated me in a proper manner, and he said, "You go on to work at "this election, and I will see you shall be made a "very handsome present." And he said, "Go to "the 'Albion' and go up into the room, and you will "find some one." I went to the "Albion," and I think when we got there it would be about 1 o'clock in the morning. When there, I found Mr. Matthews, the same gentleman of course whom I had met several times before, and I knew him directly; we shook hands. I saw there Temblett and Harden, and Jarman, and Waddon. They, to the best of my recollection, are those I saw there. We were talking about money, and he said what money he had to win. Now I cannot swear what the amount was, but I know we all thought it was very little, inasmuch as we had heard before that the Liberals had been, and we knew very well that they were at that election on the night of the nomination, offering amounts of 15*l.*

30,243. Therefore your 10*l.* usual bribe would not do?—I believe, as far as my recollection carries me, that he had not enough even to meet tens, and my evidence will be to show that he had not enough, that he parted with at all events, and I should like to mention, to show that the Tories do not always begin bribery, that we did know that night that they were offering 15*l.*, and we were not prepared to fight then on the same ground.

30,244. (*Mr. Coleridge.*) How did you know that?—You get voters coming up to you who know you pretty well in this town, if they know you have anything to do with the election, saying, "I can get so-and-so elsewhere."

30,245. In fact, they do it for the purpose of screwing out more money?—It is the regular case in this town that men will in volleys come and say, "Will you give us so-and-so?" and if you say "No," then they say, "We can go up to Mr. So-and-so."

30,246. Then how is it there was an election without a petition?—Well, for my part I should always try to keep off a petition.

30,247. (*Mr. Price.*) Both hands being so dirty?—Yes, I was always afraid of a petition in any shape or form.

30,248. (*Mr. Anstey.*) How does it happen that there was ever a petition against a return for Bridgwater?—Well, as to the petition when Mr. Westropp was turned out, they happened to find themselves, by accident, at the end of the election with their hands clean, and they thought they would have their spree out. I believe the reason was that they had so large a majority that they could not stand the expense.

30,249. But they did not pray the seat?—I believe they did.

30,250. (*Mr. Anstey.*) Are you aware at the last election Westropp and Gray abandoned the scrutiny? they prayed for it in their petition, and abandoned it before Mr. Justice Blackburn took his seat in this court?—Yes; the remark I made before was respecting the petition on which Mr. Westropp was turned out.

(*Mr. Anstey.*) It applies to all alike.

30,251. (*Mr. Price.*) A prayer for a scrutiny would have involved incrimination?—Yes, I was against scrutiny most decidedly at the last election.

30,252. It was rather to show that Westropp and Gray's friends' hands were not clean?—Yes.

30,253. Now, if they abandoned the scrutiny, it must have been, one must think, because they felt the door for recrimination would be open?—I will tell you my answer to that. Why I did not consider they would go into a scrutiny, was partly from some remarks that passed between me and Mr. James Trevor at the first meeting, at William Brice's meeting, when he asked me, "Batten, what do you think they did "spend on the last election?" I said, "I should not "think much more than 500*l.*" He said, "If that is "the case, I do not think we shall carry on our "petition at all." He said, "They must have spent "more." I said, "I do not think they did."

30,254. (*Mr. Price.*) So that there could not have been extensive corrupt practices?—We had not enough cases to turn them out on scrutiny and to get our seats.

30,255. (*Mr. Coleridge.*) Do you know the state of the register pretty well?—Yes.

30,256. Do you know whether a great many bad votes would have gone off; I do not mean bribed votes, but bad votes such as there are on registers generally, on account of non-residence and non-payment of rates?—I think we should have been very much on an equality as to non-residents.

(*Mr. Price.*) Go on to the election of 1866.

30,257. (*Mr. Coleridge.*) You think they would have been pretty level on either side as to bad votes; I am speaking apart from bribery?—Yes; I think so. Where I left off at that election was about when we were not satisfied with the amount of money that had been spent, and I remember saying, "Very well," and one or two others said, "Well, if that is the case, it is "a pity to rob Mr. Patton." They said, "We will not "rob Mr. Patton of his money, and let us go on "without spending a penny; it is only throwing the "money away for nothing;" and we came to a division upon it, and there were three to two for spending money.

30,258. Who were the three for spending money?—I cannot say.

30,259. Who were the two?—I know I was one of the two. I knew there was not enough money spent to win the election.

30,260. (*Mr. Price.*) You thought there was not enough money to ensure success?—Yes. That is all I can tell you of the nomination day.

30,261. That was discussed in the presence of this stranger?—Yes.

30,262. Did you say to him "I will not rob Patton"?—I did say it.

30,263. Did he say in answer to that, "It is not Patton you are robbing," and so on?—No. He did not take the trouble to qualify about Patton.

30,264. He did not say it was not Patton's own money?—No.

30,265. Did you really believe at that time that it was Patton's own money?—No, I do not think so, and I do not think so now.

30,266. (*Mr. Coleridge.*) Where do you believe the money came from?—I do not believe it came from him. I do not know about Mr. Patton's riches or his poverty, but I do not believe he spent a penny, because I remember helping him out of the carriage when he came to Bridgwater the second time, and he said, "How do you do? I suppose I have come here to "walk over." I said, "No." I think I said, "my "lord;" it was just after his having been made lord advocate. I said, "No, my lord, you have not. You "have a stiff candidate come down to fight you." He said, "Who is that?" I said, "Vanderbyl;" and I never saw a man more knocked up in my life. That was when I went down to the station to meet him.

30,267. Where did you suppose the money came from?—I suppose it came from his friends.

30,268. Do you mean the Carlton Club?—No, I do not believe anything of the sort.

30,269. Where do you believe it came from?—I have not the slightest idea or belief, only I do not

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believe Mr. Patton had the slightest thing to do with it.

30,270. I do not ask you that; I ask you where you suppose Mr. Patton's money came from?—I am sure I cannot give you the slightest idea.

30,271. (*Mr. Price.*) This was discussed before the stranger?—It was, for a long time.

30,272. And it was determined to go on?—It was.

30,273. Did you receive yourself 120*l.*?—Very likely.

30,274. Have you got a list of the men to whom you paid it?—I have. I have only taken it from my recollection. They must have been just about the same as the last list, with the exception of Thomas Lee.

30,275. (*Mr. Coleridge.*) Read them out?—I did not give Thomas Lee anything, although I gave the qualification respecting him. Henry Billinger, David Brock, John Brown, William Burridge, Charles Cavill, Andrew Haste, Isaac Hooper, James Innalls, Charles Jones, William Marels, William Stocker, William Temblett, George Temblett, Thomas Williams. That is the list, and I bribed also a man of the name of John Spencer, and he afterwards voted against us.

30,276. Did he give you back the money?—I went to him, and got him to give me back the 10*l.*

30,277. Did he tell you what he got on the other side?—No. I was rather too much annoyed with him to say anything to him. I said, "All you have to do is to give me back the money."

30,278. (*Mr. Price.*) Give us the history of that 10*l.* What did you do with it?—I kept the money, and afterwards there were several others that had money left. I was given to understand that this stranger, the "man in the moon," came down to collect up what moneys that were not spent. It was a notorious fact amongst all our party, and I believe amongst the other party as well, and a matter of joke and laughter, that I had got back this 10*l.* from Spencer. However, I was told afterwards that "the man in the moon" had been and collected up the monies, and I said, "How was it he did not come to "me for the 10*l.*?" and I was told, "Oh, I understood "that Harden told him he had better not go to Batten, "because he wanted to talk to you about that election, "about the balance sheet between the two elections of "Patton's."

30,279. (*Mr. Price.*) Were you given a receipt for money on account?—Yes, he took care never to come to me for the 10*l.*

30,280. So, in point of fact, that 10*l.* you had had?—Yes.

30,281. And you also paid expenses?—I did afterwards. I made out my balance sheet and gave it Mr. Bealy Smith, showing this money, and they did pay me some.

30,282. Showing you kept the 10*l.*?—Yes, it is a well known fact through the town.

30,283. Giving them credit for the 10*l.*, you still had a balance owing for the expenses?—I explained it like this, that the 10*l.* would just make my account.

30,284. Of the former election?—Of the former election, right, and the money they paid me afterwards was with that certain knowledge.

30,285. At all these elections did you treat as you told us?—Yes.

30,286. At all the elections?—Yes, always. And after I had bribed my men I would go to the "Clarence" and stay there a great deal, knowing that there was a good many people about there, and I never saw any treating at the "Clarence." I used to be continually taking people in there, and used always to take them, and I never saw any man treating anyone but he always paid for it.

30,287. That is to say, you never saw drink given away and put down to the candidate?—No.

30,288. It was all paid for by you or some one who treated the individnal who drank?—Yes; and there is one remark I should like to make here, and that is I remember one of the elections, I think when Mr. Patton won, I had been up all night and not near my house, and after the election was won I was very much knocked up and tired, and I ordered some tea, and after tea I said, "I suppose you do not want to be paid for this," and they said, "Yes, you will have to pay," and I had to pay for it.

30,289. (*Mr. Anstey.*) You do not mean to say that people were not brought to the "Clarence" to drink who did not pay for their drink, but it was paid for by the person who brought them?—Yes.

30,290. Then what earthly distinction do you draw between treating in that form and the more vulgar running up of a score at such low places as the "Golden Ball"?—I do not draw any distinction as to the treating, but the distinction I draw is that there is no idea that the landlord was a party to the treating.

30,291. What earthly distinction is there?—If I took in anybody to treat him I should feel annoyed if the landlord did not take the order.

30,292. What consequence is it whether it is scored up or paid for on the spot?—I am not qualifying the treating at all.

30,293. (*Mr. Price.*) It makes no difference, because you make the candidate pay for it?—Why I mention the fact is that before you it was intimated that one of the treating houses where scores were run up was the "Clarence."

30,294. (*Mr. Anstey.*) Nothing of the sort; besides you are not here to advocate another witness. The voters I daresay were made as effectually drunk with the drink that was paid for at the "Clarence," as with the liquor not paid for but scored elsewhere?—Certainly.

30,295. (*Mr. Price.*) What do you think you could have won that election for if you had had more money?—At a time in the morning we were considerably ahead, and lots of men kept coming in at the "Golden Lion." It was at that time of the day, and the fact of the matter is, that I passed a lot of the men when this man in the moon, Tom we called him, gave the money. When Jarman left I stayed there and passed the men through.

30,296, Had you made any calculation of what you could win the election for if you had it?—Yes; I should say at the time if we had had a couple of hundreds more we had the men there ready to go up for 10*l.* each, which would have won the election if we had had it.

30,297. You had not even 10*l.* to give them?—No, none of us; not a farthing.

30,298. (*Mr. Coleridge.*) Did those go up for the other side, or remain neutral?—They went to the other side, no doubt about it.

30,299. (*Mr. Anstey.*) Were you in conversation with Mr. Lilly before Mr. Patton came down here as to his chance of re-election if he accepted the office of lord advocate?—I remember seeing Mr. Lilly, and he said "Patton is likely to be made lord advocate, he "has written down here to know what we think "about it. What do you think?" I said, "My advice is, let him stay where he is, and not risk another election."

30,300. (*Mr. Price.*) Why did you say this?—Simply because I believe it is a toss up of a penny piece as to who gets in, Liberal or Tory. I do not believe that a Liberal or a Tory has the majority.

30,301. (*Mr. Coleridge.*) A single-handed contest?—A single-handed contest or any contest.

30,302. (*Mr. Anstey.*) Were you present at that conversation which took place opposite the "Clarence" which Mr. Truman in his evidence spoke to, when they had doubts and fears, not having money, and Mr. Cooper went in and saw Mr. Lilly?—I did not hear Mr. Truman's evidence.

30,303. (*Mr Price.*) He said he went down in the morning, and it was arranged that one should go in and see Mr. Lilly and come out and dissipate their doubts?—I do not know anything about it.

(*Mr. Anstey.*) Is Mr. Truman here?

JOHN TRUMAN recalled.

30,304. (*Mr. Anstey.*) Is that so?—About 12 on the nomination night.

30,305. What is the name of that Mr. Cooper?—I saw him here.

30,306. I believe that was the last election?—The last election.

HENRY WILLIAM BATTEN recalled.

30,307. (*Mr. Price.*) Now come to the last election?—There is one thing I have not told you, do you wish to know anything about the nomination?

30,308. Anything you have to say?—I suppose at that last election of Vanderbyl's I must have paid 60*l.* to obtain the show of hands.

30,309. That is only another form of bribery I suppose?—No, I wish to tell you everything.

30,310. You are quite right, that is another form of bribery, because the getting the show of hands is of no practical importance?—Well, I felt that it was an illegal expenditure, and why I mention the matter to you is, that I paid I should think nearly 200 men 5*s.* each, and there were a lot more I paid 10*s.* each, to such as watchers out all night. I was ordered to do so by Mr. Bealy Smith, and I said, "I shall not do this "unless I have some guarantee that the men shall be "paid, because it will be a pretty thing on my back "to be answerable to all these men if I am not sure;" and he said, "You agree to give the men 5*s.* and the band 25*l.*;" and he said, "Make some other men watchers, and see they are paid for the night out;" and he said "You go to Mr. Joseph Richard Smith and he shall pay you the money," and on the Saturday after that election I made out a list of the men and got it signed by two voters, that was Heal and Stocker, I got to sign as to the men who had lost a day's work for the nomination. Afterwards I went to Mr. Joseph Smith, who was then a pawnbroker, now retired.

30,311. (*Mr. Coleridge.*) Who is a magistrate now?—Yes. I said to him "I have come for some "money. I want to pay all our men to-day for "the nomination." "Oh," he says; I do not know exactly what he said, however he said "I do not know anything about it." I said "If you go into Mr. Bealy Smith he will tell you something about it." I did not know what passed between them, but he came out, and the man outside paid me the amount. I do not remember what it was. I took it and gave him a receipt in full, and the men's acknowledgment I had received the money.

30,312. (*Mr. Price.*) Do you know anything about Mr. Bealy Smith's departure from this part of the world?—Yes.

30,313. Tell us what it was?—The fact of the matter was this, that at the petition we worked very hard.

30,314. Which petition?—The petition of Mr. Westropp when he was defeated, and the old lawyers of the town seemed to shrink altogether, and left the burthen on Mr. Smith's shoulders.

30,315. By "the old lawyers," do you mean Mr. Trevor?—Yes, I mean Mr. Ruddock and the Trevors, we always looked upon them as too slow for any of this sort of work.

30,316. (*Mr. Anstey.*) Is that the meaning attached to the word "slow," at Bridgwater?—Yes, "slow coach." John Trevor was always called the old slow coach of that party.

30,317. Meaning free from bribery?

(*Mr. Price.*) It means that he would not spend the money?—Yes, nor would he give us the advice we wanted.

30,318. (*Mr. Anstey.*) Does it mean a person who will not take part in bribery and corrupt practices?—I cannot say "yes" entirely. I must qualify the question to say so.

30,319. It is your own words; you said "Mr. Bealy "Smith was put forward, for Mr. Trevor would not "do for our work, he was too slow for it." I want you to explain your own language?—I beg your pardon, what I said was respecting the getting up of the petition by Mr. Bealy Smith, that the others were too slow for working up the petition. I had nothing to say about bribery there.

(*Mr. Price.*) Who was the slow-coach on the other side? They all seem to be fast.

30,321. (*Mr. Coleridge.*) Mr. Carslake?—I should think so.

30,322. (*Mr. Price.*) His partner is a fast one, so he makes up for it?—Yes, I always thought we should like to get Messrs. Reed and Cook on our side.

30,323–4. They were very fast?—No, they were good working men, and we thought we could not go to any lawyer after Mr. Bealy Smith.

30,325. Now go on as to Mr. Bealy Smith?—After that he was in the full bloom of youth, you may say, and he was taken suddenly ill, so ill that he had to be put under *surveillance* of a keeper. He walked about perfectly mad; he was mad to all intents and purposes; and afterwards, when he came back into position again as partner of the firm with Mr. Boyle he did some extraordinary things as I have heard, such as carrying a little clock.

30,326. (*Mr. Price.*) He was subject to insane delusions?—Yes, I have no doubt about it.

30,327. (*Mr. Coleridge.*) What was the reason of his going to Australia? Was he all right?—He went off because he was mad. He had a good business here.

30,328. No one knew he was going?—I heard he was going, and as to going for any other reason, I believe his friends had almost given him up.

30,329. Was it to avoid this commission?—No, most certainly not. He went before the last election.

30,330. (*Mr. Price.*) In the last election what part did you take?—Before going to that, perhaps you will let me give you a little information respecting the bottling up of the voters, which seemed to be a question raised here. The meaning of that is that there is a lot of men always hanging about Bridgwater that want money, and they happened to be waiting about for it, in fact, they are "out-bidders," as we used to call them, hoping to get a larger sum than those who are gone earlier. These men would wait about, and we would say, "Go into such a room and such a room, and we will see what we can do;" and they used to wait until we could do for them what they wanted, or get them to poll as we first proposed, or send them off to the other side to vote as they liked; but as to looking the men up I never saw it.

30,331. (*Mr. Price.*) At all events they were put away where they could not be got at by the Liberal side?—Yes, but if they had determined to come out, they could.

30,332. (*Mr. Anstey.*) But to induce them not to come out were liquors supplied?—Partly, not very much.

30,333. (*Mr. Coleridge.*) Was not there a bill for liquors supplied for bottling voters at the "Clarence"?—I should be very surprised to hear such a thing.

30,334. (*Mr. Anstey.*) What do you mean by "partly supplied"? I do not understand that?—I mean, as I said before, any of us would take in a man, and would give him drink, and would pay for it out of our own pocket.

30,335. (*Mr. Price.*) What I understand you to mean was this: when you say "partly supplied," not by wholesale treating, but when men came in you treated them and paid for it, and you would be surprised to hear that a bill was run up at the "Clarence" for treating at the "Clarence"?—I should be.

30,336. (*Mr. Anstey.*) My question was, to prevent the men who were bottled up desiring to come out,

TWENTY-EIGHTH DAY.

H. W. Batten.

24 Sept. 1869.

whether liquors were sent in. I did not say anything about score?—I should say yes to that.

30,337. Then why did not you?—I wish to qualify it, not for you to have an idea that there was a profuse supply of drink. If I took a man in there I should have given him drink, and have kept him there, no doubt of it.

30,338. (*Mr. Price.*) Now, at the last election?—The last election. The first thing I can remember is their coming here, a meeting being held at the Clarence Assembly Rooms, where we are obliged to have meetings, if we want an ordinary meeting at all, simply because the Liberals would not allow us to have it here.

30,339. Was there a meeting there?—Yes.

30,340. What date?—I cannot give you the date; it was before the last election.

30,341. Was Mr. J. R. Smith there?—No doubt about it.

30,342. Were you there when he spoke about the M D?—No, it was not there.

30,343. Then come to that?—I only wish to show you that I had not confidence in the lawyers at the ast election. At this meeting one Mr. George Parker was in the chair, and they were talking about the hope that our attorneys would be attorney-generals. I said, "I should like to see them." That I halloed out, as much as to say there was not much chance, to say I had not much confidence in the lawyers. I heard Mr. Smith at a meeting, I cannot remember where it was, whether it was the "Lamb," or another house, when he said "M D."

30,344. What did he say?—He was talking about a paper he had received that morning.

30,345. Was that a meeting of the Conservative Working Men's Association?—Yes.

30,346. What did he say about M D?—He said he had received a letter or bill that morning, with 100*l.* penalty, and he said, "That is the bosh the Liberal party always try on," and he said, "If any of you "were going to leave your party, do not be deceived "by promises, but have M D."

30,347. (*Mr. Anstey.*) "Money down," he added?—I do not remember his saying that. It meant the same, I think, he did say, as they always say in America.

30,348. Did he say anything about sugaring your plums well?—I do not recollect hearing such a word.

30,349. (*Mr. Price.*) Up to the time of the nomination, had you taken any part at all in the matter?—Oh yes, a great deal.

30,350. What?—Going to meetings, speaking at the meetings, inciting the men on to work.

30,351. (*Mr. Coleridge.*) Inciting them to work; what do you mean by work?—To get the men to be zealous, that is all, to get them up. There was a good deal of excitement in the town, and I did all I could to keep up the excitement on our side.

30,352. (*Mr. Anstey.*) By what means?—I must say at some meeting I made hints, which I made the men laugh at.

30,353. What hints?—I remember once saying, it was a very poor pun on Mr. Vanderbyl, "I hope you will be the yellow biles," or something like that.

30,354. Did you make allusion to giving money?—No, not in any shape or form that could be taken or laid hold of by any man.

30,355. That could be understood by the people?—Yes, no doubt about it.

30,356. (*Mr. Coleridge.*) A wink is as good as a nod to a blind horse?—Yes, and I took care not to say or give the men any hopes that they should have any money unless I was in a condition to give it.

30,357. (*Mr. Price.*) What did you say which they would understand? You are so inconsistent. One moment you say you took care to say nothing to give any hopes, and in the same breath you say they quite understood there would be money?—You misunderstood me. What I say is, I did not say anything which would give them the chance of coming and saying "You promised me," but they could only infer what I meant without saying I said so.

30,358. (*Mr. Coleridge.*) You rather vaguely pledged the party than your own credit?—Yes.

30,359. (*Mr. Anstey.*) You wished them to act on the belief that you had money, and at the same time leave yourself a loop-hole, if there was no money, to be able to say "I did not promise"?—Yes, that was the way I took.

30,360. (*Mr. Price.*) Now coming to the nomination day, did you ask Mr. Brice on that day whether there was any money to be spent?—Yes, I did. I went to the "Clarence" and saw Mr. Brice, and said, "You must let us know whether you are going to "fight a pure election or bribe," and he said, "Cer-"tainly not, there is not to be a penny spent or a "promise given," and I said, "It is all up," and away I went.

30,361. (*Mr. Anstey.*) What day was that?—On the night of the nomination.

30,362. What o'clock?—I should think it must have been about seven.

30,363. That is the first time you knew for certain that there was to be no bribery?—Yes, it was.

30,364. (*Mr. Coleridge.*) How after that do you account for the large majority the Conservatives got up to in the middle of the polling day?—I cannot account for it at all; I was amazed at it, in fact, and so disheartened I thought there was no chance of winning. I thought the others would be spending, and we should not, that I went home and went to bed, and did not get up until long after the meeting at the "Clarence," and when I got up I was perfectly amazed.

30,365. (*Mr. Anstey.*) Then you were not at the meeting at the "Clarence"?—No.

30,366. (*Mr. Coleridge.*) Nobody seems to be able to account for what gave you that run in the morning?—No, nor I.

30,367. (*Mr. Anstey.*) Have you had the curiosity at any time, particularly since the evidence given here by the witnesses on the other side, to look at the poll books, and see the names, to tell us those significant names of persons, which being read are understood by the Bridgwater men to at once suggest there must have been bribery, or they would not have voted so early for Mr. Westropp?—No, I cannot say that I looked through the register in that way.

30,368. (*Mr. Coleridge.*) May there have been money brought in late at night before the poll in the morning of which you and others of the party knew nothing?—There might have been.

30,369. I mean do you imagine there was, of which you knew nothing at all?—No.

30,370. (*Mr. Price.*) Were there any indirect inducements held out to voters which you knew of?—I should not like to say that there was or not.

30,371. But I believe you have given us to understand that you did thoroughly believe those who did vote, did so in expectation of money?—I cannot help saying so, that there would be money after.

30,372. Do you suppose when it was found out that the other side were actually spending money, that was the way in which the majority was diminished?—Yes.

30,373. M D being there on the other side?—Yes.

30,374. And the promise being on the one, that turned the scale?—Yes.

30,375. (*Mr. Anstey.*) Do you think if Kinglake and Vanderbyl had followed different tactics, and begun by bribery the day before, or early on the polling day, there would have been money, or at least promises of money, to counteract that on your side?—No, I do not think there would be.

30,376. I thought Mr. Gray was a rich man?—Well, so I thought. I do not know that he is not.

30,377. Do you know whether he made any objection to contract an expenditure with a doubtful result at the last moment?—I cannot say I did.

30,378. You do not know that?—No.

30,379. (*Mr. Price.*) Now tell us when you had any conversation with Hodge, the person, a copy of whose letter has been read to you?—At the time we were ahead, I remember coming into the room where the lawyers were, and I said, I have just got a list out of those who have not voted, and I said, "Now, "gentlemen, I want you to go and vote. It is all-"important now to poll as many as we can at the "present moment;" and I remember getting a sharp rebuke from one; I think it was Mr. James Trevor; he said, "Will you allow us to understand our own "business best?" I said, "It is all very well to talk "like that. If you lose the election, you will talk "differently. I suppose you mean because you are "agents you must not vote." And I went down to Mr. Hodge's and said, "Hodge, if you get some "money, I believe we could win the election like "a shot."

30,380. Did you name the sum?—Yes, I believe I did, 500*l.* "If we get 500*l.* we can win the election." He said, I believe with an oath, "If I know you spend "a penny I will expose you. If I know anybody "spending a farthing at this election I will expose "you."

30,381. (*Mr. Anstey.*) How late was this in the day?—About the time they were polling up about neck and neck.

30,382. How late according to you?—I should think it must have been between one and two o'clock.

30,383. Might it not be that Hodge thought it was too late to retrieve the election by bribery, but not too late to retrieve it by having a safe case of a petition?—I cannot tell his reason. My belief is that his reason was because we had got all these other men to poll without money, and there would be such a noise that the others holding back should have it afterwards.

30,384. You said that letter of his was false, or you would be surprised if it were his. I ask you whether there is any inconsistency at all between his having written that letter or something like it some days before the election, and at the last moment giving the warning he appears to have done?—I do not understand your question exactly.

30,385. Why, with reference to this letter which I read to you; when I read it first of all you said that by-and-bye you were going to state a fact which was quite inconsistent with that. I am endeavouring to point out to you that there is no inconsistency.

30,386. (*Mr. Price.*) That which you told us just now is what makes you think he could not have written such a letter?—Yes.

30,387. Did it appear to you earnest or sham?—It was earnest, because he was mad, and I do not think we spoke for some days after, because he spoke in such a manner to me, and I have not spoken to him on the matter since.

30,388. You think he was quite honest about it?—I do.

30,389. Did you see Palmer when he came to the "Clarence"?—I did.

30,390. Tell us what passed when he came there, was it a long time before he would give up the money?—Yes, he would not give it up until he had the money in gold which was collected.

30,391. Tell us all you know about the attempted compromise with the petitioners?—The first I remember is having a note or message.

30,392. (*Mr. Anstey.*) Were you present on any occasion when either Kinglake or Vanderbyl was present?—No.

30,393. (*Mr. Price.*) There is only one other matter we want you to explain. Do you know how the men at the carriage department vote?—I do, I have taken the trouble to prepare a list.

30,394. Is that the carriage department of the railway, or what?—The Bristol and Exeter carriage department. I prepared a list of the voters. There are 60 Conservatives, 24 Liberals, and one who has not voted.

30,395. (*Mr. Price.*) Were they bribed at all?—No, I believe not.

30,396. It is only with reference to numbers. I want to know whether really there is any influence, because there is a large majority of Conservatives, and the chairman of the company is Conservative, is not he?—Yes.

30,397. And some of the directors?—Yes.

30,398. We want to know whether your knowledge is that any influence has been brought to bear in any shape or way, directly or indirectly, on those men to get that majority?—Certainly not.

30,399. Tell us how you know that?—In the first place respecting that placard issued from the board, directly it came, I remember Captain Bridges ordering it to be posted up inside where the men go in and out. I know this is the fact. I do not believe he has ever spoken to a man about his vote.

30,400. (*Mr. Anstey.*) Do you know a case where a voter has been displaced, or his wages reduced?—I know the contrary. Two men voted the last election who have been since raised in our department.

30,401. Do you know of Captain Bridges having used his influence on the other side. The Chief Commissioner's question referred to influence used in favor of the Conservatives, have you heard of Captain Bridges' influence having been used in order to obtain votes for Mr. Vanderbyl, not a Conservative?—It never was, I am certain.

30,402. (*Mr. Price.*) Have you heard whether any notice has been taken of the conduct of Garratt, who, notwithstanding that notification, took on himself to act as bribe agent to canvass in the way he did?—It belongs to a different department. I do not know.

30,403. You know nothing about that?—No.

30,404. He is inspector of permanent way?—Yes.

30,405. He is in that company's service?—Yes.

30,406. (*Mr. Anstey.*) Then it may be that there are others in that department of whom you cannot speak?—It is in a different department. I cannot speak.

30,407. (*Mr. Price.*) Are you now speaking of the special department of which you have knowledge?—Yes, I am clerk under Captain Bridges, and I know respecting that department.

30,408. Is there anything more you have to tell us?—No. I have told you everything.

30,409. (*Mr. Anstey.*) Do you happen to know what the number of nominal Conservatives who voted for Kinglake and Vanderbyl or either of them at the last election was, those who call themselves Conservatives?—I cannot tell you.

(*Mr. Price.*) You will bear in mind, if you can, to give us all the information from what you hear in the town as to the identity of this man. You will be doing a public service to the town by doing so, because it will save great expense.

MARY ANN ROBERTS sworn.

M. A. Roberts.

30,410. (*Mr. Price.*) You have come here to support your husband's statement, I suppose?—I do not know.

30,411. Do you know of your husband being under any pressure with regard to any money matters at the election when he got some money from both sides?—I know he was passing the court that day; he was insolvent; he had his last examination on that day.

30,412. He had a bill of costs to pay Messrs. Reed and Cook, had not he?—Yes, he had.

30,413. Did you pay?—I really do not know, I do not recollect. I took no note of those things.

TWENTY-EIGHTH DAY.

M. A. Roberts.

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30,414. (*Mr. Coleridge.*) Did you get the bribery money ?—I daresay if he had anything he gave it to me.

30,415. Did you always take care of the purse ?—I always had enough to do with it in business, and trials and troubles of one sort and another, failures and so on.

30,416. You knew he was bribed on both sides, did not you, and got 10*l.* from one and 10*l.* from the other ?—I think I recollect something about that.

30,417. What was it ?—I think I heard that Jarvis gave him 10*l.*

30,418. And who else gave him 10*l.* ?—I do not know anyone.

30,419. What did he give you altogether at the election time ?—I cannot recollect. Sometimes he would vote and did not get anything. When he was working at Brown and Company he did not get anything, I do not believe.

30,420. What did he get the last time ?—Nothing.

30,421. What the time before ?—I really do not think any.

30,422. Was it 25*l.* ?—Well, I believe it was last time.

30,423. 15*l.* from one and 10*l.* from the others ?—Yes, it was a very good thing he had it.

30,424. Do not you think it very bad for him to take it on both sides ?—(*No answer.*)

30,425. How often have you been bribed before ?—Me ?

30,426. Yes ?—I have nothing to do with politics.

30,427. How often have you received money for your husband's vote ?—I cannot tell.

30,428. A dozen times ?—No, I have not been in Bridgwater a dozen elections.

30,429. Half a dozen ?—No, I do not think so ; it may be four or five.

30,430. When were you first bribed one way ?—I cannot recollect.

30,431. Was it 1857 ?—I do not know at all. I know he was bribed.

30,432. Just try and tell us altogether how much money he has received for bribery ?—I think I could recollect about 40 or 45 in the whole.

30,433. Altogether ?—Altogether, I think.

30,434. You cannot tell exactly when it was.

R. Bussell.

ROBERT BUSSELL sworn.

30,435. (*Mr. Price.*) The first thing I am going to ask you about is, at what election did you first see this stranger ?—In 1866, the first election.

30,436. Where ?—At Mr. Frederick Harden's.

30,437. Did you ever see him in company with Mr. Westropp ?—No.

30,438. Is there anything which leads you to believe that Mr. Westropp knew who that man was ?—Certainly.

30,439. Tell us what that is ?—I received a note on the morning of Mr. Patton's election, about half-past 11 to 12 o'clock, from Mr. Matthews, to take to the hotel to Mr. Bealy Smith, the solicitor on our side, and going to the hotel I passed over the stairs, and I met Mr. Westropp in the lobby, and he said, "Well, Bussell," he was in a very excited state, "we have lost our election." I said, "Well, sir, it may be lost, or it may be won." He said, "You have a note in your hands." I said, "Yes, sir, it is for Mr. Bealy Smith." He said, "Is it from the friend at your house ?" I said, "Yes, sir." He said, "Give it to me." I did. He then took me into a bedroom ; I could point out the bedroom at the hotel ; and I then was instructed by Mr. Westropp to go for Mr. Bealy Smith, and Mr. Bealy Smith came into the bedroom with me and Mr. Westropp. Mr. Westropp then said to Mr. Bealy Smith that the friend at Bussell's house——

30,440. Did he say "our friend" ?—"The friend."

30,441. "The friend" ?—"The friend at Bussell's "house wanted 350*l.* to secure the return of his "friend Patton." The letter passed over from Mr. Westropp to Mr. Bealy Smith ; that was the letter that I had taken from Mr. Matthews from my residence.

30,442. Did Mr. Westropp say anything about giving you a cheque ?—He said, "Smith, it would "not do for me to give a cheque upon the bank, but "you get the money from your friends, and I will "guarantee you the payment." Mr. Bealy Smith then stated that he would go and consult his friends, and see what they could do. There was a remark in the letter which I took for my friend Matthews. Really and truly I did not know my friend was Matthews, but he was staying at my house, and I called him my friend, and that note was to this effect: "If you can supply us with 350*l.*, let Bussell know "if you can or not." That was to send me to the "Globe Hotel," Mr. Bagehot's private lodging, or the lodging at the "Globe Hotel," where our friend Tom stayed, our friend Matthews's brother.

30,443. (*Mr. Coleridge.*) Matthews stayed in the enemy's camp then ?—No, Tom, Matthews's brother stayed there, and if it was all right I was to go to them ; but the signal for me to Tom was that Tom was a regular Radical, and I was a downright Tory, so as soon as he saw me enter the "Globe Hotel" he would bet glasses round that this great long fellow the Tory was licked. I would bet him the same that we would win. All I had to do was to take off my hat, scratch my pole, and he was at my house in a second. That was the signal we understood each other by at whatever house we met ; and Matthews, the gentleman who was at my house, I could swear to in the dark if I could see him walking, and see his shape ; I would swear to the back of the man.

30,444. Have you seen him about this court at all ?—I have not ; if I had I would only be most happy to give you the information.

30,445. (*Mr. Coleridge.*) And you have been here most days ?—I have been here in that balcony, and I was never insulted until to-day, but I was insulted here to-day by the man Harden.

30,446. (*Mr. Anstey.*) Go on with this story about Mr. Westropp and the man ?—I went down to Tom and got the money, and it was supposed to be raised by Mr. Bealy Smith, and I was told by Mr. Henry Westropp that the money was right, and upon that I considered my duty was to go from Mr. Matthews to the "Globe Hotel ;" that was to consult our friend Tom. I went to the "Globe Hotel," but there was no Tom there. I proceeded home to tell Mr. Matthews that Mr. Westropp and Mr. Bealy Smith had told me the money should be forthcoming, the 350*l.* Mr. Matthews said, "You hardly left a moment, Bob, before Tom came in." "Well," I said, "which way could I have missed him ?"

30,447. (*Mr. Price.*) Is that all you can tell us about what Mr. Westropp did on that day with regard to this money and this man ?—He did so.

30,448. Did he call him "our friend Tom" when he spoke of him ?—He did. I gave him the letter.

30,449. When he asked for the note did he say, "Is that a note from my friend ?"—No.

30,450. What then ?—From the friend at my house.

30,451. Did he say "the friend" or "my friend" ?—The friend at my house. I knew, at least I had been informed by Mr. Matthews, that it was Mr. Westropp's desire that he should stop at my house.

30,452. How did you know that ?—Mr. Matthews told me so.

30,453. Did Mr. Matthews speak of knowing Mr. Westropp?—Yes, he told me he was down here for Mr. Westropp, and I knew no more about it than did the man in the moon when he was down here for Mr. Westropp.

30,454. (*Mr. Anstey.*) You say you were sent by Mr. Matthews?—I was.

30,455. Was the effect of what Mr. Westropp told you when you came back that there was no occasion for you to go there now; you had hardly left before this man whom you call Tom had come and given the money?—I said no such thing.

30,456. That is not what he said?—I have said no such thing.

30,457. I did not ask you that, but is that what he said to you?—Certainly not, for I had left prior to that.

30,458. (*Mr. Price.*) As I understand, you did not see Mr. Westropp when you came back?—Certainly not; the money was at my house.

30,459. You saw Mr. Matthews, and it was Mr. Matthews who said to you, "Tom has just been here"?—And the money was at my house.

TWENTY-EIGHTH DAY.
R. Bussell.
24 Sept. 1869.

Adjourned to 12 o'clock on Monday.

TWENTY-NINTH DAY.

Monday, 27th September 1869.

PRESENT:

Edwin Plumer Price, Esq., Q.C.
Thomas Chisholm Anstey, Esq.
Charles Edward Coleridge, Esq.
Henry Francis Purcell, Esq., Secretary.

TWENTY-NINTH DAY.
27 Sept. 1869.
R. Bussell.

Robert Bussell recalled.

30,460. (*Mr. Price.*) I think the last thing you said on Friday was about the interview which you had when Mr. Westropp stopped you with that note in your hand, and asked you if that was from a friend?—It was.

30,461. I want to ask you first, and wish you to be very particular about it, do you mean still to swear that you did not know this man and had never seen him before in your life, Mr. Matthews?—Until he was introduced to me by Harden?

30,462. Yes.—Never. I was taken to Harden's house when I first saw him.

30,463. How long have you lived in Bridgwater?—All my life.

30,464. He is not a Bridgwater man, then?—No, sir, he is a gentleman from London, a solicitor in Parliament Street.

30,465. I want to know whether he had never been seen about Bridgwater?—Not by me.

30,466. (*Mr. Coleridge.*) How did you know that he was a solicitor in Parliament Street?—Well, he told me so. I believed it.

30,467. (*Mr. Price.*) Was it Parliament Street or New Palace Yard?—Parliament Street.

30,468. (*Mr. Coleridge.*) Did he name the firm?—He did name his partners. He told me there were four of them.

30,469. Should you know the name if you heard it?—He never named it to me.

30,470. (*Mr. Price.*) Did he say there were four, and did he name himself as one? Did he represent himself as a partner of the house?—As one of the firm.

30,471. What happened after that? This was in 1859?—No, in 1866. The first election I mention I never had nothing to do with bribery till. Will you go back from the commencement?

30,472. You began with that?—No, you objected to that. 1852 is my first experience.

30,473. Then we had better go to 1852. I was asking you about it, there is no doubt?—Yes, you did.

30,474. Now finish 1852. What did you do in 1852?—Residing with my father at the prison.

30,475. When did you get the office of bailiff to the County Court?—20 odd years since.

30,476. Who appointed you?—Mr. E. C. Cole, the high bailiff appointed by the Lords of the Treasury. I am only sub-bailiff under the high bailiff.

30,477. Who is it?—Edward Charles Coles, Esq., of Orchard Compton. He is the high bailiff to the whole of the division of Somerset.

30,478. Has he the appointment of the bailiff to the County Court?—Yes, and the only person.

30,479. (*Mr. Anstey.*) Who appointed your father bailiff?—E. C. Coles, Esq.

30,480. And you sub-bailiff?—My father.

30,481. Your father appointed you sub-bailiff?—My father appointed me sub-bailiff. I was acting under my father. I had nothing to do with Mr. E. C. Coles. My father is responsible to Edward Charles Coles.

30,482. Did your father appoint you sub-bailiff?—He did.

30,483. When did he appoint you?—It was about the time of the County Court coming into force.

30,484. Were you a Conservative or a Liberal then?—I was only a lad.

30,485. (*Mr. Price.*) Are you the sheriff's officer for this part?—I had it offered by Mr. Nicholett's, but I refused it. I did not like that job, not the sheriff's work.

30,486. I never heard of such a thing as bailiffs being appointed by the high bailiff. Who is the high bailiff appointed by?—The Lords of the Treasury.

30,487. I think there is some mistake?—No, there is no mistake.

30,488. When did the Lords of the Treasury appoint him?—At the commencement of the Act being passed, and the clerk of the peace was appointed the registrar at the time, clerk at least.

30,489. (*Mr. Coleridge.*) The County Court judge appoints the registrar, does not he?—No, he was ap-

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pointed, the registrar was, on the establishment of the County Court. The judge is appointed by the Lords of the Treasury, and the clerk of the peace of the county took the clerkship, and E. C. Cole, Esq., took as the son of the sheriff of the county.

30,490. Who has the appointment of the clerk ?—The Lords of the Treasury.

30,491. (*Mr. Anstey.*) Who is Mr. Coles ?—A gentleman, of Orchard Compton.

30,492. Of what politics was he ?—I cannot tell. I do not believe he had a vote at all.

30,493. (*Mr. Price.*) What did you do in 1852 ? How old are you ?—45.

30,494. What did you do in 1852 ?—I then waited upon the Kinglake party at my brother's. It was Lord Henley, Colonel Tynte, and Mr. Kinglake.

30,495. Did you vote at that election ?—No, I was a waiter then at my brother's for Mr. Kinglake.

30,496. At your brother, Henry Chapman Bussell ?—Yes.

30,497. Were you living with your father at the jail ?—I was.

30,498. (*Mr. Anstey.*) I thought you said just now that you were a lad when you were appointed deputy bailiff ?—Well, I was about 19 or 20.

30,499. You said your father was appointed about the time the Local Courts Act came into force ?—That would be about that time.

30,500. That Act came into force in 1846 ?—Yes ; I have been in it over 20 years.

30,501. You certainly were not a lad then.

30,502. (*Mr. Price.*) 1852 would be 17 years ago. Were you under bailiff in 1852 ?—I was.

30,503. And you were living with your father at the jail ?—I was.

30,504. Have you lived all your life in Bridgwater ?—I have ; one twelvemonth in London.

30,505. What did you do at your brother's at the election of 1852 ?—Conveyed the drink into the rooms where the meeting was held.

30,506. Your brother's house ?—Yes, that is for Mr. Kinglake.

30,507. Was there a great deal of treating going on at your brother's house then ?—There was.

30,508. For how long a time, how many days ?—I should think, perhaps, a week or a fortnight, 14 days.

30,509. A week or a fortnight before the election ?—Yes.

30,510. Was there treating going on every night ?—Yes.

30,511. To what extent ?—It was the only house that Kinglake had at that time.

30,512. (*Mr. Coleridge.*) It was his first time was not it ?—Yes ; Mr. Robert Bate, Mr. Thomas Ford, Mr. John Lovell Sealy, and Mr. Lovibond were Kinglake's patrons at that time.

30,513. (*Mr. Price.*) Was that all you had to do in 1852 ?—It was.

30,514. Do you know what your brother's bill was altogether then ?—No, not at that election.

30,515. What amount do you suppose was spent a night there ?—I should think it was about 50*l.*

30,516. 50*l.* altogether ?—Yes, during the election.

30,517. How much a night, however ; you say about 50*l.* during the whole week or fortnight ?—Yes.

30,518. Spent in treating ?—Yes.

30,519. That would be about 7*l.* or 8*l.* a night, probably ?—Yes ; then there would be men in the day who would get drunk ; it would not all be in the evening.

30,520. (*Mr. Coleridge.*) Did nobody pay for themselves at that time ?—No.

30,521. (*Mr. Price.*) In 1857 did you act in the same manner at your brother's house ?—I did.

30,522. Was treating going on in the same manner ?—There was.

30,523. To what extent ?—A large extent, because they were Colonel Tynte and Mr. Kinglake.

30,524. For both of them ?—For both of them.

30,525. For how long a time before the election was that treating going on ?—I should think hardly so long. I should think not above a week then.

30,526. How much do you suppose the bill was, was risen up then ?—Well, I heard Mr. Faun state at the time soon after, when he was collecting in the bills, that is the gentlemen you have heard of, Henry Faun, state that the bills might as well be made 100*l.* as 97*l.*

30,527. Then it was 97*l.* was it ?—No ; Mr. Faun said it might as well be made 100*l.* as that, which I believe was afterwards paid 100*l.*

30,528. Was that all in a week ?—Yes, I should think that would not last above a week, that election.

30,529. (*Mr. Anstey.*) I do not understand why Colonel Tynte and Mr. Kinglake being together, it should cost that sum, why the splitting their votes between Tynte and Kinglake should make the men who had previously plumped for Kinglake drink so much more. Do men drink more when they vote for two, than they drink when they vote for one ?—At the time you speak of, the first election in 1852, Mr. Kinglake recorded 101 votes, and when they voted for Colonel Tynte and Mr. Kinglake I should think they polled something like 300 to 400, so that there were those men extra to drink.

30,530. (*Mr. Price.*) How many men consumed this quantity, give us some idea ?—The house, I can tell you, was full.

30,531. Were they the same men there every night ?—They would be different classes of people. I do not mean to say there were some that were continually there.

30,532. How many have you seen there at a time ?—Say 40 to 50.

30,533. (*Mr. Coleridge.*) In 1857 do you know whether any money was paid to voters ; the election you are telling of ?—No.

30,534. Nor any promise ?—No, not as I am aware of. I had nothing to do with that.

30,535. Did they ask for any ?—I had only to attend the bar, and take the drink out.

30,536. Whilst attending the bar, did you accidentally hear about any ?—Never.

30,537. (*Mr. Price.*) Is that all you can tell us about 1857 ?—That is 1857.

30,538. Did you vote in 1857 ?—No.

30,539. Did you vote in 1859 ?—I did.

30,540. Who did you vote for ?—Padwick and Kinglake.

30,541. How came you to split your vote between Padwick and Kinglake ?—I had been up during the whole of the night of the nomination in Chiltern Street treating Conservative voters, some five.

30,542. Who employed you to do that ?—No one, I did it on my own account.

30,543. (*Mr. Coleridge.*) Had you split with your brother at that time ?—No, that is how I came to vote for Kinglake.

30,544. Were you still living at your brother's at that time ?—No, I was married then.

30,545. (*Mr. Price.*) Had you left your father ?—I had.

30,546. And you had been appointed bailiff, I suppose ?—I was prior to that.

30,547. (*Mr. Anstey.*) Ten years ?—More than 10 years before that.

30,548. (*Mr. Price.*) You voted for Padwick and Kinglake, you say ?—I did.

30,549. Where were you employed in treating these men ?—I was not employed to do it.

30,550. Where did you do it ?—An inn called the "Crowpill," in the Taunton Road.

30,551. (*Mr. Coleridge.*) How much did you spend ?—15*s.* it cost me altogether to supply them all night with beer.

30,552. Who paid you ?—No one.

30,553. Did you pay ?—I did.

30,554. (*Mr. Price.*) Do you mean to say you did it for the love of the cause ?—I did it for Padwick and Westropp.

30,555. Padwick and Kinglake ?—Padwick and Westropp I was doing of it for.

30,556. Although you voted for Kinglake ?—Yes.

30,557. Why did you vote for Kinglake. Did you get any money for it ?—No.

30,558. Not a farthing ?—No.

30,559. Why did you vote for Kinglake when you were working for Westropp ?—I went in at the morning with one of my party I had paid money to out of my pocket. I went into the polling booth, and William Hurman, who was a witness in this court, said, "Well done, Robert, bring them up, we have "won the election, and we shall never get a Con-"servative here again." I said, "Do not make too "sure of winning yet, Mr. Hurman." I said to Mr. James Cooke, the solicitor that is now, he was the poll clerk, "Mr. Cooke, will you be so kind as to "take the names of these two voters." He said, "Yes, Bussell." They recorded their votes for Padwick and Westropp. I thanked them on behalf of Mr. Padwick and Westropp. On turning round laughing at Mr. Hurman, who should stand behind me but Mr. Henry Lovibond, my governor, and Mr. Kinglake. Well, I was rather vexed to think I had put myself so forward, and Mr. Henry Lovibond being right behind me, said then, "You have recorded "your vote, Bussell." I said, "No, I have not, sir." "Well," he said, "you ought to." "Well," I said, "I can, sir." I directly turned round to Mr. James Cook, and said, "Mr. Cook, I will give my vote now," and it was taken.

30,560. Who did you vote for ?—I voted for Padwick and Kinglake.

30,561. Now tell us why was that; because you were afraid of Mr. Lovibond or Mr. Kinglake, or what ?—Well, I do not know what it was. I had only promised Mr. Padwick to vote, and no other gentleman had solicited my vote.

30,562. Not Mr. Kinglake ?—Not Mr. Kinglake, and no other gentleman but Mr. Padwick, not even Mr. Westropp.

30,563. Did they hear you vote then ?—They did.

30,564. What did they say ?—Mr. Hurman thanked me on behalf of Mr. Kinglake, and some person in the poll booth thanked me on behalf of Mr. Padwick.

30,565. (*Mr. Coleridge.*) Was it on account of Mr. Padwick's private character that you voted for him ?—No.

30,566. Or because he was a rich man ?—No.

30,567. Well, what was your reason ? Why did you select him against Mr. Westropp ?—Mr. Richard Smith brought Mr. Padwick to my house, and said, "Here is a friend of mine, Bussell, and will you give "me a promise ?" He says, "I only ask you for "Mr. Padwick, knowing you will go with the "governor," alluding to Mr. Lovibond, "for King-"lake."

30,568. (*Mr. Price.*) Why did you call Mr. Lovibond the governor ?—That is what Mr. Smith called it.

30,569. And you too ?—Well, he is our registrar.

30,570. Had he any power of turning you out of your office ?—Not the slightest.

30,571. He has not ?—No; and I promised Mr. Smith I would vote for Mr. Padwick, and I also voted afterwards for Mr. Kinglake.

30,572. Did you get any money for it at all ?—I did not.

30,573. (*Mr. Coleridge.*) Not afterwards ?—No.

30,574. Or any promise ?—No.

30,575. (*Mr. Price.*) Is 15*s.* all you spent in treating ?—15*s.* is all I spent, and then I lost 4*l.* 10*s.* on a voter.

30,576. How was that ?—We had five men at the inn, and four of them I had conveyed to poll. I took them to Murlis', at the "Albion," and they received 10*l.* each. The fifth one refused to go to poll unless they were paid before leaving his house. I told him the price Murlis was giving, and he said he did not care about that. I said suppose I lend you 4*l.* 10*s.*, when you get to Murlis' house will you give it back to me again ?

30,577. What was that man's name ?—John Saunders.

30,578. (*Mr. Coleridge.*) Is he alive ?—He is alive, I believe, but has left the town now. I think my brother knows where he is residing. He is a ship's carpenter.

30,579. (*Mr. Price.*) Did he vote then ?—Yes, he did; he went and got him from me; that is one of the men who barricaded the streets afterwards.

30,580. Your brother got him from you ?—Yes.

30,581. Did you ever get that 4*l.* 10*s.* back ?—Never.

30,582. You never claimed it ?—Never.

30,583. Did you mention it to anybody ?—Never; I have, but not to the parties.

30,584. To Murlis ?—Never.

30,585. (*Mr. Coleridge.*) Did you do anything in treating at your brother's house at that election ?—No, not at that election, I stayed away from him.

30,586. Had you any quarrel with your brother, or what was the reason of your playing this shifty game ?—I did it for Mr. Richard Smith; he wished me to vote for Mr. Padwick.

30,587. What had he to do with you ?—Mr. Richard Smith has always been a friend of the family.

30,588. (*Mr. Price.*) How has he been a friend to the family ?—He was magistrate's clerk, and anything he could go and put in our way to assist us he would go and do; many things he had done for us.

30,589. Did Saunders get anything from the other side for voting for them ?—Yes, 10*l.*; my brother paid it, if not more.

30,590. 10*l.* or 15*l.*, which ?—Most likely 15*l.*

30,591. After he had voted, did you want to take him to Mr. John Murlis to get 10*l.* from Murlis in order that you might get back your 4*l.* 10*s.* ?—I saw him come out of Messrs. Nicholls' shop with my brother and his own brother-in-law. I went over, and said, "Come along, Saunders, let us go and get the 10*l.*" My brother said, "Come away from him; don't have "anything to do with him," and he did take him away from me, and he did not go and receive the 10*l.*

30,592. You intended to take him there and get your 4*l.* 10*s.* back ?—I should like to have had it.

30,593. That is what you intended ?—Yes, I did. I was not positive that he would have voted, because

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he came out of Messrs. Nicholls', the draper's shop, when I saw him the first time after I paid him the 4*l.* 10*s.*

30,594. With your brother ?—With my brother and another man.

30,595. You never did get your money back ?—Never.

30,596. Why did you not claim it from Murlis ?—Why he started, locked up his house, left.

30,597. How soon after the election did he go away ?—Before the election was over.

30,598. (*Mr. Coleridge.*) What did you get paid for your services at that election ?—Nothing. I never engaged to do anything.

30,599. (*Mr. Price.*) Did you do anything else in the way of money after that election with anybody else ?—No.

30,600. Anything with regard to a juryman, Henry Maidment ?—Yes ; I fetched two 10*l.* from John Murlis.

30,601. Was that after or before this 4*l.* 10*s.* of Saunders ?—A fortnight or three weeks.

30,601*a*. Do you know the date ?—It could be very soon found out. A quarter sessions here at Bridgwater he was sitting at as a juryman, and I went to Murlis and received the 10*l.*, and as he was sitting on the petty jury gave him the 10*l.*

30,602. Whilst sitting as juryman ?—Yes.

30,603. Was the Recorder there ?—He did not see that.

30,604. How did you manage to do it ? You seem to grin at these things as if they were good jokes. I do not see any joke in it ; but it was a most impudent and blackguardish transaction. — I was attendant.

30,605. Were you bailiff there in attendance ?—Yes.

30,606. And took advantage of your office to give a juryman 10*l.* for his vote ?—I did not know at that time it was 10*l.*

30,607. But you gave him something ?—I gave him something, and I afterwards discovered it.

30,608. The sooner you are turned out of your office as bailiff the more respectable for those who have anything to do with you. Who was he to vote for ?—Padwick and Westropp.

30,609. Did you tell him so ?—No ; I had nothing to do with it, no more than handing him the money.

30,610. You knew it was for his vote ?—Yes, I knew that.

30,611. And you thought that a creditable transaction as bailiff to the juryman to do ?—I was not bailiff to the jury.

30,612. You said you were ?—No, bailiff to the County Court.

30,613. What were you doing in the court to give a juryman that in the box ?—The Recorder was sitting in the position of you. I have to attend on the Recorder with paper and ink, and take any message. The jury box runs along here (*describing*), and John Maidment was sitting here, and I went and passed into his hand the 10*l.* without speaking or anyone noticing. I was not bailiff to the jury.

30,614. You were attending on the Recorder ?—Yes.

30,615. What office had you under him ?—I was door keeper.

30,616. Who were you appointed by ?—My father was town hall keeper.

30,617. Are you still employed in that capacity ?—No ; been out of it these 14 years and more.

30,618. Did you vote at that election ?—Yes, I voted at that election.

30,619. Was there any other person you bribed ?—No.

30,620. Any treating besides at that election ?—Only that 15*s.*

30,621. In 1865 did you have any money to give in bribing from anybody ?—Yes.

30,622. Where did you get it from ?—I am not positive whether from my brother-in-law Frederick Temblett or Frederick Harden. I received 20*l.*

30,623. Who did you give it to ?—Gibbs and Best, pawnbrokers.

30,624. The two of them ? — Two of them, partners.

30,625. 10*l.* each ?—Yes.

30,626. Who were they to vote for ?—Westropp.

30,627. Did you return that to anybody as having been paid ?—I went back and told them, whichever one it was, whether Harden or Temblett I am not positive. I saw them go to poll, and record their votes.

30,628. Did your brother offer you anything at that time for your vote ?—Yes ; that was prior to any election taking place.

30,629. When ? — Somewhere about 21st May 1865.

30,630. How much did he offer you ?—He offered me 40*l.* to vote for Kinglake and any other gentleman who might be brought forward Liberal in the place of Colonel Tynte.

30,631. What else did he offer you, anything else ?—Yes.

30,632. What was that ?—To go after the absentees.

30,633. Anything else ?—Yes.

30,634. Tell us what ?—I had been running a steamboat belonging to Mr. George Bryant Sully, and he told me if I had not taken the "Victor," that was a new boat come but for one journey, I could have the "Petrel" for 5*l.* a day, or else I might run her and take one-third of her profits.

30,635. Who does the "Petrel" belong to ?—Mr. George Bryant Sully.

30,636. That is what your brother offered you ?—Yes.

30,637. He is agent ?—Yes.

30,638. 40*l.* ?—Yes, and to go after the absentees.

30,639. Were you to have your expenses paid, or anything for your trouble ?—Yes ; he said I was quite aware that for fetching the absentees would be another 40*l.*

30,640. (*Mr. Anstey.*) You were to vote for Kinglake and who ?—Any other gentleman brought forward in the place.

30,641. What place ?—Colonel Tynte's.

30,642. That is, you to vote for the two Liberal candidates ?—Yes ; Sir John Shelley was not known at that time.

30,643. (*Mr. Price.*) It was before he was announced as candidate ?—Yes, during the Parliament sitting.

30,644. Have you ever had anything to do with the "Petrel" ?—Previously ?

30,645. Since that offer.—No, I would not have had the boat if they would give it to me.

30,646. Whose is the "Victor" ?—A gentleman named John Towells. I had been previously running the "Petrel" the summer before in 1864.

30,647. (*Mr. Anstey.*) Was it taken away from you ?—It was taken away from me because I had given the profits to the Working Men's Institution.

30,648. What working men's institution ?—Not the Conservative.

30,649. (*Mr. Price.*) Who took it away from you? —Mr. Sully.

30,650. Mr. Sully took it away from you because you gave the profits to the Working Men's Institution; what difference did it make to him what you did ?—He saw the amount of profits I was supposed to have got out of his boat, it got into the papers, and then he refused me.

30,651. On what terms were you to have the boats, no profits out of it or what ?—I do not know what terms he expected me.

30,652. You must have been engaged on some terms ?—I engaged the boat at 11*l.* a day, and got what I could. I ran the boat during the whole of the summer months, and eventually the Working Men's Association. They pay 2*d.* each a week, the working men do, and they have a library and reading rooms, no politics in that, and they were very low. I said I would give them an excursion if they chose to accept it, and if there was no profits they should pay no loss, I would stand the loss, and they should have the profit, and I think it ended in some 6*l.* or 7*l.* profit they got out of my giving them the boat.

30,653. (*Mr. Anstey.*) What did Mr. Sully find fault with in that ?—He found fault with it in this way, that he took away the boat from me.

30,654. What had you done wrong according to him ?—

30,655. (*Mr. Price.*) What reason did he give ?—He never gave me any reason. The gentleman which belongs to the rooms, which was a great supporter, and Mr. Carslake, the town clerk, and Mr. John Brown, a gentleman who took an interest in these affairs, and Dr. King, a gentleman of this town, said if I would take them to Donnett Castle they would guarantee me so many at 15 pence a head as a private excursion party.

30,656. There must have been some reason of that kind. Were you using this boat contrary to the agreement you had with Mr. Sully ?—Certainly not.

30,657. (*Mr. Coleridge.*) Was not it that he found you made such a good thing of this excursion that he wanted you to pay more for the boat, and as you did not he turned you out ?—No, the reason of it was this, that Dr. King went and told Mr. Sully he had engaged his boat to go to Donnett Castle and told him the price he was about to pay me, and then Mr. Sully, as owner of the boat, says, "Bussell only takes "her from time to time, and if you choose to have "her you can of me as well as Bussell," and the boat was taken away from me.

30,658. (*Mr. Coleridge.*) You only paid when you were actually working her ?—Yes, once a fortnight.

30,659. You paid every fortnight for her ?—Yes, and then I understood I was to have her all the season.

30,660. (*Mr. Anstey.*) Do you mean to say as soon as Mr. Sully saw what the profits were in the print he took the boat from you ?—Yes.

30,661. That is what your counsel rather than you stated before the House of Commons, when the owner learnt what the profits were you never had the boat since ?—No, never.

30,662. (*Mr. Price.*) Was that all you had to do with the election of 1865 ?—That was.

30,663. Did you go up on the petition ?—I did. Yes, I went to the petitions.

30,664. Did you canvass Henry Vearncombe at that time ?—No.

30,665. You do not call it canvassing unless the candidate is by your side; did you ask for his vote ? —Never.

30,666. Did he speak to you ?—Yes.

30,667. Tell us what he said ?—I was on the hustings waving a blue pocket handkerchief, there was a fight, I jumped over the rails in front of the hustings, went down, and quelled the fight. I afterwards in a very exhausted state was glad to go out into the fresh air, and Vearncombe came to me and said, "Robert, "I want you to see Mr. Smith for me," alluding to Joseph Richard Smith. I said, "What for?" "Oh," he said, "I suppose you know." I says, "No, I "don't." He says, "It is about the scavenging con- "tract." He was the scavenger of the town. I said, "What do you want me to see him about?" He says, "To know that he will use his influence for "my receiving of it again." I said, "No, I am sure "I shall not, for me and Mr. Smith are not friendly." "Well," he said, "I have spoken to two or three, "and they all says the same. I have an I.O.U. for "15*l.*, Kinglake and Shelley's, and if no one will see "Mr. Smith for me I shall vote for him."

30,668. An I O U of Kinglake and Shelley ?—Yes, from the other party he said, not from Kinglake and Shelley.

30,669. Be careful what you say. You represent the thing as if Shelley and Kinglake had given you an I.O.U. ?—No, from the party.

30,670. But you said Kinglake and Shelley.

30,671. That night did you see him again ?—I did.

30,672. Where ?—Opposite Mr. Paul Reed's late office, not the present.

30,673. Where is that late office ?—In the square.

30,674. Is there any other lawyer's office near it ? —Mr. Lovibond's is on the opposite side of the square.

30,675. Which Mr. Lovibond's ?—Benjamin.

30,676. You saw Henry Vearncombe that night ?—I did.

30,677. What passed between you ?—I was going from information I had received in the direction of Mr. Benjamin Lovibond's office, and in going round the Clarence Corner to go across the square, the first person I met was Vearncombe. I said, "Halloa, Harry!" and he said, "Holloa!" or something to that effect. He said, "I have been over to Mr. Lovi- "bond's," or to that effect, and he says, "I have got "the money as no one would see Mr. Joseph Richard "Smith," and he shook up something which sounded like money in his hand, and I said "All right then," and passed on, and said nothing more to him.

30,678. Did he say anything about his vote ?—I do not believe he did. Oh! for his vote, yes; he said for his vote and he should vote for Kinglake and Shelley, as no one would see Mr. Smith for him.

30,679. How far was this from Mr. Lovibond's ?— About 250 yards; it was the whole distance across the square.

30,680. Did you see what house he came from ?— No.

30,681. Did he say anything about the I O U ?— He did.

30,682. What ?—That he had got it cashed, had the money, and that was what he shook in his hand he told me.

30,683. He did not say where ?—No, he said he had been and got it cashed.

30,684. I suppose you are aware that Vearncombe denies all this ?—No, I do not; I am not aware of it. He cannot truthfully.

30,685. Had you any conversation with a man called Symes ?—Yes, he is a captain of one of Mr. James Wood Sully's vessels.

30,686. What is his Christian name ?—Thomas; an old gentleman.

30,687. Did you canvass and ask him to vote for Mr. Westropp ?—No; he said to me on the Monday prior to the election, the Wednesday, "What do you "think of the election, Bussell?" I said "I do not "know, a couple of more days will tell the tale."

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R. Bussell.

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He said "I suppose you will vote for Westropp?" I said "Yes; who are you going to vote for captain?" He smiled and said "Oh, you know as well as I can "tell you," and I said "No, I do not." Then he said "I cannot afford to lose my place, and I shall "vote for Mr. Kinglake and Sir John Shelley."

30,688. (*Mr. Anstey.*) Did you know the person in whose employment he was?—No, he did not tell me; at least I knew.

30,689. Did he mention the name of the person by whom he was employed?—No, he said "the "governor."

30,690. What did he say about the governor?—He said that he could not afford to lose his situation.

30,691. That the governor could not?—That he, Symes.

30,692. What did he say about the "governor"?—That the governor was with the other party.

30,693. (*Mr. Coleridge.*) At this time you were a Conservative; were you going at that time to Mr. Benjamin Lovibond's office?—I stood upon the bridge, and this man Vearncombe had just gone in, and I went away to the bridge to watch him out.

30,694. You were not going to the house yourself?—No, only to watch him.

30,695–6. (*Mr. Price.*) This is what he said "Did "not you see Robert Bussell on the night of the "nomination day in 1865 on the bridge or near the "bridge?—I do not recollect. Robert Bussell, the "brother of Henry Chapman Bussell?—I do not "recollect. Were you on that night at Mr. Benjamin "Lovibond's office, the nomination night?—No, I was "not. Between 9 and 10 o'clock where were you that "night?—I cannot say. Did you meet Robert Bussell "anywhere in the street that night?—Not that I am "aware of. I will ask you whether this will refresh "your memory. Do you remember that night Robert "Bussell saying to you in the street 'Holloa Harry,' "and your saying in reply 'Well, I have been over; "'no one will see Smith' or J. R. Smith that means, "'on one will see Smith for me, shaking at the same "'time something like coin in your hands.' I have got "'the money, and now I shall vote for Kinglake and "'Shelley'?—Not to my knowledge, I never said the "words. Or anything like them?—I never said those "words to him, nor to any man, not to my knowledge. "But to that effect?—I cannot say that I did not "to my knowledge. (*Mr. Price.*) Do not say "'to your knowledge'?—I cannot say I did. (*Mr. "Anstey.*) To make it quite clear to you was it "150 or 200 yards from Mr. Lovibond's office, "and just opposite to Mr. Paul Reed's office?—"I was not there at all. Had you previously seen "Bussell on the nomination day?—No, I do not "remember seeing him at all. Do you remember "asking Robert Bussell to go and see Joseph Richard "Smith for you, upon which he said 'What for?' And "then you said you had been and asked him if he "would support you in your contract for scavenging "the town if you voted for Mr. Westropp?—"Nothing like those words passed. Nothing like it? "—Nothing like it. Do you remember telling "Robert Russell 'I have asked two or three times, "'and I have an I O U from the other side' that is "from the Liberals?—Yes. 'And unless somebody "'will intercede for me I shall accept it,' an I.O.U. "for 15*l.*?—Never such words passed." Now what do you say to that?—I say what I stated is true with reference to Vearncombe and to others. There is only one mistake that I may have made, and that is as to what I may have said as to his making use of Mr. Kinglake's and Sir John Shelley's names with reference to the I O U. That is the only mistake I made.

(*Mr. Price.*) That makes out not only that Vearncombe has told us an untruth, but it also goes to show that Mr. Kinglake's and Sir John Shelley's was not a pure election, which it has been represented to us it was, that there was no bribery.

30,697. (*Mr. Anstey.*) You still adhere to it?—I do positively.

30,698. (*Mr. Price.*) Is that all you have to tell us about 1865?—I believe it is.

30,699. Now we come to 1866, Mr. Patton's first election, which I asked you about on Friday?—Yes.

30,700. You first saw this man at Harden's?—That was about 10 days prior to the election. Harden fetched me from the "Bull and Butcher."

30,701. Have you never seen anybody like this man in Bridgwater years ago?—Never.

30,702. Not at all like him?—No.

30,703. In the office of any solicitor here?—No.

30,704. (*Mr. Anstey.*) I want to ask you a question about the election petition first. You were examined before the Election Committee three or four times?—Three.

30,705. And you deposed, amongst other things, to substantially the same story as you told us to-day about Mr. Vearncombe, did not you?—I do not know.

30,706. Were you examined also with regard to a person called Cooze?—I was.

30,707. And you gave a good deal of evidence in order to show that Cooze told an untruth when he said that he had been offered a bribe and had received the bribe to vote for Mr. Westropp on that occasion?—I do not know as I did.

30,708. Well, your evidence is perhaps so worthless that I shall not waste the time of the Commission by reading it *in extenso* to you, but I will draw your attention to the heads of it. Do you mean to say you did not on oath state circumstances as the committee put it, tending to disprove the evidence of John Cooze as to his having received a bribe of Boys at the "Albion" hotel before going to the poll?—True.

30,709. Did you state circumstances tending to disprove that statement?—True; upon oath I said that Boys when accused never went to the back premises of the "Albion" hotel.

30,710. Was not that for the purpose of contradicting Cooze's statement?—It was.

30,711. You were called to contradict him or prevent him perjuring himself, was not that the object? Were you not called to show that Cooze was swearing falsely?—I was.

30,712. You also stated to the Committee on oath circumstances under which, according to you, you had learnt from Cooze shortly after the election, that he had received the 10*l.* not from Boys at all, but from Edward Stroud, and not with reference to his vote; you stated those circumstances, did you not?—I must be allowed, first, if the learned Commissioners will allow me, to ask to give an explanation upon the last question. If the learned Commissioner will allow me to give an explanation on the last question I shall feel great pleasure in giving it.

30,713. I would rather take it in my own way; did you swear this to the Committee, "Some time "after the election, in consequence of hearing some-"thing in the town about Mr. Cooze, I went to his "house, in company with Mr. Henry Cook," and so on, "He was at home. I said, 'Jack, what is the "'report I hear about this money, what does it "'mean?' I told him the report which I had heard "circulated, that he had received 10*l.*, and asked him "whether such was the case, and he said, 'Yes, and "'that damned Dyer made me drunk and took it "'away from me,' alluding to Ambrose Dyer, his "landlord. I said, 'Who gave it to you then, I "'ask?' He said, 'That damned doctor on the "'Pig Cross;' he alluded to Mr. Edward Stroud, "the druggist, who was present at the time in the "room; he was one of the parties that accompanied "us. Cooze was sober, and it was early in the "morning." Then he is asked, "What took place "then upon making use of that polite language "towards Mr. Stroud. His wife said, 'I will tell

" 'thee what it is Jack, if thee would'st go and " 'swear it on thy oath I would not believe thee.' " That is, if he swore that the money was given by ' Mr. Stroud?—That he had received the money. " That he had received the money at all, or that he " had received it from Mr. Stroud?— Mr. Stroud " I understood him to allude to. What did Mr. Stroud " say about it?—We had a fine laugh at him, and " the woman made use of some very foul expressions, " some very smutty language, and she kept us laugh- " ing at her, although they were very filthy expres- " sions. Mr. Stroud never said anything further, " good, bad, nor indifferent. Was anything said by " any of you in reference to Boys touching this " transaction?—There was not. Did you say any- " thing about Boys, whether Boys had been the " person who had given?—I never heard Boys was " charged with it, except since I have been in " London. I always heard Stroud was the person " whom he had charged with it."—I should like to ask the learned Chairman before I answer that question,——

(*Mr. Price.*) You must answer the question first.

30,714. (*Mr. Anstey.*) Did you or did you not swear to that effect before the Commission?—I will answer that question.

30,715. You shall answer it as a question; is it true or not?—It is.

30,716. (*Mr. Price.*) You swore that?—I did. Now I want to put in an explanation.

30,717. (*Mr. Anstey.*) You can give your explanation now.—Before the Committee of the House of Commons a question was put was I at the "Albion" inn? I told them "Yes." "Did you see Cooze " and Boys come into the house"? I said, "Yes." " Did you see them enter the back yard"? I said, " No." "Could they have done it without your " seeing them"? "No." Cooze had previously sworn that he went into the back premises. I contradicted that, and I do now at the present time.

30,718. (*Mr. Price.*) That is no explanation at all of what has been read to you?—The last part I do admit is my evidence.

30,719. (*Mr. Anstey.*) Now I am going to ask you, the whole question being who told the truth, you or Cooze. Are you aware that the Committee by their report found as follows: "It was proved to the Com- " mittee that John Cooze and John Staples were " bribed by the payment of 10*l.* each?"—I am.

30,720. Then you were discredited by the Committee of the House of Commons after hearing your evidence on oath, and the evidence of the other witnesses on oath against you?—The Committee do not state that they found out that the money was paid in the back premises. The money was paid by Boys in another place unknown to me, and not near the back premises of the "Albion," but it was unknown to me, and Boys will admit that he committed perjury in stating that I did so. I never did, it was done without my knowledge.

30,721. (*Mr. Price.*) Did you say that Boys will admit that he committed perjury, or that he will not admit it?—He will admit it.

30,722. He will?—Yes.

30,723. (*Mr. Anstey.*) Will admit what?—Will admit that he paid the money without my knowledge.

(*Mr. Price.*) You say he will admit he committed perjury.

30,724. (*Mr. Anstey.*) You say that you undertake to speak for Boys, that Boys is coming to swear that Cooze did not tell the truth. Now I ask you, did Cooze tell the truth or not?—He did not, for the very reason that when he said he received it in the back premises he never received it there.

30,725. You still adhere to your statement?—Yes.

30,726. You still mean to swear that it was Stroud who gave it to him and not Boys?—He did at his house.

30,727. You mean to swear that you never heard till you got to the Committee of the House of Commons, that Boys was the person charged with giving it?—I never heard of it till I got to London. There was a Mr. Lilly, an auctioneer in Bridgwater, who was present in the house.

30,728. Do you mean to say that until you got into the committee room of the House of Commons you never heard it was Boys and not Stroud who gave the money?—I did so.

30,729. Until you got to London?—In the House of Commons.

30,730. You do not retract the evidence that you gave in the House of Commons?—Certainly not.

30,731. And you say that Boys who gave his evidence along with you in the House of Commons is prepared to retract his evidence?—Only with reference to the back yard.

30,732. And you say that he is going to deny that he did bribe Cooze; that he is going to swear that?—He did tell me so.

30,733. Your evidence was taken down before you gave it in the House of Commons?—Yes.

30,734. Who took down your proofs in preparing the briefs?—Who?

30,735. Who was it took down the notes of what you were going to swear?—Mr. Bealy Smith.

30,736. What did he tell you to do?—Nothing; he told me to tell what I knew of the election.

30,737. Did you sign the note of your evidence?—I did.

30,738. Before you left him?—Before I left him.

30,739. And did you swear about it?—It was my own evidence that I gave.

(*Mr. Anstey.*) I must say myself that I think it fair to tell you that your brother has distinctly denied upon oath every syllable you have stated to day about the "Petrel."

(*H. C. Bussell.*) I should like you to ask a question of this witness.

(*Mr. Anstey.*) Sit down, we cannot hear advocates.

30,740. He has denied every statement that you have made about the "Petrel," and every statement about the 40*l.*, and denied it on oath. I thought it right to put it to him before you came here and gave your evidence, and he has denied it on oath. He has denied it on oath as Vearncombe denied what you were asked with regard to him, and as you have been discredited by the House of Commons, I really do not know that we can believe you.

30,741. (*Mr. Price.*) Is there anything else you want to say about 1865?—No.

30,742. What were you going to say just now?—I was going to say that the Commissioner said my brother denied it on oath; was that in London?—He was in the lobby.

(*Mr. Price.*) No, he was not examined in London.

HENRY CHAPMAN BUSSELL recalled. *H. C. Bussell.*

(*The Witness.*) Will you ask this question. Was it not from his having a fall out with the captain, and because I would not agitate the question of having the captain turned out of his berth, that he would not get the boat any more.

(*Mr. Price.*) Was that so?

(*Robert Bussell.*) No.

(*Mr. Price.*) We must, somehow or other, have corroborative testimony of your statement. I think we must have Mr. Boys here in order that this matter may be cleared up.

THOMAS HENRY BOYS sworn. *T. H. Boys.*

30,743. (*Mr. Price.*) We are only going to ask you one question at present, and that is, whether that evidence you have just now heard read by my learned colleague is the evidence given by this man before the

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T. H. Boys.

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House of Commons, and also that you backed him up in that story, was true or not?—Perfectly true.

30,744. Perfectly true?—Perfectly true.

30,745. That is to say that you still mean to say this man did not receive the money?—No, not that portion of it.

30,746. What portion?—I mean to say I could not go to the back of these premises for this man at all.

30,747. Was it not put affirmatively to you whether he was bribed or not?—I do not think it was put so directly as that.

(*Mr. Anstey.*) Wait a moment. You must be paying a poor compliment to one's eyesight, understanding, and memory. I will just read you this:—"Do you know a man of the name of John Cooze?—"Yes, very well. Did you see him the day before "the election?—Yes, I did. About what hour?"—I think between 6 and 7 in the evening. "Where did you see him?—I went to his house. "Was he there when you went?—He was not in the "house. I sat with his wife for two or three "minutes, and Mr. Andrew Allen came in, an "opponent of mine, and I left the room, and went "into the garden, where I found Cooze. Who is "Mr. Allan that you met there?—Mr. Andrew Allan "is an elector of the borough in the Liberal interest. "He was at Cooze's house when you called?—No, "he called when I was there. Then you went into "the garden?—Yes. Was it usual for you to call "upon Cooze?—Oh; very often. He was an old "acquaintance?—Not an old acquaintance, but relations of mine had kept premises adjoining Cooze's "house; another paid Cooze rent for that place, and "I used to have a horse there occasionally; that "brought me to the place. You saw Cooze in "the garden?—I did. Had you any conversation "with him about the election?—I had a few words "with him. What did you say?—I asked him if he "intended to vote for Mr. Westropp in the morning. "He said 'I do not know, and I shall not promise you.' "Nothing more?—No, I left him. Did you see him "during the evening?—Yes. Where?—About half-"past 9, I was standing at my gate. Is that near "Cooze's?—I should think 200 yards from his house, "in the same street. I saw him go home with his "daughter. In what condition was he then?—Well, "I should think he was very tipsy. Did he exhibit "the usual signs?—He did; he staggered along, and "his daughter was holding him as best she could. "What night was that?—The night before the "election. His daughter was holding him in the "best way she could?—Yes. He was going in the "direction of his house?—He was. Did he say "anything to you then?—Yes, he met me as he was "passing, and he said 'I have seen some one to night, "'and I must have over 30*l.* to vote for your side.' "What did you say?—I said 'I know nothing at all "'about it John.' Did any further conversation take "place then?—Nothing whatever. When did you "see him after that?—I should think it was about "half-past 9 next morning that I saw him. (*By "the Committee.*) That is, the morning of the poll?—"Yes. (*Mr. Longfield.*) About half-past 9?—Yes. "Had you any conversation with him then?—I will "state that I saw him in the High Street, and I said "'John, have you polled?'—He said 'No, I have "not;' and I said 'You may as well run in and poll "'now you are here.' Did you say for whom he was "to vote?—I did not ask him to vote for Mr. "Westropp on that morning; but I said 'You may as "'well run in and poll.' He understood that from "my asking him on previous occasions. What was "the answer?—He said, 'I want a drink.' What did "you say?—I said, 'Well, John, I will pay for a glass "'of beer for you; come along withme.' What did "he say?—He said, 'Where are you going then'? I "said, 'Let us go across to the "Albion."' Is that "near?—I suppose the 'Albion' would be 250 yards "from the place where I then saw him. Did you "go with him?—Yes, I went with him. Was there "any person at the 'Albion' whose name you know? "—Oh yes, we went to the 'Albion' bar door. Who "was at the bar door?—I saw Mr. Robert Bussell in "the bar, standing by the fire-place. Did anybody "else come in then?—I asked Cooze what he would "have to drink. Did any relative of Cooze's come in? "—His daughter came. I should think we had been "at the bar door for only about five or six seconds when "the daughter came. Mrs. Crabham, the landlady, "had not time to draw any drink until the daughter "came. Did you offer the daughter a glass of beer too? "—I did. What did she say?—She said she would "have some, and I told Mrs. Crabham to draw a quart "of beer. What then?—We had a quart of beer, "and Miss Cooze paid for the beer. Did you go to the "poll then?—I went to the poll. Did you then go "behind the house with Cooze?—Behind what house? "The 'Albion.'—No. Did you then give him any "money?—Certainly not. Did you give him one "cartridge or any cartridge?—Nothing whatever. I "did not go from the back of the door with the man. "Or at any other time?—Or at any other time. "Did he then in your presence take and open any "two pieces of paper?—Certainly not. Did you "say to him 'You bloody fool, why 'did you "open them?'—No, never. Did he say they "might be a lot of farthings?— No, never. Did he "tell you that he had got any money from Westropp? "No. Did he go to the poll with you?—We left the "house immediately the beer was drunk, and we had "gone about 100 yards from the house when Mr. "Bussell overtook us, and we walked through the "market place the three together. We went to the "poll; he recorded his vote for Mr. Westropp, and "I told him I was obliged to him. At what hour "was this?—This would be drawing on to about "10 o'clock. Was the election, in fact, won then?—"Oh yes, certainly. Is it true or false that you gave "him any money either at the 'Albion' or any other "place for his vote for Westropp?—It is false. "No money whatever?—It is certainly false."

30,748. (*Mr. Price.*) Now then, is that true or false?—I never handed him any money in his hand at all.

30,749. Is it true or not that you gave him any money?—I did not give him any money directly; I placed money on the window of the bar door, and then he took it up.

30,750. Do you think we are to be imposed upon; do you think we shall take your story as true when you answered you never gave him any money but that you put it down; you knew he was going to take it up?—I say this, I stated before the House of Commons that which was not strictly in accordance with the fact.

30,751. That it was not strictly in accordance with the fact?—That it was not, and I can explain it.

30,752. Do you mean to say that you committted perjury?—I do, sir, in the strict meaning of the word.

30,753. Then we shall know how to deal with you when you come to give your evidence before us.

30,754. (*Mr. Anstey.*) You are in employment?—I am, and I was then.

30,755. And you are not likely to lose it?—I was under a threat at the time.

30,756. You are not likely to lose it?—I am not.

(*Robert Bussell.*) Will the learned Commissioners allow me to put a question to the witness?

(*Mr. Anstey.*) You are not an advocate, and we would not hear you if you were.

(*The Witness.*) Will you allow me to explain something.

(*Mr. Price.*) I do not think you can explain away the fact of your having committed perjury.

30,757. (*Mr. Coleridge.*) Which Smith is it in whose employment you were?—Mr. Bealy Smith's. The very morning after the election Mr. Bealy Smith called me into his room, and he said, "This is a most "extraordinary thing for us to hear, and a most un-"pleasant thing for us." He said he had heard that Cooze had made a statement of his having received

money from me, and refused to give it up. He said, "It will not do for us to go before the House of "Commons, and for you to have any knowledge of "these elections. I would not have you know of "such a thing for the world, as my reputation would "be gone for ever." I had a wife and family, and what was I to do. That threat was held over me at the very time of the petition. He said the petition would be fought to the very death.

30,758. (*Mr. Anstey.*) You say that he suborned you to commit perjury?—I do, and if he was present—

(*Mr Price.*) It is easy to hurl these statements at individuals who are absent.

30,759. Is it true that Mr. Bealy Smith is in Australia?—I do not know.

(*Mr. Anstey.*) I wish to ask any person in Court whether it is true that a letter has been received by Mr. Smith's family within the last six weeks stating that he was coming back?

(*The Witness.*) I have heard that Mr. Bealy Smith was on his way home, and I have tried to ascertain as well as I can the origin of that report.

(*Mr. Anstey.*) If it is true that such a letter was received, then Mr. Smith's family and his friends have practised upon us a very great concealment.

(*Mr. Boyle.*) I was formerly in partnership with Mr. Bealy Smith.

(*Mr. Price.*) You had better be sworn, and your evidence taken properly and regularly.

William Carvill Boyle sworn.

W. C. Boyle.

30,760. (*Mr. Price.*) You were in partnership formerly with Mr. Bealy Smith?—I was for a short time.

30,761. Will you tell us what was the last intelligence you received from Mr. Bealy Smith?—The last I heard, I think, from him was about two months ago.

30,762. Where from?—From Melbourne, and in that letter he asked me to send some money and direct it to him to the Post Office at Melbourne. We did do so, and he said nothing in that letter about coming home; but I was going to mention that a day or two since I received a letter from Mrs. Richard Smith, in which she said "I have heard from Bealy, who is "still at Melbourne."

30,763. Did he say he was going to California?—No; those were the only words that were in the letter. I will write to her and ask her if there was anything in the letter showing that there was any intention on his part to return.

30,764. (*Mr. Anstey.*) The words were "still at "Melbourne"?—Yes.

30,765. Which would imply that he intended to stay there for a time?—Those were the only words.

30,766. (*Mr. Price.*) You do not know anything about his coming home?—Only by rumour, nothing further.

30,767. (*Mr. Anstey.*) Have you heard that lately?—Lately.

30,768. That he was coming home?—Some few weeks ago I heard that he was coming home, but I have heard nothing direct about it myself.

30,769. You have heard him publicly branded with the charge of suborning a witness to commit perjury, and it is right that he should have an opportunity of contradicting it?—I am sorry to hear such a charge made, and from my knowledge of Mr. Smith's character, I think he is a man who would not be capable of such a thing, and I do not believe there is a word of truth in the statement.

30,770. (*Mr. Price.*) Therefore, it is the more important for him to be here. If we had any reliable information that he was on his way home we would take care that he should be examined.—Quite so, and I will write to Mrs. Smith to know if there was anything in that letter to show that he had any intention of returning.

Robert Bussell recalled.

R. Bussell.

30,771. (*Mr. Price.*) You wanted to explain something to us while Mr. Boys was in the box?—I wanted to explain this to the learned Commissioner while Boys was in the box, if the learned Commissioner would only put the question "Had I any knowledge of the "bribery that existed?" That is the only question.

30,772. How can he know? It seems to me that both you and Mr. Boys designedly kept the Committee in the dark as to the transaction, and you swear by the card, if I may use the expression, so that you might possibly be swearing the truth in that sort of way, but at the same time you were cognizant of a great deal which you did not let the Committee know about, and whether it might amount to perjury or not we do not know, but you might have sworn by the card with reference to the point about the back yard, and you might have been swearing the truth with regard to that.—I was not aware that I was charged with bribery at the time I was giving my evidence.

30,773. Now we come to Patton's election; we asked you a good deal about that on Friday, and I want to ask you a question about that now. I was asking you at the time when you were taken back to the evidence you gave before the Committee of the House of Commons about this stranger, and you say you never saw this man before?—No.

30,774. You say you have no recollection of him? Yes.

30,775. Has he ever been in Bridgwater as much as 20 years ago?—I never saw the man until I saw him in Harden's house.

30,776. You told us all about the bet you made, and you say his wife was there with his luggage?—Yes.

30,777. Did he appear to know anybody at Bridgwater, or did he appear to be a stranger to the place?—On his first being introduced to me, I believe it was on the 2nd of June, it was some 10 days prior to Mr. Patton's first election, I was then taken to him by Harden. Harden fetched me. I then went, and Harden said, "This is Robert Bussell," to a strange gentleman who was sitting in the room. This strange gentleman said, "I have the pleasure of knowing "Bussell by seeing him in the lobby of the House of "Commons." He held out his hand to shake hands, I did the same. He then told me what he was down about, and he said that he was recommended in London to take up his lodging in my house. Not knowing where to go, he had called upon his friend Harden for him to fetch me.

30,778. But you knew he had been down in 1859, did not you?—No more than a child unborn.

30,779. In 1865 I mean to say?—Never.

30,780. You know now that he had been down?—Yes, I know now; but I did not know the man.

30,781. How much money did he bring down at that time?—800*l.*

30,782. Did you get it?—Yes.

30,783. In gold?—Yes.

30,784. Who had charge of the money?—His lady made it up all in tens and fives.

30,785. At your house?—Yes, at my house; tens and fives.

30,786. Did you ever see any name on his luggage or his clothes or anything, no initial, no anything?—Well, my belief is there was that on a small portmanteau. He left on the Saturday evening, and went to London and brought his wife down. He had been down prior to that, and these men, Harden, Temblett, and Jarman, had been to my house night after night

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with a list of voters, and they were making out what men each one was to receive the money for, to make up the money.

30,787. That does not really answer my question. I want to know whether during the time he resided in your house you saw no marks on his luggage or linen or anything, no initial or anything of that kind?—There was an initial on his portmanteau.

30,788. Then why could you not tell us so at once?—"I. G." I believe it was.

30,789. On his linen?—I did not see his linen.

30,790. Had he a wife?—Yes.

30,791. Was she living in your house?—Yes.

30,792. I suppose he had shirts and stockings?—Yes.

30,793. Is your wife here?—Yes.

30,794. Did he have his things washed?—I do not know.

30,795. You are not able to say?—No.

30,796. Will your wife be able to say?—I do not know. I have not put the question to her.

30,797. You believe the initial was "I. G."?—I believe the initial was "I. G." My wife will tell you.

30,798. We had better have your wife here. It is an extraordinary thing that you should not know anything about this man. What day did his wife come?—On the Tuesday was the day of the election; she came on the Monday, and went away on the Tuesday.

30,799. She was only there one night?—No. It was the lady who brought down the money.

30,800. (*Mr. Coleridge.*) Did she ever tell you where they got the money from?—They came from London because the brother came down.

30,801. Who did?—The brother.

30,802. What brother?—Mr. Matthews.

30,803. (*Mr. Price.*) How do you know he was the brother?—Only from his statement at the poll. Mr. Matthews told me at the poll on the Saturday night that his brother would be down there, and he said if I was not there his brother would knock at the door, and would walk right in, and would say to my wife, "All right."

30,804. What did Mrs. Matthews call her husband?—I did not her call him anything by his Christian name, only his surname "Matthews." She would always say, "Matthews, I want you."

30,805. You never heard her make use of any Christian name towards him?—No; if she were upstairs and Matthews was downstairs, she would call out and say, "Matthews, I want you."

(*Mr. Anstey.*) Probably Matthews was his Christian name instead of his surname.

30,806. (*Mr. Price.*) Did you say she made up this money, this 800*l.*?—Yes, she and Mr. Matthews' brother.

30,807. When was it given so?—I think that Temblett and Harden must have had theirs on the night of the nomination.

30,808. Did Jarman get any?—Yes; I took it to him.

30,809. How much?—I am not positive whether it was 250*l.* or 300*l.*, but 250*l.* I believe.

30,810. Anything to Jarvis?—Jarvis' was about 80*l.*

30,811. And Batten?—Batten; I took him his money, but I could not get him to get up, and I took it home again, and he received it from Matthews himself.

30,812. (*Mr. Coleridge.*) How much?—It was 80*l.* he was to have received; I do not know; 80*l.* is his list.

30,813. Did Matthews' brother give you any money besides?—That was in the middle of the polling day, I received 100*l.*

30,814. (*Mr. Price.*) 350*l.* did not you?—Not at that time.

30,815. Did not you get altogether 350*l.* from Matthews' brother; never mind about the time of day?—I did.

30,816. Did you take 100*l.* of that to Harden?—Yes, Harden distributed it.

30,817. And then did you go to this man to the "Bull and Butcher," and did he pay the money away in the bedroom?—Yes.

30,818. And was he the person who paid the money away by the window to the different persons who came and stood and took the money by the table?—No; the door was open, and Matthews' brother stood behind it, and the parties put their hands in.

30,819. And he put his hand out?—And he put his hand out.

30,820. (*Mr. Coleridge.*) Matthews did that?—No, Tom, the brother, did that.

30,821. (*Mr. Price.*) Then you told us about the 350*l.*, you got that because it was subscribed?—Yes.

30,822. Did the wife and Tom make that up into packets?—Yes, that 350*l.*

30,823. (*Mr. Coleridge.*) Was that all the money?—Yes.

30,824. Was any more money brought down afterwards?—No, I did not meet him till Patton's second election.

30,825. (*Mr. Price.*) Did you meet him on the Monday in the churchyard?—I did.

30,826. Did you meet him by appointment?—No.

30,827. How was it?—By accident.

30,828. What did he say?—He said he was come down; he had brought down 1,000*l.* to pay for we chaps.

30,829. He said he had brought down 1,000*l.* to pay you chaps?—And a few bills, and he said a pretty mess he had got in. There was Vanderbyl here; there was an opposition. I told him he had better stick to the 1,000*l.*, for if he did not, Mr. Patton—

30,830. Do you mean to say there was anything like 1,000*l.* paid amongst you chaps, and for the bills?—There were certain claims put in by Harden and Temblett and Jarman for promises to us of money which we had not received.

30,831. Do you mean to say it was anything like a thousand?—I think from what I have heard in this Court that it would want 600*l.* or 700*l.* to have been paid, to pay off their promises.

30,832. How much were you chaps to be paid?—I never heard anything about being paid until Mr. Matthews told me of it.

30,833. (*Mr. Coleridge.*) What did you get then?—10*l.*

30,834. (*Mr. Price.*) Then you told him he had better stick to the money?—Yes, I did.

30,835. Did you say why?—I told him he had better go and see the others, as he was not going to stay at my house; that he had better go and see the other men to ascertain what money they had received at the last time.

30,836. Did you tell him that Harden had stuck to the money he had had to bribe with?—No, I did not tell him that; I told him that people complained that they never received the money.

30,837. Did you tell him that Temblett, Harden, and Jarman had struck to the money?—No, I never used those words.

30,838. How came you to tell our secretary that?—I did not tell the secretary that.

30,839. I have got it down so?—The secretary will explain that; I wanted to see what the secretary had down. It was done in a moment, and I wanted to put my initials to it.

30,840. They had stuck to it and had given promises instead?—Yes, they did.

30,841. They had stuck to the money?—No, they had given promises.

30,842. I put it to you again. Have you not said that you told this man Temblett, Harden, and Jarman had stuck to the money that they got, and had given promises instead?—Yes, I did.

30,843. That they had kept the money and given promises only?—And that they went and paid the money after that time, after I saw Mr. Matthews?

30,844. Yes, but up to that time you intended me to understand that they kept the money?—Yes, that the money had not been paid.

30,845. That they had stuck to it?—Yes.

30,846. Then why do you not say so at once? After you had told this to Matthews, you mean to say they went and paid the money?—Yes.

30,847. That they had had it all that time?—Yes.

30,848. You advised him to keep the thousand pounds you say?—I did.

30,849. Did you refuse to allow him to go to your house?—I did.

30,850. Why?—He desired me when he left my house to go to the three men to get lists of what they had done with the money. I went according to his requisition, and I had to send up to Parliament Street to tell him what they had done with it.

30,851. (*Mr. Coleridge.*) Now you can tell us what number in Parliament Street, to a post office.—I went to Harden, and he told me if I did not go out of his shop he would kick me, and I refused to have anything more to do with it.

30,852. (*Mr. Price.*) Did you get anything more for his staying in your house?—Yes.

30,853. How much?—6*l.*

30,854. Was that the reason you told him you would have nothing more to do with it, because Harden had said he would kick you out of his house?—Yes.

30,855. Did he owe you anything more than the 6*l.*?—I considered he did. I never told him so.

30,856. (*Mr. Coleridge.*) Did he ever acknowledge your accounts?—I did not send an account to him.

30,857. You wrote to him?—Yes.

30,858. Did you get an answer?—Yes, he told me that he had had the letter and he was sorry it was all up between us.

30,859. Did he tell you what elections he had been engaged in before?—Yes; Totnes, Liskeard, and Windsor. I think he told me in so many places, but I think those were three of them.

30,860. (*Mr. Coleridge.*) Did he tell you in what year at Totnes?—I think he told me at the disfranchisement of the place.

30,861. Did he say who he went down for?—I understood for the Conservative gentlemen.

30,862. What election was it at Windsor?—Oh, I fancy it was at the general election in 1865; in 1865 he was there, because he said he was successful. Whoever he went there for, he was successful both here at Bridgwater for Mr. Westropp and his friend at Windsor.

30,863. At Windsor his member was unseated?—Successful in carrying his men, not in the keeping of them in.

30,864. (*Mr. Price.*) Is that all that you know of the second election in 1866?—Yes.

30,865. In 1868 had you nothing at all to do with the election?—Nothing at all.

30,866. Nothing at all?—Nothing at all.

30,867. Did you vote?—I did.

30,868. How did you vote?—For Westropp and Gray.

30,869. Did you have anything for what you did in the second election of 1866?—No.

30,870. You never did anything at all?—No.

30,871. (*Mr. Anstey.*) Mr. Robert Bussell, I find I have not given you the opportunity of clearing yourself with regard to another of the findings of the Committee of the House of Commons. I thought I had; that is, the finding with regard to John Staples. Do you recollect, if you do not I will read to you the passages, that John Staples like John Cooze was mentioned as a person that had been bribed. It was stated in evidence by witnesses that he was one who had been bribed by Boys. Staples himself said that Boys did bribe him, and thereupon you were called upon to swear with regard to Staples just as you have been called to swear with regard to Cooze, and that afterwards in your presence Staples gave an entirely different account of the matter. I will read to you the very words. You swear this "I never had any money given to me. I "received the freight of a cargo of coals from Mr. "Stone's clerk. I got the cheque to the bank and "got it cashed, and then the sons of ——— "made me drink, and took the money from me, and "said 'it was election money.'" That you swore before the House of Commons and Mr. Boys swore the same. Have I given a correct account of your evidence?—No, you certainly have not.

30,872. What did you swear before the Committee of the House of Commons?—It was Edward Stroud who was charged with bribing, and not Mr. Boys.

30,873. But that Mr. Boys was present at?—No.

30,874. Boys said he was not, did not he?—No.

30,875. Then you mend your statement by saying it was Stroud?—Stroud was the man charged by a man of the name of Hook, and has admitted in this Court that he was the one who bribed Staples.

30,876. Is what I have read to you incorrect?—It is.

30,877. You still say that Staples swore that?—Yes.

30,878. Mr. Boys swore the same?—Mr. Boys, to my knowledge, had nothing to do with that case.

30,879. Is not Thomas Henry Boys the person you are talking of?—Yes, Thomas Henry Boys.

30,880. Are you not aware that he swore before the House of Commons that he had received 10*l.* for freight and had been robbed of it, and had applied for a warrant in the matter?—No, I am not aware of it.

30,881. Did Boys and you talk over the matter before you went to the House of Commons?—No.

30,882. You are aware at all events, that the House of Commons found that Cooze and John Staples were both bribed?—I am quite aware of that.

30,882 *a.* And therefore you are aware that on that point, as in Cooze's case, the House of Commons would not believe your statement. The question was what Staples told you. Was not that so?—He came and applied to me if he could put him in a County Court, and I advised him not to do so, and to go to Mr. George Wilson, in the town, to let him have the money, and he would not.

30,883. You swore that before the House of Commons?—Yes.

30,884. They did not believe you on your oath?—I say it is true.

30,885. But they did not believe you on your oath?—Oh—well—

30,886. I suppose you do not care about that; you have already stated that you have committed deliberate perjury in the case of Cooze. You have heard the statement about Staples' case?—Yes.

30,887. And is the evidence you gave as to Staples' case perfectly true?—Perfectly true.

30,888. Are you aware that in the House of Commons Staples denied that he had received a bribe?—Yes.

30,889. From Stroud?—From Stroud.

30,890. (*Mr. Price.*) Is there anything else you have to state?—No, nothing of the last election.

30,891. You are aware now that you have been, I will not say found guilty, but at all events discredited by the House of Commons, and you are aware now that you have acknowledged that you intended to convey this impression to the Man in the Moon, that these persons stuck to a large sum of money; you acknowledge these two things, and you acknowledge that as a bailiff acting in some official capacity in the Recorder's Court, you took advantage of your position

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to hand a sum of money to a juror to bribe him as a juryman. Those are the things you have acknowledged, and I take upon myself to say that you are a thoroughly discredited and disgraceful man, and if there is any means of removing you from holding those offices you now hold, I think it a very great discredit to those who have the power of removing you if they do not exercise it.

H. W. Batten.

HENRY WILLIAM BATTEN recalled.

30,892. (*Mr. Price.*) What have you to say?—The secretary has wished me to come into the box to make a statement. In my evidence on Friday I stated that I had no other interview with Mr. Spofforth but at that time in the Committee Room of the House of Commons. I have since thought the matter over, and I remember going to Mr. Spofforth's office during that petition, and seeing him, and also seeing clerks there, and I thought I would just tell you of it; and another thing I have thought of also in talking over with a friend with respect to the presentation of the last petition in London. We went to one or two of our solicitors to Court when they presented the petition, and on our way there with the agent, I think Mr. Vizard or one of the firm, he said, "I hope you "will take better care of this petition than the one "of Mr. Vanderbyl's," that is Vanderbyl's first election, "and not let Mr. Spofforth tear this up as "he did that one." I thought it better to tell you this, as that shows he was cognizant in some way or other that bribery had been going on, and was anxious therefore in some way to get rid of it.

(*Mr. Price.*) I do not know whether Temblett and Harden and the others are in Court, or whether they wish to make any statement upon the evidence made by the last witness that they stuck to the money. However, they can make that another time.

J. H. Waddon.

JOHN HENRY WADDON recalled.

30,893. (*Mr. Price.*) You are a rope-maker?—Yes.

30,894. What was the first election you took any part in?—1865, Westropp's.

30,895. Were you a voter then?—Yes, I voted Westropp.

30,896. Did you receive any money for your vote?—No.

30,897. Did you receive any money to bribe with?—I received 10*l.* of Harden, and paid it to William Francis.

30,898. Have you given his name before?—No, I have not.

30,899. Did you see anything of the stranger?—Not at that time.

30,900. Have you anything with regard to that election to say to us?—No. Oh, yes. I saw a Mr. Jones, who came to our door and asked what was going on, and I said if he would stay a bit I would give him 10*l.* That is how I came to get another 10*l.* of Harden. Harden says, "Here is 10*l.*, I wish "you would give it to Francis." I took it, and with that I went out. That is all that passed.

30,901. Was that the evidence you gave in London?—No; I was telegraphed for by Mr. Smith to come to London, and when I went to the "Grosvenor" next morning,—

30,902. You were trying to get 10*l.* for Jones?—Yes.

30,903. Was that what you were examined about before the Committee of the House of Commons in London?—No.

30,904. Did you state that?—No; I was told by Mr. Smith that the man was not telling the truth, and would not go into the box.

30,905. Is that all you know about Mr. Westropp's first election?—Yes.

30,906. Now about Mr. Patton's first election; did you get anything then?—20*l.* from Jarman and 20*l.* from Harden.

30,907. How did you dispose of that?—I paid George Harwood 10*l.*, William Hensley 10*l.*, J. F. Frape 10*l.*, John Lee the gardener 10*l.*

30,908. Had you any money for yourself?—No.

30,909. Nothing for expenses?—No. I was asked to send in a bill for expenses, and I declined to do it. Mr. Smith said, "You have not sent in a bill for "expenses," and I said, "No, what I have done is "for the good of the cause;" and I declined to do it.

30,910. At the next election did you get any money?—Yes; I got 5*l.* from Temblett before Patton's second election.

30,911. How did you happen to get that?—I met Temblett by his door, and he said, "I went to Hobbs "and did not find him there. It is rather late. I "wish you would carry these sums of money to the "parties."

30,912. Had any of them been promised?—No. I paid four men, Charles Hayward 5*l.*, Dr. Matthews 5*l.*, Charles Sprankling 5*l.*, Henry Hobbs 10*l.*

30,913. The day before the election were you introduced to this stranger at Temblett's house?—Yes, I met him at Temblett's door.

30,914. You are a Bridgwater man?—Yes.

30,915. And have been here all your life?—Yes, I was born here.

30,916. You have been here more than 20 years?—I have been here from 1832, and have not been away for more than a month at a time.

30,917. I suppose you would not recollect very much about the stranger 20 years ago?—I think I should. I think I know every man in Bridgwater by face.

30,918. As a boy you do not recollect seeing this man 20 years ago?—No; I do not recollect his being a Bridgwater man. I have no recollection of him before that time.

30,919. (*Mr. Coleridge.*) Did he seem to know his way about?—Yes; he seemed to know everybody in the place better than I did, and he knew where he was going. He seemed well acquainted with the list of voters, and the way in which each man would vote.

30,920. (*Mr. Price.*) He seemed to have a great deal of local knowledge?—Yes, he seemed to be a gentlemanly man, and well up in his business.

30,921. He asked you to prepare this list?—Yes; and I went to Harden, it might be to others—

30,922. I do not think we need take you through that. Were you one who voted in the minority against Mr. Patton spending any money?—Yes; and I think that a Mr. Batten wished him not to spend any money unless he could give 50*l.* to each voter. A clerk named Neal at Mr. Smith's office came to me at a quarter after 6, and told me we had better commence paying.

30,923. (*Mr. Coleridge.*) Who is this Neal? Just tell us something about him. He came to you to say you had better begin to pay?—He was an articled clerk.

30,924. How long has he been with Mr. Smith?—18 months or two years.

30,925. What is his Christian name?—I do not know.

30,926. How does he spell his name?—Neal.

30,927. Where does he live?—I do not know.

(*Temblett.*) In the Taunton Road. I think he is some relation to Mr. Richard Smith's wife.

(*Allan.*) I think he is a nephew of Cuthbert Ritson, the timber merchant.

30,927 *a.* (*Mr. Anstey.*) Has Mr. Smith an old person in his service not a clerk, a servant, a coachman, or anything of that kind?

(*The Witness.*) Walter William Neal is his name. He is an articled clerk of Mr. Smith's.

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THOMAS HENRY BOYS recalled.

T. H. Boys.

(*The Witness.*) Walter William Neal is his name.

30,928. (*Mr. Price.*) Where does he come from?—He was an articled clerk to Mr. Smith.

30,929. (*Mr. Coleridge.*) Where has he gone to?—I think he has gone to London. His articles were changed in consequence of Mr. Smith's illness.

30,930. Did he go to Mr. Smith's agents?—I do not know at all.

(*Mr. Coleridge.*) Then he had not served his articles.

JOHN HENRY WADDON recalled.

J. H. Waddon.

30,931. Now did you get 180*l.* from this stranger?—I did.

30,932. Give us a list of the names distinctly, that the shorthand writer may take them down.—I paid Mr. Bryant for some other voters, 50*l.*, he returned 5*l.*; Henry Hobbs, 40*l.*, returned 7*l.*; Frederick Temblett, 30*l.*

(*Frederick Temblett.*) That must not go down as given to me.

(*Witness.*) It was given to Temblett for some voters. Mr. Smith's Man Friday, I think he called him. Captain Clutterbuck, 10*l.*; Frape, 10*l.*; William Johnson, 10*l.*; John Kibble, 15*l.*; William Smart, 10*l.*; returned to Matthews, 17*l.*

30,933. (*Mr. Coleridge.*) What did you get for yourself?—Nothing.

30,934. Neither before nor after?—No; but in February 1867, Mr. Lilly came to me and said Mr. Smith was desirous of making me a small present. I told him I had always refused. He said, "You may "as well have something."

30,935. (*Mr. Anstey.*) What election was that?—In February 1867, no election, but six or seven months after. He sent me down a small present worth 5*l.* or 6*l.*

30,936. (*Mr. Price.*) What was it?—Half-a-dozen silver dessert forks.

30,937. You got them from Mr. Lilly?—Yes.

30,938. It was by Mr. Smith's wish?—By Mr. Bealy Smith's wish.

30,939. (*Mr. Anstey.*) Had you not left the Liberal party?—No, I never belonged to the Liberal party.

30,940. Is your name "John Henry"?—Yes.

30,941. Are you the John Henry Waddon who is named by Mr. Carslake in his evidence before the Committee of the House of Commons in 1866 as having had the colours of the Liberal party intrusted to him by the party?—No, not by the party. Mr. Faun kept the colours, and I married Mr. Faun's daughter. That is how I got possessed by them. I did not wish to keep them. I told Mr. Lovibond that I would give them back; or, no, I think I told Mr. Smith that.

30,942. A letter was produced in evidence from Mr. Benjamin Lovibond to you?—Yes, I produced that letter.

30,943. "Please deliver to Mr. Smith the colours," &c., and again, another letter, "Mr. Charles Webb "has informed me that you have some flag poles and "will deliver them up." Then he is asked the question, "This Mr. Waddon is the person who had the "flags in his custody since the previous election." and the answer is "Yes."—Well, I will tell you how I had them in my custody. Mr. Faun retired from business, and went into Church Street, and when he got there there was no room to keep them, and he asked me to put the poles in the rope-walk, which I did. After Faun's death I knew I had no business with the Liberal colours, and I said I would give them up to anybody who was appointed to receive them.

30,944. (*Mr. Price.*) Did you give them up?—Yes.

30,945. (*Mr. Anstey.*) Do you recollect whether amongst the colours there was one of a golden or yellow colour, with "Purity of election" on it?—I do not know that I ever looked over the colours and examined them. I think it is very likely. They belonged to the purity party.

30,946. (*Mr. Price.*) Were you at the "Clarence" at all during Patton's election—in the room under the stairs at the "Clarence"?—Yes.

30,947. Was that where the voters were bottled?—I do not think they were bottled.

30,948. They were kept there. There was a man stationed at the door?—There was a man stationed at the door.

30,949. To prevent anybody from the other side getting at them?—There was a man stationed at the door.

30,950. That is bottling to all intents and purposes.—There was a window looking away from the door, and only two or three feet from the ground. Any man could have got out if he chose.

30,951. 1868,—had you anything to do with that election?—Not in the shape of bribery.

30,952. Did you have a conversation with Mr. James Trevor before the election?—Yes, I met Mr. Trevor and Mr. Lilly in the Cornhill, and they said they had heard from Spofforth, and he asked what we were going to do respecting the coming election, and they wanted to ask my opinion whether I thought there would be any chance of success, because, he said, "If Mr. Westropp comes he is going to fight a "pure election." I said, "If he is coming to fight a "pure election, I think there will be a very great "chance of success. I do not think the other side will "bribe against him after the way they have served "him." He said, "Suppose they do, what will our "success be then?" "Then I suppose we shall "bribe too." He said, "Suppose they bribe on both "sides?" "Well," I said, "then we shall lose."

30,953. What made you think that?—Because they have more that take up with it, and they run head over tail, and will buy them at any price.

30,954. Do you agree with what has been stated—that the Conservatives never exceeded 10*l.*?—Yes.

30,955. And the Conservative voters trust to promises, whereas the other side would have "M. D."?—Yes, that is what I expect.

30,956. What was the conclusion of that conversation?—With Mr. Trevor and Mr. Lilly?

30,957. What conclusion did you come to? What was the result of it? What did you understand was the determination? To fight the election as a pure election?—As a pure election entirely; and that Mr. Westropp should look out for another man that he thought would be acceptable to the Bridgwater people, and also acceptable to himself, to come and fight it together as a pure election.

30,958. The same reasoning would not apply to a stranger that would apply to Mr. Westropp. You say that you believed they had behaved so badly to Mr. Westropp before that the other side would not bribe against him; the same reason would not apply to a stranger?—Well, you see, the same men would be working for both candidates, Mr. Westropp and whoever it might be, and what was done for one would be considered as done for the other.

30,959. Did you understand from what part you did take in the election that it was a pure election?—Yes; I told Mr. Brice that I would not have anything more to do with money in my life.

30,960. Do you agree with what others have said—that although no money passed and there were no promises, yet a great many men voted for the Conservatives on the general understanding that if afterwards it was safe to give money, money would be given?—I do not think there was any promise, but I think they expected it, the majority of them.

TWENTY-NINTH DAY.

J. H. Waddon.

27 Sept. 1869.

30,961. They would take it upon trust?—They would take it upon trust.

30,962. That if it was found safe afterwards to give money it would be given?—I have no means of knowing that was the determination.

30,963. But there was a very large majority early in the day?—I was not at the meeting at the "Cla- "rence;" I do not know what was said there; neither was I the night before.

30,964. You have heard nothing of that kind?—No.

30,965. Nor did you hear Mr. Smith's speech about "M.D."?—No, I did not hear that speech.

30,966. Is there anything else you can tell us about the election of 1868?—No; I attended one or two meetings, but heard nothing said about money matters. There was a little drinking going on, which was paid for by those present.

F. Temblett.

FREDERICK TEMBLETT recalled.

(*Witness.*) I have been sent for. I do not know whether I am wanted or not.

30,967. (*Mr. Price.*) It is because your brother-in-law has accused you of sticking to some money?—I do not wonder at that. He has accused people of a great many things.

30,968. You are accused of certain things, and I only thought it fair to send for you. You have a perfect right to come and speak about this, because it is a very grave accusation. He certainly did suggest to this stranger that you and Mr. Jarman had kept money.—I wish you would ask him the question whether he had anything to do with the bill that was issued and circulated all over the town at the time respecting that matter. When he is here I wish you would ask him.

(*Mr. Price.*) I do not care to ask him anything more, because I tell you candidly that I do not believe him.

(*Witness.*) I wish you would ask any of the gentlemen of the party what is their opinion; any of the gentlemen of the party who came before you, what they think of the matter.

(*Mr. Anstey.*) To Robert Bussell's evidence I attach no weight at all, only looking upon it as perhaps affording here and there an opportunity of some clue to some person who will speak the truth; but taking it altogether, I believe him to be a perjured man, and utterly incredible on his oath.

(*Witness.*) I think, gentlemen, my list is quite enough.

(*Robert Bussell.*) I have spoken the truth, gentlemen.

T. H. Boys.

THOMAS HENRY BOYS recalled.

30,969. (*Mr. Price.*) In 1865 were you clerk in Mr. Smith's office?—I was.

30,970. You are now clerk to Messrs. Reed and Cook?—Yes.

30,971. When did you leave Mr. Smith's office?—About August 1866, I think.

30,972. Before 1865 what were you? Before you were at Mr. Smith's office what were you?—I was a clerk in Mr. Philpot's, in Newport.

30,973. When did you go to Mr. Smith's?—Some time in 1859, I think.

30,974. How long did you remain a clerk in his office?—From that time up to July 1866.

30,975. We had better begin with 1859. In 1859 had you anything to do with that election at all?—Nothing whatever.

30,976. In 1865 you had?—In 1865 I had.

30,977. A week before the election did Mr. Bealy Smith call you into his room?—He did.

30,978. Well, what did he want you for?—He said to me, "We want your assistance this end of the town "to work with Mr. Harden and Mr. Temblett to get "the voters to the election. Money will be going. "We want you to assist us." He said, "You make "me out a list of those men that you know, that you "think, you can rely upon to pay, and give me the "list."

30,979. Did you make him out the list?—I said, "Very well, I will make out the list during the "day," and I made out the list and handed it to him. The list, I believe, contained 30 or 40 names of men I knew, and who, I thought, would vote for Westropp. I gave him the list the next morning, and he told me I should have some money; and, I think, the day afterwards, and the day after that again, I saw this stranger. I think Mr. Temblett has made a little error as to how we came together with respect to the man.

30,980. It really does not matter unless it is very important. You got acquainted with him. That is all. Did you afterwards arrange to meet him at Harden's house?—I did. Lists were subsequently made out at Harden's house, and my list was reduced to 22 names.

30,981. (*Mr. Coleridge.*) Was that by striking out doubtful ones, or were those in other lists?—I saw he had got other lists in his possession. He had that which I had handed to Mr. Smith a day or two before. This stranger made out lists from those given to him.

30,982. (*Mr. Price.*) He could only have got your list from Bealy Smith?—Yes, decidedly; nowhere else.

30,983. Did he call at your house on the night of the nomination, with a lady with him?—He did.

30,984. Did he give you anything then?—A parcel of money.

30,985. Was it light or dark?—It was dark when he called; about 10 o'clock.

30,986. Did he beg you not to light the gas?—I asked him to walk in, and I said, "I will give you a "light." He said, "Oh, no; do not light the gas." He had a lady with him. He gave me a parcel and the 22 names, and he asked me if I should be likely to see Mr. Batten. I said very likely I should see him; and he gave me a parcel for Mr. Henry Batten.

30,987. (*Mr. Coleridge.*) Where did he and his lady stay at the time?—At lodgings at a house in Bell Lane.

30,988. At a widow Harden's?—At Mrs. Harden's, I believe the name was.

30,989. (*Mr. Price.*) How much did you have?—220*l.*

30,990. Did you pay all that 220*l.* away?—No, not all of it. I have a list of those I paid. I paid 190*l.* These are the lists prepared at the time. They are very old documents. Charles Browning, William Hellard, Charles Jeffreys, Edward Lane, James Long, John Matthews, William Palmer, James Palmer, Henry James, Charles Tottle, John Cooze, James Fryer, George Pugh, William Baldock Gilbert, John Batten, Thomas Crocker, Thomas Jones, Charles Hook. That was 190*l.*, you will find.

30,991. There is 30*l.* unaccounted for?—10*l.* of that 30 was intended for William Gilbert, the tailor, but he refused to take the money; and another 10*l.* was intended for Mr. Robert Mogg, the tea dealer, who I did not see during the day.

30,992. What did you do with it?—I will tell you. And the other was for Henry Score, whom I did not see. There was 30*l.* unaccounted for. The day after the election I was called into Mr. Smith's office, who told me the rumour respecting Cooze being bribed. I said "It is a most unfortunate thing;" and he said "Yes it was, and it would not suit my purpose or his "purpose for me to have any knowledge whatever of

" the election, and supposing there should be a " petition presented to the House that I was to deny " all knowledge of any transactions with their " office."

30,993. (*Mr. Coleridge.*) How long after that precious advice did Mr. Smith go away?—Well, he has not been gone very long, I think about 12 months, and I remained at the office 12 months after that. I must candidly admit to you that I was weak enough to say I should deny all knowledge of it, and I only regret doing so. Well, then I said, "I have a surplus " in hand; what am I to do with it?" The man that I received the money from had gone directly after the election was over, on the previous day. I told him that I had a balance in hand, and he asked me how much. I said, "30*l.*" I asked him, "What " am I to do with the 30*l.*;" and he said, "Give it " to me, I will account for it." I gave him the 30*l.*, and he gave me 10*l.* He said, "There is 10*l.* for " yourself."

30,994. Had you a vote?—Yes.

30,995. (*Mr. Price.*) Did you tell Mr. Smith exactly who was bribed?—Yes; I produced the list.

30,996. Did you tell him it was done by putting the money down on the ledge of a window in the passage when the man was following you, and that you turned round afterwards and saw the package had disappeared?—I did.

30,997. Did Bealy Smith say, "You can very easily " say—you can very easily swear—that you never " paid any money"?—Yes.

30,998. (*Mr. Coleridge.*) Do you know whether he has come back from Australia?—No.

30,999. Have you ever heard from him?—Never a word.

31,000. (*Mr. Price.*) Is this true about his going away in a state of insanity?—It is said so. I remember once he came from London, and he was nursing a little clock at the "Clarence" that he had brought from London.

31,001. (*Mr. Coleridge.*) What has become of the business?—The business is in the hands of Smith and Boyle.

31,002. (*Mr. Anstey.*) Who is the Smith in " Smith and Boyle"?—I do not know.

31,003. (*Mr. Coleridge.*) Is that old Mr. Smith?—I have heard that he had a share in the business.

31,004. Is it his intellect that directs it?—I do not know at all.

31,005. (*Mr. Anstey.*) Do you know whether it is true that Mr. Smith, who has been unfit for bare excitement for so many years, nevertheless went up to poll at the last election, a particularly exciting election, and polled for Westropp and Gray?—I do not know it.

31,006. If it is so, it has been concealed from us?—I do not know it.

31,007. I should like to know.—It may be so. I do not know.

31,008. (*Mr. Price.*) Do you know that Mr. Smith has been living in Bridgwater within a short time, and that he has only gone away since we have been here?—No, I do not say that. Do you mean Richard or Bealy Smith?

31,009. Old Mr. Smith.—Oh, he has been living about the town.

31,010. His name is still lent to the firm?—I understand that the name is in the firm still. Mr. Bealy Smith is out of it.

31,011. Mr. Boyle could tell us about it?—Yes.

31,012. Now, it is fair to you, Mr. Boys, to ask you at this period of the examination, why did you leave Mr. Smith's employment?—It was in consequence, in my opinion, of the petition of 1866. There is no doubt in the world that Mr. Smith had known, and the party generally had known, that I had gone there and stated what was not the fact; and I received, as it were, the cold shoulder from the party. During the first election of 1866, Mr. Patton's people came in the office and barely spoke to me; and more especially during the second election not one single word escaped from their lips to me respecting that election, and I concluded it was in consequence of Mr. Bealy Smith being so very indiscreet at the first election to employ me at all in it, and being the head clerk in the office, too, it was a most mad thing to do. They did not employ me at all then.

31,013. (*Mr. Coleridge.*) At the last election they seem to have employed Neal?—Neal was quite a lad. He was an articled clerk; and after Mr. Smith's illness, the articles were removed to some firm in London.

31,014. Who were Mr. Smith's agents in London?—Boyle and Son.

31,015. Were they removed there?—I do not know.

31,016. (*Mr. Price.*) Do you mean that although Mr. Bealy Smith knew that you had assented to his suggestion that you would swear in this disingenuous manner (to put a mild construction upon it), after you had done that for the sake of him, to save his office and to save the party, although you had done all that, they gave you the cold shoulder?—Oh yes, perfectly true. This is 12 months afterwards.

31,017. It seems a very strange thing, because by doing that, and running the risk of offending you, Mr. Smith put himself very much in your power?—The petition was all over.

31,018. Yes, but he could have been had up for subornation of perjury at any time, according to your story?—I was acting under his advice and direction.

31,019. And he could have been struck off the rolls to all intents and purposes, upon an affidavit made by you, by the Court of Queen's Bench. By making an enemy of you he was putting himself under your power.—Yes, I believe Mr. Bealy Smith was poisoned somewhat by other people in this matter.

31,020. What had old Mr. Smith to do with you?—Nothing at all.

31,021. He never spoke to you about this?—No, not a word.

31,022. Is there any truth in what has been suggested, that you were turned away from Mr. Smith's employment for having made use of this bribery money?—Never the least imputation.

31,023. A large sum has been mentioned?—400*l.* has been mentioned.

31,024. There are certain things given to us upon information which we are bound to follow up. They may or may not be true. We are bound to follow them up, and of course they have the effect, for a certain time, of creating suspicion on the mind.—I am very glad you have put it.

31,025. Therefore, when a man comes into the box he ought to have an opportunity of denying it?—Never anything of the kind has taken place.

31,026. (*Mr. Coleridge.*) Is Mr. Bealy Smith still an attorney?—I do not know whether he is on the rolls.

31,027. (*Mr. Anstey.*) Is the Richard Smith of Dampiet Ward who appears on the poll book the man of whom we have been speaking?—Yes.

31,028. I find that he voted at the late election for Westropp and Gray, and that fact has been carefully concealed from me, and, I believe, from my brother Commissioners, by every person who has deposed to his pitiable state of health. The story that we have had from his medical adviser is that he has been in a hopeless state ever since 1866 or 1865, being in the middle of the election of 1865, stricken down along with Benjamin Lovibond?—That is so.

(*Mr. Anstey.*) And I must say that it is a material fact for me to have known that his medical adviser and his family did not prevent him from going to the poll at that hotly contested election in December last. I say it is a material concealment, and it is a great deal too bad.

31,029. (*Mr. Price.*) Did he take an active part in that election?—None whatever.

TWENTY-NINTH DAY.

T. H. Boys.

27 Sept. 1869.

31,030. Did he go about the town canvassing?—No.

31,031. (*Mr. Coleridge.*) Who took him up to the poll?—Do you mean at the last election?

31,032. Yes.—I was not aware that he voted until this moment. I thought you were speaking of the election of 1865.

31,033. (*Mr. Price.*) You deny utterly that there is any truth in that?—Entirely.

31,034. You say you had a letter from the stranger?—Yes.

31,035. Will you produce that. Just let us have it; in the envelope and everything.—Shall I read it to you?

31,036. Yes, you may read it.

(*Mr. Coleridge.*) Read it first, and then hand it in.

(*Witness, reading the letter.*) "27th September "1865. Dear Sir. I daresay you have been expecting "to hear from me ere this, but I have been very "much engaged, and taking all circumstances into "consideration I thought it better not to show up "for the present. In order, however, to satisfy some "of the most pressing of the claims, I sent an assistant "down a few weeks ago to do the needful, intending "to arrange with you afterwards, knowing that you "were in no hurry. I am obliged to leave London on "business of importance which will occupy six weeks "or two months; at the end of that time I intend "to come down and meet you and the other trusty "friends of the cause, somewhere near, when we can "discuss the whole business together, and tip you "something for your trouble and loss of time. If you "have any expenses to charge please send me an "account in the course of this week; address as at foot, "and it shall be attended to. It is hardly necessary "to add that the position of matters render it very "desirable that you *watch* the other side, and say "nothing. All will be right at the proper time. "Yours, most sincerely, W. Humphreys. Please "address your letter to Mr. Frederick Field, 6, Clyde "Terrace, Harvey Road, Camberwell Park, S." [*The letter was handed in.*]

31,037. (*Mr. Price.*) Then let me ask you. A great deal has been said about you, Mr. Boys, by Heal. Heal says that you took down a statement of his, and got him to make a false statement in the presence of J. R. Smith, which he could not get out of, and that you told him that he could not get out of it, and you made him sign it, and said it would be produced against him if he swore to the contrary of it.—In defending the petition against Mr. Westropp, Mr. Bealy Smith was extremely anxious as to what Heal was about to say, in consequence of his having very recently left the other side, and, moreover, the report which had been circulated about his keeping back 200*l.*; and he said to me, "How shall we manage "to see Heal? I think," he says, "that he is "desirous to make a statement." "Well, shall I see "him, sir?" I said. "Well," he said, "I think you "had better see him." "Where shall I see him?" I asked. He said, "Ask him whether he has got any "objection in coming over to this office to see me." I saw Heal, and he said yes, he certainly should have an objection in coming to the office at all, but he had a statement at the same time to make about 40*l.* that had been promised to him by Benjamin Lovibond at the same election. I said to Heal, "I will ask Mr. "Bealy Smith where you had better see him." I saw him, and he suggested at his uncle's, Mr. J. R. Smith's. There was a time appointed that we should meet there, and, in the presence of Mr. Smith, Heal made a statement denying all knowledge of bribery and of any money. It was voluntary on his part, and I took the statement down myself, and he signed it. I had no interest in the matter. I was merely a clerk acting on Mr. Smith's instructions.

31,038. It was not done at your dictation?—No, not in any way.

31,039. Nor at Smith's dictation?—Nor at Mr. Smith's.

31,040. How much did you get in all for your trouble of different kinds?—In answer to that letter I sent an account about the expenses which I had paid away, and about a month after the time that I sent the letter addressed to them, addressed to the stranger, another man altogether, who I had never seen before, came down; and he produced a file of bills on my table, and turning them over he came to my account, and said "I have come to pay you a little "money, Mr. Boys." I said, "It will be very accept-"able;" and he paid it and went away, and I never saw him afterwards.

31,041. How much was it?—12*l.*

31,042. What name did he give?—No name at all. After that, about a month, the first man, Humphreys, came down to my house and gave me 20*l.*

31,043. At the two elections you say you were not employed, and your idea is that they gave you the cold shoulder?—Yes.

31,044. What was there that could possibly have induced the party to do that to you?—I have never been able to fathom it to this day. I could never understand it to this moment.

31,045. When did you go to Reed and Cook's?—I think I can give you the date; the 2nd August 1866.

31,046. Then you were in their employment in 1868?—I was.

31,047. Were you employed in the election then by them?—Not in any way. I was engaged in the booth the whole day as check clerk.

31,048. Did you vote for the Liberals?—I did.

31,049. Did you help to make out the briefs for the defence under Mr. Cook's direction?—I did.

31,050. Did you take upon yourself at all to prepare any of the briefs yourself, or were they all made out by Mr. Cook?—People came to the office, and I took down the statements, no doubt.

31,051. You took the proofs from the witnesses?—From the witnesses.

31,052. (*Mr. Anstey.*) Did a man come there with a statement, named George Dyment?—I do not remember the name at all.

38,053. Do you remember Mr. Lovibond sending or bringing a draft proof for Mr. Kinglake?—Yes.

31,054. Did Mr. Lovibond bring it himself, or how did you get it?—Oh, I won't be certain; but I recollect seeing the proof.

31,055. There are blanks left in the fair copy draft, several blanks which have never been filled up?—That I have no recollection of. I recollect seeing the draft proof of Mr. Kinglake, but as to how it came in the office I have no recollection.

31,056. Did Mr. Vanderbyl come to the office, and give instructions about the proofs?—I do not know at all,—certainly not to me.

31,057. Had you been active about the election, the last election?—The last?

31,058. Yes.—I never said a word to a soul during the election.

31,059. Had you been present at, or taken any part in, any conversation to which Mr. Westropp was a party?—Yes, one.

31,060. Where?—With Mr. John Truman.

31,061. Where was that?—In the market house.

31,062. When?—Just a week previously to the petition, before the petition was filed, two or three days after the election.

31,063. After the election?—After the election.

31,064. What took place then?—He told me that they had had money in the town.

31,065. Who told you?—John Truman. He told me that the Conservative money was in the town. That he was down at the "Three Crowns" on the night of the nomination, and a party came in there who they thought was a spy, and they thought it was not desirable to spend the money, although the money was in the town.

31,066. Was anybody else present at that conversation?—No.

31,067. Truman was asked about it, and he said he

would not swear that it had not taken place?—It is a fact nevertheless.

31,068. I asked him the question, and he says he won't swear that it did not take place. He does not contradict you at all. Was that what he said,—that the money had been in the town down to the night of the nomination?—He said the money was in the town. Those were his words.

31,069. Not then,—not after the election?—He said the money was in the town.

31,070. Did he say, "The money is in the town?"—No, there was no necessity for the money being in the town then.

31,071. I want to know what he said. I don't want your argument on it?—I will give you his words, "We had our money in the town, but we "did not like to spend it."

31,072. What did he say about the day of nomination? You mentioned that just now.—He said he was down at the "Three Crowns" the night of the nomination. Lots of them were sitting round there talking and smoking, and that some one came into the passage who he thought was a spy, and he told his party of it, and they were afraid to let the money go.

31,073. That was shortly before the filing of the petition?—Yes, it was.

31,074. Were you present at any conversation during the election at which Mr. Westropp himself was present?—No, certainly not.

31,075. You had met Mr. Westropp in the election of 1865, I think. You had been with him?—I had seen him in and out of the office; Mr. Smith's office.

31,076. Had you been at his committee rooms, or been about with him?—Never about with him.

31,077. You are aware that it was sworn by several of the witnesses—amongst others by Mr. Ford—that you had been seen on, at least, one occasion with him on the hustings?— That may be, on the hustings, but never in the town canvassing.

31,078. I did not ask you about the canvassing. I am told that there is a catch in that word in Bridgwater. "Canvassing" does not mean canvassing, but means something else; and therefore I did not use the word. But had you been about with him?—There is no doubt in the world that I had been with him on the hustings.

31,079. Were you employed for him in that election?—In that 1865 election, by my employer, Mr. Bealy Smith.

31,080. And with Mr. Westropp's full knowledge that you were acting?—I do not know that.

31,081. He says distinctly he knew you?—Oh, yes, he may.

31,082. There was no concealment, I mean, that you were acting by employment of your principal?—Mr. Smith gave me these instructions.

31,083. Was there any concealment of the fact that you were to be busy in the election. Was it to be concealed from Mr. Westropp?—I had no instructions to conceal it from him.

31,084. That is what I am asking you. I wish you would attend to the question.—I had no instructions to conceal it.

31,085. As far as you knew there was no concealment about the fact of your being employed?—As far as I know, none.

31,086. Were you a member of his committee?—Yes.

31,087. Was Mr. Lilly also a member of that committee?—He was.

31,088. Where did it meet?—There were some meetings at Mr. Lilly's office.

31,089. Were you the person that gave the order with regard to the flags and colours at that election?—I ordered several flags and colours.

31,090. And all that was done, was done by the authority of Mr. Bealy Smith, and not found fault with afterwards?—Everything.

31,091. All that was done by you?—Everything.

31,092. And he never found fault with you?—Never.

31,093. When you came down from the House of Commons after giving that evidence—particularly the evidence on the subject of Cooze—did Bealy Smith say anything to you?—Not a word.

31,094. No comment?—Not a word.

31,095. (*Mr. Price.*) Did you vote on that occasion for the Conservative party?—Yes.

31,096. And you mean to represent that since you have been in the employment of Reed and Cook you have voted for the Liberals?—I did.

31,097. Then do you mean to say, Mr. Boys, that the attornies of this town exercise such a terrorism over their clerks that they can get them to commit perjury for the side of politics to which they belong, and to vote for whichever side the masters happen to be?—That is the only instance I know as to perjury.

31,098. As to your vote. Did you vote honestly for the Conservatives?—I voted because—

31,099. Why did you vote so? Was it because you were in Bealy Smith's employ?—No doubt that influenced me.

31,100. And did you vote for the Liberals afterwards because you were with Reed and Cook?—No doubt that influenced me.

31,101. (*Mr. Anstey.*) We have it in evidence that these exclusive dealings which were exercised with regard to attornies' clerks took place with regard to all others?—I think there are one or two clerks in the town who voted differently from the way their employers did.

31,102. Then there are exceptions?—I think so.

31,103. Then it is not true?—Not strictly, I think.

31,104. (*Mr. Coleridge.*) Who, do you say, can tell us most about the present constitution of Mr. Smith's office, Mr. Boyle?—I should think he could. He is still in the firm; and I should think he is the man who can tell you.

MR. WILLIAM CARVILL BOYLE recalled.

Mr. W. C. Boyle.

31,105. (*Mr. Price.*) Just tell us, what is the constitution of your firm now?—I am practising by myself now.

31,106. Is there no firm of Smith and Boyle?—There is no firm. No.

31,107. Has Mr. Smith, the old man, you know—has he been in your firm up to a late period?—Oh no; he has not been able to practise for some time. I think I will explain to you.

31,108. Just tell us, was the firm Smith and Boyle at one time?—Yes, it was.

31,109. Then who was the Smith then?—Mr. Bealy Smith was the Smith then.

31,110. Was the other Mr. Smith ever in the firm?—He was a member of the firm of Richard Smith and Son. I will explain to you how I became connected with it. My father had been London agent for Mr. Richard Smith ever since he had been in practice, and in fact of Mr. Smith's father before him, and some two or three years ago Mr. Richard Smith was stricken down with paralysis, and then his son, Mr. Bealy Smith, carried on the business entirely by himself, but his father was in partnership with him, and he carried it on under the name of R. Smith and Son, although his father was quite incapable of any business. Then in March 1867 Mr. Bealy Smith had a very severe attack of illness, something connected with inflammation of the brain or something of that kind, and then the business being deprived of both of its heads was in a very perilous position, and Mrs. Richard Smith then wrote to town to my myself and my father, who were practising in partnership in town under the firm of Boyle and Son, and stated the unfortunate position in which they were in conse-

TWENTY-NINTH DAY.

Mr. W. C. Boyle.

27 Sept. 1869.

quence of the illness of both father and son, and asked if we could suggest anything to relieve them in the matter, and then it was arranged that I should go down at once to take charge of the business for them, and, in fact, I did take charge of the business through the whole of Mr. Bealy Smith's illness; and then he recovered from his illness, and it was then a very serious question as to what was to be done with the business. In fact, then, there was a question as to whether the business should not be disposed of, but the disposal of it to a mere stranger would have caused such a sacrifice, and it was my desire that Mr. Bealy Smith should still remain in the business, and then it was arranged between us that he and I should enter into partnership, and Mr. Richard Smith assign to us the whole of his interest in the previous firm of R. Smith and Son—should assign to us the whole of his business, and articles of partnership were entered into between us in September 1867. Well, then, a few months after the partnership articles were signed Mr. Bealy Smith, to my great surprise, expressed a determination to go out of the business altogether, and also to leave the town. Well, I tried as far as I could do to dissuade him from doing so, and he was persuaded to remain for a certain time, and he came back at intervals for a few days to the office, but after that he was so determined to leave the firm and to have nothing at all to do with the business that a deed of dissolution of partnership was subsequently signed between him and me, and I now carry on the business under the name of "Smith "and Boyle." I simply retain the name "Smith" in the business as a matter of policy.

31,111. To identify the office?—Yes.

31,112. (*Mr. Coleridge.*) Did Mr. Bealy Smith give you any reason for leaving the business?—No, he did not give me any reason, but he was very strange, and I think he was a little soured. I do not think he felt his position was the same in the town after his illness as before.

31,113. That is, after the petition?—No; not referring to the petition in any way. I think that he was rather soured politically. I think he considered that his illness had been the cause of his losing the leadership of the Conservative party in a great measure, and I think he was soured by that.

31,114. What has become of him now?—He is now in Melbourne. Some month (I think it was September) last year he sailed for Melbourne.

31,115. (*Mr. Anstey.*) Now, Mr. Boyle, you have had a subpœna served upon you to appear before this Commission, served upon you in the very first week after the Commission was issued, or in fact as soon as the Commission issued. Well, I want to draw your attention to the fact that although asked for again and again we have not obtained any briefs or drafts of briefs, or proofs or drafts of proofs, on your side, the Conservative side of the question, in the case of the election petition of 1865-6. It was proved in evidence before us by our chief clerk that the only papers received from your agent in London are worthless papers, manuscript copies of what are already printed in the Blue Books, namely, the minutes of evidence, and those are labelled "All the "papers in our power." From your firm we have received not a single document of any kind, not even so much as a letter, and that is the only firm of solicitors which has not communicated to us all the papers they were bound to disclose; have you any explanation to offer?—Oh yes, I will explain that to you perfectly, and I also explained it to your secretary. I have not a single paper relating to election matters in my office, and I will tell you how that is: I think it was about a month after Mr. Bealy Smith and I entered into partnership Mr. Bealy Smith informed me that there were in the office certain papers relating to the election, to the elections in fact, and he had determined to send them away. He said, he considered now—we might consider now, that we were a private firm entirely, and that we ourselves, as Smith and Boyle, would have no connexion with election matters, and he said all the papers had better be sent away, down to his father's. I had nothing at all to do with it. I had no connexion at all with the elections, and I believe, as I was afterwards informed, that he had all the papers, whatever papers there were in the office relating to election matters, taken away, and taken down to his father's house, to Bingford House, where his father is living.

31,116. The old man who is said to be paralytic?—Yes.

31,117. A man who is too old to answer the smallest question put by a Commissioner but not too ill to go up on a contested election and vote?—I believe he simply drove up in his carriage, and Mr. Carslake came to the carriage and very kindly took his vote.

31,118. I suppose he had exercised his judgment before voting?—I have no doubt he had exercised his judgment before voting for the Conservative party.

31,119. (*Mr. Coleridge.*) Do you suppose Mr. Smith has still got those papers?—No, I believe they were burnt by Mrs. Smith. She told me.

31,120. When?—I think about the beginning of this year.

31,121. Since the petition was disposed of by Mr. Justice Blackburn?—Well, sir, I think it must have been after—after the petition was filed.

31,122. With a full knowledge that Mr. Justice Blackburn had reported that corrupt practices extensively prevailed, and therefore with a view to the impoverishment of this Commission of what means of information it otherwise might have had?—That I cannot speak to. I was not aware of it myself until about a week or two since. Mrs. Smith informed me a week or two ago. I was not aware of what had been done with the papers.

31,123. Will you tell me, Mr. Boyle, as the propriety of examining or not examining Mr. Smith has been discussed, who took upon himself the serious responsibility of sending him away?—I believe it was his medical man, Dr. Farmer.

31,124. After he had been told that we were discussing the question?—That I do not know.

31,125. Is it the same Dr. Farmer who proposed Dr. Parker to take the chair at the public meeting in this hall, at which the Conservative candidates, Westropp and Gray, were adopted?—Oh yes, the same.

31,126. A strong politician therefore?—Oh yes.

31,127. (*Mr. Coleridge.*) Did you ever have any conversation with Mr. Bealy Smith about the stranger at any time?—Oh no, we never had any conversation about election matters. He merely sent away the papers, and we had no other conversation about them. I concurred with him as to the advisability of our having nothing to do with them, the new firm, nothing more.

W. Cooper.

WILLIAM COOPER sworn.

31,128. (*Mr. Anstey.*) Do you remember being with Mr. Batten,—I think with some friend of Mr. Westropp and Mr. Gray, on the night of the nomination—on the day of the nomination at the last election?—I recollect being on the Cornhill or somewhere in the High Street, and some one said to me (I do not recollect the name, I cannot recollect who it was)—

31,129. Can I recall it to you? Do you remember going into the "Clarence" to see Mr. Lilly?—Yes; he said to me, "There's a meeting at the 'Clarence,' "would you like to go in?" I said I did not mind. I went into the "Clarence," and went upstairs into Westropp and Gray's room. When I got there I was about the last going into the room. When I arrived there I found Mr. Joseph Richard Smith, the

two Mr. Trevors, and Mr. Lilly. There were about eight or 10 altogether, and of course Mr. Westropp and Mr. Gray was there.

31,130. Tell me what you said when you went in?—I did not say anything. I was listening to what the others said.

31,131. What were they talking about?—Someone said—

31,132. What was his name?—I cannot recollect.

31,133. Very well.—That no doubt the other party would spend money, and unless we were prepared to spend money the election would be lost, and with that some one said Mr. Westropp and Mr. Gray had better leave the room.

31,134. Oh, they were in the room?—They were in the room when those words were said. Mr. Westropp and Mr. Gray went out of the room, and it was then that Mr. Trevor, I believe (I am nearly certain it was), said that if any money was spent he would have nothing to do with it, and Joseph Richard Smith spoke up and said, "If we had money or "could provide money, is there any of you gentlemen "who would like to risk going to Taunton gaol for "two years?" and we all said "No, oh no," and it was then decided that no money should be spent.

31,135. Who decided it?—The meeting, those who were there.

31,136. Unanimously? Was there any objection or any opposition to it?—I do not recollect that there was.

31,137. Did anybody say the election could not be won unless there was?—I believe the remark was made, that unless money was spent the others would be sure to do it, and the election would be lost. I believe that was said.

31,138. How long were you there?—Well, half an hour, I should think, altogether.

31,139. And then at the end of it you understood that there was to be no money spent?—No money spent. And Mr. Gray spoke up and said, "Let's have "a pure election, gentlemen; if we lose, we lose." That was Mr. Gray's remark. He sat on the sofa when he came back.

31,140. He came back. Did Mr Westropp and Mr. Gray both come back?—They both came back.

31,141. What did they say to Mr. Westropp and Mr. Gray when they came back? What was said to them?—I really do not recollect what was said.

31,142. You do not recollect that they were told that in their absence the others had been discussing, and what they had determined upon?—I expect they must have been.

31,143. Then did you go out?—I went out of the room, but this was not midnight. I should think it was about 9 o'clock. I went out of the "Clarence," and told several people that I had been to the "Clarence" at a meeting, and that no money was to be spent, that it was to be a pure election. I told Truman the same words at my door, I think it was.

31,144. What was stated by a witness was this, that a few of you were met in the street talking outside about the election about 11 or 12 o'clock at night, and that the opinion was generally expressed that if there was no money spent it would be lost, and that it was desirable to ascertain whether or not, and what was meant to be done about money; that you were deputed to go into the "Clarence" and ask some of the leaders there what was to be done, and that you went in and saw Mr. Lilly, or at least you come out and reported that you had seen Mr. Lilly, who had told you positively that no money was to be spent; upon which the witness said he went home and gave up the election as lost. I was not in the "Clarence" after that meeting, and I did not want to go into the "Clarence" to know whether there was any money to be spent, because I knew it before. That was a mistake.

Mr. William Brice sworn.

Mr. W. Brice.

31,145. (*Mr. Price.*) Mr. Brice, you are a professional man; we will deal with you as with the other professional gentlemen, leaving you to make any statement.—I purpose commencing my evidence from the time I come to Bridgwater, and I think I shall take a very short time to give you my statement, leaving you to ask any questions you think proper. In 1856 I came to Bridgwater and commenced practice in offices previously occupied by Mr. Gooding. I did not purchase his practice. I came purely on my own account. Shortly after I came Mr. Benjamin Lovibond came to me and said "Your predecessor, "Mr. Gooding, who occupied your offices, has been a "warm supporter of our cause. What course do "you intend to adopt?" I told him "Really," I said "I have not given my attention, I have no vote, "and as far as this election is concerned it is perfectly "immaterial."

31,146. Did you know before you came to Bridgwater what an important part the lawyers played in the drama here?—Yes, I perfectly understood that, but I thought it would be 10 years before they would be trusted.

31,147. Before they were made Freemasons?—Yes, before they were made Freemasons or Shepherds. But Mr. Lovibond said "Will you accept a retainer?" I said "I have not the least objection to accept a "retainer, but I have no vote, you understand." I believe I received 25*l.*, which was published in the printed returns. I canvassed for the members from time to time, and I neither gave money, nor promised money, or employment, or anything of the kind. I don't believe any money was spent as far as within my knowledge and belief; and as far as that election is concerned I have nothing more to say. That was 1857. In 1858, that election I should tell you—

31,148. At your first election you acted upon your retainer of 25*l.*?—My retainer which was published.

31,149. And you did what you were called upon to do as a legal adviser, legal agent?—Yes, to canvass as legal agent. I had no vote.

31,150. What did you do?—I canvassed from time to time and attended their meetings, but I did nothing more.

31,151. Make speeches for them?—I do not think I was trusted.

31,152. At that election Mr. Follett was the Conservative and Tynte and Kinglake Liberals, and the latter two were returned.—Yes; in 1858 I had a vote.

31,153. The next is 1859?—In 1859 I had a vote, and I intimated to Mr. Lovibond that I could not vote for Mr. Kinglake and I certainly could not accept his money, and I then had a retainer from the other side.

31,154. (*Mr. Anstey.*) From which side?—The Conservatives. Mr. Richard Smith came to me.

31,155. (*Mr. Coleridge.*) What was that? How much?—In 1858, 25*l.* only.

31,156. In 1859, you mean. You got your vote in 1858.—In 1858 I got my vote, and I afterwards intimated to Mr. Lovibond that he must not consider me in any way as concerned. At that election Mr. Padwick came down as a Conservative, and Colonel Tynte and Mr. Kinglake as Liberals. It was rather unfortunate, for as soon as Mr. Padwick's name was announced Mr. Smith and I had a serious altercation. I contended that he had a man palmed off upon him whom I could not support, and many of our party had serious doubts which way to vote or whether they should vote at all. It was only after considerable pressure had been put upon Mr. Auber and several others that we were induced to countenance Mr. Padwick. I thought then of him as I think now. It was understood at that election that Mr. Padwick came down to win his election, which of course means spending money wholesale. I believe at that election money was spent by Mr. Padwick, and not any money

was spent by Mr. Westropp, excepting 200*l.* I am wrong there; at that election I believe money was spent by Mr. Padwick and 200*l.* by Mr. Westropp; that money was spent by Tynte and Kinglake or one of them also.

31,157. (*Mr. Price.*) Mr. Padwick went away early on the day of the polling?—So he did.

31,158. Like Mr. Kinglake last time. He did not stay to fight the battle out.—In those days, and frequently now, an election is won or lost by 10 o'clock. All the doubtful voters are pushed to the poll before that time, in order that they may not be contaminated by the other party, and then the election is safe.

31,159. Mr. Padwick did go away.—He did go away. By 1 o'clock the election is either won or lost.

31,160. (*Mr. Anstey.*) As far as I recollect, the evidence goes the other way?—No, I think with this particular qualification, sir.

31,161. The evidence is that every single election has been turned by voters brought up at a later period of the day, as in the case of Bagehot's defeat, in the case of Patton's defeat, and in the case of Westropp and Gray's defeat?—Yes, but with this exception, that on those occasions money was spent sparingly, and here they spent their whole funds days before, a week before.

31,162. (*Mr Coleridge.*) What did Mr. Padwick spend?—I believe 2,500*l.*, but I believe a great deal went into improper hands as far as I haye always understood. However, Mr. Padwick went away by express train, and he said if he ever came again, he should come for the other side.

31,163. Did Mr. Padwick like the rest, take care to know nothing about his agents?—I have no doubt.

31,164. And to be surprised by the corrupt practices?—I have no doubt he will take care to say that he knew nothing of it, because he was purposely kept ignorant of it.

31,165. (*Mr. Anstey.*) A story was told by a former witness, of money being laid on a window ledge instead of being put into the hand, and of kissing the thumb instead of kissing the book?—I have no doubt there was a great deal of that.

31,166. (*Mr. Coleridge.*) Do you know whether Mr. Padwick brought the money down himself?—No, I do not know that he brought the money down himself, I don't believe he did. I believe Mr. Westropp spent some, and Mr. Padwick found the rest; the arrangement being that if they both won Mr. Westropp should pay half the expenses, and if they lost Mr. Westropp should pay 200*l.* and Mr. Padwick the rest. Then Mr. Westropp was the second horse, and whenever there were any split votes it was arranged that Mr. Padwick should have them. Then as to Tynte and Kinglake, a great deal of money was spent on their behalf, and Mr. Kinglake was generally supposed to have gone in on Colonel Tynte's back.

31,167. Don't you know that he had a great deal of money from Mr. Bate on that occasion?—Mr. Kinglake had. I did not know it until in the course of this inquiry, and I was astonished to hear that statement made. In reference to that election I should tell you, I never knew until these proceedings that even a petition was threatened. I was on unfriendly terms with Mr. Richard Smith, always have been, and I believe that was the commencement of it. I have heard since that a petition was threatened and purchased off for 1,200*l.* which Mr. Padwick put in his pocket.

31,168. (*Mr. Anstey.*) How was that?—Well, sir, he left the other people in the lurch, and took the whole of it.

31,169. Who paid the 1,200*l.*?—I believe Colonel Tynte. You must please take this from what I have heard only. I have reason to believe that this 1,200*l.* that Mr. Padwick got by this petition was paid in London; that Mr. Padwick got hold of the cheque and said, "Now gentlemen, I shall have plenty of "money," and he put it in his pocket and walked off with it.

31,170. (*Mr. Coleridge.*) Is not it more likely that Colonel Tynte had the money, being in difficulties?—No; but then Colonel Tynte had friends. He had a father living at that time.

31,171. (*Mr. Anstey.*) We had it in evidence that there was then pending an action at law, and a rule for a criminal information against the Tories, and the petition against the Liberal sitting members was a set-off, a sort of mutual credit set-off, against the proceedings at law, and on the Attorney General entering a *nolle prosequi* in the criminal case, and on the plaintiff discontinuing his action it was agreed that the Tories should discontinue their petition against the Liberals?—I believe it is true.

31,172. Well, then, you say 1,200*l.* over and above that went into the pocket of Mr. Padwick?—I have heard a floating rumour of that kind for the last two or three years.

31,173–4. It would, probably, take the form of a bet?—Very likely. I have heard a floating rumour for the last two or three years, but never thought it worth while to inquire into it, but lately I have inquired, and I fully believe that Mr. Padwick put it in his pocket.

31,175. He is supposed to have great talent for managing?—I do not know if it is called talent. The end of it was that Tynte and Kinglake were returned, and Mr. Padwick and Mr. Westropp were nowhere, and the election was won by 10 o'clock in the morning by wholesale bribery on both sides, and the result was a threatened petition, and I have since heard there were several prosecutions, one against Heard and one against Smith. I have heard that the terms of the compromise of the petition were that those actions should be withdrawn, and a certain sum of money should be paid on the nail, which Mr. Padwick of course obtained. Then we met afterwards Mr. Richard Smith, we came to be paid our fees. I should tell you that the greatest fee I ever received was about 40*l.* for the whole thing. Mr. Smith came in with a long face and said, "Well, you know, we've lost the elec- "tion. I think it right to tell you that before enter- "ing on this contest I made an arrangement that if "I did not win I would take nothing for my ser- "vices." I remarked, "That is very unlike you, "Mr. Smith," and at the time I did not believe it; but, however, he pledged himself that he had agreed to take nothing for his services, and we abated our fees to make up a fee for Mr. Richard Smith, the Trevors and myself. I do not know about Mr. Auber. I rather think Mr. Padwick's presence determined Mr. Auber not to touch it, but however, we abated our fee from 50*l.* to 40*l.*, that is 50*l.* for the two, or 25*l.* each, and we paid the other to make up a fee for Mr. Richard Smith. We had another altercation on his bringing such a man down, and it ended by saying, "It is no good now, let by-gones be by-gones," and we determined not to be palmed off by the card on anything else. However, we paid our fees back to make up a fee for Mr. Richard Smith, though we were under the impression that there was no occasion to have done so. The next election I neither gave money nor promised money. I took very little part in the election except canvassing with the members, and I frequently dined with them. I was neither party nor privy to bribery of any kind. The next election was Sir John Shelley's. He came down. It was Shelley, Kinglake, and Westropp. That was a three-cornered election. I should tell you after 1859, in the year 1865, Mr. Padwick, it was perfectly determined, could never come again, and therefore Mr. Westropp had the field, as far as the Conservatives were concerned, to himself. A great intimacy seems to have sprung up between Mr. Richard Smith and himself, and he frequently stayed at his house and was an accepted

guest whenever he liked, and he nursed the borough from 1859 to 1865. In the year 1860—he spent two or three hundred a year—whoever asked for money seemed to have it, and he spent money (I used to think) in a very absurd way. I remember Mr. Trevor and myself waited on him in the year 1861. We asked Mr. Westropp for an interview. That interview was granted, and we said "Mr. Westropp, we feel that you "are under the impression that the money you are "spending will promote your interest at a future "election. We think it right to tell you as solicitors "on the Conservative interest that we do not think "the money now given will help you one iota. We "think that all these follows you are giving money will "have to be bribed again, or else they will vote on "the other side." [A pause] I think I left you at the election of Sir John Shelley, Mr. Kinglake, and Mr Westropp in 1865. Mr. Westropp nursed the borough as he termed it, or as it has been termed, from April 1859 to 1865, but a year or two afterwards, seeing Mr. Westropp spending money as we thought in a profligate way, Mr. Trevor and myself had an interview with him, and we stated that it was very kind of him to do as he had; he had been, no doubt, kind to many people, but we thought that if his object was to promote his election at a future time it was a mistaken notion. We were desirous of putting ourselves straight, so that if he did so it was at his own hazard and not on our advice. We thought we were under the imputation of advising a man to spend three or four hundred a year uselessly.

31,176. (*Mr. Price.*) They would take his money, and would have to be bribed over again?—We told him our impression, and he said "Oh, I will tell "you what," he said, "You know it all comes out of "my income; I may as well spend it here as any-"where else." We said "If that is the case we have "not another word to say; we hope you will stay "here to all eternity."

31,177. (*Mr. Coleridge.*) Had you a retainer?—No, I never received a halfpenny at this election.

31,178. Then how did the money go?—If a man was in distress and could not pay his rent he would give him 5*l*.

31,179. Did you receive anything for registration?—I never received a halfpenny for registration. I think he paid Mr. Smith 20*l*. a year. I am subject to correction.

31,180. Did the money go to pay up the rates?—No, it was not necessary till just before the election.

31,181. (*Mr. Anstey.*) Mr. Brice, it will throw some light, if we want any, on Mr. Westropp's motives if you're able to inform us, ay or no, whether Mr. Westropp has been equally charitable and bountiful since the entire failure of his hopes by consequence of the particular wording of Mr. Justice Blackburn's judgment as he had been before the last election?—He has not.

31,182. (*Mr. Price.*) It was a hopeless case?—In fact, I would not be a party to it as long as I had any influence in the matter. I think it a sort of genteel swindle that Mr. Westropp should spend his money; it could be no other motive than to promote his election. I am not green enough to suppose that Mr. Westropp would come down here and spend two or three hundred a year for charity. Well, after that observation, in which I am glad to be corroborated—after Mr. Westropp's observation, which was generally discussed in the town and which was generally known, we allowed him to spend as much money as he liked, and I believe he spent something like two or three hundred a year in giving to people who wanted money, and to various public charities of the town. The registration at that time was looked after by Mr. Richard Smith. I do not want to throw dirt on him in his absence, and I should be sorry to say a word reflecting on him, except this, that as Mr. Richard Smith at that time was the leader of the party, and had the whole control of the election matters, and no one else had anything to do with it.—I do not say this to favour myself, because I am ready to answer any questions you may ask me afterwards, but that is really a fact—that we were never consulted except just pending an election, when we may have been consulted as to the course to be adopted.

31,183. (*Mr. Price.*) Had Mr. Smith got himself into that position by talent or by hereditary heirship, or what?—Why, Mr. Smith's father, sir, had occupied a very prominent position here as a pawnbroker and had considerable influence, and I am bound, in justice, to say that Mr. Richard Smith—I consider him a man of talent—I did consider him a man of talent, and I do consider him, as elections are carried on here, a very able person, and if he had merely had control of temper and judgment he would have made a very good man.

31,184. (*Mr. Anstey.*) A money lender I believe, Mr. Brice, has very considerable influence on both sides?—No doubt.

31,185. Mr. Benjamin Lovibond, was he not a money lender?—Yes. I am not aware that Mr. Smith was a money lender in that sense.

31,186. A pawnbroker is a money lender. That was his father, Joseph Richard Smith. He succeeded his father.

31,187. The money lenders have considerable influence at elections and otherwise?—No doubt, considerable influence. A pawnbroker necessarily must. Mr. Benjamin Lovibond was a money lender. He had a greater facility for lending other people's money than Mr. Smith.

31,188–9. I mean more particularly in his later days, was not he a money lende?—Oh yes, for many years, and he is supposed to havemade a great deal of money by it. However, in the 1865 election, which was between Sir John Shelle and Mr. Kinglake on the one side, and Mr. Westropp on the other, that election, I believe, was a pure election so far as Sir John Shelley and Mr. Kinglake were concerned, except with respect to treating. Mr. Westropp no doubt spent a lot of money, and got returned, I think, by a majority of nearly 100; by between 90 and 100.

31,190. (*Mr. Anstey.*) You have heard the evidence of Robert Bussell about Henry Vearncombe?—No, I have not. I daresay I have heard the case.

31,191. When he admitted having received an I. O. U. before the election, and also admitted his having had that I. O. U. cashed, and that he got 15*l*. or 18*l*.?

(*Mr Price.*) 15*l*.

31,192. (*Mr. Anstey.*) In coin, which he jingled on the night of the nomination, and either in the neighbourhood of Mr. Henry Lovibond's, Mr. Benjamin Lovibond's, or Messrs. Reed and Cook's offices?—I think it is very likely to be true.

31,193. You think it is very likely to be true?—I do, because money was spent wholesale by Mr. Westropp at that election.

31,194. (*Mr. Price.*) No, it was the I. O. U. from the Liberals he said he had got?—I never heard of that before.

31,195. Your opinion coincides with the opinion on the other side, that, with the exception of treating at Kinglake's and Shelley's election, they did not spend any money at all?—They did not.

31,196. (*Mr. Anstey.*) You have not heard anything about promises?—No.

31,197. You have heard about the statement made by Mr. Henry Chapman Bussell, that, although he had every reason to believe that Mr. Benjamin Lovibond had bound himself by a promise not to corrupt, that he told the corruptible voters that there would be money, and that they had better wait?—My impression is this, that no promises were made, but that they were led to believe money would be going at the proper time.

31,198. That is a very slight distinction?—Yes. I qualify it in that way, and I quite believe that, but I do not think there was any promise made to meet the Liberals, and that Mr. Westropp should spend

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money. It is likely enough that Sir John Shelley never spent any money. It is mere hearsay.

31,199. (*Mr. Anstey.*) Do you remember how many cases would have gone up, or could have been proved against them, if the inquiry had then taken place. There were upwards of 110 cases altogether and only seven inquired into?—I will show you the position I was in with Mr. Smith. I was not on friendly terms with him. I was not subpœnaed on the petition. I was out of the place, and I took the opportunity of going out of town in another direction, and did not attend. I did not go near London the whole time.

31,200. You did not have anything to do with it?—Not the least, in any shape or form. I said I would not have anything to do with Mr. Smith in any shape or form. I think that Mr. Kinglake and Sir John Shelley did not spend any money, except for the purpose of treating, but I think the voters waited till the last moment, hoping it would come, and I have no doubt it would come. They had the hope of money in their minds. I should tell you at the end of the day, about half-past 2—of course the election was entirely in the hands of the Conservatives, it was in our power to return Mr. Kinglake or to have returned Sir John Shelley—a meeting took place between several of the parties as to whom we should return. Sir John Shelley, I should tell you, was the popular man. Mr. Kinglake was considered the literary man.

31,201. (*Mr. Price.*) And not popular, therefore?—And not popular. I think not. Mr. Kinglake's friends were close friends—that is men of some little position and standing. Mr. Kinglake's friends are very strong friends of his. Sir John Shelley, I think, was the friend of the Apollo meetings, he was a chairman of meetings, and so forth, and was a very popular man.

31,202. And with the ladies too?—And with the ladies too, and with the men too.

31,203. (*Mr. Coleridge.*) And was not there an idea that Mr. Benjamin Lovibond would throw over Mr. Kinglake?—Mr. Benjamin Lovibond was not a strong admirer of Mr. Kinglake, he was an admirer of Colonel Tynte; he was a Tyntite and Henleyite, and not a Kinglakite. A meeting took place at half-past 2 as to whether we should return Sir John Shelley or Mr. Kinglake. Some were in favour of returning Sir John Shelley, and others were in favour of Mr. Kinglake. We thought, "Well, let us return the man "who will not petition." That was discussed, we said, "Well, Mr. Kinglake's friends are the most "respectable people here, and more likely to have an "influence," and we returned, on special invitation, which I shall have hereafter to allude to, we returned Mr. Kinglake, although we found out afterwards that the friends of Mr. Kinglake were most active in supporting the petition.

31,204. (*Mr. Price.*) Was it not the understanding that they should not favour the petition?—No, there was no understanding of that sort. These men were sent up like a flock of sheep to vote for Kinglake and Westropp, and I think a great number split their votes for them, and a petition was presented against the return, and I never went up to it.

31,205. (*Mr. Anstey.*) Nor were you present on the hearing of the cross petition against Mr. Westropp?—No, I did not. I think there was an action threatened against Mr. Lovibond for words used against Mr. Joseph Smith, on the hustings, which were said to be slanders, but which I think were true, but, however, the greater the truth the greater the slander.

31,206. (*Mr. Price.*) Not under Lord Campbell's Act?—However, that is so, I believe. We got in Mr. Westropp; he was a strong favourite, and of course he was popular with a certain class of people in consequence of the great amount of money he spent, and for the money he spent besides upon so-called charities that you have heard of, and he was especially popular with the old women. If you went to canvass with him you would find he would almost get pinned up to half a dozen of them. I had nothing to do with bribery, I never bribed a man nor promised a man, and I never touched the money in any shape or form. After that petition a strong feeling sprang up in favour of Mr. Westropp; many people thought he had been an ill-used man, as it was thought perfectly clear that the party who had petitioned against him, although they might do that, they were not pure in themselves, and therefore that they petitioned with a very bad grace, having at previous elections had to do with bribery.

31,207. (*Mr. Anstey.*) Now comes the election of 1866?—That was in consequence of Mr. Westropp being declared not duly elected. The next election came on the 7th of June 1866. Very little notice of that election was given; Mr. Patton came down here on the one side, and Mr. Bagehot on the other. Of course at the time Lord Derby's government had just got into power, if I remember rightly, and it was considered everything to Mr. Patton (whose death I greatly lament) that he should get into Parliament. No doubt Mr. Patton's accession to Parliament would be an accession to something else, which may be bribery in some other shape. Probably, I ought not to designate it in that way.

31,208. (*Mr. Coleridge.*) It was probably useful to the town?—It was probably useful to the town. The money was spent on behalf of Mr. Patton.

31,209. (*Mr. Price.*) Mr. Westropp introduced him?—No, I do not think Mr. Westropp introduced him. What I think is, that Mr. Smith introduced him, or Mr. Westropp fathered him, took charge of him when he was down here. Mr. Westropp, I think, had a certain experience of this borough.

31,210. Was he so much a father to him do you think, that he opened his purse to him as well as his arms?—I think so.

31,211–12. You think Mr. Westropp found the money for him?—Not himself. I think it will appear by-and-bye that Mr. Westropp did all he could to promote his election, and I will not say that he was not privy to it, but that he was not a party to that. Mr. Patton came down and was opposed by Mr. Bagehot. Money was spent on both sides, and Mr. Patton's election was hopeless at 12 o'clock. The Liberals of course thought that they had 280 or 290 votes, or something of that kind. However the Liberals thought, they had enough to win the election, and that we could not win it, spend what we liked. By "we" I mean the party. Later in the day the different voters got out of the public houses voters who had been holding out. I might mention that if you poll in the morning you may get your 10*l.*, if you wait to the afternoon you may be paid 25*l.* Some speculate and wait for the 25*l.*, and some secure the 10*l.* An interview took place as to whether it was possible to win the election; it ultimately resulted, I think, in Temblett, Harden, and one or two others being instructed by Smith, that if they could get a certain number of men together, and bottle them up for a certain time, and these men were left to turn the tide, that they would win the election, but it would be no good to get less than 30. These men were got and the money was subscribed.

31,213. (*Mr. Price.*) Did you subscribe?—No, I was not a party to it. On that election, fortunately I should say, it was my province to take charge of the southern booth, and I was in the booth the whole day. I was not in the committee room of the "Clarence" or in any committee room all day, and I was not present or party or privy to getting that money in any shape or form. However, these men were got together, and some of them would have gone to the Liberals for a soverign, and some of them for 10*s.* These men were got together and were paid their 10*l.* or 15*l.*, and it resulted in the return of Mr. Patton by seven, which was considered a great constitutional victory.

31,214. (*Mr. Coleridge.*) You do not think Mr. Westropp found this money?—No, I do not think Mr. Westropp found this money, but I think he knew all about it.

31,215. (*Mr. Price.*) You say he knew all about it?—From what I have heard; as I have told you before I had charge of the southern booth; what I heard was this, all the available money was expended, and it was necessary to get some 300*l.* or 400*l.*

31,216. That we know to have been subscribed?—That was subscribed, and it was enough to carry the election.

31,217. That was whipped up?—That was whipped up.

31,218. And that was repaid afterwards as we know by Mrs. Smith?—I do not know at all.

31,219. What I was asking you was this, have you any idea where the money, which was expended and which was brought down for the purpose of bribery at Patton's election, was found?—I was under the impression it was under the control of Mr. Pitman.

31,220. (*Mr. Coleridge.*) Was he here during the whole of the time?—He was during the day of the election; Mr. Pitman was Mr. Patton's agent. I do not say it was brought by himself; it was brought through his instrumentality, and he pulled the strings. I may be wrong but I think so, and Mr. Westropp did all he could to promote Mr. Patton's election in every shape and form, and I believe he did it good service. I never bribed or promised a man money, nor did I see the money.

31,221. (*Mr. Price.*) Were you paid for your services at that election?—I think I got for that and the next election 40*l.*; from that to 80*l.*

31,222. (*Mr. Coleridge.*) You say you did not see the money nor bribe with it, but you knew all about it?—Well, certainly I did, and so did every man, woman, and child in the place. In fact you could not help knowing it. I do not think there was anyone within five miles of the place who did not know it, unless they wilfully avoided it. It is an absurd thing for one side to spend money and the other side not to spend money, if you mean to make a contest of it. However, it ended in this great constitutional victory being obtained. Then Mr. Patton soon afterwards got his appointment of Lord Advocate, and he came to Bridgwater for re-election. I should tell you that after 1865, Mr. Richard Smith was struck down with paralysis, or at any rate absented himself from the political arena.

31,223. Mr. Richard Smith?—Mr. Richard Smith; and Mr. Bealy Smith took his place, and I believe assisted in the matter of Mr. Westropp's petition, and took the control of the other. I must confess there was, I will not say jealousy, but some annoyance felt by some among us that so young a man as Mr. Bealy Smith should assume the position he had. It was thought he ought not to have done so after our having carried through the election of Mr. Westropp. He undertook the elections of Patton and Bagehot, and also the election of Patton and Vanderbyl. In July 1866, Mr. Patton came down for re-election, and until the day before until Mr. Patton arrived on the platform I do not think it was generally thought by us that there would be any contest whatever. We had heard of Mr. Henry Lovibond and Mr. Barham going to London in search of a candidate, and we had come to the conclusion that they could not get one as no candidate had been announced, and we thought it improbable under the circumstances that they had got a candidate, it being the etiquette that a man should not be opposed on re-election to office; that is the etiquette amongst a certain class.

31,224. Do you know who it was determined that there should be a contest?—I understood that it was Mr. Kinglake. I may be wrong, and may be doing him injustice.

31,225. Not the gentleman who was made knight—Sir William Drake?—That I will come to by-and-bye. What I understand was this, that they tried to get a candidate. Of course Mr. Kinglake would not promote a candidate, because he had no object or interest to do so, but I have no doubt that when they were in town they called upon Mr. Kinglake and asked him if he knew anybody who would come down, and I have no doubt that they had seen two or three gentlemen, and they declined, and as a last resource they went to Mr. Travers Smith, I may be wrong, and were introduced to him by Mr. Kinglake; Mr. Kinglake went with them, I think. It was then arranged that if they could succeed in getting a candidate, that they would telegraph down to Bath and stop them there; a telegram was sent, and stopped them at Bath, and they met Mr. Salmon.

31,226. (*Mr. Price.*) We all know about that?—It is not necessary to go through that. Mr. Vanderbyl came down and spent money, and the price was at first 10*l.*, and went to 25*l.*, and the men went up to poll like a flock of sheep, and there was a quantity of drinking and debauchery going on in the town the same as usual.

31,227. Sheep do not drink.—We determined that we would not petition. We determined as we had possibly bribed before that election, and had possibly bribed at that election, we could not be party to anything of that kind. I had no retainer. Mr. Smith was our agent. I do not mention Mr. Smith's name because he is away and cannot defend himself, but I might say that he had the sole control of our party.

31,228. Instead of being annoyed with these other gentlemen because Mr. Smith had got the place, I suppose you were rather glad of it?—I do not say that I should have adopted the same line as he did. I should have taken care that no money should have passed through my hands. No doubt I am as great a sinner as he is.

31,229. (*Mr. Coleridge.*) As to other elections, you decidedly winked at it?—No doubt of it. Then the next election we determined not to petition, for the reason that we were as black as they were, and it would be absurd for us to do so. Soon after that Mr. Smith lost his head or was ill, and was away a couple of months, and came back, and got married, and soon after got considerably better, and soon after that he was as bad as ever. I believe that is the story.

31,230. (*Mr. Price.*) Did he marry a Bridgwater lady?—No, he did not he went; to Southampton. We then had a meeting as to the course to be adopted for the party. It was then proposed that I should take Mr. Smith's place as the leader of the Conservative party. I objected on the ground that I was inexperienced, because really before coming to Bridgwater I was never brought up in the atmosphere of politics in my life, and had never taken the steps that were necessary to my position.

31,231. You had not been educated as Mr. Disraeli said of his party?—I had not been educated. What I said was I would not do it, Mr. John Trevor would not do it, and Mr. Ruddock would not do it, and Mr. Auber would not do it.

31,232. (*Mr. Coleridge.*) Mr. James Trevor was living at Stowey?—Mr. James Trevor was living at Stowey. I consented at last, on condition that Mr. James Trevor would allow his name to be put before my name or after my name, so that I might fall back upon him for advice. That was 1867, and soon after Mr. Smith got a little better, and he was dissatisfied with the course which had been taken with regard to him. We stated to him that we had done everything that was fair towards him, that we had not done it to displace him, but merely for the purpose of the party, and not with respect to him. That is 1866. We come now to a more eventful time. Everything went very well until 1868. I will commence the last election in 1868 with the bridge committee dinner, that is, the 5th May. I think you know from the evidence which has already been given what the bridge committee is.

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31,233. (*Mr. Anstey.*) No, we do not, except that it was mentioned that you were to let us know. One or two witnesses said that.—I do not know why I should be able to tell you. I do not know why I should be pitched upon.

31,234. I asked several witnesses, and their answers were uniformly that you would tell us who constituted the bridge committee.—I believed it was constituted on the occasion of the new bridge being put over the river. At that time the Conservatives were in the ascendancy.

(*Mr. Price.*) 1797.

31,235. (*Mr. Coleridge.*) 1796?—I did not know that. At any rate the bridge committee are composed of Conservatives wholly and solely, and there is a large cup which is considered to belong to the president for the time being of the committee. They are composed of Conservatives, and no one who is not a Conservative has any chance whatever of being on the committee of the bridge. We meet once a year and dine.

31,236. (*Mr. Price.*) Is it a matter of honour or profit?—No, none whatever.

31,237. (*Mr. Coleridge.*) Does the dinner come out of the trust funds?—I rather think we pay for it—we do.

(*Mr. Coleridge.*) I wonder at it.

31,238. (*Mr. Anstey.*) Are there any of the funds consumed?—No, I do not think there are. I think that is part of the purity in Bridgwater. A meeting always takes place on the 5th of May—there are the books here. However, this bridge committee is a Conservative meeting in other words, and the meeting takes place on the 5th of May, at which we dine. There is a secretary, and a president is elected. We ask the gentlemen in the neighbourhood to attend, and we generally get some gentlemen in the neighbourhood. Conservative toasts are in great request and favour, and we generally get home as late at night as we possibly can, and no doubt feel the penalties of it in the morning. That is all I know of it.

31,239. At this bridge committee what happened on the 5th of May?—After the election of 1866 Mr. Westropp wrote a letter withdrawing himself as a future candidate of the borough, and we thought Mr. Westropp would not be seen here again, and at the same time his charity ceased, if I might pollute the word. However, on the 5th of May 1868, at the dinner, Mr. Westropp was invited with others to attend the dinner, I think at the "White Hart." He was most enthusiastic, as he had always been on the previous occasions; he was well received, and during the evening, whether it was after my speech or after Mr. James Trevor's speech, I will not say, or whose speech it was, but, however, during the evening regret was expressed that Mr. Westropp had come to the conclusion not to come down again to contest our borough. You know it is not a very easy thing to find a candidate to do it. We are like Barnstaple, we are not very pure, and it is difficult to get a man to do it.

31,240. (*Mr. Coleridge.*) Before you go further, you were going to say something about Mr. Edwards coming down?—Yes. Mr. Edwards came down on the Saturday night. I remember well, he came up the line from Barnstaple. Mr. Edwards belongs to a firm in Delahay Street, London.

31,241. Ratcliffe, Edwards, & Co.?—Ratcliffe, Edwards, & Co. Mr. Edwards came with a very pretty daughter, it was said at the time. I remember we had a meeting at the hotel, and Mr. Smith said, "We have got another candidate, and I will tell you "what, he has a very pretty daughter. It will put "all the young men in our part on the look out." Mr. Edwards was introduced to us, he was a short man, and he explained the circumstance of his coming here. We had him into another room, and asked him whether he seriously intended to stand for the borough. He said he did. Some parties sat up the whole night preparing his address. He said, "I am in "your hands entirely. I will adopt whatever course "you think proper." We said it was a very absurd thing to keep the man here over Sunday, it is not a very delightful place to spend a Sunday in; we said, "You have friends in the neighbourhood, go to them, "and come back on the Monday," and we got the address out, and commenced canvassing. The address was published, but he got the start of us, and he never came back at all.

31,242–3. Do you know whether the Liberals use the church door for their addresses?—I do not know. Mr. Edwards bolted straight. No doubt when he heard he would have to buy his way in, and buy his way out, that was the thing that made him bolt.

31,244. (*Mr. Anstey.*) You did not hear of a Major Wellington Guernsey either with Mr. Edwards or about that time?—I never heard about that before. I think Mr. Edwards came up from Barnstaple. I am sure of it.

31,245. (*Mr. Price.*) Probably somebody had come up beforehand to feel the way for him?—No, I never heard anything of the kind.

31,246. (*Mr. Anstey.*) You are going on to the 5th May.—On the 5th May the dinner was at the "White Hart," and Mr. Westropp was present, and regret was expressed that Mr. Westropp should have determined not to come down again to contest the borough, and that we should be very glad to see Mr. Westropp down again, and Mr. Westropp said, I think—I do not know whether his dinner had the better of his reason, but he said, "After the way "I have been received by the new constituency"—

31,247. (*Mr. Coleridge.*) He did not know the condition of the constituency?—No, he did not. He afterwards intimated his intention of withdrawing from the borough, and he should carry it out unless he had a requisition numerously and respectably signed for his coming forward again, and that was the only condition on which he would come forward. I do not think that requisition was signed or presented, but I think we said he might consider that as already done. Mr. Westropp then determined to come forward, and on purity principles.

31,248. (*Mr. Price.*) How much did he spend in this borough altogether with his 300*l.* a year and other things?—Not so much as you would think.

31,249. How much?—At his first election he spent 200*l.*, and at his second election he spent 3,000*l.*, and then there was his 300*l.* a year.

31,250. And other things besides. We have heard of his being godfather to a great number of children in Bridgwater, and their being christened after him?—I do not know about that.

31,251. I see only one toast set down in the minute book; it seems to refer to the election, and that only by inference, and that is the sixth toast, "H. West-"ropp, Esq., by the president," the president being Mr. James Trevor?—Yes, those are the formal toasts.

31,252. Then about six weeks after that the consulting committee is stated, according to a minute dated the 11th of June 1868, consisting of only five of those who were at the dinner, to have resolved, "That it is desirable to form a Working Men's Con-"servative Association in this town"?—Yes, no doubt.

31,253. That was done by the bridge committee?—Yes. The bridge committee were a Conservative body, and I have no doubt that this possibly sprung out of it, but the practice of the bridge committee was this, to enrol members from year to year who were Conservatives; in other words to strengthen the party. That was the sole object of it.

31,254. (*Mr. Anstey.*) I suppose there is not a single working man a member of the bridge committee?—Oh no.

31,255. Have you had the dinner this year?—The time has not come yet.

31,256. May 1869?—No; we have had quite enough to think of altogether.

31,257. Probably you will have it after we have gone?—Most likely.

31,258. At that election Mr. Westropp's name was very favourably received.—No doubt he was most popular in the borough, and no doubt he had the sympathy of a considerable number of his political opponents. They thought he had been persecuted.

31,259. Is it not the case with every candidate who has come here?—No; I think it is especially so with Mr. Westropp.

31,260. Is it not the case with every candidate who has come here, that he procures a great deal of sympathy if he has given voters 10*l.* apiece. Does not he gain a considerable amount of sympathy?—I think not.

31,261. Does not the giving away of 300*l.* a year to a charity procure sympathy?—No doubt; money speaks volumes. I should like to qualify it, and say from 200*l.* to 300*l.* a year. I do not think Mr. Westropp was so rich a man as was generally supposed.

31,262. You mean "be the same more or less"?—That expresses it. Mr. Westropp came down, having previously written a letter stating that he would withdraw from the borough, and there was an expression of regret at his determination to withdraw himself, and a hope that he would come down again; something of that kind. He said he withdrew for the reasons explained; but he said, if a requisition was signed respectably and influentially he would consider it. That was the substance of it. I think after the first week in July we commenced the election. We talked of election matters, and from July to September was spent in getting candidates, which ended in Mr. Westropp and Mr. Gray coming to the borough. They came down the first time on the 10th October. I unfortunately was absent, and we had a meeting in this hall, in which a man got thrown from the top of this gallery to the bottom. I believe it was Honyball. I have heard so. I believe at that meeting—I do not know whether you wish to hear anything that took place between July and October?

31,263. (*Mr. Price.*) No, I think not.—Mere fruitless attempts to get candidates, and so forth. However, Mr. Gray was brought down here and introduced.

31,264. (*Mr. Anstey.*) Were you present at Mr. Westropp and Mr. Gray's first meeting—at their first appearance?—No. I had a large sale, and I could not get back till the next mail.

31,265. Are you aware that Mr. Westropp carefully avoided saying that he knew anything of Mr. Gray, except that he knew he was a merchant of great eminence in the city?—I have heard so, and I believe it.

31,266. Nothing was said of his qualifications beyond that?—There is no necessity for speaking of a man's qualifications in this borough. If he is introduced by the leader of a party, it is presumed. I do not think they ask what his politics are here, except as to the Ballot or Permissive Bill, or something of that sort.

31,267. He was not a good speaker?—No.

31,268. And Mr. Westropp was.—No. I do not think he was a very good speaker.

31,269-71. He was the chief speaker?—He was the chief speaker. However, Mr. Westropp had enough to say for himself. I was not present at that meeting; I was attending a large sale. I got up by the up mail, and Mr. Westropp introduced Mr. Gray. There was a meeting of the other party to interrupt our proceedings, trying to throw into Mr. Westropp's face that he had resigned his pretensions to the borough, to try to throw a firebrand in his face.

31,272. You were going to tell us about the opposition.—There was an opposition got up here by several people, as I understand, to try to get Mr. Westropp to retire, for at that time he was a very formidable opponent. They thought he was no doubt backed up by money, and they tried to hoot him down, and I believe Honyball, who has been before you, got thrown from the top of this gallery to the bottom, and how it was that he did not break his back I do not know. He turned right over.

31,273. (*Mr. Anstey.*) Is it the fact, as represented in one of the briefs which have been delivered at the late trial, that so near was the division of the meeting on that very question, as to whether Mr. Westropp should be accepted after having declined the borough, that the chairman was obliged to say, "I am not sure "which way the majority is"?—I do not believe that there was any division as amongst the Conservatives. I believe not.

31,274. There was not amongst the Conservatives.—As amongst our own party we were unanimous. The fact is, Mr. Westropp would not retire. I think we asked him to retire, because we could not get anybody to come with him. Everybody said, "What is "the use of my coming after he has been here and "spent his money? What is the use of my playing "second fiddle to him?" And there was a little pressure put upon Mr. Westropp to retire; that I grant, but at this time we would not let our opponents know this, and, in fact, one of our charms, if it be a charm, is our unanimity.

31,275. (*Mr. Coleridge.*) There was no chance, there was a split in the party?—No, we could not afford it. This was May 1868, the dinner; and then from July to September was occupied in getting candidates, and we got Mr. Gray.

31,276. (*Mr. Anstey.*) Then this meeting you speak of took place?—Yes, and we determined that nothing should be done during the greater part of September; and we determined that one party should not get a candidate without letting the other know.

31,277. And that was not rigidly adhered to?—That was not rigidly adhered to.

31,278. (*Mr Coleridge.*) You could not trust each other?—Yes; if they gave me their words I would take it.

31,279. You agreed you would not canvass.—No. Immediately the other side saw that faith was going to be broken they sought for their candidates, and said, "Come here as quickly as possible."

31,280. (*Mr. Anstey.*) Did you hear that anybody was likely to come into the borough to dispose of money in the interest of Westropp and Gray?—I never heard of it.

31,281. You never heard it was expected?—I would not go to that extent, I believe the party expected it. I believe up to the last it was expected that Mr. Westropp would come down to spend money.

31,282. By your party?—I think so.

31,283. Down to when?—Down to the day of the election.

31,284. Who is Mr. Gray?—He is a respectable man; he is a general merchant in London; his place of business is in Great St. Helen's.

31,285. (*Mr. Coleridge.*) He is of the great mercantile class who is suited for this borough?—Yes. Mr. Westropp was a popular man, and Mr. Gray was thought to be a millionaire, and that he had ships enough to float the Parret from here to the sea, and all that sort of thing.

31,286. (*Mr. Anstey.*) Do you put it in this way, that Mr. Westrop had paid money for years, and that Mr. Gray was a rich man and could pay money?—Yes, I think that is the interpretation to put upon it. I think Mr. Westropp had determined not to spend money.

31,287. You think he got sick of paying?—Yes, undoubtedly. I think he suffered considerably. Mr. Westropp is not a man of strong health, and I think during his contested elections, and during his petitions, he suffered materially.

31,288. (*Mr. Coleridge.*) In health?—In health, no doubt, as well as in pocket. We had no money in the town, and I did not think there was any money then,

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and I do not think so now, notwithstanding all that has been said. We determined to fight the election on purity principles. Mr. Barham stated that a suggestion was made that we should fight a pure election. Now that suggestion emanated from his mind at the same time that it emanated from the mind of Mr. James Trevor and myself, or rather of Mr. James Trevor. I remember his coming one day and saying, "Brice, what do you think of our election?" I said, "I think Westropp will get one seat;" and I think so now.

31,289. (*Mr. Price.*) If it was pure on both sides?—Yes. "I promise you what I will do, I will not "touch money in any shape or form," he most decidedly knowing that I never have done so. He said, I will go to Mr. Henry Lovibond. He did so. Mr. Henry Lovibond's reply to him was, as I was told afterwards, "Trevor, I shall be as delighted as you to "fight a pure election, but I tell you candidly I can- "not control my fellows, and I tell you candidly I do "not think you can control yours. I will try it if "you like, but I do not think it is of any use;" that is what Mr. James Trevor told me.

31,290. (*Mr. Anstey.*) After the election was over were you present at any of the conferences at which Mr. Kinglake or Mr. Vanderbyl appeared?—Oh, yes.

31,291. Which of them?—I will come to that now if you like, I will come to this first if you will allow me. The night before the election we determined not to spend any money. I was in the "Clarence" with Mr. Westropp when in came eight or nine people, and Batten came in, when he said, "Have you brought "down any money?" I said, "Do not make any "mistake, we do not desire that there should be any "bribery at all in any shape or form;" at that time they began to treat. I should tell you treating had been going on on the other side during the two days before to a very limited extent, and they came here and said, "Here are our men going away to this inn "and that inn, and unless we can spend a little "money to keep them together, that is to hustle them "together for the purpose of voting, we shall have to "cave in." I said, "You do not understand our "position. We do not want anybody to spend a "farthing in treating or bribery, therefore what you "do remember you do on your own responsibility, "and take my word for it you will not be paid." I began to think my position was a very unpleasant one; I got roundly abused, and I got down into the street and I said, "Do not make too much noise, people will "hear us." One gentleman, I think Mr. Ruddock, said they behaved very disgracefully, and it ended by their going away with the notion that we were not to spend any money. Soon after that there was a talk of retiring. We became so impressed with the notion that Mr. Kinglake was going to spend money, and there was really a conference as to what was to be done.

31,292. (*Mr. Price.*) The other side say they had the same fear of you.—No doubt, it was a mutual fear.

31,293. No doubt they thought Mr. Gray had money and would spend it.—No doubt.

31,294. (*Mr. Coleridge.*) You do not mean to say there was no money actually spent on your side?—I do indeed.

31,295. Do you not know of 3*l.* given to one man, and 5*l.* to another?—I do not think there was any money spent, but I think there was a promise. I will come to that. I do not think there was a farthing spent in the town, but I have heard of an isolated case of a promise; that is the only case I know of, and I do not believe there was any money expended in treating, not a bill that ever I heard of as being spent in a public house, nor that I ever heard of a publican being dissatisfied at his not being paid.

31,296. (*Mr. Coleridge.*) But are they not hanging over until these proceedings are terminated?—No; I do not think they will be paid a penny.

31,297. (*Mr. Anstey.*) You heard the other day about a promise having been made to a man by Mr. Leaker?—I alluded to that isolated case a moment ago. Mr. Parker, I think, came up; Mr. Parker had been made an alderman a few days before. He is a very respectable man, and he came and said on behalf of the Conservative Working Men's Association that he would not hear of anything of the kind; and Mr. Trevor also stated that all the money had been spent that was necessary for a contested election. "Let us "see how things are going on."

31,298. (*Mr. Price.*) It was a question of retirement?—It was a question of retirement. Before that it was determined that we should go to poll. I should say I know something of the attempt to coalesce between Mr. Vanderbyl and Mr. Westropp. It was certainly true what was stated that Mr. Westropp came to my house.

31,299. (*Mr. Anstey.*) Was Mr. Vanderbyl present on either of those two occasions?—He was.

31,300. And Mr. Fennelly?—I did not see him. Mr. Westropp was at my house when he was sent for, and I said, "Do not you go."

31,301. Were you present when Mr. Westropp met face to face either Mr. Vanderbyl or Mr. Fennelly?—Never. I have the letter here which was written by Mr. Spink from the "Globe," which Mr. Westropp gave me; and they came to my house with a message to me to go to Hennett's, and I said, "Oh no, I shall "not go there, if they want me they must come to "me." I never saw Mr. Fennelly. I said, "What "is the use of you going to meet Hennett and Spink "to bind the party? Send the heads of the party to "us. What is the use of going to Hennett and "Spink, they cannot bind their party, and it is all "nonsense," and I would not hear it. I said, "If "Mr. Lovibond or any other of the heads of the party "comes here I will speak to him," but as to talking to Hennett and Spink I would not hear of anything of the kind. I said to Mr. Westropp, "You may just "go to hear what it is they have to say, it may open "our eyes;" and he came back with a cock-and-bull story which I could not make head or tail of.

31,302. (*Mr. Price.*) At that time do you think the thing could have been carried out without a contest of the parties on both sides?—No; unless it was arranged that we should have one seat on each side, that is all we wanted.

31,303. You think it could have been carried out if you had one seat on each side?—Yes.

31,304. Do you think it was arranged that Mr. Kinglake or Mr. Vanderbyl should be the chosen candidate?—No; one was trying to sell the other, no doubt about that.

31,305. (*Mr. Anstey.*) Had there been intrigues going on a month before with Mr. Vanderbyl, with a view to shut out Mr. Kinglake?—Yes.

31,306. By a coalition with Mr. Westropp?—Oh yes; and no doubt Mr. Vanderbyl was doing everything he could to make himself popular with the firms here. He succeeded in getting popular with Hennett.

31,307. And he was justly popular in that sense in which Mr. Westropp was?—Yes; and Mr. Vanderbyl tried it also on the rifle corps, and I belonged to the rifle corps, and I endeavoured to use my influence in the best way I could, not as Mr. Vanderbyl did, but by trying to get them to stick to us, each trying to sell the other. Each tried to take care of himself.

31,308. Each knew what the other was trying to do against him?—No doubt I did, and no doubt they tried all they knew. Unfortunately, they did not bring to us the heads of the party; if they had we should have been only to glad to have arranged the matter with them.

31,309. (*Mr. Price.*) You understood Mr. Gray would have given way?—We did entirely. Mr. Gray said he came down here to do something for his party, and Mr. Gray behaved extremely well; he said, "Brice all I have come down here for is to "strengthen the party, and if you think you do any-

" thing by getting me to retire, you can do what you " like in using my name to promote Mr. Westropp's " election." That was down to the last day, the day of the polling, that Mr. Westropp came to that determination.

31,310. Does that lead you to the conclusion that Mr. Westropp had spent any money in bribery?—He had not.

31,311. You were not in Mr. Westropp's confidence?—No, I thought so then, and I feel so now that I never had Mr. Westropp's confidence. During the time he was here, he was so much isolated with Richard Smith and Bealy Smith, that my position was so doubtful in consequence, being on unfriendly terms with them, that naturally no great confidence existed between us; he was always extremely kind and courteous, and he trusted me to a certain extent.

31,312. You were not in the same position with regard to him as the Smiths had been?—No. I had condemned the course he had taken in connexion with the Smiths, and with his associating himself with the Smiths as he had done. I remonstrated with him over and over again. He was doing our party damage. That brings us to the day of the election, then there was a meeting at the Town Hall; I was not present, and probably you would prefer to have the evidence of those who were present.

31,313. Yes?—I was not present. I found the men were going up to vote with great rapidity. I certainly could not make it out. I was certainly paralysed.

31,314. How do you account for it now, that they voted, the great mass of them, thinking that they should eventually get money if money was going?—Yes, my impression is that there was no money going then, and that they thought amongst themselves, if we go up and vote for the Liberals they will not forget it afterwards. If they had thought that the Liberals were not going to spend any money at all, I do not think they would have voted.

31,315. (*Mr. Coleridge.*) How do you account for the Liberals having a lot of money in their hands and not using it?—The reason is this, that Messrs. Reed and Cook were on one side and Mr. Barham on the other, and Messrs. Reed and Cook tried to save Mr. Vanderbyl's money, and Mr. Barham and Mr. Lovibond tried to save Mr. Kinglake's money. That is the only way I can account for it. With respect to what Mr. Barham has stated as to my having 8*l.*, his statement is perfectly true. I only had 8*l.* when the petition was over; the 10*l.* was given. Two men claimed 2*l.* Mr. Westropp paid 8*l.* and Mr. Collette paid 2*l.*, and Mr. Hennett 2*l.* I paid 12*l.* instead of 10*l.*, and I have never been recouped. The election was over, I could not understand it. About 10 or 12 we were ahead by 150 or 200, then the Liberals began to creep up. Then the majority was first of all reduced to 30 or 40, and then to 20 and 10, and so on, and then Temblett came down to me and said, " For God's sake let us have some money." My opinion is at that time we could have won the election for 50*l.* " There are a lot of men down at " the 'Mason's Arms' who you can get for 1*l.* apiece." I said " I had no money, and if I had you do not " suppose I was going to be fool enough to spend it " in that open way that he suggested." I said we had not spent a farthing as yet, and we are not going to begin now, and I do not think there was money spent in any shape or form afterwards. That is all I have to say so far as the election is concerned.

31,316. (*Mr. Anstey*). Tell me about the meetings at which Mr. Kinglake was present?—That is what I am going to. Then after the election, the defeated candidates consoled them by a dinner at the "Clarence;" I was not present. There was a great crowd there down below, and great excitement prevailed.

31,317. (*Mr. Price.*) Tell me, before you go any further, before there was a petition, had you any representations made to you by the men who voted for Westropp and Gray, that they should expect to be paid?—None whatever.

31,318. Have you any reason to suppose that there were any who expected to be paid?—I have no reason to suppose so, and I do not think so.

31,319. Of course, after the petition, people would be alarmed, and would not say anything?—No, I do not believe a word about it.

31,320. (*Mr. Anstey.*) You were going to tell us that this petition was decided upon at this dinner?—Yes, the same day.

31,321. Therefore there would be no time at all for the voters to get the money?—No. What I think exasperated the voters was, that the Liberals had got paid the money, and they had not. After the election there was a dinner at the "Clarence," a sort of consolation dinner. I think the consolation " steaks " were handed up, of which a great number partook.

31,322. (*Mr. Price.*) Had you the gallant cup there, belonging to the bridge committee?—No great excitement prevailed, and we were called upon to go out and make a speech, and we went out and made a speech, and said that the election was gone by bribery, or something of that sort, and that we should take early steps to present a petition; we threatened a petition at the same time, and there were various meetings, and Mr. Trevor went to them, and I have taken this sketch from his books. I have no memoranda of my own of any kind. These were taken from Mr. Trevor's books as a guide to me.

31,323. I think the principal thing we want to know is about the interview when Mr. Kinglake was present, for really that is a very important matter about what took place when Mr. Kinglake came himself and interfered in the matter of the compromise, because it has a very important bearing?—I went to London and Mr. Trevor went to London.

31,324. (*Mr. Anstey.*) Give us those meetings at which he was present?—There was only one meeting at which I was present. I went to town with Mr. Trevor before the petition was presented. Various suggestions had been made for compromising the petition. We said at the time we thought we were entitled to one seat out of it, and we should have been satisfied with one seat, and if one seat had been properly and fairly offered us, probably this Commission would not have taken place. One seat was offered at the expiration of a twelvemonth. We would not accept it. Then it was nine months, and then six months, and then there was the London season, and then the sole object was to retain the seat for Mr. Westropp. Then we were offered one seat at last. We had no intelligible offer which we could have accepted, or we should have done so. Then I met at the " Tavistock " Mr. Kinglake, Mr. Lovibond, Mr. Sealy, Mr. James Cook, and Mr. Trevor. It was a very long one, and we were discussing the thing over in a thousand different ways as to what was to be done with this petition

31,325. (*Mr. Price.*) Was there any disguise, or was it passed over in silence? Was it discussed at all in Mr. Kinglake's presence, that the seats must go if there was a petition?—No, it was not, I think. I must do Mr. Kinglake the justice of saying, as far as I am able to judge, that as far as his party are concerned I think it had not been discussed. It was said that some of his influential friends had got into a mess, and he must sacrifice himself to save them if possible.

31,326. (*Mr. Anstey.*) Was anything said then or before then that Dr. Kinglake had some days or weeks before the election raised 1,500*l.* on behalf of his brother?—No, it was never discussed.

31,327. Was it known or believed by you?—No, we did not know it at the time of negotiating this petition. We were perfectly in the dark. You will see by the previous offer, and by the correspondence, that we were doubtful as to succeeding or not. We had no idea where the money came from; it was mere

surmise, but the surmise turned out to be well founded.

31,328. I think you are wrong.—No.

31,329. I think Mr. James Trevor gave a pregnant and sound suggestion when he said that it was raised that day, and it was known throughout the day ?—I remember the brief. It was mere surmise. We had no evidence of it. It might have turned out to be moonshine—it was pure surmise. You will find no proof on that part of the case. You will find the proofs in the brief.

(*Mr. Anstey.*) I do not know what the proofs are.

31,330. (*Mr. Price.*) You had the case of Palmer. —We had Palmer, and then we had to bring agency home to Bussell.

31,331. (*Mr. Anstey.*) You drew the brief ?—Yes, with Mr. Trevor.

31,332. I want to know by whose instructions this very important statement was made :—"Mr. Vanderbyl, "on Sunday, the day before the nomination, sent his "confidential friend, Mr. Fennelly, to Mr. Westropp, "asking him to coalesce with Mr. Vanderbyl, stating "that Mr. Vanderbyl had put himself in his hands, "and had had a row with his agents, Messrs. Reed and "Cook. He at the same time offered Mr. Westropp "to meet him half way, by which Mr. Westropp in- "ferred that he would join him in bribery."—I do not believe the statement. I do not believe it was true.

31,333. You say you drew the brief ?—Part of it, in conjunction with Mr. Trevor.

31,334. But did you draw that part ?—No.

31,335. Then I will not ask you the question. It comes to a matter of belief, which I can form my own opinion about as well as you.—Yes.

31,336. (*Mr. Price.*) That was the object of Mr. Kinglake's going ?—Yes.

31,337. I am glad you have stated that, because the impression on my mind was unfavourable to Mr. Kinglake, namely, that he must have felt his own seat in peril through bribery, or he would not have given way, he being very ambitious to have a seat in Parliament, and it was said that before the petition he must have known that there had been improper practices ?—Well, I believe that.

31,338. By his own party ?—Well, I believe that fully.

31,339. (*Mr. Anstey.*) Do I understand you to say that Mr. Kinglake was not prepared to give up both the seats ?—No, I never heard it.

31,340. But you have heard it stated by Mr. Cook that he was ?—I do not believe it.

31,341. That was when he was pushed at the last; he said we had better have one ?—Oh, that was when it was perfectly hopeless and out of our control.

31,342. I know.—It may have been then.

31,343. I am asking you with reference to the last statement which you made, and which the Chief Commissioner has just remarked upon. Is it true, then, that Mr. Kinglake did at one time contemplate the possibility of having to give up both seats ?—I do not say so, because I do not know it.

31,344. You do know it.—No, I do not deny it and I do not corroborate it. I am quite under the impression that Mr. Kinglake believed he would be compromised by his friends.

31,345. Who were his friends ?—I do not know.

31,346. Was his brother his friend ?—It turned out to be so.

31,347. Was he himself his friend ?—Yes, by his friends in Bridgwater.

31,348. (*Mr. Price.*) Somebody said that money was in the town—we have the money in the town ?—Yes.

31,349. What was that said in reference to ?—I do not know.

31,350. Was not that the last election ?—That would be the last election alluded to.

31,351. Somebody said so to Truman : "We had "the money in the town. Our money was in the "town," or something of that kind.

31,352. (*Mr. Anstey.*) It was Truman said that to Boys.—I should be very sorry to be answerable for anything that Truman made use of.

31,353. (*Mr. Price*) I am asking you ?—I never heard of it.

31,354. Wait a moment. You were the leading lawyer of the party, and you were very much in the confidence also of Mr. Gray, and to a certain extent, of course, you must have known something of Mr. Westropp, and I understand you say that Mr. Westropp desired not to spend any more money ; but as you are immensely in the confidence of Mr. Gray, was there any foundation for that suggestion that money was in the town on your part ?—None whatever.

31,355. Was there any money lodged at Stuckey's bank ?—None whatever.

31,356. Was there any credit open on your part corresponding to that of Dr. Kinglake on the other side ?—None whatever.

31,357. Are you quite certain about it ?—Quite certain.

31,358. (*Mr. Coleridge.*) No credit at all ?—None whatever. When I was in the town a few days before, I said, "Now, Mr. Gray, we are determined "to fight a pure election. As to the necessary costs "of the election I should like to see your private "solicitors, as I should like to be advised by them."

31,359. (*Mr. Price.*) I want to know this, why was it a better thing for your party to fight with two men if you wanted to fight a pure election, admitting that you wanted to fight a pure election ; why was it better to have a rich man down, a stranger to the town, who could float the whole of the Parrot, as you say, from here to the sea, especially when you had Mr. Westropp down as a popular candidate ?—I did not think it was necessary to fight a three-cornered contest. I did not think it was advisable.

31,360. Was Mr. Gray brought down here for the purpose of holding the purse, holding out the red flag to the bull. Was Mr. Gray brought down here for the purpose of dangling the purse before the eyes of the electors ?—Yes.

31,361. (*Mr. Coleridge.*) In a place like this, in fighting a three-cornered election, there are lots of voters who vote one and one, and take money on both sides ?—No doubt.

31,362. (*Mr. Price.*) Seeing that Mr. Vanderbyl had all kinds of contracts to dispose of, and plenty of money, it was thought necessary to have a second man down here, and to let the electors draw their own inferences ?—No doubt.

31,363. (*Mr. Anstey.*) Do you know Mr. Hodges' handwriting ?—Yes.

31,364. There has been a good deal of doubt raised as to the authenticity of that letter. Do you believe that to be his handwriting (*handing a letter to the Witness*) ?—I do.

31,365. Will you read it ?—"Cornhill, Bridgwater, "Nov. 14, 1868. Mr. Hayward. Dear Sir. As a "Conservative, and one deeply interested in the "coming contest, I beg to solicit your vote and "interest for our old friend Mr. Westropp and his "copartner, Mr. Gray, feeling assured it would prove "in the future everything you could wish for. Yours "respectfully, R. Hodges."

31,366. "Feeling assured *it* will prove" ?—Yes. "P.S.—Would you come to me, or write by return. "Polling Tuesday."

31,367. (*Mr. Price.*) Is that Mr. Hodges' handwriting ?—Yes, I believe it is.

31,368. Who is Hodges ?—He is a respectable person.

31,369. Is he an influential and active man in your party ?—Yes.

31,370. Is he the Nicholls of your party ?—The Nicholls ?

31,371. Yes. There is always a draper on the one side and on the other ?—No, I do not think he was. He was a very influential man and spoke at all the meetings, in fact spoke himself blind nearly.

31,372. (*Mr. Anstey.*) I do not put the question to you in the style in which it has been laid before me, but it is fit and due to you that you should have an opportunity of saying in public how you obtained the clerkship to the magistrates?—Well, I will tell you the whole story. Mr. Richard Smith was a Conservative, and held the appointment of clerk to the magistrates. He had been out of health for a very long time, and his duties had been performed by Mr. Barham, as deputy. We felt that there must be an end to his being a deputy, as he had retired from being a member of the firm of Smith and Boyle, and we put a pressure upon him to retire at the time, and we thought there should be a Conservative to succeed him, and he did so; and Mr. Smith from the time that Mr. Padwick came here tried everything he could to prevent my getting it, and to prevent his party giving it to me. I then threatened to move the Bench, that is, that the Mayor should proceed to the appointment of another clerk. We, in the meantime, could not get a batch made, and the question was whether we should get a batch made for the present election. Mr. Barham and Mr. Reed were running for the appointment at the same time. Mr. Barham threw up Mr. Reed, and took up Mr. Lovibond. Mr. Reed is a very impetuous man. I am not speaking of Mr. Reed's ghost at the "Globe," but I am speaking of Mr. Reed himself. He is a very impetuous man, and very excitable; and I believe that he was the cause of the great split amongst the lawyers.

31,373. (*Mr. Coleridge.*) You came in amongst the dissentients?—I ran in between the two.

31,374. (*Mr. Anstey.*) I will put it in this way. I shall not gratify the writer of the letter by putting it in his own words, but it is due to you that I should ask you the question, it is only fair to you, did you use any private or indirect method in order to procure any vote in your favour?—Well, of course I know what you allude to. I have never given Mr. Reed the least benefit out of it. I have never given him one farthing arising from the office.

31,375. Did you never give anything?—Not a halfpenny.

31,376. Did you use any private or undue influence?—You mean in the way of bribing anybody?

31,377. Yes.—Certainly not, not a penny; I had not the slighest idea of doing any such thing.

(*Mr. Price.*) These things are sent to us, and I say these things which are sent to us on the one side, and on the other, I think do very little justice to our opinions or our mode of conducting the inquiry here, when the parties who send them withhold their names from us. Why do not they come forward like men, and state the things they mean to state, and let it be thoroughly inquired into?

(*The Witness.*) I never gave a penny, nor offered a penny to anyone.

(*Mr. Price.*) It is very disagreeable for persons to take the opportunity of an inquiry of this kind (when, no doubt, a great deal of unpleasant matter is brought out) for the purpose of anonymously maligning individuals.

(*The Witness.*) I never, either directly or indirectly, paid a voter.

(*Mr. Anstey.*) And when these things are so improbable on the face of them, as to be utterly incredible, and they are inquired into, then the writers threaten that they will immediately bring the Commissioner's conduct before the public, when these things tend to nothing but confusion and contention.

Mr. James Cook recalled.

Mr. J. Cook.

31,378. (*Mr. Price.*) There was a question I put to your partner the other day, with regard to a man, I forgot his name, who was supposed to be under a pressure for rent,—probably you have heard the question, and who stated that he gave the 10*l.* to you, that was the impression on our minds, which he had received from the Tory party, in consequence of a pressure which was put upon him?—The man's name was James Roberts. I saw the statement which he made to the Commissioners, and I have referred to my books, and I find that in the month of April 1866 we adjudicated him a bankrupt in the County Court of Bridgwater, for which he was to pay us a sum of 12*l.* On the 8th of May 1866 he paid us 6*l.* on account, and on the 16th July he paid us a balance of 6*l.* to make up the costs; and that is how the amount is made up. We were acting for him, to adjudicate him as a bankrupt. We were acting as his solicitors at the time.

31,379. He was not a very creditable witness at the time?—No. I have observed his observations, made at the time as to pressure; it is absurd.

31,380. (*Mr. Anstey.*) Do you remember the proof of Mr. Kinglake coming over, as we have it from Mr. Lovibond's to your office?—I did not see Mr. Lovibond personally about it, but I understood from my partner that he had arranged with him to exchange proofs, that we should give him a copy of Mr. Vanderbyl's, and he should supply us with a copy of Mr. Kinglake's.

31,381. Did you ask Mr. Kinglake whether he was going to swear to what was put down here?—No, not a word.

31,382. Who did?—I do not know.

31,383. Has Mr. Lovibond?—Mr. Lovibond has supplied us with the proof, who did so I cannot tell; we never had any conversation with Mr. Kinglake on the subject of his proof.

31,384. (*Mr. Anstey.*) Have you read these proofs lately?—I do not think so.

31,385. Can you tell us anybody, who has discussed any of these statements with Mr. Lovibond, the statements there mentioned?—I certainly can say myself, I never discussed them with Mr. Lovibond nor has my partner.

Mr. William Brice recalled.

Mr. W. Brice.

(*The Witness.*) There is an important statement I omitted by accident. I had an interview with Sir William Drake.

31,386. (*Mr. Anstey.*) Yes, you said you were going to mention something about Sir William Drake?—Yes, I omitted it. I did not do so purposely.

31,387. (*Mr. Price.*) Where did you meet him?—In London. It is true we had a meeting the same day after we had seen Mr. Kingslake, and we had a private discussion in every shape about the petition. It was said by some one afterwards, I cannot remember by whom, I think it was Mr. Henry Lovibond, "Go and see the gentleman who called upon you and "make an appointment to see Mr. Drake." I was left behind to go down by the late train. I rather demurred to that, I did not quite see it; however, I consented, as being the youngest man perhaps, and in the afternoon I went to Sir William Drake's, and found he was not at home, and had to go again. I was rather indignant, because it involved travelling all night. I went into his house, and saw hampers directed to him, and saw that they were directed to his country seat, which was very near a friend of mine, and I got acquainted with him before going to business by mentioning our mutual friend. I said I had come to him with reference to the election petition, and should be very glad to hear what he had to say. He said "I shall be very glad to hear what "you have said." I said "Oh no, I have not come "to propose anything, but I have come to hear your

TWENTY-NINTH DAY.

Mr. W. Brice.

27 Sept. 1869.

"suggestions, and to see if they are in the least degree "practicable to carry out." He said there was no suggestion that he had to make. He said the only thing he could do was that whatever Mr. Kinglake would do he would undertake to carry out, in other words that he would be answerable for any course consented to by Mr Kinglake. We sent for the last Act of Parliament, and I pointed out the clause with respect to the making of affidavits and so on, and there were various other things. I said "There is "another thing, I smell a conspiracy, we are getting "pretty nearly to a conspiracy; I do not like the matter, "and the sooner we are out of it the better."

31,388. (*Mr. Price.*) What did he say to that?—He was smoking a cigar; he proposed nothing and I proposed nothing, and it was ended in smoke.

31,389. (*Mr. Anstey.*) That objection that there was a conspiracy came from you and not from him?—It certainly had been pointed out to me before, and I discussed it before with Mr. Collins, our counsel.

31,390. But I say the objection came from you and not from him?—Oh, clearly, because I had discussed it before with counsel.

Adjourned to to-morrow at half-past 10 o'clock.

THIRTIETH DAY.

Tuesday, 28th September 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
HENRY FRANCIS PURCELL, Esq., Secretary.

THIRTIETH DAY.

Mr. E. Barham.

28 Sept. 1869.

MR. EUSTACE BARHAM recalled.

31,391. (*Mr. Price.*) You have an explanation which you wish to make?—Yes. Mr. Brice yesterday in giving his evidence stated that I had run wide with Mr. Reed about some arrangement with reference to the magistrates' clerkship. That is precisely what Mr. Reed did say at the time, and the first intimation I received of his saying so was in a letter from his brother, which I have here, and will hand in. I immediately after the election called on Mr. Reed, either for an explanation or a retractation of it. The matter was referred to Mr. Joseph Ruscombe Poole, and he heard Mr. Reed's statement and mine, and the evidence on both sides, and gave his decision, which I hold in my hand, and which I will put in if you will allow me, by which he entirely acquitted me of anything of the kind. Mr. Reed in consequence very honorably retracted the accusation which had been made, and we shook hands. I wish to make that explanation, because, as I stated, it was as if I really had run wide in the matter, and that Mr. Reed was quite satisfied of it.

31,392. (*Mr. Coleridge.*) Who was this signed by?—Mr. Joseph Ruscombe Poole.

(*Mr. Anstey.*) It came out inadvertently.

(*Mr. Price.*) And was not part of our examination at all.

(*Mr. Anstey.*) It was in answer to a question which I put not relating to that, but which was misapprehended by Mr. Brice, and then I put the question to him again, and he gave me the answer I wanted.

(*The Witness.*) It is quite irrelevant to your inquiry, but as it affects me I felt sure you would give me an opportunity of clearing up. I do not wish to impute anything to Mr. Brice. I believe he had forgotten it, but it had the effect that I have mentioned.

(*Mr. Brice.*) I think it right to state that I had good ground for saying so. I had it from Mr. Reed's own lips.

(*Mr. Price.*) It seemed under the circumstances that your statement was warranted; however, it is all retracted now.

I have had what I suppose I may treat as an official communication from the returning officer for Wednesbury, the borough of which Mr. Brogden is now the representative. He stated in his evidence before us that he paid the returning officer 500*l.* for election expenses, and the returning officer and the professional gentlemen have written to me to say that Mr. Brogden has made a mistake; that two of the candidates deposited 500*l.* with the returning officer as security for the expenses. The amount ultimately charged was 271*l.* It is due also to Mr. Brogden to say that he wrote a letter to me to explain the matter in that way. No doubt it was a mistake made by Mr. Brogden of an immaterial kind, because it struck all of us that 500*l.* was an enormous sum to pay for legitimate election expenses.

W. Parminter.

WILLIAM PARMINTER sworn.

31,393. (*Mr. Price.*) What are you?—I do not follow any business.

31,394. Are you a voter for the borough?—I am a voter for the borough.

31,395. Did you vote at the election of 1866, Patton's?—I never voted before the last election.

31,396. Then you did not vote, I suppose, at the election of 1866?—I did not.

31,397. You did not get 10*l.* from Truman?—No.

31,398. For your vote?—No; my name is William Parminter.

31,399. What others are there?—Thomas Parminter, a nephew of mine.

31,400. Had he a vote in 1866?—He has a vote in this borough.

31,401. Had he in 1866?—I cannot say that.

J. Truman.

JOHN TRUMAN recalled.

31,402. (*Mr. Price.*) Is this the man you say you paid?—No, a young man.

WILLIAM PARMINTER recalled.

31,403. (*Mr. Coleridge.*) What did you get for your vote at the last election?—Nothing at all.

31,404. Were you offered anything?—Nothing at all.

31,405. Were you promised anything?—No.

31,406. You got nothing after the election?—Nothing at all.

31,407. Who did you vote for?—Westropp and Gray.

LAWRENCE DARE sworn. *L. Dare.*

31,408. (*Mr. Price.*) What are you?—A stonemason.

31,409. Is it true, or not, that you got 10*l.* from Truman to vote at the election of Patton in 1866?—10*l.*, yes.

31,410. (*Mr. Coleridge.*) Who paid you?—Well, I cannot be certain about it, whether Mr. Truman put the money on the table or Frederick Harden. It was one of them, they were both present.

31,411. Are you quite sure that they did not both pay you?—Yes.

31,412. When did you first vote?—At Follett's election in 1857.

31,413. Which way did you vote?—For Follett, a plumper.

31,414. What did you get for it?—Nothing.

31,415. Nothing after the election?—No.

31,416. Nothing for expenses?—No.

31,417. When did you next vote after that?—1859.

31,418. Whom did you vote for?—Westropp.

31,419. What did you get that time?—10*l.*

31,420. From whom?—I received it from John Murlis in the front room.

31,421. Is that all you got?—That is all I got.

31,422. Did you not get a second 10*l.* from the other side?—No.

31,423. At the next election of 1865 how did you vote?—For Westropp, I believe.

31,424. Did you plump for him?—Yes.

31,425. What did you get that time?—10*l.*

31,426. From whom?—That is 10*l.* I got from Truman and Harden.

31,427. No; the 10*l.* you got from Harden you got in 1866 at Patton's first election—Bagehot and Patton?—Yes.

31,428. And another 10*l.* then?—Yes.

31,429. At Vanderbyl and Patton's, what then?—10*l.*

31,430. Who from?—I received that at the "Bull and Butcher."

31,431. From whom?—It was a hand; presented behind a door.

31,432. Is that all you received?—Yes.

31,433. Did you receive nothing at the last election?—No.

31,434. How many tens altogether?—Four tens and a five.

31,435. You have not told us about the 5*l.*, when was the 5*l.*?—The 5*l.*, I believe, was at Patton's last election.

31,436. After Patton's last election, or at the time?—Well, the election, the polling day.

31,437. Did you get anything after?—No.

31,438. If I understand, you got in 1859 10*l.*, and in 1865 10*l.*?—Yes.

31,439. And in 1866, Patton's first election, 10*l.*?—Yes.

31,440. The second election, 5*l.*?—15*l.* together.

31,441. Who gave you that?—I received 10*l.* at the "Bull and Butcher" from a hand. I did not see the person.

31,442. What time in the day?—Somewhere about 1 o'clock.

31,443. What time did you vote?—About the same time.

31,444. Then you got 45*l.* in all?—I got 45*l.* in all.

31,445. (*Mr. Price.*) You cannot say whether it was Truman or Harden paid you this last 10*l.*?—The money was put on the table either by Harden or Truman, it was one of them.

31,446. (*Mr. Coleridge.*) Were they both present?—They were.

ABRAHAM FROST sworn. *A. Frost.*

31,447. (*Mr. Price.*) What are you?—I have been a builder. I am doing nothing lately. I kept a public house.

31,448. Are you a voter for the borough?—Yes.

31,449. Did you get 10*l.* from Truman at the last election of 1866?—No, nothing.

31,450. Whom did you get it from?—I never had anything from Truman all my life.

31,451. Did you get anything for your vote then?—Yes, from a man of the name of Harden in 1865, I think.

31,452. (*Mr. Coleridge.*) When did you first vote at all?—About 40 years ago, I think.

31,453. Tell us as much as you can. When were you first paid for your vote?—I voted, I should think, 14 or 15 years without anything at all for old Colonel Tynte at the time I was in Mr. Axford's employ. I think just after that Mr. Frederick Axford asked me to vote for Mr. Astell. I said no, and I did not change. I voted from that time up as far as Mr. Tayleur's election before I knew about any money.

31,454. Whom did you vote for at the first election at which you had money?—It think it was Leader.

31,455. Leader?—I was telling you about Tayleur's; I was offered by Mr. Robert Bate 20*l.* a day or two before the election. I said, "No sir, I do not want "20*l.* at present."

31,456. Tell us what did you get at Leader's election?—30*l.*

31,457. And the next election after that, whom did you vote for?—Really I can hardly tell.

31,458. (*Mr. Anstey.*) The next election was Sheridan and Broadwood—Lethbridge and Broadwood.—I received nothing to the best of my knowledge, but my memory is not very good.

31,459. Leader's election was in 1835, and you received 30*l.*?—Yes.

31,460. Have you received money at every election since?—No.

31,461. How many have you received it for?—I do not know, five or six I suppose.

31,462. What was the next you received?—I voted for Kinglake three times, and never had a penny from him, and never asked him.

31,463. Who gave you this 30*l.* at Leader's election?—Mr. Thomas Ford.

31,464. Did he give you 30*l.* at the next election?—Not as I am aware of. No, I cannot mind many of them.

31,465. How much have you had lately for voting?—Really I cannot tell. I made no momorandum.

31,466. Have you had 100*l.* altogether?—I daresay, very nearly. I should say so.

31,467. What did you get at the last election of all, 1868?—Not a penny.

31,468. Whom did you vote for?—Westropp and Gray.

31,469. Were you promised anything?—No, not a farthing. I went at 9 in the morning.

31,470. The next before that, Vanderbyl's election, what did you get?—10*l.*

THIRTIETH DAY.

A. Frost.

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31,471. Who gave it to you?—I believe it was William Heal, that honourable man.

31,472. At Patton and Bagehot's election, before that, you say you had 10*l.*, from whom—not from Truman?—No, I never had any in my life.

31,473. Who from? who gave it to you at Patton and Bagehot's, when you voted for Patton; Truman has sworn that he gave it you, and you swear he did not. You must tell us who paid it to you. Was it Harden?—I think not. I do not think I ever had but two 5*l.* from Harden in my life.

31,474. When was that?—In 1865.

31,475. In 1865 you had two 5*l.* from Harden?—Yes.

31,476. Never from Truman?—Never in my life.

31,477. Did you ever at any election?—I never had a penny from the man on any business whatever.

31,478–9. What did you get in 1859 at Kinglake, Tynte, and Padwick's election? Nothing from Mr. Padwick?—I got 10*l.*

31,480. Who from?—I think it was Edward Denner the elder.

31,481. Is he alive?—I believe so.

31,482. In 1857 what did you get?—I do not know anything.

31,483. The first time that Kinglake came?—I was of the 100 plumpers.

31,484. What did you get for it?—Not a farthing, nor yet a second time.

31,485. How came you to vote for Kinglake if you were Conservative?—I was on the Liberal side for 35 or 36 years.

31,486. When did you first change, at Mr. Padwick's election?—When Mr. Bate owed me 600*l.*

31,487. Was it at Mr. Padwick's election you changed and got 10*l.* from Denner?—I think it was.

31,488. (*Mr. Anstey.*) What did you say about Mr. Bate?—Mr. Bate sold some property for me in the Taunton Road for 930*l.*, and he brought me 30*l.* and stuck to 600*l.* of my money the first starting.

31,489. He did not give you the money?—Never a farthing, he put it out at interest.

31,490. I suppose he had some charge against you?—Yes, he had 300*l.* on all the property, and stuck to it all.

31,491. He had some charge against you?—No, no interest.

31,492. (*Mr. Coleridge.*) What do you say the whole of the property sold for?—I believe it sold for 900*l.*

31,493. And there was a mortgage of 300*l.* upon it?—Yes.

31,494. Which he deducted, and you ought to have had 600*l.* minus his costs?—Decidedly.

31,495. Did you ever sue him?—I asked about it over and over again, and I thought as an honourable man he would put it out at interest, and I did not vote with that party any more.

31,496. Used he to pay you interest?—He never paid me nothing.

31,497. Did you ever sue him for it?—No, I asked Mr. Paul Reed about it, and he said that was eat all up. They sells the property to Brown and Co. unknown to me. They had an auctioneer into the borough to knock it down for anybody's money.

31,498. Do you mean you went to Mr. Paul Reed, and he told you that the whole 600*l.* was eaten up?

Mr. P. O. H. Reed.

MR. P. O. H. REED recalled.

(*The Witness.*) I recollect seeing Mr. Bate on the business, and was perfectly satisfied at the time that not a shilling was coming to the man, and so I informed him.

31,499. (*Mr. Coleridge.*) It was mortgaged to its full value?—Yes.

A. Frost.

ABRAHAM FROST recalled.

(*The Witness.*) I can swear with a clear conscience that I did not owe the man any money.

(*Mr. Price.*) It is one of those cases where people get confused in their affairs and find their property turns out to be worth much less than they expected.

31,500. (*Mr. Coleridge.*) It seems from all you have told us you have been pretty consistently paid; during the last 30 years you have got 100*l.* for your vote and never anything from Truman?—Never in my life.

31,501. Were you paid by anybody for your vote when Truman was present?—Yes.

31,502. (*Mr. Anstey.*) Are you quite sure about Vanderbyl's election that it was William Heal paid you?—Yes, because he sent for me by my daughter up to my house after me.

31,503. Who did you vote for at that election when Mr. Vanderbyl was elected first?—Vanderbyl.

31,504. You did vote for Vanderbyl?—Yes.

31,505. I thought you said you turned Conservative in consequence of Mr. Bate's conduct and remained so?—Yes, I was forced to, because owing the other parties some money for interest they would turn on me directly.

31,506. And you turned Liberal?—I was forced to, because I had the property in their hands. I have always voted for Mr. Westropp every time he has been here.

31,507. (*Mr. Coleridge.*) And he has always paid you?—No, not always, because I never had a penny of the money, and never thought about it.

T. Mogridge.

THOMAS MOGRIDGE sworn.

31,508. (*Mr. Price.*) You are the son of Charles Mogridge?—The brother of Charles.

31,509. The son of John?—Yes.

31,510. John is deceased?—Yes.

31,511. And your brother is in London?—Yes.

31,512. Are you a voter?—Yes.

31,513. Did you vote at the last election?—Yes.

31,514. How did you vote?—For Kinglake and Vanderbyl.

31,515. Did you get anything for it?—No.

31,516. Nothing at all?—No.

31,517. Did you vote in 1866 for Vanderbyl?—Yes.

31,518. Did you get anything then?—10*l.*

31,519. Who from?—Mr. Bulpin; he has given an account of it.

31,520. (*Mr. Coleridge.*) Did you get anything from Truman?—No.

31,521. (*Mr. Price.*) In 1866, at the first election, did you get anything?—Yes, that was Patton's; 10*l.* from Bulpin.

31,522. Who did you vote for?—Bagehot.

31,523. In 1865 who did you vote for?—I did not vote then; I had a vote but would not use it.

31,524. Had your father a vote?—Yes.

31,525. How did he vote?—For the Tories.

31,526. For Mr. Westropp?—Yes.

31,527. Did he get anything for it?—Yes, I believe he had 10*l.*

31,528. Who did he get it from?—He had 6*l.* 10*s.* I think it was Patton and Westropp's he voted for the first, and John Murlis gave him 6*l.* 10*s.* at the "Albion."

31,529. I will draw your attention to the election of 1865. Your father's name has been given in by Truman as a person to whom he paid 10*l.* in 1865?—

My father never had any money from Truman at all on any occasion.

31,530. How do you know that?—I am quite certain of it.

31,531. (*Mr. Coleridge.*) Is your father alive?—No, my mother is.

31,532. And she would know?—Yes, and so would I, because he never had any money excepting I knew it or mother.

31,533. (*Mr. Price.*) You say that your father and brother Charles got each 10*l.*?—I am not quite so sure about Charles, but they had it from Harden.

31,534. What makes you say so?—I have every reason, because father used to tell me everything in connexion with his affairs.

31,535. Did he tell you Harden?—He mentioned Harden's name; my impression of it was he had it at the "Three Crowns," where he went to breakfast. Dare, the painter, in St. Mary's Street, went with him; they went there to breakfast on that occasion, and our impression was that he had it at the "Three Crowns," but I since believe he had it from Harden, but not from Truman for certain.

31,536. (*Mr. Coleridge.*) Why had you no vote in 1865?—Because I had so many customers on each side, and to keep friends with all I would not vote.

31,537. What did you get for not voting? I got nothing, but for voting I lost most of my Tory customers.

31,538. You say your father went to breakfast at the "Three Crowns" with this man Dare, and he can tell what took place?—Yes, I think so; I have never had any communication with him.

WALTER JARMAN sworn. *W. Jarman.*

31,539. (*Mr. Price.*) You are a voter of this borough?—I am.

31,540. Did you vote at the last election?—I did.

31,541. Who for?—Westropp and Gray.

31,542. Did you get anything for it?—No.

31,543. Did you get any promise?—No.

31,544. (*Mr. Coleridge.*) Or any expenses?—No.

31,545. Neither before or after?—No.

31,546. (*Mr. Price.*) Did you vote in 1866 at Vanderbyl's?—No, I had no vote at that time.

31,547. Did you vote at Patton's in 1866?—I am only a new voter at the last election.

31,548. Are you the only Walter Jarman in the town?—I am.

31,549. Is it true or not that you got 10*l.* from Truman in 1865?—No, I think it is rather a mistake in the name; it must be Charles Jarman.

31,550. Is he alive?—Yes.

31,551. Where does he live?—Fryern Street.

GEORGE SELLICK sworn. *G. Sellick.*

31,552. (*Mr. Price.*) Are you a voter for the borough?—I am.

31,553. What are you?—A currier.

31,554. How did you vote at the last election?—Westropp and Gray.

31,555. Did you get anything for it?—Not a farthing.

31,556. Did you get any promise or any expenses? No.

31,557. Or anything of that kind?—No.

31,558. (*Mr. Coleridge.*) Or afterwards?—Nothing.

31,559. (*Mr. Price.*) Did you vote in 1866?—Yes.

31,560. At the second election how did you vote?—For Patton.

31,561. Mr. Vanderbyl stood?—Yes.

31,562. Did you get anything then?—I did.

31,563. How much?—10*l.*

31,564. Who from?—From behind the door at the "Bull and Butcher."

31,565. Did you get anything at the first election of Patton?—I did.

31,566. How much?—5*l.* at the poll day, and 5*l.* previous to his coming on the second election.

31,567. Who gave you those two 5*l.*?—Temblett.

31,568. (*Mr. Coleridge.*) Both of them?—Both of them.

31,569. (*Mr. Price.*) Did you vote in 1865, when Mr. Westropp first came forward?—I did.

31,570. Who for?—Westropp.

31,571. Did you get anything then?—Yes, 10*l.*

31,572. Who from?—Truman.

31,573. (*Mr. Coleridge.*) Did you vote at the election in 1859?—No, I voted the one previous to that, Follett's.

31,574. Who for?—Tynte and Follett.

31,575. What did you get?—Nothing.

31,576. How came you not to vote in 1859?—I had no vote, I was not in a rateable house.

WILLIAM STONE sworn. *W. Stone.*

31,577. What are you?—A beerhouse keeper.

31,578. Do you live in Back Street?—Yes.

31,579. Are you a voter for the borough?—I am.

31,580. Did you vote at the last election?—Yes.

31,581. Who for?—Westropp.

31,582. Did you get anything for it?—No.

31,583. (*Mr. Coleridge.*) Did you plump for Westropp?—Yes.

31,584. (*Mr. Price.*) Did you get any promise, or anything of that kind?—No.

31,585. (*Mr. Coleridge.*) Was there any treating bill at your house?—No.

31,586. (*Mr. Price.*) In 1866, Vanderbyl and Patton, how did you vote?—For Patton.

31,587. Did you yet anything then?—Yes.

31,588. How much?—10*l.*

31,589. Who from?—I cannot say whether from Newton or one of the committee at the "Three Crowns."

31,590. Was it from Truman?—No.

31,591. You swear that?—No, it was not.

31,592. (*Mr. Price.*) Did you vote at the first election in 1866, when Patton first came—Bagehot and Patton?—Yes I think I did.

31,593. How did you vote then, did you vote at both elections?—Yes.

31,594. The first of the two, how did you vote then?—Mr. Patton.

31,595. What did you get then?—Nothing.

31,596. (*Mr. Coleridge.*) Did you get nothing after?—No.

31,597. Not between the two elections?—No.

31,598. Not a 5*l.* note?—No.

31,599. Are you sure?—Yes.

31,600. (*Mr. Price.*) In 1865, how did you vote?—I voted for Westropp.

31,601. Did you get anything then?—Yes.

31,602. How much?—10*l.*

31,603. Who from?—Newton.

That is what Truman says; he gave 40*l.* to Newton to pay away.

31,604. (*Mr. Coleridge.*) Did you vote at the election before 1859, when Padwick came?—Yes.

31,605. What did you get then?—Nothing.

31,606. How was that, the streets were flooded with money we are told?—I voted for Mr. Tynte.

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W. Stone.

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31,607. And was not his the winning side?—I voted at two elections for Mr. Tynte.

31,608. (*Mr. Anstey.*) Was the money you got in 1866 at Patton's unsuccessful contest in 1866 given to you to vote then, or for both your votes?—For my vote.

31,609. A vote at that election, and the election before?—Not as I understood.

31,610. Only that one?—Only that one.

31,611. (*Mr. Coleridge.*) In 1859 what did you get for your vote?—Nothing.

31,612. How often have you been paid altogether?—Three times.

31,613. You have told us of two?—I had three 10*l.*

31,614. When was the other?—I had 10*l.* in 1866 of William Heal.

31,615. What was that for?—Well, I went up and asked if him whether there was not something going on, and he said yes.

31,616. At which election?—1866.

31,617. Did you vote for Patton or Vanderbyl?—Vanderbyl.

31,618. You told me you got 10*l.* from Newton then?—No, 10*l.* from one of the committee.

31,619. No, from Newton or one of the committee?—In 1865 I had it from Newton himself.

31,620. Your first answer was "In 1866 I had 10*l.* "from Newton or one of the committee"?—Yes.

31,621. When did you get this other 10*l.*?—The same day from William Heal.

31,622. Then you got paid twice over?—Yes.

31,623. Then was not the 10*l.* from Newton or one of the committee intended for your former vote at the previous election?—Not as I understood.

31,624. Was not what you got from William Heal intended for it?—No.

31,625. Do you suppose that you got two 10*l.* for that one election. Do you suppose you were paid for one vote, and not for two?—I am sure I do not know.

J. Stacey.

JOHN STACEY sworn.

31,626. (*Mr. Price.*) What are you?—A mariner I was, when able to work.

31,627. Are you a voter for the borough?—I am.

31,628. Did you vote at the last election?—I did.

31,629. How did you vote?—Westropp and Gray.

31,630. What did you get for it?—Nothing.

31,631. Any promise?—No.

31,632. (*Mr. Coleridge.*) Nothing for expenses?—Nothing at all.

31,633. (*Mr. Price.*) Now pay attention and do not give us trouble about it. Did you vote at the election when Vanderbyl stood first in 1866?—I did.

31,634. Who for?—Patton.

31,635. What did you get?—10*l.*

31,636. Who from?—Mr. Temblett and Mr. Harden was present.

31,637. Is that all you got at that election?—It was.

31,638. (*Mr. Coleridge.*) Did you get anything from the other side?—No, I did not look for it.

31,639. (*Mr. Price.*) Did you vote at the first election in 1666?—I did.

31,640. Who for?—Mr. Patton.

31,641. Did you get anything then?—I did.

31,642. How much?—10*l.*

31,643. Where from?—Newton, at the "Three Crowns."

31,644. Did you get anything more at that election?—I did not.

31,645. Did you vote in 1865?—I did.

31,646. Who for?—Westropp.

31,647. Did you get anything then?—I did not.

31,648. (*Mr. Coleridge.*) Did you get anything afterwards?—After or before?

31,649. (*Mr Price.*) Neither after nor before:—Neither after nor before, nor yet promised.

31,650. (*Mr. Coleridge.*) Did you get any expenses for coming home?—Nothing. I was home, worse luck, for I was an invalid.

31,651. In 1859?—I had no note.

31,652. Was your first vote 1865?—Yes.

31,653. You had no vote at any earlier election?—No.

31,654. What do you make out you had altogether?—20*l.*

31,655–6. You are quite sure it is not 30*l.*, that you did not get 10*l.* in 1865?—I am quite certain, neither a promise.

Capt. G. Brooks.

CAPTAIN GEORGE BROOKS sworn.

31,657. (*Mr. Price.*) Are you a voter?—Yes.

31,658. How did you vote at the last election?—For Westropp and Gray.

31,659. Did you get anything for it?—No.

31,660. Anything for expenses?—No.

31,661. Did you vote at the election of 1866 Vanderbyl's election?—No.

31,662. Not at all?—No.

31,663. Had you a vote then?—No.

31,664. Had you no vote in 1866?—No.

31,665. Had you no vote in 1865?—Yes.

31,666. How did you vote in 1865?—Westropp.

31,667. What did you get for it?—10*l.*

31,668. Who from?—I do not know.

31,669. (*Mr. Coleridge.*) How do you mean?—I do not know who gave it to me.

31,670. (*Mr. Price.*) Where did you get it?—I cannot say; in some dark place, somewhere in a house.

31,671. (*Mr. Coleridge.*) Were you so drunk that you cannot recollect?—No, I was sober.

31,672. Why cannot you tell us?—Because I went to the door and it was open.

31,673. Who sent you to the door?—Truman.

31,674. Truman sent you to the dark place, and you got 10*l.*?—Yes.

31,675. How was it he did not send you to a dark place in 1866, had you no vote?—I had no vote.

31,676. In 1859, before that?—I voted for Padwick and Westropp.

31,677. What did you get then?—10*l.*

31,678. Who from?—Murlis; and 2*l.* I had for the detention of the vessel.

31,679. Who from?—Murlis.

31,680. Had you anything for the detention of the vessel in 1865?—Nothing.

31,681. In 1857 had you a vote the first time Mr. Kinglake came?—Yes.

31,682. Who did you vote for?—The Conservatives then.

31,683. What did you get?—Nothing.

31,684. How much have you got altogether?—Only 20*l.*

31,685. 20*l.* in two tens?—20*l.* in two tens.

31,686. That is all?—That is all.

31,687. (*Mr. Price.*) You never got anything from Truman. He put you down as one of the men to whom he paid 10*l.*; that is not so?—Not so. I received nothing from him.

FREDERICK HARDEN recalled.

31,688. (*Mr. Price.*) You have been sworn in this inquiry?—Yes.

31,689. You are on your oath now; what have you to say about Mr. Truman?—I mean to say that I was very much surprised at hearing that he had 200*l.* to pay voters with. He was working with me, and the most I can tell is 30*l.* or 40*l.* he must have paid away. He said, either the night the stranger gave it or the morning, "I propose that we pay ourselves handsomely "first before paying away any money." I did not like to tell you that the other day, because we had a lawsuit, and I did not want to say anything against him, because I thought it would look malicious, but he proposed that we should pay ourselves handsomely first, before we began to pay voters. I said "I will "have nothing to do with that." I was very much alarmed about it, and I went and told Temblett about it, and asked him his advice. I was very much alarmed at his proposal of sticking to the money, because I thought we should have a tight contest, and every shilling would be wanted.

31,690. This was in 1865?—This was in 1865, the only time he had the handling of any money to my knowledge. The stranger told me he was not to be trusted again. In the morning he paid, I should think, three or four voters. I was not aware that he had so much. I thought probably he might have had 50*l.*, and he said very early, "My money is done, I "have nothing more." And now I find that he has broken into my list to make up his 200*l.*, and I believe nearly every man whose name is down to-day will deny having money from him.

31,191. (*Mr. Coleridge.*) Who are they?—William Harwood; I gave him early in the morning. William Jarman never had a shilling at that election, either for himself or anybody else.

31,692. He never had?—He never had.

31,693. We must have him here?—He is dead; his name is returned for 50*l.*

31,694. William Jarman is not returned for 50*l.* by Truman?—No, I mentioned his name; the next is William Jarman.

31,695. He is not returned for 50*l.*; he is returned for 10*l.* The man who had the 50*l.* is Robert Newton, now in America.—If you read on you will find that Jarman's is 40*l.* for four voters, and I do not believe either of those men had a shilling.

31,696. We cannot take it from you without it is your own knowledge?—The men are subpœned. Stacey, who has been called, is one of the four.

(*Mr. Anstey.*) If they do not choose to come we have only one course to take, and that is to believe the statement and schedule them as bribed. That we shall do in every case if they do not choose to attend.

(*The Witness.*) Has Parminter been called?

(*Mr. Price.*) One has, but it appears the wrong one. If you will take the trouble to give us the names in we will send for them.

31,697. (*Mr. Coleridge.*) When Truman said this to you about paying yourself well first, what did you say?—I said I would have nothing to do with it.

31,698. Did you pay yourself?—No, I had not a pound.

31,699. How much were you paid altogether?—20*l.*, a day or two before Mr. Patton's election.

31,700. Do you mean to say you paid away all the money you had?—I did.

31,701. And to make out his list Truman has broken into yours?—He has, because he worked with me, and kept my book.

31,702. You do not know that those men were paid twice over, once by him and once by you?—Certainly not. Charles Hayward is another you have not called. Newton is put down for 50*l.* I consider that I let Newton have the money to pay those men myself.

31,703. How do you mean you consider, did you or not?—I would not swear, but I believe I did. I should like to have the man's word before being certain of it. The two Pooles you have not called; they are in Court.

31,704. (*Mr. Price.*) But the two Pooles are not returned by Truman as men paid?—I think so, if you will read on.

(*Mr. Coleridge.*) Then let William Poole come up at once.

31,705. (*Mr. Anstey.*) You have said that when you were last examined you concealed these facts because you did not like to tell us. Did you reflect upon the passage in your oath which obliges you to tell us the whole truth?—The whole truth touching the matter in question, I suppose, but I considered it was not necessary to go into that which was not done.

31,706. Then I beg to tell you, and all persons, that it is necessary to tell the truth, according to the tenor of your oath, everything relating to matters which are inquired about. This was one, namely, "Can you tell us anything with regard to any past "election?" And you concealed this for a reason you had; is there anything else you have concealed?—Not that I remember.

31,707. It is a very serious thing.—It was merely a conversation between us.

31,708. (*Mr. Price.*) What is this lawsuit about?—We have no lawsuit now.

31,709. Is there bad blood between you?—No, not at all.

31,710. What do you mean by saying you did not want to say it?—I thought perhaps it would look as if it were malicious to bring out these conversations between ourselves.

31,711. (*Mr. Coleridge.*) Was not your reason that people were saying that either you or he had stuck to the money, and you wanted to clear yourself at his expense?—I wanted to clear myself entirely, but not at his expense.

31,712. But you must clear yourself at his expense?—I want to do so by having all the voters called.

JOHN TRUMAN recalled.

J. Truman.

31,713. (*Mr. Price.*) Was Poole one of the names you mentioned?—One of the men after I had expended the first 200*l.* not in the list. I should like Harden to produce my book. He had it.

WILLIAM POOLE, junior, sworn.

W. Poole, jun.

31,714. (*Mr. Price.*) What are you?—A tailor.

31,715. Are you a voter?—Yes.

31,716. Did you vote at the last election?—Yes.

31,717. How did you vote?—For Westropp and Gray.

31,718. What did you get for it?—Nothing.

31,719. Neither before nor after?—No.

31,720. No promise?—No.

31,721. Did you vote at the election of 1866, when Mr. Vanderbyl first came forward?—Yes.

31,722. How did you vote then?—For Patton.

31,723. Did you get anything then?—Yes.

31,724. How much?—That is after the election; 20*l.*

31,725. (*Mr. Coleridge.*) Who from?—Jarman.

31,726. (*Mr. Price.*) Was that in respect of your vote at that one election?—That was for myself, and I drew the money for my father's vote.

31,727. Did you vote at the first election in 1866?—Patton's.

THIRTIETH DAY.

W. Poole, jun.

28 Sept. 1869.

31,728. Did you get anything then?—The same afterwards.

31,729. 10*l.* for yourself and 10*l.* for your father?—Yes.

31,730. (*Mr. Coleridge.*) From Jarman?—Both from Jarman.

31,731. (*Mr. Price.*) Did you vote in 1865?—When Mr. Westropp was returned?

31,732. Yes, did you vote then?—Yes.

31,733. For Westropp?—Yes.

31,734. What did you get then?—I had 20*l.* from Harden.

31,735. Had you any money from Truman?—No.

31,736. Never?—No.

31,737. Did you ever see Jarman about it at all?—No, I never saw Harden about it till I had the money.

31,738. Was that 10*l.* for yourself and 10*l.* for your father?—Yes.

31,739. (*Mr. Coleridge.*) Is your father here to-day?—Yes.

31,740. (*Mr. Price.*) Did you vote at any other election besides that?—No.

31,741. Did your father vote at any other?—I do not know.

31,742. You are quite sure you did not see Truman about this election in 1865, and got the money from Harden?—No, I never saw him at all about it.

31,743. (*Mr. Coleridge.*) Was that the first election you voted at?—Westropp's.

31,744. Was that the first at which you ever voted?—Yes.

31,745. Did you get the money for your father before you had a vote yourself?—No.

31,746. Not in 1859 or any time?—No.

W. Poole, sen.

WILLIAM POOLE, senior, sworn.

31,747. (*Mr. Coleridge.*) Are you the father of the last witness?—Yes.

31,748. What did you get for voting at Vanderbyl's election in 1866?—Whatever I got he got it for me, because I never once did.

31,749. Did he get you 10*l.* for voting?—I believe so.

31,750. Did anybody give you anything else at that election?—I believe not.

31,751. And the election before that?—No.

31,752. Patton and Bagehot's election?—No.

31,753. Did you get 10*l.* from your son then for voting?—Well, I daresay I did.

31,754. Did you get 10*l.* from anybody but your son?—No.

31,755. In 1865 did you get 10*l.* for voting for Westropp?—Yes.

31,756. Did you get that from your son?—Yes.

31,757. Those are the three times your son paid you?—Yes.

31,758. Did anybody else pay you besides your son?—No.

31,759. Did Truman ever pay you?—Never a farthing. I never spoke to him.

31,760. Did Harden pay you?—I never spoke to the man in my life.

31,761. In 1859 had you a vote, when your son had not, in Padwick's time?—I think I had. I am not positive.

31,762. How much did you get?—If I got anything it would be 10*l.*

31,763. From whom?—I cannot tell.

31,764. You must recollect, that if you got 10*l.*, who gave you the 10*l.* at Padwick's election?—I had 10*l.* once from Hill.

31,765. William Heal?—No, Thomas Hill.

31,766. That was 1859, I suppose?—No, I cannot tell you.

31,767. Before then, in 1857, had you a vote when Kinglake first came?—Then that must have been Hill. I voted then for Kinglake and Tynte, I believe.

31,768. And Hill gave you 10*l.* for it?—Yes.

31,769. That is 1859, I suppose?—Yes.

31,770. When before that?—No, I never had a farthing in my life.

31,771. How much altogether have you had for your vote?—I cannot tell.

31,772. 100*l.*?—No.

31,773. You have told us of 40*l.* Is that all you got?—I do not believe I ever had 40*l.*

31,774. If you had not, your son had for you; you have told us three times?—Whatever he had, he brought it and gave it to his mother. I never saw it, it is all the same thing.

31,775. How often has your wife had money at elections before?—Never in her life.

31,776. Will you swear that?—Yes.

31,777. The first time was when Hill gave it to you in 1859?—Well, we had not a vote previous to that.

31,778. Was 1859 the first time you had a vote?—Yes.

31,779. Then you have received 40*l.* on your own showing.

C. Lear.

CHARLES LEAR sworn.

31,780. (*Mr. Price.*) What are you?—A hairdresser and picture dealer.

31,781. Are you a voter for the borough?—I am.

31,782. Did you vote at the last election?—Yes, I did.

31,783. For whom?—Westropp and Gray.

31,784. Did you get anything for it?—Nothing at all.

31,785. Did you vote at the election before?—Patton's, no, I did not.

31,786. At Vanderbyl's and Patton's did you vote then?—I did not. I must tell you about a week after Mr. Patton's first election I heard a man of the name of Newton had drawn from the Man in the Moon at his house 10*l.* in my name. After I heard it, which I believed was true, I said "Well, I will never vote "again unless it was a case of necessity to assist the "Conservative party." That is the truth of it.

31,787. Did not he give you the 10*l.*?—No, not he.

31,788. Did you get anything for voting at Patton's election?—Not a halfpenny; not anything at Patton's at all.

31,789. When were you paid in 1865?—I will tell you. In 1865 I voted for Westropp and had 10*l.* from that very man Newton.

31,790. Then you got nothing?—Nothing since Westropp.

31,791. (*Mr. Price.*) Your name is Charles Lear, hairdresser?—Yes.

31,792. You are returned by Truman?—Yes.

31,793. (*Mr. Coleridge.*) Did he ever pay you anything?—No.

31,794. (*Mr. Anstey.*) At that election, 1866?—That was Patton's and Vanderbyl's.

31,795. At that election, of 1866, at which Mr. Vanderbyl was returned, it is said that you or your father, or both, were at the "Clarence" hotel amongst a number of other voters shut up in a room?—I beg most distinctly to deny anything of it at all.

31,796. What?—I deny it quite.

31,797. Were you there in charge of any voters?—Yes. I will relate that to you.

31,798. Attend to my question. You were not shut up with other voters; were you there attending to other voters?—Attending to other voters—no, certainly not.

31,799. Were you taking care of voters?—No.

31,800. What were you doing at the "Clarence"?

—I will tell you. I think a man, by the name of Thomas Collett, an innkeeper at East Over, came to me about half-past 3, from that to 4, on the afternoon of Mr. Patton's election, and he said to me, "Will you vote for Mr. Patton? We can get him "in." I said "No, I had made up my mind not to "vote in consequence of Newton." He said, "We "can get in Patton, will you come over to swell the "majority?" I said, "I don't mind it, if you can "get him in; but understand this, if I go to the "'Clarence' and find that Mr. Patton cannot be "returned, I will stick to my promise and not vote." I went to the "Clarence" and moved up and down for 10 minutes, and by accident heard that Mr. Patton could not be returned. I left the "Clarence" and came home again, and was not there more than 10 minutes.

31,801. Did anything take place like what I have described in my first question at the previous election?—Nothing.

31,802. Neither to you nor your father?—No.

31,803. Your father is dead?—Yes.

31,804. You know what is meant by the local phrase, "bottling voters"?—Certainly.

31,805. Have you or your father ever been in such a position as is described by that, "bottled"?—Certainly not.

31,806. Did you or your father ever have anything to do with bottling of other voters?—Certainly not.

31,807. I thought it due to you to put the question?—But I have one thing more to say—I voted for Padwick and Westropp, for which I received 10*l.*

31,808. (*Mr. Coleridge.*) Who gave you that?—Murlis.

31,809. (*Mr. Price.*) Was that the first time you voted?—No, certainly not. I said I had 10*l.* from Murlis, and when he gave me the 10*l.* he had two packages in his hand of 10*l.* each, I consider, which I took to two voters.

31,810. Who were they?—Thomas Herbert and Lane, a pastrycook. I was not employed for it; it was by accident I took the money to these men.

31,811. (*Mr. Coleridge.*) Did you vote in 1857?—Yes.

31,812. What did you get then?—Nothing; for Follett and Tynte.

31,813. Did you vote the time before?—Yes. Follett and Mansell.

31,814. What did you get then?—Nothing.

31,815. Then you have only got two tens altogether?—I have had 20*l.* in my life, that is all.

31,816. How much has your father had?—I think the same.

31,817. How came you to vote for Tynte?—I was employed in the house for Tynte, and it was a sort of condition, I think, between Tynte and Follett, and I waited on him and his family, and I found out afterwards, when I voted for Westropp, I never went to the house. Mr. Hayward, who is a Liberal, had this work of mine.

31,818. Do you know what your father has had altogether?—The same, I should think, since I have known him. That is the true story. There was a little thing occurred between me and Mr. Kinglake at Westropp and Gray's election. Mr. Vanderbyl and Mr. Kinglake solicited my vote, and I told Mr. Vanderbyl I could not vote for him, I was a strong Conservative, and also Mr. Kinglake. Mr. Vanderbyl left the shop and Mr. Kinglake remained behind, and he said, "Oh, Mr. Lear, if there should be anything "in the way of a coalition, will you think of me in "preference to Mr. Vanderbyl." I said, "Yes, I "will; if anything can be done to return you, I shall "be very happy to vote for you."

Mrs. Jane Mogridge sworn.

Mrs. J. Mogridge.

31,819. (*Mr. Price.*) You are the widow of the late John Mogridge, are you?—Yes.

31,820. And the mother of Charles, and the mother of the young man who is in London?—Yes.

31,821. How much did your husband get in 1865 for his vote, do you know?—I cannot remember, for I never mind the time at all. I know he had money three times.

31,822. Do you know whom he got it from each time? I know he had it from Murlis. He had 6*l.* 10*s.*; and Mr. Temblett brought it to the house the next election, and gave him 10*l.*; in fact, he gave it to me.

31,823. Did he ever get any money from Truman?—No; he never got a farthing from Truman.

31,824. How do you know that?—Because I am certain of it. He never had it but three times.

31,825. (*Mr. Coleridge.*) Your son has always sworn that he got it from Truman. Now you say, Temblett brought it to you?—Temblett brought it to my house at one election.

(*Thomas Mogridge.*) That is quite a mistake. I did not say that I ever received any money for my father.

(*Mr. Price.*) It was Poole. Are you quite sure your husband never got anything from Truman?

(*The Witness.*) I am.

William Harwood recalled.

W. Harwood.

31,826. (*Mr. Price.*) What do say about this 10*l.* in 1865? Did you take 10*l.* from Truman then?—I never took a farthing from him in my life.

31,827. I think you said so before, if I remember right?—I took 10*l.* from Mr. Harden.

31,828. You are quite sure about that?—I am quite sure about that.

Charles Haste sworn

C. Haste

31,829. (*Mr. Price.*) What are you?—I am a carpenter and joiner.

31,830. You have been examined before?—Yes.

31,831. What have you to say about receiving this money in 1865 from Truman?—I never had a halfpenny of it.

31,832. Do you live in Silver Street?—Yes.

31,833. Are you Charles Haste, of Silver Street?—Yes.

31,834. Whom did you get money from then, from Jarman?—From no one at that time.

31,835. Did you not get 10*l.* from Jarman in 1865?—No.

31,836. Are you quite sure of that?—I am; nor from no one else at that time.

31,837. (*Mr. Coleridge.*) When?—I never had it but three times in my life.

31,838. Did you ever get any money from Truman at any election?—Never.

31,839. You swear that?—Yes.

31,840. (*Mr. Price.*) Nor from Jarman?—No.

31,841. You are returned by Jarman as one of the four he bribed?—I do not know how Jarman could have done so. We were always working together.

THIRTIETH DAY.

J. Richards.

28 Sept. 1869.

JOHN RICHARDS recalled.

31,842. (*Mr. Price.*) Are you the butcher of Back Street?—Yes.

31,843. You have been examined before?—Yes.

31,844. What do you say about this 10*l.* from Truman in 1865?—I omitted to state the other day, that I took 10*l.* from some one in a room, and they handed me the parcel back over the shoulder. (*Describing.*)

31,845. Where was the room?—At the "Rose and Crown."

31,846. The "Three Crowns," was it not?—Yes.

31,847. Was it Mr. Harden?—I do not know who it was. I never saw their faces.

31,848. It might be Truman?—It might be. There were three writing there, and somebody handed it over their shoulder.

31,849. (*Mr. Coleridge.*) Did you ever receive money from Truman to your knowledge?—Never.

31,850. (*Mr. Price.*) The return is, that you were paid by a man of the name of Newton. Are you quite sure it was not Newton?—Yes.

31,851. You are quite sure it was not Newton?—Yes, I am quite sure it was not Newton, because Newton showed me into the room.

J. Irish.

JOHN IRISH sworn.

31,852. (*Mr. Price.*) What are you?—A bargeman.

31,853. Are you a voter?—I am.

31,854. Did you vote at the last election?—I did.

31,855. Who for?—Mr. Westropp and Mr. Gray.

31,856. Did you get anything?—Nothing at all, neither a promise.

31,857. Nor expenses?—No expenses. I was busy at work both days, the nomination day and the polling day, until half past 1 o'clock, when I went home, and polled before I went into the house for Westropp and Gray.

31,858. Did you vote at the last election of 1866?—I did.

31,859. For whom?—I voted for Mr. Patton at both elections in 1866.

31,860. Did you get anything for it?—I did.

31,861. How much?—I got 20*l.* at both elections.

31,862. 20*l.* at both?—Yes, 10*l.* each time.

31,863. 20*l.* for the two?—20*l.* for the two.

31,864. Whom did you get that from?—From Mr. Frederick Jarman, St. John Street.

31,865. Did you get anything in 1865?—I did.

31,866. For whom did you vote then?—I voted for Mr. Westropp.

31,867. Did you get anything then?—10*l.*

31,868. From whom?—Mr. Hayward, the hairdresser.

31,869, Mr. Hayward paid you?—Yes.

31,870. Is Hayward here?—Yes, I believe he is.

31,871. Is that all the money you got in 1865?—That was all the money I ever got for electioneering then. I can go as far back as 1841.

31,872. Did you ever get any money then?—No.

31,873. (*Mr. Coleridge.*) Did you never get any money in Mr. Padwick's election?—No, I was off the register. I paid the rates to my landlord.

C. Hayward.

CHARLES HAYWARD sworn.

31,874. (*Mr Price.*) Are you a voter?—I am.

31,875. Are you a hairdresser here?—I am.

31,876. Did you vote at the last election?—I did.

31,877. For whom?—Westropp and Gray.

31,878. Did you get anything for it?—Nothing.

31,879. Did you vote in the election of 1866, Vanderbyl and Patton's election?—Yes.

31,880. For whom?—For Mr. Westropp.

I am asking you about Vanderbyl and Patton's election.

31,881. (*Mr. Coleridge.*) In 1866 Mr. Westropp had been unseated?—Oh, I am mistaking,—Yes, for Mr. Patton.

31,882. What did you get?—5*l.*

31,883. From whom?—From Mr. Harden.

31,884. What was that for, your vote?—Yes.

31,885. Did you give 5*l.* to anybody else?—Not at that election.

31,886. The time before, how did you vote,—at Patton's first election?—I mean Patton's first election.

31,887. (*Mr. Price.*) No. You are asked about the time that Mr. Vanderbyl first came down. Did you vote then?

31,888. (*Mr. Coleridge.*) The second election of 1866?—Yes.

31,889. For whom did you vote?—For Patton.

31,890. What did you get?—At Patton's second election?

31,891. Yes.—Nothing.

31,892. Nothing?—No.

31,893. Nothing promised?—Not at the second election.

31,894. Nothing after the election?—No.

38,895. Did you not get some money to give to another man?—Not at the second election.

31,896. At the first election you got 5*l.* for your own vote?—I did.

31,897. And what for another man?—And 5*l.* for two others.

31,898. Who was that for?—Thomas Crocker and Thomas Herbert.

31,899. Did you get a second 5*l.* for each of them afterwards?—No. I received 5*l.* for myself from Mr. Waddon.

31,900. Then in 1865 what did you get for yourself—Westropp's first return,—what did you get at that time?—I had 30*l.*, 10*l.* for myself, 10*l.* I gave to Thomas Crocker, and 10*l.* I gave to John Irish.

31,901. (*Mr. Price.*) Where did you get that money from?—I went to Mr. Harden's house, and helped myself to it in a dark room.

31,902. (*Mr. Anstey.*) In whose house?—Mr. Harden's.

31,903. (*Mr. Coleridge.*) What house is that?—Mr. Harden, the baker.

31,904. (*Mr. Anstey.*) You were examined before the committee?—I was.

31,905. Tell me, did you ask Mr. Benjamin Lovibond for 50*l.*?—I did not.

31,906. Did you ask him for any sum of money at that election?—He said he would make it worth me 50*l.*, as well as I can remember.

31,907. Answer my question. You can judge from the tenor of my questions that I am fully aware of the disgraceful circumstances under which you gave evidence before that committee. Did you ask him for any money at that election?—I did not ask him.

31,908. Did you give him to understand, by hint or otherwise, that you owed 50*l.*, which you must clear off at that election, and which you intended to clear off at that election, and that you had made up your mind to have it, being oddly circumstanced, and in short gave him to understand that at a time when he came to you about your vote?—I did not.

31,909. You mean to say, to put the question as shortly as possible, that you never gave him a hint to the effect that if he would get you or enable you to get out of your embarrassment you were inclined to vote for the Liberals?—I did not tell him so.

31,910.—You are aware that Mr. Benjamin Lovibond stated that before the Committee of the House of Commons ?—He did ; I am aware of that.

31,911. You are aware, also, that you swore before the Committee of the House of Commons that on one occasion, two days before the election, Mr. Benjamin Lovibond, having no occasion to have his hair cut, it having been cut just before, the same day, I believe, came a second time into your shop, asked to have his hair cut, sat down, and then when you were in that relation towards one another he offered you some money. You swore that?—He said he would make it worth me 50*l.*

31,912. That you know you swore?—Yes.

31,913. And you gave evidence further to the effect, that this offer was made to induce you to vote for Sir John Shelley and Mr Kinglake ?—It was.

31,914. And you are aware that the Committee of the House of Commons heard a good deal of evidence on that subject, Mrs. Badger's evidence, I think ?—Yes.

31,915. Young Badger's evidence, who has been examined before us, and I think your daughter or sister?—I had nothing to do with young Badger.

31,916. But your daughter or sister ?—My daughter.

31,917. She was examined and you were examined, and at last Mr. Benjamin Lovibond was examined ; are you aware that the Committee of the House of Commons, after hearing all the evidence on that subject, reported "That Alexander William Kinglake, "Esq., is duly elected a Burgess to serve in this present "Parliament for the borough of Bridgwater." You are aware of that ?—Yes.

31,918. And you are aware that your direct and and positive testimony to those facts, that you have again mentioned to-day, was discredited by the Committee, you are aware of that ?—I do not know that it was discredited by the Committee.

31,919. You told the Committee, as near as possible, what you have told us to-day ?—Yes, as near as possible.

(*Mr. Price.*) That was quite enough to have unseated any member.

31,920. (*Mr. Anstey.*) Did you owe 50*l.* for repairs done to your house about the time of the election ?—I did not.

31,921. Were you in want of a sum of money at that time ?—Not particularly.

32,922. Well, generally ?—I was not pressed by anyone for money.

31,923. That is not an answer to my question, and you know it. Were you in want of a sum of money generally ? Were you pressed or not pressed about the time of that election ?—No ; I was not in want of money.

31,924. Generally or particularly ? Please to answer my question. Were you in want of a sum of money about that time ?—I cannot remember being in want of money.

31,925. Had you ceased to be in want of that sum of money after that time ?—I never received any.

31,926. Not from Mr. Westropp, come ?—I helped myself to some at Mr. Harden's house.

31,927. How much ?—To 10*l.*

31,928. Are you quite sure it was not nearer 50*l.* ?—I am sure it was not.

31,929. What did you do with the 10*l.* you helped yourself to ?—I used it in my business.

31,930. Did not you use it towards paying off some money demands that were then owing by you ?—I used it in the business. I cannot say for what purpose.

31,931. (*Mr. Price.*) What do you mean by "the business" ? Was it to pay your debts ?—Yes.

31,932. (*Mr. Anstey.*) Therefore you did owe money at that time, and got money to pay it off. Did you not throw out that suggestion to Mr. Benjamin Lovibond, or something like it, which I mentioned before ?—I never did.

31,933. (*Mr. Price.*) How much did you help yourself to ?—I helped myself to three packets of money.

31,934. Who told you to do so ?—Mr. Harden told me to go into the room.

31,935. And to take as much as you liked ?—Yes ; it was on the table.

31,936. And to take as much as you liked ?—There was only 30*l.* there.

31,937. If there had been more, you would have taken it, I suppose ?—Yes, I should.

31,938. (*Mr. Coleridge.*) In 1859 had you a vote, Mr. Padwick's time ?—Yes.

31,939. What did you get for your vote then ?—Nothing.

31,940. Nothing afterwards ?—No.

31,941. For whom did you vote ?—I voted for Colonel Tynte.

31,942. And you got nothing at all ?—No.

31,943. Did you vote the time before, that in 1857 ?—Yes.

31,944. For whom did you vote ?—I voted for Mr. Kinglake.

31,945. What did you get then ?—I cannot remember whether I had 10*l.* then from Mr. Crocker or not. He was my landlord then ; I rented a room of him at that time. He is the Mr. Crocker who keeps the "Fountain" inn. I had a room there, and he told me to go into my room and have a bit of lunch, and I went in and found 10*l.* in sovereigns on my bench.

31,946. That was in the election of 1857 ?—That was at one of the elections ; I will not swear.

31,947. Did you vote in the previous election, Lord Henley's time ?—Yes.

31,948. For whom ?—Tynte and Follett.

31,949. What did you get then ?—That is the amount I alluded to just now.

31,950. It was either in 1857 or 1852 that you got this 10*l.* ?—Yes.

31,951. Did you not get it in both ?—No.

31,952. When was the first time you voted ?—In 1852.

31,953. And either in 1852 or 1857 you received 10*l.* ?—Yes.

31,954. And you cannot say which ?—I cannot say which ; I know I received 10*l.*

31,955. Did you get any money from anybody else in 1859 ?—No I did not.

31,956. (*Mr. Anstey.*) Are you anything to James Hayward ?—No.

31,957. Nor to Henry Hayward ?—No.

CHARLES LEAR recalled.

C. Lear.

31,958. (*Mr. Price.*) Just tell us again when was it that Mr. Kinglake stayed behind Mr. Vanderbyl when they were canvassing, to state to you about the coalition ?—The last election.

31,959. How long before the election day ?—Well, I think it must been a week.

31,960. Soon after they began their canvass ?—Yes. It is not generally that the Liberal party solicit my vote, because they merely pass on, and pass the compliment to look in.

31,961. You volunteered this matter you know ?—Well, it is a fact. Of course I tell you the truth.

31,962. (*Mr. Anstey.*) And from your mentioning that Mr. Kinglake saw you in person it is clear that it must have been during his canvass ?—Of course it must.

31,963. Because we have it in evidence that he and Mr. Vanderbyl shut themselves up on the polling day ?—Yes.

THIRTIETH DAY.

C. Lear.

28 Sept. 1869.

31,964. So that it could not have been on the polling day ?—No. I think it was a week or a fortnight before the election. Mr. Jarman was there. He came with them.

31,965. It was a joint canvass for himself and Mr. Vanderbyl ?—Certainly.

31,966. He was endeavouring to obtain his return by means of a coalition ?—Yes.

JOHN TRUMAN recalled.

J. Truman.

31,967. (*Mr. Price.*) Do you keep a banking account ?—Yes.

31,968. Where do you bank ?—At the West of England.

31,969. We should like to look at your book for 1865 and 1866 before we go any further, so you will be good enough to get it, your pass-book ?—I will go and get the book.

31,970. (*Mr. Coleridge.*) They will have the duplicates if you have not got them ?—I will go to Capt. Ford.

31,971. (*Mr. Price.*) Go to Capt. Ford and get it. (*Addressing Mr. Henry Lovibond*) You want to make a statement I believe ?

(*Mr. Henry Lovibond.*) Yes, if convenient to the Court.

(*Mr. Price.*) Then you had better go into the box.

MR. HENRY LOVIBOND presented himself.

Mr. H. Lovibond.

(*Mr. Price.*) Before we commence, I think it right that I should inform you that we shall not interrupt you in the course of your statement. You will be at liberty to make it as fully as you please, and of course, according to the mode in which you make it, and the way in which you account for and fill up the deficiency of your former evidence, so shall we be the more inclined to look upon it as a complete statement on your behalf. Therefore it will be incumbent upon you to bear that in mind. You have now the fullest opportunity, therefore, in whatever order you like, to make your statement, without our interference in any way. The statement will be entirely your own, and it will depend, as I said before, exactly upon the mode in which that statement will be made whether it will be received at our hands with any consideration or not. Of course, therefore, you must not expect from us that we shall assist you in any way in the shape of questions, you are at liberty to say now what you please.

(*Mr. Lovibond.*) I will commence at the first election at which I had anything to do with, and go down to the present time. In 1847 was the first election that I had anything to do with in Bridgwater. At that time the Liberal party was represented by Mr. Benjamin Lovibond, Mr. Thomas Ford, and Mr. Bate. Some disagreement occurred between Mr. Benjamin Lovibond, Mr. Bate, and Mr. Ford, in consequence of which Mr. Bate and Mr. Ford determined upon bringing in a candidate. I may say, in the first place, that there were only two candidates at the time; they were Colonel Tynte and Mr. Broadwood. It was supposed by Mr. Bate and Mr. Ford that a coalition was intended. At the request of Messrs. Bate and Ford I went to London, and was introduced to Serjeant Gaselee, and I induced him to come down, representing to him all the facts that I could ; that was that a section of the Liberal party was supposed to have entered into a coalition with the Conservatives. The Serjeant thought there was a possibility of being returned under the circumstances, and he came down. He only came into the town on the day of the nomination. He was nominated and seconded in the usual way. He was a very good speaker, and he had the show of hands in his favour. On the day of the poll, in the early part of the day, he was very well supported, in fact so strongly was he supported that the Conservatives were so much alarmed that they believed that Mr. Benjamin Lovibond had broken faith with them, and they, in consequence, went to him and said, "Now, as you have broken faith with us, you must "buy a certain number of the balance men, in order to "make Mr. Broadwood's election secure." That was done, I was informed, and, in consequence, Mr. Broadwood was returned; otherwise, I firmly believe that Mr. Serjeant Gaselee would have been returned in conjunction with Colonel Tynte. I heard it stated in this court, I think it was by Mr. John Trevor, that that coalition was brought about for the sole purpose of preventing bribery. I have my doubts about it. I believe that it was brought about by Mr. Benjamin Lovibond, as he represented to Colonel Tynte, solely for the purpose of spending as little money as possible, so far as he was concerned, and that it was brought about by the Conservatives, because Mr. Broadwood had no money to spend, in fact he compromised or compounded with the agents afterwards, and paid 10*s.* in the pound, or something like that. The next election took place in 1852. At that time the differences in the Liberal party had not been healed up. Many of the influential tradesmen of the Liberal party formed themselves into an association for the purpose of introducing candidates, so as to be independent of the lawyers. One of the rules, I believe, of the association was, that no candidate should be supported unless he was introduced by that association; and another rule also was, that the candidate, if returned, should not vote in the House of Commons upon any question except the question had the sanction of the association. Lord Henley, who, I believe, but I am not sure, was first introduced by Mr. Benjamin Lovibond—the association introduced him—consented to the terms submitted by the members of the association. Mr. Kinglake was asked to do the same. Mr. Kinglake wrote them a letter refusing to accede to any such terms; he thought they were what no man of any independence would submit to. The Liberal party was then divided into three sections ; there were the men who supported Mr. Kinglake, others who supported Lord Henley, and others who supported Colonel Tynte. We went to poll, and the party some of them plumped for Mr. Kinglake, some for Lord Henley, and some for Colonel Tynte, but the party was divided into three. The consequence was that before 10 o'clock, I think, the Conservatives, Messrs. Follett and Mansell, were in a considerable majority, so much so that everyone thought they would have been returned. However, very shortly after a large sum of money, I believe, was expended on behalf of Colonel Tynte, for the purpose of bribing voters for Mr. Follett as well as Colonel Tynte, so as to prevent any petition. The money was distributed, I believe, in that election by William Heal and a man of the name of Haslam, who is dead. It was reported at the time that William Heal had helped himself very considerably. At the next election which took place, in 1857, the Liberal party then became united. There was only one Conservative, and I always understood from that time down to this Commission that that was a pure election, that no money was spent by Mr. Kinglake at that election, nor was any money spent by Mr. Follett. Mr. Kinglake was returned at that election by a majority, I think, of nearly 100 over Mr. Follett. Then came the election of 1859. The Conservative candidates, Messrs. Padwick and Westropp, were entire strangers to the town, and something was very soon known of Padwick in consequence of his connexion with Palmer, who was afterwards, I think, convicted—hung, in fact,—for poisoning a man of the name of Cook. What was known of Padwick was of his being a witness at the trial, at which he made a statement of his having lent some money, and had some transactions with Palmer ; and it had been also known, in fact, he had been examined before the House of Commons on some election committee. That

was the only thing that could be found out about Mr. Padwick. As regards Mr. Westropp nothing had been heard at all. Mr. Ford was then dead, and that election was managed by Mr. Benjamin Lovibond on the part of Colonel Tynte, and by Mr. Bate on the part of Mr. Kinglake. I recollect two days before the election that Mr. Benjamin Lovibond, hearing that bribery was going on by the Conservatives, offered to double any sum of money that might be brought to him by an elector who had received it from the Conservative side, and one Walters, a butcher, came with William Heal with a sum of 10*l.* I think he said something of it here. I think I heard something of it in this Court when he was examined. He stated that he had the sum of 10*l.* from the Conservative party, but without mentioning any names. Mr. Lovibond afterwards, as soon as Heal and Walters were gone, stated to me that he believed it was a trick of William Heal for the purpose of inducing the Liberals to begin spending money, and also for the purpose of getting 20*l.*, being double the sum which Mr. Walters got. But from what I gathered from Mr. Walters' manner, I did not think it was a trick, but I thought it was perfectly true. At that election I understood there was no money spent by the Liberals until the morning of the election, but for several days money had been spent by the Conservatives. The amount I understood that was advanced was 1,000*l.* on the part of the Liberals, 500*l.* on the part of Colonel Tynte and 500*l.* on the part of Mr. Kinglake. How Colonel Tynte's money came I have not the slightest idea. With regard to Mr. Kinglake, I think Mr. Bate, who has acted professionally for the family, raised the money somehow. The machinery for expending the money was managed by Foister, who was Mr. Benjamin Lovibond's clerk. I believe he had several meetings night after night at Mr. John Smith's, and Mr. Foister organized the machinery for the distribution of the money. After that election I think a petition was presented but withdrawn. There were some legal proceedings also commenced against one of the party, I think against Mr. Heard, for a libel which he published against Mr. Reed. However, the petition was withdrawn, and the legal proceedings were stopped, the one in consideration of the other, so that nothing was done about that. The next election was in 1865. There was then only one Conservative, Mr. Westropp. The Liberals at that time were Mr. Kinglake and Sir John Shelley, and I may say, in reference to Sir John Shelley, that Mr. Benjamin Lovibond had been in communication with Mr. Travers Smith with regard to finding a candidate, and that I went with Mr. Lovibond to London and was introduced by Mr. Travers Smith at his office to Sir John Shelley. At that interview Sir John asked Mr. Lovibond what the probable cost would be, and Mr. Lovibond replied 500*l.* Some conversation took place with regard to Sir John Shelley's principles, which were considered by Mr. Lovibond and myself perfectly satisfactory. We returned from town, and in the course of three or four days afterwards Mr. Benjamin Lovibond went back to town in consequence of some telegram he had received. I never knew what the object of Mr. Benjamin Lovibond's second visit to London was, until the day of the election. Then it was that I heard that Sir John had exacted a promise from Mr. Benjamin Lovibond at the second interview that no money should be spent for corrupt purposes on his behalf. I canvassed with Sir John Shelley and Mr. Kinglake. Sir John Shelley was a very good canvasser and very popular amongst the electors, and I believe everyone supposed, I believe the Liberal party supposed, and I believe the Conservative party supposed, that Sir John Shelley was going to spend money. I never heard to the contrary until about 12 o'clock on the nomination might, the night before the election, when Mr. Benjamin Lovibond informed me, that Sir John Shelley could not spend any money. With regard to Mr. Kinglake, I had a conversation with him and with Mr. Bate, a day or two before, and Mr. Bate said, "Well we "shall have an easy time with Mr. Kinglake, as there "is no opposition, in fact with Mr. Kinglake we shall "not want to spent any money." That election being over, the Liberal party, or a great many of them, were very angry with Mr. Lovibond for deceiving them, in not telling them that Sir John Shelley did not intend to spend money, or in fact that they had got Sir John Shelley, who would not spend any money.

Mr. Benjamin Lovibond also, I know, was very angry, and I think one reason for his starting the petition was in order to divert the feeling that there was against him, into another channel, and I think the Liberal party were somewhat satisfied in having a petition. The petition was got up and presented, and the seat was claimed for Sir John Shelley. Sir John Shelley's counsel advised that he was so many behind, that it would cost such an enormous sum, in fact that every vote almost was like trying an action at nisi prius. I think Mr. Powell said he thought it would last a month, and in consultation it was decided that that part of the petition should be abandoned. After the petition was over, and Mr. Westropp was unseated, then the Liberal party were very anxious that Sir John Shelley should stand again. A memorial, I think, was got up by the Liberal party, to induce Sir John to stand. Sir John said he should like to do so, and said "I should wish you "to act as my agent, Mr. Lovibond," and I consented to do so. However, some two or three hours after that Sir John spoke to me, and asked me what I thought the chances of his success were. My reply was, I thought they were exceedingly doubtful; that the money which had been spent by Mr. Westropp, not only at the election, but for the five or six years during which he had really been bribing the electors of the borough, I said, that in all probability that money would have its effect, and that he would stand but a very poor chance. In addition to which it was well known that the man who petitions, always stands at a very great disadvantage. Sir John thought over it, and he said "Well, if you really think that is "so, I shall abandon the idea of standing." He did so. Then we had to look about for another candidate, and some communication was made to some electors in Bridgwater from some friends of Mr. Bagehot. A meeting was called at Mr. James Wood Sully's, and a resolution was passed that Mr. Bagehot should be invited to attend, and also, I believe, that myself and Mr. Barham and Messrs. Reed and Cook should communicate with him. I went to London with Mr. Barham and Mr. Reed. We had an interview Mr. Bagehot at his house for, I suppose, some 10 minutes or a quarter of an hour. Nothing, as I recollect, at that interview was said about money matters. I do not think it was referred to either by Mr. Bagehot or by either of us. However, Mr. Bagehot agreed to come down whenever the writ was moved for. Mr. Barham has stated in his evidence that he received a communication from two very influential electors, the present Mayor and Mr. Henry F. Nicholls I think, and that he gave them a pledge that no money should be spent, and that he communicated that to me, on our way to town. I can only say, that I have not the slightest recollection of that communication having been made to me, and I cannot help thinking, that if it had been made that it would have produced such an impression upon me that I could not have forgotten it, because I do not see how, in the face of that pledge, given to such men we could have gone to London without first having a release from those gentlemen. However, I do not mean to say that he did not communicate it to me. Mr. Barham has stated so upon his oath. I can only say according to my recollection, and nothing further; I have not the slightest recollection of that having been stated. Mr. Barham has given you an account of Mr. Bagehot's election, and, with the exception of what I have just stated, I quite substantiate what he has said. I will not go over that ground again, as you have already got it in evidence, and I think it would be a mere waste of time.

THIRTIETH DAY.

Mr. H. Lovibond.

28 Sept. 1869.

Well, Sir, after Mr. Bagehot's election, I recollect going with Mr. Barham to Mr. Bagehot at his lodgings in this town, and Mr. Barham I think it was communicated to him that a sum of money had been expended for illegal purposes. Mr. Bagehot said he was sorry to hear it, something of that sort, and I know that we were referred to his solicitors, Messrs. Robins. Mr. Barham has given you an account of that, and I quite agree with him in that account. I do not think I have anything to add at all to that statement. With regard to the election of Mr. Vanderbyl, when the writ was moved for, I went to Mr. Barham's office. First I think I saw Mr. Mogg, and I told him of it; then I went to Mr. Barham's office and found that he was in Wiltshire, and I went to Messrs. Reed and Cook's office, and I saw Mr. Cook, who informed me that Mr. Reed was in London. I requested, or Mr. Cook volunteered I think, to communicate with Mr. Reed, requesting him to meet me in London the following day; and I also asked the clerk at Mr. Barham's office to do the same with respect to Mr. Barham. I went to London and met Mr. Barham, but not Mr. Reed. Mr. Reed did not come to the hotel where we were staying, nor, in fact, did we see anything of him. Mr. Barham and myself called, I think first, upon Mr. Robins, Mr. Bagehot's agent, and we asked him if he thought Mr. Bagehot would stand. We thought it was due to him as he had been beaten before that he should have the opportunity of standing. Mr. Robins' reply, I recollect, was this, that "It comes so soon after the other election, that "Mr. Bagehot would not be inclined to stand now, "but he would rather do so at the general election." Our answer was this, if we returned a candidate, that Mr. Bagehot would not then have the chance if the seat was occupied. We had several interviews. We first went, I think it was, to Mr. Kinglake, and then we went to Mr. Travers Smith, and there is a little difference between Mr. Barham's recollection and mine. My impression is that a sum of money was mentioned to Mr. Travers Smith. My impression is that a sum of 1,500*l.* was mentioned. With the rest of his evidence I quite agree, and I do not think I can add anything to that at all, it was given very correctly. Then we returned. You have heard the account of how we met the secretary of Mr. Brogden, Mr. Salmon, on our way down, and the next morning, the Monday morning after our return, I and Mr. Barham called upon the Mayor, Mr. George Sully, and I think some very influential voter was with him. We told him what we had done, and Mr. Sully, I know, gave us the cold shoulder. We said, after taking the the trouble we had, and after the difficulty we had had in getting a candidate, that if Mr. Sully did not support us, and if there was any division in the Liberal party, that we should not bring Mr. Vanderbyl down. It was bad enough to go with a dissatisfied party to the election, but to have a divided one was worse. However, Mr. Sully, after some time, said "Well, I shall vote, but "you must not expect me to do anything more." I saw Mr. Mogg, and Mr. Mogg was perfectly well satisfied with it, and he said, "I am very glad you "have a candidate." I do not know that I can give you any other account of that election than that which Mr. Barham gave. His account was perfectly correct as to the mode of conducting that election. Some time after the election was over, some accounts of the other elections, that is, of Mr. Bagehot's election, and Mr. Kinglake's election, and Sir John Shelley's election, were brought in. I think it must have been about two months afterwards. The accounts were, I think, most of them sent in to Mr. Barham, and perhaps two or three to Messrs. Reed and Cook. However, Mr. Barham brought them all to me, and Mr. Barham took down, I recollect, the different names of the persons who sent in the bills and the amounts, and he made a list of each, that is to say, so much is due on Mr. Kinglake's account, and Sir John Shelley's, so much on Mr. Bagehot's, and so much on Mr. Vanderbyl's, and each of those accounts were paid by the respective candidates to whom they were made out; that is, Mr. Kinglake paid that which was due from him, Sir John Shelley paid that which was due from him, Mr. Bagehot paid that which was due from him, and Mr. Vanderbyl did the same. I know we went through the accounts, and saw that they were paid and charged. Something has been said about Mr. Vanderbyl's paying accounts of Sir John Shelley. There were two accounts that were paid; no doubt one of them was sent in by Mr. Babbage; 20*l.* was paid by Andrew Allan to him before he would vote, and a small sum to a voter of the name of Merson. There was another bill brought in by a man of the name of Stephen Crocker, a very large amount, supposed to have been incurred in making Sir John Shelley a Shepherd. I repudiated it. I asked Andrew Allan about it, and Andrew Allan said he thought that account was a swindle. That account was not paid. I do not think there was any other account at the time. I do not know of any. With regard to the last election the account given by Mr. Barham with regard to the interviews between Mr. Fennelley, and also with Messrs. Reed and Cook, at his office and mine, are substantially correct. That takes me up then, I think, to the Saturday before the election. On that evening there was a large meeting in this hall, and also a meeting at Mr. Sealy's, which you have heard about. I recollect on my returning home on going down the street after the meeting at Mr. Sealy's place, a resolution was come to with regard to the support of Mr. Vanderbyl. I met an influential elector, I am not certain, but I think it was one of the partners of Messrs. Browne and Company, Mr. Wilton; and I recollect his saying, "Well, these disclosures make it very "awkward with regard to Mr. Vanderbyl, I don't "like them, I do not know what to do." I recollect that produced some impression upon my mind. That night I thought over the position of the Liberal party, that is, the Saturday night, and on the Sunday morning I determined to call a meeting of the solicitors, Mr. Barham and Messrs. Reed and Cook. I sent a note to Mr. Barham, and also to Messrs. Reed and Cook, to call upon me. Mr. Barham attended. I told him precisely what has been stated; how the Liberal party stood, that I did not like our present prospects; that I thought a deal of money must be spent, that I did not like it. I thought it was very much better that we should carry out that which we had suggested before, that is, that one of the candidates should retire, that we should then have a pure election in all probability. I dreaded very much the spending of money, and I thought there would be a good deal which would have to be spent, knowing the antecedents of Mr. Westropp, and knowing that he could not be possibly elected without his spending a great deal of money. That was the conclusion I came to, either rightly or wrongly, and I believe that opinion was entertained by almost every member of the Liberal party. You have heard a great deal of evidence about the meeting at Nicholls' on the Sunday night. I will not weary you by going through that again. I can throw no new light upon it, except that my sole object at that meeting was to get Mr. Vanderbyl to retire. I know that was not acceptable to Messrs. Reed and Cook. They were very anxious that money should be spent, and that we should go on in the usual way to win the election. Now there is a statement which has been attributed by Mr. Cook to me, and that is my answer to Mr. Cook, when he stated to me the next morning that Mr. Fennelley had gone to London to bring money down. Mr. Cook stated that I said, "Well then that meeting has had its effect." The words I made use of were these, "The meeting has "had some effect then," meaning that it had not the effect which I wanted but that it had produced some effect. Those were the words which I made use of at the time. Then with regard to the nomination, I had a great difficulty, as you have heard, a very great difficulty, in getting gentlemen to nominate. I applied to several, but they refused. At last I said to Mr. Cook, "As Mr. Vanderbyl is here we must "nominate him, at all events, we cannot turn our

" backs upon him, we must nominate and second him " ourselves, unless we can get a substitute ; I will do " my best to get some one, if I cannot I will nominate " him myself;" and he said " Very well, and I will " do the same or second him." I asked Mr. Hurman, and Mr. Hurman consented to nominate, and Mr. Cook the same. Then the next day, the day of the polling, I think you have my evidence with regard to that. I adhere to the statements I made with regard to what took place on that day, in the morning when it was decided no money should be spent, and I think I am corroborated in that by an answer which Mr. Reed made to Mr. Commissioner Anstey as to the reason why we did not spend money earlier, seeing that the majority was gradually increasing. His answer was, " It was owing to the vacillating " conduct of Mr. Lovibond." Then in the latter part of the day, when he asked " Where is Mr. " Lovibond." I think you will find that that is confirmed by Bussell, and one or two others. After we had decided that no money should be spent, this was about 11 or 12 o'clock, after Messrs. Reed and Cook and myself had decided that no money should be spent, and that the election was lost, as I have stated, I went to Mr. Vanderbyl, who was at " The Globe" hotel, and told him of the fact. His reply was to me, " Well how is this ? can you account " for it ?" I said, "Indeed, Mr. Vanderbyl, I cannot, " except that we cannot get the voters to the poll, " there are a number of voters we cannot get to the " poll." I then went to Mr. Kinglake's lodgings. I then saw Mr. Kinglake, and Mr. Sealy, and Mr. Bate, and I think Dr. Kinglake was there, but I am not quite certain. I said to Mr. Kinglake, " Your " election, sir, I am sorry to say is lost." Mr. Kinglake said " Well, how is this ?" I think my answer was " Well, we cannot get the electors up to poll. " I am very sorry that we cannot get the electors up, " but I thought in the morning, at 9 or 10 o'clock, " we should have a majority of 150." Mr. Kinglake's answer to that was, " Well, what am I to do, is it " necessary that I should be at the hustings when " the poll is declared ?" I said, " No, sir, it will " be a very humiliating position for you to be in, " having represented the borough for so many years." He said, " Well, I shall go back to town," and there was a Bradshaw in front of him, and he put his hand over to the Bradshaw, and he said, " When is the " next train back ?" I said, " At half-past 1." He said "I shall go back to town by that train." I recollect speaking to the Doctor too. The Doctor came in, and he said he should do the same, he should return to Taunton. I think that I walked a part of the way with Dr. Kinglake, and we had got as far as the bridge, I think, when Mr. Reed joined us, and Mr. Reed, I recollect, said to me, " Well, don't you think the " election could be got for 3,000*l.* ?" I do not know whether Dr. Kinglake heard that or not. My impression is that he did not hear it, and he certainly made no answer. I said, " Oh no, Mr. Kinglake " has gone, 6,000*l.* would not win it now, it is " perfectly useless, it is idle talking. The election is " utterly gone." Mr. Reed has stated that I said it was a very great object for Mr. Kinglake to get in, because he expected to get office under the Government. No such conversation took place, and I think Mr. Reed must have been labouring under some great mistake with regard to that, for some years ago, I recollect that Mr. Kinglake was very often speaking upon foreign questions in the House of Commons, and Mr. Reed said then, " I " should think Mr. Kinglake would like to get into " office." I am perfectly certain that on the polling day nothing was said by me to the effect that Mr. Kinglake would like to get into office. At that time it was uncertain how the elections would go, and nothing was known about whether there would be a new Government or not, but I am perfectly sure that Mr. Reed must have confounded the statement he made some years ago with what he thought I said to him on the polling day. Then it was about half-past 12 that I saw Mr. Barham, and told him that the election was gone, and he agreed with me. I think Mr. Barham said, " I shall go home," or " Go some- " where into the country," and then Mr. Barham left me. I went, I recollect, afterwards back to my office, and sent my office boy to the committee room which I had the conduct of, that is, the south ward committee room, to request the check-clerk there to close it up, and bring the books home. I also asked my other clerk whether I should have time to go down to Highbridge, as I had to superintend the erection of some polling booths there for the county election. He looked at the clock and said, " No ; it is now half- " past 1 ; you will not have time." I then went out and went down the street, and I think I met Mr. Nicholls. Mr. Nicholls made a remark to me, and said, " You are looking very depressed, Mr. Lovibond ; " you are looking very ill, you had better come with " me and have some lunch." I went to Mr. Nicholls' house, and after being there about an hour, Mr. Mogg came in front of the window,—I may tell you that Mr. Mogg lives near Mr. Nicholls. Mr. Mogg said, " Lovibond, you are wanted by Reed and Cook at 'The " Globe ;' " and, at the same time, a knock came to Mr. Nicholls' door, and the servant came in, and said to me " You are wanted." I have forgotten who it was I saw at the door, I think it was Mr. Bate. I went out and saw Mr. Mogg coming towards me, and he said, " You are wanted ; we are within ten or a dozen, we " shall win the election." Mr. Mogg had not his hat on, and he went back into his house. I went on myself to " The Globe," where I saw Mr. Cook first, and Mr. Cook alone. I do not recollect at all whether Mr. Reed was present. I saw Mr. Cook, and then it was that Mr. Cook made the communication to me of which you have heard, and from that communication I believed that Mr. Cook had spent somewhere from 1,000*l.* to to 1,500*l.* No sum at all was mentioned by him, but that was my impression, He said, " Well, you must " do something," and very soon afterwards I saw Andrew Allan, and very soon after I had seen Andrew Allan, and when I was going up the street from the bridge towards the Cornhill,—I think it was on the bridge,—the first person I saw was Mr. Bate. I said, " Mr. Bate, will you take this message " to Mr. Prior ?" and he said, " No, I would rather " not ; you had better ask some one else ;" and immediately after I saw Mr. Mogg : and I may say with regard to Mr. Mogg, it was purely accidental my meeting him, as well as Mr. Bate ; there was no appointment and no arrangement of any kind whatever, it was purely accidental ; and if I had met any other trustworthy person belonging to the Liberal party, I should have asked him the same thing. I think I gave my evidence before as to what took place after that. Then I recollect, knowing that Mr. Barham had gone away, I went to the committee room which he had the management of in the north ward, and I did so because there were complaints made down at " The Globe," that they could not get any returns from the north ward nor from the south ward. Knowing that Mr. Barham was not there, I went to the north ward, and I also went to the south ward. Well then, on coming up from " The Globe,"— I think I was going to the north ward again,—I met Mr. Robinson, and Mr. Robinson said to me (I was going very fast, and was in a very great hurry at the time) " There is a voter in our rifle corps I can get." I said, " Why don't you get him then." His answer was, " He wants 10*l.*, but I think I can get him upon " a promise, shall I do so ?" I answered, " No ; you " know I cannot promise him anything. I will have " nothing to do with it." I then went on. That completes, I think, the account of what took place on the election day.

(*Mr. Price.*) We will now adjourn.

[The Court then adjourned for a short time.]

THIRTIETH DAY.

T. Symes.

28 Sept. 1869.

THOMAS SYMES sworn.

31,972. (*Mr. Anstey.*) Are you a master mariner?—Yes.

31,973. In the service of Mr. Sully?—Not in the present.

31,974. Were you in 1865?—Yes.

31,975. Was there a William Symes in his service at that time?—No.

31,976. Robert Bussel speaks, I think, of a William Symes. Oh, I see that your name Thomas Symes was mentioned in the Committee of the House of Commons. Now you are aware that you were, or are you not aware, that you were mentioned before the Committee of the House of Commons which sat in 1866?—No.

31,977. Well I will ask you, do you remember being canvassed (that is to say, being asked to vote or asked about your vote) during the canvass for Kinglake and Shelley?—No.

31,978. Do you remember anybody saying to you, in the street or anywhere, on the Monday you know, "I suppose you will vote for Westropp," and you said "Yes;" or do you remember saying to anybody "I "suppose you will vote for Westropp," and his saying "Yes," do you remember that?—No.

13,979. Do you remember anybody saying "Who "are you voting for"?—No.

31,980. Did you tell anybody "I must vote for Mr. "Kinglake and Shelley, as I cannot afford to lose my "berth"?—No.

31,981. "You know which side my Governor is "going"?—No, I never heard the words.

31,982. I ask you specifically did you say anything like that to Robert Bussell?—I did not.

31,983. Did you tell anybody that you must vote on the same side with your governor?—No, I did not.

31,984. Did you vote for Kinglake and Shelley?—Yes, I did.

31,985. Were you asked by anybody to vote for them?—I was not, by any one; no candidates nor any one.

31,986. Had you ever voted Liberal before?—I had not.

31,987. Had you ever a vote before?—Yes.

31,988. For whom did you vote in 1859?—Well, I do not know who the candidates were, I am sure.

31,989. Padwick and Westropp were the Tory candidates?—That is who I voted for.

31,990. (*Mr. Price.*) In whose employment were you then?—In Stuckey and Co.'s.

31,991. They are Conservatives?—I believe they were.

31,992. In 1857 who did you vote for?—Oh, I do not remember.

31,993. The Conservative side?—On the Conservative side.

31,994. And in 1852 whom did you vote for?—The Conservatives.

31,995. And in 1847?—Conservative.

31,996. And in 1841?—Well, I don't know or not whether I had a vote or no then. It is so long.

31,997. You never voted Liberal before you got into Mr. Sully's employment?—I did not.

31,998. Did you vote at the election at which Mr. Bagehot was defeated and Mr. Patton came in?—Yes.

31,999. Whom did you vote for?—Bagehot.

32,000. Whose employ were you in then?—Mr. Sully's.

32,001. For whom did you vote at the next election when Mr. Patton was defeated and Mr. Vanderbyl came in?—Mr. Sully's employment. I voted for Mr. Vanderbyl.

32,002. You were still then in the service of Mr. Sully?—Yes.

32,003. For whom did you vote at the last election, 1868?—For Kinglake and Vanderbyl.

32,004. In whose employment were you then?—Mr. Sully's.

32,005. And in whose employment are you now?—No one's.

32,006. Do I understand that you have always voted on the side on which your employers voted?—Well, I have done. I was never asked to do it by no one.

32,007. (*Mr. Coleridge.*) What have you ever got for your vote?—I had two 10*l.* from the Conservatives.

32,008. Which elections?—I am sure I cannot say.

32,009. Was it in Padwick's election 1859, you had 10*l.*?—Oh, I not know whether it was or not.

32,010. Had you 10 or 20?—10.

32,011. What had you in 1865 when you voted for the Liberals?—Nothing.

32,012. What did you have in 1866 when you voted for Bagehot?—I had 5*l.* after the election.

32,012*a*. And what had you in 1866 when when voted for Vanderbyl?—I had 10*l.*

32,013. And what had you in 1868 when you voted for Vanderbyl and Kinglake?—Nothing.

32,014. There was nothing going?—I had nothing.

32,015. That is three tens and one five?—Yes.

32,016. Is that all you ever had?—Yes.

32,017. Did you have nothing earlier?—No.

32,018. Nothing in 1857?—No.

32,019. (*Mr. Anstey.*) Did you ask for any money at the last election?—No, I never did.

32,020. Did anybody say to you it would be all right?—No.

32,021. Did you expect anything?—No.

32,022. Not afterwards?—No.

32,023. Who gave you the money at Vanderbyl's election?—Henry Bussell.

32,024. Who gave you the money when Bagehot was defeated?—Henry Bussell.

32,025. Who gave you the money in 1865?—Henry Bussell gave me all in the Liberal concern.

32,026. In 1865?—Yes.

32,027. How much did you get in 1865?—One ten and a five.

32,028. From Henry Bussell?—Yes.

32,029. How soon after the election?—I do not recollect how long it was when I had the 5*l.* I had the 10*l.* before I went to vote.

32,030. At that election you voted for Kinglake and Shelley?—Yes; no, Kinglake and Shelley. I had nothing at that election.

32,031. In 1865?—No.

32,032. Were you promised anything?—No, I had it after Bagehot's election.

32,033. You got ten and five?—Yes.

32,034. Was it for voting for Bagehot and for voting at the former election?—Yes, I suppose it was.

32,035. (*Mr. Coleridge.*) How much money do you say you have received in all?—25*l.*, I think.

32,036. Oh no, you have told us about 35*l.*?—Yes, three tens and a five, that was it.

32,037. Did not you get anything in 1865?—No, I got it after the election.

32,038. Who brought you home to vote last time?—I was in Bridgwater at the time.

32,039. Bussell did not send for you?—No, he did not.

32,040. So you did not get any expenses?—No.

32,041. What have you got for expenses besides these sums you got for your vote at elections?—Nothing at all.

32,042. Never been paid your expenses?—No.

32,043. (*Mr. Anstey.*) To make it quite clear—you got nothing in 1865, but in the following year at Bagehot's election you got two sums—one of 10*l.* and one of 5*l.*, and you believe that those two sums were given you for having voted in 1865 and for voting again in 1866?—Yes.

32,044. (*Mr. Price.*) Just let us understand. You see you have acknowledged that you have

always voted the same way as your employer?—Yes.

32,045. Is that the general understanding amongst men in your position in life that they vote according to the politics of their employers?—I do not know, I am sure.

32,046. How do you account for it?—Why, my fancy led that way—to vote Liberal.

32,047. (*Mr. Coleridge.*) What made you change?—I do not know.

32,048. (*Mr. Price.*) Do you mean to say if you had remained in the employment of Stuckey and Co., who were Conservatives, you would have voted Liberal?—I do not know that I should.

32,049. It is nonsense talking about your fancy. Be honest about it?—I be honest; speaking the truth.

32,050. Is there any doubt that you voted for your master's politics, in favour of your master's politics, because it is thought the best thing to do?—No, because when I voted Conservative some of the owners then were Liberal and wanted me then to vote Liberal, and I would not do it.

32,051. (*Mr. Anstey.*) How many were Liberals?—I do not know. There was a man of the name of Mr. George Leward.

32,052. How many Conservatives were there?—I do not know how many owners I had at the time.

32,053. In the firm?—In the firm.

32,054. Do you know which way the balance lay?—No.

32,055. Don't you know that there were more Conservatives than Liberals in the firm?—No, I do not.

32,056. When you were first asked you said they were Conservatives?—Well, some of the parties; I do not know how many.

32,057. You have only named one who was not?—Yes, Mr. George Leward.

32,058. (*Mr. Price.*) Have you always voted according to the politics of your employers?—No, I have gone according to my own principle.

32,059. What principles have you?—I changed my mind the same as other people have done!

32,060. (*Mr. Coleridge.*) What was the question upon which you changed your mind?—Nothing at all. No question at all in it.

32,061. You don't understand me. What was the great political question of the day that made you change your mind?—I do not know, particular.

32,062. Was it the Reform Bill, or the Irish Church Bill, or what?—No, nothing at all.

32,063. (*Mr. Price.*) What was it?—I do not know. I cannot understand the question.

32,064. (*Mr. Coleridge.*) Do you know the difference between a Liberal and a Tory?—Yes, I do.

32,065. And now you are a Liberal?—Now I am a Liberal.

32,066. (*Mr. Price.*) As long as you are in Mr. Sully's employ?—I am not in any employ. I am not in a situation.

32,067. You are hanging on as a balance man?—No; my labour is done for work.

32,068. (*Mr. Anstey.*) Where do you expect to get employment?—Nowhere. I have injured my back. I cannot work any longer.

32,069. Are you looking for any assistance?—No.

32,070. What are you going to do?—I must trust for that.

32,071. That is it. To whom do you trust?—Trust to the Lord.

RICHARD BALE sworn. *R. Bale.*

32,072. (*Mr. Anstey.*) Were you at a meeting at "The Clarence" or some other place a day or two before the nomination day at the last election?—Yes, I was.

32,073. Was Mr. Joseph Richard Smith there?—Yes.

32,074. Where was it?—At "The Lamb" inn.

32,075. Did you hear Mr. Joseph Richard Smith address the people present?—I did.

32,076. Was it a Conservative meeting?—Yes.

32,077. A meeting of the Conservative working men?—Yes.

32,078. What did you hear Mr. Joseph Richard Smith say on the subject of money?—He told them—it was this—they were not to be gulled, because there was always plenty of bribes, and there would be for ever, he believed.

32,079. Go on.—And he told them to have the money down before they go to poll.

32,080. Did he say anything about sugar?—And sugar their plums well; or something similar to it.

32,081. What is understood by sugaring plums in this borough at the time of an election?—I suppose that means money—having plenty.

32,082. Was that received with favour by the people present, or did it seem to be disliked?—Oh, they received it with favour.

32,083. What did they do?—Oh, they had three cheers or something similar to it.

32,084. (*Mr. Price.*) Did he use the word "bribes" or money?—"Money down" he said.

32,085. You say that he said there was sure to be plenty of bribes going?—He said there always was bribes, and there always would be.

32,086. Did he use the word "bribes"?—Yes he did.

32,087. (*Mr. Anstey.*) "Sure to be bribes going, "and there always will be"?—Yes.

WILLIAM NICHOLLS sworn. *W. Nicholls.*

32,088. (*Mr. Anstey.*) Were you at that meeting?—I was.

32,089. What did you hear Mr. Joseph Richard Smith say?—I heard Mr. Joseph Smith say, at the time I was there, something about a prince, some foreign prince; about "M.D," I think the expression was. He said "I do not know whether there is "any of you here that know the meaning of 'M.D.,'" and there was some individual there, but who he was I cannot tell, said "Money." Mr. Smith says "That "is the thing; M. means money, and" he said "M.D. is money down. Mind," he said, "men, "don't be gulled by no promises; but," he said, "Before you go to poll have the same as I said "M.D., money down."

32,090. Did he say anything about sugar?—I was not there to hear nothing at all about sugar; about sugaring plums; nothing of that sort.

32,091. Did the people cheer?—There were three cheers given.

32,092. Was that a Conservative Working Men's association meeting?—It was, at the "Lamb" inn, at the Conservative meeting.

32,093. How many people were there do you suppose?—I should think there was a hundred, or better than a hundred.

32,094. What day was it?—It was a few days, I cannot tell the day, because I did not think I should be brought before you to give the day, but it was three or four days, or something like that, before the election.

32,095. You remember the nomination day was on the Monday, and it would not be on the Sunday?—This was the week before, I might say. It was between Wednesday—

32,096. And Sunday?—And Sunday, something

THIRTIETH DAY.

W. Nicholls.

28 Sept. 1869.

like that. It was a few days previous to the last election.

32,097. Was it at night?—Yes. I was asked to go by a neighbour of mine to the Conservative meeting, and accordingly I did so, and I came down town. I should think it was between 7 and 8 o'clock in the evening.

32,098. After the men were off work?—After the men were off work. I was invited to go.

32,099. (*Mr. Price.*) Did he say who they were not to be gulled by?—Oh no, he did not mention any one's name; not no more than he said,—

32,100. No, no. Did he say which side? Did he say this sort of thing, "Now, if you are going any of "you to vote on the other side, don't be gulled by "promises"?—No. I do believe that Mr. Joseph Smith meant that the men were not to go to poll neither side—

32,101. Neither side?—Neither side.

32,102. On promises?—On promises,—but have money down; because Mr. Smith said, "There was "always bribery ever since I recollect, and will be "bribery this time," and he said, "Therefore, men, "don't be led away by any promises, but have the "same as I tell you, M.D., money down."

32,103. What are you?—A brickyard labourer.

32,104. Are you a voter?—Yes.

32,105. Did you vote at the last election?—I did.

32,106. Whom did you vote for?—Kinglake and Vanderbyl.

32,107. How did you happen to be at a Conservative Working Men's Association?—I was asked to go to the Conservative meeting.

32,108. Who by?—Nathaniel Evans, a Conservative; he voted Conservative.

32,109. Is he here in the town?—He is working by the river side, a little way off.

32,110. He can be found?—Well, he was subpœnaed last evening.

32,111. (*Mr. Coleridge.*) What did you get for your vote?—Nothing.

32,112. Any promise?—No.

32,113. Any M.D.?—No.

32,114. I suppose last time was your first vote?—Last time was my first vote.

32,115. (*Mr. Price.*) Whom do work for?—Browne and Co.

32,116. (*Mr. Anstey.*) Whom does Bale work for?—Browne and Co. There is one thing I should like to bring to your notice, if you please, that is, I do believe one day last week it was stated here to you, to the Bench, that the brickyard men actually were drove up in drifts to the poll. I believe that must have been Mr. Temblett. Now I can honestly tell you it is a great untruth, because neither the masters at Browne and Co., nor neither the foremen that belong to Browne and Co., never put a question to the men to ask them what side they are going to vote for.

32,117. Dudderidge did, did he not?—He did not.

32,118. Dyment did, did he not?—Dyment I know nothing at all about. Oh, Dyment, he's not working in the same employ, I don't believe.

32,119. Somebody did?—It was reported that Dudderidge did.

32,120. But somebody did. Somebody asked for votes.—Oh yes, some one asked; but the only ones were Mr. Kinglake and Mr. Reed.

32,121. No, no, I don't mean the open canvass, but before, and during, and after the canvass?—No. I will be on my oath that no one ever asked me which side I was going to vote.

32,122. (*Mr. Price.*) Have you spoken to Dudderidge since he was examined here?—No, not on the previous election.

32,123. Have you spoken to Dudderidge about this matter?—No, I have not.

32,124. About being driven up to the poll?—No, I have not.

32,125. (*Mr. Anstey.*) But you know it was said by Mr. Mogg and one or two others of your party, I think several stated it, certainly Mr. Mogg and Mr. Bryant, that about half-past 1 o'clock on the polling day it was believed by him and by them, and by all the party generally throughout the town, that Browne's men were hanging back because they wanted to be paid?—I know nothing at all about that.

32,126. (*Mr. Coleridge.*) What time did you vote?—Well, I should think it was somewhere about 12 o'clock. It might be a little before.

32,127. What is your dinner hour? What is the time the men go away?—1 o'clock is the dinner hour.

32,128. (*Mr. Anstey.*) What time do you knock off work?—Begging your pardon we have job work. I was at job work that day. Sometimes we have job work, and we leave about 12 or just before. It is according to what we have got and the circumstances of the business.

32,129. When you heard these things said by Mr. Alderman Smith, did you go and report his words to anybody?—Nothing, no more than in our common discourse in the yard.

32,130. I mean, you made no secret of it?—No secret whatsoever; and little did I think that I should be brought here before you, because it was not my wish or desire to come.

32,131. Did Mr. Smith ever find fault with you about reporting him as using those words?—No; I always found Mr. Smith an upright and just man in his dealings.

Mr. H. Lovibond.

MR. HENRY LOVIBOND recalled.

(*Mr. Price.*) Before you commence again, I think it right to tell you that in the course of your remarks you say "This will complete" so and so, and "This "will complete that." You must not infer, you know, from the silence of the Commissioners their satisfaction that that completes any part of the case; and so also when you say "I agree with Mr. Barham as to "what he has said," we place no limit upon you. It is not a question of time. We place no limit upon your going into the whole history of the case quite independently of what any other witness has said, and therefore you must not infer from our silence that we consider that anything you have said completes any portion of the case, or that it is sufficient to say "I "agree with Mr. Barham about that." We don't want to curtail you or to intimate to you in any wise in what way you should make your statement; but you must not infer anything from the silence of the Commissioners that on any portion of your statement they are satisfied, because, as I have already told you, we do not intend to interrupt by questions for the purpose of further satisfying ourselves in respect to what we are not satisfied upon. Therefore you must take that chance. The satisfaction is one which you have no right to infer from the mere fact that we do not put questions to you. I only wish you to be quite clear in your own mind about that. Your statement is entirely under your own control, and you are not to infer anything from the silence of the Commissioners that anything has been cleared up to their satisfaction.

(*Mr. Lovibond.*) I thought I should be wasting the time of the court in going over everything that Mr. Barham has done. Where he had stated distinctly, I thought it would be best to cut it short.

(*Mr. Price.*) With regard to that part I do not say anything more, but with regard to the expressions you have used as to your completing anything you must not infer from our silence anything in accordance with your view.

(*Mr. Lovibond.*) Well then, with that intimation

sir, I will just go through the interviews that took place between me and Dr. Kinglake when Mr. Barham was not present.

(*Mr. Price.*) You will just do as you please, but we are very anxious to guard against any notion in your mind that we have, during the course of your statement, assented to any portion of it as being satisfactory to our minds, because under the circumstances in which you are now placed we have left it entirely to you, and we carefully abstain from expressing any opinion whatever, waiting till the whole statement is completed, when we shall weigh it carefully to see what effect it produces upon our minds. Therefore, that being so, you are quite at liberty to go back to any portion which you think you have not fully disclosed yet or fully explained. That you are quite at liberty to do, and the needful amount of time shall be given to you.

(*Mr. Lovibond.*) I will just correct the last answer I gave. On referring to the note, it is not quite correct. The answer I gave Mr. Robinson was this, (on reference to my note) "Well, why do you ask "me? You know I can not make promises." Then, sir, I will go back to my interviews with Dr. Kinglake. The first I had with Dr. Kinglake was somewhere about ten days before the election. Dr. Kinglake called upon me, and stated he supposed more money would be wanted. I said "Yes, I am afraid "so, from Mr. Westropp's antecedents." He then asked how much I thought, I said about 1,500*l.* would be Mr. Kinglake's share. Dr. Kinglake asked me if Mr. Vanderbyl had not better raise it, as he could do it much easier in London amongst merchants than it could be done in the country. I said I would see to it, but I did not think it would be of much service. He said "Well, I wish you to try." He left. He said he would call again and ascertain. He called again. I think it must have been two or three days afterwards, and I told him that it was no use, that I had seen Mr. Barham, and it would be no use for us to go any farther, and he must raise the money himself. He then asked me if I could not do it. I said "No, I will have nothing to do with raising money at all. I will have nothing to do with the money. I said I would have nothing to do with raising the money, I think at the first interview, but I am not clear. However, he said he did now know how to do it. I said "Well sir, I cannot tell you." He then said he would try what he could do at Taunton. He first asked, I think, if it could not be done through Messrs. Sealy and Prior's bank. I said "No, "certainly not." He then said he would see what could be done. He called again, I think the following day or the day after, and told me that he had tried at Taunton and could not succeed in doing so. Then I heard nothing more of him until the day before the election, when he told me that he had seen Mr. Prior and agreed with him to raise either 1,000*l.* or 1,500*l.* I saw nothing of him then until the next day. I told him that the election was gone (it was about 12 o'clock), lost; and I said also that no money had been spent, and he said he was very glad to hear it. He said he should go home, go back to Taunton. His brother was going back to-night, and he left with the full impression that the election was entirely lost. I saw nothing of him further until about 10 days after the election; I think 10 days after the election. He called upon me, and then asked me if any money had been spent. At this interview Dr. Kinglake asked me if any money had been spent. I answered "Yes." He said "How "much?" I replied "500*l.*" He then said "I have "called on Prior, on the day of the election, before I "left and cancelled my security." This I was very much surprised at, and this was the first intimation I had heard of his security being cancelled. I had no communication with Dr. Kinglake from the time that he told me he had made arrangements with Mr. Prior for advancing the money until this very time, 10 days afterwards, and I had not the slightest idea but that his security was then at Mr. Prior's bank. He also asked me how much Mr. Vanderbyl had spent. I said "I cannot tell you, sir." That was all that had ever taken place, and I do not think that I have seen Dr. Kinglake since upon this subject, or in fact I do not recollect I have had any conversation with him since at all in any matter. And a day or two after I heard of Mr. James Trevor's going to London to present a petition. I went to "The Tavistock," and I found him there and ascertained from him that his object was to get one seat only. He did not want to to go any further with the petition, but his object was to get one seat only. I said "Well, some-"thing must be done, Mr. Trevor. It won't do "to present a petition," and his answer was, "Well, "I think our party will be satisfied with one "seat." I then went and saw Mr. Kinglake and told him that the petition was going to be presented, and told him that one seat only was claimed or wanted, and asked him if he would consent to resign and give up his seat if it should be necessary. Mr. Kinglake at once said he would. I then came back to Mr. Trevor. I also saw Mr. Vanderbyl. Then it was that Mr. Trevor saw— I think he saw Mr. Fennelly up there, and it was a question of time as to when this seat should be given up. There were some one or two meetings upon it; however it ended in this, that Mr. Kinglake's seat was to be given up at Easter or some short time after Easter, and Mr. Trevor obtained in writing from Mr. Westropp, and showed me the terms upon which Mr. Westropp agreed not to present a petition. Well, sir, I then returned from London, believing that no petition was going to be presented, but in a day or two after my return Mr. John Trevor called on me and said that his friends or his supporters (the Conservative party) would not submit to it, that they were determined that the petition should be presented, and that he had written to Mr. Westropp to that effect. Seeing that Mr. Trevor appeared to be sorry for it, I thought he was equally anxious with me, and considered that it would be desirable to prevent the petition being presented, and that he was ready to open the negotiation again. I agreed to go to London to see Mr. Westropp again, and see what we could do with Mr. Westropp. In the meantime a memorial was got up, I believe, to Mr. Westropp, signed by 200 or 300 people, upon the representation that there was going to be another election. When we came to London on the following morning, the Monday morning, we found that four or five persons had come up to urge upon Mr. Westropp to present the petition. Those four or five persons were Hook, the man who had received bribes on both sides, and I think Mr. Harden, and one or two others. They pressed upon Mr. Westropp to present the petition. The petition was presented. I had several interviews after with Mr. Trevor to see whether anything could be done for the purpose of withdrawing the petition. I may say at that time a number of petitions were filed, and they were being withdrawn almost every day, but how it was to be done neither of us could possibly tell. I also, at the request of Mr. Kinglake, called upon Mr. Drake to know whether he could help me at all. First, he asked me the question whether Mr. Kinglake's personal honour was compromised. I said, "Certainly not." He said he would see what he could do; I was to call again. I did call again, but then he was out. He seemed a very difficult man to get at, and I think a third time I called, and then I saw him. I also asked Mr. Brice; he was in town. It was the request of my parliamentary agent that Mr. Brice should call upon Mr. Drake to see whether he could do anything as representing the Conservative party. Mr. Brice went there, and, as I understand, nothing came. At the last interview I had with Mr. Drake I told him what had taken place after Mr. Kinglake left; that there was money spent, and that it had purchased the election. When the trial came on, and Mr. James came down here, I informed Mr. James of the whole thing, and he said, "Well, I shall see Mr. Kinglake. Mr. Kinglake "must put himself in my hands." I went with Mr.

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James then to a consultation at Mr. Serjeant Sargood's chambers. Mr. Serjeant Sargood said that they thought they had a very good case. Mr. James, I think, said, "I think differently." At all events he asked us, the solicitors, to retire, and I and Mr. Reed and Mr. Cook retired, leaving the counsel to have a consultation. Then the day following, I think it was, Mr. James said, "Well, we must take a favourable opportunity "of throwing up the sponge," or something of that sort, but I never had any conversation with Mr. Kinglake; that was confined entirely to Mr. James. With regard to what has been sworn as to Mr. Kinglake's evidence, that there was a gentleman whom it had given a great deal of surprise and pain to, I can say as to Mr. Kinglake's evidence, I have never heard anyone express himself in that way since that evidence was given,—from any party. Something has been said with regard to the sums we received. At Mr. Vanderbyl's election there is no doubt that the sum I received there was 200*l.* It is 22 years since I have had anything to do with the elections. I have had eight elections, and I find the average price for each election has been 53*l.* That amounts to 19*l.* 6*s.* 3*d.* taking them by the year. That is the whole extent of what I have received for the elections of Bridgwater. There was a question, I think, which a learned Commissioner asked Mr. William Heal, whether he had suffered in reputation. Mr. Heal said he had not. I can only say of Mr. William Heal that he has been a bankrupt, that he has lost all reputation, and there is no man that would take his word, I believe, not even take his oath. How could he have any credit? He is a man bankrupt in business and in character, and in every sense of the word. I may say this much from my personal experience of electioneering, that with very few exceptions I think the money that has been spent in bribery at Bridgwater has done positive injury. I could only name three or four who have received any benefit from it. The money is generally spent in public houses or in some way which is injurious to the character and health of men. That is my statement. I think that finishes it. If there is anything the Commissioners would ask at all or suggest in any way, I should be very happy to reply.

(*Mr. Price.*) We have already told you the conditions upon which you have made your statement, that no question is put to you.

(*Mr. Lovibond.*) I quite understand that you put no question. I thought, perhaps, you might like to point out or make any suggestion. I am quite aware that you do not put questions. There is one thing more. I have had nothing to do, it is as well for me to say, as a principal in the management of elections until Mr. Barham had. While Mr. Bate was living and Mr. Benjamin Lovibond, they had the financial management of the elections. I came in at the same time as Mr. Barham, and Mr. Barham had much the same knowledge as I had. Mr. Barham has stated that I have persuaded him to do so-and-so. All that I can say is that I did no such thing, and Mr. Barham, a man of such ability, is about the very last man I should attempt to persuade. It is much more likely, I think, that he should persuade me than I should him. However, we came into this electioneering business at about the same time, and we have gone on together up to this time.

EMMA HARVEY sworn.

E. Harvey.

32,132. (*Mr. Coleridge.*) What is your name now?—Harvey.

32,133. It was Harden, was it?—Yes.

32,134. Do you recollect when you were living here at election times a stranger coming down to lodge with you?—Yes.

32,135. What year was that?—1865, I think.

32,136. Did he tell you where he came from?—No; he came to me and said he had come to Bridgwater to look for work.

32,137. Did he say who sent him to you?—No; he came on a Saturday night about half-past 10, between 10 and half-past.

32,138. Did he say what made him come to you for lodgings?—No.

32,139. Were you in the habit of letting lodgings?—Yes.

32,140. What name did he give you?—Humphreys. He came on the Sunday.

32,141. How long did he stay?—He went away about half-past 12 on the day of the election.

32,142. Did you happen to see any mark on his linen whilst he was there, his name?—No.

32,143. Were there any initials on his luggage?—No.

32,144. Who paid you for his lodgings?—Himself or Mrs. Humphreys, I forget which. His wife was with him.

32,145. Did you hear from him after he was gone?—No.

32,146. Never heard of him since?—No.

32,147. Did he ever come to lodge with you again?—No. He said if he came again he should come to me.

32,148. Did he say he was a native of Bridgwater?—No.

32,149. What did he bring in the way of luggage?—He did not bring very much. He told me he was come to look for work.

32,150. Did he look like a working man?—No; I thought he was some kind of agent at the time he came.

32,151. Had he anything very heavy with him?—No, I almost forget; I won't be certain. I do not think he had very much.

32,152. Do you know anything about his paying voters?—No, nothing at all.

32,153. Did people come to the house after him?—No; I only saw one young man that came there.

32,154. What was his name?—I do not know. He was a young clerk, quite a young lad. He was a clerk at Mr. Smith's. I do not know his name.

32,155. Was it Neal?—I do not know at all. I think he was an articled clerk there. He had not been there very long. He was quite a youmg lad.

32,156. (*Mr. Anstey.*) Was it Mr. Neal?—I do not know his name.

32,157. (*Mr. Coleridge.*) You cannot tell us anything about this mysterious stranger at all?—No.

32,158. Should you be very much surprised if he turned up in court here now?—I do not think I should know him if I saw him.

32,159. (*Mr. Anstey.*) Have you seen him since?—No.

32,160. (*Mr. Price.*) Should you know him again?—No.

32,161. What sort of person was his wife?—I was hardly ever in the room while they were there.

32,162. (*Mr. Anstey.*) By what name did his wife call him when she spoke to him?—I was never in the room when they were in conversation.

32,163. Did you ever hear him call her by name when they were speaking to each other?—No, when he spoke to her he called her Mrs. Humphreys.

32,164. You never heard him call her Jane or Mary or anything of that kind?—No.

SAMUEL OLIVER sworn.

S. Oliver.

32,165. (*Mr. Price.*) What are you?—A bricklayer.

32,166. Are you a voter?—Yes, I am a voter.

32,167. At the last election whom did you vote for?—Mr. Westropp and Gray.

32,168. What did you get for that?—Nothing at all; I voted freely and independently.

32,169. No promise?—I never had no money, nor never had any promise from no one.

32,170. Did you vote in 1866 at Vanderbyl's election?—1866?

32,171. Yes.—I voted for Mr. Patton.

32,172. What did you get?—At Mr. Patton's election I got 10*l.*

32,173. What did you get for the two?—10*l.* from Patton in 1866.

32,174. Was that the only 10*l.* you got that year; or did you get two that year—two 10*l.*?—10*l.*, that was Mr. Patton.

32,175. Mr. Patton stood twice, you know; did you vote twice for Patton?—Yes, I voted for Mr. Patton both times.

32,176. How much did you get for both elections?—I had 10*l.* for each election.

32,177. Whom did you get it from?—Frederick Harden paid me one, but the other, I did not know the man, he was a stranger; at the "Three Crowns."

32,178. At the "Three Crowns." That was in 1865. Whom did you vote for then?—Mr. Westropp.

32,179. Did you get anything?—Nothing whatever; no promise whatever. Mr. Truman has got me down for 10*l.*

32,180. That is not true?—No.

32,181. You never got 10*l.* from Truman?—I never received a farthing.

32,182. Did you vote in 1859?—Yes.

32,183. Whom did you vote for?—I voted for Mr. Westropp and Mr. Gray last, and Patton the time before.

32,184. In 1859 did you vote?—I never voted. I never had a vote before 1865.

SAMUEL CHAPMAN sworn. *S. Chapman.*

32,185. (*Mr. Price.*) What are you, Mr. Chapman?—Clerk to Mr. Boyle.

32,186. Are you a voter?—Yes.

32,187. Did you vote at the last election?—I did.

32,188. How did you vote?—Westropp and Gray.

32,189. Did you get anything for it?—No.

32,190. Any promise?—No.

32,191. Any expenses?—No.

32,192. Employment?—Yes. I was employed in the chief room keeping the accounts of the election.

32,193. Then you were paid?—I was not; I volunteered.

32,194. Did you vote in 1866?—No, I had no vote before the last election.

32,195. I do not know why you were put down on this list; is there any explanation you have to give us about anything at all?—I was clerk to Messrs. Smith and Son, and clerk to Mr. Richard Smith.

32,196. Can you give us any information about Smith and Son, anything that took place at that time, when you were in their employment?—Yes, I think Mr. Purcell wants me to go through the books with him. At the present time I think I am called rather prematurely.

(*Mr. Coleridge.*) Then you had better come back again.

32,197. (*Mr. Anstey.*) Has Mr. Bealy Smith returned since yesterday?—I believe he is in Melbourne, Australia.

32,198. You share in that belief, do you?—Yes.

JAMES LEAKER sworn. *J. Leaker.*

32,199. (*Mr. Price.*) Now, Mr. Leaker, you are the landlord of the "Clarence Hotel," as everybody here knows?—I am.

32,200. And that was the blue house—the Tory house at the last election?—It was.

32,201. And has been for some years?—For many years.

32,202. The head-quarters. How long have you been there—the landlord?—Three years last Lady Day.

32,203. Well, you were a voter, no doubt?—I was.

32,204. You had before that a public house here?—I had.

32,205. And before that you were employed in the Customs Department?—I was.

32,206. (*Mr. Coleridge.*) What was that house—the one you had before?—The "Golden Ball."

32,207. (*Mr. Anstey.*) Were you not also at the "Globe"?—No; my brother.

32,208. That was a Liberal house?—It was.

32,209. (*Mr. Price.*) Perhaps we had better begin with the beginning of the elections, as we have begun with the others. When did you first have a vote? When you were in the Customs I suppose you did not vote?—I had no vote then.

32,210. When did you first have a vote for the borough?—The first election after 1850. I do not know what.

(*Mr. Coleridge.*) It was 1852, then, Lord Henley's election.

32,211. (*Mr. Price.*) 1852; did you vote then?—I did.

32,212. Voted for whom? Tynte and Lord Henley?—I forget the names now.

32,213. Tynte, Lord Henley, and Follett, I think, were the candidates.—Oh, Tynte and Follet.

32,214. Did you have anything then for your vote?—I had not.

32,215. Were you then at the "Golden Ball"?—At the "Golden Ball."

32,216. Was your house open for treating them? Was your house open on that side?—I think it was at that election. I think Mr. Tynte had his committee room there.

32,217. At your house?—That was the first election, yes.

32,218. (*Mr. Coleridge.*) That was a Liberal house then?—It was a Liberal house. I voted for Tynte and Follett. It always had been a Liberal house, by my father.

32,219. (*Mr. Anstey.*) Was there treating going on there?—There was a little treating; not to any extent.

32,220. (*Mr. Coleridge.*) Had you a bill for treating against them afterwards?—I should think not more than 2*l.* or 3*l.* They had a dinner after the election was over. Mr. Gooding, he was then the principal agent for Mr. Tynte. They had a dinner. I think 16 or 17 dined there after the election was over. That was the whole treating that I knew of.

32,221. Now we will come to 1857. Were you still at the "Golden Ball" then, in 1857?—I was.

32,222. Did you vote then?—I voted for Tynte and Follett.

32,223. Was there any money paid you then?—None at all.

32,224. Was there any treating going on then?—Not at all.

32,225. None?—None.

32,226. None whatever?—None whatever.

32,227. (*Mr. Coleridge.*) Had you anything to do with paying voters at either of these elections?—No; nothing at all.

32,228. (*Mr. Price.*) Now then we come to 1859. Were you still at the "Golden Ball" in 1859?—I was.

32,229. Did you vote then?—I did.

32,230. Who did you vote for then?—Padwick and Tynte.

32,231. Did you get anything?—I did not.

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32,232. Had you any bill at that election ?—Not one ; not a shilling.

32,233. No treating going on ?—Not the least.

32,234. Or did you pay any money to any voters ? —I paid 10*l.*, which I received from Mr. Murlis.

32,235. John Murlis ?—To Joseph Stoodley. I held the money. I did not bribe the man, but I held a 10*l.* note for him. He would not take the 10*l.* " No," he said, " he thought there was more money going. Mr. Murlis gave me the 10*l.* And he said, " If there is more money going you shall " have it."

32,236. (*Mr. Coleridge.*) Mr. Padwick was staying in your house. Do you know how the money came down ?—He was not staying at my house.

32,237. Where was he staying ? — At the " Clarence."

32,238. But do you know ?—No, I did not have anything to do with money matters except this 10*l.*

32,239. (*Mr. Anstey.*) That is Stoodley's. Where did you give him the 10*l.* ?—He received the 10*l.* at the " Golden Ball."

32,240. Was it the same man, do you know, who at the next election was bribed at the " Golden Lion " ?—I have heard so, by reading of it in the Blue book.

32,241. It is the same man ?—The same man.

32,242. Is he still living ?—He is still living.

32,243. (*Mr. Price*). Well, now, that is 1859. Is that all you can tell us about that election ?—It is all.

32,244. Well, in 1865 were you still at the " Golden Ball " then ?—I was.

32,245. Did you then vote ? — I voted for Westropp.

32,246. Did you get anything then ? — I did not.

32,247. Had you any bill against Westropp ?— Not the least.

32,248. No treating going on at your house ?— Not a shilling.

33,249. Did you pay any money to anybody at that election ?—I did not.

32,250. Nor in any way interfere in the matter at all ?—Not in the least.

32,251. In the way of money, I mean ?—Not in the least.

32,252. Nor promises ?—Nor promises.

32,253. At the first election of 1866 were you then at the " Golden Ball " ? — I was then at the " Clarence." I had been moved there about three months.

32,254. Did you vote ?—I did.

32,255. For whom ?—Mr. Patton.

32,256. Did you get anything then ? — I did not.

32,257. Mr. Patton stayed at your house ?—He did ; and his lady was there, and Mr. Pitman, and Mrs. Patton's sister, and another gentleman.

32,258. Do you know whether any money was brought down by Mr. Pitman ?—I do not.

32,259. How long was Mr. Pitman there before Mr. Patton ?—He came at the same time.

32,260. Mr. Westropp came down soon after ?— I believe they came together. I believe they all came together.

32,261. Did Mr. Westropp stay in your house ?— Yes.

32,262. All staying in one apartment ? — All staying in one apartment.

32,263. You had a bill then, of course, against Mr. Patton for his private expenses ?— His private bill.

32,264. Did you have a bill also against him at that election for treating ?—I do not remember much treating going on. Perhaps there may have been treating going on in the rooms occupied by the clerks ; poll clerks. That was the only treating, and I see a little item of 19*s.* which was supplied to the smoke room. The barmaid is not with me now who kept the accounts, but I suppose that smoke room must have been the great bottling room.

32,265. That is the room under the staircase ?— Yes.

32,266. Was there any bottling at that election of 1866 ?—I heard that these men were there, but I never entered the room whilst they were there.

32,267. Who brought them in ?— I do not know.

32,268. Could they be brought in from the street instead of through the front door ?—They could be brought in the other way, but I believe they all came through the principal entrance.

32,269. You did not see them ?—No.

32,270. Where did you hear of it ?—I heard of them continually. It was quite a joke.

32,271. They had 30 men there ?—Oh, nothing like 30 ; the room would not contain them. I should think myself there must have been 15 or 20.

32,272. (*Mr. Anstey.*) Who had the care of that part of the house ?—No one particularly, because it was a public entrance.

(*Mr. Anstey.*)—I know, but the room was not public.

32,273. (*Mr. Price.*) Was there a man stationed at the door ?—Oh, no. There is a pair of glass doors before you come to this room.

32,274. (*Mr. Anstey*). You took care not to be there ?—I had quite sufficient to attend to the duties of the bar.

32,275. No doubt your reasons are admirable, but you did not, as a matter of fact, know what was doing there ?—I did not.

32,276. But somebody did ?—I can only bring one into my recollection as taking an active part, Mr. Best, the pawnbroker.

32,277. (*Mr. Anstey.*) I do not think you understand the question. You see your house is a house that needs to be looked after and protected and guarded and watched, and you, for some reason or other, were not yourself taking charge or taking care of that particular part. Now which of your establishment or family was looking to this particular part where the great bottling room is situated ?—I should say the under waitress.

32,278. What is her name ?—Emily Day ; she is still with me. I should think it was her duty to attend to that room on that day.

32,279. (*Mr. Price.*) They would have drink carried into them from time to time ?—They had very little drink, principally lemonade. It was an intensely hot day.

32,280. She would be the person who would have to take it in ?—Yes, I should say so. I am not aware of anyone else.

32,281. Well, now then we come down to the second election of 1866. Did you vote then ?—I did.

32,282. For Mr. Patton again, I presume ?—For Mr. Patton.

32,283. Was Mr. Patton again staying at your house ?—He did.

32,284. Was Mr. Westropp down with him the second time ?—He was not.

32,285. Was Mr. Pitman down with the second time ?—I cannot recollect whether Mr Pitman was there or not.

32,286. As far as you recollect there was only Mr. Patton and his wife ?—Mr. Patton's wife was not with him the second time.

32,287. On that occasion did you get anything for your vote ?—I did not.

32,288. Had you a bill for treating then ?—No bill for treating then, only merely his private account.

32,289. Was there any bottling of voters at your house then ?—There was not, because the election was lost early in the day.

32,290. I only want to know. Is that all you know of the second election of 1866 ?—That is all.

32,291. Now come to 1868, a more important matter

respecting yourself. You were still at "The Clarence" and still a voter?—Yes.

32,292. You did not get anything for your vote?—I did not.

32,293. Will you explain to us about this money, which it is said you promised, 3*l.* in the first instance to the two men, and they then said they must have more, they wanted 5*l.*, and Temblett gave you a wink, and upon that you acted and gave 5*l.*?—I will tell you. That morning we had been indulging a little in my private room in some champagne on the unexpected success of carrying our two gentlemen, and the news came in that the tide had turned, that the others were creeping up gradually, and our men and I myself in an unlucky moment went into the passage and saw those two men, the elder Trapnell, who was an old servant of my father's years ago, his son was with him, and I asked him "Why, have you not been "to poll?" They said "No." I said "Why not "go?" Well, they wanted some money, and I said there was nothing going on our side, and they said "There is something going on the other." I said "Go to poll," and if Mr. Westropp and Mr. Gray succeeded in getting into Parliament perhaps something would be done for them afterwards. So they said they would go if I would give them a promise. I said "Well, what do you want, will 3*l.* do?" They said "No, we shall require more than 3*l.* If you "will give your word you will give us 5*l.* apiece we "will go to poll directly." I said "Very well, you "go."

32,294. You did not give them any money?—I did not on that occasion. I gave one of them, the son, 1*l.*, the father I gave 2*l.*

32,295. Before they voted?—No, after they had voted, a long time.

32,296. But in performance of that promise?—In performance of that promise which I made then.

32,297. (*Mr. Coleridge.*) How came you not to give them the whole 5*l.*?—Well, I hesitated a good deal about paying them at all, for I thought it was not very likely that ever I should get the money, but for my word's sake I paid them 1*l.* at a time. The young man Trapnell I guaranteed a suit of clothes, which he had made at Cooper's.

32,298. What did you pay for them?—3*l.* 19*s.*; he has had all his 5*l.*

32,299. (*Mr. Price.*) And the other has had how much?—The other has had only 2*l.*

32,300. Was not there a third man you promised something to that day?—No.

32,301. Was he called before Mr. Justice Blackburn?—He was not.

32,302. (*Mr. Anstey.*) What is Trapnell's Christian name?—Isaac the senior, and James the junior.

32,303. (*Mr. Price.*) Have you been repaid that 5*l.*?—I have not.

32,304. In any shape or way?—Not at all.

32,305. You have not added it on to your bill against Mr. Westropp?—I have not, one shilling.

32,306. (*Mr. Anstey.*) To whom did you look to be paid?—No one at all. I did not expect ever to get the money; and I would not think of taking it now the gentlemen have been unsuccessful.

32,307. To whom did you at one time look for repayment?—I should have looked to the agents for repayment if there was anything given afterwards.

32,308. Who was that?—Why, Mr. Brice; he was the agent.

32,309. Have you had any quiet conversation with Mr. Brice since the election on the subject?—I do not recollect having any conversation whatever. I spoke to Mr. Brice afterwards, and told him what I had done, and he said, "You should not have touched "it."

32,310. You have had so much conversation as that?—I have had so much conversation as that.

32,311. And he told you what?—That I should not have touched it; those were his words.

32,312. But it was the voters who touched it, not you?—Well, those were the words of Mr. Brice.

32,313. Did he tell you anything about looking to him for repayment?—He never held out any hopes.

32,314. Did he tell you you were not to hope?—He always told me so.

32,315. Always?—Always told me there was no chance of getting the money.

32,316. He has told you more than once then?—Since the petition.

32,317. That is what I say, several conversations?—No, not several, only on two occasions, I think.

32,318. "Always" you said, and then he has told you not to expect it?—Yes.

32,319. Did he tell you that in a way which made you believe that he was very sincere in saying so, or that there was some hope notwithstanding his words?—Well, I believe from what he said he did not leave any hope for me to expect to receive the money from him.

32,320. From him?—From him.

32,321. And from no other quarter?—No other, because I should have received it from him as agent.

32,322. You have never found anything like fairy money left at your house since the last election?—I have not.

32,323. It may come.—Well, I have not received Mr. Westropp's account, his private account.

32,324. His account is still unpaid?—His account is still unpaid.

32,325. And also Mr. Gray's?—Yes, and also Mr. Gray's.

32,326. You have the materials for making the account?—They have had their bills.

32,327. What was the amount of their bill?

32,328. (*Mr. Coleridge.*) I suppose Mr. Patton's accounts have all been settled?—Mr. Patton's bills have all been settled; the amount of Mr. Westropp's and Mr. Gray's bills, that was from the commencement of October, they came down for a month—

32,329. The 10th October?—The commencement. I have not the date here. That was 21*l.* 16*s.*

32,330. From the 10th to the middle of November?—From the 10th to the middle of November, one month's account, 21*l.* 16*s.*, and their second account was from November; they were there a long time, and it was altogether for posting. Mr. Westropp's private account when he came down about the petition, he came down alone, was altogether from the commencement, staying at my house till they left, 139*l.* 4*s.* 3*d.*

32,331. Were there any payments made either by Mr. Westropp or Mr. Gray, or for them?—None at all. I never had a shilling of their money yet.

32,332. Does not it strike you as a very long time to leave a mere hotel account unsettled?—It is.

32,333. Does not that suggest that in Mr. Westropp's mind, if not in yours, there are other items of expenditure which he has to account for?—I really do not know; but I have applied for the account to Mr. Brice, and they have said, in consequence of the Commission coming down, and one thing and another, they did not feel inclined to pay it.

32,334. (*Mr. Price.*) If there are no items but what a gentleman would legitimately incur for himself or a few friends by way of hospitality, why should he be afraid of paying it?—Well, I think it lies between the lawyers and themselves. They fancy that the lawyers have had sufficient to pay my account, and the lawyers fancy that there are other claims on them.

32,335. (*Mr. Coleridge.*) Is not it that there are items for conveying voters to the poll in hired carriages in that account?—No.

32,336. Were not there such items?—I lent a carriage from my stables to take two or three, such as Saunders, who could not go.

32,337. There was not any general system?—No; I never charged a shilling for a carriage.

32,338. (*Mr. Anstey.*) Is not this what Mr. Brice said to you, returning to the question I have been

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putting to you, that having regard to the election trial and the present Commission, and one thing and another, Westropp and Gray's agents thought it better to lay down a general rule, that is, to settle none of Westropp and Gray's for the present ?—I never heard that mentioned at all.

32,339. Is not it the fact that there are no election accounts positively settled yet ?—I do not know a single word about any account but my own account. My account is still unpaid.

32,340. Do you suppose if all other bills had been settled yours would have been made an exception ?—I should think not. I should think there were several in abeyance up to the present time.

32,341. Is Mr. Brice the only election agent ?—No, the Trevors.

Mr. W. Brice.

Mr. William Brice recalled.

32,342. (*Mr. Anstey.*) Can you explain that ?—Yes, thoroughly. The day after the election Mr. Leaker came to me and said he had promised the Trapnells, and I told him he was a great fool for his pains. He felt greatly put out about it, and did not know what to do. I said, "They may prosecute you, or "bring a *qui tam* action or something of the kind "against you, and my advice is to make the best "terms you can. You are a great fool for your "pains, and must do the best you can under it." I think he suggested that it should be done through Temblett, who was a known bribery agent, and secure the thing in the best way he could. I believe it was done a pound at the time, so that they would not have a large sum of money. Then he came to me for Gray and Westropp's account, and I suggested that he should deliver his bill. I think it came to 130*l.* or something of that kind. I wrote to Mr. Gray for it. Mr. Gray replied it ought to be paid, and I suggested that the better way would be to send a cheque in that case. Well, he wrote again to say Mr. Westropp was hanging fire.

32,343. Who did ?—Mr. Gray. He said it ought to be settled, and he said, "I will take an early opportunity of seeing Mr. Westropp." I heard nothing more from him, and I wrote again to say I thought it was rather a discreditable thing, post boys bothering me for five shillings and chambermaids for their fees. I thought it was one of their bills that ought to be paid, more especially as there was nothing in the bill at all objectionable.

32,344. (*Mr. Price.*) Had you satisfied yourself of that ?—Yes, quite.

32,345. (*Mr. Anstey.*) You saw nothing objectionable ?—Nothing at all objectionable, and nothing that could be found fault with, and it was such a bill as they might produce to Mr. Justice Blackburn or yourself ; it was a mere private hotel bill.

32,346. (*Mr. Price.*) It might have gone through the hands of the election auditors ?—Oh yes. Then I should tell you that I saw Mr. Gray afterwards, and I said, "Mr. Gray, this ought to be settled."

32,347. My experience is that you must send in your personal expenses to the election agent ?—Yes, but this was the petition bill mostly ; the election bill was sent in in the usual course, but this was a private bill after the election.

32,348. (*Mr. Anstey.*) And neither of them has been settled ?—Yes, it has been settled in a way which Mr. Leaker did not state. I saw Mr. Gray and told him that this bill ought to be settled, it is rather a disreputable thing. He says, "I have told Mr. West-"ropp so, but he says he will not pay anything until "the whole thing is over." I said, "It is all very "well, but Mr. Leaker may issue a writ, and I do "not know whether I should dissuade him from it." I came home, gave Mr. Leaker a cheque, but with this qualification, "Do not consider the payment by "me, for I hold you answerable in case these gentle-"men should repudiate my payment."

32,349. (*Mr. Coleridge.*) You converted it into a loan ?—I converted it into a loan, for which I took his note of hand, which I can transfer to you or anyone else.

32,350. (*Mr. Anstey.*) It was not in the nature of a payment then ?—No.

32,351. Of Gray and Westropp ?—I have no claim on them ; there is no privity between us, but I was not going to allow Mr. Gray to pay it all and Mr. Westropp not to recoup him ; but I left him his remedy against Gray and Westropp, and mine against all three.

32,352. Were you acting for Mr. Gray ?—Yes. I was supposed to be acting for both, but I never had anything to do with Mr. Westropp or his money matters.

32,353. Are there any other bills connected with the election which are in the same case with that bill ?—I think I have had two or three sent in which I have sent back again.

32,354. As a matter of fact, there are claims on Westropp and Gray arising out of the election which are unsettled ?—No, not the election. The petition I was alluding to.

32,355. But the election ?—I know of none.

32,356. None unpaid ?—None unpaid.

32,357. Except this one ?—That is not an election bill ; it is the petition bill.

32,358. It is both. He has received no payment of either ?—Yes, he has sent his bill for the election before.

32,359. No doubt, but he had not got payment ?—Yes.

32,360. He says he has not ?—To the election auditor that must have been.

32,361. I have asked him, and he says not ?—He must have misunderstood you.

(*Mr. Leaker.*) I received a certain amount at the election before.

(*The Witness.*) This is a subsequent bill, consequently there cannot be any objection to it, not the least.

32,362. (*Mr. Price.*) There can be nothing to turn up since ?—No, it is what you call hanging fire. That is all.

(*Mr. Coleridge.*) I see Mr. Gray's personal expenses are 76*l.* 1*s.*, and Mr. Westropp 72*l.*

(*Mr. James Trevor.*) They were included in that amount.

Mr. J. Leaker.

Mr. James Leaker recalled.

(*Mr. Anstey.*) Then you have received a portion of this ?

32,363. (*Mr. Price.*) You received all up to the end of the election ?—Yes, what was incurred before the election ; legitimate expenses, such as rooms on the election day, and those things.

32,364–5. They make a return to the returning officer through the election agent. 76*l.* 1*s.*, and 72*l.* their personal expenses, that must surely include your bill, would it ?—Yes, my bill, the election expenses, not the private bill.

(*Mr. Trevor.*) You will find there is another bill of Leaker's which I paid him.

32,366. (*Mr. Price.*) What bill have you been paid which you now speak of which you have in your hand ?—Merely the bill for the committee room and things that were sent to the polling booth.

32,367. No personal bill at all ?—No personal bill at all.

32,368. From the month of October down to the present time ?—No, not a shilling. I have received their personal bill.

32,369. (*Mr. Anstey.*) You used a phrase just now which struck me as important. You said that the only part of your bill which was paid was the demand for their own legitimate expenses. What other expenses were there in the month of October and November 1868 incurred at your place besides those which you call legitimate ?—No other expenses, only their private account in October.

32,370. What do you call the private account which is not settled by the election auditor ?—Their private account would be for their apartments, and dining, and wine.

32,371. And that is not in the account furnished to the election auditor ?—Certainly not.

32,372. Then do you mean legitimate expenses, or merely those expenses which were specified just now by you—the committee rooms, sending refreshments, or whatever it was ?—To the polling booths.

32,373. And things of that sort; but that formed a very small part of the entire demand, did not it ?—A small portion it was of the entire amount.

32,374. (*Mr. Price.*) Was it anything like 76*l.* ?—No, nothing at all. I gave Mr. Trevor the bill.

32,375. (*Mr. Anstey.*) As a matter of fact, how much money in pounds, shillings, and pence have you ever received on your demand against Westropp and Gray through the election auditor, if you received nothing from anybody else ?—I think, as far as I recollect, it would be 22*l.*

32,376. The entire demand is 139*l.*, is not it ?—139*l.* 4*s.* 3*d.* There is one thing I forgot to mention, that at Bagehot's first election I was one of those who provided some money that made up the 300*l.* you heard of. I gave 30*l.*, to whom I cannot tell, but the party who paid me was Mr. Smith.

32,377. (*Mr. Coleridge.*) Mr. Bealy Smith ?—Mr. Joseph Richard Smith.

32,378. (*Mr. Anstey.*) He repaid it to you ?—He repaid it to me, and he made this remark, when he repaid it, that it had not been required, and was in the same state as when it was received.

32,379. You mean the Alderman ?—Yes.

32,380. Were you about your house early on the polling day ?—I was not.

32,381. Can you tell me whether Mr. Westropp was or was not present, for it has been asserted by some and denied by one other person present at the early morning meeting, at the "Clarence" hotel that morning at 8 o'clock ?—I was in bed the time that meeting was held, but I have heard many parties say Mr. Westropp came from his bedroom partially dressed, and went in and addressed the electors on that occasion.

32,382. One person says that he was there from the beginning to the end, and nobody spoke but Mr. Hodges, and that Mr. Westropp was not there, and all the other witnesses say that he was there ?—Mr. Hodges will be able to tell you that.

32,383. Was Mr. Hodges always the chairman at meetings held there ?—No.

32,384. But he was that morning ?—I do not know. I cannot tell you. I was in bed at the time.

32,385. Did you see the condition of any of the voters, those who were about the front of the "Clarence" that day, who went up to poll for Westropp ?—Yes, I saw them continually.

32,386. Was there much intoxication amongst them ?—Well, nothing very particular; merely electioneering excitement, and some would be and others not.

32,387. About as much as usual in Bridgwater ?—Yes, about the same.

32,388. Which is a good deal ?—Well it is on certain occasions.

Mr. William Brice recalled.

(*The Witness.*) Mr. Leaker is a private client of mine, and he came to me in that capacity, and I may say, with reference to that allusion of his about the lawyers, Mr. Westropp and Mr. Gray paid a deposit of about 600*l.* or 700*l.* to pay the legitimate expenses of the whole election with.

32,389. (*Mr. Price.*) Are you responsible for these two returns, 121*l.* and 195*l.* ?—No, not in anyway.

32,390. Who is ?—They were sent to the election agent.

32,391. Are they furnished by you to Mr. Trevor ?—No, they were sent in direct to Mr. Trevor.

32,392. You say 400*l.* or 500*l.* was deposited to pay additional expenses ?—600*l.* or 700*l.*

32,393. Supposing these two were paid there would be a balance of available ?—Quite available for 139*l.*, but we are several hundreds out of pocket at this moment.

32,394. That accounts for it. We only want to know how you would account for it, because there would be a balance then, which if there had been no petition would be ample to pay Leaker's bill ?—No doubt.

32,395. And you say you are prepared to produce the account to show that has been expended on the expenses of the petition ?—We are 700*l.* out of pocket at the present moment.

Emily Day sworn.

32,396. (*Mr. Price.*) Are you the under-waitress at the "Clarence" ?—Yes.

32,397. Were you so in 1866 ?—Yes.

32,398. You remember the election when Bagehot and Patton stood ?—Yes.

32,399. During that day, do you remember any voters being brought to the "Clarence," and put into the smoke room ?—No.

32,400. None at all ?—No.

32,401. Do you remember going to the smoke room during the day to wait on anybody there ?—I might have gone in. I cannot say.

32,402. Do you remember whether you saw a number of 15 to 20 men there for some time ?—No, I cannot remember.

32,403. (*Mr. Coleridge.*) Do you recollect supplying them, not the last election, but in 1866 ?—I cannot remember anything at all about it.

32,404. It is the last election of 1866, Vanderbyl's election ?—I cannot remember.

32,405. Do you remember supplying some people with drink, and not being paid at the time ?—I was paid for everything I took.

32,406. For everything you took on the election day there ?—Yes.

32,407. (*Mr. Anstey.*) Do you remember supplying some people with drink, and being paid by some one else who was with them—give these men drink, and pay for it ?—No, I cannot remember it at all. I know all I took in I was paid for.

32,408. Do you remember anyone being there in June 1866, when Bagehot came ?—No.

32,409. (*Mr. Price.*) There were a great number of people in and out of your house that day ?—Yes.

32,410. Have you no recollection of seeing a number of 15 to 20 men in the smoking room, who were there a considerable number of times ?—There may have been, but I cannot remember.

32,411. (*Mr. Coleridge.*) Do you remember sup-

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plying a great deal of lemonade. Mr. Leaker said it was a very hot day, and they chiefly had lemonade? —I cannot recollect what I took them.

32,412. (*Mr. Anstey.*) Were you in charge of the smoking room at all that day?—Yes.

32,413. And at the last election were you in charge of the old coffee room?—No; I was never in there that I know of.

32,414. Mr. Vanderbyl's election the next month? —No, I do not know that I was.

32,415. Who was in charge of the old coffee room that day? That was July 1866, the second election that year, when Vanderbyl was elected, and Patton thrown out.—I cannot say.

32,416. Do you remember who had charge of the old coffee room?—No, I cannot say.

32,417. (*Mr. Coleridge.*) The present waiter was not at the "Clarence" in 1866?—No.

32,418. Who was?—There was a waitress then.

Mr. J. Leaker.

MR. JAMES LEAKER recalled.

32,419. (*Mr. Anstey.*) Who had charge of the room described as the old coffee room at Mr. Vanderbyl's election in 1866, when Mr. Patton was defeated?—We had a waitress on that occasion.

32,420. What was her name? — She is now married, and living at Taunton.

32,421. What is her name?—Hackleton now. I can give the address: "The Billiard Room, Taunton." Her husband is a billiard marker.

Mr. R. Hodges.

MR. RICHARD HODGES sworn.

32,422. (*Mr. Anstey.*) Are you a hatter and draper?—I am a woollen draper and general outfitter.

32,423. Did you take part at the last election on the side of Mr. Westropp and Mr. Gray?—Yes.

32,424. And you voted for those?—Yes.

32,425. Were you chairman at a meeting at the "Clarence Hotel" early on the morning of the polling day?—I was.

32,426. You were in the chair on that day. Was Mr. Westropp present at the meeting that morning? —Mr. Westropp was present part of the time.

32,427. Did he address the people who were there? —He did.

32,428. What did he say to them?—It would be impossible for me to tell you what Mr. Westropp said on that occasion. I was far too excited to recollect what Mr. Westropp said. I recollect a portion of what he said, but very little.

32,429. Tell me what that little was?—I recollect perfectly well, if you will allow me to begin by saying that Mr. Gray was the first to come on the platform, and Mr. Gray said to me, "What shall we say to the "men?" "Tell them," I said, "there will be no "money;" and Mr. Westropp heard the remark beyond a doubt, and came forward to the men, he being the senior candidate, and told them so, that there would be no money; that all he could ask them to do was to go and poll for him like men, to carry out the pledge which they intended to hold towards the Conservative party of the town generally, and themselves in particular; and Mr. Gray followed in the same strain, and told them that he hoped they would poll for him; that he was anxious to see the Conservative Working Men's Association poll for himself and Mr. Westropp; and I believe from the arguments employed on that occasion,—and perhaps I may take credit more particularly for it myself, as I spoke much longer than those gentlemen did,—I believe those arguments used on that occasion were the means of causing the men to poll.

32,430. Did you hear anything said by Mr. Westropp or Mr. Gray as to the danger of bribery; the dangers which beset bribery since the new Act?—I did not.

32,431. Or about going to prison?—No; but I used a great many of those arguments myself.

32,432. Why was it thought necessary for either Mr. Gray or Mr. Westropp to tell the people who were present that there would be no money?—For this reason, that I called that meeting on my own responsibility, but I had no one to back me up except the men themselves. The men were reputed in Bridgwater to be seeking for money, and it was a very risky thing almost for me to do under those circumstances, to go to those men, and say, "Go to the poll, "my men." I wanted Mr. Westropp and Mr. Gray to go and tell them themselves.

32,433. Why did you call that meeting?—I called that meeting from circumstances that occurred the night before.

32,434. What was that?—The night before the election; but I think I am rather before my time, because I need go back further beyond that, perhaps a week or more, but, at all events, I will give you what occurred the night before. In the afternoon I had men coming to me, and telling me the Liberals were very active indeed in getting the voters together. I said, "Surely they are not going to "bribe them to-day," and the remark that was made was, "Well, I do not know that, it has been done in "Bridgwater, and we ought to look after the men." "Well," I said, "I know nothing about it; the only "think I have heard is that there will be no money, "that is for certain." I had heard from different parties that there would be money, but not for certain that there would be; but I had heard from authority on which I could depend so far, that there would not be money, that is the lawyers. I heard from Mr. Brice, in fact.

32,435. How late was it that you heard that—that there would not be money?—Previous to this night; I heard it that night as well, but something like three or four days before.

32,436. You had heard it positively for the first time that night?—Positively. I heard it positively from the gentlemen themselves, in fact.

32,437. That night?—That night.

32,438. How late?—About 9 o'clock, or it might have been a little after I am not sure about that.

32,439. How could that move you to call a meeting of the bribable men to tell them that they were to have no money?—Merely this reason—I do not know that they were bribable men.

32,440. You have mentioned already persons of that kind.—Reputed to be. I cannot say that they were.

32,441. But you sent for them because they were so reputed.—No, I did not send for them; it was a public call.

32,442. Well, you called for them.—Well, I will tell you.

32,443. It is quite immaterial. You called that meeting of persons because they were reputed to be bribable men, and you wanted to appeal to them not to take bribes; what earthly effect would such an appeal have in your opinion?—I should appeal to all Bridgwater men the same as the Liberals appealed to the working men of the Liberal side from that place, asking them not to poll for money.

32,444. Were they merely the bribable men of your own party?—You have had it that nearly all Bridgwater are bribable men.

32,445. If you will take the trouble to hear my question you would save us much time. Were those you invited that morning, or called that morning, to the meeting men of your own party or men of both

parties?—Men of both parties, if they choose to come to a public meeting.

32,446. How could the incident of the night before, namely, your having heard that the other side were going to bribe, have induced you to call that meeting?—I was going to state it to you. When I came to the "Clarence" I went with the intention of knowing whether there was money or not. I considered I was in that position that I ought to know, not as a bribery agent, but that I might make my services useful to carry the election for the Conservatives if possible.

32,447. Whether money was going or not?—Whether money was going or not.

32,448. That was that morning?—That was the night before, and I went to the "Clarence" with three other gentlemen, that is, Mr. Heard, and Dr. Farmer, and Mr. William Moore. When we came up into the room where the candidates were, Mr. Westropp and Mr. Gray, and I think there were two strange gentlemen, at least I know one by name, Mr. Toogood, and I am not sure about the other, but I think a friend of Mr. Gray or Mr. Trevor, I rather think it was Mr. James Trevor, but I am not certain about that, and Mr. Joseph Richard Smith, and one or two others, but I cannot recollect names now, and we said, "Well, gentlemen, we have come to know "whether there is money to be spent or not," and the reply we had was, "Certainly not." Mr. Gray said, "I shall not spend one penny piece illegally in Bridg-"water on anything, but any amount that you can "spend that is legal I am prepared to do." "Well," I said, "if that is your decision, well and good; but "my impression is that Mr. Vanderbyl is come down "here to win the election, and will bribe wholesale as "he did before, and will beat us flying. But," I said, "cannot we let them know it? I will go for one, "and tell them that we are not going to bribe, and if "they do, it is at their peril." Well, I do not know who it was, but some one in the room said it was not advisable to do this, that if we did so it would be showing our hand, what we were going to play, whereas if we kept quiet we did not know what would turn up in the morning. Well, I think I left, and Mr. Joseph Richard Smith went home with me. I went home thoroughly satisfied in my own mind that we should be beaten, but I must tell you before I got home, as I was going out of the door, there was a lot of men in Bridgwater, as I had taken a very conspicuous part in getting up the Conservative Working Men's Association, who were waiting, and wanted to know whether there was to be money or not. As I passed out of the door, one man, of the name of Bowerman, said to me, "Well, sir, what shall we do?" I said, "Go home and go to bed." I believed it would be a hint broad enough to tell him there would be no money. I did not tell him that we were not going to spend any, but I said, "Before you go home, put "some one if you possibly can on the track of the "Liberal party, and let me know in the morning at 7 "o'clock whether they are going to spend money or "not." Well, he acted on this, because, as I told you, I went home and went to bed, and at five minutes past 7 I was at my front door, and the man Bowerman was there, and there may have been 20 others there, pulling a very long face, and I said, "Where are our "men?" and the reply was, "Well, I think most of "them are at home, for there was no one to keep "them together last night." I said, "So much the "better. Now, how about the Liberals? Have they "spent any money?" "Not a fraction." "Let me "know whether they have promised any." And the reply was, "Not a halfpenny." Then I was told what had occurred at an inn, the "Mason's Arms," in the bullock market, that is, that they had bottled up a number of men there, and given them drink, that these men were anticipating to be paid, that towards daybreak they considered they were throwing their chance away, that they could not get money, and could not get a promise, and therefore they started, and left the party in charge of them there to do the best they could. And from that very fact I drew my own conclusion that beyond all doubt the Liberals would not spend any money. Well, I acted on this at once, and did not take as many minutes to do it as it has taken me, and I said to those around me, "Go as fast "as you can to the right and left over the town, and "tell every one you meet that we shall meet at 8 "o'clock at the 'Clarence,' and anyone who likes to "come, voter or not voter, can come to the 'Clarence,' "we have a public meeting there." They did so, and a few minutes after 8 I arrived at the "Clarence."

32,449. I do not want to hear speeches, but still I must ask you the question which you have a quarter of an hour it appears to me to answer. What object did you propose to accomplish by this meeting, for I do not see it?—Simply this, that on the meeting there was some objection made by Mrs. Leaker to the men going up to the room at first.

32,450. I do not want details, but the object you had in your own mind when you convened this meeting; what was it to do?—Simply this, to tell the men that we were not going to spend money, and the Liberals said they had only to fulfil their promises to us, and we should win.

32,451. There was something occurred some time before you stated, which you were going to allude to; what was that?—I think on the Sunday it was that I was passing down the Fore Street, and I met young Mr. Pain, and he said, "Well, how do you think we "are getting on." I said, "Very well, I should say;" but I said, "Will there be any money," and his reply was, "I believe so." Well, I was impressed from that, as he had canvassed, that there would be.

32,452. Was it Mr. Pain the lawyer?—Mr. Pain the lawyer.

32,453. What firm?—He is the son. I think it was Mr. Pain, junior, there are two.

32,454. He was not concerned professionally, I think?—He was canvassing with them. I do not know whether concerned.

32,455. Was it the young or the old man you saw?—It was the young man.

32,456. He said there would be money?—He said, as near as I can recollect his words were to this effect, that he thought there was no money.

32,457. Previous to that, on the 14th of November, did you write that letter to Mr. Hayward (*handing it*)?—I did.

32,458. That letter was proved by Mr. Brice yesterday, and doubted by one of your party?—There is no doubt about it, it is on my printed headed paper.

32,459. What is the meaning of telling him, "Feeling assured it would prove in the future every-"thing you could wish for"?—As a Conservative I do believe it would. I believed it favourable.

32,460. To Mr. Hayward?—Yes, Hayward individually.

32,461. What Hayward was it?—Hayward the captain.

32,462. Who stated before Mr. Justice Blackburn that he had not been bribed?—He is a customer of mine, and comes to the shop, he often has done.

32,463. You see it is addressed to him in terms of intimacy, "Dear sir," and it seems that you know what he could wish for. You are aware of the character of this Mr. Hayward, are not you?—I am not, I was not then. I can only say this that at that time he was holding rather a respectable position.

32,464. Why do you call Mr. Gray by the significant name co-partner with Mr. Westropp?—I do not know. I might as well call him so as "Mr. Gray;" I did not see any difference much.

32,465. "Co-partner" has a very significant sound about it to a person in trade?—He would be a co-partner if he comes with Mr. Westropp, in expenses and everything else.

32,466. No doubt in buying and selling the borough; but supposing there was no buying and selling?—He could be, for this very reason, that the

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Mr. R. Hodges.

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whole of their expenses, whether 10*l.* or 10,000*l.*, he would be liable for one half of, most decidedly.

32,467. Did you write that letter to Mr. Hayward, knowing that Mr. Hayward was a corruptible person?—I did not.

32,468. Did you believe him to be corruptible?—I do now, because he has been bribed. I did not then.

32,469. Would you think of writing it all the same, whether he was bribable or not bribable?—I should; he was a respectable captain at that time.

32,470. You would all the same?—I would all the same, and I did to several out of the town, whose names I will give you.

32,471. Corruptible persons?—I do not know that they are.

32,472. I am asking you about corruptible persons; do you say that you would have written in this strain?—Yes, to any person.

32,473. Bribable or not bribable?—Yes, to any person out of town.

32,474. Did you send many of those letters?—I think I sent six or seven, I am not sure.

32,475. All worded in the same way?—No, I think you will find them all worded different; I think very probably.

32,476. But to the same effect?—Well, perhaps not.

32,477. Was the word "co-partner" in all of them?—I should say not. I should say you would not find it in any of the others.

32,478. Did each contain "it," that is, the election, "Would prove in the future everything you could wish for"?—I do not know.

32,479. You have already told me you were quite prepared to have done just the same thing for Westropp and Gray, whether money was to be spent or not?—Most decidedly. I am a Conservative, and will do my best for the cause. I have written to one Charles Hankell, who has been mentioned here, of Wellington.

32,480. (*Mr. Price.*) Did you believe Hayward to be a Conservative at the time you wrote?—Yes, I did, because I had some talk with him previously, some month or nearly previous to this.

32,481. Had he ever voted for the Conservatives?—I really do not know. There is one thing I should like to state in respect of that letter. Mr. Hayward came to me early on the morning of the poll, and said, "Oh, I "had the letter from you all right." I said, "That "is all right. Have you polled." He said, "No." I said, "Go to poll then as soon as you like." Well he said, "How about my expenses." I said, "I "know nothing about your expenses, most decidedly "not; if you come home here to vote, you vote for "your own interest, go and poll the same as I do;" but he did not poll, and I heard afterwards that he had been bribed. I wrote to one Henry Latham, of Gloucester, and to Captain Hayward, at Swansea. I wrote to one Robert Waters, of Bristol, and I wrote to Henry Teague, Longfellow Road, Mile End Road, London. I believe that is all, I am not certain; but I entered these because I like to take care of these sort of things in case they are wanted.

32,482. (*Mr. Anstey.*) You say you wrote to Mr. Hayward believing him to be a Conservative?—I did.

32,483. His own account of himself is, that after the election at the time of the election trial he really did not know whether he had ever been a Conservative in politics, or what he was before and at the time of the election, so that you must have known more about him than he did himself?—That is very often the case. Men will very often express opinions they do not know themselves.

32,484. Did not you write that letter to him intending to give him confidence that if money was going at any future time he would have all he could wish for?—Decidedly not. I should have told him so when I saw him in the morning; but there are previous elections in which I took part.

(*Mr. Coleridge.*) Tell us anything you know.

32,485. (*Mr. Price.*) Have you ever given money at any election?—I have not, and never received any in my life.

32,486. Have you ever made a promise of money in any way?—I have not. I have never given a promise, and I never received a promise. I never had a bill or anything else.

32,487. (*Mr. Coleridge.*) Have you ever had money paid after the election?—No.

32,488. As a present?—No, certainly not.

32,489. How many elections have you voted at?—I voted at four elections since 1865.

32,490. (*Mr. Price.*) What is it you want to tell us; is it anything we do not know already?—It is this much: I was one of those who, I suppose, would be accused of helping to find the money for Patton's first election.

32,491. Did you?—Well, I did not know at the time decidedly that it was for that purpose, although I guessed as much.

32,492 Who got it from you?—Mr. Westropp himself took it out of my hands.

32,493. What, the money?—The money.

32,494. How much?—30*l.*

32,495. Did he tell you what it was for?—He did not.

32,496. How did he put it; did he say, "I want "you to lend me 30*l.*," or what?—No, I will tell you. Mr. Moore met me as I was going into the committee room of the "Clarence." He was coming down stairs, and he said, "Hodges," I think it was Mr. Moore, I am not decided about it, but I believe he said, "Have you any money at home?" And I said, "Yes, a little, I think." He said, "Will you "lend it to Mr. Westropp?" I said, "Most de-"cidedly," and went home; and I had 30*l.* in the house, and I took it across, and took it upstairs, knocked at the door, and opened it on the right-hand side. I saw several gentlemen in the room, and I went back and knocked at another door, thinking of course Mr. Westropp was not there, and I should have to find him elsewhere, and Mr. Westropp was in the other room, the bedroom, and I gave him the bag with the money in it.

32,497. (*Mr. Coleridge.*) Did he say anything?—I do not really recollect.

32,498. Who repaid you that?—Mr. Joseph Richard Smith repaid me himself.

32,499. How long after the election?—I think from three weeks to a month; my hand book will tell you that exactly.

32,500. (*Mr. Anstey.*) That would go only a very little way itself in Mr. Patton's large expenses?—It would go a very little way, although I did not know what his expenses were, for I do not mix in bribery at all.

32,501. Do you know who else Moore applied to to advance money besides you?—I cannot say.

32,502. You do not know who the others were?—I do not know who the others were. There is one other little thing I should like to mention that has been spoken of, that at the meeting at Mr. Joseph Richard Smith's, there was a giving out of some books, which has been spoken of, I believe, in this hall by some witness, that it was for the purpose of consulting with respect to money spent; it is a complete farce.

32,503. There has not been any such evidence given. The statement was this, that the usual books were given up, and in those books were some names, the names of persons who were reputed to be bribable, others not?—The names of all the voters in Bridgwater, every voter in Bridgwater.

32,504. You are mistaken in supposing there was anything of the sort, if you are going to contradict that it is only a waste of time?—I do not contradict anything. I only say that no question of money was mentioned. Nothing was said about it.

ANDREW ALLAN recalled. *A. Allan.*

The (*Witness.*) I should wish you to ask Mr. Hodges this question, whether he did not tell me in his own shop since the election that the meeting of the Conservative men at the "Clarence," the morning of the poll, was called, and that the idea all the men had when they came to that meeting was beyond all doubt that they would be paid; that at that meeting Mr. Westropp addressed them, and Mr. Hodges also, who spoke most, and he so arranged his language that it was completely diplomatic, that he did not make a promise, did not commit himself to a promise, but caused every man there to believe that they would be paid, and they went to poll under that impression.

32,505. (*Mr. Price.*) I think we are quite sufficiently satisfied that the majority which Mr. Westropp and Mr. Gray got early in the day was caused by the feeling that they would get money if any money was going. We do not believe that the majority was got as a pure majority—I say Mr. Hodges told me so.

RICHARD HODGES recalled. *R. Hodges.*

32,506. (*Mr. Price.*) What do you say to that?—It is a long question, but I will answer it.

32,507. Did you tell Allan the idea the men had after you called that meeting was that they would be paid?—I did not, but I did say this, it was the idea of the men afterwards from the language used at the meeting in the morning at the "Clarence" they would be paid money, but that idea was put into their heads by the Liberals of Bridgwater.

32,508. (*Mr. Anstey.*) Did you tell Allan that the language from which these men inferred that they were going to be paid some time or other was the diplomatic or clever language used by Mr. Westropp and yourself?—I did not. I am not capable of using such clever language, as I did not think it was possible.

32,509. By whom was the language used then?—There was no language used.

32,510. Have not you one minute ago said that you confessed to have told Allan that after the meeting was over the men understood from the language used at that meeting that they were to expect money?—A week after.

32,511. Whether a week or not after does not signify. I ask you whose language you are referring to, yours or Mr. Westropp's?—I am not referring to anyone's language.

32,512. You say the men inferred from language used at that meeting addressed to them that there was going to be money?—From the language used that morning.

32,513. By whom?—I cannot say.

(*Mr. Price.*) You were the chief speaker.

32,514. (*Mr. Anstey.*) You wanted to inflict on us some speech of your own, and you have told us something about a speech by Mr. Westropp; were there any other speakers there?—There was Mr. Westropp, Mr. Gray, and myself.

32,515. (*Mr. Price.*) Then it would have been either Mr. Westropp, Mr. Gray, or yourself, or all three, or two of the three from whose language the men understood that?—I did not consider so.

32,516. But there was no other speaker?—The Liberals spoke a good deal two days afterwards.

32,517. You said, at that meeting the language used; do not equivocate and palter with the truth?—They inferred it from the language of the Liberals.

32,518. (*Mr. Anstey.*) That is not your language.—From the language the Liberals pretended to say had been used at the meeting.

32,519. You said nothing of the sort. The object of your being recalled is to answer the questions put to you as to what you told Allan, and you deny a portion of what he says you told him; but you admit the rest. You say, you told Allan from the language, not saying whose, at that meeting however, the people inferred so and so, and had been persuaded so to think by the interpretation put on that language by the Liberals. My question was to you immediately, "By whom was it used; by Mr. Westropp? Cer-"tainly not. By yourself? Certainly not; I am "not capable of it." I ask you whether, if not you, was there not but one other speaker, and that a very poor speaker, according to Mr. Trevor, Mr. Gray, and now you say you did not know by whom the language was used, or to whom you referred when you made mention of it. You are paltering with the truth.—I should like to make one other remark, and that bearing out what I say. After the election was over we had determined to petition, and Mr. John Smith sent for a man who had been paid, who had polled for the Conservative party, who had an I. O .U.

32,520. Were you present?—I have his evidence down.

32,521. Were you present at the conversation?—I was not, but I can produce the witness.

32,522. We must call him; we cannot take it second-hand.—It merely amounts to this, if I call him you will hear him I suppose.

32,523. (*Mr. Anstey.*) If you will state to our secretary what he will say?—I shall be very pleased, because I should like to clear my character.

JOHN TRUMAN recalled. *J. Truman.*

(*Mr. Price.*) Now we have had evidence this morning from several witnesses which implicates you very seriously about the question of this money. I do not dare to say how many; but certainly a great proportion of those whom you vouched to having paid yourself, or through Newton, or through Jarman. You say 40*l.* through Jarman and 50*l.* Newton, and you say you paid yourself a very great part of this money, and they denied that they got a farthing from you.

32,524. (*Mr. Coleridge.*) And Harden goes further, and says you took from his list to make up yours?—I should like to demand Harden's book. He took charge of my book after the polling day was over.

32,525. (*Mr. Price.*) Your vouching that does not advance the thing one atom. You have vouched to certain men having been paid 10*l.*?—Yes.

32,526. You gave the names?—There is one I did not name, Sellick; and you have not called on Morrish and those men, and there is another man, if you will allow me to call the witness.

32,527. Sellick has been called?—He will say I gave him 10*l.* if you will allow him to be recalled. Parties were with me in Harden's absence.

32,528. (*Mr. Coleridge.*) These men have sworn distinctly that they did get the money, but not from you?—Who?

32,529. Several of them to-day; and if you kept the money Harden spent it, and if you spent it Harden kept it. There is no doubt about that, that the two cannot make up the accounts?—I never kept a penny. Harden has been down to every party since Friday to get them to say he paid them instead of me. He has been to the house of nearly everyone here to-day to get them up, and if you will allow me I will call Mr. James Morrish, on the Quay.

32,530. (*Mr. Price.*) How do you get over the case of the Mogridges?—I paid both in Harden's house, and Brooks will tell you that I paid him the money.

32,531. He says you did not?—I did pay him. Of course there is oath against oath, but I did pay him.

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J. Truman.
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32,532. (*Mr. Coleridge.*) These men have no object, you have an object in concealing it. They have none because they own they were paid, the only thing is by different persons; therefore it is for you to clear yourself, and not them.—I demand Harden's book and my own, he had the two and you will see my list.

32,533. Just at the time you were accused of having embezzled these sums, July 28th, I see cash, July 24*l.* 8*s.* 8*d.*, and August 4th, 25*l.* 6*s.* 11*d.*; can you explain those items, the two first credits there?—That is money I put into the bank for my customers' accounts.

32,534. Do you mean to say that is no part of the money you received for the purposes of bribery?—Not a penny piece.

S. R. K. Bransby.

Samuel Robert Knevett Bransby sworn.

32,535. (*Mr. Price.*) Were you a waiter at the "Clarence" Hotel?—No.

32,536. Were you there at Vanderbyl's first election in 1866?—The first election.

32,537. Did you see any voters there bottled up in the coffee room?—They were not at all.

32,538. Were they in the coffee room?—They were in a room behind. I went in to get some names that had not polled, and some one asked me to stand by the door to keep hostile persons from going in there. Anybody could get out if they chose.

32,539. Did you stand there to keep people from going in?—Yes.

32,540. How did you know what people?—Because I know the generality of the Radicals. I know most people in Bridgwater.

32,541. You were to keep the Radicals from going to them?—Yes; if they wanted to, of course, I should call some one else, I could not do it myself.

32,542. (*Mr. Anstey.*) You were to prevent any communication with the opposite party?—Yes.

32,543. (*Mr. Price.*) How were the men amused inside, or reconciled?—With conversation, a quiet pipe and a glass, or anything like that.

32,544. Had everybody a pipe in his mouth?—I do not know that they were all smoking.

32,545. All drinking?—Yes.

32,546. They were all employed in a friendly way?—No; some were thinking more serious, thinking what money they could get, not all drinking.

32,547. Were they any of them talking about money?—They would say what is going, what is the good of keeping us here, or something like that; we should like to know what is going on the other side.

32,548. (*Mr. Anstey.*) In the way of money you mean?—Yes, in the way of money.

32,549. Some were saying that, and some not, but all were drinking?—No, I did not say all.

32,550. And some drunk?—I suppose they were.

32,551. Some were drunk at that time?—Yes, getting merry. I do not know whether they were drunk or not.

32,552. How many were there altogether?—I saw about 30.

Adjourned to Thursday next, at half-past 10.

THIRTY-FIRST DAY.

30th September 1869.

PRESENT:

Edwin Plumer Price, Esq., Q.C.
Thomas Chisholm Anstey, Esq.
Charles Edward Coleridge, Esq.

THIRTY-FIRST DAY.
Mrs. M. Smith.
30 Sept. 1869.

Mrs. Maria Smith sworn.

32,553. (*Mr. Anstey.*) Do you remember some question about some papers which was raised soon after the transaction by which Mr. Boyle purchased the business of Smith and Son, I think it was, or the business of Mr. Bealy Smith here in Bridgwater?—All my husband's private papers were sent to our house.

32,554. Just about the beginning of last year, do you remember some question being raised as to what was to be done with the papers that related to the election of 1865, and, I think, subsequent elections, but one of them?—No, I do not remember any question.

32,555. Do you remember anyone advising that those papers should be burnt?—I asked my husband what I should do with the papers, and he said as far as he knew there was no paper of any value there.

32,556. Did you ask him what you should do with the papers relating to election business?—I told him that they were papers which were sent up to our house after the disposal of his business and my son entirely leaving it, and I asked him what I should do with the papers, and he said, "As far as I know, there "is nothing at all of importance."

32,557. He said so?—Yes; "and you can use "them for anything."

32,558. What?—"For what you like," so I tore them up, and some went into my kitchen to light fires and so were burnt.

32,559. When?—Not till after the petition.

32,560. The last petition?—Yes.

32,561. Therefore it would be about the beginning of the present year?—I do not remember when the petition was, but it was a day or so afterwards.

32,562. The petition was in February?—February.

32,563. Were there a great number of papers, briefs and so on?—They seemed to me poll sheets and briefs, and there were some letters and different papers.

32,564. Do you remember whether any related to the year 1866 or 1865?—I cannot tell. I never read any of them.

32,565. What we want particularly to know is what has become of the papers used by the firm in 1866?—That was after my husband had left it; he left it in 1865.

32,566. But the firm of Smith and Son appears to have been the agents before the House of Commons at the trial of the petition against Mr. Kinglake, the cross petition, and also in support of the seat of Mr. Westropp against the petition of Kinglake and Shelley?—My husband was taken ill before the petition.

32,567. But the papers were prepared in that office; who was the managing clerk then when he was taken ill, do you remember?—I do not know whether Mr. Chapman or Mr. Boys.

32,568. But both were in the employment of the firm?—Both, I believe.

32,569. Those are the papers we particularly want, the briefs that were prepared for counsel, and held by

counsel before the Committee of the House of Commons in 1866 ?—I do not know, but I suppose those papers would be what were sent to me.

32,570. (*Mr. Coleridge.*) Was not there a young Mr. Neal in the office at the time, an articled clerk ?—He was then an articled clerk, he had not left then; he was an articled clerk when my husband left the office, but afterwards his articles were transferred.

32,571. (*Mr. Anstey.*) If those papers I spoke of were amongst the papers about which you spoke to Mr. Smith, then they have all been destroyed ?—All been destroyed.

32,572. Was anything said to you by Mr. Smith or by anybody about its not being safe to keep those papers ?—No, the only person—I remember saying to Mr. Boyle, the gentleman here, "I shall destroy these "papers;" and he said, "Well, I would not do any-"thing until after the petition in case they should be "wanted, and I do not know but what they will;" and Mr. Westropp came down, and my husband said, "Ask Mr. Westropp."

32,573. (*Mr. Coleridge.*) Did not Mr. Boyle tell you some time after the petition Mr. Justice Blackburn had reported corrupt practices had extensively prevailed in Bridgwater ?—No, I had not seen Mr. Boyle.

32,574. It was before the petition he told you this ?—Before the petition and after the petition. I thought that everything was at an end of course, and there was not a paper destroyed, and my husband said, "Mr. Westropp is down here, ask him," and he said, "I do not know, there is a packet of letters I should "be very glad to get if they are there, because they "relate very much to family matters;" and there was a packet, and I sent them to Mr. Westropp. I did not read those letters.

32,575. (*Mr. Anstey.*) Did any of them appear to be old briefs ?—No, at least I did not know they were briefs. They were large sheets of paper written on. I should have told you that they were copies of the blue book, if asked.

32,576. Those went up to town ?—Then I do not know, because I did not read them.

32,577. If there were any other papers besides those which you asked your husband about, where should we be likely to hear of them ?—I do not know, because my husband's things were all kept at the office except his own deeds. There was a muniment room at the office for everything.

32,578. They were moved to the house, I understand ?—They were moved. There was a lot of papers, many of my husband's private deeds, there, and they were moved to the house afterwards, and these papers came with them. My son told me he had sent them, and he said, "They are my father's "private property, you can do as you like." He did not advise me to burn them or anything. He said I could do as I liked.

32,579. (*Mr. Coleridge.*) Do you know where Mr. Bealy Smith is now ?—I have a letter in my pocket which can tell you.

32,580. From where ?—From Melbourne, which you can see; but I should not like it to appear in print.

32,581. No; if you merely show us the postmark and say it is his handwriting, that will do.—This is the letter (*handing it in*).

32,582. When did you receive this ?—It was sent to me at Exmouth a day or two after it came to Bridgwater.

32,583. I see it is addressed to "Mrs. Smith, Bin-"ford House, Bridgwater," England, and on it is "Collingwood, June 30th, Victoria." Will you swear that that letter is in Mr. Bealy Smith's handwriting ?—Yes.

32,584. (*Mr. Anstey.*) Does that inform you that he is on his way home to England, or about to leave ?—Perhaps it would be more satisfactory to you to read it. The date is the 30th June 1869, Melbourne, and this is all he says,—

32,585. (*Mr. Coleridge.*) Does he say anything about election inquiries in it ?—The only thing he says, after speaking of other matters is, "I should "like to hear something of the election petition and "Commission."

32,586. And so should we of him on the Commission.—He says he is still in Melbourne, and goes on. "I have not yet got employment; I have sought it, "and not yet got it. I do not know whether to go "to the diggings, go to Sydney, return to England, "or stay here."

32,587. (*Mr. Anstey.*) That is the last letter you had ?—That is the last letter I have had. That is the 30th June; there is the postmark.

32,588. Have you had no telegram from him ?—No, and I have not replied to the letter.

32,589. Can you tell me whether your husband has been looking at some land at Horsey Slimes lately ?—Yes.

32,590. How lately ?—I cannot tell you, I am sure, but he was driving out, and got out of the carriage to look at some land; a field by the side of the road.

32.591. Which he was going to purchase ?—He thought of doing it, but did not do so.

32,592. How long ago was it ?—It might be two, three, or four months.

32,593. Weeks ?—Months, or it might not be so long. I have not borne it in my mind at all.

32,594. (*Mr. Coleridge.*) Is he any worse now than he was then ?—No, certainly not.

32,595. Do you mean that in your opinion it would be impossible for us to examine him quietly in his room in the same way as we are now examining ?—I believe it would produce his death, because he is naturally a very excitable man, and was made a scapegoat of in his earlier days in politics, and it is a thing above all others that excites him. I believe, and my medical friends tell me, that if I permitted it I must expect my husband to have another attack of paralysis on the spot, which would kill him.

32,596. Was he worse after the interview the other day ?—He was wearied and excitable, and said the next day that he felt exceeding wearied from it.

32,597. Has he got over it now ?—He has got over it now.

32,598. It had no worse effect than wearying him ?—Dr. Farmer wisely stopped, because he became excited, and Dr. Farmer said, "Now we will "stop."

32,599. (*Mr. Anstey.*) Supposing that we did the same, and stopped whenever he became excited ?—Ah! the mischief would be done then.

32,600. But it was not on that occasion ?—No, but that was a different thing; there was only Mr. Purcell and Dr. Farmer, different to having a lot of people. I believe it would produce a second attack of paralysis, and all my medical friends have told me so. A medical friend I had staying with me some little time back has written to tell me so.

(*Mr. Anstey.*) The disappearance of these papers, and our want of any means to find out the contents of those papers make it very desirable that we should have more information.

32,601. (*Mr. Coleridge.*) What was the object of Mr. Bealy Smith going away; was it to get out of the election petition inquiry ?—Decidedly not; as far as I know it was his health.

32,602. (*Mr. Anstey.*) How far is Horsey Slimes from here ?—I should think a mile or a mile and a half.

32,603. What road is it upon ?—The Burnham Road.

32,604. I think if you were to use your influence with your husband and satisfy him, he would have nothing to apprehend in the way of excitement, and we need not have so many people here as there are to-day, if that is considered an object ?—You must recollect that he is all I have in the world, and all the doctors have told me not to. How could I do it ? You could not ask me to do it.

THIRTY-FIRST DAY.

Mrs. M. Smith.

30 Sept. 1869.

32,605. (*Mr. Coleridge.*) I think what we could ask you is not to go to the trouble of sending up a physician from Exeter, but it would have the same effect if a certificate in writing were sent to us, in addition to his ordinary attendant, Dr. Farmer. I suppose some one else has seen him besides Dr. Farmer since at Exeter ?—No, no one has seen him.

32,606. (*Mr. Anstey.*) Who advised him to leave this place ?—Now ?

32,607. Yes.—Dr. Farmer said the excitement from hearing so much about it would tell upon his health, and it was advisable for us to go away at a distance where he could be seen if requisite.

32,608. Did Dr. Farmer tell you previously to his advising you that we had been putting questions to him, Dr. Farmer, on the subject of your husband's state of health ?—I could not tell you that, as Dr. Farmer came one morning, and I do not know whether he had seen him. I cannot remember.

32,609–10. Did he go away immediately after that ?—Oh, no, not for some four days, because I was not ready to go away. We did not read any papers to him after that, because we wished him to be quiet there, and left our address, so that you should know we were simply going out of the excitement.

32,611. You knew that Dr. Farmer was examined before us ?—Quite.

32,612. Cannot you remember that conversation which he had with you was after the time you heard he had been examined before us ?—He was in his chair in the garden, I know, when the Doctor called.

Dr. Farmer.

DR. FARMER recalled.

32,613. (*Mr. Anstey.*) Was that after we had examined you in the Town Hall on the subject of Mr. Smith's health ?—Yes, it was.

32,614. May I ask why you did not communicate to us that you were going to give him that advice, your responsibility for which to us must have suggested itself to you ?—Yes, I will tell you. You will recollect that I appeared for Mr. Cook, and then I spoke as to the state of Mr. Smith's health, and I gave my evidence as to his state, and I offered to put in certificates from Dr. Russell Reynolds and Mr. Orton, and the Chairman intimated that my oath was sufficient, and he did not require any corroborative evidence, and then, knowing the constant excitement which Mr. Smith was in with this Commission here, and also the state of mind Mrs. Smith was put in by persons going down to the house with all sorts of wild statements, which was making her ill as well as him, I said, "Now "then, I have given evidence before the Commis- "sioners as to the state of Mr. Smith, and they are "satisfied, and therefore I will advise you to go a "short distance from Bridgwater, so as just to get out "of the neighbourhood." It was not by any means running away from Bridgwater.

32,615. Did you not also tell Mrs. Smith when we discharged you for the time we told you that we should consider whether we would ourselves go down to the house and see the inmates there, or perhaps send our secretary ?—I do not recollect you intimating that, because the Chairman said it was sufficient.

32,616–17. It was sufficient for the purpose of the particular inquiry, namely, that he was not fit to come ?—No; the question was asked whether you could come down to his house.

The shorthand notes speak for themselves.

32,618. (*Mr. Coleridge.*) I understood you to say the question was asked you whether we should go down to his house ?—Yes, which I said I could not say he could bear.

32,619. (*Mr. Anstey.*) Then recollect that we put this question to you—supposing we have him, and merely want to know such and such things, and ask them, will not he be able to answer them, and your answer was, "If they were put nicely and quietly "in his house I do not say that he might not; the "difficulty would be to bring him here to a public "place to have those questions put."—I do not think that is the way I expressed myself. I expressed myself that if myself and the Secretary were to inquire, which was the plan adopted afterwards.

32,620. The shorthand notes will speak for themselves.—Yes, but I think you will not find that.

32,621. But I have no hesitation in saying that the version I have given is substantially correct, and I will tell you why, because I have had a strong opinion all through in favour of bringing Mr. Smith into the hall, and in consenting to let it stand over to be considered on that footing I felt at the time I was making a great sacrifice; therefore I am perfectly sure I am correctly stating from memory what will appear more clearly in the shorthand notes ?—I will not state because I do not remember.

32,622. May I ask why you did not come back and inform us what had been done before it was too late, and take our opinion on it ?—Because Mr. Smith would have been back if there was such a necessity as that, that you would not take my evidence; he was not at such a distance but he could come back from his house if necessary. I recommended Clevedon or Burnham. There was no such object as running away that I advised him; it was merely for his own sake and hers.

32,623. Then are we to understand that though at Exeter his friends undertake that he shall return to Bridgwater if we want him; I do not say that we do ?—That his friends would do it. I have no authority over Mr. Smith and his friends any more than as his medical adviser.

32,624. I want you to explain your last answer. You stated that the reason of your advising him to go away was that there was no harm done, because he could easily return ?—If there was no other way of doing it I should relieve myself of all responsibility, and say I will not hold myself responsible for the issue.

32,625. Supposing we determine that there is no other way to do it, and that he ought to come, is this an undertaking that he shall come ?—Not from me. I shall relieve myself of all responsibility, because I would not recommend a man to drop dead under my sanction; therefore if it is considered that he should do such a thing there must be a certificate from some eminent medical man which would relieve me from the responsibility, for I certainly would not bear it.

32,626. Do not you feel that you are responsible for his having gone away ?—No.

32,627. Mrs. Smith gives us her reason for objecting to his being examined, even in this quiet way, that she has been told by her medical man not to consent ?—Exactly; and even a gentleman at Weston-super-Mare volunteered to do it.

32,628. Then I put my question. Do not you see at present that you are responsible for the steps she and his friends have taken, as she says entirely upon the medical advice she got ?—She was very anxious for him to get away out of this, and I thought at the time it would be well to, and I recommended Burnham or Clevedon. I did not know where he had gone until I applied to Mr. Boyle for the address, and I advised somewhere near where communication could be carried on easily; therefore there was no desire to shirk responsibility; I do not desire to do it. I am quite willing to assist the Commissioners, but you cannot expect me to be answerable for his life.

32,629. I think you are answerable for taking on yourself a step without consulting the Commissioners ?—A man might go and live out of town, and come backwards and forwards, and still be within reach. I did not order him away any distance.

Mrs. Maria Smith recalled. *Mrs. M. Smith.*

(*The witness.*) Dr. Farmer told us we should go to Burnham, but I could not go to Burnham.

32,630. (*Mr. Anstey.*) Then I ask you if you are told that it is absolutely necessary he should be here to see some one at his own house, if it is more convenient, the three of us and nobody else, whether you will undertake that he shall come?—I could not, because I believe it would be his death, and I never could. You could not ask me to do such a thing.

32,631. Well, I do ask you whether you will give that undertaking—whether we act upon it or not is another thing, but it is a serious matter that there should be an abstraction of papers, and it is not cleared up to my mind at all?—I have told you the truth.

You have told us what you know, but not more than you know, I presume.

Dr. Farmer recalled. *Dr. Farmer.*

(*The witness.*) I think any detriment to him will not to any great extent arise, but from any cross examination.

32,632. (*Mr. Anstey.*) Please not to use that word. We do not cross-examine.—I mean the other day he was allowed to give his examination in his own way. I could not put a question to him without putting him out, and he was obliged to give it in his own way straightforward, and Mr. Purcell took down what he wanted from him.

32,633. If he comes here you may rely on it that we shall examine him in the most suitable way for an invalid, such as he is described to be. You may perfectly set your mind at rest on that point, and there will not be any difficulty at all about that; but the question now is, supposing we, after this meeting is over, were to determine on a future day that it was desirable for us to see him to ask a few questions, whether he will be here to answer them, that is to say, at Bridgwater, at his own house if necessary?—I think if it was very judiciously done, and without at all perturbing him.

32,634. That is all I say?—If you were to allow him to give his own statement in his own way, and when his medical adviser or advisers think he has said enough, and that it becomes a detriment to him, it should be desisted from.

32,635. You may take all that for granted?—Yes; then I think that might be done.

Mrs. Maria Smith recalled. *Mrs. M. Smith.*

32,636. (*Mr. Anstey.*) Will it be done?—I can never sanction it, because I know it would be my husband's death.

32,637. You hear what Dr. Farmer says?—I will never sanction it. If you wish other certificates I will have other medical men to tell me, but to sign his death warrant I will not do it.

32,638. Do you know what conclusion we shall come to if you do not?—I have not all the papers. Mr. Lilly has some of the papers.

32,639. You did not tell me that just now?—You did not give me time. You went on to another subject.

32,640. What papers has he?—My son wrote a letter to Mr. Lilly during the time he was managing his sale. Mr. Lilly read that letter to me about one or two letters that concerned me, and he said "You "have some political papers which I wish handed "over to mamma." I have asked Mr. Lilly for them, and I have never had them. He admitted to me that he had them.

32,641. (*Mr. Coleridge.*) Is that Mr. Lilly, the auctioneer?—Yes, Mr. Lilly, the auctioneer. Those may be very important papers.

32,642. (*Mr. Anstey.*) Has any other person any papers?—Not to my knowledge. I should not have known that, but that my son wrote to Mr. Lilley and he told me so.

32,643. I must ask you, with reference to your refusal to sanction your husband's removal if it is wanted—it may not be—notwithstanding what his medical adviser has just said, subject to the conditions which he has named— are you aware what conclusions we shall be obliged to come to if you persist in that refusal, supposing the case arises?—If my husband is wanted, and the doctors agree to it, I will. You seem to think that Dr. Farmer sent him away, and I will have other medical men from any distance, and if they agree that it will not harm him, I will consent, but if they say it will, you cannot ask me to consent.

Mr. Robert Pople sworn. *Mr. R. Pople.*

32,644. (*Mr. Coleridge.*) What have you come to speak to?—The election of 1859.

32,645. You bribed some one, I believe?—I bribed four.

32,646. Who were those four?—Two men named Richards; one a baker, another a shipbuilder or carpenter.

32,647. What did you give them?—10*l.* each.

32,648. Whom did you get it from?—Murlis.

32,649. Whom were they to vote for?—Westropp and Padwick.

32,650. Whom else did you bribe?—Joseph Gosling and William Board.

32,651. Whom did you get it from?—Murlis.

32,652. Was that 10*l.* each?—Yes.

32,653. What did you get yourself for your trouble?—Nothing.

32,654. Had you anything to do with the subsequent election?—No.

32,655. Or the prior one?—I came up in 1865 and voted for Westropp.

32,656. Did you bribe anybody on that occasion?—No.

32,657. Did you get anything?—Nothing whatever.

32,658. Any expenses?—I paid my own expenses up and back, and never had a farthing in any shape or form. I made out a list of a great many voters. Murlis asked me if I would do a little writing for him, and I simply made out a list of 70 or 80, which he will hand in to you.

32,659. Of the persons you thought were bribable?—That were bribed. I copied it out of the little memorandum book he gave me.

32,660. In what year?—1859.

32,661. What are you?—A proprietor of the "New London Inn," at Exeter.

32,662. Were you the proprietor of an hotel here at that time?—In 1859, no.

Adjourned till to-morrow at 11 o'clock.

THIRTY-SECOND DAY.

Friday, 1st October 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
DE TRACY GOULD, Esq., Acting Secretary.

THIRTY-SECOND DAY.

Mr. M. Spofforth.

1 Oct. 1869.

Mr. MARKHAM SPOFFORTH sworn.

32,664. (*Mr. Price.*) You are a member of the firm of Baxter, Rose, and Norton?—Yes.

32,665. (*Mr. Anstey.*) Had you the conduct of the election petition which was tried before Mr. Justice Blackburn?—No, I had not.

32,666. No connexion with it?—None whatever.

32,667. Or with the late election?—Or with the late election.

32,668. In any way?—In any way.

32,669. Do you remember the second election of 1866 for this borough, at which Mr. Patton, then Lord Advocate, was defeated, and Mr. Vanderbyl was returned?—I remember it.

32,670. Were you consulted on the subject of that election?—Not at all.

32,671. Had you anything to do with Mr. Patton's coming down the second time?—Not at all the second time.

32,672. Had you nothing at all to do with the second election of 1866?—Nothing whatever.

32,673. Now, we will go back to the first election of 1866, when Mr. Patton, a stranger to the town, came down for the first time to this borough?—Yes.

32,674. Your name has been mentioned in connexion with that?—Quite so. Do you wish me to tell in detail what I know?

32,675. Tell us what you know about that?

32,676. (*Mr. Price.*) Tell us how it was that Mr. Patton came down here?

32,677. If I remember there had been an election at which Mr. Westropp and Mr. Kinglake were returned. A petition was presented against Mr. Westropp, and a cross petition, as it is usually called, was presented against Mr. Kinglake. The two petitions were fought, and Mr. Westropp only was unseated. I do not know that it had been arranged, but on Mr. Westropp being unseated the local people who were up in town desired to have a candidate.

32,677*a*. Tell us who they were as near as you can remember—Mr. Trevor?—I should say Mr. Trevor. I am not sure about Mr. Trevor, but Mr. Bealy Smith was the person I was in communication with. It was after the petition.

32,678. Mr. Bealy Smith had the conduct of the petition?—He had the conduct of the petition, and I forget what the unfortunate gentleman's office was then, whether he was solicitor general or not.

32,679. Mr. Patton was not then in office, was he?—I think he was; I am not sure, but I think he was solicitor general without a seat in parliament, and he desired to have a seat in parliament, and I remember going down with these Bridgwater gentlemen to the lobby of the House of Commons, where he was sent for I think because he had a room in the House of Lords. He was not in the Commons. He was sent for and introduced to the deputation, and the arrangements were made between them and Mr. Patton.

32,680. You were aware that he wanted a seat then, of course?—Yes, I was informed so. I think I had better, whilst on this subject, say that I have but a slight recollection of him, poor man; but I have just this remembrance, that he was rather an oldish thin man, he looked not in good health, and I said to him, "If you go down to Bridgwater you must take "some friend with you who will protect you from "importunity, and take care that you do not get into any scrape," or something to that effect.

32,681. (*Mr. Coleridge.*) Then you had a pretty good notion of the character of Bridgwater at that time?—Only what public rumour told me, that it was a corrupt place.

32,682. And consequently a rather dangerous place to send a government candidate to, was not it?—Not if the government candidate was careful. Of course I was not responsible for that. It was my duty to send down the best candidate I could find, and he was the person, which is a subject I can never cease to regret, in consequence of the fatal termination of it.

32,683. (*Mr. Price.*) Now, will you continue what was said?—It was all that passed at that time.

32,684. (*Mr. Coleridge.*) You know that Mr. Patton did go down?—Of course I saw by the public papers.

32,685. He was not brought down by any of your firm?—Certainly not.

32,686. Had he any assistance, what is perfectly patent to all the world, I do not say assistance from the Carlton Club, because that word is much travestied, but from the Conservative party?—None whatever.

32,687. How did he raise the money then?—I do not know.

32,688. (*Mr. Anstey.*) We have it in the way of evidence that his means were not supposed to be large, and the sum raised was very large; have you any notion how it was?—I have no notion what sum was spent.

32,689. (*Mr. Price.*) We are told that the two elections cost 4,500*l.*; 1,900*l.*, as far as we can make out, was actually paid in bribery at the first election; then there were the legitimate expenses and other incidental matters, and therefore it probably came up to a little over 2,000*l.* at that time. Then 1,900*l.* was spent on the second occasion in direct bribery, when the same men almost distributed the money and received it; then there would be about the same amount of legitimate expenses, and he must have spent roughly at least 4,500*l.* or probably 5,000*l.* on the two elections?—Yes, but probably some part of that money, which seems a very large sum, would go for the expenses of the petition.

32,690. I do not know what that would be, we have no evidence of that.

(*Mr. Coleridge.*) None of that went so.

32,691. (*Mr. Price.*) And 1,900*l.* is distinctly proved to have been paid in actual bribery in 10*l.* notes?—I did not know that,

32,692. (*Mr. Anstey.*) Besides Mr. Patton, was neither the sitting member who was petitioned against, nor the petitioner, against the other?—No, but I believe he paid the whole or part of the expenses of the petition against Mr. Kinglake.

32,693. Mr. Patton did?—I think so.

32,694. You recollect the election was in 1865, and the petition was tried in 1866. At that time Mr. Patton was entirely unconnected with Bridgwater ?—Well, that was my impression.

32,695. (*Mr. Coleridge.*) There was a petition against Mr. Vanderbyl, but it was not by Mr. Patton ?

(*Mr. Anstey.*) You will remember that Mr. Westropp was one of the sitting members in 1865, and there was a cross petition against the other, Mr. Kinglake; but neither the seat which was defended, nor the seat which was attacked, could Mr. Patton in 1865, nor in 1866, until Mr. Westropp was unseated, have had anything to do with ?—No, but I have some recollection; I forget who were the petitioners.

32,696. The petitioners were Bridgwater people ?—I have some recollection that we paid the expenses of one of those petitions; in fact, I have no doubt about it.

32,697. Mr. Westropp, who was unseated for the crime of bribery by his agents, was unqualified to stand again; we have it in evidence it was in question who was to be chosen again in his stead by the party as candidate, and after some consideration Mr. Patton was fixed upon. Do you mean when Mr. Patton was fixed upon, he made an arrangement to pay some of the expenses of the past election ?—I do not know that he could do it then; in fact, he could not do it then, for I was present and it did not take place. I have detailed word for word what did take place.

32,698. But would it be through the London solicitors ?—We should be for the petition.

32,699. (*Mr. Anstey.*) Was this when he was selected ?—Yes; I merely introduced him to the Bridgwater deputation, and left him to talk to them. I just took him on one side and gave him that caution.

32,700. What caution ?—That if he came down he had better be represented by some confidential friend, so that people might not come to him and ask him; you know it is usual, when a candidate goes down, to ask him for money.

32,701. (*Mr. Coleridge.*) Was Mr. Pitman that confidential friend ?—I was going to add that I subsequently heard that he selected Mr. Pitman, who is a man, I believe, of high standing in the profession in Edinburgh.

32,702. (*Mr. Price.*) A solicitor, or a writer to the signet ?—He is a writer to the signet.

32,703. (*Mr. Coleridge.*) A manager of Scotch elections, or only a solicitor ?—Well, there is no management in Scotch elections.

32,704. It was more the other side ?—Yes, much more the other side.

32,705. (*Mr. Price.*) It does come to this; quite independent of what he paid in respect of the petition, it might be by arrangement afterwards, that Mr. Westropp, when he got seated—I do not know how that may have been, but it is quite certain that he spent in the borough 1,900*l.* in actual bribery the first time in 10*l.* notes, for there have been men who have come here and proved the receipt of the money, who discharged themselves by giving in names. There is no discredit thrown on them, and there is just about, as near as possible, a similar sum at the second election. Those two sums added on to the other expenses which a witness has told us about, would make about 4,500*l.* for the two elections spent in this town ?—I have no knowledge of it, no knowledge of the sum before, and no notion where it came from, but I am quite certain that it came from no party source.

32,706. He had an elder brother and a second brother, do you know whether in a position in life that they could be likely to assist him ?—I do not know.

32,707. The solicitor general in Scotland must have had a good income ?—I heard from a friend of his in London yesterday that the succession to the property was almost as much the cause of this fearful act as the coming before your honourable court.

32,708. Will you repeat that ?—I heard that the accession to the property was an accumulation of the fear that he had, if it might be called fear. I do not know that he was at all cognizant of it in the appearing before this court.

32,709. (*Mr. Anstey.*) I have been informed to-day, (you will say whether you know anything about it, that when the bill for the illegal expenses came to Mr. Patton after the two elections, or after the first, I do not know which, that he expressed great disgust at what had been done, but paid the bill. Do you know anything about that ?—No, I do not.

32,710. You said just now, when you saw him and introduced him to the deputation you gave a word of warning ?—Yes.

32,711. And you said you advised him to put it into the hands of a confidential friend who could speak to the electors or the people who came to him—I think it was about money ?—No, excuse me; I put it in another way. I said, "Be careful that no one speaks to you."

32,712. I will put it negatively if you like. It was, of course, clearly in your thought that the place here was a corrupt place ?—It was, probably.

32,713. And that people in this corrupt place might speak to him about money not wanted for legitimate purposes ?—Your experience as a member of parliament will tell you that when going to canvass, the commonest voter may tell you, without intending anything which may cause you the annoyance of refusal, that it is better to have some one with you to take that from you.

32,714. If you ask for my experience, I am bound to tell you it is just the reverse, if you mean in my own case, for I, for prudence sake, disqualified every person about me from speaking to anyone on any subject connected with the election, and was my own agent, in order that I might have the satisfaction of telling every voter, from word of mouth, "You will "get no money from me, and if any promise is made "in my name, I do not intend to keep it, and it will "not be kept"?—That may be a good plan.

32,715. But I ask you, did Mr. Patton so understand it that the danger would be in his being spoken to about money being wanted for illegal purposes, and therefore he had better not allow anyone to speak to him. I do not mean illegal purposes such as appear to have occurred, but in order that when he was canvassing no person might afterwards say Mr. Patton said so and so ?—Yes.

32,716. (*Mr. Coleridge.*) That there should always be two present ?—Yes.

32,717. (*Mr. Anstey.*) It was always a corrupt place, and you had heard of its character ?—Yes.

32,718. All the world knew that ?—Yes.

32,719. Was not it perfectly understood between Mr. Patton and you, when you introduced him to the Bridgwater deputation, that that was the danger, a danger consisting in the corrupt practices of the place ?—Yes, but I did not think so seriously of it as you appear now to think I did. The deputation said, "Now that Mr. Westropp is unseated, the petition "having been unpopular, Mr. Patton will be "returned." I think they said without any corrupt practice whatever they meant that it would be a pure election, and, if I remember, the sum named to Mr. Patton was a very small one. I cannot say how much it was, either 600*l.* or 1,200*l.*

32,720. Mr. Patton was of course perfectly well aware what all the world knew, that there had been one or two discussions in the House of Commons about the sudden termination of the inquiry, and only seven out of 110 cases of bribery having been gone into ?—I do not remember that.

32,721. Do not you remember Sir Harry Verney attempting to put a question to the chairman of the committee, which the Speaker ruled could not be put, as to why the committee, having had 110 cases to deal with, stopped, after bringing home bribery in so few ?—Yes, I remember it now; you are quite right.

32,722. And Sir Harry Verney moved an amendment to Colonel Taylor's motion for a writ, that no

writ issue, but that an address should go to the Crown?—I think it was so.

32,723. That of course was known to Mr. Patton at the time of the conversation you speak of?—I think not, because the conversation took place immediately after Mr. Westropp was unseated, before we left the House of Commons.

32,724. After the conversation between you, do you know whether Mr. Patton was aware of it?—I do not know, but being a public man no doubt he would read the debate.

32,725. (*Mr. Coleridge.*) You stated the sum was a very small one, 600*l.* or 1,200*l.*; there was then a constituency of 500; do you mean that 1,200*l.* could possibly be spent legitimately amongst a constituency of that sort?—Well, I should think it was quite possible.

32,726. Legitimately?—Legitimately.

32,727. By buying the lawyers?—No, I do not know that.

32,728. Except by large fees to them how could it be done?—They certainly have been raised at present, and perhaps deservedly so, for they have to neglect their business, which is brought to a standstill, and election matters put things on the wrong side, so that they ought to be paid a better sum.

32,729. It would nearly give 50*l.* to each of the lawyers on both sides?—Well, they usually ask 100*l.*

32,730. (*Mr. Coleridge.*) It is not so here. Look at that (*handing a written name to the witness*), and tell us whether you know that man?—No, I do not.

32,731. (*Mr. Anstey.*) A sum of money was brought into this borough or raised for the purpose of illegal expenses in this borough, and it is stated that the person who brought it was connected with your firm?—It is not the case.

32,732. (*Mr. Coleridge.*) Assuming that that name you have seen is the name of the person, is he in any way connected with your firm?—Certainly not.

32,733. Or ever employed through Messrs. Johnson, Farquhar, and Leech, by your firm?—Certainly not, to my knowledge.

32,734. (*Mr. Anstey.*) Did you conduct the defence of Mr. Westropp's seat, or the petition against Mr. Kinglake, or both?—Both.

32,735. It is said that the person who had the charge of the money, and who distributed it at all events here, and we find it was distributed in bribery, was employed or was employing himself in the business of the defence of Mr. Westropp's seat, and the petition against Mr. Kinglake?—Not to my knowledge. Let me look at that name again.

(*Mr. Anstey.*) There may be an alias.

(*Mr. Coleridge.*) This is the real name.

32,736. (*Mr. Anstey.*) Have you heard of any such gentleman?—When I was getting up the evidence for the petition of defence, it was necessary for me to go as far into particulars as I could, for the sake of my client.

32,737. Knowing him, perhaps, I ask you again, can you give the Commission any information about the person who was employed to distribute the money?—None whatever. I never knew there was one.

32,738. Have you heard since?—I have not.

32,739. (*Mr. Price.*) Have you not read it in the paper? We have it here in evidence that a man came down three times, and the witness said that his impression was that he knew Mr. Spofforth?—Yes; some witness stated that without any justification whatever. I was going to tell you that many years ago a person accosted me in the street, and said, "I "think I have the pleasure of seeing Mr. Spofforth?" I said, "You have; I do not know you." He said, "I have been down on electioneering matters," and I said, "What is your name?" and he mentioned that name which you have handed to me, and I said then, "I wish you good morning; I cannot speak to you "on the subject." And I have never spoken to the man since.

32,740. Did you know afterwards that he was in the employment of Messrs. Johnson, Farquhar, and Leech?—No, I did not, and I have never employed him directly or indirectly in any shape or way, in electioneering or otherwise.

32,741. Did you see him about, because it has been said by one of the witnesses that he said, "You will "see me about in the House of Commons while the "election petition is going on, but you must not "know me"?—No, I have never seen him about.

32,742. (*Mr. Coleridge.*) Before you go further, I will ask you, is it not usual when a gentleman goes down to be elected who is actually in office, for the party to assist him in a fair way, not to any extraordinary extent?—No.

32,743. The fact of a man being in office rather disqualifies him from accepting assistance from his party?—A person going to accept office would not ask for it.

32,744. Did you ask him to go to Colonel Taylor or Mr. Noel, who I suppose were whips at the time?—Colonel Taylor.

32,745. When the deputation came did you direct Mr. Patton to see Colonel Taylor?—No, not at all.

32,746. Nor Mr. Montague Corry?—Mr. Montague Corry was not in political life; this was in 1865.

32,747. In fact Mr. Patton was to fight his battle on his own hook?—On his own hook, and I took no part whatever.

32,748. Without having any assistance from the party?—Without having any assistance from the party, or any other source whatsoever.

32,749. (*Mr. Anstey.*) Had you been consulted with respect to the choice of a candidate at any previous election?—No, I think not; indeed I am sure not.

32,750. (*Mr. Price.*) Cannot you tell us how Mr. Westropp was introduced here?—I do not know.

32,751. (*Mr. Coleridge.*) When did Mr. Rose give up the charge of your department?—I think it would be immediately before the election you are now inquiring about. If the Commissioners will permit me, I will take the liberty of stating that I used to act under my senior partner, Mr. Rose, and when I took the full management of matters, Mr. Rose charged me, which I had fully made up my mind to do before he mentioned it, never to sully my hands by corrupt practices, and I have never done so, directly or indirectly.

32,752. But you have been the medium without doubt, I suppose, of advancing money to people to assist them in their seats legitimately. It has been part of your functions to ascertain how far a gentleman who is going to fight a seat on the Conservative side should have assistance?—In certain instances.

32,753. And Colonel Taylor would be the ultimate court of appeal as to that, and you would manage the matter?—I will explain. In certain instances where there is a local borough, and probably a suitable candidate could not be found with sufficient means of his own, money has been subscribed to assist him for the legitimate purposes of the election.

32,754. You know nothing but of the legitimate expenses, but what became of the money you would not know?—It would be given to the candidate himself, or his agent, for legal expenses as permitted by the Act of Parliament.

32,755. In these days of dignities I may ask you to read where I have marked, and tell me whether those are pretty well the functions of your position (*handing a copy of the Law Times to the witness*)?—Well, there is nothing lucrative about the office. I can answer that.

32,756. That is one point you traverse. Now go on to the next paragraph; is that a pretty fair description of your duties?—No, I do not keep a noted up register as to the character of the constituencies. When an election is likely to take place I write down to the leading local solicitor, or agent, or leading Conservative of the place, to ask whether there is a good chance, and he replies to that, but I keep no register.

32,757. With the exception of the lucrative part, and the register, you pretty well agree with the rest of that?—Yes.

32,758. "Sir William Drake was a member of the "firm of Dalrymple and Company, solicitors. On the "death of Mr. Coppock of Reform Club renown, Mr. "Drake succeeded him in the lucrative office of elec- "tion manager for the Liberal party. This office of "election manager is very important. He does for "the whole party at head quarters what the local "managers do for their parties in the several boroughs; "he is the wire puller of his party. For this purpose "he has a carefully compiled and closely noted up "register of every constituency in the United King- "dom. It is his duty to ascertain and keep on record "the past history and present condition and peculiar "character of every constituency, including the cost "of a contest, the chance of success, the influences on "both sides if the electors are to be bought, and at "what prices"?—No, I beg to deny that entirely.

32,759. I was going to ask you whether you ex- cepted that part?—I did not read that; I deny it entirely.

32,760. "And in fact to preserve duly posted up in "a ledger for ready reference all the information "necessary, not merely for candidates, but to enable "ministers in *esse* or in *posse* to ascertain the pro- "bable results of an election, come when it may." With those two exceptions you accept the rest?—The rest is pretty accurate.

32,761. Would you be accurate in saying that it was not lucrative, taking the Law List and judging of the number of county court treasurerships Mr. Rose has held on one side, and Sir William Drake on the other? —I am sorry to say these are times when that is no longer continued.

32,762. But it has been so?—Yes.

32,763. (*Mr. Price.*) Mr. Coppock had an immense number of them?—Yes; but, poor man, he died a few months afterwards, and he was never properly re- warded.

32,764. (*Mr. Coleridge.*) Had Mr. Joseph Parkes one of those?—Yes, I believe he had one.

32,765. (*Mr. Anstey.*) After Mr. Westropp was unseated, and the committee had reported that corrupt practices had extensively prevailed, you are aware in the ordinary course of things it became the duty of the chairman, Mr. Baxter, or the attorney general or someone else, to move an address to the Queen, under the Act of the 15th and 16th Victoria?—Yes.

32,766. But instead of that a new writ was moved for?—Yes.

32,767. And that new writ was moved for not by the leader of the House or the Treasury Secretary, but by Colonel Taylor, who was the opposition whip, as it is vulgarly called?—Yes.

32,768. I wish to ask you, was that done through any arrangement between the two hostile parties?— It was. It is usual when a seat is vacated by a Con- servative for the representative in the House of that party to move the writ.

32,769. I am aware of that, but the other part of my question is the more important. Of course the motion not being made for the address, the other motion followed as a matter of course, namely for the writ?—Quite so.

32,770. It is in reference to the not making of the motion for the address that I wish to ask whether an arrangement was come to between the two sides of the House?—Not that I am aware of, but I should certainly say not.

32,771. You are aware that when the writ was moved for, and the amendment of which notice had been given by Sir Harry Verney was moved also, and the division took place, this curious result followed— the minority who were for the address consisted of none but Liberals, and the majority who were for the writ consisted of the leading members of the adminis- tration and their supporters?—Yes.

32,772. And the whole force of the Conservative party?—Yes.

32,773. Can you throw any light upon that?—I have no doubt that the only motive there could be was that the Conservative party thought they would win the seat.

32,774. But why was it the others voted with them, giving thereby a majority in the House in which Conservatives were certainly in a large majority?— I cannot account for it.

32,775. (*Mr. Price.*) It might be to save the borough, perhaps. This is called a Liberal borough, and they thought perhaps by a fluke a Conservative had got in?—It might be so, but it did not occur to me.

32,776. You do not know it?—I do not know it.

32,777. (*Mr. Coleridge.*) Do not you know that there was a great talk in 1865 about not having a com- mission as to this place?—I thought that the decision of the committee was an extraordinary one, because we thought there was quite as strong evidence to unseat Mr. Kinglake as Mr. Westropp, in fact a little stronger.

32,778. (*Mr. Anstey.*) You thought so?—I did in- deed.

32,779. Then why was not the petition pressed against Mr. Kinglake?—It was pressed.

32,780. You know that a very important witness, hostile no doubt to you, but who must have answered yes or no, was subpœnaed by the other side, and ex- amined by neither side—the famous Henry Chapman Bussell?—In all probability the leading counsel knowing his character would say, "It is impossible to "get anything which would be damaging to his own "side from him," and therefore he would not call him.

32,781. But he was not called on his own side?— Probably he would not be if he had been the instru- ment of corruption.

32,782. I do not know whether you remember all those incidents, but there was a case of bribery brought home with difficulty to Mr. Westropp, there being some conflicting evidence, that was the case of Hay- ward and another, Cooze?—I do not remember that.

32,783. Now Bussell was unquestionably guilty of extensive treating?—Yes.

32,784. And his name is down on the brief on your side as a personal witness to both those cases of Hay- ward and Cooze?—Yes.

32,785. When you saw that they did not call Bussell to disprove the evidence of your witnesses, in the case of Hayward and Cooze, did not it occur to you, with your information as to his having been largely engaged in the treating business, and it was that which you brought up against Mr. Kinglake, that this might be the reason why they did not call him?—No doubt.

32,786. In which case he was a good witness for you?—Excuse me, if they called him we should have the privilege of cross-examining; but if we put him into the box we cannot cross-examine our own wit- ness, therefore counsel are obliged to make it subject of comment.

32,787. The case against Mr. Westropp had been closed; the committee was satisfied Mr. Westropp had been guilty of bribery?—Yes.

32,788. Therefore it could do you no further harm? —I understand you now.

32,789. He was to be a witness against you?—Yes. I understand now.

32,790. And by taking a circuitous course in those two cases which directly you had not proved, sup- posing he had been called according to their instruc- tions and your instructions, he would, instead of negativing the evidence of your witnesses, he would, so they appear to have thought, have corroborated them, and therefore they did not call him to contradict, and then your turn came to prove treating against Mr. Kinglake?—Yes.

32,791. Did not it occur to you that the man who was not depended on by the other side lest he should tell the truth was a good witness therefore for you?— No, because we did not expect he would tell the truth in either case, perhaps. It would have been a risky thing when endeavouring to prove treating to put in

a man who must be a clever man from the position he has occupied here, because they generally employ sharp people, and he would not be likely to have said anything which would have damaged Mr. Kinglake. That is why we did not call him.

32,792. The only point you could have got out of him was a point in which failure would only have left you where you were, namely, that his house had been open as you stated in your brief for the purpose of treating—that is all?—Yes.

32,793. Therefore if he had stated it was not, it would only have left you where you were?—No, because he would have knocked down all the previous evidence we had given.

32,794. No; his name was set down in your brief only to prove that his was one of the four houses open for the Liberals?—I do not remember the circumstance, and perhaps we had another committee sitting at the same time, and I was moving from room to room.

32,795. I put it generally to you, do you happen to recollect Mr. Westropp's seat being certainly now lost by the kind of intimation made from the chair that it was unnecessary to go further, agency being to their minds sufficiently established, and the case proved, and then calling for Mr. Axford's petition against Mr. Kinglake to be read?—I remember that.

32,796. And when the intimation was made that that seat was lost, did it occur to you or your party that the best thing would be to let the other petition go?—Certainly not; we did our best to unseat Mr. Kinglake, and we thought we had done sufficient.

32,797. There was a strong body of evidence on that point, which was wrung from witnesses given very unwillingly, which led me to ask why it was not given on the trial of the petition?—I think the only possible explanation could be that they were adverse witnesses, and we dared not put them in the box.

32,798. No other reason?—No other reason, there could not be any, because our instructions were to unseat Mr. Kinglake if possible, and we thought we had done it, that the case was sufficiently strong.

32,799. Did Mr. Kinglake's party propose a compromise at any stage of that inquiry?—Not to me.

32,800. You did not hear of any?—I did not.

32,801. Did you know Mr. Westropp before he came down here?—No, I think not. I do not think I knew Mr. Westropp until after his first contest here, and then I occasionally met him in London.

32,802. What are the names of your clerks who represented you when you could not attend yourself to this petition?—I never have clerks representing me.

32,803. You always go in person?—Yes, I always go myself.

32,804. (*Mr. Coleridge.*) What was the name of the clerk who was attending judges chambers for you?—That is Mr. Buck, the head of the common-law department; but I may say that we have generally 150 to 200 clerks in the office, and I cannot speak to all their names, but no one interferes with elections.

32,805. (*Mr. Anstey.*) Did Messrs. Johnson, Farquhar, & Co. have anything to do with the election?—Nothing whatever. I never heard their names mentioned in electioneering matters before.

32,806. (*Mr. Coleridge.*) Here is the name (*handing the Law List to the witness*).—Is he a solicitor?

32,807. You see it is 1868; it may have been after the election that he became solicitor, but he was a clerk at Messrs. Johnson, Farquhar, & Leech's?—I was not aware of it.

32,808. When he spoke to you in the street did he say anything about being connected with Bridgwater?—He did not. I have an instinctive dread of agents, and do not enter into a conversation with one I do not know.

32,809. Do you know whether he was generally a man of that sort?—It must have been 12 or 14 years ago, long before this occurred, and I never employed him or spoke to him.

32,810. And I suppose he was connected with every election?—I do not know.

32,811. (*Mr. Price.*) We had it in evidence that he boasted of having done work at Windsor, Totnes, and Liskeard, though it did not come from a witness we very much cared about?—I had nothing to do with him at either of the places.

32,812. (*Mr. Coleridge.*) Do you know anything about the compromise at the last election that was attempted in 1868, when there was a hard attempt to get one of the seats here for the Conservative party on the withdrawal of the petition?—I do not.

32,813. Did not you know anything that took place when it came as far at last as an offer from the Liberals to give up both seats, only there was a squabble about the time that they should give them up at?—No; I took no part at all at the last election.

32,814. You had nothing to do with that inquiry?—Not at all.

32,815. Was Mr. Patton assisted with money at either of his elections?—Neither of them.

32,816. Neither in the first instance or the second?—Neither of them.

32,817. (*Mr. Anstey.*) Had you any conversation with Mr. Patton after either of the two elections?—I do not think I ever saw him but twice. I remember seeing him twice, and I think both times in the lobby of the House of Commons, but I would not be sure; it is a long time since.

32,818. Did you hear him say anything at all about his experience of the borough?—No.

32,819. Or what had happened here at the election?—I did not.

32,820. Nor what he had to pay?—I never heard anything afterwards.

32,821. Nothing on the subject of money?—No.

32,822. (*Mr. Coleridge.*) And as far as I understand, whatever Mr. Patton spent on those elections, and wherever he got it from, he was not assisted by the party, either directly or indirectly?—Neither directly nor indirectly.

32,823. And if Colonel Taylor or Mr. Noel had seen him would you have known of it?—Certainly, I should say so.

32,824. If it had been determined that he should have 500*l.*, would you have paid it to his account; would it have gone through you, and would you have known of the fact?—I should think so.

32,825. The cheque would be given by you directly?—It would be given by myself.

32,826. But it would be drawn by you, would not it, not Colonel Taylor?—No.

32,827. Did you ever hear Mr. Patton complain of what it had cost him, or say that he had been fleeced down here?—I never saw Mr. Patton but twice. I would not say that he did not complain of the expense, I think it very likely he did, but I do not remember what he said.

32,828. (*Mr. Anstey.*) Have you had any correspondence with him?—No, I have never written to him.

32,829. (*Mr. Price.*) Did you know Mr. Pitman at all; were you in communication with him?—Not before that time I think.

32,830. (*Mr. Anstey.*) Have you had any correspondence or communication with anybody, not any formal correspondence, about Mr. Patton being, examined before this Commission?—No, none at all.

32,831. I thought you said you regretted the unhappy termination, and I thought by that you might know something?—No, I only regret that he should have committed so foolish and lamentable an act.

32,832. I thought you connected that in some way with this Commission?—I hope that was not so.

32,833. It was only your surmise?—Only my surmise. I hope and trust it was not so.

32,834. (*Mr. Coleridge.*) In 1859 you were acting, if I recollect right, under Mr. Rose, were you not, at the election in 1859, when we had a commission at Gloucester?—I think I was.

32,835. Do you know anything of the circumstances under which Mr. Padwick and Mr. Westropp came here?—None whatever.

32,836. I suppose Mr. Padwick found his own money?—No doubt.

32,837. Had he been on the list for a seat?—No, not that I am aware of.

32,838. It was his own doing?—I should think so. I am not aware.

32,839. (*Mr. Price.*) Do you know what politics he was?—No.

(*Mr. Price.*) Because it was said that he intended to come down on the other side the next time he came.

32,840. (*Mr. Anstey*) Do you know the name of Wellington Guernsey?—I do not.

32,841. Or the name of Edwards?—I never heard of it; "Edwards" is a common name.

32,842. (*Mr. Coleridge.*) Mr. Francis Edwards of Delahay Street?—I have seen him.

32,843. He came down here once just for a day?—Yes.

32,844. (*Mr. Price.*) There is no further information you can give?—If anything more occurs to me I shall be most happy to appear before you in London.

Mr. James Trevor sworn. *Mr. J. Trevor.*

32,845. (*Mr. Price.*) You are partner with your brother, Mr. John Trevor?—I am, as solicitors practising here.

32 846. Then be good enough to read any statement which you have there, the same as your brother and other professional men have done, and we shall be obliged to you?—I have no written statement.

32,847. But refer to your notes and give a history of the different elections you have been concerned in?—I think I had better begin with the first election. The first election I had anything to do with was that of 1835.

32,848. How old were you then?—About 16 or 17. I was then an articled clerk to my father, and acted as check clerk at the hustings. Tynte and Leader were then returned, and Broadwood and Martin were the unsuccessful Conservative candidates. I knew nothing about it. What I had to do was mere copying of any kind I was ordered to do by my father; but the common report at the time was, and no doubt it was true, that Broadwood and Martin spent 4,000*l.*, and Leader spent for himself and Tynte somewhere between 7,000*l.* and 10,000*l.*; the thing was very commonly done at that time. I recollect a man named Baker who was said to have been paid 40*l.* or 50*l.* On his way to the poll he came up with blue ribbons in his coat, and was hooted by the Liberal party for turning from their party; but when he was asked who he voted for he said, "Tynte and Leader," and tore down the blue ribbons, trampled on them, and put orange and purple ribbons in his coat in their place. A gentleman who had brought him up to poll on the Conservative side felt himself thoroughly done, and sank down at his side as if he had been shot.

32,849. (*Mr. Anstey.*) They did not attempt to conceal their malpractices?—No, there was not the least appearance of concealment. I saw a man come out of a Liberal house and shake up the money.

32,850. (*Mr. Coleridge.*) How came there to be no petition in those days?—Because both sides were dirty. By-the-by, I think there was a petition, there generally was at each election, but they were bought off.

32,851. Never tried out?—Bought off.

32,852. (*Mr. Anstey.*) Not in 1835?—I do not think there was in 1835.

32,853. I cannot find any trace of it in the Journals. The next election was in May 1837, when Leader accepted the Chiltern Hundreds to stand for Westminster in opposition to Sir Francis Burdett. I had nothing to do with it then except that I was in the same position as check clerk; I think, as near as I can recollect, I merely acted under my father's orders. At that election Broadwood and Sheridan were the two candidates. Broadwood spent a good deal of money there. That was the time that Mr. Croucher came down and paid the money for him. It was at that election, I think, that Mr. Richard Smith got into the scrape which ended by his having a *qui tam* action brought against him. I recollect that election; the men who came to vote for Broadwood, the lower class, had cards in their hats with "All right" printed on them, and the men of the lower class who voted for Sheridan, who I believe had not been paid, had cards with "Honest voters" printed upon them in their hats. There was a petition then which was presented against the return of Mr. Broadwood, and was set down for hearing; but the King was dying, and Mr. Broadwood was advised to give up his seat, leaving it to some of the electors to defend it for him. That would go to a little time, I think some two or three weeks, and of course the prayer of our party was that it might please God to take the King in the meantime, which happened, and so the petition ended.

32,854. (*Mr. Anstey.*) You are aware that Mr. Broadwood withdrew from the defence some weeks before?—He withdrew at the last moment allowed by the standing orders of the House of Commons, and there was further time allowed for the electors to come in and defend the seat.

32,855. That is the usual practice?—Yes, that was the object, to gain time.

32,856. But at that time the King was still alive?—The King died in the interval between Mr. Broadwood retiring from the seat and the time allowed for the electors to come in and defend.

32,857. It was not until some days after the King died that this petition praying for leave to defend was presented? My impression was the other way, but I suppose you are right. My memory is the only thing to serve me. I have no record of any kind to refresh me.

32,858. Of course it was known perfectly well to those who presented the petition for leave to defend that the only effect would be to prevent Mr. Sheridan sitting a few days?—It was to gain time.

32,859. I will give you the dates. Mr. Broadwood's letter to the Speaker, written the day before the last day, namely, the 5th June, declared that it was not his intention to defend his election or return. That is volume 92 of the Journals, folios 396 B and 397 B, and then the usual order giving time to any person who chose to come in was made on the same occasion, deferring further consideration until the 11th July following. On the 20th June, that is, 15 days after Mr. Broadwood's letter had been sent, the King died. Then eight days after that, the 28th June, when they must have known there was no use in it, because a dissolution would necessarily follow on the demise of the Crown, then the petition praying for leave to defend took place, and then they fixed the hearing of that second petition for the 25th July, and on the 17th July, in the interval, the expected dissolution takes place?—That is it. I recollect the thing was done to gain time, hoping that the dissolution would come and prevent exposure.

32,860. And to prevent his getting in for a few days?—We did not care a fig about that; the thing was to prevent exposure—to prevent our party being exposed. They did not care whether Mr. Sheridan got in or not.

32,861. There would have been no exposure if you had submitted to letting him take his seat on the 2nd July?—Well, that was my idea of it, at all events I was told so at the time. I had no management. Of course I was too young to know anything about it, but I was told that it was to prevent exposure. A great many of our friends had got into a scrape then, and a great many were obliged to run away to prevent being served with a Speaker's warrant. Then the next election was the general election in July 1837, in which Broadwood and Courtenay were the Conservative

THIRTY-SECOND DAY.

Mr. J. Trevor.

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candidates, and Sir Thomas Lethbridge and Sheridan were the Liberal candidates. Sir Thomas Lethbridge and Mr. Sheridan went to the nomination, and a poll was demanded either on one side or the other; but on the night of the nomination they went away late at night, so that in point of fact there was no contest. There was obliged to be a poll, but hardly anyone voted for Lethbridge and Sheridan, and Broadwood and Courtenay were returned by a very large majority indeed. After that election Lethbridge unwisely printed a libel in the "Taunton Courier;" and I think one of the London papers, the "Morning Chronicle" on my father and Mr. Ruscombe Poole, alleging that they had got 300 men bottled up in a large room in the "Clarence" hotel, and that they were removing them, and that that was the reason which induced them to leave Bridgwater and go out of the contest. My father brought an action for libel against Sir Thomas Lethbridge, which went down to the assizes but was not tried. Sir Thomas Lethbridge knocked under and agreed to pay all the costs, and admitted that he had been misinformed. Mr. Ruscombe Poole did not bring an action, but I believe Mr. Gabriel Poole saw Sir Thomas Lethbridge, and threatened to thrash him for his impudence, or something of that kind. Whether there was bribery on our side or not I do not know, but I suppose there must have been, I should think so.

32,862. (*Mr. Anstey.*) Do you remember one significant fact, that the large majority against Sir Thomas Lethbridge represented within a few units the number of electors who had signed the requisition to him praying him to come forward?—Well, I recollect that being mentioned the other day.

32,863. Well, that being so, it is scarcely conceivable that such a case could take place without there were weighty reasons?—Anybody will sign anything here to get an opposition. That is the thing wanted. People would get 200 or 300 voters to sign a requisition for two parties to come forward.

32,864. And promise to support each?—Yes, promise either or both.

32,865. That is only, I repeat, for weighty reasons?—Yes, no doubt for getting money.

32,866. That is what I mean?—Yes, but I am not clear now whether there was any spent at that election on our side or not, I do not know; it was soon after the former election, and Broadwood may have spent so much that it is possible the money he spent then did service at both elections. I do not know.

32,867. What number had you on the register then?—400 or 500, I suppose.

32,868. Supposing 200 of those signed a requisition to Sir Thomas Lethbridge asking him to come forward, and not allow the borough to fall into Tory hands, and promising support, and exactly that number of persons voted against him, thereby putting him in a minority, it could not but be bought by bribes, could it?—Well, leading men of the Liberal party did not vote at all. When they found that their candidates had run away they treated it as given up.

32,869. They did vote for Broadwood?—Not the leading men of their party.

32,870. But this number of persons?—Well, a good many did, no doubt; when they found they could not get money on one side they voted on the other.

32,871. Do you know that the leading men took, perhaps as much as any of them, in your experience?—No, not leading men. I know respectable tradesmen received bribes.

32,872. I put it so. I mean that?—Yes; men who are worth thousands of pounds.

32,873. (*Mr. Price.*) Men in a certain position in the town?—Men in a certain position in the town in those days.

32,874. (*Mr. Coleridge.*) Men you say worth thousands?—Yes; in those days, when the bribes were 40*l.* or 50*l.*, the temptation was too great. Mr. Hallett no doubt did. I am only telling you what one has been educated to believe. In the year 1841 we had another election, at which Broadwood and Forman were the Conservative candidates, and Drew and Robinson were the Liberal candidates, and they were beaten. They all went to the poll then. My impression is that money was spent on both sides. Then I recollect seeing one of the Liberal agents after the election when Drew and Robinson had been beaten; and I said, "Who is your friend, Mr. Robinson; I never saw him before"? and he said, "I do not care a fig who he is, I have taken care of myself," and put his hand in his pocket and slapped a handful of gold down on the table.

32,875. Who is that?—Mr. Thomas Ford. He was very tipsy at the time, or he would not have done so.

32,876. (*Mr. Anstey.*) Was that the solicitor?—Yes, he was tipsy; he would not have done it otherwise. It was at the bar of the "Clarence."

32,877. (*Mr. Coleridge.*) You mean he would not have told of it, not that he would not have taken it?—That he would not have told of it. Whether it was his fee or not I do not know, but he took it out of his pocket and slapped it down on the table, and said, "I do not know and I do not care. I have taken care of myself."

32,878. (*Mr. Price.*) It might be *in vino veritas?*—It sounded very much like it. Whether it was his fee or not I do not know; he did not explain it, so I do not know. There was a great joke against him afterwards. It was done at the bar of the "Clarence" here in the evening.

32,879. Mr. Robinson had money, no doubt; he had a large fortune whilst at Oxford. What was the date of that?—1841.

32,880. He took his degree in 1839, and had just come of age about that time, so that he was 22 or 23, and was an ambitious man desiring to get into Parliament, and no doubt spent money?—I do not think that Mr. Drew spent anything; Mr. Robinson must have found the money.

32,881. (*Mr. Coleridge.*) That was Mr. Drew of the Grange?—Yes, I had nothing to do with that at all; in fact I had nothing to do with any of these elections, except acting under my father's orders as check clerk, and what a young man in an attorney's office ought fairly and legitimately to have done. At the next election, in 1847, when Broadwood and Tynte were returned, and Mr. Gazelee came at the last moment, I know there was an arrangement made between Broadwood and Tynte that they should both be returned. I negotiated the thing through Mr. Benjamin Lovibond at Bridgwater, and my brother through Colonel Tynte at Cefn Mably, and London; and we were the chief negotiators of the matter, and it was an arrangement that the malcontents of the Liberal party should be sold, and Broadwood and Tynte returned by the united strength of both parties, as far as we could possibly control it.

32,882. (*Mr. Coleridge.*) How many did Gazelee poll?—A good many, it was a strong party, but whether money was spent on that occasion I do not know. My impression is that Colonel Tynte was never returned without spending money. I think there was a gratuitous expenditure of money on his part; it was unnecessary for him to have done it, but I cannot help thinking that on that occasion he did spend money.

32,883. (*Mr. Anstey.*) I wish to call your attention to the statements in that petition which was presented some few years afterwards by the Conservative gentlemen and Liberal gentlemen, in which they say of the election of 1847, that the compromise of which you speak was come to in order to prevent bribery, but that it was found it could not be carried out, owing to the arrival at the last moment of a third candidate, and therefore it was found necessary to resort to bribery again?—I think that is very likely, that is my opinion about the election. My brother and I have often disagreed about that; he thinks that there was no money spent, and I have always told him that I believe there was, and I still feel so. Mr. Broadwood did not spend any, I feel clear; whether he paid any-

thing afterwards to Colonel Tynte I would not pretend to say, but I think not. Then the next election was 1852, when Mr. Follett, Mr. Mansell, Colonel Tynte, and Lord Henley and Mr. Kinglake were candidates.

32,884. (*Mr. Price.*) Mr. Henry Lovibond says, with regard to that last election of Broadwood, the only reason he did not spend money—he gave us that gratuitously—was because he said he had made a composition with his creditors?—The composition came afterwards, but I think he was in difficulty at the time. I think one reason he would not spend money was because he had not got it.

32,885. (*Mr. Anstey.*) You were going on to the election of 1852?—Yes; at that election there is no doubt whatever that Colonel Tynte bribed for himself and Mr. Follett. I told Mr. Gooding, who was acting for Colonel Tynte, "We shall be satisfied if we get Mr. "Follett in; but mind if Follett is not returned look "out, we shall petition against you for certain." I knew very well that Colonel Tynte intended to win his election, and I thought if he did he might as well have one of our men as our representative, and I mentioned it to Mr. Gooding in that way that Mr. Follett should be returned, and he was. Mr. Follett did not spend any money, I am quite clear From first to last I am satisfied in my own mind Mr. Follett never spent any money in bribery at all. I did not know it until this Commission inquiry was going on, but it would seem that some little money was spent in treating, I suspect it was not a very large amount, and was done entirely without Mr. Follett's sanction, he never would hear of it. His position, he said, he should lose entirely, and nothing would induce him to resort to corrupt practices, and the bribery by Colonel Tynte was quite unknown to him.

32,886. Now we come to the election of 1857?—The election of 1857, when Follett was beaten by Colonel Tynte and Mr. Kinglake; Mr. Follett did not spend any money at all then; I recollect his being asked by several of our people, his brother Robert who was here was asked too, and he was very firm about it indeed, and said that nothing should induce him to spend money.

32,887. (*Mr. Coleridge.*) When you said he did not spend money, did you include lawyers' fees, or what did it cost?—I do not know.

32,888. 500*l.* or 600*l.*?—I do not know; I had nothing to do with those accounts; but there was nothing illegal at all events that would come within the strict meaning trammels of the law; a little of it there might be.

32,889. When you talk of not spending money what did it mean in Bridgwater, 500*l.* or 600*l.*?—I should think not more.

32,890. As much?—I think not, not more. I do not know, I had nothing to do with making up the accounts, so I cannot tell whether Colonel Tynte and Mr. Kinglake spent any money. I am told by their friends that they did not.

32,891. (*Mr. Anstey.*) But we have had it in evidence that they did?—It was not very much at all events, I apprehend; there was some, I daresay.

(*Mr. Coleridge.*) Mr. Kinglake paid 1,100*l.* after his legitimate expenses.

32,892. (*Mr. Anstey.*) Now, 1859, when Padwick and Westropp and Tynte and Kinglake stood?—We knew nothing of who was coming here until Mr. Richard Smith brought down Mr. Padwick and Mr. Westropp; I knew nothing of either gentleman before until they came down.

32,893. (*Mr. Coleridge.*) Had you never heard of Mr. Padwick?—I had never heard of him then; I never heard his name; it is 10 years ago.

32,894. (*Mr. Price.*) He was not then the man of celebrity he is now?—No; I think he then used to race under another name.

32,895. (*Mr. Coleridge.*) That of "Howard," was not it?—Howard. It transpired who he was, and some of our people did not like it at all. I recollect we had great difficulty in getting some respectable men to vote for him; Mr. Anstice I recollect having a long talk with before I could induce him to go with us, and so Mr. Gabriel Poole would not vote with him, but voted a plumper for Mr. Westropp. At all events they went to the poll, and then there was a lot of money spent on both sides, I should say a lot of money; Mr. Padwick spent a deal, no doubt; Mr. Westropp only a small sum. I think he must have run second with very little prospect of success. I think I heard that he only spent 200*l.*, I am not clear.

32,896. (*Mr. Coleridge.*) Mr. Westropp?—Mr. Westropp at that election. I am not certain about it, but I do not believe he did. I was their agent for election expenses. I have no papers to refer to, and I do not know, but my impression is that there were no expenses except what I returned to the mayor, and I may say at once there was not a shilling to any election agent or in any way that I did not return to the mayor. I returned every farthing that I ever paid; other bills were sent in to me for banners and colours and other things, and I rejected them.

32,897. (*Mr. Price.*) What did you put down for personal expenses?—I will get that from the candidates themselves by writing to them.

32,898. The curious part is that we are told that Westropp and Gray left a bill unpaid at this hotel for dinners and accommodation, and so forth, and one would have thought that that would have gone into the personal expenses?—Once I wrote and asked them, before I made my return, to send me an account of the personal expenses. I had nothing to do with paying them, of course, and whatever they sent to me I sent to the mayor as the amount without inquiry. I did know it consisted chiefly of Mr. Leaker's bill here, which they have not paid because the ostlers and the postboys have bullied me about it.

32,899. (*Mr. Price.*) Had you no vouchers?—No, I have no vouchers; they were expenses merely sent in by the candidates themselves.

32,900. (*Mr. Coleridge.*) What was old Mr. Smith's position at this election? Did you look on him as a head man or not?—Then he was clearly, at that election in 1859, head man, everything went through him.

32,901. Was that the first time he had become a head man?—Well, I think he was in Mr. Follett's time. I think he may have been considered a head man in Follett's time, not in Broadwood's time; but he brought Follett here. I think he went to London and got introduced to him somehow, and he brought indirectly Mr. Mansell here, who was recommended by Lord Cavan to Mr. Smith, and introduced in that way.

32,902. (*Mr. Anstey.*) You say that at the election of 1859 Mr. Padwick spent all the money, and Mr. Westropp did not spend above 200*l.* You do not mean to say, I suppose, that Mr. Padwick's money, which we have it in evidence was spent on illegal purposes, was not laid out for Mr. Westropp and himself?—For both, undoubtedly.

32,903. Because I see Mr. Westropp in his evidence before the Commons Committee in 1866, speaking of his going down in 1859, on being asked if he was defeated by 80 at that election, says, "That was so; "but it was always considered that the majority by "which the gentleman who was running with me," that is Mr. Padwick, "was defeated was mine also, and in fact it was only 41." Therefore you see Mr. Westropp in 1866 positively states that in 1859 Padwick and Westropp were one?—No doubt at all about it; only you should bear in mind, sir, that many of our party, of the respectable men, would always vote for a Tynte, so there was a great difference between first and second men with our party. I may mention Mr. Nicks, who was never paid a shilling I suppose in his life, and who would always vote so, and Mr. Sadler.

32,904. Is not it a fact that Mr. Westropp some time after 1859 thought he had been retreating, and there was some difficulty about getting him to stand again in 1865?—I never heard that. He nursed the

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borough all the time, and paid his money still between 1859 and 1865.

32,905. (*Mr. Coleridge.*) What do you put it at?—He told me 300*l.* a year several times, because I expostulated with him, and told him that he might as well throw it into the river, it was perfectly useless.

32,906. (*Mr. Price.*) Used he to distribute it himself, or had he any almoner?—I think Mr. Smith was that. Of course if asked by letter he would send direct, but he used to stay at Mr. Smith's house; a great personal friendship sprung up between them.

32,907. (*Mr. Anstey.*) Now come to 1865?—That is the election about which you have heard so much, when Mr. Westropp was unseated, and no doubt very properly.

32,908. (*Mr. Price.*) We need not take you through that unless there is anything further to add?—I was agent for the election expenses then, and returned what was paid, and I never paid a shilling except what was in that return. I had nothing to do with it at all.

32,909. Mr. Westropp stated that he had two agents, one was his election agent, Mr. James Trevor, and the other was his professional agent, Mr. Smith, junior, whose duties he defines to be to consult with him on the general politics of the election. Then you had nothing to do with the general politics of the election?—No.

32,910. Only the dry functions?—The dry legal part, that is all.

32,911. I thought it right to ask you the question?—No, I had nothing whatever to do with it. I do not set up any great profession of purity; no doubt there are those of both parties who do not touch corrupt practices themselves, yet wink at others doing it. We arrived at a conclusion that corrupt practices were *mala prohibita* and not *mala in se*, and we did not enter into it because it was simply that we were afraid, that is the real truth of the matter.

32,912. Do you remember going with Mr. Smith by the mail train on the day his canvass was closed?—I did not go.

32,913. Was it your brother?—It is possible, I do not recollect. If you will tell me the date, I have his memorandum here.

32,914. I will give you the general date, the day he closed his canvass?—That would be 1865.

32,915. Refresh your memory; he was twice here?—I see; it is "Wednesday the 5th of July. Went "with R. Smith or B. Smith, I do not know which, "to London, by the 6.37 train. Saw Mr. Spofforth. "Home by express, 9 p.m., next day." I know what that was about; that was to try and get the name of a candidate, because I see they negotiated with a gentleman of the name of Hancock.

32,916. Before your brother and Mr. Smith returned Mr. Westropp had left Bridgwater, had not he, for London?—I do not know. I should say not, for there is no memorandum of it here.

32,917. Did he not go to London to see Mr. Edwards?—No, I expect not; I never heard so.

32,918. Soon after his return, that is to say, he returned on the Friday; you have Weduesday there as the day he went up?—Wednesday the 5th my brother went up and saw Mr. Spofforth.

32,919. You do not recollect Mr. Westropp going up on Thursday the 6th?—No.

32,920. Have you any recollection of his coming back on Friday the 7th?—No, not the slightest recollection.

32,921. Do you remember on Friday the 7th, or Saturday the 8th, a placard being issued stating that a Mr. Edwards was going to address the electors?—No, I was not in Bridgwater. I recollect the first thing I heard of Mr. Edwards was that he had been here and left.

32,922. (*Mr. Coleridge.*) You live eight miles out of Bridgwater?—I live eight miles out of Bridgwater.

32,923. (*Mr. Anstey.*) You do not know who ordered those placards?—I do not know anything of that; I never heard of them before.

32,924. Then subsequently to that, some days were there flags with Edwards and Westropp and Westropp and Edwards upon them?—I have no recollection of it at all. If you will allow me to say, all I recollect with reference to Mr. Edwards is that coming in from Stowey one day I was told that Mr. Edwards had been here and had turned funky and had gone away.

32,925. Mr. Westropp seems to deny that. He is asked about it, and he says, "It was not fear but family reasons which prevented Mr. Edwards remaining"?—When I say fear, I know his brother, who was a magistrate of the county, who lives at Rington, advised him not to; our character was too well known.

32,926. Do you remember a telegram to this effect, "Family reasons prevent me standing for the borough"?—Yes, I think I have heard of that. I never saw the telegram.

32,927. Do you know anything more about Mr. Edwards?—I do not.

32,928. Or his friend, Mr. Wellington Guernsey?—No, I never heard his name until I heard you mention it the other day.

32,929. Then the election took place?—Then the election took place, and of course it was very notorious that Mr. Westropp had spent a lot of money in bribery. I knew nothing whatever of it except that I had no doubt about it. I had nothing to do with it, the whole had been arranged, I suspect, beforehand some time. Mr. Bealy Smith and Mr. Westropp were great friends, and were in constant communication together.

32,930. I must ask you the same as I did your brother, whether you confirm Mr. Westropp's account which he gives of himself. He wished the House of Commons Committee to believe, and he seems to have succeeded in making them believe, that he was entirely passive throughout the whole election. I will give you his words. "I have never taken the trouble of looking at "the resolution appointing the committee; there was "no one named, nor did I in any way connect myself "with that or any other committee; on the contrary, "I studiously avoided going into any place or meeting, "or the committee, or in any way connected with the "election. In point of fact, I am not aware that I "had any committee, not the slightest. I am not "aware of any person acting for me except the election agent and the professional agent. I had no "particular persons to go about with me. I very "often found a difficulty in finding any of the gentlemen, whom I may call the blue party, to go with "me. I had no committee meeting in Mary Street, I "did not even know where it was. I do not know "that such a room was engaged. I had nothing to do "with the flags. I saw a variety of placards, but I "cannot say that I paid more attention to one than the "other. I never asked who the members of the committee were, for I never interfered with any of the "concerns of the election. It never occurred to my "mind who the committees might be for, I never "troubled my head in the least degree about it." Now, if all this or anything like this be true, there never was such a helpless tool in the hands of designing people in the constituency as Mr. Westropp, and I ask you, do you confirm his account of himself?—I should say he wilfully shut his eyes to it all; he thought he had best not know. With regard to the committee, I recollect there were committee rooms said to be Mr. Westropp's committee rooms, but I think it was quite nominal. I do not think there was any committee in reality, I never heard of any, it was just a rendezvous where people might go.

32,931. (*Mr. Price.*) You are an old inhabitant. Do you recollect that as a Bridgwater name at any time (*handing a piece of paper written on*)?—Yes.

32,932. Is there anyone alive of that name in the place now?—I think it is possible that some of the party may be along the lower classes.

32,933. (*Mr. Anstey.*) Have you anything more to state about the election of 1865?—No; I do not recollect anything at all.

32,934. (*Mr. Price.*) You recognize the name?—The name of course is very familiar to me.

32,935. (*Mr. Coleridge.*) And was held by a person in a certain office ?—Yes, of the lower class. I recollect a remarkable thing with reference to the name. Shall I tell it ?

32,936. Yes.

32,937. (*Mr. Price.*) You need not mention the name ?—I recollect, in 1852 I think it was, when Follett and Tynte were returned. We suspected that Colonel Tynte was playing us false, that he was going to get in Lord Henley or Mr. Kinglake, and I went and complained to Mr. Gooding, whom I knew very well. He is a personal friend of mine, and we complained to Colonel Tynte too, and said, "You are playing "us false; you are not going to return Mr. Follett, "and if you don't do so, if he is not returned, mind, "look out, you must take the consequences." I was then inspector of one of the booths, and after I had seen them I went back to my booth to attend to the work, and was called out of the booth by a man of the name of Haslam, employed to bribe by Colonel Tynte, who said, "Mr. Trevor, we are not playing you false, don't you believe it;" and to this man to whom you allude he said, "You take that; you are to go up and vote for Tynte and Follett, mind." I said, "No, "Haslam, I will have nothing to do with that; go "along, I will have nothing to say to that." I went back to my booth, and the man went up and voted for Tynte and Follett, and he received 10*l.*, I think it was, I did not see it; it was in some packet.

32,938. (*Mr. Price.*) Do you know any man of that name being in employment in the town within the last 10 years ?—No.

32,939. (*Mr. Coleridge.*) A son of that man ?—I think he was a lawyer's clerk. I may recollect it by-and-by; I will turn it over in my mind.

32,940. (*Mr. Price.*) If it has passed out of your recollection it is quite possible it has passed out of the recollection, if ever it was in the knowledge, of men like Robert Bussell and those men ?—He is more in their station of life, and they would know the name better than I should.

32,941. (*Mr. Coleridge.*) What age would the old man be if alive ?—70.

32,942. And what age the lawyer's clerk, his son ?—30 or 35. There are gentlemen in the room can tell you better than I can; but I am not clear now; I fancy he had a son a lawyer's clerk.

32,943. (*Mr. Anstey.*) Had you anything to do with the election trial ?—No, nothing whatever. I have never read the blue book even. I did not go to London, and was not consulted once about it.

32,944. The 1865 election ?—The 1865 election, Mr. Bealy Smith had the management of; he wanted assistance, and got Mr. Ruddock to go to London to assist him in it; but I was not consulted or my brother. We had nothing to do with it.

32,945. Do you remember Mr. Patton coming down here after Mr. Westropp was unseated ?—Yes.

32,946. Had you anything to do with his coming down ?—No, Mr. Spofforth made a mistake about that. I should suspect it was Mr. Ruddock, because it was when the petition was over.

32,947. (*Mr. Price.*) Mr. Spofforth said he was not quite sure about you ?—No, it was a mistake.

32,948. He said the heads of the party, but he was not quite sure ?—No, it was not me. I never heard anything of Mr. Patton until I saw him in Bridgwater.

32,949. (*Mr. Anstey.*) Did you see him much during that contest ?—Yes.

32,950. Did anything transpire which leads you to suppose that he was aware that money was about to be spent, or had been spent, or was being spent profusely ?—I am quite as certain he knew nothing about it as I am of any fact I do not actually know. I recollect the morning of his second nomination.

32,951. (*Mr. Price.*) Were you introduced to his man who came down here, Mr. Pitman ?—Yes, I was going to say about Mr. Pitman.

32,952. Just give us the history ?—At the second election Mr. Pitman came down here. He was telegraphed for. We did not expect opposition, and when the opposition arose Mr. Pitman was telegraphed to come down.

32,953. Was he here on the first election ?—No doubt he was in communication with Mr. Smith a good deal.

32,954. Not with you ?—Not with me; all the money arrangements.

32,955. (*Mr. Anstey.*) You were saying that Mr. Pitman came down at the second election ?—He came down on the morning of the nomination by the mail train, and I shook hands with him on the hustings, and we did not care about hearing the speeches, so we chatted together. I said, "What does the Lord Advo-"cate say about the last election ?" He said, "He "has not the remotest notion of what took place more "than a child unborn. He would be perfectly horri-"fied at the idea of the thing."

32,956. Mr. Pitman told you ?—Yes.

32,957. (*Mr. Price.*) I can't understand how such a thing as that was kept secret. There was only a month between the two ?—Only they took care not to let him know it. A man about to be appointed Lord Advocate——

32,958. (*Mr. Anstey.*) When did he first know it ?—I was going to say, on the day of the polling, towards the afternoon, I was with him upstairs in his private room here, and we felt ourselves beaten. It was the second election. Frederick Temblett, whom you have had as a witness here, burst into the room and said, "We can save the election for 200*l.* If you will only give the word I will find the money."

32,959. (*Mr. Coleridge.*) He said this to Mr. Patton ?—Yes, and Mr. Patton was horrified. "Money," he said, "I wonder at your putting to me such a sub-"ject; I don't know what you mean." And Temblett pressed it, and said, "We must not lose the election, sir. "For God's sake don't let us lose it. There is money "spent on the other side;" and Mr. Patton went in and shut himself in his bedroom, and it did not appear to me to be done in the way a man pretending innocence would have done it, I think it was a genuine innocence as ever I saw in my life. I think he came here from Scotland without the slightest idea of our practices.

32,960. Did you hear him make his farewell speech ?—I did.

32,961. In the closing speech of which he announced something like a petition ?—Yes, he did. It was contrary to my advice. I knew, of course, I had moral knowledge, though not certainly legal, that we had been bribing, therefore I knew that a petition on his part would be a perfect absurdity. He said, "I shall go on "the hustings and threaten a petition, and carry out "my threat." I said, "Mr. Patton, if you take my "advice you will do nothing of the kind. Let it pass. "There will be plenty of time to do it afterwards if it "is considered desirable;" but he would go as he said he would.

32,962. He never acted on that ?—No; we had a meeting afterwards among ourselves, and I said, "We will never petition unless we go with clean hands."

32,963. Did you communicate that to Mr. Patton ?—No, never at all.

32,964. Did he take any steps to carry out his measures ?—No; I have no doubt he was kept back by his friends.

32,965. In London ?—No doubt.

32,966. (*Mr. Price.*) How soon after that was he made Lord Justice Clerk ?—It must have been a very short time; two or three months I should think.

32,967. (*Mr. Anstey.*) At the time Sir Duncan McNeil was made Lord Colonsay ?—Yes, very shortly, a few months; but if Mr. Patton was not innocent of our corrupt practices here, I am very much mistaken. I do not say he did not find them out afterwards to his cost.

32,968. Do you know what he said when he paid the bill ?—No, I heard what you said just now, but I never heard of it before.

32,969. Which of his friends was it who raised the money ?—It is only my suspicion, but I was always

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under the impression that his brother who died the other day was wealthy, and that the money came from him. I gather that they were very proud of his position.

32,970. He was very tenderly attached to his brother, I believe?—I have always understood so. Mr. Pitman, who was a very nice gentlemanly man, always spoke in very high terms of him, and said he was the most high-minded man he had ever had to do with.

32,971. Who else besides Mr. Pitman had he here?—I think it was the second election, the first Mr. Westropp was here.

32,972. But the second election?—I think at one of the elections, I am not sure which, Mrs. Patton was here, and her sister, Mrs. Gillespie, and I think young Mr. Gillespie, as near as I can recollect.

32,973. (*Mr. Anstey.*) Was Major Malcolm here?—I do not think he was, but I would not say he was not.

32,974. How came Mr. Patton, who had this very great horror of corruption and profuse expenditure at elections, to trust himself to such a man as Mr. Westropp, who had just been found guilty by the House of Commons?—Because Mr. Westropp was a popular man here, wonderfully popular. When he came down after being so badly treated and turned out for bribery, there were banners all through the town, and such a reception as I never saw in my life to any man; and I have no doubt we were under the impression, and a very strong one, that the strength of his popularity would have carried anyone at that time without money.

32,975. But it was also known to those who took the trouble to read Mr. Westropp's own evidence given before the House of Commons in 1866, that his seat had been obtained by the nursing and nourishing system which was followed for so many years, as he admitted?—Partly, no doubt.

32,976. But he admitted it himself?—He was very popular with the lower classes, and was "Hail, fellow, well met."

32,977. If Mr. Patton read the evidence which Mr. Westropp gave himself, and his own mode of manipulating the borough, how chanced it that he put himself under such a man?—Because he thought that his prestige would secure his return, I suppose.

32,978. That would not make the election a pure election. I am speaking with reference to purity?—It is refining the thing rather, to say because a man had bribed to obtain popularity, that therefore his popularity was not to bring another man in. I do not think there would be anything corrupt about that, would there? I fancy not.

32,979. It would be a subject of remark.

32,980. (*Mr. Price.*) You cannot touch pitch without being defiled. Mr. Patton seems to have had some suspicion, because the money, though nothing like the sum afterwards spent, I think we have evidence that the money he was prepared to spend was placed in the names of trustees, one of whom I think was Major Malcolm?—I do not know anything about that.

32,981. As if he were taking precautions against some hidden danger?—He was a child in election matters. I daresay he was very clever as a Scotch lawyer, but I should say he had about as good an idea of election matters as I have of Scotch law, not so much so.

32,982. Do you know who put it into his head to come to Bridgwater at all?—No, I never did; it came from the party in London.

32,983. Not from Mr. Westropp?—No; Mr. Spofforth, or some of his London friends.

32,984. Do you know nothing more about either the first or second election of 1866?—I had nothing to do with money, but of course I heard money was spent, and in fact I recollect hearing at the time of that first election that money was clubbed at the "Clarence." I do not know who it came from, but I heard that money was running short, and some was found in that way.

32,985. Then as to 1868?—In 1868 my position was a little altered. Mr. Bealy Smith had fallen into ill health, and I consented to take the nominal leadership of the party in conjunction with Mr. Brice. Mr. Brice had the chief part of the work, but I lent my counsel and assistance in the matter. Mr. Brice would not undertake it unless I joined him; we were personal friends, and I agreed to do that.

32,986. (*Mr. Anstey.*) Did you know anything of Mr. Gray before he came down?—No, I had nothing at all to do with it. I never heard of his name.

32,987. All you know was that he was brought down by Mr. Westropp?—No, he was not, I apprehend. He was brought down by Mr. William Toogood, parliamentary agent, and introduced to Mr. Lilly the auctioneer; he saw Mr. Lilly, not me. He was not in Bridgwater but one or two hours, and in consequence of what he heard from them he went to see Mr. Westropp in London, but he was not a nominee of Mr. Westropp; I am certain Mr. Toogood got acquainted with him at the Conservative Club.

32,988. Considering that Mr. Westropp went on nursing and nourishing the borough during the whole of the interval between 1865 and 1868?—He did not, he gave it up. He put out an address saying that his connexion with the borough must cease.

32,989. Did not he go on?—He cast off the borough entirely, I apprehend.

32,990. Having tried nursing he tried a system of depletion?

32,991. (*Mr. Price.*) Starving?—I suppose he had depleted himself sufficiently.

32,992. (*Mr. Anstey.*) Then he came back again?—I was going to explain that. Whether he was requested by the committee of this 5th May dinner or no I do not know, but he came, and then it was not known he was coming forward. As the general election came near I was asked to go to London and see what his real views with respect to Bridgwater were. I went to London in July, and saw him at the Union Club, and told him I came to see what his views with regard to his candidature were, and I should like to know, I said, and he said, "If I get a sufficiently respectable requi-"sition I am willing to come forward again, but on "strictly purity principles. I have spent a very large "sum of money in Bridgwater; I have spent 7,400*l.* "in Bridgwater, and I think I have some claim on "the borough;" and I said, "Well, yes, Mr. West-"ropp, no doubt you are a popular man, but you must "not expect your popularity is going to outweigh the "Liberal money; if they spend money on the other "side you will be beaten;" and he said, "Well, I do not "think it. I have reason to know that the other side "will not oppose me very vigorously; in fact I have "written promises from one of the men, an in-"fluential man on the other side, not to oppose me." I asked him, "Who is it, Mr. Westropp?" and he said, "I am not at liberty to tell you." I said, "I "think you ought. I think it is due to me in my "position to know, and then I shall be able to judge "whether the thing may be relied on." He said, "I am not at liberty to tell you, and I cannot do it "now;" so I was rather aggrieved at the time.

32,993. (*Mr. Coleridge.*) Do you know now?—Mr. John Smith.

32,994. (*Mr. Anstey.*) What else did he say?—Nothing should induce him. The most money he would spend would be 500*l.*, and he would pay the legal expenses to the lawyers, but he would not pay anything beyond. He had been advised by his brother-in-law, Mr. Dobbs, who is a judge of the Encumbered Estates Court in Ireland, and in whom he had the greatest confidence, and he had quite determined he would not.

32,995. Was anything said about Mr. Gray?—This was some months before Mr. Gray was known.

32,996. Was it before the dinner?—No, after the 5th May dinner. This was about the beginning of July. I said to him, "Shall we go and see Mr.

" Spofforth, and hear what he says about getting " another man ;" and he said, " Yes, we will." On the following day we went and saw Mr. Spofforth, but he said, " Your character is most deuced bad in " Bridgwater ; I cannot recommend another man to " come with you ; you must do the best you can with " Mr. Westropp if he is willing to come forward ; you " are bound to him, and you must make the most you " can with him. Make a compromise with the other " side if you can." We said, " Cannot you find " anybody ?" and he said, " The only person is Mr. " Treby, the member for Lyme, and I will give you " a letter," which he did, and I took it to Mr. Treby at the House of Commons, but he would not hear of us at all ; he said he would give his answer to Mr. Spofforth, which he did, but did not entertain the thing at all. He would not go into it. We saw another gentleman, Mr. Thurston, I think, was recommended by the editor of the " Standard." As near as I can recollect he would not hear of it. He found out on inquiry that our character was bad, and he would not say anything at all.

32,997. How soon after was Mr. Gray fixed upon ?—I should tell you that while in London I went down to the House and saw Mr. Vanderbyl. I asked him whether he would enter into a negotiation for a coalition, one and one. He said he should like it of all things, it was the very thing he should like of all others, for his position in the House of Commons was not valuable as people thought it was ; it was very difficult to make arrangements. He was in the hands of Mr. Lovibond ; he was going to Pightley for a few days, and would see Mr. Lovibond to see whether anything could be done, to talk it over with him ; and I said, " Mind, there is one thing, if we are to have a fight you will have to pay Mr. Kinglake's solicitor ;" and he said he would be hanged if he would. We had some unimportant conversation with him, and never heard anything more about it. This was in July, and I came down in August.

32,998. You have heard Mr. Lovibond, in what I may call his examination, which was broken off by us, or rather by himself, state that at some period in the summer of 1868 to his astonishment he received a proposal from Mr. Vanderbyl to throw over his own agents, Messrs. Reed and Cook, and to cleave unto Mr. Lovibond, if Mr. Lovibond would throw over Mr. Kinglake, and he declined to do it ; was that, do you suppose, in consequence of your proposition to him of a coalition ?—I think very likely, for this reason, that Mr. Lovibond told me that Mr. Vanderbyl had suggested to him to offer me a retainer for himself, and Mr. Lovibond pooh-poohed it, and said it was perfectly useless to make me that offer of such nonsense.

32,999. Had you at this time, while in London, heard of the converse proposal having been made through Mr. Lovibond, that is, by Mr. Kinglake for a coalition which would squeeze out Mr. Vanderbyl ?—No, I never heard anything of that at all. In the month of August, on my way to Wells assizes, I fell in with Mr. Lovibond. Mr. Brice and I had talked the matter over, and it was arranged that I should see Mr. Lovibond and try to come to some terms. I saw him, and proposed first of all that there should be one and one. I said we had got so notorious for bribery that something or other must be done. I had come into the thing as the leader of our party. I arranged with Mr. Brice that I should see Mr. Lovibond, and endeavour to effect an arrangement for breaking down the system which had been pursued here for so many years, if possible. I saw him on the 4th of August, and we were both going to Wells assizes. I then asked him whether it was not possible to make an arrangement for one and one, and he said no, that they had both seats, two men, they could not get rid of either. I then asked him if he could make no arrangement to get rid of bribery, to fight a pure election on both sides. He said, " Well, I think we lawyers can trust " each other, but I do not think we can trust the out- " siders on either side." I then said, " I cannot help " thinking myself that we may fix upon 8 or 10 or 10 " or 12 leading men on each side, who, if they signed " a paper pledging themselves not to countenance " corrupt practices, and to retire from their party if " they found they were resorted to, we may trust them." Mr. Lovibond said, " Well, I do not know, if I think the thing is possible I will see you again."

33,000. (*Mr. Anstey.*) When was that ?—That was on the 4th of August. I did not see Mr. Lovibond again on that subject. He never mentioned the subject to me again, and so it passed. Mr. Gray came down here, I think, in the month of September at first ; I do not know when, some time in the month of September ; I did not see him. I was not in Bridgwater. I had heard when I came into Bridgwater that he had been down and making inquiries of Mr. Lilly, and one or two other of my friends. I rather think my brother saw him, I am not sure, and that he had gone away with the intention of conferring with Mr. Westropp. On the 3rd October Mr. Toogood called upon me and my brother, and we had a talk with him and Mr. Ruddock and Mr. Lilly on the subject of Mr. Gray's coming. I do not think there was anything very material that took place, but I think Mr. Toogood said that he would come, but he would not spend any money in corrupt practices. He had determined upon that, that nothing should induce him to spend money. It was not for the sake of saving his money that he did not wish to be mixed up with anything of the kind.

33,001. Mr. Gray did not ?—Mr. Gray did not. I do not think Mr. Westropp had been down here up to that time. I am not positive, but I recollect some time during the month of September Mr. Ruddock and Mr. Lilly went to Bristol, I think, to see Mr. Westropp, at his wish, to confer with him upon the election. They had had his confidence previously more than Mr. Brice and I had, and I think he was rather anxious to confer with them upon the subject, and they went to Bristol. I do not know exactly what took place, but they said when they returned that Mr. Westropp was still determined to come, and still determined to fight the thing purely. He did not deviate from that at all. On the 10th October Mr. Westropp and Mr. Gray arrived.

33,002. On the 6th October they published their address ?—I suppose it was before they came. They came on Saturday the 10th, by the afternoon train. I dined with them here, I think at the " Clarence," and in the evening there was a meeting at the Town Hall. I never heard of any diversity of opinion among our own people. I believe we were perfectly unanimous in giving both those gentlemen our support. I remember being put forward to speak on that occasion to propose a vote of confidence in them, and while I was speaking a row took place, occasioned entirely by the intrusion of the opposite party. I remember Honyball kicked up a great row in the balcony, and he was kicked downstairs out of the place, and after a time that ceased, and Mr. Parker, who was in the chair, put it to the meeting whether these gentlemen should be accepted, and it was carried, I believe, unanimously by our own party ; but our political opponents, who had endeavoured to take upthe hall, of course voted the other way ; but the resolution was carried, and their candidature was accepted.

33,003. Did the chairman say, " I have a difficulty in knowing which side has the most " ?—I do not recollect it ; but I know there were a great many hands held up the other way, but it was not by our friends. It was our political opponents that held up their hands against them, we were unanimous about it. I do not know that there is anything during the canvass that I should particularly allude to. Of course there was the usual dining out, and gentlemen came and dined together ; and there was one at Stowey, and there was the celebrated dinner at Mr. Axford's, where the dishes were decorated with Westropp and Gray flags. I recollect a very short time before the

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election I was staying at Mr. Brice's house, and I recollect Mr. Brice went to London to see Mr. Gray's lawyers, to ask them to come down; we thought it better that they should come down, and they sent down their managing clerk. I do not think there was anything particular. He stayed here a day or two, and I recollect he took up a letter from Mr. Gray, but nothing came of that at all; I do not think it had anything to do except with the usual conduct of the election; to the best of my knowledge it had not. I do not know what the letter was about. The only other thing which perhaps I ought to allude to would be on the Sunday.

33,004. (*Mr. Coleridge.*) Was it not Mr. Ruddock and Mr. J. R. Smith, and not Mr. Lilly, who went to Bristol?—Yes, it was Mr. Ruddock; it was not Mr. Lilly.

33,005. You said Mr. Lilly?—That is my mistake. I intended to have said Mr. Ruddock, because Mr. Ruddock had had to do with Mr. Westropp all through the petition, and had got his confidence entirely. I recollect on the Sunday that that offer of a compromise coming from Mr. Fennelly, and Mr. Westropp consulting Mr. Brice and myself about it. What has been stated about that is substantially correct, I believe, and as far as I know; and Mr. Westropp told us that Mr. Fennelly had offered to meet us half way. I said to Mr. Westropp, "I suppose he means you are to bribe one half and he is to bribe the other."

33,006. (*Mr. Anstey.*) What did Mr. Westropp say?—Mr. Westropp said, "I do not know what he meant," and he said, "It did not occur to me in that way."

33,007. Through the unfortunate absence of Mr. Purcell, our secretary, I have to quote from memory from the brief. I wish I had the brief here?—There must be two or three copies of that in your box.

33,008. It ought to have been here on the table along with the other papers, and kept there. The words are these, I think. I have read them over a great many times; he proposed to Mr. Westropp, in the name of Mr. Vanderbyl, that Mr. Vanderbyl and Mr. Westropp should coalesce, because Mr. Vanderbyl had had a row with his agent?—Yes, I recollect he said that. It was a row with Reed and Cook two or three days before.

33,009. And that if Mr. Westropp would agree to the coalition he would meet Mr. Westropp half way. Was what Mr. Westropp understood that he proposed to join with him in bribery?—My impression is that it was I that suggested that.

33,010. I hope we shall get that brief, then I will read it to you perfectly?—I daresay your recollection of it is quite right. I am not clear, but I think I said to Mr. Westropp, "What did he mean by that?" Mr. Westropp said, "I do not know." I said, "I suppose the meaning must be that you were to bribe one half and he the other half." Mr. Westropp said, "What shall we do about it?" I said, "You had better go back and say that any proposition "of the kind must be made to us by the legal agents, "Messrs. Reed and Cook." And I said, "I daresay "you will be sold. They will turn round upon you at "the last moment, and you will find yourself sold."

33,011. Did Mr. Westropp tell you anything more of what Mr. Fennelly had said on the subject of expenditure?—I do not think anything was said about expenditure at all. It was only by inference. There was nothing directly said about expenditure. It was only an interpretation put upon Mr. Fennelly's words.

33,012. Was anything said about saving expenditure?—I do not think there was. I did not hear anything about expenditure at all directly. It was only by inference that that was construed into expenditure.

33,013. Did he receive any formal proposition from the other side?—No, I never heard a word of it.

33,014. Do you recollect what time in the day it was when Mr. Westropp told you this?—The meeting at Mr. Hennett's house was at nine in the evening. He showed us the letter which he had received from Hennett and Spink, dating from the "Globe" hotel, asking him to come to Hennett's house at nine o'clock. He went there at nine, and must have stayed about an hour; and then he came back to Mr. Brice's house and saw Mr. Brice and me. The two houses are very near together. He said, "What are we to do?" I said, "Go back and send Reed and Cook to us."

33,015. Was that Saturday or Sunday?—Sunday.

33,016. Was he aware (Mr. Westropp I mean) that at that very time Mr. Kinglake and Mr. Kinglake's friends were trying on their side to get Mr. Vanderbyl to retire and have a compromise with you?—Well, I think Mr. Fennelly told him so. I think Mr. Fennelly told him. I am not certain about that; but we heard of it; and I am pretty sure it came from Mr. Fennelly. Mr. Fennelly had said that a deputation had waited upon Mr. Vanderbyl and asked him to resign; or whether we heard that the next morning about Mr Kinglake I do not know. I recollect hearing it very well.

33,017. Did it occur to you or to him, that is to say, was it mentioned between you and him, that little dependence could be placed upon either Vanderbyl or Kinglake, as each was endeavouring to betray the other?—I did not hear anything about a compromise with Kinglake at all.

33,018. I think you said that Mr. Westropp had told you that Mr. Fennelly had told him so?—No, I do not recollect that. I do not think he did.

33,019. (*Mr. Price.*) I do not see how it could have been worked half and half. Do you suppose that if Mr. Vanderbyl had bribed he could have made it an understanding with his men that they should give the other half of their votes to Mr. Westropp?—That they should vote for Vanderbyl and Westropp in the same way that men had before voted for Tynte and Follett.

33,020. They could control the bribe agents?—Oh yes, no doubt. The great majority would, no doubt. I do not mean to say that all would.

33,021. (*Mr. Anstey.*) Mr. Gray was prepared to agree to anything?—Oh no. Mr. Gray had not been consulted about it, because I said to Mr. Westropp, "You must not make an arrangement of this kind without Mr. Gray;" and he said, "Oh no; I will do nothing without Mr. Gray's sanction."

33,022. When Mr. Gray was consulted about it what did——?—He was not consulted about it. The thing fell through.

33,023. Mr. Westropp seem to have taken it for granted that Mr. Gray would consent?—Oh no, my words were, "Hear all and say little. There is no "harm in seeing what they have got to say for them-"selves. They proposed the interview. You go to "it and hear all you can and come back to us."

33,024. It is a fact that Mr. Gray at that election was quite preparad to let his own chance go?—Mr. Gray was quite willing to do anything in the world that was thought the best for the party; but my belief is that if the arrangement had been carried out Mr. Gray would have been the gentleman to have the seat and not Mr. Westropp.

33,025. Why so?—Because Mr. Westropp was tired of the thing, and he had got into bad health.

33,026. This was on the Sunday?—No, when we were endeavouring to compromise the petition. Mr. Westropp said his health was not good; and I fancied also that the money was getting short.

33,027. Then this election went on?—The election went on. Then Mr. Brice and I did not hear anything the next morning from Reed and Cook, and we both made up our minds that they would go in and spend money when they found they could not compromise. We both agreed upon that, and the nomination took place; and in the evening we saw two or three of the men that I suppose were mixed up in bribery practices. That was, I think, in the next room, where you were sitting yesterday; and they wanted to know whether any money was to be spent, and we said no, decidedly not, it was quite determined that no money should be spent.

33,028. (*Mr. Anstey.*) I will read you the words now, Mr. Trevor, from the brief. "Mr. Vanderbyl must have felt aggrieved at this," that is to say, at having to submit to be squeezed out in order to bring about a coalition between Kinglake and Westropp. "Mr. Vanderbyl must have felt aggrieved at this, for "on Sunday, the day before the nomination, he sent "his confidential friend, Mr. Fennelly, to Mr. West-"ropp, asking him to coalesce with Mr. Vanderbyl, "stating that Mr. Vaderbyl had put himself in his "hands, and had had a row with his agents, Messrs. "Reed and Cook. He at the same time offered Mr. "Westropp to meet him half way, from which Mr. "Westropp inferred that he would join him in bribery. "This Mr. Fennelly was formerly a clerk in the "National Bank, of which Mr. Vanderbyl has, until "since the election, been a director. Within the last "two or three years Mr. Fennelly has become a "partner in the firm of Fennelly, Redfern, and Co., "provision merchants, Tooley Street, with which "firm Mr. Vanderbyl is supposed to be intimately "connected." That is the whole passage?—Yes. That was general instructions to counsel. I still think that the suggestion emanated from my mind that what he must have meant was that they should join in bribery. I think so. I would not be positive, but I think so.

33,029. What were the words which Mr. Westropp reported him to have used about "half way"?—Either "I will meet you half way," or "We will meet you half way," I do not know which. "We will meet you," I think.

33,030. On the Monday after the nomination?—On the Monday after the nomination Mr. Brice and I were here, and Mr. Batten, and one or two others came and they requested to see us, and they were shown up. They said, "We have come to know whether any money is going or not." Mr. Brice said, "It is no "use disguising the fact any longer. There won't be "a shilling." Before we had kept quiet, because we knew it would fly all over the town, and our opponents would know we were fighting a sham fight.

33,031. Down to late on Monday?—No, 6 or 7o'clock.

33,032. That would be late in the month of November?—Oh yes, it had been dark some little time. Then I went back to Mr. Brice's house. I had determined not to go out again. I had inflammation in my eyes, and I thought it was best to be indoors. But I was sent for and told that there was a great row at the "Clarence," and that Messrs. Westropp and Gray were asked to resign. We found about 20 in the private room. They were very angry at what had been said, and they said they would not be made fools of.

33,033. (*Mr. Price.*) Who was there?—Dr. Farmer, Mr. Heard. Mr. Heard was very strong about it. Now Mr. Heard had got, I think, some pique against the other party in consequence of some previous prosecution.

33,034. (*Mr. Anstey.*) They obtained a rule for a criminal information. Was Dr. Farmer very strong?—I do not recollect whether he said anything. Mr. Parker was present, Mr. Ruddock, Mr. Lilly, Mr. Joe Smith, I think.

33,035. What did Mr. Parker say?—He said very little. He was not a man who would be likely to say much upon that subject. He would not find fault and say we were wrong.

33,036. He was the gentleman that proposed Mr. Westropp?—Yes.

33,037. Would he be against or for spending money?—No, he would be one of the men who think *malum prohibitum, malum in se.* Nothing would induce him to touch bribery.

33,038. Mr. J. R. Smith was also there?—I say with regard to Mr. Joseph Richard Smith, I doubt very much whether you will find he has ever been a bribe agent.

33,039. What did he say on the occasion?—I think he wanted them to resign, that is, I fancy so.

33,040. Because they would not spend money?—I do not know. There was a great row. Mr. Moore, the draper, was there kicking up a great row, very tipsy. I knew Mr. Smith had quite determined.

33,041. Were they asked to resign because they would not spend money?—No; Mr. Smith had quite determined that no money should be spent.

33,042. (*Mr. Price.*) What were they angry about?—Because there was no money.

33,043. (*Mr. Anstey.*) You say Mr. Smith wanted them to resign?—Yes; he thought it would be best when he found our men so angry, and they were so split up and divided. He thought the best thing would be for them to resign and have no more bother about it. I know perfectly well that Mr. Smith at that time had quite determined that he would have nothing to do with corruption at that election.

33,044. How do you know?—He told me. He said, "I have just read the new Act of Parliament, and it "is too risky a thing for me to have anything to do "with it."

33,045. When did he say that?—I think when he was mayor. The Acts of Parliament came to him as mayor. He told me that he had been studying the Act of Parliament, and had arrived at the conclusion that it was a most stringent Act of Parliament.

33,046. He must have known that it was an offence at common law, and forbidden by a number of old statutes?—Yes, but the tribunal was different. I think his chief thing was the tribunal, that it was shifted from the House of Commons to a judge of nisi prius. That is what operated on his mind and the minds of many.

33,047. It was more easily found out?—Yes.

33,048. (*Mr. Coleridge.*) Or less easily concealed?—The terror of a judge coming down upon the spot and bringing everybody up before him was too great to be encountered.

33,049. It was less easily concealed?—Less easily concealed, no doubt. If you go before a committee of the House of Commons you have a hope that your own political friends will be struck upon the committee.

33,050. (*Mr. Anstey.*) All these things constituted bribery at common law?—No doubt there was not such additional stringency in the Act of Parliament, except in discovering the offence.

33,051. It appears to me that the Act of Parliament in limiting the prosecution to one year has done great mischief in the opposite direction?—I think we arrived at a wrong conclusion about the Act of Parliament, but this is the conclusion that Mr. Smith and many others had arrived at, that it was a most stringent law.

33,052. (*Mr. Price.*) I think if there is a benefit derived from the new tribunal, as far as my experience goes, the locality of the tribunal is the great benefit derivable from it?—When we had a judge accustomed to sit at nisi prius down here on the spot, there would be very little hope of being able to disguise the corrupt practices. That operated, I am sure, on Mr. Smith's mind and on the minds of many others.

33,053. The witnesses did go away in this case, and no doubt in others, yet at the same time there is not the same power of getting witnesses out of the way as there used to be under the old system?—No.

(*The witness.*) Well, then, I spoke very strongly against their resigning, and I believe I quite insisted on their going to the poll; they had incurred every expense which they need incur, and we would go to the poll and make the best fight we could, and see what our opponents were going to do; and it was put to the vote and I think carried by a majority that they should go to the poll. They went to the poll the next day.

33,054–5. Do you think it oozed out on the other side?—No doubt it did.

33,056. And it would have some effect probably on their tactics?—It would have this effect, that they did not begin to bribe in the morning. When they found we were not going to they did not.

33,057. (*Mr. Anstey.*) Did you hear anything that

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happened before the poll that morning?—No, I did not hear anything till afterwards.

33,058. Were you present the night before when Mr. Cooper asked the question at the "Clarence" of the party what they were going to do?—I think it is very likely that Mr. Cooper was at the meeting. My impression is that he was there.

33,059. Do you recollect Mr. Gray and Mr. Westropp being asked to leave the room while you were discussing the question whether money should be spent or not?—I do not recollect.

33,060. And then their being readmitted?—I have got a very indistinct recollection of something of the kind, but I should not like to say. It is so very indistinct that I do not recollect.

33,061. (*Mr. Price.*) "Sugar." Mr. Smith said this about M.D. and sugaring the plums. Is that consistent with your notion of Mr. Smith's determining to have a pure election?—Perfectly.

33,062. Tell me how?—I reconcile it in this way, that what Mr. Smith said to the men was, "Don't "leave your party upon the promises on the other "side. You have the money down before you leave "your party."

33,063. (*Mr. Anstey.*) Two witnesses say there were no such qualifying words?—Oh, I know Mr. Smith too well. He was too clever a man to go and blare his corrupt practices before two or three hundred people. He is not a man to do that.

33,064. Is not it a fact with reference to that family, I must call it that notorious family, of which Mr. J. R. Smith, pawnbroker, Mr. Bealy Smith, who has fled to Australia—— ?—No. If you will allow me to say, I do not think that. I think the man's mind went, and I think he went to Australia entirely independent——

33,065. Mrs. Smith was asked yesterday whether his going away had anything to do with his apprehension of the proceedings, and she said, "Yes"?—I very much question it. I am surprised to hear it, and I think she is under a wrong impression.

(*Mr. Coleridge.*) I think she said his head went first.

(*The witness.*) Depend upon it it had nothing to do with this inquiry.

33,066. (*Mr. Anstey.*) Put it so. Is the Mr. Smith the pawnbroker and the Mr. Smith who took, as your brother said, the command of the Conservative party in 1852, because he was less scrupulous about money matters than your firm, and, finally, Mr. Smith who is in Exeter or Teignmouth, and who can drive about and go and see land, make bargains about land, and vote at elections, but cannot come to be examined before us touching his former practices—putting all those things together, and bearing in mind also that that invalid makes no scruple, as we are told by our secretary, of saying that if the election were to come on again he would bribe for his party as he had done before—would you still say that the Smiths' were so characterized by prudence as to feel themselves restrained at the excitement of an election from giving the advice which two witnesses on oath have sworn that they did give to a number of Conservative operatives?—I am perfectly satisfied that Mr. Joseph Smith would not have gone into a public room and made that speech for two reasons. One is, because I know he had made up his mind to have nothing to do with corrupt practices at that election, and the other is, that he was a deal too clever to commit himself in that way before a lot of men who at any moment might come and prove it against him. Mr. Joseph Smith is nothing to me. I have nothing whatever to do with him.

33,067. Has he not the reputation of being a very imprudent speaker?—A very violent hot-tempered man, no doubt.

33,068. With regard to the duty of the rich to the poor, more especially with reference to the one and the other as members of a Christian congregation, and so forth?—I think he is a kind of man that would not spare anybody, friend or foe, if he took a notion into his head.

33,069. When he once begins to speak, is it not the fact that he cannot restrain himself?—I think he could restrain himself within such bounds as that. I feel sure of it. I was not at the meeting, and so of course I only give you my idea of it. Well, then, the day of polling—about the middle of the day I think it was—Mr. Brice came to me and said, "Well, they want "some money. I think money may be wanted by-"and-by, and it has been suggested that a little money "should be got together." He said, "What do you think of it?" I said, "I don't think it will do at all." I said, "Don't you hear of it." He said, "I thought it right to mention it to you," and I said, "I will go "at once and hear what Mr. Joseph Smith says. My "impression is that he won't entertain it." I saw Mr. Smith, and he immediately repudiated the whole thing altogether; he would be no party to it, he said, we should get ourselves and all our friends into a tremendous scrape. I said I was very glad to hear him express that opinion, because it was entirely my own. No money was got together, and I firmly believe that not one shilling was spent in bribery, and any promises made were entirely unauthorized.

33,070. I must have misunderstood Mrs. Smith. She said decidedly not.

33,071. (*Mr. Price.*) There was no prayer for the seat?—Oh yes there was.

33,072. Oh yes; but it was the question of the expense of the scrutiny that stopped you. I have been corrected about that before?—I should say that up to the day of polling we professional men intended to have our retainers. 700*l.* was deposited in my name by Westropp and Gray at Stuckey's bank, and it was intended that out of that sum the professional men should be paid their retainers.

33,073. (*Mr. Coleridge.*) What would those have been?—A single member of a firm, 50*l.*; two or more members of a firm, 75*l.*; a young man just commencing practice, 25*l.* That was the usual thing.

33,074. 75*l.* each member, or between the two?—Between the two. But on the day of polling (we did not poll in the morning, we did not intend to poll during the day,) but in the middle of the day, I forget the time, about 12 or 2 o'clock, I said to Mr. Brice, "They are polling up, and perhaps our votes will turn the election. I vote we give up our retainers." He said, "I quite agree with you." I went and fetched my brother and Mr. Boyle, and mentioned the subject to them. They all agreed with me that our votes, five or six, would very likely turn the election, and rather than lose the election we would rather lose our fees, and we went up in a body to Mr. Westropp and Mr. Gray in their private room, and we told them, "We value your seats to-day more than we do our "retainers, therefore we beg you to understand that "we shall have no retainers whatever, and that our "services are entirely gratuitous;" and I turned round to Mr. Gabriel Poole (who happened to be in the room), and I said, "I shall be much obliged to you if you will recollect this conversation." We went up then and voted. In regard to that sum of 700*l.*, I paid the legal expenses of the election and bills that were brought it. There were some few brought in, I believe, for printing squibs, which I did not consider legal expenditure, at all events not an authorized expenditure, and I rejected that, and I think that was the only one I did reject.

33,075. (*Mr. Coleridge.*) What was done with the money that was to have been paid for your attendance?—I paid out of that, 80*l.*, somewhere about 80*l.*, towards the expenses of the petition. I paid Gurney's bill out of that, and the law stationer's bill, about 80*l.*, and the rest of the money is at the bank still.

33,076. Never been withdrawn?—It has never been withdrawn. I thought it best not, pending the inquiry into the petition.

33,077. How much is there there?—You have got the banker's pass book. 200*l.* or 300*l.*, I think.

33,078. You are doubtless aware that in the Registration Act all this is forbidden, voting by anybody who has been paid?—Yes; that is why we did not take the money.

33,079. It does not seem, as far as the Act goes, to void the election?—It is made a misdemeanor under the Act of Parliament.

33,080. A misdemeanor, and doubtless bad votes on a scrutiny?—It was the misdemeanor that we did not like the look of. I do not know that there is is anything else for me to inform you of.

33,081. (*Mr. Anstey.*) Did you see Mr. Kinglake at any meeting at which he was present?—Do you mean about a compromise?

33,082. Yes?—I saw him at the "Tavistock." Mr. Kinglake and Mr. Lovell Sealy were there the day the petition was presented, and Mr. Lovibond was there.

33,083. Were you aware then that Mr. Kinglake's bribery bill was partly defrayed out of moneys advanced by Sealy's bank?—No; it has been reported.

33,084. You had heard the report?—Yes; the very day of the election the information was brought to us that young Prior had taken 500 sovereigns across to Allan.

33,085. On the polling day?—On the polling day. I had not the least idea. It was brought here as a rumour. I never believed it for an instant. I could not have conceived that such an imprudence had been committed.

33,086. (*Mr. Price.*) How soon after did you hear it?—Some time in the evening. I went over to Taunton that same afternoon, to attend to the county election, and before I went away I heard it.

33,087. These things do get out, don't they?—It is a most remarkable thing that the things get out. We were told it was taken to Allan by young Prior, and that Allan had taken it to the "New Inn," and was bribing fellows in the bedroom.

33,088. (*Mr. Anstey.*) Did you talk to Prior about it?—No.

33,089. Nor to Mr. Sealy?—No, I never said a word to Mr. Sealy at all about it.

33,090. When Mr. Sealy came up with Mr. Kinglake?—When he came up to the "Tavistock" I just shook hands, and I said, "How d'ye do?" and I did not say anything more.

33,091. Was there anything in Mr. Sealy's manner when this conversation was going on which led you to think that Mr. Sealy was alarmed for himself and his partner?—No, nothing whatever. Of course I thought it was an unusual thing, his coming to the "Tavistock" with Mr. Kinglake and being there. That was the only thing that appeared to me to be unusual. He did not say a word about it. I think on that very day Mr. Lovibond was very anxious that Mr. Westropp should have an interview with Mr. Kinglake, and Mr. Westropp declined to have it, refused it altogether.

33,092. Did Mr. Kinglake say anything at all on the subject of expenditure?—I never said a word to Mr. Kinglake about it at all.

33,093. Did he say anything?—I never heard him say anything. I never had any conversation with Mr. Kinglake in my life.

33,094. Did anybody say anything at that meeting?—It was not a meeting. The room at the "Tavistock" is a very long room, and Mr. Westropp and I were at one end and the others at the other. I only saw them as I passed by.

33,095. (*Mr. Price.*) It was not a regular meeting?—No.

33,096. (*Mr. Coleridge.*) It is like three separate rooms?—Yes.

33,097. (*Mr. Anstey.*) Did Mr. Westropp and Mr. Kinglake exchange any words?—No, Mr. Westropp would not have anything to say to him, and Mr. Lovibond requested him, and came up, and for half an hour tried to argue with Mr. Westropp to give way.

33,098. To consent to see Mr. Kinglake?—To consent not to present the petition.

33,099. And to speak to Mr. Kinglake?—And to speak to Mr. Kinglake, and he said, "No, I won't have "another word. I won't see him. Nothing shall "induce me to withhold the petition. I won't see "Mr. Kinglake at all."

33,100. Did Mr. Lovibond say anything in your hearing by which you could fairly understand that he was alive to the fact that bribery had been committed not for Mr. Vanderbyl merely, but for Mr. Kinglake?—No, just the reverse. Mr. Lovibond always assured me that he thanked God that he was not in the mess himself, but he was afraid it was more than he could say for some of his friends. My answer was, "I expect "Reed would know something about it, from his "anxiety in the matter," and Mr. Lovibond said, "I "should not wonder if he did."

33,101. (*Mr. Price.*) When do you mean to say that he said that?—When we were up at the "Tavistock."

33,102. (*Mr. Anstey.*) On that occasion?—Yes. I think it was on the Monday that the petition was presented, in the smoking room at the "Tavistock."

33,103. (*Mr. Anstey.*) He said, "I thank God that "I am not in the mess myself, but I am afraid that is "more than I can say of some of my friends."—Yes.

33,104. That meant Sealy and Prior, I suppose?—Oh no. My answer was, "I suspect Reed knows something about it, from his anxiety," and Mr. Lovibond said, "Well, yes; I should not wonder if he did."

33,105. (*Mr. Coleridge.*) And Mr. Lovibond had himself sent for this 500*l.* at the election?—So it seems now. I did not know it then.

33,106. He could not have meant, surely, that Mr. Reed had been bribing for Kinglake?—They were in copartnership.

33,107. Contrariwise, Mr. Lovibond was bribing for Vanderbyl?—Oh no. If a man was bribed at all he was to vote for Kinglake and Vanderbyl.

33,108. We have it in evidence that both paid money?—Oh yes, no doubt.

33,109. Then why do you suppose he meant Reed and Cook, and not rather, as I should imagine, his own particular friends, Sealy and Prior and Mogg?—Because I did not know anything about Sealy and Mogg, how far they were mixed up in the matter at all; but I knew that Mr. Reed had expressed very great anxiety to me to get the thing settled, and he said, "For God's sake, Trevor, get the thing settled somehow. I cannot allow it to go on." Therefore I did not want to ask them any questions about it, but I assumed from that that Mr. Reed must have been in the mess.

33,110. You assumed it then?—Yes.

33,111. Not what you suppose now, after all the evidence you have heard. Do you suppose that when Mr. Lovibond said, "I am not in the mess, but I am afraid some of my friends are," he meant Mr. Reed, who was not his friend at all?—Well, I suppose what he meant was to throw me off my guard, for me to fancy that he had nothing to do with it. That is what I thought he meant.

33,112. (*Mr. Price.*) Did you at that time say anything to him of the story we have heard about the 500*l.*?—No, I did not believe it. One hears so many rumours at elections. I thought it was one of the absurd rumours. I knew Mr. Lovibond was an acute, clever man, and I could not conceive he ever would have run such a risk.

33,113. Did you believe at that time, from what he said, that at all events, though bribery had been done, he had been in no way a principal party to it?—Well, I did not believe he had gone the length he had. I thought perhaps he might have known as much as Mr. Smith had known at the previous election.

33,114. That he could not have done such a thing as we have heard he did do?—I was perfectly astonished when I heard that come out in evidence. I should have thought Mr. Lovibond was a deal too acute to do anything of the kind.

33,115. You remained in ignorance of any part he

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had taken in the matter till you heard it in court?—Yes, I had no idea of it till I heard it in court. The only suspicion I had on the subject was that Mr. Reed some two or three times said, "When the petition "comes on, when the time comes for us lawyers to go "into the box, do, for goodness' sake, call Lovibond "before you call me."

33,116. (*Mr. Anstey.*) This disclosure which came out before us, this story not yet complete, about 500*l.*, excited great surprise in you?—It did.

33,117, And no doubt in others?—Our idea was that it had been clubbed by some of the people in the town in the same way as the other party had also clubbed before.

33,118. No doubt it has led to a great deal of conversation and discussion. Perhaps you have heard and can tell me the name of somebody, or mention some little incident or other, which if you will state to us we will follow up, and which being followed up may enable us to complete this incredible story as to the authority under which this 500*l.* was advanced?—No; I am assured by my friends on the other side, with whom I have talked on the matter, that Mr. Lovell Sealy really did not know anything about it at all. I am told so. Lately I have said, "Many of the "public seem to think that Mr. Prior has been screen-"ing Mr. Sealy," and they assured me they did not think anything of the kind, that Mr. Sealy, according to their impression, was purposely kept from knowing anything of the matter by Mr. Prior, and that Mr. Sealy did not know anything of it.

33,119. We have more evidence than that, you know, Mr. Trevor. We have evidence that Mr. Prior understood from Mr. Sealy's communication to him at the previous elections of 1866, that it was his, Prior's, duty not to let Mr. Sealy know, but to keep him ignorant?—Yes, Mr. Sealy did not know anything of the 500*l.* At their half-yearly balances it was returned "cash in hand."

33,120. At present, on Mr. Prior's evidence it looks very probable that Mr. Sealy's being kept in ignorance was in consequence of Mr. Sealy's understood wishes at the elections of 1866?—Oh, I think that is very likely.

33,121. Then you know the question still remains, under what authority was that money advanced? If you could give us the name of any person who is likely to know, and likely to be more communicative than Mr. Prior or Mr. Lovibond or Mr. Mogg, you will greatly further the ends of justice?—Of course I am sworn to tell you the whole truth, and if I could throw the slightest light upon it I would do so at once. I think the other clerks did not know anything about it.

33,122. (*Mr. Price.*) That is the only way the thing could have got about, but it is proved to us that no other clerk was in the bank at the time?—Young Mr. Prior took it down. The only thing would have been to see young Mr. Prior, the banker's son, walking down to Allan's house.

33,123. (*Mr. Coleridge.*) Had you any organized system of spies at that election on your side?—No, no organized system at all.

33,124. You had not paid people to watch the other side?—I do not know.

33,125. (*Mr. Anstey.*) Do you know of any other person who heard this rumour besides yourself about the 500*l.*?—I should think Joe Smith, Lilly, Brice, Westropp, and Gray must all have heard it.

33,126. If we could get at the name of only one person who was the mouthpiece of the rumour and through whom you heard it, we could easily find out the name of the person who on the Liberal side had turned traitor, and then we should gain what we want to know?—I would not withhold it, I am sure, if I could throw the slightest light upon it.

33,127. At present you know the thing is simply incredible; the excuse or explanation offered is simply, to my mind incredible, whether told by Mr. Mogg or Mr. Prior or Mr. Lovibond?—I can only account for it by knowing that Mr. Prior was a strong politician, and that he knew that Mr. Sealy was a strong politician, and would have made any sacrifice to have got Mr. Kinglake returned, and would have paid the 500*l.* out of his own pocket if he could have done it.

38,128. That is certainly not the case, because it was concerted by Mr. Lovibond and Dr. Kinglake weeks before, and even over night?—Not the authority for the 500*l.*

33,129. The greater contained the less. The authority the night before was for 1,500*l.*?—Yes, I am aware of that.

33,130. (*Mr. Price.*) Is there anything more?—There is all this about the compromise. I can go into the whole of that if you wish it.

33,131. (*Mr. Anstey.*) About Mr. Reed. Mr. Reed says that so strong was his impression that Mr. Vanderbyl's statement was not true, that he leaned over to you just after giving his evidence?—No, it was just before he gave his evidence, when he was going back into court after lunch.

33,132. And said, "For God's sake, Trevor, don't cross-examine Vanderbyl." Is that so?—Yes, quite true. We were rushing into court; there was a great rush of people to go into court.

33,133. (*Mr. Price.*) What was the meaning of that?—Well, Mr. Reed had been in communication with me all through the thing to try to prevent an exposure up to the last moment. I was continually entreated not to expose them if I could help it.

33,134. (*Mr. Anstey.*) What did he say?—"Don't "call us. If you are going to call me let me know "beforehand. Give me a hint when you are going "to call me, and I shall run away. I shall never "stand the ordeal. I will go."

33,135. I mean with reference to the cross-examination?—That was going into court. We were, at all events, to do without it; they were, at all events, going to give in; and when we were going into court Mr. Reed was next to me—(it had oozed out that they were going to throw up the sponge and give in)—and when we were pushed into court Reed was next to me, and he whispered into my ear, "For God's sake don't cross-examine Vanderbyl."

33,136. You see Mr. Serjeant Parry is reported in this blue book, which is an official report, to have used these words, "I have therefore felt it my duty to "abstain from putting any questions to Mr. Kinglake "or Mr. Vanderbyl"?—Well, sir, I will tell you all about it.

33,137. The "therefore" refers to their having stated on oath, and "on the word of a gentleman," and upon "honour," that the fact was so and so?—Yes.

33,138. Well, now, was Mr. Serjeant Parry aware when he made that statement to Mr. Justice Blackburn that the request had been made on Mr. Vanderbyl's own behalf, if not on Mr. Kinglake's also, that no question should be put?—Oh, yes; directly I got into court I told Mr. Serjeant Parry what Mr. Reed had said to me.

33,139. What did he say?—Well, he considered for a moment, and said, "I don't know that we want to "expose them. All we want to do is to succeed upon "our petition."

33,140. After that was not it going too far to say, "My lord, it is impossible to doubt the word of a gen-"tleman like Mr. Kinglake. If even without being "upon his oath, he came forward and stated before "your lordship, and the high tribunal you represent, "upon his honour that a fact was so and so, I believe "there is no man in this country but would believe "him. I have therefore felt it my duty to abstain "from putting any questions to Mr. Kinglake or to "Mr. Vanderbyl"?—I can only tell you the facts as they exist.

33,141. The real reason was that they might not be exposed?—No doubt. At least I assumed so after what Mr. Reed had said to me, because I recollect very well, when Mr. Vanderbyl said what he did, whispering into Mr. Serjeant Parry's ear. I said, "That's a crammer."

33,142. (*Mr. Price.*) I suppose you mean that if

Mr. Kinglake had been cross-examined it might have altered the complexion of his statement a little?—My impression with regard to Mr. Kinglake was either that he did not know that the practices had been resorted to, or my impression was at the time that he went away from Bridgwater because he should not know. That was my idea, whether right or wrong. I was assured that he was perfectly innocent of the matter. We thought he went away in order not to know, and we thought it a strange thing for a gentleman who had represented Bridgwater in several parliaments to run away from his friends in the middle of the day. If you will allow me to make one explanation, I do not wish to throw dirt on Mr. Lovibond, but there are one or two things in his statement made the other day which I should like to mention. One is this: he says that I saw Mr. Fennelly, and that it was arranged with him that one seat should be given up. That is not so. Mr. Lovibond is mistaken about that. I never knew Mr. Fennelly by sight even until I saw him in the Town Hall the other day. I do remember his coming to the "Tavistock" to see Mr. Lovibond, when I was there; but Mr. Lovibond went to him at the other end of the coffee room, and I did not even see his face. The other point is that "Mr. Lovibond stated "that Mr. Trevor has obtained from Mr. Westropp a "written agreement that the petition was not to be "presented on these terms." That is not so. Mr. Lovibond is mistaken there. Mr. Westropp never did sign any agreement about it at all. When Mr. Lovibond made the proposition to me, I of course spoke to Mr. Westropp about it, and he entertained the thing, no doubt, and said, "Well, you had better "go down to Bridgwater and consult our friends; I "can do nothing. I am pledged to them, and I will "do nothing without their consent. You must go "down and see what you can do with it, and let "me know." I said, "Mr. Westropp, we will have "no misunderstanding; you will kindly sit down "and write what you consider to be the offer." Mr. Westropp then sat down and wrote in a few words what he considered to be the offer, which I was to bring down and consult our friends about. I believe you have got that among the papers. But he entered into no written agreement at all, nor did he pledge himself to accept the offer made. It was entirely conditional, anything he said, on having the consent of his friends at Bridgwater. I came down, and instead of conciliation there was a great row about it. They said they would have blood; nothing short of blood would satisfy them; they were determined to blow up the whole concern, whatever the consequences might be; and I told Mr. Lovibond that such was the result, and he must consider the negotiation at an end. Then I went home and was taken ill, and the next thing was that Mr. Lovibond and my brother came up, and Mr. Lovibond begged that some further efforts might be made to get the thing arranged. There certainly was never any breach of faith on Mr. Westropp's part about it. I believe Mr. Lovibond did not intend to misinterpret it.

33,143. (*Mr. Price.*) This has puzzled me very much during this inquiry: can you throw any light upon it. At this inquiry there are gentlemen on your side and on the other side, and they get a fee which, divided into years, only comes to 19*l.* a year. I want to know why it is that there should be a tremendous desire at all risks and penalties of every kind to get up a contest time after time, and lavish money in this imprudent manner; what can be the meaning of it; is it love of party, or what?—Yes, in a small circle like this——

33,144. Or is it love of politics? What does it lead to? Does it give a man influence?—I daresay a man gets a kind of influence here. But it is more the love of party. Everything comes to be divided into two parties, and it is the great desire of going with your party and serving your party. My brother and myself have frequently talked about giving up elections altogether; we have frequently threatened to do so, and determined to do so, but when the time came we were lugged into it. You cannot control yourself. You cannot get out of it.

33,145. Gentlemen like yourselves and Mr. Lovibond, are they controlled to any extent—(Mr. Lovibond, I think, takes a more active part in the matter)—are they controlled to any extent by the Bussells and Allans of the party?—No, I think it is more the other way; they control the Bussells and Allans.

33,146. (*Mr. Coleridge.*) Do people stick to you: I mean to say, were the whole or the greater part of your clients of the Conservative party, whereas Mr. Lovibond's would be of the other party, the Liberals?—No, my best clients are Nicholls, the drapers.

33,147. The other way?—Yes. I was under the impression that exclusive dealing which existed a great many years ago had been done away with, but I am told that amongst tradesmen and the middle classes it exists. It does not exist amongst the upper classes.

33,148. (*Mr. Price.*) Then it comes to this, that let people make, so far as one may judge, what efforts they may, a pure election is an impossibility in the place, either from tradition, or from the taint which there is in the blood on both sides?—I am very much afraid there is. What bears me out in that is, that the opposition in 1826, when Sir Colin Campbell came, was got up by the balance men of both parties.

33,149. But one way or other—either by one or the other—either by these balance men, or the lawyers, or the bribe agents, somehow or other there is a determination always to have a contest, as in the case of Sir Thomas Lethbridge, which must result in bribery?—It is hoped it will result in bribery when it begins. No doubt it was hoped on our side that there would be bribery.

33,150. (*Mr. Anstey.*) And in selecting candidates for municipal offices, public offices, and offices of trust in the gift of the local authorities, is it or is it not the fact that an active political agent is chosen, although his name may be synonymous with bribery?—Oh, I do not think that his being a bribery agent would prevent his being appointed. I do not think I was chosen on that ground, because I was a bribery agent; but if I had been the deepest bribery agent that ever existed it would not have prevented my being employed. I should not have been then the slow coach which I am described as being.

33,151. However it was meant, by Mr. Westropp, in giving his evidence; it has been considered by the committee to be a compliment to you so to be described, with reference to the subject matter?—I always felt it to be a compliment.

33,152. I meant it so when I quoted it, I assure you. But is it the fact that at this very moment a person who has been distinguished above other men, or who has not been surpassed by other men as a bribery agent in this borough, election after election, is going to be appointed to the water-bailiffship, in the gift of the corporation?—It was said so, that he would be appointed, and I daresay he would have been if it had not been for this inquiry, but I rather fancy your Commission has frightened a good many people here.

33,153. (*Mr. Price.*) So also with regard to the abominably impudent attempt of another to bribe by taking advantage of his position in the county court, actually to bribe a man who was going into the jury box?—It is very bad indeed.

33,154. The most infamous thing that ever was done?—A man that would do that would not scruple to bribe a juryman, I should say, for a verdict or anything. I think it is right I should say that although bribery has been either countenanced or winked at ever since I can recollect anything in the town, when a man makes an exhibition like Heal did he is despised by others, and would lose caste in both parties. A man that would take 200*l.* and stick to it and commit perjury would lose caste.

33,155. But is it not in evidence that after he had

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done that, when it was known to the whole world that he had committed perjury before the committee in 1866, and had then gone back to his former associates to bribe again, (and again, no doubt, to subtract money) —is it not a fact that after all that, notwithstanding the bankruptcy that had taken place in the interval, he was immediately placed at the head of a large establishment over which he still presides, not many miles from here, a place of trust and power? Is that so?—I do not know what the man is doing.

33,156. The evidence is that he is at the head of Symmons' works? — Mr. Symmons is a relation. You know you have to take care of your relations if they are ever such scamps.

33,157. (*Mr. Anstey.*) I have not, if you mean me?—I do not mean you, I mean the world at large.

33,158. (*Mr. Anstey.*) I should not think of doing so?—Well, it is so, generally speaking, that a man who has got the most scampish relations is bound to maintain them.

33,159. It is only a brother-in-law, you know?—Perhaps a brother-in-law has more influence. The wife's influence might be the greatest of the two. There is one thing occurs to me, there may be nothing, perhaps there is nothing, in it, but before the trial of the petition came on, either my brother or I had a letter from a Mr. Patch somewhere in London, saying he could throw some important light upon the election.

33,160. (*Mr. Coleridge.*) I happen to know a good deal of Mr. Patch. I have been on other commissions, and we have had exactly the same letters from him at every one of them?—At previous elections I think he has been concerned here for our party, I suspect for corrupt practices. I thought perhaps it might throw some light upon "the man in the moon." You will find among the papers a letter from him.

33,161. What year?—This year or last year just before the petition came on, either at the end of last year or the beginning of this, a letter from him to my brother, saying that if we would communicate with him he could throw great light upon Mr. Kinglake's and Mr. Vanderbyl's election, and I think we wrote and referred him to our agents.

33,162. (*Mr. Price.*) Have you any reason for supposing that he does know anything?—The only reason, I suppose, is that I fancy he had something to do with some of our previous elections. I have got an idea——

33,163. On which side?—Our side.

33,164. Then how did he know about Kinglake and Vanderbyl's?—I don't know. I thought it was to draw money. I thought the next thing would be, "I won't tell you unless I get 50*l.*"

33,165. (*Mr. Anstey.*) I think your brother or some other very respectable witness stated that Croucher was a man who was employed to do bribery work in different boroughs, now by the Liberals and now by the Tories, not particular?—My impression of Croucher is that he was a general bribery agent without regard to party.

33,166. And Mr. Patch also?—Yes, it is very possible. I thought it right to mention it. It never occurred to me till you had examined Mr. Spofforth, but you will find a letter of that sort.

(*Mr. Coleridge.*) Yes. It is right to mention it, but I think it is a general plan of his.

(*The witness.*) Now I think it right by way of caution to myself to say that there may have been conversations, or letters, or other things which I may have omitted, which I can explain if necessary; but I am sure there is nothing which can connect me with corrupt practices at all. I have now told you all.

33,167. (*Mr. Price.*) The only thing which we can gather is this, that persons like you who do not mix up with corrupt practices are obliged to wink at them?—Obliged to wink at them.

33,168. That makes it more difficult to know how to look in any lenient light upon any borough like yours. That is the only thing?—I may say generally there certainly is not as much treating, not so much drunkenness, in the borough as there was when I was a boy. I am quite certain about that. I think the Commission is rather under a misapprehension about that. It is not quite such a wet borough. I do not think at the last election there was hardly a drunken man, although the "Clarence" was overrun with people the whole time.

33,169. The poll clerk gave us evidence—— ?—No doubt in the latter part of the day they were drunken, those that were bottled up all day, when they were brought up, but there is not that excessive drinking which one hears of in other places.

33,170. I do not suppose there is quite?—We are more business-like here. It is more dry money.

F. C. Temblett.

FREDERICK CHARLES TEMBLETT recalled.

(*Witness.*) When I was examined the other day I was requested by the Commissioners to produce a list of the men whom I have bribed.

33,171. (*Mr. Coleridge.*) Read them out for the shorthand writer to take down?—George Bartram, Charles Bennett, Christopher Browning, Robert Bussell (gardener), William Charley, Thomas Claxton, Lawrence Dare, Charles Dyer, John Dyer, William Dyment (gardener)—there are two William Dyments—James Fryer, Henry Green, William Harwood, Henry Harwood, James Hayward, Charles Haste, William Hellard, Joseph Hobbs, William Hodges, John Humber, Charles Hook, John Hole, William Jarman, E. T. Lane, James Long, Francis Rich, George Sellick, Benjamin Stoodley, Charles Tottle, Joseph Tottle, Charles Trapnell, Thomas Vearncombe, John Webber, Henry James, Henry Score, James Watts, John Brawley, Job Langford—(I am not certain about that man)—Abraham Frost, George Holland, Robert Wills, Charles Osborne, William Locke, Eliab Cann, Richard Hooper, George Gwyther, Charles Oaten, J. Billing, John Fackrell, senior, John Mogridge, William Gatter, Richard Tooze, John Carter Reeves, William Bond-Sheppard, Charles Jeffries, Henry Jeffries, Hughes, William Webb, Thomas Martin, John Rogers, Thomas Crocker, Thomas Herbert, William Dibble, James Palmer—(that is not the same James Palmer as took the money from Bussell)—William Webber, William Temblett, John Stacey. Perhaps some of those men may say that they did not have the money from me, and, strictly speaking, they did not. They had it at the "Bull and Butcher," from "the man in the moon." I passed them in at the door.

33,172. (*Mr. Anstey.*) You passed it in?—I passed the men in. Some of those men I have only paid once, a great many of them. Some twice and some three times.

33,173. (*Mr. Coleridge.*) You cannot exactly separate them?—I cannot separate them.

Mr. J. Trevor.

Mr. JAMES TREVOR recalled.

(*Witness.*) There is one thing I have forgotten to say. After Mr. Westropp was unseated on petition, our fee of 70*l.*, about 70*l.* or 75*l.*, was paid to our account at Stuckey's bank in the name of Johnstone.

33,174. (*Mr. Price.*) Do you mean that the cheque was drawn by Johnstone?—The bankers have given us credit for 70*l.* or 75*l.*, or whatever the sum was.

33,175. (*Mr. Anstey.*) What, the bankers are Johnstone?—That is the name of the party who paid it in; the same as if it was handed in by "Anstey." How it came about I do not know. We found we had credit in our account in that name.

33,176. (*Mr. Coleridge.*) Was the money paid in in cash, or through another bank?—In cash, I suppose.

JONAS BOTTOMLEY sworn.

33,177. (*Mr. Price.*) What is it you have to say? —I was subpœnaed as a witness to something in reference to the election.

33,178. Well, what election? Are you a voter of Bridgwater?—I was at that time.

33,179. The last election?—Not the last.

33,180. Which one?—1866, I think.

33,181. (*Mr. Coleridge.*) Vanderbyl's?—Kinglake and Vanderbyl.

(*Mr. Anstey.*) Your name is mentioned by Andrew Allan, and by another man who confounded your name with Winterbotham, as having received money at the election of Vanderbyl.

33,182. (*Mr. Price.*) When did you receive any money?—This was during the last election but one.

33,183. That is 1866?—1866.

33,184. (*Mr. Coleridge.*) Vanderbyl?—Kinglake and Vanderbyl.

(*Mr. Price.*) No, no, Patton and Vanderbyl in 1866.

33,185. (*Mr. Coleridge.*) The last election was 1868. Then Kinglake and Vanderbyl stood. Then the election before that was a single-handed election, with Vanderbyl on one side and Patton on the other. A month before that there was another election in 1866, in which Patton was on one side and Bagehot on the other. Vanderbyl and Kinglake was the last election?—It was the last election but one.

33,186. (*Mr. Price.*) What are you, Mr. Bottomley? —A schoolmaster.

33,187. What were you when you lived here?—Draper and schoolmaster.

33,188. Did you get any money at that election?—No. I had nothing to do with it.

33,189. (*Mr. Coleridge.*) How did you vote?—At that election?

33,190. Yes?—When residing here?

33,191. Yes?—I did not vote at all.

33,192. Not in 1866?—Not in 1866.

33,193. Did you vote at the last election, in 1868? —At that election I was not here at all.

33,194. How many elections have you voted at altogether?—Two. At least I ought to have voted at one and did not; and when I went away——

33,195. What was the first election you ever voted at?—The last but one.

33,196. Have you only voted once in all your life? —Only once in my life.

33,197. Did you get anything for it?—I got 10*l.*

33,198. You told us just now you did not?—That was when I was at Tiverton.

33,199. Whom did you get it from?—Mr. Andrew Allan.

33,200. (*Mr. Anstey.*) From Dyment, was not it? —I received the money from Allan.

33,201. From Allan himself?—Yes.

33,202. (*Mr. Coleridge.*) Whom did you vote for? —I voted, I think it was, for Kinglake.

(*Mr. Coleridge.*) He did not stand.

33,203. (*Mr. Anstey.*) He was not a candidate. He was already a member? — It must have been Vanderbyl then.

33,204. Did not Dyment offer you two guineas, which you refused? you came up from Tiverton?—Yes.

33,205. Did not he offer you two guineas and you refused it?—I do not know a person of the name of Dyment.

33,206. Did he nevertheless offer you two guineas? —No, he did not offer any.

33,207. Did somebody give you 10*l.*?—Allan gave me 10*l.* down at his house.

33,208. At a previous election, not the one immediately before, but the election of the year before (1865), had not you asked on the other side for a present from the Tories of 200*l.*?—No, never.

33,209. Now, Temblett says (and you will see whether he speaks the truth), that you mentioned to Mr. Joseph Richard Smith in the election of 1865, that though you abhorred bribery, you were quite willing to accept from Mr. Smith (that is, from Westropp, you know) a present of 200*l.*?—Never in the world. I asked him to lend me 200*l.*

33,210. (*Mr. Price.*) Asked whom?—Mr. Smith.

33,211. (*Mr. Anstey.*) And then you would undertake to vote for Westropp?—I asked at that time.

33,212. Did you ask him to lend you 200*l.* when he asked you to vote for Westropp?—I asked him to lend me 200*l.*

33,213. Was that when he was asking you to vote for Westropp?—I do not know that he did ask me to vote for Westropp. Mr. Westropp visited the shop at the time.

33,214. Was that request of 200*l.*, of the loan of 200*l.*, meant by you as the condition of your voting for Westropp?—Well, it must have been.

33,215. (*Mr. Coleridge.*) You know it was?—I cannot say positively whether it was. It was some little time before.

33,216. (*Mr. Anstey.*) On this occasion you were at Tiverton?—Yes.

33,217. And did not somebody fetch you to the poll?—Edgar Haviland.

33,218. And did not you talk a lot of rubbish to him about purity, and that you did not approve of bribery, but you thought a man ought to be paid handsomely for his expenses?—I do not remember that I said anything of the sort.

33,219. Did you?—I do not recollect saying anything of the kind.

33,220. Will you swear that you did not say you abhorred bribery, although you took 10*l.* half an hour afterwards? He has sworn so. It is oath against oath. We shall judge which is right?—I paid my expenses both ways.

33,221. (*Mr. Coleridge.*) You are not asked that. Did you not say to Haviland that you abhorred bribery, but you thought a man ought to be paid handsomely for his expenses?—I cannot call to mind that I did.

33,222. Will you swear you did not? Come! will you swear you did not?—It is very difficult to——

33,223. What were your expenses from Tiverton and back, return ticket, second class?—Some four or five shillings.

33,224. And were you not offered two guineas for it?—No, I do not recollect a single offer.

33,225. (*Mr. Price.*) Take care what you are about?—I will tell you the truth.

33,226. (*Mr. Anstey.*) Was not it William Dyment who fetched you from Tiverton?—Edgar Haviland.

33,227. Was not it William Dyment who fetched you from Tiverton, yes or no?—No, I do not remember that it was. I did not see any other person.

33,228. You have admitted that you received 10*l.* at that election and for your vote?—Yes.

33,229. (*Mr. Coleridge.*) Have you voted more than once?—Only once.

33,230. You had a vote at the election before, of course?—And did not give it.

33,231. No, you did not give it, because you wanted to vote on the Conservative side if they would lend you 200*l.*, and you did not get the loan, and you did not vote?—They did not need my vote.

33,232. The Liberals needed it. Now, if you were willing to vote for Westropp in the first election of 1866, and you turned round a month after and took 10*l.* to vote for Vanderbyl, what is your reason for that. There is just about a month to change all your political convictions. Was it not because the Conservatives had refused you the 200*l.* upon loan that you turned round and took the 10*l.* to vote for the Liberals?—No, I do not remember. I certainly asked for the loan of 200*l.*

33,233. Did you get anything for not voting at the first election of 1866?—Not at all.

THIRTY-SECOND DAY.

J. Bottomley.

1 Oct. 1869.

33,234. Did you get anything for expenses ?—Not the least. Nothing whatever.

33,235. Did you come up from Tiverton ?—No.

33,236. Were you living here ?—Living here at the time.

33,237. (*Mr. Price.*) You are a schoolmaster ?—Yes.

33,238. Do you teach your scholars in the same indirect way that you are giving your evidence ?—I am striving to tell the truth as far as I can.

33,239. (*Mr. Anstey.*) You have been described by one witness as being, and by another as not being, a minister or preacher ?—Oh, never in my life.

33,240. Then you are not a minister ?—No.

33,241. (*Mr. Coleridge*). I am told that at the election when Patton and Bagehot were candidates, and when you said that if you got 200*l.* you would vote for Patton, that you voted for Bagehot. Have you not voted twice ?—I never voted for either of those.

33,242. Well, the poll book will show. Did you vote in the election before, 1865 ?—No, I have only voted once.

33,243. (*Mr. Anstey.*) If you had got the 200*l.* loan from Mr. Smith in 1865 would you have voted for Westropp. You can answer that question "yes" or "no." If you had got that 200*l.* loan from Mr. Smith which you asked him for would you then have voted for Westropp ?—Very likely I should.

33,244. Not having got it you did not vote for Westropp ?—It had not anything to do with it.

(*Mr. Price.*) Why did not you vote for Westropp ?

33,245. (*Mr. Coleridge.*) Why did you vote for Vanderbyl afterwards ; you changed your politics completely within a month ?—The fact was, when I went to ask for the loan of 200*l.* it was because at that time I was in a little strait.

33,246. Well, I daresay. And then you said you would vote for Westropp. Why did not you vote at all. Did you get anything from the other side not to vote ?—Not at all ; nothing whatever. I was not called upon.

33,247. You were brought up from Tiverton twice to vote, were not you ?—Once only.

33,248. You only voted once, but you came twice from Tiverton. Did not Edgar Haviland bring you one time, and did not Dyment bring you the other ?—I do not remember Dyment at all.

33,249. Did you come twice ?—I only remember coming once.

33,250. Where were you living in the beginning of 1866 ? When did you go to Tiverton ?—In 1865 I think it was.

34,251. What time in 1865 ?

33,252. (*Mr. Anstey.*) Was it before the election ?—It was before the election, it must have been.

33,253. (*Mr. Coleridge.*) Then you were living at Tiverton during three elections that took place here. Is that not so ?—I think it was only two that I had to do with.

33,254. 1865, and two in 1866 which took place within a month of one another. Was it the first year you were at Tiverton that you went and said if they would give you 200*l.* you would vote for Westropp ?—I never made such a condition, never said so to anybody.

33,255. Was it in the first year you went to Tiverton that you asked for the 200*l.* ?—It was while I was here.

33,256. Before you went to Tiverton ?—Yes.

33,257. You cannot forget when you changed your abode.

(*Mr. Anstey.*) You want to go away, do you not ?—Yes.

33,258. Perhaps if you wait in Bridgwater for a short time you will remember better, in two or three days. I do not approve that you should go away when you have paid us such a poor compliment as to expect that we shall believe such evidence as you have given ?—I am not at all wishful to conceal anything whatever.

(*Mr. Price.*) The question is, whether you are perjuring yourself or not, whether you are or somebody else is ; therefore we must have it investigated properly.

(*Mr. Anstey.*) You will be here to-morrow morning, and Monday morning, and so on.

Mr. James Trevor recalled.

Mr. J. Trevor.

(*Witness.*) I find my bankers, Stuckey and Co., in this account (*producing a pass book*) give me credit for 73*l.* 18*s.* on the 15th of June 1866, in the name of Johnstone.

33,259. (*Mr. Price.*) Why that singular amount. Do they deduct income tax from your fee ?

33,260. (*Mr. Anstey.*) We had better have the entire entry ?—"1866, June 15th, Johnstone, 73*l.* 18*s.*"

33,261. Anything more ?—That is all that is entered. With regard to the singular amount, whether I had a small balance in hand as the agent of election expenses I do not know ; I think that is possible. I cannot account for it in any other way.

33,262. (*Mr. Price.*) Who are the private solicitors of Mr. Westropp, do you know ?—I should not think he had any at all. I never heard of any.

(*Mr. Coleridge.*) Not for the election ; but everybody, nearly, has got a solicitor.

33,263. (*Mr. Price.*) Who is the London solicitor ?—I do not think I can recollect at all. I do not know that I ever heard. I think he was very intimately connected with Mr. Smith. I question whether he would not have his private business as well as his election business for some time.

Andrew Allan recalled.

A. Allan.

33,264. (*Mr. Price.*) Now, Mr. Allan, just repeat what you have told us about Bottomley ?—It was at Vanderbyl's first election only, and it was about half-past 1 or a quarter to 2 o'clock. I was upstairs, in an upstairs room. I came down into my own kitchen, and Bottomley was there. That was the first time I had seen him for the day. He wanted 30*l.* to vote for Vanderbyl. I said we did not need his vote, we had won the election. He said he had come from Tiverton, and I told him as he had come from Tiverton I would give him 10*l.* if he would vote for him.

33,265. Had you never paid him at other elections ?—No.

33,266. Do you know whether he had voted at other elections ?—No.

33,267. What did he want 30*l.* for ?—For his vote.

33,268. (*Mr. Coleridge.*) Do you recollect anything about 2*l.* for expenses ?—I have heard Dyment speak of it.

33,269. Was it Dyment or Edgar Haviland fetched him from Tiverton ?—I only know from the evidence.

Mr. J. R. Smith sworn.

Mr J. R. Smith.

33,270. (*Mr. Price.*) You are a justice of the peace here ?—I am.

33,271. And were formerly in business as a pawnbroker ?—I was.

33,272. We do not want to examine you at great length to-day, but what we immediately called you for is to give us some information if you can as to how this transaction at the bank of this 500*l.* through Mr. Mogg and Mr. Lovibond became known at the "Clarence" on the day of the polling ?—It became

known to me and Mr. Trevor and Mr. Brice through these means: a Mr. John Hayward, who was a timber merchant of Wellington below Taunton, had seen something between Dr. Kinglake and Mr. Sealy's bank which was also witnessed by Mr. Richard Slocombe the cabinetmaker, and that is how the information was conveyed to us.

33,273. How do you mean?—Dr. Kinglake was seen to go into the bank just previous to the time the bribery commenced with the Liberal party.

33,274. Are you quite sure about that?—The information was given by John Hayward to me, and I think you will find in the brief that Mr. Slocombe has given evidence to that effect.

33,275. Who is John Hayward?—He is a timber merchant at Wellington.

33,276. He informed you, Mr. Brice, and Mr. Trevor that he had seen, he Hayward had seen——?—He had seen Dr. Kinglake go into Mr. Sealy's bank.

33,277. On the day of the polling?—On the day of the polling, about 1 o'clock I think you will find.

33,278. (*Mr. Coleridge.*) That might be, he went away with the half-past 1 train?—It was about 1 o'clock, and then immediately afterwards great activity was observed in the opposite party, and the same Mr. John Hayward called Slocombe's attention to this fact.

33,279. As far as we have heard there was no money going up to quarter past 3 on that day?—That is the time fixed by the Liberal party, our party believes it was earlier. The two gentlemen will tell you.

33,280. (*Mr. Anstey.*) It also tallies exactly with the moment at which Honeyball said to Mr. Prior, "Never mind, sir, the battle is not lost yet"?—That was between 1 and 2. I do not think it was so late as that.

33,281. As this man is here I may as well ask you the question. Did this man who has just been examined ask you in 1865 for a loan of 200*l.* on condition of giving his vote to Westropp?—He was a tenant of mine, and he came in to pay his rent. I gave him the receipt for the rent, and I was about to leave the room, and he said, "Now, to business, Mr. Smith." I said, "Business, what business, Mr. Bottomley? I "thought I had finished with you," and he said, "I "am in want of some money, do you think any of "your friends could lend me, or supply me," I think the word was, "supply me with 200*l.* I cannot give "any security for it. I cannot pay any interest for it; "if I am ever able I will pay it back again."

33,282. (*Mr. Coleridge.*) How long before the election was this?—It was to pay his Midsummer rent, so it was between Midsummer and the July election. Mrs. Bottomley was present at the time.

33,283. Did she say anything?—He went on to say—I laughed at the idea—and he said, "Well, if you will not do it, I shall go to the other party," and I believe he did go to the other party.

33,284. And got 10*l.*?

33,285. (*Mr. Anstey.*) No, no, this is 1865. You had asked him for his vote?—No, never.

33,286. I mean in 1865?—No; he said that if any of our party would supply him with the money he would vote for Westropp. I never canvassed a tenant in my life.

33,287. I want to know about the connexion between the 200*l.* and his vote?—He connected it together in his way. He said if our party would supply him with 200*l.* he would vote for Westropp, and if not he should go to the other party. I advised him to go to them.

33,288. You are sure the rent had accrued due, it was not rent to fall due?—The rent was never paid in advance.

33,289. (*Mr. Price.*) This 200*l.* would not be for his rent?—His rent was 45*l.* a year.

33,290. (*Mr. Anstey.*) The advantageous point in a commercial point of view was this, that he had no security to offer for it, that he had no interest to pay, and he would only pay the principal upon a contingency, it was therefore as nearly as possible a gift of 200*l.*?—I looked upon it as that.

33,291. (*Mr. Price.*) We have heard the part you have taken in elections. I do not know whether you wish to make a statement, or whether we shall put questions to you. There is one very important question which I know impressed itself upon the minds of all of us, and especially upon the mind of one of my brother Commissioners, it is about this expression at the public meeting, "M.D.," and "sugar your plums?"—I will give you my version, and then I will ask you to call the gentlemen who were present.

33,292. (*Mr. Anstey.*) Will you give us the name of the Mr. Slocombe?—Richard Skinner Slocombe, who is here in this street.

33,293. The other is John Hayward?—John Hayward, timber merchant, Wellington.

33,294. (*Mr. Price.*) Just give the history of the meeting?—It was a meeting called the Conservative Working Men's Association. When I came in the meeting was in course of progress. I had during the day received through the post office an anonymous bill offering 100*l.* reward to the briber and the bribed, and on the fly leaf of the envelope was written, "Your attention is called to this," or "Read this," something to that effect; and I said, in the course of my observations, "I have received this paper to-day which "has emanated from the Liberal party. This is the "old dodge which they have adopted previous to "many elections. This is an old dodge which they "have adopted previously to the elections. I do not "believe in their boasted purity." Someone in the room said, "They are promising already." My observation then was, "Do not be deluded by promises "which will never be fulfilled; do not be induced to "forsake your party under any circumstances; but if by "any means you become traitors to the party, remember the American adage, M.D.;" and someone in the room said, "Money down." Those were the words.

33,295. It was not intended in any way to tell the supporters of your side that they were not to be gulled by promises from their own side, but to require money down?—Certainly not, in a room of 150 persons, a mixed assembly.

33,296. Well, that of course is a matter of argument; we are only asking the fact?—Certainly not; the words which I have repeated are word by word what was said, and I can give you the names of other gentlemen.

33,297. We have had it from two persons?—I was going to tell you with reference to those two men.

33,298. I do not think you need?—I was going to call your attention to their character. Mr. Henry Heard was present.

33,299. We have had it already given in your way by one, but still if you have got others?—Mr. Henry Heard was present; Mr. Batten was present.

33,300. Mr. Batten I think has told us?—And there was a person of the name of Lewis, who is a traveller for a brewery; he was present. And there was a poor man of the name of King, who has come to me and was prepared to give evidence on this subject. William King is a painter in West Street; I have never spoken to him before in my life; but since this has been on he has come to me and said he was prepared to give evidence upon this subject.

33,301. Now we will come on to the other elections?—The first election I voted at was about 1852.

33,302. (*Mr. Coleridge.*) Lord Henley's election?—It must be about 1852; I got into business in 1849.

33,303. There was an election in 1847, and one in 1852?—1852 I voted for Follett and Mansell, and took no other part in it.

33,304. (*Mr. Anstey.*) May I ask your age, Mr. Smith?—48; I was born in 1821. In 1857 I voted for Follett and Tynte, and took no part in that beyond that. In 1859 I nominated Mr. Westropp and voted for Mr. Westropp and Mr. Padwick, and in the course of that nomination there was an ob-

THIRTY-SECOND DAY.

Mr. J. R. Smith.

1 Oct. 1869.

servation made use of by me; there was a great disturbance on the Cornhill; there was a flag exhibited, something in reference to Mr. Padwick, and Mr. Padwick was a perfect stranger to me; and Mr. Benjamin Lovibond had been lecturing Mr. Padwick on legal morality; and when it came to my turn to nominate Mr. Westropp, I said that Mr. Benjamin Lovibond was the last gentleman who should have made such remarks, for he himself had been convicted of having presented a forged petition to the House of Commons, and compelled to beg pardon. Immediately after the election, although the facts were true, some steps were taken to bring an action against me, which I think my brother settled.

33,305. (*Mr. Coleridge.*) Did you pay to settle it?—Not a farthing. I did not know the action was about to be commenced until my brother told me afterwards, some time afterwards.

33,306. It was not commenced then?—That I cannot tell.

33,307. Were you ever served with a writ?—I was not. In 1865, Mr. Westropp and Mr. Kinglake and Sir John Shelley came; I voted for Mr. Westropp and nominated him, and after the election I paid, by my nephew's directions, money for carrying the banners, and that money was refunded to me in similar way, I think in the same name as Mr. Trevor's, at all events by a sort of bank post bill payable to myself, made payable by a strange name.

33,308. What did you pay these men?—*5s.* a day. I had nothing to do with paying them. I was only the intermediate agent.

33,309. For how many days?—Two days they would be employed, the nomination and the election, in June 1866.

33,310. (*Mr. Anstey.*) Do you remember Joseph Stoodley at Pimms's, "Golden Anchor," at the election in 1865?—No, I do not remember, but I will speak to that point. One morning early I went into that neighbourhood; I would not swear I did not, I am not certain I did or did not see him; I went into the "Golden Anchor," not the "Golden Lion;" I went to see where the band was on the morning of the election, and I ran into the club room to see if the men were there, and they were not there; I was not an eighth of a minute. He might have been in the room, some eight or ten men were at breakfast.

33,311. And William Heal?—No.

33,312. And Cooksley?—I was not aware they were not there. I never spoke to anyone.

33,313. Stoodley identified you as being there that morning, when he was bribed there?—It is very likely Stoodley would know me and I should not know him.

33,314. That he saw you there about three-quarters of an hour before he polled?—The time I was there was before 8 o'clock, or about 8.

33,315. Mr. Westropp was about with you, was he not, during the canvass, and on the day of the poll?—In his single-handed election?

33,316. We are talking of the one of 1865?—In 1865; I do not think I ever canvassed a person then.

33,317. Did you accompany him?—On his canvass?

33,318. Yes?—I think not.

33,319. Never?—At the last election I called on four parties with him. I do not think I ever canvassed with Mr. Westropp or any other candidate in my life, with the exception of the last election. Mr. Westropp asked me to call at four places.

33,320. But you seconded him?—I did.

33,321. Was there an understanding between you and him that though you were to second, you were not to accompany him in his canvass?—No; I was busily occupied in business at the time, and I could not afford to give the time up to go canvassing.

33,322. Did you speak to voters on his behalf?—To the best of my belief never.

33,323. Not one?—No, to the best of my belief never.

33,324. Do you remember Crewes being examined before the House of Commons—a man called Crewes?—No, I do not know.

33,325. I do not suppose you do know him. He was a reporter to a newspaper—the "Bridgwater Mercury." Do you remember Mr. Lilly and Mr. Smith—(either the Mr. Smith who is away in Australia or the one who is away at Teignmouth)—and Mr. Boys and the man Stroud (who has also disappeared) being present on the night of the arrival of Mr. Westropp?—At the "Clarence?"

33,326. I do not know where, but you were all altogether?—At a meeting in this hotel.

33,327. Well, now, did you take any part in the proceedings?—Not at that meeting.

33,328. Go on then, if you please, with 1866. Or, by-the-by, before you come to the election of 1866, there is rather an important question about the proceedings of the election trial before the committee; what relation are you to the solicitor who had the conduct of that election petition, Mr. Richard or Mr. Bealy Smith?—Mr. Richard Smith is my brother. Mr. Bealy Smith is my nephew.

33,329. Now, have you been living in the same house with Mr. Richard Smith's wife who was examined here yesterday?—No, I never have been living in her house, and I have never spoken to her or my brother for 12 years.

33,330. You are not on speaking terms?—No, with neither of them.

33,331. Then it is useless to ask you whether they consulted you about some papers that related to the election petition of 1866?—I have never seen my brother's wife since my father's death.

33,332. Have you been consulted?—Never, by no one.

33,333. Have you heard anything of those papers?—I read about them in Mrs. Smith's evidence yesterday.

33,334. That is all you know?—Yes.

33,335. Mr. Lilly has been consulted by them?—I do not know.

33,336. Can you throw any light upon the fact which we have that those papers have disappeared?—Not the slightest.

33,337. Then go on?—There is one thing in connexion with that. Mr. William Heal stated in his evidence that he came to my house, and that his evidence was taken down by Mr. Thomas Boys. My nephew asked me if I would allow the use of my room for one of his clerks, to take down the evidence of a person who would not go to his office to give the evidence. I did not know who the party was.

33,338. Did not know who who was?—I did not know who Heal was.

33,339. I thought you said you were not on speaking terms?—That was with my brother. My nephew brought Heal to my house, and Heal dictated to him the evidence verbatim, and it was taken down by the clerk; and after it was taken down by the clerk he read it over to Heal, and Heal signed it.

33,340. Did you either say anything, or hear anything said, to the effect stated by Heal, "If you go "back from that statement before the House of "Commons we shall produce it and convict you"?—Not a word.

33,341. Did Heal appear in any way unwilling?—Not in the slightest degree.

33,342. Neither then nor at any subsequent time?—I never saw him after.

33,343. Now the 1866 election, Patton's?—I nominated Mr. Patton, or I think Mr. John Trevor nominated him, and I seconded him; and I voted for him. At about 11 o'clock in the day it was represented that the election was lost. The Liberal party had got up a large procession in the town, and boards were pasted all over with buff placards—"The cannons will fire at 4 o'clock;" and just previous to that a man had rushed into the "Clarence" hotel, saying that he had been bribed by the Liberal party with 10*l.* I think that man's name was Hooper. I

went out on the balcony and said, "This is the case: this man has been bribed by 10*l.*;" and so certain were we that the election was lost that we went home. After I had been home some little time I was sent for, I should think; and when I came to this hotel I found Mr. Westropp here. He said, "Can you lend me some money?" I said, "I do not know; I will go home and see." On my way home I met a person by the name of George Chapel Harden. I said, "Harden, can you lend me any money?" He said, "Yes, I think I can;" and he gave me a purse with some money in it. I went indoors and found some more money, and put it into my pocket—I think 15*l.* more—and came back to this hotel. Mr. Westropp said, "We don't want it." Consequently it never left my pocket, and I took it home and paid it again the same evening to Mr. Harden, or the very first thing the next morning. I dined here that evening in this room, with Mr. Westropp, Mr. Patton, and the leaders of the party. After dinner Mr. Westropp said to me, "I wish you would give this to Moore," giving me a small parcel, which I took to Moore, the draper, the next morning.

33,344. How do you spell his name?—I think it is Moore. It was a parcel which I took to him the next morning. I found that it had become patent to everybody that the money was borrowed. At the time I was asked for the money my impression was that the money was wanted by Mr. Patton and Mr. Westropp, to go away. When I was asked for it nothing was said to me what it was wanted for, but I found out when Mr. Westropp gave me this parcel and said, "Give this to Moore." I was perfectly certain that money had been borrowed from other parties besides myself, and I began to fear what was the fact about it.

33,345. How had it become patent to everbody that it was borrowed?—It was talked of, and there seemed no secret made of it. The next morning everybody knew that 300*l.* had been raised amongst the people in the town.

33,346. Did you see the man to whom the money was given for distribution?—No.

33,347. Never? — Never. I shall come by-and-by to a gentleman who called upon me, if you will allow me.

33,348. Well, after that election? — After that election Mr. Bealy Smith sent into my house by one of his clerks some money, asking if I would allow one of my young people to pay some bills, which she did; and the bills were sent back to Mr. Bealy Smith immediately. I should say that would be three weeks or a month afterwards, and amongst those bills I find now (which I was not aware of until this Commission commenced) that there was some money paid that had been borrowed. First of all there was a sum to Mr. Hodges, and there was a sum to Mr. Tout, and a sum to Mr. Buffet the tailor, and to Mr. Cooper.

33,349. Was it that Mr. Cooper who was examined before us the other day?—Yes.

33,350. Who said that he had been to the "Clarence" at the last election?—I have not come to that yet.

33,351. No, no; but is it the same man?—It is the same person. And there was also paid some bills for the carrying of colours at the same time. Mr. Bealy Smith sent the money in, and I think his clerk will be able to establish the truth of that. At the next election of Patton, Mr. Vanderbyl was a candidate. I then seconded Mr. Patton and voted for him. I knew nothing as to that until after the election. A day or two after the election Mr. Batten called upon me and said, "You must pay me this money," producing a bill. I said, "No, I have given no orders. I shall not pay it." Then he said, "Mr. Bealy Smith has sent me to you." My answer was, "I shall not pay it until I have seen Mr. Bealy Smith." I went into his office and asked him if I was to pay it, and he said, "Yes;" and I paid it. Mr. Batten gave me a receipt signed by two of his firm. And there was also paid at that election something for the carrying of colours, through a young person in my shop; also some few small public-house bills.

33,352. You were going to say when I asked you about the stranger, the man who distributed the money, that you should come to that?—Now I am coming to it. This election took place on the 12th of July 1866. Somewhere about the 9th or 10th of August—I can fix the day, because my sons went back to school the next day—somewhere about the 9th or 10th of August, that is a month afterwards, a gentleman called at my private residence while I was at dinner, and asked to see Mr. Smith. He was shown into the room, and he said, "I am come down from "London in reference to the last election. The parties "are not satisfied with what has taken place." And I said, "You must have made some mistake, it must be Mr. Bealy Smith you want;" and he said, "Will you answer me a couple of questions?" I said, "It depends entirely on what they are." The first question he put to me was this: "What do you think of Mr. Waddon?" I said, "I believe him to be as honourable a man as there is in Bridgwater." Then he said, "What do you think of Mr. Newton?" That is the butcher that is in America, and I said, "I should "rather not have anything further to say, and unless "you get me some introduction, I shall say no more "to you." I went back to my dinner table, and I was much struck with the conversation. I was not with him five minutes. I said to my son, "I wish you would look after this man," and I said so to my wife. He had to pass the dining-room window, and they looked after him. Now if that is the mysterious stranger that is all I know about him.

33,353. You believe it was?—From the evidence given before the Commission, I should think it was the gentleman.

33,354. I do not understand what you understood to be his object in asking these questions?—That things had gone wrong in money matters at the last election, and that he was come down to put the matter straight.

33,355. What was the object of asking you about the character of these two persons?—I cannot tell.

33,356. Were they persons with whom you understood him to be in communication?—No, I knew nothing of him.

33,357. No, but from what he said, did you understand that he was communicating with those persons?—No.

33,358. Or on his guard against them?—It seemed to me as if he wanted to find out whether these were likely men to have done right with what had been trusted to them.

33,359. Did you know that Waddon and Newton were men who had been trusted?—I did not know that Waddon had.

33,360. Did you know that Newton had?—Before this gentleman had called on me it was talked of very commonly in Bridgwater that Newton had abstracted monies; it was talked of.

33,361. Well, that is all you know about the supposed stranger?—That is all I know about the supposed stranger.

33,362. Had you ever seen his face before?—Never in my life, that I am aware of.

33,363. You could not recollect having seen him as a boy?—No. I will give you a description of the man. He was a very gentlemanly man in appearance, with a nice moustache, very nice head of hair, nice whiskers, and he wore jewellery. I noticed that particularly, it was my forte; I had been in the business for years. He had a nice diamond pin in his tie.

33,364. Do you mean they were very rich, or in good taste?—Well, he was dressed gentlemanly.

33,365. (*Mr. Coleridge.*) You have never seen him since?—Not that I am aware of.

33,366. (*Mr. Price.*) Did he seem to know you, or anything about you?—Well, I cannot tell. He knew me as Mr. Smith, because he came to my private residence.

33,367. He came first of all and asked for Mr. Smith?—Yes.

33,368. And when you saw him did he speak to

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you at once as if he knew you to be Mr. Smith?—He said, "It is Mr. Smith, I presume."

33,369. You said, "You must mean Mr. Bealy Smith"?—I said, "You must mean Mr. Bealy Smith."

33,370. (*Mr. Price.*) What did he say?—He said, "Will you answer me a couple of questions?"

33,371. (*Mr. Anstey.*) He did not acknowledge?—He did not acknowledge anything, and it is only of late that I have talked this matter over; I have kept this matter secret. This man has been to my house on many occasions. My son was present; I called his attention. He was going to call the very next day.

33,372. Was it about dinner time?—It was half-past 1 in the day.

33,373. Had you heard that day that a mysterious man had come to Bridgwater?—I had heard it from the evidence given before you.

33,374. Not until that?—Not until that.

33,375. Now the next election?—The next election would be the last?

33,376. Yes?—My first connexion with that election was this, that Mr. James Trevor and Mr. Brice asked me if I would see Mr. Westropp; Mr. Westropp had expressed a wish to see me. I went there; Mr. Ruddock preceded me. I had some business to attend to in the morning, and I did not get up until the express. I found Mr. Westropp; I knew him very well indeed. He said, "I want to ask you as a friend what you think my chances are at Bridgwater?" and my answer was this, "If you come down to Bridg-"water, and there is an honest election fought, I "believe you will succeed, and you may succeed in "drawing in a friend with you; but mind, your popu-"larity will not stand, sir, against another man's "money." His answer was—Mr. Ruddock was present—his answer was this: "Nothing on earth shall "tempt me; nothing on earth shall tempt me to spend "one shilling beyond legitimate expenses, neither "will I come with any other gentleman that will."

33,377. By that answer of his it is quite clear that he understood you to mean when you said that his "popularity would not stand against another man's money," that if he wished to succeed he must have money too?—No.

33,378. What then?—What I said first to him was this, "If you come down to Bridgwater, and both parties fight a pure election, you will win."

33,379. I know, but then when you said, "Your "popularity will not stand, sir, against another man's "money," did you not mean that if he was to succeed, and they were bribing on the Liberal side, he also must bribe?—No. I gave him to understand this, that if the other party bribed he would have no chance, because he had said to me beforehand, "Nothing shall tempt me to spend a single shilling "beyond the legitimate expenses."

33,380. I put it so. You led him to understand this, that if he fought a pure election, and the other side began to bribe, his popularity would not avail—would not save his election?—It is pretty clear what he must have understood. It is patent to all the world, to everybody in Bridgwater, that no matter who the man is, if he came down the night before the election, and brought plenty of money, he would win?

33,382. That is, supposing the other side is pure?—Supposing the other side is pure.

33,383. But supposing the other side is impure, it is a different question?—Then it is who gives the most money. I saw nothing more of Mr. Westropp until he came with Mr. Gray; I knew nothing of Mr. Gray until he came as a candidate, and called upon me. At the election Mr. Westropp was nominated by Mr. Parker, and Mr. Gray asked me if I would nominate him, which I did, and I voted for Mr. Westropp and Mr. Gray. The night before the nomination I was present when the occurrence took place in this hotel, which Mr. Trevor has described to you to-day. I was sent for from my home; I had gone home because through the election the legal gentlemen, Mr. Brice and Mr. Trevor, said that the election would be void if one single shilling was spent in bribery. I had gone home, and it had gone out that no money would be spent; and I should think about half-past 8 I was sent for to go the "Clarence," and when I came here I found they were in a great state of excitement. They were dissatisfied that no money was going to be spent, and said something ought to be spent. They said the other party was spending—that was the observation—that as the other party were spending, it was quite certain to every one that the election could not be won, unless Mr. Westropp was prepared to spend money. They were told by myself, in very strong language, and Mr. Trevor and Mr. Ruddock who was present—Mr. George Bond was in the chair—that the gentlemen had determined from first to last not to spend a single shilling. There was then a talk of retiring. It was said, "It is no good to fight; the other party "is spending; we shall have no chance. We must "go home and go to-bed." Then there was some talk that Mr. Westropp and Mr. Gray should retire; and I thought myself that if the gentlemen who had taken an active part resisted, or refused to take any active part the next morning, it would be only making fools of Mr. Westropp and Mr. Gray to go to the poll, and that it would be wise for them to retire. That was my idea, rather than make a foolish display at the poll on the next morning. I left this room, this adjoining room, and went home with Mr. Lilly. The next morning at 8 o'clock, I went and voted, and I did not go out of doors till I was sent for. Mr. James Trevor first of all came to me. I had left word; first of all, I may be allowed to say, I had made up my mind as a public man—I have been a very public man in Bridgwater in all matters—I had made up my mind that nothing should induce me in any shape or form to put myself in a position in which a person should say that I was contaminated by anything like countenancing or having to do with bribery. Mr. Patton's election, when the money was drawn together, had so frightened and annoyed me, that I thought probably the next day, in the height of excitement, if they ran close, there might be some effort to raise the money in the same way; and I voted at 8 o'clock, and I gave word to my servant to say, "I shall not be at home, come who may, during the day." Mr. James Trevor came to my house, and he was told so, and he left without seeing me. He came back to this hotel, and sent for me by my son, who was the only one who could approach me, because I had given word I could not see anybody. I came over to the hotel. Mr. Trevor said, that there had been a great talk that money ought to be raised to win this election, that certain gentlemen fancied the election might be won by a certain sum of money, and that 500*l.* would be a matter that would make the election safe beyond all doubt. I said to Mr. Trevor, "If 5*d.* will save this election, I will "neither lend, nor be the means of lending it. My "own liberty is at stake; my position and my home "is imperilled by that act, and I would rather lose "1,000*l.* than spend a single shilling."

33,384. You were, or had been the mayor?—I had just ceased to be. Mr. Trevor said, "I am pleased "to hear you still so firm to strengthen myself." I left him, and went home, and did not come out again until 7 o'clock in the evening. Then in reference to the petition. On the Sunday previous to the petition being presented on the Monday, Mr. Carslake called on me immediately after I had come from church, and asked me if I would see some few of my friends, and induce them to prevent the petition from being presented; and after talking over why it should be this, that, and the other, I consented that I would invite half a dozen of the leaders of the party to my house that evening, and talk the matter over. When Mr. Carslake had left the house, a ring came to my back door, to say that I was wanted at Mr. Brice's. When I got to Mr. Brice's I found that Mr. Cook had seen Dr. Farmer, that Mr. Reed had seen Mr. Lilly, that Mr. Lovibond had been to Stowey and fetched Mr. Trevor,

and consequently, we were all brought together at Mr. Brice's rooms. The subject was talked over. The Liberal party were prepared to give up one, or even two of the seats, and Mr. Trevor said, "I am poorly, "Smith, I cannot afford to lose a night's rest; I will "go on to London by the 6 o'clock train. You invite "a few of your friends, or a few of the friends of the "party to your house, and come up by the mail train, "and let us know next morning the result." I invited 12 parties to my house; but previous to the meeting at my house, the Liberal lawyers, and the Conservative lawyers had gone through the town in a fly together, and it had raised a perfect commotion in the town, that these gentlemen were going to London to sell their parties, and settle the petition. I invited 12, but instead of 12, 150 came. I had to barricade my door to keep them out.

33,385. I think we had that; that they cried "No surrender."—I will come to that.

33,386. I do not think it is material to the point?—I went to London. After the meeting at my house was over, Mr. John Trevor and Mr. Ruddock came, and talked with me for half an hour; and Mr. John Trevor said, 'Go up and tell my brother the result of this excitement."

33,387. When you went up to London you did not see either Mr. Kinglake or Mr. Westropp?—I saw Mr. Westropp.

33,388. I mean Mr. Kinglake or Mr. Vanderbyl?—No.

33,389. Therefore we will not trouble you about that?—I went to London and made an arrangement to meet——

(*Mr. Price.*) We have examined before about that.

33,390. (*Mr. Anstey.*) You were going to mention something about your nephew and your position towards him?—My position towards my nephew has been of this character, that since my brother has been married a second time there has not been that friendship——

33,391. (*Mr. Price.*) We do not want to go into any private affair?—That was all.

33,392. (*Mr. Anstey.*) But did he go to your house and talk about electioneering matters?—He never came to my house in his life.

33,393. Not your nephew?—Not my present house, nor my place of business.

33,394. But he took your rooms?—No; his clerk brought a message. His clerk came and asked if I would give up the rooms.

33,395. Have you heard from him since he went to Australia?—Never.

33,396. Nor of him, except through his mother?—I heard from his mother yesterday.

33,397. That was all?—That was all.

33,398. Did I understand you aright; I did not want to interrupt you at the time, did I understand you to say that you always held bribery in horror?—Well, I never had anything to do with bribery.

33,399. Surely you do not deny taking part if not in the distribution at least in the gathering together of bribery funds?—I did unfortunately that one time.

33,400. Only that once?—Only that once in my life.

33,401. Did not you in 1865 take part in raising the funds or in distributing the funds?—Oh no, except paying some bills. They were paid through the young men in my employ.

33,402. Indirectly therefore you had.

33,403. (*Mr. Price.*) You paid back the money subscribed?—A portion of it. You will find that portion of it—I have taken the trouble to ascertain the amount—is about 60*l.* or 70*l.*

33,404. (*Mr. Anstey.*) You are aware, of course, that Mr. Westropp's return was procured in 1865 by very extensive bribery?—There is no doubt about it now.

33,405. And also Mr. Patton's in 1866?—No doubt of it.

33,406. And Mr. Vanderbyl's in 1866?—No doubt of it.

33,407. Notwithstanding that money was spent on the other side?—No doubt the town was deluged at that election with money.

33,408. And you had some part in the raising of funds on how many of those occasions?—At Mr. Patton's first election.

33,409. Only that?—Never besides.

33,410. Whence came Mr. Westropp's money in 1865?—I have not the slightest idea.

33,411. Do you know we have asked about his banker, and the answer has been made by more than one witness that he probably required no banker, because he had great financial confidence in Mr. Joseph Richard Smith?—Not me; that is a mistake.

33,412. Mr. Westropp had?—That is mistake. He had no financial confidence in me.

33,413. Did he never lodge money with you?—Never a single shilling.

33,414. Did he never draw money out of your hands?—Never a farthing.

33,415. Or procure money on your credit?—Never a farthing.

33,416. Then where did he bank, or how?—In London. His bankers failed about the time he was here.

(*Mr. James Trevor.*) Bainbridge.

(*The witness.*) Bainbridge. I know it was Bainbridge for the reason that while I was churchwarden at Trinity he sent me a cheque for 5*l.* on that bank towards raising a new organ.

33,417. (*Mr. Anstey.*) On Bainbridge's?—Yes.

33,418. After they had failed?—No; but some time during his connexion with Bainbridge's.

33,419. Was that a bank of issue or a London bank?—A London bank.

33,420. Then it was not a bank of issue?—No, a London bank.

33,421. They had not failed at the time of the election?—No, I think I heard of it somewhere about Mr. Patton's election.

33,422. Then where did he bank at the time that he raised money from you, or through you, at Mr. Patton's first election?—I have not the slightest recollection.

33,423. Do you think he has a banker at all?—I never had the distribution of his funds.

33,424. Have you any idea whether he was like Mr. Gray, a moneyed man or not?—I have heard gentlemen say so.

33,425. You do not know?—I know nothing of him more than his being brought to the town.

33,426. Do you know whether Mr. Westropp or Mr. Gray drew cheques at the last election or since?—I do not know. I have had nothing to do with finances in any shape or form, beyond that unfortunate——

33,427. Then it is quite a mistake to suppose you could supply the place of a banker to him?—Oh no, I wish I could.

33,428. Or give us the information which a banker could give?—I cannot give any more in that direction.

33,429. (*Mr. Price.*) Did you make any advances?—Never a shilling beyond this money which was never used. I took it from my pocket, and it was paid back the next morning.

33,430. Is there anything further that you can give us any information about?—There may be little things which I may have forgotten. I did not know that I was going to be examined.

33,431. When Mr. Westropp was first mentioned in the borough, who was his godfather?—I should say my brother. I should say my brother was the leader of the party.

33,432. Your brother the lawyer?—My brother Richard Smith, the lawyer. I have met my brother once since his illness, in the street, and I shook hands with him in the street, and he scarcely knew me.

33,433. (*Mr. Anstey.*) How long ago?—A year

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and a half. It was a most painful meeting to me. It is most painful to me that my brother in his illness is severed from me; not only from me, but every branch of his family; and the only observation I made was, "Well, Richard, I am pleased to shake hands with you once more," and he looked very vacantly at me and said, "I have been an injured man.

33,434. There was embarrassment on both sides, no doubt?—Where?

33,435. On his side embarrassed feelings in consequence of the long separation?—Well, sir, the separations are not his.

33,436. What?—The alienations from his family are not his.

33,437. Never mind that. But it is a matter of fact that at the moment you met him there had been a long severance of friendship and connexion?—Yes.

33,438. (*Mr. Coleridge.*) There is no alienation between him and his son, Mr. Bealy Smith?—There was, unfortunately, if the tale could be told.

33,439. But it is not so now; they are on good terms now?—I question whether it is not a sort of semi-good terms, from what I hear.

33,440. (*Mr. Anstey.*) We have it in evidence, Mr. Smith—I do not want to pain you, if it does pain you, by referring to it—but we have it in evidence, that your brother after judgment had been obtained against him in the *qui tam* action in 1838, rather than pay the penalty and costs, went to the Fleet and passed through the Insolvent Court?—He paid the costs after that. My father paid the costs after that, and I think you will find that judgment was not entered against him.

33,441. We have it in evidence that he took that course, and that he objected to pay the penalty; is that so?—It is, according to my information and knowledge; but I was a young man, much younger than him.

33,442. What has become of the plaintiff Webb, to whom that money is due?—Dead.

33,443. What was he?—He drove a little omnibus between this and Taunton; and immediately after this he was taken into the employ of Mr. John Browne as foreman in his brickyard. He was taken up and adopted by Mr. John Browne as foreman.

33,444. Do you know what your brother's reason was for not allowing his father to pay the penalty?—I have no idea.

33,445. But you say the costs were afterwards paid?—I am told the costs were afterwards paid,

33,446. To the attorney?—To Mr. Benjamin Lovibond; or at all events the compromised costs.

33,447. But you cannot throw any light upon the reason that induced your brother to refuse?—Not the slightest. There was another circumstance which has occurred in the evidence, which I had forgotten, and which I intended to put straight.

33,448. (*Mr. Price.*) Be quick about it then?—I had forgotten it. Something has been said; I intended to have brought my notes, but I did not think I was going to be examined.

(*Mr. Price.*) Well, we will have it another time.

Adjourned till to-morrow morning at half-past 10, at the "Clarence" hotel.

THIRTY-THIRD DAY.

Saturday, 2nd October 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.

DE TRACY GOULD, Esq., Acting Secretary.

THIRTY-THIRD DAY.

Mr. B. H. Tromp.

2 Oct. 1869.

Mr. BENJAMIN HUMPHREYS TROMP sworn.

33,449. (*Mr. Price.*) I will ask you a few formal questions. What are you?—A solicitor.

33,450. Where are you in practice?—In London.

33,451. Are you in partnership?—No.

33,452. By yourself?—Quite alone.

33,453. How long have you practised in London? I took out my certificate last year.

33,454. Before that what were you?—A clerk.

33,455. In whose office?—In the office of some gentlemen in London.

33,456. You had better give their names?—Well, as I am still partly engaged with them, and they know nothing whatever of my coming to Bridgwater, and matters connected with elections, I should very much prefer, if you will allow me, not to disclose their names. Your Secretary served me at their office on Monday last, and he can inform you.

33,457. It is only of importance, it strikes me, with regard to a cheque or the payment of some money when the name of a gentleman of the firm we suppose you to belong to was used; it may not be the same individual who signed that cheque?—If you will name that firm I will at once state.

33,458. Johnstone, Farquhar, and Leech?—Yes.

33,459. It has been proved to us by one of the lawyers, Mr. James Trevor, that there was a cheque with the name of Johnstone in it?—Johnson?

33,460. Yes?—I am quite sure that that cheque never came from Johnstone, Farquhar, and Leech.

33,461. (*Mr. Coleridge.*) It was not a cheque of Johnson's, but merely some money paid into the bank, and Johnson's name was used in paying it in, and it appears so in Mr. Trevor's pass book?—I never paid any money into the bank in the name of Johnson or Johnstone, or any monies connected with this election. I declare to you that up to this hour I am positive that, with the exception of the late Mr. Farquhar, with whom I was intimately acquainted, Mr. Johnstone has been dead, and Mr. Leech is the surviving partner. No member of that firm knows anything of my having been down.

33,462. (*Mr. Anstey.*) This was in 1865 or 1866?—In 1865 Mr. Johnstone was living; he knew I came down, no other member of the firm knew.

33,463. (*Mr. Price.*) Before going further, I must ask is Harden or Temblett here?

(*Mr. Temblett.*) Yes.

F. C. TEMBLETT recalled.

33,464. (*Mr. Price.*) Is this the gentleman?—That is the gentleman. I am only surprised to find that he was ever connected with the town.

33,465. But that is the gentleman?—Yes.

33,466. (*Mr. Anstey.*) You handed in after the Commission rose yesterday a letter you found among some papers?—Yes.

33,467. Whose papers did you find that letter among?—I found that letter among my own papers.

33,468. Whose signature is "W. T."?—I cannot say.

33,469. From whom do you suppose it to come?—I should think it came from this gentleman.

Mr. B. H. TROMP recalled.

33,470. Is that your handwriting (*handing the letter to the witness*)?—It is not my usual handwriting.

33,471. But did you write that letter?—I did. Will you allow me to read it?

33,472. Certainly. (*The witness read the letter.*)

33,473. (*Mr. Price.*) Are you a native of Bridgwater?—Yes.

33,474. Did you serve your articles in Bridgwater?—No.

33,474*a*. Were you a clerk in Bridgwater in an attorney's office?—I was.

33,475. How many years ago?—I left Bridgwater 21 years ago.

33,476. Whose office were you in while you were here?—Mr. Alfred Copp's.

33,477. How old were you when you left Bridgwater?—Eighteen years; I am now 41.

33,478. Had you been intimate with Mr. Smith?—I had been in the office of Mr. Richard Smith, who is now ill, about six or nine months before I went to Mr. Copp's.

33,479. That was your first situation then?—Almost the first.

33,480. Who did you serve your articles with?—Messrs. Johnstone, Farquhar and Leech.

33,481. You were a salaried clerk at Mr. Smith's I suppose?—Yes.

33,482. And also at Mr. Copps?—Yes, certainly.

33,483. And then, when you left here, you served your articles?—When I left Bridgwater I entered the office of a firm of solicitors in London, with whom I remained no less than 13 years, and I left them to go to Messrs. Johnstone, Farquhar, and Leech's, as managing parliamentary clerk.

33,484. Who were the firm you were with before that?—Messrs. Harrison, of Walbrook, in the city of London.

33,485. Do you know anybody of the name of Gurney in Walbrook?—I do not.

33,486. Is there such an attorney in Walbrook as John Gurney?—I am not aware of it.

33,487. Was there any person of that name in this office your are speaking of?—No.

33,488. Do you know any clerk of that name?—I never knew a gentleman of the name of John Gurney in my life.

33,489. You say you left Bridgwater when you were 18?—I did.

33,490. And went to those people in Walbrook?—Yes.

33,491. And from them you went to Messrs. Johnson, Farquhar, and Leech?—Yes.

33,492. To be their parliamentary clerk?—As managing parliamentary clerk.

33,493. Did you manage their parliamentary business?—Partly; but my special department was connected with railways, in getting up books of reference, depositing plans, preparing briefs, and attending committees, and other matters of that nature.

33,494. As a rule, I believe Messrs. Johnson, Farquhar, and Leech have nothing to do with parliamentary business, except private bill business?—None whatever.

33,495. (*Mr. Coleridge.*) And the Great Northern Railway?—Yes; they never had election business of any sort or description, I am quite sure.

33,496. (*Mr. Price.*) When were you first put in communication with anybody in this borough as to coming down here with regard to money?—After I left Bridgwater I continued to keep up an intimacy with Mr. Richard Smith, who frequently called on me.

33,497. That takes us back how long?—To 17 or 18 years ago.

33,498. (*Mr. Coleridge.*) Were you down in 1852, Lord Henley's election?—I had nothing to do with that whatever. I did not come down for nine years after I left the town. I have only been down three times in my life, except when I came to these elections, and then I seldom went out in the day. I found I was not recognized, and I did not tell anybody.

33,499. (*Mr. Anstey.*) Were not you recognized by anybody?—Not by any soul in the town.

33,500. (*Mr. Coleridge.*) Was the old widow with whom you lodged a person whom you had known before?—Who is she?

33,501. Mrs. Harden?—I remember her as Miss Foster 25 years ago.

33,502. Did she recognize you?—I believe not.

33,503. (*Mr. Price.*) You had gone away quite a boy?—I had gone away quite a boy; and why none of these persons knew me was simply this fact, that I had never associated with any of them before I left the town. Although I was a clerk in this town, I kept myself absolutely and entirely aloof from the men of that particular class with whom I afterwards came in contact, and I was not at all surprised that they did not know me.

33,504. (*Mr. Anstey.*) Not being recognized by anyone, did you at any time mention to anyone in Bridgwater who you were?—Never.

33,505. You never disclosed your identity?—Never.

33,506. (*Mr. Coleridge.*) Mr. Richard Smith was the only person with whom you kept up acquaintance?—And Mr. Richard Bealy Smith, his son, whom, of course I shall have a great deal to say about by-and-by.

33,507. (*Mr. Anstey.*) They did know you?—Yes, of course; it was through them I came.

33,508. (*Mr. Price.*) You were going to say you kept up a communication with Mr. Richard Smith. Having kept it up, tell us what was the first communication respecting election matters here which you had with him?—Shortly after Mr. Westropp's first election, when, I believe, he came down with Mr. Padwick.

33,509. In 1859?—Young Mr. Smith, I think, came to London, and I asked him to my house to a dance, and he came, and oddly enough brought his father. They remained till 12 or 1 in the morning, and the next day I saw young Mr. Smith in London, and he said they were very much dissatisfied with the way in which matters had been worked at this election, and he wanted to know if I would consent, if Mr. Westropp stood again, to come down for it and do what I could to secure his election. I declined it.

33,510. Let me stop to ask you there, had you ever been engaged before that time in any other office in similar transactions?—No.

33,511. In other places?—No; by any other office, certainly not.

33,512. Do not put it upon an office. Before Mr. Smith first proposed to you to come down to assist Mr. Westropp if he came down again, had you ever been employed in any other election in a similar kind of way?—Yes, once only.

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Mr. B. H. Tromp.

2 Oct. 1869.

33,513. Where was that?—I really do not think I am bound to tell. It was only at one town, and I do not consider it a matter pertinent to this inquiry.

33,514. (*Mr. Coleridge.*) The reason we have asked it is, that it has been said by a witness who saw you when you were here, that you boasted of having been to Totnes and Windsor?—You having mentioned that, I will take this opportunity of saying the evidence given by Robert Bussell upon that point is simply untrue from beginning to end. I never saw Liskeard in my life. I was never at Totnes till this summer, and I never went to Windsor upon business of any sort or description. The whole story told by Bussell is a lie from beginning to end. He is the last man in the world to whom I should tell anything; the word "blab" is written upon every feature in his face.

33,515. (*Mr. Price.*) If we do not ask you now, it is that it may not be necessary, not that you have any privilege about it.—I would ask you to reserve that question, whether I am bound to tell it. I have never been but to one town.

33,516. (*Mr. Coleridge.*) We have a right to put it to you to test your credit.—In what way?

33,517. In any way. We may ask any question of a witness to test his credit, and we have power to cross-examine you.—If I am satisfied by-and-by that I am legally bound to answer that question, as to what other town I have been engaged in on elections I will do so, but I do not want to open up questions as to any other town.

33,518. I do not think it necessary to have your answer at present, but I do not think you have any privilege if put in that way, to test your credit?—You will find you have no reason to disbelieve that.

(*Mr. Anstey.*) You must not suppose me or any of us to have the least doubt about your liability to answer questions. You simply understand that we do not press it now.

33,519. (*Mr. Coleridge.*) Had you anything in the world to do with bringing down Mr. Padwick's money?—No, nothing. I never saw or heard anything about Mr. Padwick's election.

33,520. (*Mr. Anstey.*) When Mr. Smith expressed dissatisfaction with the manner of conducting elections hitherto, did he mention a bribe agent of the name of Croucher?—He did not.

33,521. (*Mr. Price.*) He gave you to understand, I suppose, what you really were wanted for that part of the election?—Certainly.

33,522. (*Mr. Coleridge.*) Had you known that sort of thing was going on when you were at Mr. Smith's office?—I had been in the town during elections, and was perfectly aware, from my earliest childhood, of no fight without bribery. I had not seen money pass.

33,523. Had you ever seen anything of it in Mr. Smith's office?—No, I had not.

33,524. (*Mr. Anstey.*) You have not finished the conversation. You got down to your reply?—I told him I would much rather not come down to Bridgwater. I felt certain that I should be recognized, and people would wonder why I was staying at Bridgwater, and it would not do; and the matter passed off. I saw him again at London by appointment at the "Golden Cross" hotel, Charing Cross, and he said, "I want to know, yes or no, whether you will or not go down to Bridgwater?" I said, "Tell me something about the borough, for I have "left it so long that I do not know what the con-"stituency is to a hundred;" and he told me about 640. This was in the very early summer of 1865, two or three months before the first election, and he said, "Out of that number we shall have at least to bribe, in order to win this election, nearly 200." I was perfectly startled, for I had heard of instances of corruption in other boroughs, but never a case in which so large a majority were requiring money, and 200 was about the number fixed.

33,525. (*Mr. Coleridge.*) Was that the old or the young man?—The young man, Mr. Bealy Smith. Then we went through the list, and he said, "I do "not know whether Mr. Westropp will or not con-"test this election, it is impossible to say; but if so "I must see you again." And after that some interviews took place between us in town. I never came down here before that election; and I said, if obliged to come at all—for I promised him that I would if I could possibly see my way to it—I said at once to him, "Look here, I will not come down unless I get a fee "of 200 guineas for my expenses." He said, "I am "quite sure you will not get that; we never can "stand that." "Very well," I said, "those are my "terms, and I do not go for a shilling under."

33,526. What year was this in?—1865, when Mr. Westropp came down and fought a single-handed contest with Shelley and Kinglake. Shortly after that I got a letter from Mr. Smith, saying that a lady would call on me at my residence in London, I then lived in Kensington Gardens Square, Bayswater, and I might treat her with perfect confidence, and she would tell me whether the party would or not pay the large fee which I had demanded. This lady came by appointment to my house. I saw her, and declined to go on unless the money was forthcoming to pay, at all events promised. I was quite willing, if it was honourably understood that I was to have it, to do it. She came several times, and at last agreed that it should be paid. I said, "I should be glad to know who you are." She said, "I cannot tell you indeed, I must decline to tell you; you must not ask." And she never gave any name on coming to my house.

33,527. Have you ever seen her since?—Yes, I have seen her since that.

33,528. (*Mr. Anstey.*) Have you found out her name?—I have not.

33,529. Where did she come from, London?—I believe from London, because the letters she used to write, which were just a couple of lines—"The lady will be with you to-morrow at 7 o'clock." That letter was posted in London.

33,530. Did you know the object of employing a lady?—No, I never knew. I said to her, "Where is "this money coming from?" To which she said, "I "cannot tell you where it is coming from, but at all "events we are going to take care that Mr. Westropp "knows nothing whatever about it." Then I arranged with her that she was to get the money to be got together in gold—1,500*l.* was the limit. I said, "If there "is anything like a contest it will not win the election; "still, if you do not feel inclined to go beyond that, "I must do the best I can with it;" and it was arranged that I should have the election money accordingly. I went to Weston-super-Mare, and took lodgings there with my wife and child; and on the Sunday morning, by appointment previously made in London, I went to the hotel at Weston-super-Mare, taking with me a small black bag, and there saw the lady whom I had frequently seen in London, with another lady whom I have never seen since; and on the sofa in the room were certain packets which I knew to be gold. I took them up, placed them in the bag without saying a word, walked back to my lodgings, and on the same day I drove into the town from Weston, and took up the same lodgings which had been taken for me by a man I had sent down three days before, at Mr. Harden's, near the river.

33,531. Who was the man you employed?—One of the assistants whom I employed.

33,532. (*Mr. Price.*) Was it a man of the name of "Tom"?—Thomas Barrett.

33,533. Where is he employed now?—He is in London.

33,534. Whereabouts in London?—I will undertake to produce him if you like. Then immediately on coming into the town I placed myself in communication with Harden, a baker, who lived near the church, and there I met the persons who were to be the team, as it was expressed, to carry out the plan.

33,535. (*Mr. Price.*) Their names had been supplied to you?—Oh yes; and my orders from Mr. Bealey Smith were, that I was to have no communication whatever except with those persons whose

names were mentioned on the paper which he handed to me.

33,536. Who else was named besides Harden?—I met Frederick Harden, baker, Frederick Jarman, Mr. Temblett, who is here now. I think the first meeting there were only those three present.

33,537. (*Mr. Coleridge.*) Did none of them recognize you in the slightest?—I am quite sure they did not, for I was particularly anxious to see whether they did or not.

33,538. Were you disguised at all?—Not in the least; I did not dress as I usually did in London, but coarser perhaps; I wore a billycock hat, but made no attempt to disguise myself.

33,539. You had grown all that hair since you left Bridgwater?—I had a large beard and moustache when I came, otherwise there was very little difference. We sat down night after night before the election came on, and so arranged the matter that I succeeded in dividing the town into sections, and I was to entrust each of those men with a certain sum of money, they undertaking to poll the names of the persons which were to be placed on a piece of paper which they took possession of at the first election. Of course, night after night we met, and we went carefully through the lists, and when we came to a name, a peculiar feature of Bridgwater, I was told, "This man is all right, he is a good Conservative. "This man will go straight, and that man is right." But I discovered, very much to my surprise, that that meant money, and that they would not vote without it. There were 200 at least who would not go to poll if there was a chance of having a shilling without having the money first, and some men of considerable respectability. On that night I did distribute the money; I gave Temblett 300*l.* or 400*l.*, I cannot remember for I destroyed every paper, but accounts were rendered from time to time to Mr. Smith, with every detail and the names of the persons to whom paid.

33,540. (*Mr. Price.*) I will ask you shortly, having destroyed your papers have you sufficient recollection to be able to say that the money was accounted for to you by the men whom you had entrusted with it?—Yes, with one or two exceptions.

33,541. Will you tell us what those exceptions were?—I was very much astonished two days before the election, having heard what Heal had done at the previous election, that this man was forced on me one night by Jarman, who said that he had gone so far with him that, "bad as he is we must trust him now." That name having been furnished me I ot once ascertained, through my assistant, of Mr. Smith whether I was or was not to entrust him; my opinion being that we had better not do so under any circumstances, but throw him over. He said that I should. The consequence was, that on the last night, I think, Heal was introduced, and, as has been described, a sum of money was handed by me to him in a little lane near the river, and I believe he has correctly stated the amount.

33,542. That is 200*l.*?—Yes; that sum he did not expend.

33,543. (*Mr. Coleridge.*) 250*l.* he had, had not he?—I think he had.

33,544. And then 50*l.* more from Mr. Jarman afterwards?—Yes; and then, of course, the next morning, out of a reserve which I had, I was obliged to advance him, although the election appeared safe; he came to me and said he had not polled the men he had undertaken to.

33,545. You knew at this time that he had kept the money?—Within 20 minutes after the election I knew the men he had to poll had not polled, and as they never polled without money I knew they had not had it. Then the night before the election through my assistant who was lodging at a house in the Taunton Road where Mr. Bealy Smith's clerk lived——

33,546. Neal?—I believe that was the name; he was a short, white-faced, stout man.

33,547. A young fellow?—Yes. Hence it was that I had an excellent means of communicating through my assistants, and the articled clerk himself, with Mr. Bealy Smith without my seeing him, and I never did see him at all. On the day of the election it became perfectly inevitable to me that if we were to win, and I had no means of knowing then that the other side could not spend a sum equal to ourselves, we must poll at least 200 men corruptly, I therefore repeated that with 1,500*l.* it was impossible to poll 200 men with 10*l.* each man, that I must have more money or know whether I could make promises to that extent. I then received an intimation that if, the night before the election, a minute before the clock struck, I believe, 9, I would walk into a garden by Mr. Smith's house at the river side, and follow the pathway, I should come to a small summer-house, and on the seat I should find 500*l.*

33,548. Who was the intimation from; was it anonymous?—No; it came either in a note, or in some way or other which I cannot remember.

33,549. You trace it all to Mr. Bealy Smith, I suppose?—Yes, it must have been a letter; my communication to him was that we could not win without another 500*l.* I was not aware that there was 500*l.* in the town, or forthcoming, and I did go to the summer-house. I saw the shadows, the dim forms in the garden evidently of two or three persons who were watching me, but I did not stop. I took the money back to my lodgings and it was instantly divided into 10*l.* and distributed—the greater portion of it.

33,550. That would be 2,000*l.* altogether?—That would be 2,000*l.* altogether with the exception that I kept about 250*l.*, or thereabouts, which went next morning except 40*l.*, or thereabouts, to make up what Heal had had, so that somewhat less than 2,000*l.* was really spent on behalf of the Conservative candidate at that election, I believe, before half-past nine in the morning, because after that hour the election was an absolute certainty; nothing could have beaten us.

33,551. Had you reason to believe that was the whole money that was spent in bribery then?—I am positive. On the part of the Conservatives no one had any hand in it but myself. I believe nothing was spent that day that did not go through my hands.

33,552. Did that include the payment of your agents here, or not?—No.

33,553. When were they paid?—They were paid afterwards. I rendered a detailed account shortly after the election to Mr. Smith, and I sent it him down after he had sent me up a paper showing the result of the poll. I marked against every one of the names every name that had had 10*l.*, every name that was bribed, and with that I sent an account shortly afterwards exactly what the expenses had been, and giving the small balance in hand; and then I asked for my fee, and my assistants.

33,554. Which you got eventually?—I got 250*l.* eventually and the expenses.

33,555. What did it cost Mr. Westropp altogether including your fees and the expenses, and the agents here, and the bribery; what in the whole?—What agents do you mean?

33,556. Temblett and these other men?—And the publicans?

33,557. And the publicans and all?—I should think he did not get off for very much less than 3,000*l.*

33,558. The publicans you paid are not down afterwards?—Yes, I paid some myself; one fellow claimed 80*l.* or 90*l.*, and I paid him 25*l.*, much to his horror and disgust. I do not know his name, and I got a receipt in full; the thing was such a swindle that I could not stand it any longer; every one wanted to be paid, no matter what his social position might be.

33,559. What was the name of that man?—Pinner, I understand.

33,560. How did you get your accounts squared in the end, through the lady or Smith?—Mr. Smith afterwards; but I believe I am right in saying that this lady did bring me my fee, because I said to her "I

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" will trust you, you will find that every shilling " which has been entrusted to me has been honourably " spent, and if you find that it has not been expended, " and you can prove that I have kept a shilling, I will " give you my fee."

33,561. Did you see anything of her during the election here ?—No.

33,562. (*Mr. Anstey.*) Did you see anything of Mr. J. R. Smith during the election ?—No, I saw him in the street during the election, and I never spoke to him; it was some time after that I saw Mr. Smith. I saw Mr. J. R. Smith only once.

33,563. You had no communication with him ?—I spoke to him at his house.

33,564. When was that ?—I think it was after the election.

33,565. (*Mr. Coleridge.*) How long was it after this election in 1865 that your accounts were finally settled up ?—It was not until it became certain that another election was inevitable, that those fellows were eventually squared with ; it was futile to come down until that was done.

33,566. They would not have been squared with unless it had been foreseen there would be another election ?—I hope not, and I think not, and I will take this opportunity of saying, that with the exception of that man Heal, and a man who acted at the third election of the name of Newman——

33,567. Newton, was not it ?—I say to the credit of these men, that I believe they honestly spent every shilling they received from me.

33,568. (*Mr. Anstey.*) Honestly ?—In bribery. I believe they honourably parted with the money.

33,569. (*Mr. Coleridge.*) Including Truman ?—I cannot make it out; I have just heard that he has been accused of keeping his money.

33,570. (*Mr. Price.*) You were cautioned against Truman, were not you ?—No, it was my suggestion that he was not, because I discovered that although he promised me faithfully that he would himself distribute that money with his own hands, I believe on the morning of the election he became very timid, and employed some one else, hence we had a new danger to encounter in the shape of a new man we had never heard of; and I said we cannot have this man again, and he was not employed. Then Mr. Smith wanted me to come down for Patton.

33,571. (*Mr. Anstey.*) Before you proceed I will ask you, when you went back to London did you see anybody there ?—I saw a great many people. Do you mean with reference to the election ?

33,572. Of course ?—No.

33,573. Not until you went down again about Patton's election ?—No; my communications were solely through Mr. Bealy Smith. I never had any communication with anybody except through Mr. Bealy Smith.

33,574. Did you never converse with the father personally, as he pretends to be incapable of coming before us ?—Never; indeed with the exception of at the dinner which Mr. Smith gave at the " Golden Cross " on the occasion of Mr. Bealy Smith having passed his examination with honours at the Law Institution, I had never spoken to Mr. Smith for eight or nine years certainly.

33,575. (*Mr. Price.*) It was Mr. Richard Smith who proposed that you should come down ?—No, it was his son Mr. Richard Bealy Smith.

33,576. You say that Truman had got nervous and had employed some other men ?—Yes, I was told that he did not distribute the money himself; I think he told me so. I gave him 10*l.* for his trouble.

33,577. Do you know the man he employed ?—I did not.

J. Truman.

JOHN TRUMAN recalled.

33,578. (*Mr. Price.*) Is Truman here ?—Yes.

33,579. Whom did you employ ?—Robert Newton.

33,580. (*Mr. Anstey.*) Did you employ anybody who is neither dead nor gone to America ?—Not that I am aware of.

(*Mr. Price.*) It is always put on dead men or an absent one.

Mr. B. H. Tromp.

Mr. B. H. TROMP recalled.

(*The witness.*) In effect Mr. Bealy Smith told me on no account would he allow his father to interfere in the election for him ; after he had passed his examination and had come down here to practise as a solicitor, his father went for eight or ten months on the continent and threw the whole work of the office on a youth of 23 or 24, and that, with the extraordinary fact that there were three elections in twelve months, completely upset him, and I am not at all surprised at it. When I last saw him in London I looked upon him as absolutely insane and unfit to be abroad alone.

33,581. (*Mr. Anstey.*) When was that ?—In the summer of 1868.

33,582. (*Mr. Price.*) Now you are going to Mr. Patton's first election ?—The same lady came to me again in London and said they wanted me to go down to Mr. Patton's election, and indeed young Mr. Smith had told me that, and they said they wanted me to go down for nothing. That I declined at once ; I did not want to go at all. However I consented to come down, and shortly before the election the same lady said the whole thing was to be done for 1,000*l.* These people were to vote 5*l.* a piece ; if they would have money at all, only 1,000*l.* would be spent. I did not ask where it came from. She left at my house 1,000*l.* ; that sum I brought into the town at the second election. At the second election I, under the advice of Mr. Bealy Smith—I cannot conceive why—was introduced to Robert Bussell for the first time at Harden's. This was some time before the election, a week or 10 days I should think. I said, " I shall be glad to lodge with you for a day or two ;" and he said, " All right." I said, " I shall be down a few days before the election," and I believe I stayed there the few days I was here during the election. Then on the day of the election I saw some allusion made to a sum of 200*l.* or 300*l.* which had been obtained. At 12 o'clock I looked upon the election as lost, but I took care that there should be some voters to be got at if necessary. About half-past one I heard there were about 20 or 30 voters at the " Bull and Butcher " ready if they got 10*l.* each. I gave instructions that not one of them should be allowed to come out, and I wrote a note—a thing which I am sorry I did, because it is against my principles in a matter of that sort to communicate in any shape or way with a solicitor in the town ; but, however, being very anxious to win, I sent a note to Mr. Bealy Smith to the effect that if he could get me 300*l.*, I could get 30 men and win the election.

33,583. It is with reference to that note which it is said Mr. Westropp stopped in *transitu*, as it were—this is Robert Bussell's story—that Mr. Westropp said, " Is this from the friend ?" Had you become acquainted with Mr. Westropp at that time ?—I had never seen him but once before in my life, and I have only spoken to him once, and I will tell you where I met him. At that dinner which Mr. Smith gave in London to celebrate the admission of his son to the profession, I met Mr. Westropp at dinner at the " Golden Cross."

33,584. That would be before 1865 ?—Before his first election and before the election I came down for him about ; whether the object was that he might see me I cannot imagine, but election matters were not discussed.

33,585. (*Mr. Anstey.*) Did Mr. Westropp know the fact of your having been employed ?—I do not know.

33,586. Do you believe the truth of the statement that he described you as the friend?—Until I saw Bussell's evidence I never heard of that incident.

33,587. You do not know anything which makes it probable that Mr. Westropp should so have described you?—No, I do not know. I should think it most likely that Mr. Smith did tell him who I was.

33,588. (*Mr. Coleridge.*) When did you first know Mr. Westropp?—At that dinner.

33,589. Was Mr. Westropp there?—Yes, he was at the dinner. It was a month or a few weeks after Mr. Bealy Smith got his prize.

33,590. (*Mr. Anstey.*) Unless the noise prevented me hearing what you said, I think I understood you to say you had no idea why you were invited to see Mr. Westropp at the dinner, unless it was that he might see you and recognize you?—I say I cannot say at all, but I had been intimate with the Smiths. They had frequently visited my house; and while in London six months grinding, before he passed his articles, Sunday after Sunday he dined at my house.

33,591. That is what you said, is not it?—Yes; he was there at this dinner, but at that time I did not pledge myself or promise young Mr. Smith to go to Bridgwater. Then this money came to me at Bussell's. I did not intend Bussell should take it.

33,592. (*Mr. Coleridge.*) How did the money come to you?—I forget at this moment. It was brought into the house, and I forget who gave it.

33,593. Was it in gold?—In gold. I at once placed it in packets of 10*l.*, which occupied some minutes of valuable time. I would not trust anybody. I gave it to my own assistant, Barrett, who had come to me, and said, "Now go and do this yourself;" and I said to Temblett and Harden, "Let them be taken "to the poll in batches of four and five. Take care "that not a man gets into the hands of the other "side, and we must win." The men were polled in half an hour, and the election was won in consequence.

33,594. (*Mr. Coleridge.*) After a very close run?—It was a very close run indeed. I do not like to lose, and I did not like to lose on that occasion. I thought they were behaving shamefully, having so shortly before that been well treated.

33,595. Were not you afraid of being petitioned against on that occasion?—One is always afraid of petitions.

33,596. Was there no indication of one, or any threat?—I think I heard afterwards there was a threat of one.

33,597. But it went no further?—No, it went no further.

33,598. Mr. Patton took office?—Mr. Patton took office; and then there was another election in six weeks, much to my horror. I did not get paid my fee for Mr. Patton. I had the greatest difficulty in getting the money even for the expenses for a long time. I looked upon him as the greatest screw, if the money came from him, I ever had to deal with in my life.

33,599. (*Mr. Coleridge.*) Who did the money come from?—Mr. Smith. I said, "These men must be paid, and I will not go down without;" and the consequence was it was found, and I sent a man down, and everything was secured before Mr. Patton came.

33,600. How much did it cost, including your fees?—I did not get my fees; I only got 50*l.*

33,601. What was the whole amount that was paid?—I cannot tell what Mr. Smith paid, but I should think 2,000*l.*

33,602. That is what it is put at?—Yes, about 2,000*l.* Then the election came again, Mr. Patton took office, and it was shortly before that election, between the first election and the second, that Mr. Bealy Smith called upon me in London, and said, "I intend to bring a gentleman to-night to see you." I said, "I would rather you would not; who is it?" He said, "It is a gentleman from Bridg-"water; he does not know you, and I am certain "he would not recognize you." I said, "I cannot see the use of this." He says, "It is useful, because "I think we shall be able to employ him on this occa-"sion in getting money. This lady will not interfere "any more." So in the evening Mr. Smith came with Mr. Lilly, the auctioneer. Of course I knew him, because he was the brother-in-law of Mr. Alfred Copp, in whose office I was two years before I left Bridgwater.

33,603. (*Mr. Price.*) Did he recognize you?—I am sure I do not know. He showed no sign, and he is the best judge. I affected never to have seen him before. We sat a short time conversing on various matters, because I thought the object was that he might know me again; so it was determined I should go down. I positively say that but for the pressing and the earnest entreaty of Mr. Smith, over and over again, I would never have come down. I had seen enough of the whole thing, and had no idea there would be three elections in twelve months—one was bad enough; and under Mr. Bealy Smith's directions I went straight to Taunton, and stayed at the "London Hotel," I think, there on the market day, the day before the election; and, according to the directions given by Mr. Smith, about 12 o'clock I walked down to Mr. Lilly's house in Castle Street, and found the door open, and I walked into a room, and Mr. Lilly said, "Good morning;" and I said, "I want to see you about the property which is for "sale at Highbridge. I shall be glad to look at the "conditions of sale; it is a very nice place, I under-"stand, a very thriving public-house." He said, "I will go and get you the conditions;" and he walked away. I went into the room on the opposite side, and there on the sofa I saw a bag. I took the money out, and I found there was 2,000*l.*, and I put it in a bag and carried it away from the house, and did not see Mr. Lilly again. Luckily for me I had an assistant near the bridge, or I could not have carried it over the bridge.

33,604. Was it the same assistant?—Yes. I was not aware it was so heavy.

33,605. Was he the only one employed in these transactions?—There were three, but that was the man I had most confidence in, therefore it is not worth while to let the other two know.

33,606. (*Mr. Price.*) Mr. Lilly brought that money, I suppose?—He must have brought that money into the town, and that I assume was the object of Mr. Bealy Smith introducing Mr. Lilly to me, that he might recognize me.

33,607. (*Mr. Coleridge.*) You may as well now as at any other time give us the names of the other two men?—Robert Tumner, and the other man's name was Jones; but he was employed by Thomas Barrett, and I do not know where he is.

33,608. Do you know where the second is?—I can bring Tumner and Barrett if it is necessary.

33,609. Will you forward their addresses to the secretary?—Yes, certainly, I will undertake to do that. Then at that election I determined to try another plan. I determined to see if Mr. Jarman did not like to undertake the immense number of the Barclay Street division which he had managed before, and other fellows who had got a little nervous. There were so many threats of petitions, and one thing and another, that I determined to say, "You "take this, and I will pass the others through the "mill at public-houses."

33,610. (*Mr. Coleridge.*) How many were there to be bribed on that occasion?—200 as a *sine quâ non.* 200 should go at once, leaving it open to the independent Conservatives to poll. It was impossible to win without, and we should have won this, only there was too much money on the other side. I determined that I would say to Jarman, "Any man on your lists "whom you feel it incumbent on you to pay now, for "certain reasons you know best, pay them; if so, "select them, and I am quite prepared, if you like, to "pay the whole money through my assistants." He did select a certain number he had confidence in the night before the election. I had 2,000*l.* in my pos-

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session at some hotel facing the "Albion," and I distributed every shilling of it in the presence of each other. There were five or six men there then, and I wrote on a piece of paper the sum handed to each person to distribute that money for us, 1,950*l.*

33,611. That was Temblett you speak of?—Temblett, Harden, and Jarman.

33,612. Newton?—No, Newton on that occasion not a shilling; he got the money out of me the next day.

33,613. Nor Truman?—There were three assistants, Tumner, Barrett, and Jones, making altogether I think seven or eight, who undertook to manage the matter the following morning.

33,614. Truman was not among them?—Truman was not among them; oh no, I believe not. I feel certain there were only three or four besides my own men who had money that night.

33,615. Was Waddon there?—There were only four. There was Temblett; but the events of the three elections are so mixed up in my mind that I cannot be expected to be extremely accurate about names, but I believe there were only four in addition to my assistants. Then it was arranged; of course I need not say that I endeavoured to take care that every man who was paid should go to the poll; and I said that the greatest care must be taken, and as every man passed through the mill of the public-houses, that some one must wait to take him to the poll instantly, or if money is going on the other side he will go to a certainty.

33,616. (*Mr. Anstey.*) Was the "Bull and Butcher" one of those public-houses?—Yes. Jones was there; Barrett was at a public-house in the road leading to the station. I forget the name of it, the "Golden Lion," I hear, and Tumner was in a house in St. Mary Street. The result of this was, as you know, the men were paid in the majority of instances, but a good many of them were bribed again by the other side, and got more money; hence the election was lost. I could not compete against the 4,000*l.* which I am confident was spent on the other side. I, with my own eyes, saw at about 12 o'clock in the morning men bribed in the middle of the street.

33,617. On both sides?—No, not on mine; it was not necessary, because it was done at public-houses.

33,618. Seeing that you had no fear of a petition?—Seeing that, I had no fear that the other side would petition, because I felt it was lost, and could not be won with the money they had. I had one man staying at the "Globe," whom I employed to watch the other side, and from information I had from him I felt confident that if I could have stopped the money at six that morning I would not have spent another shilling. I was confident we should lose. Money is the only thing that is wanted here. That money was spent in that way. At three o'clock in the afternoon I had to write a note to Mr. Bealy Smith to tell him I could not leave the town unless I had 30*l.* or 40*l.* at least; and I really had not money to go away with. I met him at his office at half-past three or four, and he gave me 30*l.* to get away with, for every shilling was spent. I heard that some of Temblett's men did not want his money, at all events he brought me back some; and Newton came to me and declared that 30 men would poll if I could get the money for them, and in a weak moment, not knowing the election was so dead lost, I handed it to him; and I afterwards taxed him at his own house with having robbed us of at least 150*l.*, and I am satisfied of it.

33,619. (*Mr. Price.*) How soon after that did he abscond?—He was turned out of his house, I believe. Mr. Bealy Smith said he should not remain in the town if he could get him away. He sent men up to where my men were, and presented those men who said, "I am John Jones," and so on, and 10*l.* was handed. I assumed there were men at the bottom of the stairs waiting to take these men to the poll, and I suppose they divided the money between them. I afterwards accused him of it in his own place. I confronted him with it face to face.

33,620. (*Mr. Coleridge.*) What did he say?—He turned as white as a sheet, and said it was not true. I gave him the names, and I actually got one or two to go and face him, and to say, "You have not paid me a shilling."

33,621. Had those men voted on the other side in consequence?—No; one had perhaps.

33,622. (*Mr. Anstey.*) Did you say that to him on the day of the election?—No; I was not aware of that until some time afterwards.

33,623. Did anyone employ him to supply beer to the bearer of notes?—No one, I should think, gave him such an order.

33,624. It was proved before the House of Commons that people took notes to Newton, and in return for each note he gave a pint of beer?—I never heard of that.

33,625. I mean 1865?—I knew nothing of Newton in 1865. I never heard of him. I did not employ the same machinery in 1865 at all.

33,626. (*Mr. Price.*) With the exception of Newton's case which you have told us of, are there no other cases of similar transactions?—I do not know; as I have said before I believe these men were perfectly true. Temblett, Harden, and those fairly distributed every shilling; in fact they gave me the names, and I made secret and private inquiries.

33,627. Newton was the man whom Truman selected to assist him on the former occasion?—Of course; and I hope Truman did not have any of the plunder at the last election for his own credit's sake, for I paid him for his trouble.

33,628. (*Mr. Anstey.*) Did you receive any other sum like that which you have mentioned, 30*l.* towards the end?—That money I got from Temblett, who said, "My men have gone to the other side; here is my money back again," and I gave that to Newton. Nobody else returned any. I think Waddon, though, did. I cannot remember. I am also satisfied that Waddon spent his money.

33,629. Did you see Mr. Patton at that election?—Once on the hustings.

33,630. Did you ever converse with Mr. Patton, either at this election, or his unsuccessful contest?—No, I never saw him but once in my life.

33,631. Have you any reason to believe that he was aware that bribery was going on?—I have only this reason—Mr. Bealy Smith said this of Mr. Patton, "He is so dreadfully timid, and altogether dislikes "bribery so much, that I believe the matter cannot "be mentioned to him, and the consequence is, my "communication is solely through some friend of his," whose name I had seen mentioned.

33,632. Mr. Pitman?—Yes, "who," he says, "will manage that;" and I believe it was utterly without Mr. Patton's knowledge—"he must not know anything about it."

33,633. Must not?—"Must not, and won't know anything about it."

33,634. That is, Mr. Patton must not know, and Mr. Patton will not know?—That is it; he was a very nervous man, and easily frightened, and I am not at all surprised at the melancholy result.

33,635. Have you any idea who provided that money?—Not the slightest.

33,636. A very respectable witness stated yesterday there was a belief at the time in Bridgwater that it was his late brother who had advanced it, who died a few weeks ago?—It is highly probable, I should think, looking at Mr. Patton's peculiar temperament.

33,637. Have you any belief that it came from any political body in London?—I do not believe it did.

33,638. Why not?—I do not believe the stories which are told about political bodies finding money for anybody who can afford to pay, and go into the House to get into office, as Mr. Patton did.

33,639. Mr. Spofforth told us that yesterday?—I have not read his evidence.

33,640. He said that when he took office he paid as a matter of course?—Yes.

33,641. (*Mr. Anstey.*) Was there anything more at that election?—No, I think I have told you everything. After it was over I rendered an account to Mr. Bealy Smith.

33,642. Before you come to the account I want to call your attention to a letter which I will put into your hand. That letter was written a few days after the election of 1866. To which of the two elections, or is it both, that that letter refers (*handing the letter to the witness*)?—Is this shortly after the last election?

33,643. It appears to be the 23rd July, you see?—I wrote this letter after an interview with Mr. Bealy Smith in London, and he said to me, "There are so many publicans who have to be bribed."

33,644. I will draw your attention to its being subsequent to both elections in 1866?—Yes.

33,645. I want to know whether it refers to the last, or both?—To the last. I think everything was cleared up. I am not sure that everything was cleared up at Patton's election, but it was promised.

33,646. (*Mr. Coleridge.*) What did you say about bribing some publicans?—It turned out after the second election so many publicans were expected to be bribed, not for rooms occupied or drink supplied, but bribery in another shape under pretended bills delivered, that Mr. Smith said, "Looking at the "possibility of a petition in this case, it is perfectly "clear we must not admit anybody in the town is "liable for these publicans' bills." I therefore wrote to Mr. Temblett, and said, as it seems I was responsible for the publics I would feel obliged if he would send them to me, and the consequence was they were, and I settled them. The letter is:—

"Dear Temblett, July 23rd, 1866.

"As it seems I am solely responsible for the "publics at the last fight, I shall feel obliged by "your obtaining from the 'Bull and Butcher' the "*little bill*, which must *be as* MODERATE as possible. "Please let it be sent to me by return of post. As I "am writing, I enclose herewith the BOOK used by "the *Man in the Moon* at the 'Bull and Butcher,' "and shall be glad if you would look through the names "and *put them right*. Do not rub these out, but "write the *correct names* on a spare sheet of the "book, and do not fail to return same to me by *next* "*post*, or *if* you CAN'T DO this, keep it till I see you, "which will be this week I trust. Is there to be a "petition?

"Yours faithfully,

"I enclose my address. W. M."

33,647. ((*Mr. Anstey.*) That was written from London?—Yes, I have no doubt it was.

33,648. I think I understood from a former answer that the handwriting was disguised?—Yes.

33,649. (*Mr. Coleridge.*) There was no petition after that election of Mr. Vanderbyl's?—No.

33,650. Did you threaten one?—Yes, it was threatened, I believe, but I had nothing to do with it. The moment I left the town I did nothing whatever, simply what Mr. Smith asked me, to pay off the bill, or go here or there, or square up with some fellow likely to be unpleasantly refractory, or something of that sort, but I had nothing to do with the petition.

33,651. Who paid your fee and expenses on that occasion?—I never had but about 15*l.*; that is all that I got at that election. I rendered an account to Mr. Bealy Smith, and all he did was to give me things I produced vouchers for, and he said, "I cannot "give another shilling; that is the only money I "have, and that I give you." That was at the Great Western Hotel.

33,652. Then, in fact, the lady was the only person practically whom you had the money from?—Yes.

33,653. Can you give us the slightest idea about this lady?—I cannot. I should recognize her in a moment.

33,654. (*Mr. Anstey.*) Or the other lady?—I saw her at Weston-super-Mare; no, I could not tell you.

33,655. (*Mr. Coleridge.*) Was it a young lady or an old one?—About 35, and looked like an unmarried lady. I do not know what I mean by saying that, but I saw her hand, and she wore no wedding ring.

33,656. (*Mr. Anstey.*) Did they appear to be ladies in the general sense of the term, or in a received sense?—She had the address, certainly, of a lady.

33,657. Of a person in society?—Certainly; she was not a common person it is quite clear.

33,658. (*Mr. Coleridge.*) Not any common person dressed up to represent a lady?—No; she was dressed always in mourning when I saw her, and she told me she would be at Weston with her sister.

33,659. (*Mr. Anstey.*) Have you any idea whether she was related in any way to the candidates?—No, only I thought that she was; I thought she must be in some way or other a relation of Mr. Westropp, only I could not tell.

33,660. Had she any Irish accent?—Slightly, if at all.

33,661. Mr. Westropp is an Irishman?—Yes.

33,662. He speaks with an accent?—Certainly; this lady did not.

33,663. (*Mr. Coleridge.*) Where did she lodge at Weston?—She was staying at an hotel. I do not know the name of it; a very nice one. I think it is a limited company hotel.

33,664. (*Mr. Anstey.*) Is it the one which has a private drive up to it, and trees in front?—Yes; it has a narrow garden looking on to the beach, with a private entrance.

33,665. I suppose nobody knows the name of the landlord of that hotel?—(*A voice.*) Rogers.

(*The witness.*) This lady on the Sunday morning said to me, "We should very much like to go in and see the fun of the nomination." I said, "You had much better not." She said, "Where will you advise us to go?" I said, "You will see nothing unless you go to the 'Clarence';" but whether they ever came or not I do not know. My impression is that they did.

33,666. Did these ladies appear to live together at the hotel?—Yes, they were staying together at the hotel as friends.

33,667. Occupying the same sitting-room?—Yes, occupying the same sitting-room. Then this lady I refer to said, "I shall be at Weston with my sister."

33,668. Did she also speak with an Irish accent?—I never heard her.

33,669. Did she appear by her features to be her sister?—I think she was older, but I did not see any resemblance, except that her features were fair and that she had light eyes.

33,670. If they were not sisters, then the word "sister" was used, which, as men of the world know, has a received use of ladies of a certain description; that is all?—I never could make out, I never could find out, because the same lady having interfered in Patton's election puzzled me very much.

33,671. (*Mr. Coleridge.*) But Mr. Westropp was godfather to Mr. Patton in his election?—Yes.

33,672. So that may account for it?—That may account for it, I think.

33,673. Do you suppose at the present moment that old Mr. Smith knows who you are? Was he cognizant at all this was going on?—I do not know. I have no doubt his son told him, but I do not know as a positive fact that he knew. I think there is very little doubt that his father knew I was down at the first election.

33,674. And knew who you were?—He must have known, I should think, because his son surely—I do not know—he said to me his father was in such a state of health that he fully determined these matters of the three elections should never be discussed before him, and I believe at that time he was utterly incapable of business.

33,675. (*Mr. Anstey.*) Are you aware that he declined in 1865, before he had this attack?—I am not aware.

33,676. It is in the evidence of Mr. Westropp, given in 1866, that when he consulted the agents in 1865 he asked Mr. Richard Smith to act for him, and

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he said, "No, I had rather my son acted; I decline to act any more"?—Yes.

33,677. He was not ill then?—No; but as I tell you, from the moment the son was capable of coming down to take that practice he threw the whole burthen on his son; he was utterly incapable of carrying on so much business at the same time.

33,678. (*Mr. Coleridge.*) Have you ever heard from Mr. Bealy Smith since he has been away?—No; he called at my house while I was at Scarborough with my wife, and left a message that he was going next week to Australia, and he should be glad if I would write to him in Melbourne in Australia. I never have written, and I have never heard from him.

33,679. Do you recollect a circumstance of your going and introducing yourself to Mr. Spofforth in the street?—I have been told that this morning. I have no recollection of doing it.

33,680. Giving your real name?—I have no recollection of doing anything of the sort, and that is the extraordinary thing. I have known Mr. Spofforth 20 years, long before he was a partner in the present firm, for I knew his brother.

33,681. May not it be one of your assistants in want of employment taking your name?—I cannot imagine.

33,682. Because I wrote your full name down, and he said, "Yes, that is the name he gave"?—I cannot remember saying anything. I remember once seeing Mr. Spofforth. I might have said a word to him, "Well, Mr. Spofforth, it is getting rather hot at Bridgwater," and he merely did it in this way, "I know nothing about it." But I do not recollect a conversation, "I think I have the honour of addressing," because I knew him so long I could not say that.

33,683. He said that he knew you and he was afraid of election agents?—I do not think I could have said that, because I knew him so well; it would have been quite a farce.

33,684. (*Mr. Anstey.*) It has been said by one of the witnesses, a very intelligent witness, that he had some conversation with you in 1866, and you told him, "I shall see you when the petition comes on "before the election committee; I shall be in and out "of the House of Commons, and shall be glad to see "you about the election of 1865, or the coming elec- "tions in 1866—the anticipated elections," I forget which, and that you told him that, and that he accordingly did see you there, but you appeared to be busy then about something or other before that committee, or a neighbouring committee?—I believe that was so. I had a very severe contest in the House of Commons in the matter of the London and Buckinghamshire Railway, of which I had the sole conduct, and I told that man, "Should you see me in the House of Commons pray do not recognize me," because I had business in another corridor of the House at the same time, fighting the London and Bucks Bill for Johnstone, Farquhar, and Leech.

33,685. (*Mr. Coleridge.*) And had nothing to do with the committee?—I had nothing whatever to do with the election committee.

33,686. (*Mr. Anstey.*) You said you saw Mr. Joseph Richard Smith and spoke to him once about elections, but it was in 1869, the present year?—No.

33,687. I understood you to say that you had only seen Joseph Richard Smith once to speak to him?—That was in 1866, I think after the last election.

33,688. You mean after the last election in 1866?—Yes. I know nothing of the subsequent elections; I did not come.

33,689. Where did you see him?—I went to his house.

33,690. In what month?—In August; and I could never understand the object for which I was sent there.

33,691. Who sent you?—Bealy Smith. He said "I wish you would go and see my uncle Joe." I said, "What for?"

33,692. Mr. Bealy Smith is his nephew?—Yes. He said, "I want you to go and see my uncle Joe." I said, "What for?" He said, "He would very much like to see you." "Would he; what for?" I said; "does he know me?" "No, he does not." I said, "What am I to say?" He said, "You can easily in- "vent something; go to his house and just say some- "thing." I did not care much about it. I went to his house, and I said, "You are Mr. Smith; my name is "Matthews." He said, "Oh yes, ah!" I said, "What do you think of Waddon?" or something of that sort. He said, "He is a very clever fellow, perfectly honest." And I asked him something else, and the interview terminated. He showed me a medal, or a coin, or something, and showed me the house, and I said it was very delightful, and left.

33,693. Is it true that he tried to break off the conversation with you by saying, "It must be my nephew Bealy whom you want to see, and not me"?—He may have said that; I cannot say.

33,694. (*Mr. Price.*) Did he apparently wish to keep up the conversation with you?—Not about election matters.

33,695. (*Mr. Anstey*). When you said "Matthews," he said "Oh yes"?—I do not know whether the name was given of "Matthews."

33,696. But you did give some name?—Yes, probably the name which had been given to me by Mr. Bealy Smith; I cannot say. I said, "I am Matthews; I have been down here on these matters."

33,697. Did he appear to recognize you then?—He appeared to know who I was with regard to the election, under one name or another.

33,698. That is what I mean?—Just so. He evidently knew I was the stranger.

38,699. Did you tell him you had come from Mr. Bealy Smith to him?—No, I did not say that to him.

33,700. Did you say you had been sent to him?—No, I did not say that I had been sent to him by Mr. Bealy Smith; I said, "Mr. Smith, I have been sent to you; I understand you wish to see me." I thought the object was that he wished to see me, and after seeing him there was an end of it.

33,701. Did you ever see him again?—Never.

33,702. Or have any correspondence with him?—Never.

33,703. Have you anything more to tell us about that second election of 1866?—No, I do not remember anything else; if there is anything else I can think of I will tell you.

33,704. (*Mr. Coleridge.*) You have not told us what the whole expenses of that election were?—The second?

33,705. Yes?—Mr. Patton's?

33,706. Yes. You said 2,000*l.* before the election, and you were to pay more afterwards?—No; I think I said 3,000*l.* covered the whole thing. We only spent 1,300*l.* in bribery on the second election, and after the election there were lots of claims to clear up; all sorts of things; people who had not been paid, or wanted to be paid.

33,707. That is Mr. Patton's second election?—I think the payments I made must have amounted to pretty nearly 3,000*l.*

33,708. You had paid 2,000*l.* before the election?—Yes; and I afterwards came down and paid publicans, and all sorts of people.

33,709. And you got all that latter part from Mr. Bealy Smith?—Yes, young Mr. Bealy Smith, every penny of it.

33,710. (*Mr. Anstey.*) Have you heard anything from him since he has been in Australia?—No.

33,711. Or of him from anyone?—No. I have only seen what has been in the newspapers about him.

33,712. Do you know whether he is coming back to England or not?—No, not at all. He looked to me utterly unfit to go abroad when I last saw him in

London. He was at my house. He appeared to me to be absolutely insane.

33,713. Was he then suspicious of an election Commission being issued?—No, I do not think he was at all affected by that. My idea is, he was simply broken up by overwork and anxiety connected with these three elections and the work of his office. He is a young man of great natural ability, and it is a very lamentable thing that he should be in the state he is.

33,714. (*Mr. Coleridge.*) Were any overtures made to you on the occasion of the last election?—No. I distinctly told Mr. Bealy Smith, "I went down in the "first instance at your instigation, and I have been "down at two other elections;" and having had a very hard battle in life to attain my present position, I cannot afford to lose it.

33,715. That was after Mr. Patton's second election?—Yes; and I said, "As long as I live I will "never go to another town and have anything to do "with another election;" and I never have since. If I had dreamt that there would have been three elections one after the other nothing would have induced me to come down here.

33,716. (*Mr. Anstey.*) Have you ever heard that Mr. Patton bitterly complained of the bribery at the election?—Yes. Mr. Bealy Smith told me that Mr. Patton was extremely pained and annoyed, and they had the greatest difficulty in getting the money from him to pay the expenses.

33,717. When did he tell you that?—Between the first and second contests of Mr. Patton.

33,718. Then Mr. Patton before the second contest must have been aware that bribery had been carried on at the first election?—Before the second contest he must have been aware that bribery had been carried on at the first election, because I have no doubt he had to pay.

33,719. After the second contest did Mr. Bealy Smith again tell you that Mr. Patton had complained of bribery?—Yes. He told me he did not like the cost of it; but he said he had got his office, and surely one year's salary would pay it all off.

33,720. Mr. Bealy Smith said?—Yes.

33,721. Mr. Bealy Smith told you that he said that to Mr. Patton?—No. I did not know what Mr. Bealy Smith said to Mr. Patton. I always understood Mr. Bealy Smith to say that he had never spoken to Mr. Patton about bribery at all. I always understood that the whole thing had been paid for through Mr. Bealy Smith.

33,722. You heard that he had expressed disgust and pain at bribery having taken place after the first election?—I think it was after the first.

33,723. Was it also after the second?—No. I think the conversation was before the first.

33,724. And before the second?—Yes.

33,725. And after the second election?—I cannot say afterwards.

33,726. Did you learn anything from Mr. Bealy Smith which led you to suppose that Mr. Patton was annoyed, not at the largeness of the sum spent, but that any sum had been spent in bribery?—Yes, that he was most sensitive. I understood from Mr. Bealy Smith, that if Mr. Patton had known that bribery was so bad in Bridgwater, nothing would have induced him to come here.

33,727. Did he pay both bribery bills?—I do not know that.

33,728. Somebody paid them?—Somebody paid them.

33,729. Have you any idea whether Mr. Patton did pay them?—No, I have not. I know what money I distributed came from Mr. Bealy Smith, except the 2,000*l.* which I got from Mr. Lilly. I never had any communication from anybody else about it.

33,730. (*Mr. Price.*) I think that is all, unless you have anything else to add?—I cannot remember anything else. If anything should occur to me I will mention it.

33,731. (*Mr. Coleridge.*) Perhaps you will let the secretary have the addresses of those two persons you mentioned?—I will.

33,732. And certainly the address of that person Jones?—I will try and find out where Jones is. He was a draper's assistant at the time.

33,733. Because, having been a spy on the other party, he is a material witness to us?—No. He was a stranger to all connected with the election. I merely posted him at the "Bull and Butcher," and all he was to do was to give 10*l.* to any person who came for it.

33,734. Mr. Tumner is the man?—Yes.

33,735. (*Mr. Anstey.*) Can you say what the two ladies said to each other when they spoke?—They did not speak at all. The interview did not last two minutes. I went into the room, took the money, and placed it in the bag, and said, "Good morning." They merely said, "Do you think we can see the nomination?" I said, "I do not think you can." I told them they had better not go; and they said they should like to see it, and asked, "Where can we see the nomination best?" I advised them to go to the "Clarence." I do not know whether they did go; I think they did.

33,736. (*Mr. Anstey.*) You said your wife was with you. Was she with you at both elections?—Yes, and for this reason only. I am awfully sorry that she came, but she had but little idea of what she came for in the first instance; but the fact was. I was obliged to go out; I never took off my clothes for the two nights I was here; I was obliged to be out all night arranging matters, and I was obliged to leave somebody to arrange this money, and I left with her this money, and told her never to leave it.

33,737. That was in 1865?—Yes.

33,738. And again in 1866?—Yes.

33,739. And also again in 1866?—Yes.

33,740. Were you the person who came and looked in here for a short time one day, and who is said to have gone off by the train the same day?—No. Since I left on the day of the last election of Mr. Patton's I have never been in this town, except to pay one or two of the bills, until last night.

33,741. (*Mr. Price.*) You have not been here since?—No. I have not been here till last night for twelve months, or more than that.

Mr. Edward Lilly sworn. *Mr. E. Lilley.*

33,742. (*Mr. Price.*) What are you?—An auctioneer and land agent.

33,743. The first thing I will ask you is, did you recognize Mr. Tromp when you saw him?—I did the moment I came into this room. I nodded, and he accepted the recognition.

33,744. I mean, when you saw him at one of these elections in Bridgwater did you recognize him?—No, never. Until yesterday I had not the remotest idea who he was.

33,745. What was the first election you were employed in?—Perhaps I may just mention that the first election at which I voted was in 1841.

33,746. Just go through them?—I voted twice, I think, for Mr. Tynte. At those elections some arrangement was made, otherwise I have always voted for the Conservative side. I took no part in any election until the year 1865; that was Mr. Westropp's first election. I voted for Mr. Westropp and Mr. Padwick in 1859. Mr. Westropp, as has already been stated in evidence, of course continued his connexion with the borough from 1859 till the year 1865.

33,747. (*Mr. Anstey.*) What do you mean by continuing his connexion?—He came frequently, and subscribed to the various institutions of the town. You have it in evidence that Mr. Westropp was a considerable subscriber to the institutions of the town, and must have spent some 200*l.* or 300*l.* a year, I should think, from the year 1859, when he came first with Mr. Padwick, until 1865.

33,748. Not all in subscriptions?—I do not know of any other way.

33,749. We have had it in evidence over and over again, that he gave money right and left, to men, women, and children, not to institutions at all?—I can tell you he did subscribe to two institutions; because on two occasions I know he gave 25*l.* a year to the School of Art.

33,750. You do not deny that he gave away money indiscriminately?—No doubt he gave money away.

33,751. That he bribed people, in fact, under the name of "nourishing" them?—I have no doubt of it.

33,752. Then what is the use of mincing words; why not call things by their right names?—I have no doubt in 1865 I took a very active part, and I canvassed with Mr. Westropp, and rendered him all the assistance in my power. I may mention that I knew nothing at all with regard to any money matters, or any bribery at the elections, although, of course, it is patent to most persons that money was spent. I voted on that occasion for Mr. Westropp. You have it in evidence, I think, before the committee of the House of Commons, on the occasion of the petition being presented against him, that I did take an active part. I was examined there upon that occasion. I hired the committee rooms. I made various payments, both previously to that petition and afterwards, and I was paid the amount of all the expenses that I had disbursed out of pocket. I never had received one shilling for remuneration in respect of Mr. Westropp's election.

33,753. Is it true, then, that you never had any instructions or authority whatever from Mr. Westropp, to do any one of those things?—None whatever. The instructions were given either by Mr. Smith, sen., or by Mr. Bealy Smith.

33,754. Mr. Richard Smith, or Mr. Bealy Smith?—Mr. Richard Smith, or Mr. Bealy Smith, his son. Mr. Richard Smith, as you have it in evidence, took no part as an agent, only as a friend of Mr. Westropp's. He was a friend and adviser on that election.

33,755. I do not want to know about other people. It was either through Mr. Richard Smith, or Mr. Bealy Smith, that you received instructions to do these things?—It was either through him or Mr. Bealy Smith that I hired these committee rooms and attendants, and did other matters in connexion with them.

33,756. Then what was the nature of your activity when you were with Mr. Westropp?—In canvassing. I canvassed almost solely with him. I was out many days canvassing with Mr. Westropp.

33,757. Surely he asked you to do that?—No, never at all. I never had any conversation with him respecting the committees.

33,758. But there is no harm in canvassing, is there?—Not the slightest.

33,759. Then why was it that subject was so scrupulously avoided?—The canvassing?

33,760. Yes?—How do you mean?

33,761. You say you went about canvassing with Mr. Westropp, and you declared Mr. Westropp never asked you to do so?—Oh no; he did ask me to canvass.

33,762. Then I wish you would attend to my questions. Mr. Westropp thought fit to represent himself, in the words I used yesterday, as a poor helpless tool in the hands of the lawyers, and of yourself, who are all but a lawyer. Do you mean to say, that being the case, that he never asked you to canvass for him?—Yes, he did ask me to canvass with him.

33,763. What else did he ask you to do?—Nothing beyond canvassing, I believe.

33,764. You took the committee rooms, you say?—Yes.

33,765. And did a number of things which you mentioned just now?—Yes, previously.

33,766. We may take it for granted, that when you went about with him it was by his authority you went about?—Certainly by his authority, and at his request.

33,767. You see that Mr. Westropp not only said that, but endeavoured to make out that you deserted him to go to a jollification, which, as I understand, must have lasted for some days?—It is a mere idea of Mr. Westropp's. I may have been away, perhaps, a couple of days on business, but I am not in the habit of attending jollifications.

33,768. That is not my question; but is it true that you were absent some days, having gone to a jollification?—No, nothing of the sort.

33,769. It made him pretty savage, as he was left almost without anybody?—I was absent two days on matters of business.

33,770. And not on a jollification?—Oh, dear no; it is a mere conjecture on the part of Mr. Westropp.

33,771. Go on with your statement?—Then, sir, with respect to that election, that is all I had to do with it. I think I mentioned to you that I stated in the evidence before the committee, that I made payments.

33,772. Were you aware of Mr. Tromp being down at that election?—I had not the slightest idea his name was Tromp, not the slightest idea. I knew there was a man down here who was continually called "the man in the moon." I had no idea who he was.

33,773. That is not my question. You knew there was a man down here?—I never saw him.

33,774. But you knew he was down here?—Yes, I knew he was down here, although I did not see him.

33,775. How did you know it?—There was a general report.

33,776. You were one of the general managers of the election?—I had no doubt of it.

33,777. You have sworn before the House of Commons, and Mr. Westropp also, that you, of all others, were most active?—I was active.

33,778. But do you mean to say you knew nothing more of the "man in the moon" being down here, except what others knew, except by common report?—Nothing more.

33,779. Did you know the place where he was located?—I did not.

33,780. You did not?—I did not.

33,781. Did you know for what purpose he was down for?—Of course I conjectured that if he was down here as a mysterious stranger, that he came down here for the purpose of bribery.

33,782. Were not you at once struck with an idea as to the nature of the object which such a man was down here for, and did you not take care to avoid knowing anything about him?—There is always a state of reticence about such a man when persons talk about him.

33,783. We will not talk about "reticence." You took care to avoid knowing anything about this man and his movements?—I carefully avoided it as a matter of common precaution. Then I do not know that there is any other matter in connexion with that election which you may wish to ask me about.

33,784. Yes; I want to know this. Have you any doubt that Mr. Boys was a member of any committee in which his name appears?—I really cannot tell you. I remember that question was pressed by Mr. Powell, but I do not remember.

33,785. Mr. James Harwood, was he a member?—I cannot tell whether he was a member or not. I think, if you have the Bridge Committee Minute Book in your possession, you will find there the names of a number of persons. There was no real committee formed. The truth is, that it was rather an arrangement by which all those who felt interested in Mr. Westropp's election should come forward and give what assistance and information that they could.

33,786. No doubt, Mr. Lilly; and you might add, might you not, that that is the way in which all committees are formed at all elections?—Well, I suppose so, generally.

33,787. Will you undertake to say that those two persons were not members of the body calling itself a

"committee." You had doubts, you know, in 1866?—I had.

33,788. Have you removed those doubts?—I cannot. I can only say that the doubts I had then exist at the present moment. They may have been there, but I do not recollect seeing Mr. Boys.

33,789. You made payments at that election, I think?—I made several payments.

33,790. And you looked to the members of the committee to repay you?—The truth is that they were incurred——

33,791. Just answer my question.—I did not look to anyone for payment.

33,792. But you know before the House of Commons you expressly said that the members of the committee might repay you?—I considered that they would not permit me to be out of pocket.

33,793. Very well. Do you mean to say you do not know who the members of the committee were whom you thought would not allow you to be out of pocket?—Several of the heads of the committee. There were several heads of the party who were members of the committee.

33,794. I do not understand it, I must say.—I will explain. I was ultimately paid every shilling I expended.

33,795. Who paid you?—Well, it came to me through Stuckey's Bank, in the name of Turner. As far as my recollection serves me, the manager of the bank, or one of the cashiers, informed me that there had been a payment to them for me through a man of the name of Turner.

33,796. Who told you that?—One of the clerks.

33,797. What is his name?—I do not know whether it was the cashier, or whether it was Mr. Salmon. I do not know whether it was the cashier.

33,798. What is his name?—Adams is the present cashier.

33,799. Who told you that?—I cannot say.

33,800. Either the cashier or Mr. Salmon?—Yes; somebody in the bank paid it.

33,801. It was paid in the name of Turner?—Yes.

33,802. Not Johnson?—No, Turner. Shall I show you the entries?

33,803. Yes, if you please?—It is on the 30th May 1866. That is the entry.

33,804. Read it out.—"May 30th, Turner. Credit 60*l.*" Of course I have various remittances for the bank on various matters of business, and I frequently ask to what particular account it shall go. That is the reason I asked. I did not know what 60*l.* meant; and a few days afterwards I saw Mr. Bealy Smith, and I said that a payment of 60*l.* had been paid into Stuckey's Bank, and I asked him to tell me what it meant. He simply laughed, and said I need not ask any questions. I therefore came to the conclusion that this 60*l.* was a repayment of various sums which I had paid, amounting very nearly to 60*l.*, within a few shillings.

33,805. Have you the least doubt that "Turner" meant Mr. Westropp?—I have not the least doubt.

33,806. Have you the least doubt that inclines you to think that it was not Mr. Westropp that was meant?—Oh, I certainly did consider it must have come from Mr. Westropp, or somebody on his behalf.

33,807. Therefore you are no longer of the opinion expressed in your last answer to the committee of the House of Commons when they examined you, not when you were examined by counsel on either side, but by the committee itself: "I do not expect to get "any of this money refunded by Mr. Westropp. It "is very possible that I may from some of the mem- "bers of the committee; they would scarcely allow "me to be out of pocket in the matter. I hope they "will subscribe to refund me; I do not think I should "be very well used if they did not. At present I have "no legal demand."—Nor had I.

33,808. Do you mean to say that the whole of that answer faithfully and truly represents the state of the case?—As far as at that time I knew. Of course the money was afterwards paid.

33,809. You knew perfectly well, did you not then, that the committee were not chargeable at all. I do not mean in law, because that is another thing, but that they were none of them chargeable at all in fact or in truth, but that Mr. Westropp, for whom the work was done, would have to pay it?—I had no idea Mr. Westropp was to pay it.

33,810. You knew that he was paying money year after year in Bridgwater, "nourishing the borough," as he calls it, and that the committee bribed in 1859?—Yes.

33,811. Do you believe now that such a man would leave you out of pocket for money you had paid for legal expenses, namely, printing bills and the like; do you really believe it?—At the time I made that statement I had no reason to believe it.

33,812. Did you make that statement in order to induce the committee to believe that the relation between you and Mr. Westropp did not constitute what the law calls agency, and you purposely made that statement to them with reference to legal expenses in order to make it appear that you had no claim on Mr. Westropp?—I had no claim on him.

33,813. Did you make the statement for that purpose?—There is no inference to be drawn from it of that nature.

33,814. I hope your answers will be more clear than they were before the committee; but at present I must say they are anything but satisfactory and straightforward?—I came here to speak the truth; I have no intention of doing otherwise.

33,815. (*Mr. Price.*) Go on with what you have to say?—That is with regard to Mr. Westropp's election. The next election of Mr. Patton's, when Mr. Patton came down, I had nothing to do with that election beyond canvassing with Mr. Patton and Mr. Westropp. Mr. Westropp accompanied him, and he accompanied him, I believe, through the whole of the canvass. I am not aware that Mr. Patton canvassed at all, except in company with Mr. Westropp. I believe I canvassed with him for many days; I should think some seven or eight days. I know nothing of any illegal practice in connexion with that first election of Mr. Patton's. I do not know that I can make any other statement. It is mere information which is already in evidence. It is really repeating what you have had before.

33,816. (*Mr. Coleridge.*) Never mind, let us hear your account, what you have to tell?—I do not know that I can say anything beyond.

33,817. (*Mr. Anstey.*) Oh yes, sir, you can?—You have heard the circumstance which was not within my knowledge at the time, but which I afterwards heard of, that there was a sum of money got together at the "Clarence Hotel" for the purpose which has been stated to you by several witnesses. I did not know at the time the names of those parties. I have since heard of them in the course of this inquiry.

33,818. Will you speak plainly? "For the pur- "pose spoken to by several witnesses;" what purpose do you mean?—That the money was subscribed for the purpose of paying voters; no question about it.

33,819. Will you have the goodness to say whether you mean for the purpose of bribery?—For bribery.

33,820. Then why not say so. If you have committed a crime, why hypocritically conceal it?—I do not consider it a crime.

33,821. You talk of a "purpose spoken to by several witnesses." Why do you not speak plainly?—With regard to that election that is all I really know about it. I was in the committee room, or rather the return room, very nearly the whole of the day, so consequently I knew very little of what was passing outside. I knew very little of the illegal practices.

33,822. (*Mr. Price.*) Do you know anything now as to where Mr. Westropp's money came from? You

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Mr. E. Lilly.

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knew a great deal of what was passing from time to time?—Not the slightest idea.

33,823. (*Mr. Anstey.*) You knew where you got the 2,000*l.* which you gave to the "man in the moon"?—I will tell you directly. That is with reference to Mr. Patton's second election. I will now come to that, if you please. In Mr. Patton's second election, which took place on the 12th July 1866, Mr. Bealy Smith was at that time, I think, paying his addresses to a young lady who was living at Southampton. He was there frequently. He wrote to me, and requested that I would come to London on important business; this was somewhere about a week before the election. I went up, and I think I met him at the "Inns of Court" hotel; and he told me that his object in writing for me was that he might possibly wish me to be present at some interview which might take place, or to consult me on some matters in connexion with the forthcoming election. Next morning, which I believe was on the 5th of July, I went to the Carlton Club; I waited about there several hours. It appears he was in consultation with some parties there. I saw Mr. Westropp. This is on the morning of the 5th. Mr. Westropp came and asked me to accompany him into the City. I went with him in a cab, and he went to the Bank of England, and we waited about until he came out again, for some perhaps half an hour. When he came out he appeared to be very heavily loaded, and my impression was that he had gone to get gold to the Bank of England. We returned, and on arriving at the Carlton Club I missed Mr. Westropp for something perhaps like a couple of hours. Mr. Bealy Smith and myself went to a place near and had some refreshment, intending to return to Bridgwater that evening. I ought perhaps to have stated before, that on the evening previous to this Mr. Bealy Smith wished me to accompany him to the house of a person, and that person no doubt was Mr. Tromp, and it was upon that occasion that he requested me to be the bearer of a packet from London, that that packet was to be delivered to the stranger, whose name I did not then know, nor did I recognize him in the slightest degree as one that I had ever seen before. We remained but a very short time at his house. It was some relief to me to find that this man had really turned up, because I thought it might be stated that I had gone to this place without being able to give the slightest clue to it, and that it might perhaps be thought I was not making a full statement, therefore to me it was a relief that this man turned up. He came to my house in pretty much the same way as has been described.

33,824. (*Mr. Price.*) Had you charge of the money?—I am coming to that. I am merely telling you that I made an arrangement with the man to come to my house. About two hours after Mr. Westropp returned from the City; I may state, we started from this refreshment house or dining house, it is called the Pall Mall dining house as far as my recollection will serve me, and we took a cab from that place towards the Carlton, and a packet something like a foot square and perhaps some three or four inches thick was placed in the cab by a person whom I did not know.

33,825. (*Mr. Coleridge.*) Where did that person come from?—I believe he must have come out of the Carlton Club.

33,826. (*Mr. Anstey.*) Was the cab drawn up in front of the Carlton Club?—We stopped there. It was very close to it; it was quite opposite to it.

33,827. Did he come out of the Carlton Club?—My impression is he did. It was a little distance between the dining-room and the Carlton Club; it was very near the Carlton.

33,828. (*Mr. Coleridge.*) Was this done up in a chocolate box?—I do not know.

33,829. Was it not a box inside?—Certainly.

33,830. (*Mr. Anstey.*) Did you see him come out of one of the doors of the Carlton Club?—I believe he came out of the Carlton Club; he was near to it when he put the packet into the cab.

33,831. Cannot you say yes or no? Did you not see him come out of one of the doors of the Carlton Club?—I cannot say; it was very near to it that this man put this parcel in the cab.

33,832. (*Mr. Price.*) Was it a servant in livery?—I believe it was a servant out of livery.

33,833. (*Mr. Anstey.*) You know the Carlton Club has a side near to the Reform Club?—Yes.

33,834. It has two sides?—Yes; it was the main entrance.

33,835. Then it was not the side at all, but the main entrance?—Certainly.

33,836. Then how could he possibly have come out of any place except the Carlton Club?—I think he must have done so.

33,837. (*Mr. Coleridge.*) Did not he do so?—I did not see him come out of the room.

33,838. Not out of the room; you were not asked that. Did you see him come out of the door?—I did not; he was very near.

33,839. Did you see him come down the steps?—I did not.

33,840. Did you see him come down on to the kerbstones?—He was on the pavement when the cab drew up.

33,841. (*Mr. Anstey.*) Where was he when the cab drew up?—He was close to the club.

33,842. Was he on the pavement, or on the steps?—He was on the pavement.

33,843. He had come down?—He had come down.

33,844. And was standing with his back to the door?—And was standing with his back to the door.

33,845. And had he his hat on?—I think he had his hat on.

33,846. And had he this packet under his arm?—He had it in his hand, intending to put it in the cab. I have no doubt he did come from the Carlton, judging from the place where he was.

33,847. Did you notice the colour of his clothes?—They were plain clothes.

33,848. They were plain clothes, no doubt; but were there large buttons upon them?—No; he appeared to be a servant out of livery, as far as I could judge.

33,849. What did he say?—Nothing whatever; he simply put this box in the cab.

33,850. What did you say to him?—Nothing whatever.

33,851. What did the cabman say to him?—Well, the cabman, he did not say anything.

33,852. Did anybody say anything to him?—Nothing whatever.

33,853. Then how did this man know who it was to whom he was to give this parcel to? How came he to put the parcel into the cab?—No doubt he was directed to do it.

33,854. Did you see Mr. Westropp behind him?—I did.

33,855. You saw him standing near?—Yes, I saw him standing near.

(*Mr. Price.*) Why did you not tell us so before, without all this beating about the bush?

33,856. (*Mr. Coleridge.*) Where was Mr. Westropp?—Standing outside the "Carlton" door.

33,857. And this person in livery put the box into the cab?—Yes.

33,858. (*Mr. Price.*) Why did you not tell us that at once?—I was coming to that.

33,859. (*Mr. Anstey.*) No, you were not; you are answering these questions in a way which is not at all satisfactory?—I am very sorry you think so.

33,860. (*Mr. Price.*) Go on. You must have known perfectly well that we wanted to trace this bag of money, and that Mr. Westropp was the person standing there when this money was put into the cab, and you keep back that fact until you are pressed about

it?—I intended to say it; I have no intention of keeping back anything.

33,861. Then why did you not say it in the proper order of time?—Well, perhaps I am a little confused.

33,862. (*Mr. Anstey.*) Well, what did you do when you got the money?—The money was taken charge of by me. We went to the Paddington station.

33,863. Did Mr. Westropp say a word to you when you went off?—Not a word.

33,864. Did he nod to you?—No, I do not recollect that he did.

33,865. Did he not even say "Good-bye"?—I do not recollect that he did.

33,866. Did you go straight off?—We went straight off; in fact, we were rather late for the train, and we rather hurried off. We went to the Paddington station, and I took this packet and brought it to my house. I kept it at my house for several days, until Mr. Tromp called for it. I think that was about 12 o'clock on the day previous to the election, as has been stated by the witnesses; he came pretty much in the way which has been described, and he took the packet. That was on the day previously to the election; it was the nomination day, at about 12. I have no doubt the time he states is correct.

33,867. Tell me, Mr. Lilly, how came Mr. Westropp to entrust you with this large sum of money for bribery purposes?—I think that he was under the impression that he was entrusting it to Mr. Bealy Smith. He knew nothing of any arrangement that I was to take the money to Bridgwater. It was arranged and ordered all by Mr. Smith.

33,868. (*Mr. Price.*) But he knew Mr. Bealy Smith by sight, I suppose?—Oh, certainly.

33,869. Then how could he take you for Mr. Bealy Smith?—We were both in the cab. This packet was put in when Mr. Bealy Smith and myself were both in the cab.

33,870. (*Mr. Coleridge.*) Then he gave it into your joint charge?—It looked very much like it.

33,871. (*Mr. Price.*) How came Mr. Bealy Smith to trust you with this large sum of money for bribery purposes if Mr. Westropp did not trust you with it?—I suppose he had confidence in me, or else he would not have done so.

33,872. On what was this confidence founded?—I had known him from childhood.

33,873. From childhood had he entrusted you with monies when wanted for bribery purposes?—Oh, never.

33,874. Then how did it enter into Mr. Bealy Smith's mind, knowing you were as corrupt as he was, that he would trust you with this money?—I consider I was being made a cat's-paw of in this matter.

33,875. (*Mr. Anstey.*) How did he know you were to be trusted to employ the money in bribery purposes?—I suppose it was from his acquaintance with me, and from transactions in business.

33,876. Then you had had previous transactions with him in electioneering business, which made him think that you were to be trusted?—Not in connexion with money.

33,877. I am talking of bribery. There are some people who will not stain their souls with bribery, and others who are too ready to do it. How did Mr. Smith know you were one of the latter?—I have no reason to suppose that Mr. Bealy Smith knew I had had to do with money. I had no reason to believe that.

33,878. How came he to put himself in jeopardy, and the cause in jeopardy, by confiding the secret to you about the 2,000*l.*, and entrusting you with it, if he did not know previously that you were to be trusted?—I only state the simple fact, and I do not draw any inference from it.

33,879. I will not draw any inference. Had you not previously told him that you were ready to be so employed?—No; I swear it.

33,880. You do?—Yes.

33,881. When did he first signify to you that he wanted you to take charge of this parcel containing the 2,000*l.*?—When I was at the house of Mr. Tromp, as has been stated this day. Up to that time he never intimated his intention of going there.

33,882. What did he say?—He said it was a matter of great privacy; that I had nothing more to do than to be the carrier of a parcel. He did not even discuss the contents of the parcel. It was merely a parcel I was to be the bearer of.

33,883. (*Mr. Price.*) Did you know Mr. Tromp's name then?—I did not.

33,884. (*Mr. Anstey.*) Do you mean to say that you did not know that this parcel was money, but that it was merely a parcel?—Oh no.

33,885. Then what do you say?—He asked me to take charge of a parcel, and did not say its contents.

33,886. Did you know what its contents were?—I had no doubt it contained money.

33,887. Then my question returns to the shape in which I put it to you just now, and I must have an answer to it. By what argument were you influenced, or what reason induced you to be connected with this disgraceful transaction?—Because I was betrayed into a trap.

33,888. Did you not expect to get a shilling?—Not a shilling.

33,889. Did you not?—Not a farthing.

33,890. (*Mr. Coleridge.*) You went to Mr. Tromp's house?—Yes.

33,891. And you knew from Mr. Bealy Smith that he was a gentleman who was coming down here?—Yes.

33,892. You knew where that house was?—No; I had not the faintest notion.

33,893. But you did know at the time?—I went in a cab.

33,894. But you did know at the time?—I did know at the time.

33,895. Do you mean to say that up to the present time you did not know where it was?—No.

33,896. Do you mean to say, that if you had wanted to trace out Mr. Tromp's house you could not have gone at once and found it out for yourself?—No.

33,897. You went in a cab?—Yes.

33,898. Did you not hear Mr. Bealy Smith tell the cabman where to go?—No, I did not.

33,899. Did you not recollect where you went, in what direction?—I did not.

33,900. You knew when you were in a street or a square?—I did not.

33,901. Were you purposely blind? You thought you had better not know where you were?—Well, I most certainly did not take notice.

33,902. Is it not perfectly true that you purposely avoided knowing anything about it?—Well, I cannot say that, because I really did not take notice.

33,903. You purposely avoided looking about you? Having that 2,000*l.* in the cab, you thought it better not to take notice?—The money was not there at that time, not till the next day.

(*Mr. Anstey.*) I must say your answers are most unsatisfactory. You are paltering with the questions that are put to you.

33,904. (*Mr. Price.*) The thing which cannot help striking one is this, that you were told some days ago, not a week ago, that we were determined to find out who this gentleman was, and that there must be somebody in the town who must know something about him. Now, it seems an extraordinary thing that you should have gone to this gentleman's house, and have been in communication with him, and yet that you should have observed that reticence with regard to him, as you say you did with regard to other matters, without coming forward to help us in the faintest way?—I have said to more than one person, that it was an immense relief to my mind when I found this stranger

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Mr. E. Lilly.

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was going to give evidence, for the reason, that I might be pressed to give information as to his whereabouts, and not be able to give it.

33,905. But you ought to have come forward when I challenged the persons to do it. You should have come forward and said, as an honest man, "I will tell you I "know all about it; I went to this man's house from "the Carlton Club, and I will try to find out where "he is"?—I may mention, that before Mr. Purcell went away I meant to give him the whole of my evidence; but he went away, and I was unable to give my statement to him in consequence.

(A short adjournment here took place.)

(*The witness.*) May I ask permission to make a statement. I think it would be right to state that I had informed the present secretary before Mr. Tromp gave his evidence that I had been to his house, and that I did bring the packet to Bridgwater. I had intended to give the full statement to Mr. Purcell, and had made an appointment with him before he left. Unfortunately he was called away, and I had not an opportunity of giving the full explanation that I should have been pleased to have given.

(*Mr. Price.*) That is an explanation. You see, having challenged every person to assist us in the matter, we thought from the information we had got it would be a very extraordinary thing that nobody in Bridgwater should know anything about him. You are the only Bridgwater person, with the exception of Mr. Bealy Smith, who is proved to have been brought into actual contact with the man before he came down here.

33,906. (*Mr. Anstey.*) Did you tell our secretary that you saw Mr Tromp? Did you tell our secretary anything about it?—No, I did not tell him anything, for the simple reason that he was called away. I should mention that I had mentioned the fact to other persons weeks since.

33,907. You must not give yourself credit for too much candour. You concealed that from the secretary?—I did not wish to do that. I was going to observe to the learned Chief Commissioner that I have not been in court for some ten days before to-day.

(*Mr. Price.*) Well, now, Mr. Lilly, go on.

(*The witness.*) This brings me up to the last election. I now pass on to that of Mr. Westropp and Mr. Gray.

33,908. (*Mr. Coleridge.*) You have not told us yet about this very money being got from your house?—I have told you the man fetched it in the way he has described to you. I believe he has given a truthful statement of what took place. Now with regard to Westropp and Gray's election, Mr. Westropp, as you have been already informed, felt that he had a very strong hold upon the people of Bridgwater, and as he considered himself to be very popular he had determined to offer himself at that general election. Mr. Gray was introduced in this way. Mr. William Toogood, a parliamentary agent, was in the habit of calling on me frequently when he came to Bridgwater. Being a native of the town he asked me as to the general topics, the general news of the town, and he was here I think somewhere about the latter part of last August, and in the course of conversation about elections, because everything turned upon these points, he said that a friend of his, a Mr. Gray, was very desirous of getting into Parliament. I had told him previously that there was no gentleman that had been selected along with Mr. Westropp, and he thought that Mr. Gray would be very glad to come forward, and he asked if I thought it was open to a second candidate. I told him that there was no gentleman, so far as I knew, who had been selected; and he was very desirous to introduce Mr. Gray to Bridgwater. It resulted in Mr. Gray coming to Bridgwater, I think, somewhere about the latter part of August or the early part of September. I cannot quite charge my recollection at present. On the 15th September Mr. Gray came to Bridgwater. Mr. James Trevor was at Stowey, not in the town. Mr. John Trevor being from home, Mr. Brice being also from home, I called on Mr. Ruddock, a gentleman who has not taken a very active part, but who has always been called in to consult on general matters connected with the elections. We met Mr. Gray and Mr. Toogood at the "Clarence Hotel" in the evening, on the 15th September. Mr. Gray was told in the presence of Mr. Toogood, the general character of the borough. He was informed that Mr. Westropp was a very popular candidate, and it was thought and believed that in the event of a pure election being fought there was a good chance of Mr. Westropp's being returned, and any gentleman that might be with him. Mr. Westropp's name having been mentioned to Mr. Gray, he said but little upon the subject, but said he should confer with Mr. Westropp in London upon it; he thought it was quite due to see Mr. Westropp before saying anything further on the subject. He returned to London, and they had, no doubt, a conference; they had conferences upon the subject, and it resulted in Mr. Gray agreeing to come forward with Mr. Westropp. I should say that I believe there was a general desire. I am sure, speaking for myself, without wishing to assume more than I am entitled to do, there was a strong desire on the part of those with whom I acted, that there should be a pure election. There was, in fact, a very great dread of anything connected with bribery, especially in connexion with the last stringent Act of Parliament, and there was some correspondence, it appears, that took place between Mr. Westropp, I think, and some of the solicitors upon the subject, and Mr. Gray wrote me a letter. I was very fearful that I had mislaid the letter, as I do not keep election papers, but after very diligent search I found it mixed in with some printed papers, and with your permission I will put this letter in. It is a letter from Mr. Gray.

(*Mr. Price.*) You had better read it to get it on the notes.

(*The witness.*) It is not very legible. Shall I read the whole letter?

(*Mr. Price.*) Yes, you had better read it out.

(*The witness, reading.*) "31, Great St. Helens, "London, E.C., 25th Septr. 1868. My dear sir,—I "enclose you Mr. Westropp's manuscript, and also a "draft address which I have partly framed thereupon, "but I am not an expert at these things, and would "rather leave you *carte blanche* to add, reduce, or "alter as you think will best suit the sentiments and "proclivities of your people——

33,909. (*Mr. Anstey.*) You know the meaning of "reticences" and "purposes," Mr. Lilly. What meaning do you attach to the word "proclivities" as applied to the people of Bridgwater?—Political sentiments here I suppose it means.

33,910. Proclivity, as you are aware, means going downhill, slipping downhill?—That is a declivity.

33,911. (*Mr. Coleridge.*) Are there any words about "no bribery" in the address?—Oh no.

33,912. You would have struck them out if there had been, would you not?—I should not think so; I am not quite so far gone. (*Continues reading letter.*) "There are other points that I should have touched "on myself, such as freedom for all religious denomi-"nations, the late Reform Bill, &c., but you will best "know. My signature will be ready at any time——

33,913. (*Mr. Coleridge.*) And to anything, I suppose?—Well, he does not say so. (*Continues reading letter.*) "In the absence of Mr. Toogood, I think it "well to make a *resumé* of what I understand to be "the present situation, in order that there may be no "misconception on either side. On our first inter-"view with Mr. Westropp he gave me to understand "that he had information (later than any I could "have) that was most encouraging, that a large "number of the new electors were prepared to vote "*blue*, that there were divisions in the opposite "camp, and that in his opinion the latter were

" *demoralized.* On the subject of money he was " decidedly opposed to anything beyond legal expen- " diture, giving reasons in which I entirely agreed. " Mr. Toogood's note to you after this interview stated " that I was prepared to 'stand on Mr. W.'s principle,' " which I hope was understood. Mr. Westropp esti- " mated that his legal expenditure would amount to some " 500*l.* Of course mine would be considerably above " this, as I should have to ask the active assistance of " yourself and our legal friends. But what I should " wish clearly understood is that I am not prepared " to fight the battle by 'undue influence.' If you and " the other heads of the party think that my qualifi- " cations as a merchant, together with the fact of my " having the support promised by Mr. Spofforth here, " render me a fit person to represent the constituency, " then I can promise you great zeal in the work and " liberal support to all your local interests and " institutions——

(*Mr. Price.*) What is that about the promised support of Mr. Spofforth?

(*The witness, reading.*) "If you and the other " heads of the party think that my qualifications as a " merchant, together with the fact of my having the " promised support by Mr. Spofforth here, render me " a fit person to represent the constituency, then I " can promise you great zeal in the work and liberal " support to all your local interests and institutions; " but if, on the contrary, you are of opinion that " victory will be hopeless unless by a *large* expen- " diture of money on *outside* influences, then I fear " my candidature must drop. It would not suit my " position here nor my convenience to go through the " ordeal of which Mr. Westropp has had experience " formerly. Pray give me your candid views. I should " have been glad to see Mr. Toogood before sending " you this letter, but he will not" [be] "at business " before Monday, and meanwhile you may be called " on to *act.*—Yours very truly, CHAS. W. GRAY."

33,914. (*Mr. Anstey.*) What are "the local interests and institutions" to which Mr. Gray, but only on condition that he was returned to Parliament, would subscribe liberally?—I presume he meant the local charities of the town.

33,915. The same sort of charities which Mr. Westropp had nourished since 1859?—I have only Mr. Gray's letter to arrive at a conclusion on the subject. I have no other means than the letter to find out what he means.

33,916. The real plain English of the bargain between Mr. Gray and Mr. Westropp was this, that Mr. Westropp was to spend 500*l.* only, and that all the rest (which would be considerably more than that) would be spent by Mr. Gray?—That was Mr. Gray's idea. I may say that Mr. Gray was entirely unacquainted with election matters; quite a novice.

33,917. Therefore if the "considerably more than that" amounted to as much as 5,000*l.*, Mr. Gray would bear it and not Mr. Westropp?—I am not competent to give an interpretation of that letter. I think Mr. Gray was entirely innocent in all matters of elections, and that therefore he had no idea of what elections cost, and from conversations I had with him there was a determination not to spend a shilling illegally.

33,918. (*Mr. Price.*) What do you understand by "the promised support of Mr. Spofforth"?—I apprehend (I understood that afterwards), that he would be acceptable to the Conservative party; that he was a member of some club of which Mr. Spofforth was also a member. That is the way I understood him.

33,919. Is Mr. Gray a young man or an old man?—He is not a young man. I should think he would be 40; possibly more.

33,920. (*Mr. Coleridge.*) Is not he nearer 60?—I should not think he was. I am not a very good judge of age. He may be more than 40.

33,921. (*Mr. Anstey.*) Where is Mr. Toogood's note, written to you after the interview between Mr. Westropp and Mr. Gray?—I have no note of that sort. I think it must have been a personal interview.

33,922. I will read the passage to you. Mr. Gray first of all says, "Mr. Westropp at our first interview " gave me to understand—so and so, namely, that he had some vast number of new electors, and he says that he, Mr. Gray, was decidedly opposed to anything beyond legal expenditure. Then, "Mr. " Toogood's note to you after this interview stated " that I was prepared to stand on 'Mr. W.'s principle,' " which I hope was understood." These words, "on Mr. W.'s principle," are in inverted commas; the note you see contained these words, "on Mr. W.'s principle"?—I have not the letter, nor do I recollect having received it. I think there was an interview which I had with Mr. Toogood in which he expressed the most decided opinion expressed by Mr. Westropp, that he would not spend any money in illegal practices. I have letters here of Mr. Toogood's. They are of no importance except making an appointment.

33,923. What was the promised support, "Together " with the fact of my having the support promised " by Mr. Spofforth here," meaning in London?—Meaning in London.

33,924. What support was that?—I apprehend that the support would mean that he would be acceptable to the Conservative party. It could have meant nothing else, I apprehend. In fact, I heard Mr. Gray afterwards say that he was a member of the same club.

33,925. Here is an antithesis—"there" and "here." " My qualifications as a merchant, together with the " fact of my having the support promised by Mr. " Spofforth *here* render me a fit person to represent " the constituency *there.*" It must be something more, surely, than concurrence of opinion with the Conservatives?—I have no other means of interpreting; Mr. Gray himself would be the best interpreter of this letter.

33,926. Then he goes on immediately to promise you liberal support to all your interests and institutions?—Yes, that is what he stated.

33,927. Unless the victory would be hopeless otherwise than by "a large expenditure." "Large" is underlined. "A large expenditure of money," or " outside influences;" outside being also underlined?—That is outside legal expenses, I presume.

33,928. (*Mr. Anstey.*) No, not expenses, outside influences. Does not it appear from this that he was prepared to insure victory by an expenditure of money and by inside influences?—That he was not so prepared turns out by the plan that they decided on adopting.

33,929. I suppose nobody has altered this letter since it has been in your hands?—Oh no.

33,930. Therefore you did not underline the words " large," and "outside"?—No.

33,931. Mr. Gray must have done it?—Certainly.

33,932. Mr. Gray must have had a meaning in doing it. He must have meant that he was willing to expend money to some amount, and to use influences that were not "outside," whatever that word may mean?—I have no other means of judging what he meant than by subsequent interviews; by interviews which I had with him, in which he clearly expressed his determination not to spend any money in illegal practices.

33,933. (*Mr. Price.*) Did "outside influences" mean influencing by employers of labour?—I understand it to mean money influence beyond legitimate expenditure.

33,934. (*Mr. Anstey.*) He has already said that he is willing to spend considerably more than 500*l.*, and that he is willing to subscribe to local interests and institutions, and subscribe liberally, and willing to make an expenditure provided it is not a large one; large is underlined What could outside influences mean?—I can give you no interpretation. Mr. Gray would best interpret his own letter. I can only judge, as I have before stated, from the facts which took place.

33,935. Then he says, "Pray give me your candid view?" Did you write to him in return?—I did.

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Mr. E. Lilly.

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33,936. Did you in your letter tell him that it was the general opinion here that if the other side bribed and your side did not bribe, Westropp and Gray must go to the wall?—Not in that letter, certainly. I merely intimated to him that I had laid his letter; that letter I should inform you I had shown to Mr. Trevor, and to the solicitors and others, and the reply that I gave to it, under their direction, was simply that they quite endorsed his views regarding not having anything to do with an illegal expenditure of money. That was the communication I made to Mr. Gray. It was quite accepted (the terms he stated) that they would have nothing to do with any corrupt practices.

33,937. You say you did not then. Tell me, did you tell him before he came down that if he stood, really stood, upon that principle of not expending money he must go to the wall if the other side did it?—I think he was told that at the first interview that I referred to at the "Clarence Hotel" in the presence of Mr. Ruddock.

33,938. I am asking what took place before he came down. Was he told anything to this effect, "Don't come down if you are not prepared to spend "money in the event of the other side spending "money?"—No doubt he was told so, but not by me.

33,939. By whom?—I do not know. I should mention that at the preliminary interview (he came down on the 15th September) he was told that if money was spent on the other side it would be perfectly futile to fight them; there would be no chance by pure electioneering.

33,940. Did you tell him so?—I have no doubt I did.

33,941. What did he say?—He said he would confer with Mr. Westropp on the subject. In fact we gave him a good deal of information on that and other matters connected with the borough. He said he should confer with Mr. Westropp, as it was due to him, before saying anything further about the matter.

33,942. The postscript which I do not think you read is, "Mr. Westropp's M.S. I should like to have preserved"?—That is the address.

33,943. Have you preserved it?—I think I have both the manuscripts of Mr. Westropp's address, and that of Mr. Gray. I think so.

33,944. I do not wish to compromise myself by accepting that interpretation. It may not be the address that is meant, but I mean the manuscript that is referred to in the postscript, "Mr. Westropp's M.S. I should like to have preserved"?—That is no doubt the manuscript referred to in the early part of the letter.

33,945. It may or may not be; but have you preserved the manuscript referred to in this postscript?—I have no doubt I have. I will send for it. I think I have. I did not think it was important at all; the mere addresses of the parties.

33,946. Mr. Toogood's note you have not got?—I have not. As I told you before, I do not think he wrote to me. I have two notes of his here, but they merely refer to making an appointment. I have a letter here from Mr. Westropp. There is nothing in it that I think important; it is merely dated the 29th September, in which he sends the corrected and shortened draft of the address. There is nothing referred to in that. I will put the letter in if you wish.

33,947. Then with regard to the election that took place, we have already been told that there was a feeling of disappointment by some of the parties in the town, and, in fact, a strong feeling expressed that it would be perfectly useless, as there was a general belief that money would be spent on the other side?—It was thought that we should be fighting in vain, or leading a forlorn hope, to go to the poll unless money was spent.

33,948. You concurred in that?—I did not concur in that; I had a strong opinion.

33,949. You concurred in the opinion that the feeling of disappointment was pretty general in the town?—Amongst certain parties.

33,950. Therefore, when you said a few minutes ago that there was a general (I think you said universal) desire that the election should be conducted on purity principles, that would not be strictly correct?—I did not say "universal." I beg pardon; I said merely there was a feeling on the part of those at the head of the party.

33,951. You said a "general," or "universal," which I do not know; one or the other. You said either general or universal. If it is worth while I will have it read. You volunteered a statement that you thought it due to them to say that that was a general or universal feeling of the party?—I referred merely to those who were at the head of the party; the general feeling amongst those at the head of the party. That is what I meant. If I have stated otherwise I must have made a mistake; and then there was a determination, on the part of Mr. Westropp and Mr. Gray, to proceed to the poll under any circumstances, whatever the chances were, and Mr. Westropp had still a very sanguine expectation that from the very enthusiastic manner in which he had been received by the electors of Bridgwater he would stand a very fair chance provided the election was fought on pure principles. It was decided to go to the poll; and I may say that, as much to the astonishment of the Conservatives as to that of the Liberals, there was a large majority of, I think, something like from 200 to 240 at about 1 or half-past 1 o'clock. You have in evidence that there was a considerable motion in the opposite camp about that period, shortly before Mr. Kinglake left for London; and of course we very soon discovered the fact that as many persons who had promised to vote for Mr. Westropp, and I think members of the Working Men's Association in particular, had gone into the opposite camp, there was only one conclusion to be drawn from it; that they must have had some inducement to vote on the other side.

33,952. You have somewhat anticipated. We have in evidence—there is evidence more than enough of the iniquities committed on the other side that day. What we want to know is what took place on the Sunday and the Monday?—I can have nothing——

33,953. Will you listen to me. What took place on the Sunday and the Monday in your party when the strong dissatisfaction which I thought you were going to describe to us generally prevailing amongst electors of a certain class became known, or was made known to those of another class? What was done to mitigate or remove that dissatisfaction; you have not told us anything of that?—No, I do not know of anything beyond an expressed determination in language as strong as possible that no money would be spent by Mr. Westropp and Mr. Gray. On the Sunday I was present at Mr. Brice's, and you have already had detailed to you very fully the interview that took place between Mr. Westropp, and I think Mr. Hennett, or Mr. Spink. I need scarcely refer to that, because I can give you no other light on the subject than that you have before you.

33,954. I am speaking of those who you say were voters of a certain class, and who were strongly discontented when they were told there was to be no money. How were they appeased so far as to come up zealously to the poll next morning, being as witnesses leave no doubt in my mind they were to a great extent composed of persons who had been bribed at former elections, and were bribeable at that? How came they so zealously forward if nothing had been done to remove the dissatisfaction they felt on the ground of Mr. Gray and Mr. Westropp standing on purity principles?—I really can scarcely answer that question, excepting on the supposition that they may not have been under the impression that there was money going on the other side.

33,955. How can you account for their having put

them into a majority which you say astonished yourself?—The only way in which I accounted for it was that there was no money going on the other side until a later period of the day.

33,956. Would not that be the reason that they would hold back in order to see if money would be going at all?—On the contrary. I think they gave it up under the impression that no money was going. They thought they would go up and, if I may say so, make a virtue of necessity and vote early; on the supposition that there would be no money going.

33,957. Then their discontent had been removed?—I do not know the fact.

33,958. Now, Mr. Lilly, as a sensible man, and a man who can recollect from year to year the more important events of the year, do you mean to say that you do not know full well that they or many of them, or some of them, I will say, at least, were induced to think, or brought themselves to think, that if they voted zealously now for Westropp and Gray, and put them in a majority, and secure their return they would be considered amongst the "local interests and institu-"tions to which the candidates would subscribe by-"and-by?" Do you mean to deny it?—I think it possible that they may have had the idea, but I have no knowledge that anything of the sort took place. I should mention now, with regard to the Working Men's Association——

33,959. (*Mr. Price.*) Do you mean to represent that these men voted purely from political motives?—It would be rather hard to say; I do not know; I cannot speak of my own knowledge; I remember I was very much astonished.

33,960. Everybody was astonished?—I think they were.

33,961. Therefore I think everybody must have been pretty sure that there must have been something short of political motives which took them to the poll?—If there were, I had no knowledge of it.

33,962. They must have been under the impression that eventually, if there was any money going, they would be bribed. I think it has been so stated that that must be so?—I cannot say of my own knowledge.

33,963. Did you ever know such a case before?—It seems very strange.

33,964. (*Mr. Anstey.*) Did you read Richard Hodges' circular; a copy of it was put in evidence the other day?—I do not recollect the circular.

33,965. It was one that they thought so unwise a thing for him to write, a man of his skill, that Mr. Batten said that he could not believe that he had written it; a circular in which Mr. Gray is called a copartner, and the perjured and bribed Mr. Hayward is told in so many words that if he votes for Westropp and Gray, "they will be found by you all that you could wish"?—I have not read the circular.

33,966. Did you hear Mr. Hodges' speech or speeches which he wished to repeat to us?—I think he spoke chiefly about the Working Men's Association.

(*Mr. Price.*) It is stated that he boasted that he had done it so diplomatically that it could read either way.

33,967. Did you hear him speak?—No.

33,968. (*Mr. Anstey.*) Were you present at the meeting at eight o'clock in the morning, when Mr. Westropp, unquestionably to my mind, was present (though one of the witnesses has taken upon himself to swear positively that he was not) at the "Clarence"?—I was not present. My attention was entirely confined to what we may call the committee room, or rather the return room.

33,969. Do you know whether Mr. Hodges on one of those occasions in telling electors why money would not be spent gave the reason because it would not be prudent for Mr. Westropp or anybody else to promise money, because that would unquestionably, if proved, confine him to a prison?—I never heard him say so.

33,970. You know, I suppose, that at all events some of the names which made up that majority that astonished you so much were names notorious in Bridgwater for never having voted without being bribed, and for being bribeable on either side? Do not you know that?—There were some, doubtless.

33,971. When you heard those men had voted early, had you any doubt what had induced them to vote?—I was under the impression that they went up and voted purely.

33,972. (*Mr. Price.*) It is "purely" in one sense; they had no actual money. You do not mean to say that you thought they voted without an expectation, that there would be money afterwards if there was no petition and no inquiry?—I could not go so far as that.

33,973. Do you think that if there had not been money given to them after that election, and if there had been no petition and no inquiry, that one of these men would have voted at the next election without being paid for their former votes?—I would not undertake to say.

33,974. I think you can undertake to say?—I would not undertake to say one way or the other.

33,975. You must know Bridgwater well enough to know that that would be the inevitable result. In all probability before the next election these men would saw, "Now we are not going to be done again; we will have it beforehand"?—I think that would apply most strictly to the old constituency, but I have not knowledge of the new.

33,976. (*Mr. Anstey.*) You took an active part in the election?—I canvassed.

33,977. And you are aware that the virtuous new constituency, to whom that remark of the learned Chief Commissioner would not apply according to you—that of the virtuous new constituency not less than 34, perhaps more, being not only Conservatives, but being members of the Conservative Working Men's Association, and furthermore being actually positively pledged to vote for Westropp and Gray, actually sold themselves like pigs to the other side, and voted for the other side?—Oh, there were; no doubt there were.

33,978. Then how can that remark possibly apply chiefly to the old constituency in the face of a damning fact like that?—It is a very suspicious fact, I admit. Of course I state from my own knowledge what my belief may be.

33,979. (*Mr. Price.*) You having been mixed up so much in electioneering matters, you must know that that is so?—I think it is very probable. I could not undertake to swear that that was so. Of course I only express an opinion.

33,980. You are not asked to swear, but we want to get the opinion of people like yourself who have been actively engaged in politics, as to whether the enlargement of the constituency has had any real effect in purifying it?—I should not be ready to say that it had.

(*Mr. Anstey.*) It does not seem to have had the effect of even lowering the price of votes.

33,981. (*Mr. Price.*) If these 200 men were composed almost entirely of the new constituency, I think there might be something in your judgment, but unless you can show that— ?—They were largely composed, I should imagine, of the new constituency, because this constituency was more than doubled by the new franchise.

33,982. Then it is a very curious thing. The other side give us a reason for their determination to begin bribing. They say the Conservatives had an immense majority at an early hour in the day, and they felt convinced that there were men who had polled who would not have polled without money, and therefore they then screwed up their courage and made up their minds to bring out their money. That shows the different views taken by different parties. Here the other people say, You had a majority in your favour, and they say (and I think it was a reasonable opinion,) that this majority was made of men who would not vote without at least an expectation of money. You say you think they voted entirely from pure motives?—I think it would be entirely open to

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the suspicion which you suggest. From my own knowledge I must say I was very much surprised at the majority at the time I mentioned.

33,983. (*Mr. Anstey.*) Did you see Dr. Kinglake in the streets that day?—I did not; I do not think I was outside the "Clarence Hotel" until after the close of the poll; I did not see Dr. Kinglake for some time.

33,984. Have you anything further to say about that election?—Yes, I have some information to give you in respect to some payments. Mr. Bealy Smith, as you are aware, it seems was determined to leave Bridgwater, and he was then in a very excited state. I should like to have him described to you by medical gentlemen who attended him—I fear you may be scarcely aware of his state of mind—Dr. Bent and Dr. Farmer.

33,985. Who?—Mr. Bealy Smith I was referring to.

33,986. I am asking you about the last election. Have you anything further to say about that?—No, nothing about the last election; I was mistaking. I beg your pardon. It is in reference to Mr. Patton's election that I was going to give you some information. I was stating that Mr. Bealy Smith was then in a very excited state of mind, and I was just saying that the doctors would best give you that information, and that he asked me to settle certain bills in connexion with Mr. Patton's two elections. He urged me to do it, and I consented really from a feeling of sympathy with his state of mind, and I did make certain payments. These payments I wish to give in.

33,987. You had better read them, and the amount; the total first of all?—The sum total is 206*l.* 5*s.* and some of the details have been spoken of here by some of the witnesses. I give this in explanation as well as furnishing further payments that were made. I will give you the whole of the payments, if you please. The first payment was to William Poole. I should say, I ought to say here that I have no knowledge, and I never ordered or gave directions for any of these accounts, but I was only the medium of paying these accounts as requested by Mr. Bealy Smith and this, and this 206*l.* 5*s.* was a balance I understood he then had in hand to pay certain outstanding liabilities. "William Poole, Bristol and "Exeter Railway Inn, for refreshments, 2*l.* 10*s.* 0*d.*" That was a public-house. "James Stark, travelling "expenses coming from a journey to vote, and re-"turning." I am not quite sure to which election of Mr. Patton this applies. Some of the bills apply to both. He was on his journey; he was a commercial traveller, and paid 3*l.* in expenses.

33,988–9. (*Mr. Price.*) I do not think we want the details. You paid 206*l.* worth of outstanding bills?—Yes.

33,990. Treating-bills and expenses?—Treating-bills and expenses.

33,991. (*Mr. Anstey.*) Was this during the last election?—Oh no, not a shilling. It was paid in the early part of last year, 1868, long before the election.

33,992. It was after Mr. Disraeli and the then Government had given a solemn pledge in the House of Commons that there should be a dissolution at a convenient period of that year, 1868?—Well, I don't know that I recollect when that took place.

33,993. As your memory entirely fails you upon that point, I will tell you, because it is a matter of history, that that pledge was given in 1867, and renewed in 1868?—These bills were paid in 1868, nearly a year and a half——

33,994. That has nothing to do with it. At the time the payments were made, was not it fully understood that an election was, I won't say imminent, but likely to come on before many months?—No doubt it was expected, but I do not think that these bills——

33,995. (*Mr. Coleridge.*) They were paid in anticipation of the coming election?—No, this money was in Mr. Smith's hands, and had been in Mr. Smith's hands for a year and a half, and in consequence of his severe illness the bills had been deferred. They had been incurred in 1866.

33,996. (*Mr. Price.*) Had these men become clamorous for their money?—Not in the slightest degree. I never heard of one. I never heard of a single instance.

33,997. (*Mr. Anstey.*) If they had been clamorous, would you have been the man to hear of it?—Well, I might or might not have heard. I think it is probable that I should have heard.

33,998. Would you have heard in other ways?—Some of them might have made a complaint to me.

33,999. You are a brother-in-law of Mr. Smith?—No.

34,000. Any relation?—No relation whatever.

34,001. No?—Oh, dear no.

34,002. But you are intimately connected with the family?—No. No connexion whatever beyond——

34,003. Is it not a fact that when the business of Smith and Son was sold to Mr. Boyle, or perhaps before that, some of the confidential papers connected with the election of 1865, and perhaps those of 1866 also, were handed over to your care?—Oh dear no, not a single paper.

34,004. Mrs. Smith has distinctly stated that that was the case?—I beg to explain. Mrs. Smith could have referred only to the bills that I paid at the request of Mr. Bealy Smith in the early part of last year.

34,005. Mr. Lilly, Mrs. Smith's evidence speaks for itself. She was not asked about the payment of bills at all. She was asked about some papers which have most mysteriously, and I think scandalously, disappeared, which we have sought to discover, and which we are entitled to have produced, and those are papers in reference to the election of 1865, and the trial which took place in 1866 in reference to that return, and she said that besides those that were destroyed by herself there were others which by advice of somebody had been handed over to you as a confidential person; papers of importance, which you would produce?—I pledge my oath that I never received a single paper, and I may say that, fortunately, Mr. Chapman is fully aware of the fact. Mr. Chapman was a clerk in the employ of Mr. Smith. He will tell you that I could by possibility have no papers handed over to me. I never had a paper of any kind whatever. To that I pledge my oath and my conscience.

34,006. Have you heard that she made that statement?—I read her evidence in the Mercury of the following day.

34,007. Now here is a short abstract of it in the Mercury which you must have read?—I have no doubt of it.

34,008. "She added that her son had written to "say that there were election papers in the hands of "Mr. Lilly, which he wished to have handed over to "her." That was not nearly all she said, but it is a pretty fair abstract of what she said. Now, is that statement true, or is it false?—It is entirely untrue. I never had a single paper, I again repeat most emphatically.

34,009. It is between you and Mrs. Smith and her son?—I can only say I believe it is a misapprehension of Mrs. Smith. I do not think she would be capable of telling an untruth. There was no possible reason, as Mr. Chapman could best tell you; there was no possible reason why the papers should be handed to me.

34,010. I will read you the full notes of her answers. She had been asked at several periods of her examination the same question, and at last she is asked this towards the end of her examination: "Do you know what conclusion we shall come to if you do not"—that means "if you do not sanction your husband coming before us?" and the answer is, "I have not all the papers"—that means all the papers relating to the election trial—"I have not all the papers; Mr. Lilly "has some of the papers. Q. You did not tell me

" that just now?—*A.* You did not give me time; you " went on to another subject. *Q.* What papers has " he?—*A.* My son wrote a letter to Mr. Lilly during " the time he was managing his sale." That is the sale of the business, I suppose?—The sale of the furniture.

34,011. "Mr. Lilly read that letter to me, about " one or two letters that concerned me, and he said, " 'You have some political papers which I wish " handed over to mamma.' I have asked Mr. Lilly " for them, and I have never had them. He (that is " Mr. Lilly) admitted to me that he had them. " *Q.* (by Mr. Coleridge.) Is that Mr. Lilly, the auc- " tioneer? — *A.* Yes, Mr. Lilly, the auctioneer. " Those may be very important papers." Then I asked, "Has any other person any papers?" *A.* "Not to my knowledge. I should not have known that, " but that my son wrote to Mr. Lilly, and he (that " is Mr. Lilly) told me so." Now did you ever tell her that?—I think it could have no reference—could by no possibility have any reference beyond the bills and receipts for what I paid—this 206*l.* I emphatically state again on my solemn oath that I never had a paper. You are under a misapprehension of my having had anything to do with the disposal of the business; it was the sale of the furniture. I never had a political paper o f Mr. Smith's in my hands, nor have I now. Mr. Chapman will give you corroborating information. He can tell you that I could by no possibility have the papers.

34,012. What do you mean by "no possibility"?—Because Mr. Chapman has told me that he knew the whole of the circumstances; that he took the papers, all the papers connected with these elections, down to Mrs. Smith.

34,013. You know, Mr. Lilly, perfectly well that papers relating to an election, in which "a man in the moon" to your knowledge was employed on your side of the question, may partly consist of papers which should not be exposed to the eye of an ordinary lawyer's clerk like Mr. Chapman?—I can only again repeat that I have never seen, nor have I ever had entrusted to my care a single paper bearing upon any of these elections to which you have referred. That, again, I emphatically pledge my oath to.

34,014. Are you aware that your friends, Mr. Smith, senior, and Mr. Smith, junior, are the only attorneys in all Bridgwater who have concealed or kept back, or whose people have concealed or kept back from this Commission the papers relating to elections into which we have inquired, and which papers we have called on them to produce?—I have heard so. I beg to assure the Commissioners that if I had the knowledge of a single paper, I should feel it my duty most unquestionably to bring it forward.

34,015. (*Mr. Price.*) Will you make a search and see?—I have searched, It has given me a world of trouble to find the letter which I have now handed in, which I was under a very great apprehension that I had destroyed. I am not in the habit of keeping papers connected with the elections; in fact, I have generally destroyed them, and I can only say that when that letter turned up it relieved me from some anxiety, because it might have been thought, perhaps, that I had destroyed that letter.

34,016. When were these briefs, held by Mr. Longfield and the other Conservative counsel, in the election petition trial of 1866 destroyed?—I have not the slightest idea.

34,017. When did you receive the orders for the sale?—I think it must have been some time previously; previous to August last year. The sale took place in August.

34,018. 1868?—1868.

34,019. From whom did you receive those orders?—From Mr. Bealy Smith himself.

34,020. You told us, not long ago, not many minutes ago, that Mr. Bealy Smith was quite unfit to transact business, and yet you now say that you took orders from him for a sale, and executed those orders?—I said he was in a very excited state. I did take his orders, but I consulted Mrs. Smith on the subject, and she said I had better follow his directions. He seemed determined to leave Bridgwater.

34,021. You mean to say, in other words, that Mr. Bealy Smith was fit to transact every other kind of business though excited, but not fit to make a discovery to this Commission and the public. Is that what you mean?—I do not say that.

34,022. The same, I suppose, with regard to his paralytic father. I suppose you mean to say that he, too, is not fit to be examined before this Commission? Will you swear that?—If I made any statement I should scarcely be believed, and therefore I had better not do so. I have a strong opinion on the subject.

34,023. Were you employed in a sale at Horsey Slimes?—I was the auctioneer.

34,024. And Mr. Else also; was not he engaged?—No, Mr. Else is retired.

34,025. Well, you were engaged as the auctioneer?—I was engaged as the auctioneer.

34,026. When did that sale take place?—Some two or three months since.

34,027. Was it one month or two?—I cannot recollect.

34,028. Was it just before this Commission opened?—Oh yes, some time.

34,029. Was it some days?—I should think about two or three months ago.

34,030. We have been here nearly two months, you know?—Yes, I know; not quite.

34,031. (*Mr. Price.*) Was it in the month of June or July?—I can tell you by getting the particulars. It was some two or three months ago. My memory is not good for that.

34,032. Was Mr. Joseph Richard Smith at that sale?—Yes.

34,033. And bidding?—No, he did not bid at all.

34,034. Did you see him on the ground?—No, I never saw him on the ground. You are speaking of Joseph Richard Smith?

34,035. I mean Richard Smith?—I never heard that he had inspected the property, or caused it to be inspected, until it came out in the course of this inquiry.

34,036. Until it came out in a question; in the shape of a question from me?—Very probably.

34,037. Is it a fact that this paralytic man who cannot be examined before us first of all entered into some negociation with somebody for the purchase of that property by private contract?—I can hardly think that was tbe case, because I must have known it. Messrs. Poole were the solicitors.

34,038. Is not it the fact that he drove out to that property, and drove over the ground and inspected it?—I do not know. It is not within my knowledge.

34,039. And having inspected it, declined it?—I do not know at all.

34,040. You are a judge of that sort of thing. being a land agent?—Oh yes, it is my business.

34,041. Would you call a man who could do all that, physically and mentally, incapable of transacting business, supposing he did all that?—Well, I should say if he did all that he would be capable of transacting business.

34,042. (*Mr. Price.*) Forming a judgment on the value of the land and declining to become a purchaser?—I was not aware of the fact.

34,043. (*Mr. Anstey.*) You say Mr. Else had nothing to do with it?—Not to my knowledge. He may have been consulting with Mr. Smith, but not to my knowledge. I never heard of Mr. Smith as intending to become a purchaser. I think I recollect, as we always do, sending him particulars. We generally send him the particulars of anything. He is perhaps desirous of knowing what is going on in the town. He has not much to employ his mind upon.

34,044. One question more upon that point, and remember you are sworn?—I shall not forget the fact.

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34,045. What reason in particular have the Smiths —Richard Smith, his wife, and son that is gone away, or any of them—what special reason have they more than the other inhabitants of Bridgwater for shunning an examination which is to reveal their misdeeds?—I really think, sir, if I may be permitted to give you a candid answer, I do not think it results from any disinclination. I believe there is a serious apprehension entertained, that to examine Mr. Smith, and to place him under a severe examination, would have the effect of producing, perhaps, another attack of paralysis. If you will allow me I will tell you all I know about Mr. Smith. I have sometimes been to Mr. Smith's house to consult Mrs. Smith with regard to her step-son, Bealy Smith, and I assure you she has invariably prevented my seeing her husband, being fearful lest talking of the general matters of the town would excite him, and be very dangerous.

34,046. Why is it not the fact that Mr. Else is at this moment not only seeing Richard Smith, but is living with him at Teignmouth or Exeter, or wherever else it may be?—I do not know the fact.

34,047. But have you not heard it?—I have not heard it, but I saw Mr. Else with Mrs. Smith on the day of the examination. I do not know the fact.

34,048. Did he go away with her?—I simply saw them returning.

34,049. Then he went away with her?—I have no idea.

34,050. You saw them returning from where?—From the "Clarence Hotel," on the day of her examination. I merely met them going towards their own house. Mr. Boyle I think was present, and Mr. Else was there as well.

34,051. (*Mr. Price.*) What is Mr. Else?—He is a retired engineer. He was connected with the firm of Hennett and Spink, whose names you have heard.

34,052–3. Is he a great friend of Mr. Richard Smith?—On very friendly terms with him. They have been on friendly terms for years.

34,054. (*Mr. Anstey.*) And Dr. Farmer, I believe, takes as warm an interest in politics here as you do?—Well, he is a very zealous Conservative.

34,055. And he was very active with the Smiths and you in all these elections?—I do not think he went about canvassing at all, but he attended meetings, and was a very zealous Conservative.

34,056. Moved so-and-so to take the chair, and all that kind of thing?—Yes; and I think he moved or seconded the nomination of one of the candidates.

34,057. (*Mr. Price.*) It was stated here by Mrs. Smith that her husband had lately looked at some land at Horsey Slimes, about two or three miles frem Bridgwater, with the view of purchasing it. Now, if what Mrs. Smith says about that is true, he must have had his ordinary judgment about him?—I am only surprised that he should have gone to look at the land.

34058. (*Mr. Price.*,) We learn something more every day about it?—I am surprised. I was not aware that he had applied. The application did not come to me, although I was the auctioneer for the sale of the property.

34,059. (*Mr. Anstey.*) Mrs. Smith further says: "I cannot tell you how lately, I am sure, but he was "driving out and got out of the carriage to look at "some land, a field by the side of the road. He "thought of purchasing it, but did not do so. It "might be two, three, or four months ago, or it might "not be so long. I have not borne it in my mind "at all." Then Mr. Coleridge asks, "Is he any worse now than he was then?" The answer is, "No, certainly not." Then later he I asked a question, this question on the same subject: "How far is Horsey Slimes from here?" (*A*) "I should think a mile, or a mile and a half." (*Q*) "What road is it upon?" The answer is, "The Burnham Road." All these things, you see, she speaks to positively?—Yes; the piece of land in question I have no doubt is adjoining the turnpike road. It is very possible that a party might drive by it, and might really have a fair opportunity of inspecting the land without going upon it.

34,060. She says he did go upon it?—I beg your pardon.

34,061. There is a distinction, you see. It is very possible that the field has been swallowed up by the river since we began this examination, but that has nothing to do with it. As a matter of fact it has not been swallowed up?—The field is accessible from the road.

34,062. As a matter of fact he did get out of the carriage and inspect it?—It is very possible. I am not aware of the fact.

34,063. (*Mr. Price.*) Well, that is all, Mr. Lilly, unless you have anything further?—There is one explanation which I should like to make. Mr. Henry Chapman Bussell referred to some treating which he stated that I had done. I think it right to give you the information. He said there had been treating carried on by me at the "Albion" inn on the occasion of a Foresters' meeting. It is perfectly true.

34,064. (*Mr. Anstey.*) Are you going into any further matter? I wanted to complete this. There is some other matter about a cheque which Mrs. Smith stated she had forwarded to you?—Yes.

34,065. Mrs. Smith stated that, by advice of Mr. Somebody or other, I do not remember who—she did not state this on oath, she stated it after my learned colleague had retired from the room on account of illness—she stated that she had forwarded to you a cheque which she found amongst her husband's papers?—That is the cheque for 206*l.* 5*s.* 0*d.* which I referred to.

34,066. You did not refer to that?—Yes, I did, and you stopped me. I gave you all the details.

34,067. You gave us a lot of details, but not about this specific thing, the cheque for this amount?—I was not aware you were alluding to a cheque at all, given to me by Mrs. Smith.

34,068. Did she forward to you a cheque which she found amongst her husband's papers?—Never. I had the cheque in question from Mr. Bealy Smith. I never had a cheque from Mrs. Smith, and that is the cheque to which I referred with regard to the payment of various bills.

34,069. Well, her statement was not on oath. You can now go on with your statement about the treating?—Mr. Gray had been waited upon by some deputation of the Foresters' Society to ask him to become a member of that order, and on inquiry he found that it was the custom for the candidates, or the members, to identify themselves with these local institutions. Mr. Gray consented to go, and he asked me if I would accompany him. I disliked the idea of becoming a Forester; I had no intention of doing so, but, at his request, I accompanied him, and Mr. Joseph Smith and two or three others were "initiated," I suppose it may be called, at the same time. Mr. Henry Hobbs, whose name has been mentioned in this inquiry, when we were in the room, said that it was customary to drink the health of the new members; and I said, "Well, what is usual and customary, by all means let it "be done on the present occasion." Mr. Westropp was also present on that occasion. Mr. Brice was also there. Mr. Brice had been a Forester before, and Mr. Westropp was a Forester; but Mr. Gray was one of the new members who was then initiated. I said to Mr. Hobbs, "If that is the case, you had better call for glasses round." It was a mixed assemblage, all classes of politics. The discussion of politics is strictly prohibited on all these occasions, and after having conferred with one or two of those newly introduced into the order, we said we would gladly spend about a sovereign apiece, if it was customary for the honorary members to do so on being initiated. Mr. Hobbs then took upon himself to give the order for glasses of grog, and I told him expressly that it was not to exceed the 5*l.*,

because there were five members who were initiated. Well, the matter went on, and I think we may have been there perhaps an hour and a half. Some days after this evening to which I have referred, a bill was sent in of about 16*l.* odd. I need not say I was very much astonished, and I use a stronger word, disgusted. at such a bill being sent to me. I sent it to Hobbs, and mentioned the matter to him. He was as much astonished as myself. Some time after this I sent for Mr. Cole, who was the landlord of the hotel, and told him at once how astonished I was at it, that I should never pay it, that it was never ordered, and that whatever Mr. Hobbs had ordered I would see that it should be paid, because those were to contribute who were there present, and I have never paid the account till this day, nor will I ever pay anything beyond the 5*l.* That is the explanation I have to give as to that. There is one other thing I ought to mention to you. I am not quite sure whether I can give you the precise date, but at some considerable time after Mr. Patton's elections Mr. Bealy Smith told me, that as I had given up a very considerable amount of time and trouble in reference to his two elections, that it was wished that I should be made a present, and he gave me a cheque for 60*l.*; 15*l.*, as near as I can recollect, of that amount were for payments which I had made out of pocket in connexion with one or other of the elections. I gave him the accounts. I can scarcely recollect what they were now; so that in point of fact I did receive 45*l.* as a present from Mr. Smith; it must be some 12 months after the election, as I conceive. That is the only money I ever received with regard to any elections in Bridgwater. I thought it right I should inform the Commissioners of that fact. I do not know anything at all beyond that which I think it is necessary to inform the Commissioners of; but if there should be anything in the course of the inquiry which should occur to me I will take an opportunity of stating it to you. I beg to assure the Commissioners that I do not wish to keep back one single fact.

34,070. (*Mr. Anstey.*) I must say for myself that I am not at all satisfied on the subject of that story of the papers which Mrs. Smith says she handed to you? —I have given you a plain, unvarnished statement. I am sorry you should say you are not satisfied.

34,071. You must settle that with Mrs. Smith?—I am sure Mrs. Smith never gave me a paper.

34,072. I do not say that Mrs. Smith would state anything that was untrue, but she is a person of great wit and energy, and therefore not wanting in understanding or parts?—No.

34,073. Therefore if she is a person of understanding, and a truthful person, we are bound to believe that she has told the truth; then what are we to say to your statement?—What I have stated is perfectly true.

34,074. That is for you to settle with Mrs. Smith. These papers ought to be produced, and whatever may be the odium of pressing a matter of that kind under these circumstances, I think the whole story ought to be inquired into?—I think I shall be borne out by the whole people in Bridgwater that I would not tell a story.

34,075. (*Mr. Coleridge.*) There is one question I want to ask you, about something that was said in an examination which took place some time ago, and that is, that this money you brought down, this 2,000*l.*, you put in a room on one side of the passage?—I put it in a room on one side of the passage.

34,076. And when the stranger came down, he saw you in the room opposite?—I think he is under a little misapprehension.

34,077. I want to have that cleared up?—Let me give you the exact facts.

34,078. Do so?—There was a little humbug and nonsense in connexion with the transaction; I will tell you precisely how it occurred.

34,079. I do not know how he was to leave the room, and go into a room the other side of the passage, and see the 2,000*l.* parcel, leaving you behind, without his being told previously where he was to go?—He was walking on the opposite side of the street. I certainly should have scarcely known him at the moment——

34,080. Never mind that; go on?—He came to the house. I was expecting him at that particular hour that he came; 12 o'clock I think was the hour. He came across to my house. He came into my breakfast room, if I may so call it, and on the table, so far as my recollection serves me, there was this brown-paper parcel. It was not a bag, but it was a brown paper parcel.

34,081. So we have heard before?—Some conversation took place between us. I have forgotten his mentioning about this property at Highbridge; he may have done so, and then I left the room, and on my return I found that he and the bag had vanished.

34,082. And was it arranged by Mr. Smith with him what he was to do, or how was he to know about it?—That was arranged by him with Mr. Smith.

34,083. I understood him to say that he left you in the room, and he went into a room the other side of the passage, and there found the package?—That is a mistake. It is not exactly true.

34,084. (*Mr. Price.*) When you had the sale of these effects of Mr. Smith's, what did you sell?—I sold the whole of his furniture.

34,085. His papers and documents?—No.

34,086. Furniture?—Only furniture.

34,087. Writing desks?—There were no writing desks. There were some writing desks which were retained, and some envelope cases, and there were some book cases, and that sort of thing, which were retained. Beyond that, I sold all his furniture. I should like Chapman to be asked about those papers while it is fresh in his memory.

Mr. JOHN HAYWARD sworn.

Mr J. Hayward.

34,088. (*Mr. Price.*) What are you?—A general merchant.

34,089. (*Mr Anstey.*) At Wellington?—At Wellington.

34,090. Just tell us what you know about this matter. On the polling day, did you see Dr. Kinglake go into a bank?—I did.

34,091. What o'clock was that?—Between one and two.

34,092. You are quite sure of that?—I am quite sure of that.

34,093. (*Mr. Price.*) What makes you sure about the time?—Because the intelligence had just arrived at the "Clarence" hotel that Mr. Kinglake had left the town by the express train. I was then in company with Mr. Axford the surgeon, and after that intelligence had arrived, we waited until the state of the poll was posted against the columns at the hotel, and the announcement then was something like 143 and about 138.

34,094. (*Mr. Anstey.*) At 1 o'clock?—About that time.

34,095. But was the state of the poll posted at 1 o'clock?—Yes, just about that time.

34,096. I mean was it the 1 o'clock state of the poll that was posted, that you saw?—I should consider it was, or after that.

34,097. You could read you know. It said what time it was, did it not?—I have no reason to recollect the circumstance.

34,098. You do not understand the question?—I do.

THIRTY-THIRD DAY.

Mr. J. Hayward.

2 Oct. 1869.

34,099. Was the paper you saw posted up, headed "1 o'clock"?—I cannot say.

34,100. (*Mr. Price.*) Then how do you fix the time?—The only way I fix the time was by this circumstance, that it was reported that Mr. Kinglake had left the town.

34,101. (*Mr. Coleridge.*) Was it nearer to one than two?—It must have been after one.

34,102. But nearer to one than two?—Oh yes, certainly.

34,103. Because it has been sworn here that Mr. Kinglake and his brother went away in a fly to the station, and that one went off by the up train, and the other by the down train?—It could not be so.

34,104. Why could it not be so?—Because I saw Dr. Kinglake subsequently.

34,105. Subsequently to the rumour?—Yes.

34,106. You did not see him subsequently to 1 o'clock?—I saw him about 1 o'clock.

34,107. It is sworn that they went away together in a fly, and that one went away by the up, and the other by the down train?—No; they did not go away together. I do not believe they went away together. It is stated they went in different directions. I was going on to state, that at the time I stayed just after 1 o'clock to see the state of the poll, Mr. Axford and I stood together. He saw the state of the poll. Then it had been reported that Mr. Kinglake had left the town. Mr. Axford took me by the arm, and said, "Hayward, let us walk down Eastover, I want to see a patient there." We walked down towards Eastover, and just as we got to the West of England Bank, which is this side of Mr. Allan's, Dr. Kinglake came out of Mr. Allan's, and walked straight across the road, and I saw the direction in which he was going; and Mr. Axford caught me by the arm, and nudged me, like this (*describing*), and I said, "Now, Doctor, there is something going on wrong."

34,108. What time was this?—That was between half-past 1 and 2 o'clock. I watched Dr. Kinglake, and drew Mr. Axford's attention to his going into Prior's bank, and I said, "Now mischief will be going on for certain." Mr. Axford and I then walked on. I should say Mr. Axford said, "Who is it? Who is it?" He did not seem to know who Dr. Kinglake was, although they were both medical men, one at Taunton and the other at Bridgwater. Mr. Axford did not seem to know Dr. Kinglake, but I did, from having had business transactions with him; and I told Mr. Axford it was Dr. Kinglake, Mr. Kinglake's brother; and then, its being the circumstance that Mr. Kinglake was reported to have left the town at that time, and that Dr. Kinglake was left behind, the impression on my mind was, that Mr. Kinglake had left the town for his brother to carry on the practices which subsequently took place. That impression was strongly on my mind, and I expressed as much to Mr. Axford.

34,109. (*Mr. Anstey.*) That impression fixed itself on your mind at that time?—Yes; it did.

34,110. And that makes you speak more positively to the time you referred to?—It did.

34,111. And you have no doubt it was between one and half-past one?—I have not the slightest doubt.

34,112. Is it not possible that this having been done, that Mr. Kinglake may have joined his brother, and proceeded with him to the railway at half-past 1?—I do not think he could have done so.

34,113. You do not think he could have done so?—No; I do not. Judging from the time the trains arrived at the station, I do not think he could have done so.

34,114. Did you see Dr. Kinglake come out of the bank again?—No; I walked on with Mr. Axford to Eastover, and walked up and down in front of the house of the patient where he visited, and I should think I waited half an hour.

34,115. Did you see Dr. Kinglake pass up the road while you were waiting there?—He certainly did not pass up or down the road while I was waiting.

34,116. Nor Mr. Kinglake either?—Nor Mr. Kinglake either.

34,117. (*Mr. Price.*) What time would that bring you up to?—Pretty nearly 2 o'clock.

34,118. (*Mr. Coleridge.*) If he walked up from the bank to the station, it might be, that he would not pass you where you were?—No; it was not the ordinary way to the station. Mr. Axford and I returned to the hotel again, and by the time I got back the majority was beginning to turn, and, from that time, down to the close of the poll, the minority very rapidly dwindled away until it was converted into a majority.

34,119. (*Mr. Anstey.*) Living at Wellington, I suppose you have had ample means of being acquainted with Dr. Kinglake's face and appearance?—I know his face well.

34,120. You have no hesitation in saying who it was?—I have not the slightest hesitation to say who it was, because I have seen him over and over again, and I am quite positive in saying it was Dr. Kinglake.

34,121. What Mr. Axford is that?—Mr. Richard Axford.

34,122. Is he the elder or the younger?—The elder.

34,123. (*Mr. Coleridge.*) What is the latest period you can fix for having seen Dr. Kinglake in Bridgwater?—From 1 to half-past 1.

34,124. Can you fix it more certain than that?—No.

34,125. (*Mr. Anstey.*) He was going by the down train at 1.40?—Yes. I must tell you, I believe Mr. Kinglake must have gone by the down train too.

34,126. Why do you believe that?—For this very reason, that when I left Bridgwater to return to Wellington in the evening, I reached Taunton station, and there were one or two other passengers besides myself in the train, and they got out at the station, and two gentlemen got into the train. One of those gentlemen asked me if I had heard what was taking place at the Bridgwater election, what was going on; the election at Taunton had terminated just before, and they told me Mr. Cox was returned for Taunton, and I told them, to their astonishment, that Mr. Vanderbyl and Mr. Kinglake were returned for Bridgwater. I told them that it was reported that Mr. Kinglake, before the closing of the poll, had left Bridgwater by the express to go up to London. One of them said, that could not possibly be, because he said, "I had the pleasure of shaking hands with him "in Taunton at Paterson's hotel, at 5 o'clock this "afternoon;" I said, that could not possibly be true. I said "You must be mistaken, because it is reported "in Bridgwater that Mr. Kinglake left Bridgwater "and took an express ticket for London." This gentleman said, "I am quite certain that could not be true." He said "I know them both; I know Dr. "Kinglake and Mr. Kinglake the late member for "Bridgwater, and I am quite certain I am not "mistaken." The other gentleman said—they were both strangers to me—he said, "This gentleman is "perfectly right, because I saw Mr. Kinglake there "also." Now I knew neither of them at the time. I have since heard the name of one of them.

34,127. What is his name?—Mr. Rossiter. He is a working jeweller.

34,128. Does he live in Brigwater?—No; he is now residing in Henniock, near Wellington. I knew neither of those gentlemen at that time. But there is a remarkable circumstance in connexion with my discovery of him.

34,129. Which was the one who said he had met Mr. Kinglake?—It is the stranger I know nothing of.

34,130. The other confirmed his statement?—Yes; the other confirmed his statement. I mentioned this circumstance subsequently on hearing that there was

going to be a petition preesented against the return of the members, that is, Mr. Vanderbyl and Mr. Kinglake. I mentioned it on a subsequent journey of mine to Bridgwater, to Mr. Trevor, and Mr. Trevor doubted the story altogether, and desired me to discover who those gentlemen were, and I promised him to do so. I had no means of finding out who those gentlemen were for a long time, but on a certain market day, about two or three months subsequently at Wellington; it is my custom to go into the market there, and on returning home from the market, to my astonishment and surprise one of these two gentlemen, this Mr. Rossiter, happened to be at my house, visiting a gentleman who was staying with me; in fact, he was sitting down at my table drinking tea, and he recognized me at once, and said "How d'ye do Mr. Hayward," and I said "You have "certainly the advantage of me; I don't know who "you are, and I have no knowledge of you." He said "Don't you remember meeting me in the train after the Bridgwater election?" I said, "Oh, yes I do; you were one of the gentlemen in the train," and he at once admitted he was; and I at once drew his attention to the facts I have related to you, and he afterwards affirmed the statement.

34,131. This after the trial of the petition was over?—No; this was some time afterwards, I can hardly say when the petition trial did take place. I have no connexion with Bridgwater now, and I have no reason to remember it.

34,132. When was this last conversation with Rossiter at your house?—I think it was somewhere about the month of January.

34,133. Before the trial?—I think it was.

34,134. You say it was impossible for Mr. Kinglake to have gone away if he was at Taunton at 5 o'clock the same afternoon?—Exactly.

34,135. Supposing he had gone down the line, and Dr. Kinglake to have gone with him, was there not time for Mr. Kinglake to go to Taunton, and to have come back to the station to meet the up train?—I do not think there was sufficient time.

34,136. Not even for that?—No.

34,137. (*Mr. Coleridge.*) Not even for that, when the train, as it is well known, is always late upon this line?—Mr. Kinglake would not calculate upon the train being late.

34,138. How long would it take to walk from Sealy's bank to the station? Not more than five minutes, would it?—A man must walk very fast to walk from Sealy's bank to the railway station in five minutes.

34,139. (*Mr. Anstey.*) However, there was ample time for Dr. Kinglake to walk to the station and catch the train?—That would depend on the time he was engaged at the bank.

34,140. Is Mr. Rossiter at Henniock now?—That is the last place where I heard of him.

34,141. Are you sure he gave you a correct address?—He has not given me the address at all. I have seen him at the house of another party two or three times since, and I knew from his coming backwards and forwards to my house that he was residing at Henniock. He is a working jeweller.

34,142. Did you mention this to Mr. Slocombe?—No.

34,143. You must have mentioned this to Mr. Slocombe?—Never. I have no recollection of mentioning it to Mr. Slocombe.

(*Mr. Anstey.*) Is Mr. Slocombe here?

Mr. Slocombe answered in the affirmative, and said, "I do not know that I ever heard it from Mr. "Hayward."

(*The witness.*) I know Mr. Slocombe, but I have no memory of having mentioned it to Mr. Slocombe.

RICHARD SLOCOMBE sworn.

R. Slocombe.

34,144. (*Mr. Price.*) You are a cabinet maker and upholsterer?—Yes.

34,145. You were mentioned yesterday with reference to this story about Dr. Kinglake being seen in the town after his brother was supposed to have left. What do you know about it?—I can say I recollect seeing him in the bank, it was about 1 o'clock. I was exactly opposite. I was by Mr. Graham's.

34,146. (*Mr. Anstey.*) Exactly opposite the bank?—Exactly opposite the bank when he went in. I had not been to dinner. He did not stay in the bank very long, about two or three minutes. I stayed there till he came out and went down the street, and I went in to dinner, and after dinner I saw Dr. Kinglake with Mr. Lovibond, Mr. Sealy, and two or three others by the "Globe." I saw Dr. Kinglake after he came out of the bank, and Mr. Sealy, and Mr. Lovibond, and I think Mr. Paul Reed was there, and I do not know whether there was another or two, but they seemed to be holding a conversation together just at the entrance to the "Globe."

34,147. What makes you think it was 1 o'clock?—It must have been 1 o'clock, because our people went to dinner when I went in.

34,148. You had come home to dinner I understand?—Yes.

34,149. What time do you generally come home to dinner?—I was out of the town then, and I generally came home to dinner. I was out of the town, and had just come home to dinner. It must have been 1 o'clock.

34,150. You were just going home to dinner?—Yes, and it was, as near as possible, 1 o'clock, I believe.

34,151. You could not have come home to dinner some hours before dinner was ready?—No.

34,152. (*Mr. Price.*) Are you sure it was not just before 12?—No; I am certain it was as near 1 o'clock as it can be. I am certain it was as near 1 o'clock as it was possible to be.

34,153. (*Mr. Coleridge.*) Had you seen Dr. Kinglake about in the town before that?—No, I do not think I had.

34,154. Did you see him after that?—Yes.

34,155. Where?—Outside the "Globe."

34,156. What time?—I did not wait there very long. I was very anxious to see how things were going on.

34,157. How long after that did you see him outside the "Globe"?—I should think it was a full quarter of an hour after that.

34,158. After you had seen him come from the bank?—Yes.

34,159. So that that would give him plenty of time to go to the station?—That I do not remember.

34,160. (*Mr. Anstey.*) Had you been out on business that morning?—No; only to see how the election was going on, that is all.

34,161. Might you not have come in that morning considerably before your dinner hour?—I was in and out of the house a good many times. I was in the central committee room.

34,162. Wait a moment, I want to fix your attention to this. Are you quite sure it was not one of those times that you went in and out?—I am quite sure of that.

34,163. You are sure of that?—Yes; because I said when I came into the house, that Dr. Kinglake had gone up the street, and I said, "I shan't stay very "long, because I want to go down and see the move-"ments"; and when I went down to the "Globe," they were all outside, Dr. Kinglake, and Mr. Sealey, and Mr. Lovibond, and Paul Reed, and, I think, two or three more. They were close by the "Globe."

34,164. What do you mean by "the movements"?—Well, I know very well we were in a considerable majority, the Conservatives, just about that time.

THIRTY-THIRD DAY.

R. Slocombe.

2 Oct. 1869.

(*John Hayward.*) The time would be fixed exactly, if you could get the time that the state of the poll was issued, when the state of the poll was 143, and 138. That would give the time exactly.

(*Mr. Anstey.*) That is, with regard to your evidence?

(*John Hayward.*) Yes. It could be ascertained exactly, by finding out the time when the state of the poll was issued.

34,165. (*Mr. Anstey, addressing the witness Slocombe.*) You say, after seeing this, you went out to look at their movements?—Yes.

34,166. Do you mean, that knowing your party were in a majority, you went out to see what was doing on the other side?—Yes.

34,167. And was it in consequence of your having seen Dr. Kinglake go in and out of the bank, that you had your suspicions?—I know perfectly well—

34,168. Will you answer my question? Was it in consequence of seeing him go in and out of the bank, that you had some suspicions as to their movements?—Yes, I had.

34,169. You went out, and saw them talking together outside the "Globe"?—Yes; and about half an hour after that I saw their runners running about in all directions.

34,170. Who do you mean were running about in all directions?—The people who look after the voters.

34,171. You mean the inferior agents?—Yes.

34,172. Did you lose sight of Dr. Kinglake after you saw him with these persons outside the "Globe"?—I never saw him after that day.

34,173. No, on that day, after the time that you saw him talking with the persons in front of the "Globe," what became of him?—Oh, I do not know.

34,174. Did you see where he went?—No, I did not. I did not stay very long there.

34,175. Did you go back to your dinner?—Oh, I had my dinner before that.

34,176. You are quite sure of that?—Oh yes. I was not very long in the house to dinner.

34,177. Do I understand that this is the order of events: you went home to your dinner?—Yes.

34,178. Whilst you were at your dinner, or about to commence it, you had seen this suspicious circumstance, that induced you then to finish your dinner hastily?—Yes.

34,179. You went out?—Yes, I did.

34,180. Therefore, you are quite sure it must have been by that time, past 1 o'clock?—Oh, I should say so.

34,181. Or you would not have had your dinner?—I should say so.

Mr. J. Hayward.

Mr. JOHN HAYWARD recalled.

34,182. (*Mr. Anstey.*) When you stated that you read this paper, the state of the poll, I did not know you were stating positively the numbers. Are you quite positive as to the numbers?—Yes, I believe I am.

34,183. Tell us what the numbers were, that will fix the hour?—I believe when Mr. Axford and I left the "Clarence" a paper was stuck up announcing a majority of 143 for Westropp, and Gray 138; that is my impression.

34,184. You mean the numbers who voted or the actual majority?—No, the majority; and if you can ascertain the exact time when that state of the poll was announced then you could get at the time exactly.

34,185. Yes, that is about that number?—No, I think that is the exact number. My impression is very strong.

34,186. That is the exact number you saw, it may not be exactly the number though?—No, but that would fix the time when that state of the poll was announced. Excuse me for saying it must have been 243 and 238. I think so.

S. Chapman.

SAMUEL CHAPMAN recalled.

34,187. (*Mr. Price.*) What are those books which you have here?—Smith and Son's ledger, and their last cash book not entered up.

34,188. Do you know anything about these papers said to have been handed over to Mr. Lilly?—Yes.

34,189. What were those papers?—When Mr. Bealy Smith decided on leaving the firm he requested me to look up every paper I could find relating to elections and petitions, everything relating to those matters, and take them down to Binford House. I did so.

34,190. Did you find any briefs there?—I believe they were briefs of the petition of 1866.

34,191. When did you take them there?—I should think that was the end of 1867 or the beginning of 1868; I should think it was.

34,192. (*Mr. Anstey.*) Mrs. Smith has said that there were some briefs and other things still in her possession after the election of 1868, and just before the trial of the petition, and she says she asked someone what she should do with them—her husband, I think—and the advice she got was to keep them until after the petition was tried, that is the petition tried before Mr. Justice Blackburn, and as soon as the trial was over she says she used them for her household purposes, lighting fires, and so on, purposes for which I should have thought briefs were very little applicable to. However, that is her statement?—I do not know what became of them, but I took them down altogether to Mr. Smith's.

34,193. Do you know of any being handed over to Mr. Lilly?—No; I remember some bills being handed to Mr. Lilly, and Mr. Smith paid them, because he requested me to assist Mr. Lilley in paying them. Those are the only ones I remember Mr. Lilly ever having.

34,194. When were these papers burnt?—I do not know.

34,195. Or the intention to burn them made known?—I do not know.

34,196. When did you first hear that they had been made away with?—When Mrs. Smith first gave evidence.

34,197. Not till then?—No; or Mr. Boyle, that was the first intimation.

34,198. My information then was much more timely than yours, for I was certainly told that by our secretary, as soon as we began to sit, that there was a rumour in the town of their having being burnt?—I never heard of it.

34,199. Was Mrs. Smith in the habit of going to the office?—Yes, frequently.

34,200. And sitting in the office?—No, she came and chatted on business.

34,201. Did she write there?—No, I am not aware of it.

34,202. Did she examine papers?—Yes, when her husband was ill; and after Mr. Bealy Smith's illness she came down to look over the old papers with the present Mr. Boyle's father, the London agent for the firm, to look after the state of the business, because both the principals of the firm were ill.

34,203. She is not at all incompetent, I suppose, to transact that sort of business?—No; very competent.

33,204. She is rather strong-minded?—Yes.

34,205. Not at all nervous as has been described?—No, I should think not.

34,206. Did you ever see her carry away any paper?—No; the whole of those election papers were

filed, those papers relating to registrations and petitions for years, and the whole of those I took myself to Mr. Smith's house at Mr. Bealy Smith's request.

34,207. Not Mr. Richard Smith's?—No, Mr. Bealy Smith's.

34,208. Did he give a reason for your removing them there?—No, I believe he had told Mr. Boyle before our office was to be a private one, and the papers had better be taken away; we had nothing then to do with election business.

34,209. That is to say, in Mr. Boyle's hands, it was to cease to be connected with elections?—Yes.

34,210. Then these papers were taken away?—Yes.

34,211. Did you ever see them again?—No, never.

34,212. Did you ever hear her say anything about them?—I asked just before this Commission opened, when your secretary inquired where they were, and she said she did not know where they were. Mr. Bealy Smith had taken away some, and they were only useless things left with her. I suppose those she destroyed.

34,213. Did she tell you then she had destroyed them?—No.

34,214. She made no such statement?—No.

34,215. Therefore she did not tell you what I have just informed you of, that by advice she kept them until after Mr. Justice Blackburn had tried the election petition, and then used them all in household purposes?—No, she never told me anything of the kind.

34,216. Do you mean to say that you never heard she so said or pretended until the other day when she came here?—I never had the least idea where the papers were, or what she pretended about them.

34,217. When you read it in the paper, that is the first time you heard that she pretended any such thing?—Yes.

34,218. (*Mr. Price.*) Is there anything in those books you wish to point out to us?—Your secretary, Mr. Purcell, wished to see Mr. Westropp's account with Mr. Richard Smith; that book shows the account between Mr. Westropp and Mr. Smith during 1859.

34,219. (*Mr. Anstey.*) Do you know any other person in the office or elsewhere to whom this Mrs. Smith made the same account of the papers she gave to you?—No.

34,220-1. Do you know who could tell us which story is true, the story she told us or the story she told you; do you know any person who can give us any light upon that?—No, I do not.

34,222. (*Mr. Coleridge.*) This is only as to the nursing of the borough, this account?—That is all.

34,223. Have you no book that shows the larger sums paid by Mr. Westropp?—Not in Mr. Richard Smith's time. I have in Mr. Smith's time since that.

34,224. (*Mr. Anstey.*) What was the name of the servant in her house at the time the papers were carried there?—Mary Goldsworthy.

34,225. Where is she now?—At Binford House.

34,226. (*Mr. Coleridge.*) In this place?—Yes.

34,227. (*Mr. Anstey.*) Who lives there now besides Mary Goldsworthy?—I think her sister.

34,228. (*Mr. Price.*) Does Mr. Else live with them altogether?—No, he resides in the town.

34,229. What town?—Bridgwater.

34,230. But at Teignmouth?—He may be staying near; he is a very great friend of Mr. Smith's.

34,231. Who do you say are now at Binford House?—The servants, Mary Goldsworthy——

34,232. And who else?—Only the servants.

34,233. Who else?—The sister.

34,234. Mrs. Smith's sister?—No, there are two sisters who are servants.

(*Mr. Anstey.*) It is just possible they may be there at this moment in specie.

34,235. (*Mr. Price.*) I do not think we need trouble you any longer?—There are certain payments to Mr. Lilly and Mr. Joseph Smith, through Mr. Bealy Smith's illness they were never entered up. (*Handing the ledger.*)

34,236. (*Mr. Coleridge.*) I see there is one item, "Stuckey & Co. R. B. S. & Malcolm," and entered against Mr. Patton in 1866; can you explain that?—No, I should think it was some money paid in the names of Major Malcolm and Mr. Smith to cover election expenses. He was down here.

34,237. "To Stuckey, creditor to R. B. S. & "Malcolm, 501*l.* Fee for election, 105*l.*; expenses "accruing during the election, 30*l.*; fee for the "election again, 105*l.*; extra journies, 50*l.*" That is Mr. Patton for his two elections?—Yes.

34,238. About 800*l.* altogether?—Yes. It has been mentioned that I paid 15*l.* to a man of the name of Hook. I took the proof of Roberts' father-in-law at his house at the 1865 election, and after I had taken the proof, and I had submitted it to counsel and considered it was important, Hook gave me notice that his father-in-law could not be found until a certain sum of money was found, and I had to pay Hook on account of Roberts' 15*l.* before I could subpœna him.

34,239. Here is a remarkable item, "To Markham "Spofforth, Esq., 6, Victoria Street, Westminster, "618*l.*"?—I think you will find that the expense of the petition.

34,240. Ruddock 105*l.*, what for?—He assisted Mr. Bealy Smith at the petition.

Mr. Arthur George Pain sworn.

Mr. A. G. Pain

34,241. (*Mr. Price.*) What are you?—A solicitor and notary of this borough.

34,242. Practising on your own account?—I am.

34,243. How long have you been in practice?—About five years.

34,244. Who were you articled to, or clerk to?—My father.

34,245. Who was in business here before, was he?—Yes.

34,246. As a solicitor?—He was.

34,247. Can you tell us anything about the last election?—Yes.

34,248. You acted at the last election?—Yes.

34,249. Previous to the last election?—No.

34,250. At the last election?—Yes, but very little.

34,251. Were you one of the legal agents?—Yes.

34,252. Did you have a retainer?—I took part in the last election.

34,253. Were you retained as legal agent?—No, I have not received any money.

34,254. What part did you take?—I canvassed at the last election.

34,255. Is that all?—And I was overlooker at one of the booths in Salmon Lane.

34,256. (*Mr. Anstey.*) You accompanied Mr. Westropp and Mr. Gray in their canvass?—I did.

34,257. Did you also canvass for them when they were not there?—Well, I do not think I did. I think I may have pressed people for their votes, but not any one in particular.

34,258. (*Mr. Anstey.*) It seems an extraordinary thing in Bridgwater that it is not considered canvassing unless the candidate is present?—I do not remember.

34,259. (*Mr. Price.*) Did you at any time have a discussion with men about money, whether you were canvassing with the candidate or not?—There may have been something passed about money.

THIRTY-THIRD DAY.

Mr. A. G. Pain.

2 Oct. 1869.

34,260. What did pass ?—I considered as a matter of course if they were prepared with money at the last election they would have won the election.

34,261. Did you give any money ?—I had no authority to that effect; they ought to have been prepared with money, and we could have won the election.

34,262. (*Mr. Anstey.*) Why do not you attend to the Chief Commissioner's question, which was, Did you give any money ?—Excuse me; I did not give any money.

34,263. (*Mr. Price.*) Did you give any voters whom you canvassed to understand that there would be money going or not ?—They asked as usual, "We shall see something else another day," and I daresay I may have said off hand, "No doubt there will be money," but I did not say positively there would be.

34,264. (*Mr. Anstey.*) When you say you might have said so, you are a gentleman of recollection, what do you mean ?—I cannot carry my recollection back to say the words I said. I might have said so.

34,265. Did you ?—I will not be positive. I do not know what I did say ; you cannot fix me.

34,266. (*Mr. Price.*) Have you any doubt you did ?—I have no doubt. I cannot say.

34,267. (*Mr. Coleridge.*) The probability is that you did tell these people generally on your canvass ?—No doubt we did the best we could.

34,268. (*Mr. Anstey.*) You can say whether you think you did ?—You put words into my mouth ; I cannot tell you what I did.

34,269. I do not; therefore please to answer the questions I put to you. I am taking the words you used yourself which are that you might have said ?—Undoubtedly, I might have said, "All right," or something of that kind.

34,270. Are we to understand by your saying that that you think you did say so ?—Yes, if you like.

(*Mr. Anstey.*) There is nothing to laugh at.

34,271. (*Mr. Coleridge.*) Had you a vote yourself ?—I had.

34,272. What did you get for this canvassing ?—I was promised 50*l.*, but I did not receive it.

34,273. Who were you promised by ?—It was promised to me at Mr. Trevor's office.

34,274. For canvassing and your vote ?—No, not for my vote.

34,275. Retainer ?—I have not received it at all.

34,276. Not received anything ; how is that ?—I asked the other day about it, I believe it has been swallowed up by the petition.

34,277. (*Mr. Price.*) Did you vote ?—I did.

34,278. I think you expected to have been paid. You had no business to vote ?—I know the Act of Parliament, and should not have voted, but as all the other professional gentlemen voted, I believe I voted.

34,279. But do not you know that the others came to an agreement that as their votes were of very great value they agreed to give up their retainer ?—I did not. I do not know anything of that happened, I heard it in this court.

34,280. (*Mr. Coleridge.*) Should you have voted if you had known it entailed the giving up of your retainer ?—No, I should have had a present, the same as at a previous election.

34,281. But the Act had not passed at a previous election ?—No.

34,282. Is that all the part you took ?—I was there at the meeting, dined with Mr. Westropp, and was repeatedly on the canvass, and was overlooking at the booth in Salmon Lane.

34,283. (*Mr. Anstey.*) Was Mr. Westropp present on any of those occasions when you told the voters, "All right, there will be money by-and-by" ?—Will you ask that again ?

34,284. When you told the voters, "All right, no doubt there will be money by and by," on any of those occasions was Mr. Westropp present ?—He might have been.

34,285. I ask whether you think he was ?—Yes, I think he was then. I might have ; he might not have heard it because we were coming out of the house.

34,286. (*Mr. Price.*) Have you any doubt that those voters you saw the last time were left by you under the impression they would have money ?—Not from me. They did not expect me. I did not promise money.

34,287. Not out of your pocket of course ?—No.

34,288. But they did expect ?—No doubt.

34,289. Attend to the question. You canvassed you say, and you were a legally retained agent, I want to know whether you having used those expressions which you say you might have used, and believe you did, have you any doubt that you left the men you canvassed under the impression that there would be money for their votes ?—No.

34,290. No doubt you did ?—I do not consider I did leave them, because they expected to see someone on a future day, they said when canvassing they should see someone on the nomination night, that was it.

34,291. You were a retained agent ?—I do not know that.

34,292. (*Mr. Anstey.*) You were along with Mr. Westropp and his friends ?—I was.

34,293. You know the absurd notion in the borough that is necessary to constitute a good canvasser that he should go with the candidate ?—I could not come to that conclusion.

34,294. Why you yourself have been quibbling ?—I told you I was canvassing.

34,295. I must warn you, and you must take care how you answer the questions ?—You asked me about canvassing and I told you.

34,296. I asked you if you canvassed by yourself, and you said you had not ?—People asked; I never did canvass by myself.

34,297. Then that is a quibble ?—Very well.

34,298. You asked people for their votes, that is canvassing as everyone knows ?

34,299. (*Mr. Price.*) What do you mean by the word "canvass" ?—Those persons who accompany the candidate.

34,300. (*Mr. Anstey.*) I thought so, a miserable quibble of which you ought to be ashamed ?—Ashamed ?

34,301. (*Mr. Price.*) Half the canvass is done in the absence of the candidate in large towns ?—Oh no, the candidate is present generally.

34,303. (*Mr. Price.*) A good many persons of course go round with the candidate, but not all ?—I thought there might be money, I did not say there would be. I went to London about it, and was sorry there was no money, because I was in London in search of a candidate at one time, and Mr. Westropp wished my cousin to bear the whole brunt.

34,304. Who entrusted you to go to London to look for a candidate ?—I do not know who entrusted me, but I was in London, and happened to have a cousin who wanted to contest a borough.

34,305. (*Mr. Anstey.*) How many days were you walking by Mr. Westropp's side canvassing ?—I think I was with him a good proportion of the canvass.

34,306. How many days ?—I forget.

34,307. How many days, a good proportion of the time he was here ?—Yes.

34,308. It began on the 6th of October, and ended when ?—Only a few days before the election I think.

34,309. Was Mr. Westropp very well satisfied by

the accession he got, when he got you?—I do not know, I never asked him; you must ask Mr. Westropp yourself. He never complained of me.

34,310. He never found fault with you?—No, I do not think he did.

34,311. He never told you that you ought not to tell people that it would be all right?—I do not say that I did say it was all right. You must ask Mr. Westropp what opinion he has of me.

34,312. I shall ask you whether he blamed you for giving them to understand it would be all right?—You must know yourself when you contest boroughs——

34,313. Answer my question. I ask you again if you were ever blamed by your principal, Mr. Westropp?—I am not aware that I have been.

34,314. (*Mr. Price.*) For any part you took?—I have not, except there was speaking rather warmly at the "Clarence," saying that money ought to have been spent. I might have got a person who would, only he did not like to bear the whole brunt of the battle with Mr. Westropp, whose popularity was great. No doubt Mr. Westropp was very much liked in the borough.

34,315. (*Mr. Anstey.*) Who said that?—I told him after the last defeat at the "Clarence."

34,316. After the election?—Yes.

34,317. Were you ever found fault with at the election day by Mr. Westropp or Mr. Gray for having used language such as you have described to the effect that it would be all right, that undoubtedly there would be money by-and-by?—No.

34,318. Did they ever blame you for it?—Perhaps they may not have heard it.

34,319. Did they ever blame you?—I have said that three times.

(*Mr. Anstey.*) You have gone on paltering with the questions in a manner disgraceful to you as a professional man.

34,320. (*Mr. Price.*) How long have you been in the profession?—I was articled in 1859.

34,321. How old are you now?—I am 25.

34,322. Is that all you had to do with the last election? Had you anything to do with the election before?—Yes; I was there at the first election with Mr. Westropp, when he stood alone, and I was there when Westropp and Patton came down with Mr. Pitman a good deal.

34,323. Were you entrusted to do anything?—I was canvassing then, and about with Mr. Pitman.

34,324. (*Mr. Coleridge.*) What were you paid?—I got 25*l.*

34,325. Each time?—I got it when Mr. Westropp sent it in an envelope after the election.

34,326. (*Mr. Price.*) Were you a good deal about with Mr. Pitman?—I was.

34,327. Did he say anything to the people about money?—He did not; he did not go about to canvass.

34,328. (*Mr. Coleridge.*) Did Major Malcolm go about?—I do not remember him at all.

34,329. (*Mr. Price.*) You were expressing your disgust that more money was not spent the last time?—Yes, it was that the party did not.

34,330. You expressed that to Mr. Westropp?—Yes, I did.

34,331. You thought if you had had your cousin down here you would have had a better time?—Yes, we should not have had this Commission.

Mr. William Lewis sworn. *Mr. W. Lewis.*

34,332. (*Mr. Price.*) Were you a clerk formerly to the late Mr. Bate?—I was.

34,333. And are now traveller for a brewer?—I am.

34,334. What is the information you have to give us about the part Mr. Bate took in the elections?—I know nothing of it at all. I had nothing to do with any election whilst in the office.

34,335. Had you anything to do with any of these elections? When were you subpœnaed as a witness? I believe it was the 23d August. I do not know for certain.

34,336. Did you make any statement to the secretary?—No, I did not do such a thing.

34,337. (*Mr. Coleridge.*) How did you vote at the last election?—I had none.

34,338. Did you ever vote?—No.

34,339. Have you ever done anything in the way of paying money to other people?—No, all I had to do at the last election was, I attended several Conservative meetings then.

34,340. Did you hear that last intellectual gentleman make his speech about money?—Mr. Pain?

34,341. Yes?—No.

34,342. I should like to hear something of the speech?—No, I attended one meeting.

34,343. (*Mr. Price.*) What part did you take in the election?—I was check clerk; at least I had the management of the rooms at Eastover, or the Eastover division—the other side of the bridge.

34,344. What meetings did you attend?—Most of the Conservative meetings.

34,345. Did you attend a meeting at which Mr. Joseph Richard Smith was present?—Yes.

34,346. Did you hear his expressions there?—Yes.

34,347. Tell us what you heard him say?—He came in rather late at the meeting. It was at the "Lamb." Mr. Robert Ford was the chairman of the meeting at the time, and Mr. Ford wanted to vacate the chair for Mr. Smith, and Mr. Smith refused to take it, and was called on to speak. I remember distinctly as to the M.D. which you are referring to.

34,348. Yes, that is just it. Give us your version?—Well, Mr. Smith after speaking a time told the parties there that they were to be careful to stick together and not turn traitors to their party, but if any were overcome at all they were to mind the American adage, M.D., referring to if any of them turned over to the Liberal party. He distinctly said, "Remember the American adage, M.D," and "of course," he says, "you know what that means," and some one in the room said "Yes, money down."

34,349. Did he say there is sure to be bribery, and always has been?—No, he said this referring to a large placard that was shown by the Liberals offering 100*l.* reward. I ought to have stated that first, that caused the word; and he said if any dirty work was done it would have been done by the Tories, and told them not to turn traitors to their party, as I told you before.

34,350. Did you understand him therefore to be referring to their going over from their own side not to be deluded with promises?—Just so.

34,351. (*Mr. Anstey.*) Did you hear him say anything about sugaring the plums well?—Not a word.

34,352. (*Mr. Price.*) Were you there all the time he was speaking?—Yes; from the first before he came into the room.

34,353. (*Mr. Anstey.*) Did you go there with anybody?—Not that I am aware of.

34,354. A man of the name of Bale?—I never saw him.

34,355. Or Nicholls?—I never saw them there.

THIRTY-THIRD DAY.

Mr. W. Lewis.

2 Oct. 1869.

34,356. You were going to say you were at one meeting at the beginning of your evidence?—I was at one meeting; this is the meeting. I must also state that I attended another meeting, where there was some money spent or drink ordered. There was no money. It has not been paid for since.

34,357. Where?—At the "Compass," on the Wembdon Road.

34,358. Was that one of the Conservative houses?—Yes.

34,359. Who was the landlord of the "Compass"?—James Ford kept it then.

34,360. Was this the last election?—It was.

34,361. And how many were drinking there?—I should think from 30 to 40 there.

34,362. Drinking together?—Yes.

34,363. And none of that was paid for?—It has not been paid for yet.

34,364. Who ordered it?—Mr. Hodges asked me if I would order it being a non-voter.

34,365. You ordered it for Mr. Hodges?—I did not order it for him, but I ordered it for the Conservative Working Men's Association.

34,366. You gave the order in Mr. Hodges' name for that?—No, it was put down in my name.

34,367. You gave the order?—I did.

34,368. (*Mr. Coleridge.*) Have you been sued in the county court for it?—No, in fact the claim has not been sent in to me.

34,369. Are you going to pay it?—Of course I consider that the Conservative Working Men's Association ought.

34,370. (*Mr. Anstey.*) Was it wine or beer, or what?—Beer.

34,371. How much was drunk?—I cannot tell you, I never inquired.

34,372. How long were they drinking?—During the meeting; perhaps the meeting lasted an hour or more.

34,373. They were drinking the whole time?—With the exception of those who were speaking.

34,374. There was only one speaking at a time?—No, regular speechifying.

34,375. But a good many drinking at a time?—Yes. Then on another occasion at the "Lamb," Mr. Smith made a speech there for certain. I was there and of course I understood. The late Mr. Burroughs told me that he would not make any charge for the room, but should like something to be spent. I said, "Well, I "will do what I can for you, Robert," meaning the landlord, and I saw young Mr. Smith, and told him, "Well, "we must do something. You know here is Burroughs; "he lends us the room, and we have got the gas and "fire when we want it, and there is the cleaning of "the room, and I think we ought to do something for "him;" and he says, "Oh, I know nothing at all about "it, and I spoke to him again about it," and he says, "There is Mr. Heard there," referring to the chemist, "he has more to do with the conversation than I." Mr. Heard would not notice it then, but said, "You "may do as you like." Well, eventually the meeting broke up, and I said, "Well, Mr. Smith," or words to that effect, "You are not going to leave like this?" He said he did not know what to do, and eventually he asked me what I thought was reasonable to spend. I said, "Well, I do not know."

34,376. What did he tell you?—I could go to the extent of a pound.

34,377. (*Mr. Price.*) Did you go to a pound?—I do not know; it has not been paid.

34,378. (*Mr. Anstey.*) You are asked whether you did go to the extent of a pound?—I do not know; I have no doubt I did.

34,379. (*Mr. Price.*) Who intended to pay for all this?—The Working Men's Association.

34,380. (*Mr. Coleridge.*) Or the Conservative member?—Well, it may be the member. I may say this—there are funds of the association. I should think it would come out of that. I do not know whether the Conservative member.

34,381. (*Mr. Price.*) That seems absurd, because you are asked to treat the men. It would not be out of their own pocket?—But it is not likely I should.

34,382. You are asked what it could reasonably come out of, and you say now the working men's own pockets?—Yes, you must understand Mr. Smith was of course connected with the association, and I thought through Mr. Smith who at the time, I believe, was honorary secretary, or something like that.

34,383. Was he to treat them then?—Yes, of course I understood so.

Adjourned to Monday next at 12 o'clock.

THIRTY-FOURTH DAY.

Monday, 4th October 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.

DE TRACY GOULD, Esq., Acting Secretary.

Mr. GABRIEL STONE POOLE recalled.

34,384. (*Mr. Price.*) I think it right that I should read this letter, which I have received from Bristol, in your presence, that you might have an opportunity of explaining the matter. This is a letter, dated 1st October 1869, signed by George Thomas and Christopher J. Thomas. "Bristol, 1st October 1869. Sir, As "Chairman and Vice-Chairman of the committee of "the Hon. F. H. F. Berkeley and Sir Morton Peto "at the election in 1865, we must ask you, in justice "to Sir Morton Peto and the city of Bristol, to "permit us to correct the evidence reported to have "been given before you on Thursday, the 23d ultimo, "by Mr. Gabriel Poole, of Bridgwater, Solicitor. "Mr. Poole, referring to Bristol, is reported to have "sworn that 'in Sir Morton Peto's balance sheet it "'was stated that he had spent 15,000*l.* there.' We "enclose an office copy extract from the balance "sheet in question, from which it appears that his "expenditure at this, the only election in which he "stood at Bristol, was returned by himself, on oath, "at 5,049*l.* 11*s.* 2*d.* In asking your public correction "of this grave mis-statement, we cannot but express "our surprise that (assuming the newspaper report to "be correct) a professional man of Mr. Poole's "standing and position should have ventured on oath "to make so unfounded an allegation. We are, Sir, "your faithful servants, George Thomas, Christopher "J. Thomas." And I find that the enclosure referred to is "In the Court of Bankruptcy, London. Balance "sheet of Sir Morton Peto, Bart. From 31st De-"cember 1863 to 3d July 1867. By expenditure, "election expenses, 5,049*l.* 11*s.* 2*d.*"?—I do not think that the Commissioners misunderstood me, or supposed that I had any personal knowledge of Sir Morton Peto's balance sheet. I had seen the statement in the public papers that 15,000*l.* was entered in his balance sheet, and I had never seen a contradiction of it till in the paper this morning, therefore I assumed it to be a fact; but I used it in illustration of an argument that I was advancing, that small towns were picked out for inquiry and large ones were omitted.

34,385. Therefore the object of these gentlemen will be attained by the production of the balance sheet?—I had only seen it in the public papers, and not contradicted.

Mr. THOMAS ROGERS sworn.

34,386. (*Mr. Price.*) Now, Mr. Rogers, what are you?—I am a hotel-keeper.

34,387. Where?—At Weston-super-Mare.

34,388. How long have you been there?—Near 30 years.

34,389. You have been subpœnaed to produce your books—visitors books, or any books, about the date of June and July 1866, with the names of the persons staying at your house. Do you remember at that time two ladies; we want their names?—I have no recollection of it.

34,390. Have you the books?—I have the books.

34,391. (*Mr. Coleridge.*) Can you give the date?—I can give the date of Mr. Patton being there, but not of any ladies.

34,392. (*Mr. Price.*) Did they come in the name of Patton?—This gentleman did, but I have no recollection of it.

34,393. Is not it your custom to take down the names of visitors when they arrive, when they are coming to stay?—No, we book them with numbers, and frequently do not get their names. I do not remember even Mr. Patton.

34,394. (*Mr. Anstey.*) Do you remember the two ladies coming in the month of July to your hotel?—No, I do not. I have no recollection.

34,395. Do you recollect the election first of all? You recollect the election, I presume, at which Mr. Patton was elected?—No, I have no recollection of it.

34,396. Do you mean to say you do not recollect Mr. Patton being elected here for Bridgwater in June 1866?—Well, I have forgotten it.

34,397. Well, Mr. Rogers, do you really mean to swear that you have forgotten that fact, that there was an election in Bridgwater in June 1866, and that Mr. Patton, the person who you say was staying in your house, was elected at that election; do you swear you forget that?—I do, indeed.

34,398. (*Mr. Coleridge.*) But if we give you the exact date of the day that these ladies were staying in your house would you not be enabled then to tell us whether there were any two ladies occupying one sitting-room?—I could not do so.

34,399. You do not take down your visitors' names?—No.

THIRTY-FOURTH DAY.

Mr. T. Rogers.

4 Oct. 1869.

34,400. (*Mr. Anstey.*) But you had taken down Mr. Patton's name?—Yes; Mr. Patton's name was taken down.

34,401. And you do recollect that he was staying in your house?—No, I do not.

34,402. You do not recollect it?—No.

34,403. You mentioned Mr. Patton's name yourself?—The name is on the book, or I should not have known it.

34,404. How came Mr. Patton's name instead of his number to appear on your book when you say it is not the custom to put down names?—You will see by that book that is there that some of the names are put down, and some have the numbers.

34,406. (*Mr. Coleridge.*) Just let me look at the 1866 book, will you?—There is no record.

34,405. Just turn to the date of July 10th 1866?—I have it.

34,407. Well, now just let me have a look at it. (*An account book was handed in.*) Have you got a strangers' book?—No.

34,408. Not a book in which people put down their names and addresses?—Oh yes.

34,409. That is the book I want to look at?—(*The book was produced and handed in.*)

34,410. (*Mr. Anstey.*) Did you say Mr. Patton's name was in this book (*referring to the arrival book*)?—In this book (*referring to the account book.*)

34,411. Oh, not in this one?—Not in the "arrival."

34,412. It seems that Mr. Patton is down here for three rooms, No. 9, and Nos. 46 and 47?— No.a sitting-room and the other two are bedrooms.

34,413. Who occupied those two bedrooms?—I have not the slightest idea.

34,414. This is June 5th, 1866. Which of those rooms is a sitting-room?—No. 9.

34,415. And the two others?—Are bedrooms.

34,416. What are their numbers?—I do not know. I think 49 and 47.

34,417. Well now, I find here No. 49 put down as a sitting-room, "No. 49, sitting-room, July 2d." How is that?—I would not be positive about it.

34,418. There is no name given, but "No. 49, sitting-room, July 2d."—Are there no bedrooms with it; are there any other numbers with it?

34,419. No other number. For four days; you see that cannot be a bedroom?—It cannot be a bedroom.

34,420. Consequently, if 9 is a sitting-room, Mr. Patton had two sitting-rooms?—Yes, that looks very like it. 49 is a sitting-room, I recollect. It is a sitting-room, I know.

34,421. And 50 is a sitting-room also?—50 is a sitting-room. The one is opposite the other.

34,422. What is 51?—51 is a bedroom.

34,422 *a*. Now were there not two ladies in 50 and 51 in the first and second weeks in July 1866?—I am sure I cannot say.

34,423. Well, now do you know that there was any person in your hotel at any time in the year 1866 as to whom you learnt or understood it was desirable that their names should not be mentioned?—No.

34,424. You have not been cautioned?—No.

34,425. (*Mr. Anstey.*) Very well, that is all I have to ask you.

Mr. J. Murlis.

JOHN MURLIS sworn.

34,426. (*Mr. Coleridge.*) Now, Mr. Murlis, what are you?—A farmer.

34,427. Where do you live?—At Hodcombe in Somersetshire.

34,428. Near Yeovil?—Yes.

34,429. Where did you live at the election of 1852?—In Bridgwater.

34,430. What were you then?—An innkeeper.

34,431. What was the name of your inn?—The "Albion Hotel."

34,432. Well, now, yours was a very Conservative house, was not it?—Yes.

34,433. And you voted Conservative on that occasion?—Yes, I did.

34,434. Whom did you vote for?—Padwick and Westropp.

34,435. No, no; 1852?—Oh, 1852; I beg your pardon.

34,436. When Lord Henley stood, you know. You voted for Follett, probably; Follett and who else? Did you vote for Lord Henley?—No; Follett, Mansell, Tynte, Henley, and Kinglake were candidates, I think.

34,437. Yes?—I voted for Follett and Mansell.

34,438. Was that your first election?—Yes.

34,439. Did you distribute any money on that occasion?—No, I did not.

34,440. Who was managing the election on behalf of the Conservative party; who were the professional men?—Mr. Smith, I recollect.

34,441. Yes. Well, had you any communication with a Mr. Smith as to what you were to allow in the way of treating in your house?—No, I had no communication with him.

34,442. Whom had you communication with?—Well, there was an elder Mr. Smith.

34,443. Older than Richard Smith?—Yes; his name was Richard Smith; he was a pawnbroker.

34,444. Is he dead?—Yes.

34,445. There was treating at your house on that occasion?—Yes.

34,446. What amount did your bill run to?—17*l.* or 18*l.*, I suppose.

34,447. Whom did you send it in to?—Richard Smith, senior.

34,448. He was acting for the Conservatives, and he paid it?—Yes.

34,449. Did you distribute any money on that occasion?—I did not.

34,450. Did you receive any money yourself for your vote?—I did not.

34,450*a*. In 1857, whom did you vote for then?—A plumper for Mr. Follett I think you will find.

34,451. Was there plenty of treating at your house again, then?—Yes, there was.

34,452. Who gave you instructions to allow that?—Mr. Smith, the solicitor—Mr. Richard Smith.

34,453. The one who is said to be ill?—Yes.

34,454. Did he tell you to what extent you were to go?—No; no limit.

34,455. What was your bill?—17*l.* or 18*l.*, or perhaps 20*l.*

34,456. Did Mr. Smith pay that?—Yes.

34,457. Did you spend any money on that occasion?—No.

34,458. Did you promise any?—No.

34,459. Did you receive any money in bribery otherwise than that which you received for your bill?—No.

34,460. Was the 20*l.* you received the fair value of the liquor drunk, or was it election prices?—Oh no, it was a fair bill.

34,461. How long did the treating go on?—I should think a fortnight, quite.

34,462. Before the election?—Yes.

34,463. Anybody came in and drank as they liked?—Yes.

34,464. Did they come in by themselves, or were they brought in by the sub-agents?—They came in of their own accord.

34,465. Anybody who liked to come in?—Not anybody.

34,466. That is what I want to know?—How did you distinguish between those who might drink free, and those who were to pay?—I knew them pretty well.

34,467–8. You knew they were people who would be bribed by drink, in fact?—Well, they would have something,

34,469. There would be a substratum of bribery formed by the drink, and then the money was to come on the top of that?—No, it was not supposed to be so.

34,470. Were these people who came in there and were treated people who really voted in consequence of the drink they got, or did they come there because they expected money would be going?—Not on that occasion, they did not expect that money would be going, but they would come in and drink.

34,471. That was to keep the party together?—Yes.

34,472. I suppose on the polling day they drank a good deal?—No doubt about it.

34,473. Did many go drunk to the poll from your house?—I should say not.

34,474. They got drunk after they came back?—I cannot say that.

34,475. As soon as the polling was over you stopped the drink?—I stopped the drink.

34,476. They could not get anything free then?—No.

34,477. In 1859 do you recollect Mr. Westropp coming down here?—Yes, I do.

34,478. When did he come? How long before the election?—I should think it must be a month quite.

34,479. He canvassed about, I believe?—Yes.

34,480. And he became very popular amongst the people?—Yes, he was.

34,481. How long after he came here did you know that money would be spent?—Oh, not until after Mr. Padwick arrived.

34,482. How long after Mr. Westropp did Mr. Padwick come down?—Really, I cannot tax my memory.

34,483. Was it about a week or two?—Perhaps ten days.

34,484–6. Was Mr. Padwick's] reputation—not so great then perhaps as it is now—pretty well known at the time?—He was known as a racing attorney. I think he went by the name of Howard.

34,487. After Mr. Padwick came down did you have any conversation with anyone about Mr. Padwick taking the first place before Mr. Westropp?—Yes.

34,488. Who told you that?—Mr. Westropp came first, and as a matter of course I took it for granted that Mr. Westropp would stand first, and that it would be "Westropp and Padwick;" but I found that cards had been issued, and indeed it was made generally known, and I assumed that there was a change in things, and it turned out that it was "Padwick and Westropp." Padwick stood first.

34,489. When you found that was the state of things did you go and ask Mr. Richard Smith the reason for that?—Yes, I did.

34,490. What did he say?—I said, "I am surprised "this morning to hear that it is Padwick and West-"ropp; why has Padwick the superiority? Why is "he named first?"

34,491. What did he say?—Mr. Smith said, "Well "you know those who pay the piper will have the "first chance."

34,492. What did he tell you that Mr. Padwick was going to spend?—I did not hear then.

34,493. Did he tell you that Mr. Padwick was to find the money?—Yes.

34,494. And that money was to be going?—Yes.

34,495. What did he say about how the money was to be spent; what did he say you were to do in the matter?—Then Mr. Smith said——

34,496. First of all, how long before the election was this conversation?—I suppose it must be over a fortnight.

34,497. A fortnight before the election?—Yes.

34,498. Where was it; at his own office?—At his own office.

34,499. Was anybody else present?—No.

34,500. Tell us exactly what passed in that conversation?—Mr. Smith said, "Murlis, I want you to "take the arrangement of this election."

34,501. As to spending money I suppose?—Yes. I said, "I do not care about that. In the first place, "let me ask you who is to check me;" and he said, "Oh, there will be no occasion." I said, "There "will be an occasion for it. If I have anything to "do with this matter I shall be checked, for I know "Bridgwater too well." If you tell a Bridgwater man he has been bribed he will fight.

34,502. Do you mean they are so ashamed of it?—No, but they will take care they will not tell of their bribes.

34,503. That is the first we have heard of any reticence with regard to bribery. He asked you to take the money arrangements of the election?—Yes.

34,504. Had he had any conversation with you before this which would make him come to you?—No.

34,505. Had anybody?—No.

34,506. What made him think that you were a likely man to put yourself in this danger?—I have always been active in electioneering matters.

34,507. This was your first chance?—Yes, if it is to be called a chance.

34,508. Did you ask him to put some one to check, and that there should be a regular debtor and creditor account kept to prevent any imputations being put upon you afterwards?—Yes.

34,509. What conversation took place as to when the money should begin to be spent?—Mr. Smith suggested that he thought that we might as well begin. I think this was a fortnight quite before the election. He said "We may as well be going gently on."

34,510. Begin gently spending money amongst those whom you could trust?—Yes, amongst those we could trust.

34,511. Was that his suggestion or yours?—I think that was his suggestion; I am not quite positive about that.

34,512. At the time this conversation took place how much money of your own had you in your house in cash?—It turned out to be 325*l*.

34,513. Of your money?—Yes.

34,514. Did he ask you to go on with that for the good of the cause?—Yes.

34,515. Did you do so?—I did.

34,516. Did you take any I O U?—No.

34,517. Any promissory note?—No.

34,518. Any bond?—No.

34,519. You mean you trusted entirely to Mr. Smith to repay?—Yes.

34,520. Being perfectly well aware at the time that it was money that could not be recoverable at law?—I did not think much about that; I should have advanced it if it had been three times as much.

34,521. From your trusting Mr. Smith?—Yes.

34,522. After you had told him what you had got did he tell you what to do with it?—Yes.

34,523. What was it?—He said we were to commence with the men that we could make sure of.

34,524. What were you to pay them?—10*l.* each.

34,525. Well how long did that 325*l.* last?—About two evenings I think.

34,526. Then it was all gone?—Yes.

34,527. Then you spent it on 30 men or 32 men?—32 men I suppose.

34,528. Can you give me the names of any of those, slowly, with the christian names, because we want them for the purpose of the schedule?—I do not know that I can; I can give you some names. I have found a list that was prepared by a young friend who dropped in to assist me.

34,529. At that election?—At that election.

34,530. Well then just give them?—It is a very tattered list, but you shall have it as it is.

34,531. Read the names out for the shorthand writer to take of those men who had 10*l.* in 1859?—These had 10*l.* in 1859:—E. J. Lane, Laurence Dare, John Rogers, George Jarman, Edward Jarman, William Hughes, William Dyment, William Board, John Virgin, James Bryant, James Sanders, John Lear, Charles Lear, Thomas Herbert, Joseph Lorker, James Temblett, F. C. Temblett, W. Bell, Henry Bridges, Charles Fudge, John Humber, John Ellis, Frederick Jarman, Henry Sendell, John Bryant, Captain Squires, James Pearse, James Davey, Joseph Stoodley, James Gilchrist, James Murliss——

34,532. Is that a brother of yours?—It is a market gardener; no relation of mine.—David Jenkins, George Brooks, Henry Knowles, Charles Thomas, Humphry Starkham, Richard Wembridge, Henry Salmon, George Andrews, John Clements, Henry Harwood, Joseph Cresswell, Charles Sprankling, John Matthews, John Cuttler, William Baker, Francis Rich, Charles Goman, Charles Jefferies, George Attawell, Robert Bussell, jun.——

34,533. Is that Robert Chapman Bussell?—I do not know. The list says "Robert Bussell, jun."

34,534. What did he have?—I do not know. Here is his name, I see. I do not know whether it is the market gardener or not.—George Gwyther, Isaac Squibbs, Matthew Lintle, Captain Smart, William Hensley——

(*William Hensley.*) You are a liar!

(*Mr. Coleridge.*) Policeman, bring that man here.

[*William Hensley was taken into custody and brought before the Court.*]

(*Mr. Price to Hensley.*) For your contempt of Court, your gross and uncalled for contempt of Court, in calling out in the middle of a witness's examination that he was telling a lie, you are committed to gaol for the space of 24 hours.

(*William Hensley.*) Thank you, sir.

(*Mr. Price.*) An opportunity will be given to every man of coming forward to deny a statement on oath, but if persons are to jump up in the body of the Court because their names are mentioned, instead of offering themselves as witnesses, they disturb the proceedings of the Court; therefore you stand committed for twenty-four hours to the gaol of this borough. [*William Hensley was removed in custody.*]

(*The witness.*) Will you allow me to say I have the name of the person who paid him?

34,535. (*Mr. Coleridge.*) Yes, who?—Mr. Waddon. I think his son is in court. He will bear testimony that he was paid.

34,536. Well, go on.—Joseph Reeves, John Sutton, John Cooze, John Thomas, William Bussell, John Grunham, Edward Walford, Jeffery Denman, Abraham Exon, Captain James Sharman, John Sharman, George Dunn, James Hayward, John Rich, William Webb, William Gilbert. There is one with a query to it.

34,537. A doubtful one?—Yes.

34,538. What is the name?—Francis Manchip.

34,539. (*Mr. Price.*) How many do you make altogether?—I have more names: there are two or three that I wish to make a remark upon by-and-by. Christopher Browning, Isaac Trapnell, Moses Squibbs, William Dyment, John Grawley, John Ekers, Thomas Vearncombe, Andrew Haste, E. Meacock, E. Jones, W. Bailey, John Fackrell, senior, John Smith. There is a query against James Williams; James Sully, George Fryer, Joseph Cooze, Henry Maidment, John Crocker of Crowpill, John Richards, another John Richards, William Baker, William Hellard, Joseph Goslin, John Lanford, William John——

34,540–1. Did you pay all these men yourself, or did you employ sub-agents to distribute the money?—Sub-agents, in a great measure.

34,542. Who were your sub-agents?—Charles Lear paid three men, I think.

34,543. Go on. Tell us who else paid for you?—Robert Pople paid for me.

34,544. How many did he pay?—Well, a great many more than I have against him. He was constantly with me.

34,545. About how many did you intrust him with?—Three or four I see here.

34,546. Who else?—John Giles Davis.

34,547. Who is he? Is he alive?—Yes.

34,548. We have not heard of him before?—Two men.

34,549. He paid two?—Yes.

34,550. Who else?—Frederick Jarmin.

34,551. How many did Frederick Jarmin pay?—Five, I think.

34,552. Who else?—William Pimm.

34,553. Who is he?—I see he paid one man.

34,554. Who is William Pimm?—That is the "Golden Lion" man.

34,555. And did you pay all the rest yourself?—No, there is a lot more.

34,556. Let us know them? We want to know them all?—Mr. Leaker.

34,557. What Mr. Leaker?—At the "Clarence."

34,558. How many did he pay?—One.

34,459. He did not tell us about that?—Robert Ford.

34,560. How many did he pay?—Two. Two captains, Captain John Sharman, and Captain James Sherman—Edward Denner, Thomas Walkham, John Batten, Joseph Pitman.

34,561. How many did he pay?—Four or five; he returned me some of the money.—James Bussell, senior—he paid Henry Maidment. John Bryant, Eastover, grocer.

34,562. How many did he pay?—Two.

34,563. James Bussell, junior, paid one, I see?—

34,564. That is about as much as you would trust him with?—Just so.—John Waddon.

34,365. How many did he pay?—Two. Smart and Hensley, the man who spoke just now. I see William Herbert's name down for one man, but his heart failed him, and he returned the money.

34,566. There are some names on the other side of this (*referring to a list*). They have nothing to do with these lists. I began to write before I turned down this paper, and they will require some explanation. I had them marked as queries, and so on, which I should be glad to explain.

34,567. Then keep them for the present. Those sub-agents whom you employed, what were they to get for themselves for what they did?—As a rule, nothing.—Mr. Frederick Jarman——

34,568. Mr. James Bussell did not do anything for nothing I should think?—Well, he was employed in Mr. Smith's office at that time.

34,569. Whom of them did you pay? You say, as a rule, nothing, but whom of them did you pay?—I paid Frederick Jarman.

34,570. What did he get?—Well, he had 15*l.* altogether.

34,571. For himself?—Yes.

34,572. Who else?—Edward Denner. I did not agree to pay him anything, but he was paid for his vote.

34,573. What did he get?—10*l.*

34,574. What I want to know is, which of these men got something for themselves as well as for giving away. I mean those who got paid for their vote and who paid money to other people were paid both ways no doubt?—Yes, only on one occasion.

34,575. Who was that?—Frederick Jarman.

34,576. What did he get for his vote?—10*l.* and 5*l.*; 15*l.* altogether.

34,577. 10*l.* for his vote and 5*l.* for what he did?—Yes.

34,578. How many does that make altogether bribed by your agents in 1859?—I have some more agents.

34,579. In 1859,—we are still in 1859?—Yes. In 1859, I must tell you that in making up my account to give to Mr. Smith I handed in all the papers and everything,—vouchers, receipts, and so on; but I found this list which is in the writing of Mr. Pople.

34,580. Is he alive?—Yes, he has been before you. Then for my own satisfaction—if anything ever arose from it—I had a poll-bill and ticked this poll-bill off, and I have unfortunately lost it, but I can recognize some of the names.

34,581. Give us the rest of the names?—John Buttle——

34,582. Is that the gentleman who is going to be tried for perjury?—Yes.—Thomas Bond, Frederick Chambers, Edward Denner, Robert Denner, George Batten, William Foxwell, Samuel Hurford, William Jarman, Henry Haywood, James Long, John Mogridge, William Pimm, William Sellar, Henry Trump, Edward Lawrence, Charles White, Thomas Walkham, James Lewis.

34,583. Have you come to an end now?—That is all I can vouch for. I have other names, but I am not certain about them.

34,584. Now, as a matter of curiosity, including the people you employed as sub-agents, will you tell us how many you distributed money amongst on that occasion, including the sub-agents?—I think that is 121 names.

34,585. Are those all you bribed on that occasion?—No.

34,586. Then how many are there besides that you can recollect?—18 or 19.

34,587. And about 140 altogether?—About 140 or 150, about 140 I should think.

34,588. And how long did it take you to do all that work?—Oh, it kept me busy for some time.

34,589. I mean was that all done on the polling day?—No, it began——

34,590. Some fortnight before?—Yes, some fortnight before.

34,591. Was it all finished by the polling day?—Yes.

34,592. Was it all finished by the nomination day?—It was all finished by the nomination day, by the afternoon.

34,593. We have got as far as 300*l.* of your own which are spent in this way?—Yes.

34,594. Now tell us the *modus operandi* in paying these people. Did they come to your house?—They came one after the other.

34,592. They were not sent for?—No.

34,596. They came and asked if anything was going?—Yes. I had got some persons who assisted me, and who came and said, "There is so and so in "the bar," and I said, "Tell them to come to me."

34,597. Did you give them the money?—Yes.

34,598. And they knew it was you who gave it to them?—Yes.

34,599. It was done quite openly?—Yes.

34,600. Who assisted you?—Robert Pople was one. He assisted me.

34,601. And who else?—William Henry Batten was in and out.

34,602. After your 300*l.* was gone, did you go to Stuckey's Bank to get some money?—Yes.

34,603. Who told you to go?—Mr. Smith suggested that Stuckey's Banking Company would make an advance to me.

34,604. Who was the manager at that time?—Mr. John Woodland.

34,605. Who is it at present? Mr. Salmon?—Yes.

34,606. (*Mr. Anstey.*) Is Mr. Pople in court?—No, he is not. He is in Exeter.

34,607. (*Mr. Coleridge.*) Did you get an advance of 500*l.*?—Yes.

34,608. How did you get it? Did you draw a cheque for it?—No.

34,609. Had you a banking account there?—No; I had closed my banking account for some time previously.

34,610. You went to Mr. Woodland and asked him to let you have 500*l.*?—Yes.

34,611. What on? What was your security?—On my I O U.

34,612. Do you mean the manager of Stuckey's Banking Company let you have 500*l.* on your own I O U?—He did.

34,613. With no sort of security whatever?—No.

34,614. (*Mr. Anstey.*) Did you see Mr. Salmon on that occasion?—No.

34,615. Who did you see?—Mr. Woodland.

34,616. (*Mr. Coleridge.*) Is Mr. Woodland alive?—(*A Voice.*) Yes.

34,617. (*Mr. Coleridge.*) Where is he?—(*The Voice.*) At Minehead.

34,618. (*Mr. Coleridge.*) Did he know what this was for?—He seemed to know.

34,619. Did you go to the bank for it?—No, I went to his house after the bank was closed.

34,620. What day was it; how long before the election?—[*The Witness referred to some papers.*]

34,621. I do not care about the exact day, but was three or four days before the election?—Yes.

34,622. You went after banking hours?—Yes.

34,623. What did you say to him, because it is rather material to know what he said on that occasion?—I went to Mr. John Woodland, and said "I want you to oblige me with the loan of 500*l.* for "a few days." He hesitated a few minutes, and he said "Well, I suppose so."

34,624. Which way did Mr. Woodland vote?—He voted for Kinglake and Westropp, I suppose.

34,625. (*Mr. Anstey.*) There are no liberals in the bank?—Not that I am aware of.

34,626. Mr. Kinglake, who was formerly a partner, is not of their politics?—No, not that I am aware.

34,627. (*Mr Coleridge.*) What did Mr. Woodland say; he supposed it must be so?—He supposed it must be so.

34,628. What did he do; did he go with you to the bank?—No, he invited me to sit down while he went, and as Mr. Woodland was leaving the house, I said, "Let it be gold. I want it in that way, please."

34,629. And he brought it back to you in gold?—Yes.

34,630. In a bag?—Yes.

34,631. And he let you have it on your I O U?—Yes.

34,632. Had you ever got 500*l.* before with such facility?—No.

34,633. Nor ever since?—No.

34,634. And have you ever known any bank which would advance 500*l.* to you on your I O U, without having any further security?—No.

34,635. And he knew what it was for?—He seemed to know.

THIRTY-FOURTH DAY.

Mr. J. Murlis.

4 Oct. 1869.

34,636. You have no doubt that he knew what it was for, have you? You go to him after banking hours and ask him for 500*l.* on your I O U; have you any doubt that he knew what it was for?—I have no doubt.

34,637. (*Mr. Anstey.*) You have frequently seen Mr. Salmon with regard to political matters?—Yes.

34,638. You were a very active man and he was a very active man in politics?—I should not call him a very active man in politics.

34,639. Well, a strong man; a strong Conservative?—He does not interfere very much in politics.

34,640. Have you ever spoken to him about this?—I do not recollect ever having spoken to him.

34,641. Do you know that he is perfectly aware of it?—Well, he may be; but I do not recollect mentioning it to him. I may have mentioned it to him.

34,642. What was he in the bank at the time? What connexion had he in the bank at the time you got this money from Mr. Woodland?—I think he was cashier.

34,643. And he is now manager, is not he?—Yes.

34,644. Did you hear him examined the other day about money?—No, I did not.

34,645. About exclusive dealing?—No, I did not hear him.

34,646. Then you do not know, from what you have heard in court or otherwise, that he expressed great indignation at the irregular conduct of Captain Ford, or rather, not Captain Ford but Mr. Prior's conduct, in advancing money to another candidate, and said that could not happen in their bank; do you remember that?—No, I do not.

34,647. This did happen in his house or at his bank?—Not in his bank.

34,648. The money was at the bank. If the depositors and shareholders lose their money, it does not matter whether they lose it at Mr. Woodland's private house or in the bank parlour?—He might have had the bill of me if it had not been forthcoming.

34,649. You gave him an I O U?—Yes.

34,650. Was that a valuable security in such a case?—Well, it was a pretty good security I think, Sir.

34,651. Are you quite sure that you have never had any conversation since with Mr. Salmon about it?—I do not recollect any.

34,652. You may have had?—I may have had, but I do not recollect.

34,653. Why did you go there?—It was a suggestion thrown out by Mr. Smith.

34,654. Did he seem to know you were coming—as if Mr. Smith had spoken to him about it?—There was not much hesitation about it; he seemed to have been primed about it.

34,655. Do you think he would have let you have the money if Mr. Smith had not spoken to him before about it?—I think he would.

34,656. At election times, I mean?—Yes, I think he would.

34,657. (*Mr Anstey.*) Are you aware that Mr. Salmon has not only expressed indignation at the conduct of the people at the West of England Bank, but has stated positively as a matter of fact that nothing of the sort ever took place in his bank?—I should think he was speaking the truth, and may not have known anything of this.

34,658. Do you mean to suggest that as to this 500*l.* there was a false entry, or, which is the same thing, a deliberate omission of a truthful entry in Mr. Woodland's case, as in Mr. Prior's case in Sealey's bank?—I do not mean to say that; Mr. Woodland let me have the money as a loan to me for a few days.

34,659. Have you the least doubt that Mr. Salmon knew of it then himself?—I am sure Mr. Salmon did not know of it then.

34,660. Or afterwards?—I think not.

34,661. (*Mr. Coleridge.*) He was a cashier?—Yes, it was quite unknown that to Mr. Salmon.

34,662. (*Mr. Anstey.*) Would you have gone there with an I O U in your hand for any other purpose than the purpose of obtaining money for bribery?—No, I should not.

34,663. And if you had gone at the time when no election was in prospect do you think that Mr. Woodland, or anybody else in Stuckey's bank, would have advanced you money on your I O U?—I expect they would have wanted security.

34,664. (*Mr. Price.*) You were no customer of the bank?—I had been.

34,665. But not to any extent?—Yes, I had.

34,666. (*Mr. Coleridge.*) You had closed your account?—I had.

34,667. (*Mr. Price.*) You were not in that position at the time with regard to the bank to entitle you to ask them to advance you a 500*l.* loan on an I O U?—No, I was not at the time.

34,668. (*Mr. Coleridge.*) Was anything said about interest?—No, it was only a loan for two or three days.

34,669. How long did that money last you?—I think that lasted on until two days before the election.

34,670. Did you repay that 500*l.* yourself?—No.

34,671. Who did?—Mr. Smith.

34,672. Two days before the election you told Mr. Smith the thing was dry, and you wanted more money, did not you?—Yes.

34,673. And what did he tell you to expect?—He said you will have a parcel in all probability to-day or to-morrow.

34,674. And did you receive a parcel?—Yes.

34,675. What was it labelled?—It was labelled "Mr. Murlis, Albion Hotel, Bridgwater," and it was headed "Samples, glass, with care."

34,676. "Samples, glass, with care, this side up"?—This side up.

34,677. And when you opened this delicate sample of glass what did you find in it?—1,000*l.*

34,678. In gold?—Yes.

34,679. And then you sat to work with that again I suppose?—We sat to work paying our debts.

34,680. What do you call debts, promises?—No, paying me, and paying Mr. Woodland the 500*l.*

34,681. Paying you the 325*l.*?—Yes.

34,682. That only left 175*l.* to go on with?—That is all.

34,683. Did you spend that also?—Yes.

34,684. After you had spent that did you get another 500*l.*?—Yes, the next day.

34,685. How did that come?—It was brought to me by a porter-like looking man, and it had a ticket on it similar to the other.

34,686. "Sample, glass, with care, this side up"?—Yes.

34,687. Did you pay that away also?—Yes.

34,688. Mr. Smith I believe told you to keep 325*l.* out of the 1,000*l.* yourself?—To take 325*l.* for myself, and 500*l.* to pay Woodland back.

34,689. When you repaid Mr. Woodland the 500*l.* did you ask him for the I O U?—When I paid the money I asked him for the I O U back, but he could not find it. The next day I saw him, and I asked him if he had had it, and he said no.

34,690. And you never got it?—No.

34,691. You have never been sued by the bank upon it?—No.

34,692. You paid this away. How much did you pay away altogether?—I paid away altogether, less a few pounds which I will account to you for presently, 1,500*l.* in all. That is the money I had.

34,693. What did you have for yourself?—Nothing.

34,694. Nothing at all?—No, not on that occasion; no money.

34,695. Nothing but your bill?—Yes, I had my bill of course.

34,696. You say no money, what did you have if you did not have any money?—I had a present.

34,697. A present of what?—A time piece.

34,698. Who was that from; Mr. Padwick?—That was from Mr. Smith.

34,699. You paid away all this money before the election, and made up your accounts with Mr. Smith, did not you?— I did not make up my accounts before the election.

34,700. After the election you did?—After the election I did.

34,701. How do you account for it that, with the expenditure of all this money, Padwick and Westropp did not get in?—In the first place it was a dreadful wet day, very wet indeed; and the second reason I apply to is this, that Mr. Padwick became rather unpopular.

34,702. (*Mr. Price.*) Why should a wet day prevent Mr. Padwick's voters going any more than the voters on the other side?—It always does; they are a different class of men, the Conservatives.

34,703. (*Mr Coleridge.*) They possess a more delicate constitution?—Yes.

34,704. (*Mr. Anstey.*) Perhaps you mean the Liberal voters are more wet than the Conservatives?—It may be so.

34,705. (*Mr. Coleridge.*) After the election you made up your accounts with Mr. Smith?—Yes.

34,706. And you paid no money yourself?—No.

Thomas Rogers recalled.

Mr. T. Rogers.

34,707. (*Mr. Price.*) Mr. Rogers, we find we made a mistake in telling you to bring the books for 1866. The period which we want you to refer to is a short time before the election. It seems then that two ladies were at your hotel at Weston-super-Mare, a short time before the election of 1865, and not in 1866 at all.

(*Mr. Anstey.*) That election took place on the 18th of July 1865 I think?—I am doubtful whether I shall be able to show it on these books.

34,708. (*Mr. Coleridge.*) We want the strangers book of 1865.

(*Mr. Anstey.*) Perhaps that shows it.

34,709. (*Mr. Price.*) It is our fault. Perhaps you will be good enough to telegraph to Weston-super-Mare for your book, and wait here for it.

(*Mr. Coleridge.*) If you have not got it here, you could telegraph for it to Weston-super-Mare, and wait till it comes?—No, I think there would be some difficulty in getting at it, unless I went for it myself.

34,710. (*Mr. Coleridge.*) You could bring it to-morrow?—I have got 1865; they are all right here. What do you require?

34,711. (*Mr. Coleridge.*) Take it from 1st July to the 25th.

34,712. (*Mr. Anstey.*) While you are looking for it, you may as well tell me now whether you recollect two ladies coming to your hotel at any time in the month of July 1865?—No sir, I do not. My hotel is nearly full now, and I do not know half of the parties by name now. I have July first.

34,713. (*Mr. Price.*) It seems by the report as if Mr. Tromp had taken a room there. He says "I "went to Weston-super-Mare and took lodgings. "On a Sunday morning by appointment I met two "ladies at the hotel."

(*Mr. Anstey.*) I will first of all ask Mr. Harden a question.

Mr. Frederick Harden recalled.

Mr. F. Harden.

34,713*a*. (*Mr. Anstey.*) Do you recollect how many days before the election in July it was Mr. Tromp came here and placed himself in communication with you at the time he was lodging at Thomas Harden's?—It was on the Sunday previous to the 12th July, when the election took place.

34,714. That would be the same Sunday no doubt?—(*Mr. Price.*) That would be previous to the 12th.

34,715. (*Mr. Anstey.*) Do you recollect the day of the week that the polling day was?—Sunday was the 9th.

Mr. Thomas Rogers recalled.

Mr. T. Rogers.

34,716. (*Mr. Anstey.*) Will you look in your book for the 7th, 8th, and 9th of July? that will save you some trouble?—On the 9th, I see here four fees booked by the number 18, no name.

34,717. How many persons?—Four. Four dinners, four teas. 8th, 9th, 10th, 11th, and 12th. Would you like to look at it?

34,718. (*Mr. Coleridge.*) Will you turn to the same date in the visitors book?—

(*Mr. Price.*) You have a visitors book at your hotel, I suppose, as there is at every hotel in all watering places?—Yes.

34,719. In which persons who stop at your hotel write their names, and let all the world know what a fashionable place Weston is?—You will find what you want, no doubt, in Dare's list published in the papers at the time.

34,720. Would not that list give it?—Yes, in both papers.

34,721. (*Mr. Coleridge.*) Would there not be a possibility of getting a paper filed on that date?—There is here not so far back as 1865. There is 1866 here.

34,722. Perhaps you will send us up your visitors book for 1865 to-morrow?—I do not think there is one. This is the first one I have.

34,723. (*Mr. Anstey.*) Have you got the lists filed?—Of the papers?

34,724. Yes.—No, but you can get them from the office.

34,725. (*Mr. Price.*) The "Gazette"?—Yes, the "Gazette" and the "Western Mercury."

34,726. They would not necessarily show the names; they might or might not?—They may or may not.

34,727. They would be furnished to your hotel?—Yes.

34,728. By the man who goes round?—Yes, he sends it in every Friday with all the names; we furnish all the names we know.

34,729. And if there are persons who do not wish to have their names known, you do not give them?—No.

THIRTY-FOURTH DAY.

Mr. T. Rogers.

4 Oct. 1869.

34,730. Do you ask the persons who come to your hotel for their names for the purpose of returning them?—Sometimes. We furnish them if we can. We get them if possible.

34,731. (*Mr. Anstey.*) Does Mr. Westropp's name appear in that book of 1865?—No; only No. 18.

34,732. Mr. Patton's name appears in 1866?—Yes.

34,733. Does Mr. Westropp's name appear in 1865?—No, I do not see it. I will go on a little further.

34,734. That same date?—Yes, I quite understand, the 15th and 17th; now I have got it.

34,735. Have you got it there?—No.

34,736. Do you remember Mr. Westropp being at the hotel?—Not at all.

34,737. (*Mr. Price.*) There is no reason on earth why you should not give us the information. I hope there is no impression on your mind that we think that you are implicated with the transactions that have occurred in this borough?—Not the slightest. I will give you every information I can.

34,738. Look at your books when you go home, and if there is any information you can give us I hope you will give it us?—Yes.

34,739. We may rely upon your doing so?—Yes.

34,740. You are not mixed up with the local politics of this place?—I will look through the papers and endeavour to find it for you. I do not know whether the editors will allow me to search.

34,741. Just see the editors, and communicate to us the result of your interview with them?—I will.

Mr. John Murlis recalled.

Mr. J. Murlis.

34,742. (*Mr. Coleridge.*) Over and above the wet weather was there any other thing that militated against Mr. Padwick and Mr. Westropp?—Yes, I should think so.

34,743. What was that?—There was a great display at the nomination; and there was a painted placard produced, I think, representing that Mr. Padwick was the hangman of Palmer; a most disgraceful affair.

34,744. Yes, we have seen that. I want to know why should that have affected Mr. Westropp?—It would not; but my meaning was, as I told you just now, that Mr. Padwick was given the preference, so that if we could not get them to vote for both we might get them to vote at last for Mr. Padwick and Mr. Tynte, so we kept them for Mr. Padwick. We kept them back for Mr. Padwick in that way. I suppose they would find it lucrative to vote for Mr. Padwick and Mr. Tynte.

34,745. Are you aware that Mr. Kinglake and Mr. Tynte were spending money on that occasion?—I knew the party was.

34,746. Were they paying more than you were?—They were paying wholesale. They were paying South Wales District Bank 10*l.* notes.

34,747. If you were only paying 10*l.* and they were only paying 10*l.* they could not get your men away by that, could they?—Yes; on account of the wet day there was no one out.

34,748. How many of the 140 people whom you bribed voted against you?—I have no recollection at all.

34,749. Have you any recollection that a good many did?—Yes, a good many did.

34,750. Then they must have been bribed by the other side as well?—No doubt about it.

34,751. Have you told us all you know about the election of 1859?—Yes.

34,752. There was a petition, you know that?—Yes.

34,753. Were you up on the petition?—Yes.

34,754. Were you examined?—No, the petition was withdrawn.

34,755. Was there any money paid after the petition, to you or anybody?—No.

34,756. I mean were there any further sums for outstanding bills for treating and colours, and all that?—There were outstanding bills.

34,757. Well, who paid those?—Mr. Smith; Mr. Smith paid those. I had 60*l.* left I paid to Mr. Smith.

34,758. And I suppose 60*l.* did not cover all the treating bills?—I paid a great deal of those.

34,759. What money did you pay it out of?—Out of the 1,500*l.* I had.

34,760. What did you pay in treating as apart from bribery?—Do you mean the bills at inns, &c.?

34,761. Yes.—I should think the bills at inns would amount to 100*l.*

34,762. And you took that out of the general fund, out of the 1,500*l.*?—Yes, out of the general fund.

34,763. (*Mr. Anstey.*) You say the petition was withdrawn; do you recollect any money being paid for the withdrawal of that petition?—I understood there was.

34,764. Who paid it, and for what, or for whom?—I was written to by Mr. Williams of Bath, and this is his letter: "6, Victoria Street, Westminster Abbey, "S.W., 30th July 1859. Dear sir, Please come up "the first thing Monday morning, and see me here; "this is special. Yours truly, J. Williams." That was to give him what information I could.

34,765. (*Mr. Price.*) Who is Mr. Williams of Bath?—That is Mr. Padwick's solicitor I apprehend.

34,766. (*Mr. Coleridge.*) Did you go up?—Yes.

34,767. (*Mr. Anstey.*) What happened?—I must tell you that soon after the election Mr. Williams' clerk came to me here and represented himself to be a Mr. Barry, Mr. Williams' clerk. He had been asking me questions about the election. I was not very willing to answer the questions, but I went to Mr. Smith and said "There is a lawyer's clerk down here who has "called on me and asked me a lot of questions about "the election, but I gave him evasive answers; he is "Mr. Williams' clerk." He said "Well, I think "Mr. Williams of Bath is Mr. Padwick's solicitor." When I returned and had interviews with him afterwards I found his object was to get information for the petition, and then I gave him what information I could upon it.

34,768. (*Mr. Coleridge.*) You thought at first it was a plant?—I thought it was a plant.

34,769. (*Mr. Anstey.*) You gave him what information you could upon it?—Yes.

34,770. My question was what you knew or understood about the money having been paid for the withdrawal of it?—Yes. Then I must tell you I went to London in answer to this letter, and in a postscript he says "You will there see Mr. Barry, "who is very busy, but who will supply the infor-"mation you require." He had got all the information I could give him. Then he went to London to prepare for me as to what information he could give me as to getting up witnesses and so on. While I was there the chairman of the committee was appointed.

34,771. That is to say the committee of chairmen met?—In the House of Commons.

34,772. I know; not the election commission. Well go on?—I met Mr. Henry Lovibond, Mr. Benjamin Lovibond, and Mr. Bate in the lobby of the House of Commons, and they seemed surprised to see me there. I said, "You cannot surely be surprised about it, "because it is somewhat my business that brought "you here." They wanted to know what evidence

I had against the sitting member. I said, "If you "go to Baxter, Rose, and Norton's office, 6, Victoria "Street, there you will get some information." My time was very short, I was gone a certain time to get the witnesses up, and I must have gone by the 5 o'clock train, and therefore I could not stay till the result, but they settled, at least they kissed and made friends again it appears. They sent me this telegram again the next day, "Mr. Williams, 16, Victoria Street, "to Mr. Murlis, Albion Hotel, Bridgwater. Its "all settled, stop further proceedings, warn any that "are notified not to come up, Mr. Lovibond's clerk "will assist you in stopping them."

34,773. What date is that?—August 2d, 1859.

34,774. I find in the 114th column of the Commons Journal, folio 223 A, 200, and 328 B to 330 B., "The "petition of Henry Clement Heard and Reuben Bond "was referred to an election committee, and before "it could be struck, on the same day withdrawn by "Messrs. Baxter, Rose, and Norton, as agents for the "petitioners, by letter of that date set out in the "journals and in the usual form," and that will be the same day, the 2d of August, that you got that telegram?—Yes, no doubt about it.

34,775. Heard, I suppose, was the same person against whom the rule for the criminal information had been obtained by the Tynte party, the prosecution?—Yes, I recollect there was.

34,776. Will you tell me what makes you think that the payment of money was one of the inducements for withdrawing the petition in that certain way on the very day when it was referred to an election committee?—Yes; I had thought it from the commencement, that the paying back of this spilt milk——

34,777. The paying back what?—That the paying back of this spent money would in all probability have satisfied the thing, and I am very much induced to think that they had the 1,500*l.*

34,778. (*Mr. Price.*) That Padwick had?—Yes.

34,779. (*Mr. Anstey.*) You may have heard it stated by the witnesses here that Mr. Padwick impounded a large sum of money which it is said belonged to him; did you hear that?—No, I did not.

34,780. However, what did you do when you received that telegram?—I did not go to Lovibond's clerk. I asked my friends to go with me; I distributed my friends about, and sent them notes and such like to stay the thing, and stating I had the telegram from London to say that they were not to go. They were all prepared to go.

34,781. After that conversation did you have a conversation with Mr. Henry Lovibond?—No.

34,782. Or with anybody on the other side?—No.

34,783. There is no mistake, Mr. Henry Lovibond must have known all you have told us?—He was in London, but I do not know whether he knew that part of it.

34,784. He was actively engaged?—Yes, he was.

34,785. (*Mr. Coleridge.*) Who was there on the liberal side, besides Mr. Henry Lovibond, who would be likely to know this?—Mr. Benjamin Lovibond and Mr. Bate; they are both dead. Sir Frederick Slade was the counsel.

34,786. (*Mr. Anstey.*) Yes. Did your hear anything afterwards about the payment of money—about money having been paid back as you say?—No; this telegram shows that I was taken out of it.

34,787. Yes, it does; but I mean did you hear anything after that on the subject of the money consideration?—Mr. Smith told me on his return that they had settled the matter amicably, and that Mr. Tynte and Mr. Kinglake was to walk into the House of Commons, and to have a free toleration to say what they thought proper, and they went into the House of Commons and said that the thing had fallen through by arbitration, and that it was settled by arbitration, that the thing was frivolous and vexatious—they were allowed to say that without being contradicted.

34,788. (*Mr. Price.*) They condescended to say that?—Yes.

34,789. (*Mr. Anstey.*) Are you aware that they allowed Colonel Tynte on the night of that day, the 2d of August, to make a speech, which was entirely uncontradicted, in the House of Commons, declaring that it was well known to everybody that the petition was a mere sham from the first?—Yes.

34,790. And there was nobody there to contradict it?—That was it.

34,791. (*Mr. Coleridge.*) I suppose, considering what you had done in this matter yourself, you did not pray the seat for yourselves?—No.

34,792. (*Mr. Anstey.*) Did you see the report of his speech on that occasion?—I think I did.

34,793. On this being mentioned by Mr. Speaker that the petition had been withdrawn that he got up and made a very generous candid speech towards his opponents, and declared it was a mere sham from beginning to end.

34,794. (*Mr. Anstey.*) Who made a speech?—Mr. Tynte; it was his maiden speech, I think, on that occasion.

(*Mr. Price.*) A very worthy beginning to a very fitting ending.

34,795. (*Mr. Coleridge.*) Is that all you have to tell us about 1859?—Yes.

34,796. What had you to do in 1865?—I left in 1860—in the March of 1860. I have not been here in business, and I have had nothing to do with the elections since.

34,797. (*Mr. Coleridge.*) Finding you had been so useful to them, did not they bring you back specially in 1865?—No, I had nothing at all to do with it. I was very ill. I left on account of ill health.

34,798. Was this the only election you had anything to do with in the way of money?—No.

34,799. Did you not assist in the last election?—No.

34,800. You have never assisted parties in other places?—No.

34,801. And never brought any one here?—No.

34,802. And that is all you have to tell us?—That is all.

34,803. (*Mr. Anstey.*) Your father preceded you in the character of election agent, did not he?—My father was a very active agent in election matters.

34,804. There was a house which has been mentioned not only in the reports of the trial of Webb *v.* Smith—this Smith who is ill, or said to be ill,—but which has also been mentioned by witnesses, and also by me in cross-examination, which is called Murlis's house. If you wish I will tell you whereabouts it is said to be situated?—In Dampiet Street, I think.

34,805. Murlis's house, near the Rose and Crown?—Yes.

34,806. Was that your father's house?—Yes.

34,807. Do you remember the occurrence which was disclosed by the evidence taken against the now absent Richard Smith, when he was found guilty and had to pay 500*l.* penalty for having bribed voters in 1837?—I have heard tell of it.

34,808. Were you in Bridgwater then?—Yes, I must have been.

34,809. Do you remember anything of those remarkable occurrences,—the man Croucher coming there, and being placed in a room to play the same respectable part that Lomas for Mr. Vanderbyl, and Mr. Tromp for Mr. Westropp, and Mr. Patton have admitted that they did?—What election was that?

34,810. The last election 1837?—Oh yes, I recollect that,—I recollect the man very well.

34,811. Was it Croucher?—I do not know whether is was Croucher they called him.—I cannot recollect his name at present.

(*A voice.*) William Holmes.

THIRTY-FOURTH DAY.

Mr. J. Murlis.

4 Oct. 1869.

(*The witness.*) No, it is not. He is a tall, stout man, and I recollect his stature very well indeed.

34,812. (*Mr. Anstey.*) Not to go into detail, that is what he came to do?—No doubt about it.

34,813. And Richard Smith—the now absent Richard Smith,—certainly absent,—probably ill—possibly ill—was the person who pointed out the voters to him, as he was the person who had to pay the money to the voters when pointed out in your father's office?—I cannot tell you that.

34,814. However, he was at your father's office?—This man was.

34,815. During the election?—Yes.

34,816. Do you recollect a celebrated person in his way, the whipper-in of the House of Commons on the Tory side—both when the Tories were in power, when he sat on the Tory bench, and when they were out of power when he sat on the Opposition bench—the late Mr. Holmes, an Irish member of Parliament, coming down to the borough on that election?—No, I do not. By that name I understand they nick-named this man.

34,817. Holmes?—Yes, they nick-named him Holmes.

34,818. But you do not remember the real William Holmes?—No, I do not.

34,819. You are not,—I will not give the familiar name—you do not remember his coming into the borough?—No, I do not.

34,820. Do you remember the equally notorious Mr. Coppock at the same election on the Liberal side, and who was no doubt down here for the same purpose as Mr. Holmes was?—I do not.

Mr. J. Leaker.

Mr. James Leaker recalled.

34,821. (*Mr. Coleridge.*) Mr. Leaker, before Mr. Murlis goes, how came you not to tell us about this person you bribed in 1859?—Murlis bribed him, and I only held the money on the morning of the election.

34,822. What is his name?—Joseph Stoodley. I only held the money.

34,823. (*Mr. Price.*) I think you did mention that?—I did.

34,824. (*Mr. Anstey.*) The last question I put I shall be very glad to put to any gentleman of the public press who is likely to have reported the proceedings of that election. Mr. Denison, was your connexion with the "Times" newspaper so ancient as that?

(*Mr. Denison.*) Yes.

(*Mr. Anstey.*) Will you have the kindness to come into the box then?

Mr. J. H. Denison.

Mr. James Hutchinson Denison sworn.

34,825. (*Mr. Anstey.*) Mr. Denison, do you know the name of the man whom I have described to the last witness?—Yes, I knew him very well.

34,826. What was his name?—Mr. William Holmes, —commonly called Billy Holmes. He was whipper-in for the Tory party.

34,827. You mean in Parliament?—In Parliament.

34,828. I mean the man described as being in the room at Murlis's,—the man in the moon at that time?—The election of 1837, Broadwood and Sheridan,—Croucher was here. He was introduced to me by Mr. Holmes as Mr. Brown; he was giving a large party—a large supper to the electors, I think.

34,829. What Mr. Brown?—Mr. Brown was Mr. Croucher. I had known him before.

34,830. Mr. Brown?—He introduced him to me as Mr. Brown. He seemed to be a person of wealth, and was giving a supper there.

34,831. At what place?—At the "Clarence."

34,832. And was Mr. Holmes taking part in the election?—Oh yes.

34,833. Did you hear what part he took?—I recollect going to Mr. Holmes about 10 o'clock in the morning of the polling-day and telling him the election was won. He asked me what I meant. I said, "If every voter now unpolled votes on the opposite "side you have a majority." He said, "What is "your authority for that?" I said, "I have the "numbers from the poll clerks, and, therefore, I can "rely upon it." He said, "I am exceedingly obliged "to you; you have done us an immense service by "telling us."

34,834. Did you see the other person I have asked about, the celebrated Mr. Coppock?—I was on the hustings on the day of the nomination, and I saw Mr. James Coppock in the crowd, and there were gentlemen—I think Mr. Trevor was one. I said, "Come down, we will have some fun," and I said, "Mr. Coppock, how are you?" He said, "Denison, "in Heaven's name, do not let any man know my "name here." I said, "The idea of so great a man "as James Coppock being here, and yet not being "known!" I said, "I am quite ashamed of it."

34,835. (*Mr. Price.*) What do you think he could have come down to Bridgwater for?—I wrote what I believed,—that he had come with the bags, and had gone away, because he often told me afterwards, "I "wish you had been quiet. I lost the election through "you;" and I think I may tell you from what I have heard here, I rather expect that those Bridgwater reports about what took place on the trial of Smith at Taunton, and the trial of the rioters at Wells were mine. I think so.

34,836. You would not be at quarter sessions at that time?—Yes, I was; I came purposely from Bath to report that case.

34,837. (*Mr. Anstey.*) You having been present at the assizes, is the account which has been given true, namely, that they were acquitted at the assizes because they were indicted, not for a riot, but for a conspiracy?—Well, I have been trying very hard to remember, but my memory is a blank.

34,838. As to the trial at the Quarter Sessions, do you recollect first of all the adjourning from one day to the other?—No, I do not. I remember perfectly well talking to Mr. Serjeant Kinglake at Wells on that occasion, but I forget the whole thing.

34,839. You do not recollect the scene in Court when one after the other was acquitted by the jury?—No, I do not. I have been trying since I have been here to recollect it, but I cannot.

34,840. Nor can you inform us with reference to anything which is said to have taken place after the trial?—No, I cannot. I can tell you one thing, I recollect going to the dining room of the "Clarence," a large room, and seeing 400 bottles of wine put on the table at one time.

34,841. (*Mr. Anstey.*) When was that?—At that election.

34,842. 1837 or 1832?—1837. Sheridan and Broadwood.

34,843. Do you remember the trial of Webb *v.* Smith?—Yes, I recollect that.

34,844. The Bribery Penalties trial?—Yes, I recollect that.

34,845. Do you recollect enough to be able to tell us whether the account stated here in the form of questions partly put by me, and partly in the form of answers by witnesses of what subsequently took place is correct?—No; my mind is a blank again.

ABRAHAM DANGER sworn.

34,846. (*Mr. Anstey.*) Some evidence was given by witnesses on Saturday last which goes to show that Dr. Kinglake did not leave Bridgwater between one or two o'clock (if he then left it) without first paying at that hour a visit to Sealy's Bank; and secondly, that he did not leave Bridgwater, in all probability at all, at that moment by the 1.40 train. Can you throw any light on either or both of those two statements?—I only know from my daughter that is now dead. I can only speak of what she told me. I know nothing myself.

34,847. If it is any clue, I should like to hear what it is?—She told me that Mr. Kinglake and Dr. Kinglake left somewhere, I think, about one o'clock. They went to the station in a fly. Dr. Kinglake returned about ten minutes or a quarter of an hour afterwards, got out of the fly at Mr. Sealy's Bank, and sent the fly away and went into the bank.

34,848. When did she tell you that?—She told me at the time.

34,849. On the day?—She said this, that she knew that the bribery commenced directly after that.

34,850. And she told you this on the very day?—On the very day; the evening when she came home.

34,851. When did she die?—She died in August last.

34,852. Can you give me the names of any persons who, as well as your daughter, witnessed what you have described—the getting out of the fly and dismissing it, and going into Sealy's Bank?—No; I cannot say. She did not wish to know but as little as she could help on the subject, but she told me this.

MARY GOLDSWORTHY sworn.

M. Goldsworthy.

34,853. (*Mr. Price.*) What are you?—Cook at Mr. Smith's.

34,854. Are you still in the service of Mr. Richard Smith?—Yes.

34,855. How long have you been in his service?—Nine years.

34,856. Is your sister Jane also in the same service?—Yes.

34,857. Well now, we want to know with regard to the destruction of some papers. We want to know from you whether you remember after the judge was down here. You remember the judge being here in this year?—Yes.

34,858. Very well. Whether, after the judge had been here, your mistress gave you any papers to light fires with?—Yes, she did.

34,859. Can you give us an idea of them. Do you know the look of documents like that (*exhibiting a brief*)?—I did not see any of those.

34,860. You saw nothing like that?—No.

34,861. This is the sort of thing, you know, which is called a brief. It is a large thing, and you will recollect it. Did you have any such document as that handed over to you?—There was a great many large papers, but I don't know what they were.

34,862. Just take that into your hand (*passing a brief*), and see whether it is the sort of thing, and see whether you can recollect, because you would have to tear such a thing as that up to put it into the fire?—Oh yes; there were many such papers as that.

34,863. Which you had to tear up into strips?—I did not tear them up.

34,864. You could not put that into the bottom of a grate to light the fire?—They were broken up before I had them.

34,865. They were broken up before you had them?—Yes.

34,866. Many such as these?—Yes, there was a great quantity.

34,867. When was the last time you saw Mr. Bealy Smith?—Shortly before he left for Australia. About a fortnight before he left.

34,868. You have not seen him since?—No.

34,869. Quite sure of that?—Quite sure.

34,870. (*Mr. Anstey.*) Did he walk into his carriage when he went away?—Mr. Bealy Smith?

34,871. Yes, Bealy Smith. Are you sure that Mr. Bealy Smith is not at this moment at Teignmouth and goes every day to see his father?—I have not been at Teignmouth. I have not heard that he is.

34,872. Have you heard, or do you believe, that he returned to England as long ago as the 15th September, last month?—No; I received a letter on the 13th of September, which I forwarded to Mrs. Smith, from Mr. Bealy.

34,873. (*Mr. Price.*) You know his handwriting?—Yes.

34,874. (*Mr. Anstey.*) Did Mrs. Smith, when she gave you the torn papers, tell you that you were to burn them as soon as you could?—No.

34,875. I presume you found papers of this kind very bad fuel, did not you?—Well, I do not know. They were used for lighting fires.

34,876. Very difficult to light a fire with, I should say—stiff hard papers?—There were other papers as well—newspapers, and a lot of papers altogether.

34,877. What did you do with the papers that were bad for lighting fires with?—I did not do anything. I threw them into the fire altogether.

34,878. Therefore you did not use them to light the fire with?—I used them as I wanted them. I did not burn them all at once. I did not burn them directly. They were in the cupboard for perhaps weeks or months.

34,879. Do you mean to tell me that papers of this texture, all welded together as it were by long use and pressure, were papers that you could conveniently light a fire with?—Yes, I threw them in. I did not know what papers they were.

34,880. And did they burn?—Yes.

34,881. And well?—Well, I do not know. They lit my fire.

34,882. Did not your mistress tell you "For God's "sake Mary Goldsworthy (or whatever your name "is) get rid of those papers as soon as possible"?—No.

34,883. Did anybody tell you?—No.

34,884. Did you see her with her own hands putting papers into the fire?—No.

34,885. Never?—Not on no occasion.

34,886. Stop a moment. Are you quite sure you never saw her destroying papers?—Not large papers like that.

34,887. You saw her tearing up the papers?—No, they were sent to me in the kitchen.

34,888. Who brought them to you?—The housemaid brought them down in the usual basket that the waste paper is always sent in.

34,889. Is she here to-day?—Yes.

34,890. What did she say when she brought them down?—Nothing. She brought them down in the morning when she cleaned her room as she always did and emptied the waste paper in the cupboard.

34,891. When was that? Be as accurate as you can?—It was early in the year. It might be February or March.

34,892. February or March this year?—This year.

34,893. Do you recollect the noise there was here about the trial before Mr. Justice Blackburn in this Court?—Yes.

34,894. Was it after that?—Yes.

34,895. It was after Mr. Justice Blackburn had gone away?—Yes.

THIRTY-FOURTH DAY.

Jane Goldsworthy sworn.

J. Goldsworthy.

4 Oct. 1869.

34,896. (*Mr. Price*) Jane, what are you, the housemaid?—Housemaid.

34,897. Did you receive any papers of this kind, like this (*exhibiting a brief*) from your mistress?—I received a lot of papers that was brought me, they was all broken up into small pieces.

34,898. Were they papers that were written with pen and ink in that way?—Yes.

34,899. In this sort of way?—Yes.

34,900. Like this?—Yes.

34,901. Large sheets?—They were broken up when I had them, I did not have any large sheets.

34,902. Broken up into small pieces?—Small pieces.

34,903. As small as that (*showing a fragment of paper*)?—Some of them were.

34,904. (*Mr. Anstey*) Were any of them large pieces?—No.

34,905. All small?—Yes.

34,906. Did you see her tear them up?—I saw her tear some of them up.

34,907. Where did you see her tearing them up?—In her sitting-room.

34,908. How long was she about it?—She did not do it all at once, she did it at different times, she broke some up at different times.

34,909. On several days?—Yes.

34,910. Did she tear up a good deal at a time?—Sometimes she tore up more than she did at another.

34,911. More than what?—She did not tear up very much at a time.

34,912. You see the quantity of paper that there is here, did you ever see her tear up of this size at any time?—I did not see her tear it up all, not so much at a time as that.

34,913. But parts?—Yes.

34,914. Did you see her cut red tape at the corners?—No.

34,915. How did she tear it up, with her hands or the help of a knife or what?—With her hands.

34,916. Did she say anything when she was doing it?—No.

34,917. Did not you think it very odd that she was tearing up paper like that so many days running?—No, it did not make any difference to me, I did not know what they were.

34,918. Did she call you into the room to see it?—No, I only saw it when I went into the room.

34,919. Did she say anything to you when she had done it?—No, she did not say anything to me, she told me I was to take them down to light the fires in the morning.

34,920. Then she did tell you something?—Yes.

34,921. To use it to light the fires?—Yes.

34,922. How long was this after Mr. Justice Blackburn went away?—Not long.

34,923. (*Mr. Price.*) A week after?—It might have been a week.

34,924. (*Mr. Anstey.*) Was Mr. Smith present?—No.

34,925. Was Mr. Else present?—I think not. I am not quite sure.

34,926. Was anybody present?—I do not know.

34,927. Are you sure Mr. Else was not present?—I am not sure whether he was present at any part of the time.

34,928. Did you ever see Mr. Else helping her to tear up papers?—No.

34,929. Did anybody help her?—I did not see anybody help her.

34,930. I must ask you generally, did you ever hear her say anything about these being papers that were used at the election trial?—No, she never said anything to me.

34,931. But in your hearing?—No.

34,932. Did she ever ask you whether you had carried the papers down?—No.

34,933-4. But I suppose, from your account of it, she had so effectually torn up the papers into such small pieces that if they had not been burnt it would have been impossible to read them?—Yes.

Ambrose Dyer recalled.

A. Dyer.

(*The Witness.*) I want to state about what has been said about Mr. Kinglake's not going away by the train.

34,935. (*Mr. Anstey.*) What is your name?—Ambrose Dyer.

34,936. (*Mr. Anstey.*) Mr. Dyer, we have not sent for you?—But I thought it just to state——

34,937. (*Mr. Anstey.*) But we are waiting for another witness. You had better wait till the Chief Commissioner comes?—There are several people here.

Mr. Henry Westropp sworn.

Mr. H. Westropp.

34,938. (*Mr. Coleridge.*) What is your christian name?—Henry.

34,939. (*Mr. Price.*) Henry John?—No, Henry. I have brought some papers here, and some of them I can hand in, but as there are other matters to which I shall allude in my examination I should wish to keep them and hand them in seriatim as I use them. This is the poll book of the 1865 election.

34,840. I am going to begin with you in 1859, if you please, Mr. Westropp, the first time you came here. Then you can supply anything as your evidence goes on; any paper or papers that throw light upon it.

(*The Witness.*) Do you wish me to give an account of it myself, or shall I answer questions?

34,941. If you prefer it, you will just give us the account yourself; of your first introduction to this borough when you came down with Mr. Padwick which we understand was in 1859. If you prefer to give it in the shape of a statement we are ready to hear it in that form?—Previously to the year 1859 for many years I had been travelling and yachting, and I had been out in the Crimea during the Crimean war.

34,942. I must ask you a few preliminary questions to show that you were an eligible candidate of Bridgwater; eligible in one particular sense. You are a gentleman of independent means?—I have been sheriff of the county of Limerick.

34,943. You are a gentleman of fortune?—To a certain amount.

34,944. You never would have been seen in Bridgwater if you had not been?—I doubt that very much, but I will tell you.

34,945. You are a gentleman of fortune, you have property in Ireland?—Yes.

34,946. Are you engaged in trade at all?—No.

34,947. Your means are derived from landed estates and personal property?—Yes.

34,948. But you are not engaged in any business?—No, I never was.

34,949. Nor in any way connected with the town of Bridgwater?—No, not in any way whatever. Previously, as I told you, to that year I had been travelling and yachting, and out in the Crimean war, and all through and in consequence of my knowledge of the Eastern language I was put on the staff as interpreter. I returned home, and I found my life rather dull, and in 1859 I happened one day in the Union Club of which I was a member to hear of three boroughs in the immediate neighbourhood of Cork, my native place, Kinsale, Bandon, and Youghal, and I thought I should like to stand for one or the other of them. I applied to Mr. Heard, who was then a member, and he told me that my politics would not suit at all the Kinsale population; "but," said he, turning round, "there is a man there, and "if you speak to him, I think, he will put you in the "way of it." This was Sir Frederick Slade. That, I think, was on a Saturday. I went home, and during the Sunday I revolved in my mind about my standing for a borough in England which I had not previously thought of, and I went on the Monday morning, I think it was, to the Union Club, where I met Sir Frederick. "Wait a moment," said he, when I told him what I wished, "and I will go down to Victoria Street and see." He returned in a short time and told me that he wished me to come and contest Bridgwater. Said he, "You are to pay 200*l.* in the event of losing, and 1,000*l.* in the event of gaining the seat." "Who am I to go with?" said I. "With Mr. Padwick," said he. We came down here, and in a very short time I discovered——

34,950. Did you know Mr. Padwick?—I had never spoken to him. In a very short time when I came down here I discovered that there were very sinister rumours afloat respecting Mr. Padwick. Whether true or false it is not for me to say, nor do I know at this moment, but, however, they annoyed me very terribly through being mixed up with such a person about whom such things were said that I wrote to Sir Frederick Slade and asked him. He told me that he knew nothing of him whatever, but that he could lay a continuous line of sovereigns from Bridgwater to Bristol. That struck me as being a most exceedingly forcible expression.

34,951. I will interrupt you for a moment; whom were you introduced to here as a person of influence in the town?—Mr. Richard Smith was the person who was at Victoria Street when I was brought there by Sir Frederick. I saw no one else, and we three came down together in the same compartment of the carriage.

34,952. Had you in Victoria Street any conversation whatever with regard to the expense of the election?—None in the world. The only person whom I spoke anything to about it was Sir Frederick Slade, who told me the conditions under which I was to come. We came down here, and during the time——

34,953. Had Sir Frederick known you before?—Well I believe he had a short time, not very long; but he and I were both members of the club for nearly 15 or 16 years, although I did not know him to speak to.

34,954. (*Mr. Anstey.*) Your acquaintance with him was only that of club membership? You had no other acquaintance with him than that which is derived from club membership?—None other. We came down here, and during the time that we were here I found out, nearly at the close of it, that there were clandestine things going on between Colonel Tynte and Mr. Padwick, the object of which was to throw me overboard, and also to throw Mr. Kinglake overboard; and I spoke very seriously to Mr. Padwick of the way he was using me, and his answer was that it was all the better for me that he should do so, for he was taking care of my interests. Gentlemen, we were beaten, and on the day we were beaten Mr. Padwick went away unaccompanied by anybody from this town. He left by the express, which goes, I believe, at 1.37, and I left later. I think it is 4.40 the train goes, but I know it was late in the day. Mr. Richard Smith came up to me outside the Clarence Hotel. Said he, "It is a shame! We have not brought you down "here to let you go to the train alone; I will go with "you." At that time there was not the remotest idea of my appearing in Bridgwater again, and I felt that to be a kindness on the part of Mr. Richard Smith, which I never forgot, and which accounts for a good deal of I might say the friendship that existed between us, his kindness to me on that occasion, for I was deserted by every one of the party but him. A few weeks after that I came down here. I sent down my card in remembrance of the election, and I came down a few weeks subsequently. There was a supper here. I think Mr. Heard convened it. The secretary of the committee at that time, Mr. Greenhil, presided, and I there, perhaps foolishly, whether or not I do not know, pledged myself to come down again, thinking an election would take place very shortly.

34,955. (*Mr. Price.*) How soon after your defeat of 1859 was that?—I should think about five weeks.

34,956. Had you, in the meantime, paid the expenses of the election?—Mr. Padwick. I must mention here that the only time I ever spoke to Mr. Padwick since was when I handed him my cheque for 200*l.*

34,957. That was exclusive of what were legal expenses?—Oh no. 200*l.* altogether. That was the agreement. I was to pay 200*l.* if I lost, and 1,000*l.* if I won. Besides that, I paid my hotel bill, 1*l.* a day. He made an objection to my not doing so, although I believe it was included in the 200*l.*, but I was merely brought down to catch the second vote and prevent it going off to the other party. However at this supper I pledged myself to come forward again whenever the time occurred. There has been a great deal of talk here, and perhaps it has been the occasion of a great deal of merriment of what was called my charity.

34,958. Nursing the borough?—There has been a great deal of talk about it, and I will explain to you how all that originated. A very few days subsequent to this supper I met Mr. John Trevor on the Cornhill, and he said to me that he heard I was coming again. He said, "Well I do not think you will have much "chance in this place, because," said he, "the Tynte "influence is predominant. In fact," he said (and he made use of an expression I shall never forget), "old "Colonel Tynte canvasses from the 1st January to "the 31st of December. He is very kind to every-"body here, and takes care of all the poor." I went away, and happened to mention this to some of my friends. They said, "You have income enough; why "don't you subscribe in the same way? The distance "is nothing. If they know that you are a person "that subscribes to all the large charities, and the "poor people know that you are a gentleman whom "they can apply to, you will keep together the party." The party was utterly knocked to pieces at that time after 1859. I did this, and I never meant it, and nobody can say in the town that I ever placed the name of charity upon it.

34,959. Under what head did you put it?—I put no heading whatever upon it. That I first subscribed to, I think in the year subsequently, was the School of Art. I gave 25*l.*

34,960. Was it done to counteract Colonel Tynte?—It was done to balance Colonel Tynte's influence; in the same way.

34,961. Which purse could last the longest?—Well I don't think I could contend with Colonel Tynte, but at the same time the charities that Colonel Tynte gave perhaps I may have equalled, if not surpassed, at least the sum of money. Well, then things went on in this way.

34,962. Then you had made up your mind about that time that you would have another try for Bridg-

THIRTY-FOURTH DAY.

Mr. H. Westropp.

4 Oct. 1869.

water, notwithstanding the reception you had before?—Oh I had a very good reception always; nay, more than that, I was frequently told that efforts had been made by my party, I do not give it as true, that efforts had been made to have one and one, Colonel Tynte and myself, but that Mr. Padwick would not hear of it. That was told me. I do not know whether it was true. However this election of 1859 came off, and that election——

34,963. No, no, we have got beyond 1859?—Oh yes. Then things went on for six years, and——

34,964. Now be good enough to tell us. The sum which has been mentioned as the sum which you are supposed to have spent year by year between 1859 and 1865 is something like 300*l.* a year?—More.

34,965. (*Mr. Anstey.*) How much more?—375*l.* on an average. I have been trying to recollect it, but I have never left an account. 2,250*l.* I think was what I spent in the six years.

34,966. (*Mr. Price.*) Between 1859 and 1865?—Yes.

34,967. Very well, go on?—Well things went on until 1865, and in 1865, I am now speaking to you of what I have discovered (at least I am bound to speak about what I have discovered) since the time that I gave my evidence before the House of Commons. In that, if you will allow me just to say, I read it over carefully not many days since; with the exception of my having asked Mr. Veysey to dinner, which I was utterly unaware of at the time, I believe everything to be strictly true, or did believe it until this morning, when I read Tromp's evidence, and I will allude to that afterwards. In 1865 a relative of mine made me a present of 1,530*l.*, which was conveyed, I know not how, to Tromp. It was conveyed through a lady, but I do not know how it was in her hands.

34,968. (*Mr. Anstey.*) You do not know what?—I do not know how it reached her hand.

34,969. What is the name of that lady?—I cannot tell you.

34,970. (*Mr. Anstey.*) Then I must make no distinction between you and other witnesses, and I warn you that if you do not, I shall move that this Commission adjourn to consider what we shall do. I will have an answer to it?—Excuse me for saying, that, with all due deference——

34,971. (*Mr. Coleridge.*) The answer you have just given makes it impossible for us to trace this money but through that lady?—If you will allow me I will tell you exactly. I perfectly acknowledge it came from a relation of my own.

34,972. Who was that relation?—Sir, excuse me; I tell you this——

34,973. (*Mr. Anstey.*) Now sir, I ask the name of the female, or lady, or whatever it is, and I insist on having it. We have not here drawn a distinction between rich and poor?—If you will allow me to say, if you will defer asking that question until the end of the inquiry——

34,974. (*Mr. Anstey.*) Not for a moment. I must have it now?—I certainly, sir, with all due deference and respect, cannot give it.

(*Mr. Anstey.*) Very well, then we had better adjourn.

[*The learned Commissioners retired to consult.*]

34,975. (*Mr. Price.*) Now, Mr. Westropp, what we have come to the determination to do is this, that we will permit you to hand to us the name of the relative whom you suppose to have found the money, and the name of the lady who is the person who took the money and gave it to Mr. Tromp. Those names will be handed to us, and for the purpose of to-day that will do. We, therefore, will not publish them, but we reserve to ourselves the right of summoning both those persons before us if we think it necessary for the objects of our inquiry. We can only give you that. I do not call it indulgence, but we will, under the circumstances, permit you to do it in that form, not wishing unnecessarily to drag into the matter persons names which it may or may not be necessary for us further to pursue, but at the same time we shall be guilty of a gross dereliction of duty if we do not insist on having that information, though not for mere public notice, the name of that lady.

(*The Witness.*) Will you allow me to give the name of the lady who was the means of transmitting the money, and let the other name remain?

(*Mr. Price.*) No.

(*Mr. Coleridge.*) No, certainly not.

34,976. (*Mr. Price.*) No doubt, Mr. Westropp, you having been a legislator——?—I am quite willing to tell you everything that occurred, everything in the world where money——

34,977. (*Mr. Coleridge.*) You know the fountain head is the relative who gave you the money as you call it, and you must know it?—I cannot tell the name.

34,978. (*Mr. Price.*) Just allow me to point out to you this is a matter of very grave importance, and it is a matter which was considered very seriously some years ago in a case in which I was personally concerned, where an individual took upon himself in the witness box to decline to give up the name of a person who had furnished money for bribery, and after being admonished by the judge he still persisted in his refusal, and by that judge, at York, he was adjudged to be imprisoned for three months, I think, and pay a fine of 500*l.* Now we have the same powers as a judge at *nisi prius* or a judge on circuit has, and however painful it may be we shall be compelled. I tell you this merely to point out to you it is not a question of certificate. You know perfectly well that the time of 1865 is long past, the necessity of a certificate to protect you from any proceedings with respect to that election no longer exists, but what you are now about to be guilty of is withholding the name from us under circumstances which are of very great consideration for you. If you still maintain that obstructive silence, we shall be driven to the necessity of punishing you for the same contempt of court as was committed by the party at the York assizes?—If you will allow me, I will pledge you my word this evening I will write the whole circumstances and hand them to you to-morrow.

34,979. (*Mr. Anstey.*) I distinctly decline to be a party to any such understanding.

(*The Witness.*) There are circumstances, gentlemen——

34,980. (*Mr. Anstey.*) Mr. Westropp, I think it my duty to tell you that you have entirely destroyed in my mind any title to any consideration whatever by a statement you have volunteered, viz., that you have read over your evidence, as reported in the Blue Book, given before the Committee of the House of Commons, and that with the trivial exception of the part where you said that you had not dined with Mr. Veysey or he with you, you find that that evidence was truthful?—Mr. Anstey, if you will be kind enough to ask me——

34,981. (*Mr. Anstey.*) Within two or three minutes after that you began to state your connexion with this bribe fund of 1,500*l.*, and I read here your sworn statement before the Committee of the House of Commons in these words, which you say you have read lately and are an accurate statement. I shall make no comment upon it further than I have already made, which is this, that I can be no party to any arrangement or understanding with you after the disclosures which these words are about to make to your prejudice. "Upon your honour" is the question put to you by your own counsel, Mr. Sleigh, "as a gentleman "and a Member of Parliament, and upon your oath, "did you spend one shilling more in the course of "this election than the sum which is returned by the "returning officer?—*A.* Certainly not. *Q.* Or enter "into any bargain, or promise or engagement to pay "any further sum than that which is returned as the "sum of your legal expenses?—*A.* Certainly not"?—Will you allow me to say——

34,982. (*Mr. Anstey.*) I shall make no such compromise, or enter into any arrangement with you.

(*The Witness.*) Will you allow me to explain to you, Mr. Anstey, that at the time I appeared before the House of Commons I was not aware of this.

34,983. (*Mr. Anstey.*) This was in 1865 you were examined before the House of Commons ?—I think it was on the 18th of April.

34,984. (*Mr. Anstey.*) In the month of April 1866 ?—

(*The Witness.*) Will you allow me to ask you, sir, if a thing comes to your knowledge after you have sworn, are you to be answerable for it ? I assure you I was perfectly unaware—perfectly unaware—that the money had been spent.

34,985-6. (*Mr. Price.*) When did you first become aware of it ?—After the trial of the election petition.

34,987. (*Mr. Anstey.*) You have stated,—I am not going to ask you any questions,—but you have stated already that you received the money before the election began, and you received it under circumstances——

(*The Witness.*) Pardon me, I did not say that.

34,988. (*Mr. Anstey.*) I am not going to ask you any questions. I shall not ask you any questions until you give the name of that lady, and the name of the relative. If you do not answer I consider myself fully released from the concession offered to you just now, namely, that of your being allowed to hand it in on paper. In consequence of your refusal I shall consider myself released from that concession.

34,988. (*Mr. Coleridge.*) You see, Mr. Westropp, it is absolutely necessary for the purposes of justice that we should have the name of the relative who, you say, gave you the money. Whether you repaid him the gift afterwards or not I do not know, but it is an absolute necessity. As to the name of the lady, it is only right we should have it. Whether we use it is another thing, but as to the relative who is the fountain head, and who is really the very cause of this bribery,—his name is absolutely necessary to us, and have it we must, and we cannot ask you another question until you reveal it.

(*The Witness.*) Will you allow me to mention it to you in private ?

(*Mr. Coleridge.*) No.

34,990. (*Mr. Anstey.*) No, I will not do it. I beg to say that I shall not do it. I will not agree now to the concession made in the first instance.

(*The Witness.*) Will you allow me to write it down. If you will allow me to do that, I will do it.

[*The learned Commissioners retired to consult.*]

(*Mr. Price.*) Now, Mr. Westropp, it is my duty to inform you that we have carefully considered this matter, and with a view to all the consequences which it may entail, we have come deliberately to the conclusion that it is your bounden duty to disclose to us the name of the relative who found the money, reserving to ourselves perfect freedom of action to demand also from you hereafter the name of the lady, but at present we tell you that you must take the consequences of your refusal to give to us openly in public court the name of the relative who found the money. It is a very serious matter for you to consider, and I have told you the very serious precedent of the conduct of a judge in a similar case. We have exactly the same power as that judge. I am holding this out as no threat of the terrors of the law, but this is a painful position for us to be placed in, and will be also for you eventually, and therefore if you want time to consider, we will give you a short time. These are matters of public concern.

(*The Witness.*) I am perfectly well aware of it, and I should be the last person——

34,991. (*Mr. Price.*) And these are matters of material concern, and no justification could possibly warrant Commissioners, sitting in the position in which we do, and armed with powers which we are very properly armed with, no justification would be enough for us if we did not exercise when we thought there was a fitting case the fullest powers we have for the purpose of eliciting the truth.

34,992. (*The Witness.*) Will you allow me to ask, if I write down a full statement of it, am I to consider it a private communication ?

(*Mr. Coleridge.*) No; it is to be given in public.

(*The Witness.*) Then I cannot mention the name of that person. I must take the consequences. If you will allow me till to-morrow morning I will write you down the whole of the circumstances of it, and I think you will find that I am not asking too much.

(*Mr. Price.*) It is impossible for us to tell what are the motives which operate upon your mind for keeping back this gentleman's name from us, or lady's name, whichever it is. We have only one course to pursue, and we cannot continue your examination ; that is the point ; we cannot continue your examination, you have arrived at that part of the case which necessitates in our judgment the disclosure by you of the individual who found the money for the election of 1865.

34,993. (*The Witness.*) Will you allow me to ask whether you will have the kindness to defer my examination until to-morrow morning, until I can write out the circumstances of it. I do not want in any way to thwart anything, but I think, gentlemen, when I have given you the circumstances of it you will find yourselves as gentlemen the great difficulty in which I am placed, and if you should then think that the ends of justice are thwarted by concealment, I can only say I must let it go to the public.

34,994. (*Mr. Coleridge.*) I did not catch the last words.

(*The Witness.*) I say, if you find the ends of justice are at all thwarted by the concealment of this person who gave me the money of course there is no more about it.

34,995. (*Mr. Coleridge.*) And then you would give it?

(*The Witness.*) And if you will kindly allow me till to-morrow to put in a statement and hand it to you, I will ask no more.

34,996. (*Mr. Anstey.*) I for one shall decline to read or receive any communication from this witness except in open court. No such distinction as this is to be made between the briber and the bribee, between the candidate and the elector.

(*The Witness.*) I assure you, Mr. Anstey, I speak with perfect deference to your judgment.

34,997. (*Mr. Anstey.*) I must decline to hear any communication from you till you have answered the question.

(*The Witness.*) In no way whatever have I ever had anything to do with this man Tromp.

34,998. (*Mr. Price.*) I understand what you beg of us is time to consider the position in which you are with reference to the disclosure just made. Is that what you ask of us ?

(*The Witness.*) And to put it in writing, the circumstances connected with it.

34,999. (*Mr. Price.*) No, I disagree with that entirely. I do not think it is a case in which we ought to have any private communication whatever with the witness. It is a thing which would be unseemly in any judge of the land, and would not be attempted for a single moment, and, therefore, I quite agree, and I am not prepared for a single moment to be influenced by any private statement that you make to us. But if you ask for the grace of having time to consider your position, and a very serious one it must be, time for considering your position between this and to-morrow morning without making any statement, as to whether you will then come into court, and make the fullest possible disclosure (although I consider we are extending very considerable grace by so doing), I am not prepared to refuse that, taking into consideration that you are influenced by

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other motives than a wish to obstruct the communication of the truth. I will agree to that; but I entirely agree with my colleague, Mr. Anstey, that there must be no private communication.

(*The Witness.*) Well, Mr. Price, I can only say that I must submit to whatever you please to do.

35,000–2. (*Mr. Price.*) You must know, Mr. Westropp, forgive me for reminding you, you must know that the obligation of an oath in a court of justice is paramount to every other consideration?

(*The Witness.*) I am perfectly aware of it.

35,003. (*Mr. Price.*) Now, Mr. Westropp, under those circumstances, if you like to take (with the fullest understanding that we only give it you for the purpose of considering whether to-morrow morning you will make a full disclosure or not) the grace we offer, you can do so, and you will appear here to-morrow morning.

(*The Witness.*) So far as counsel and consideration are concerned, I have but myself to think about. There is no person in this town who in the least knows anything about it. It is I myself have to take counsel with myself.

35,004. (*Mr. Coleridge.*) You know you can, by means of the telegraph, get absolved by this relative, if you think that necessary. If you are not absolved we cannot absolve you.

(*The Witness.*) I shall send no telegram; I shall say nothing to any person; I shall simply think over the matter. There are many and weighty considerations, and there are considerations, perhaps, such as I should almost prefer to decline to mention.

35,005. (*Mr. Coleridge.*) You will fully understand, Mr. Westropp, that if you are not prepared to-morrow morning to state in open court the name of your relative, which will be the very first question put by us here, you will then take the consequences.

(*The Witness.*) Mr. Price, may I ask, with all submission, what will be the consequences?

(*Mr. Price.*) I have told you what they were in the Fernandez case. He was committed to prison and ordered to pay a fine of 500*l.*, for refusing to disclose the name of a person who intrusted him with money for bribery purposes.

Mr. C. W. Gray.

Mr. Charles William Gray sworn.

35,006. (*Mr. Price.*) What are you?—I am a merchant in London.

35,007. You have no connexion with the borough of Bridgwater?—I have not.

35,008. What is your particular business,—a general merchant?—A general merchant.

35,009. Have you anything to do with the trade of the town of Bridgwater?—I have nothing whatever to do with Bridgwater.

35,010. On any where else in this neighbourhood?—No, nothing whatever.

35,011. You were a candidate at the last election in this borough in 1868?—I was.

35,012. Will you be good enough to tell us how it was you were introduced to this borough?—My first acquaintance with the borough was through Mr. William Toogood.

35,013. Had you been in Parliament before?—No, I had not. My first acquaintance with the borough was through my friend, Mr. William Toogood, whom I had been in the habit of meeting at the Conservative Club in London. He stated to me he was a native of this town, and had a strong interest in seeing it represented by Conservative members, and he thought there was a fair opening for a Conservative member or members for the borough. Shall I go on with the short narrative?

35,014. Yes, if you please?—A short time afterwards I happened to be in the neighbourhood, and we made an appointment to come here about the 10th of September, and Mr. Toogood and I met Mr. Lilly. Mr. Lilly stated to me the position of the borough, and it was decided that Mr. Westropp was to come here as a candidate, but that he was determined to fight the election on purity principles. Mr. Lilly very candidly stated that he thought the Conservatives had a good chance if the election were conducted on purity principles, but that if the other side spent money he did not think that they would have any chance at all. I afterwards, on the same day, saw Mr. Brice and Mr. Ruddock, all those gentlemen, for the first time, and they confirmed to me what Mr. Lilly had told me in the morning. I then left, stating that I should see Mr. Westropp in London. I happened to know Mr. Westropp before. I went to London, and two days afterwards, by appointment, I met Mr. Toogood and Mr. Westropp at the Union Club. Mr. Westropp then went fully into all the circumstances of the borough at that time. He stated that he considered the borough almost in the light of a new constituency, seeing that it had been doubled, and he thought the strong element of the Conservative Working Men's Association would ensure a majority for the Conservatives, and he emphatically laid down that under no circumstances would he come down unless upon purity principles. We had a general talk over matters, and adjourned from that to Mr. Spofforth's office with Mr. Toogood. We saw Mr. Spofforth, and told him.

35,015. Mr. William Toogood?—Mr. William Toogood; and Mr. Spofforth stated that I should have all the support that the party could give me, and the party adopted me as their candidate in conjunction with Mr. Westropp. After that, I that same evening——

35,016. One moment. Had you known Mr. Westropp before, as connected with the Borough of Bridgwater?—I never heard of that before.

35,017. You did not know that he had been a candidate on two occasions, and had been unseated on one?—I did not, until Mr. Lilly told me for the first time. That evening Mr. Toogood wrote a note to Mr. Lilly, at my dictation, stating that, upon the terms and the principles that Mr. Westropp had enunciated, I would come down and contest the borough with him. A few days afterwards we had some correspondence respecting the address, and an address was drawn up, and I sent down my address, and I enclosed Mr. Westropp's at the same time to Mr. Lilly; and in order to make the position perfectly clear, I wrote a letter stating the terms,—a résumé in fact of what had taken place between Mr. Toogood, Mr. Westropp, and myself,—stating the terms on which I would come down to contest the election. I had a letter from Mr. Lilly in reply, stating that those terms were accepted by the party,—that those terms he thought would answer. Then the next thing was, Mr. Westropp went down, and I think he came down somewhere about the 10th of October; I think it was on the 10th of October, and he stayed down here several days, and then returned to London, and it was about that time that Mr. Toogood was going, I think, to Torquay, and said that he would call here, and I impressed upon him the necessity of his placing before the heads of the party here the terms upon which alone I would come here to fight. He did so, and he wrote a note to me from Torquay, stating that the terms would be quite satisfactory, were quite understood. Then I think there was nothing else, no other occurrence, until we came down to the canvassing. First it was said there should be no canvassing; after that, it was given up, and we had a canvass here. Canvassing went on till somewhere about the 4th or 5th or 6th of November,—somewhere thereabouts, and I was not altogether satisfied towards that time,—

I think I began to see signs of some wavering. There was nothing satisfactory, but there was something about the air of the place which looked as if money was expected to be spent, or something of that kind.

35,018. What was said?—Nothing positive, nothing definite, but there was something unsatisfactory in this way going about "Well the other side are spending money, and we shall not get in without spending."

35,019. Who made that remark?—It was a common remark; I cannot call to mind who it was stated that. I am not saying that those words were used, that was the substance.

35,020. That was the impression made on your mind?—That was the impression made on my mind. I was quite unwell just after the fatigues of this canvass, and I thought I would go to London, and also take a general survey how matters stood. I did go to London, I think, about the 9th or 10th of November, and I thought over the things which had occurred here, and I thought about this money, that there might be some disappointment if money was not spent, and I had great doubts whether I ought or ought not to retire; that I might be what might be considered in a false position with the party here who really supposed, or who had any idea on their minds, that I was going to spend any money unlawfully, that they and I might be in a false position. I saw Mr. Spofforth again, and asked him whether I could with a good grace retire, and he said "No, go to the poll, but take care spend no money whatever illegally, guard against that." I came down here.

35,021. Were you under any obligation to Mr. Spofforth, and the party, to go to the poll?—Not the slightest.

35,022. (*Mr. Anstey.*) You had made some engagement with them, had you not?—Not the slightest in the world. I dropped any obligation I was under to the party.

35,023. Then what did you mean in your letter to Mr. Lilly by saying that "the support promised here," "*here*" not *there*, but *here*, in London, "by "Mr. Spofforth, encourages me to hope for success "*there*." That is Bridgwater?—I think, if you will allow me to say so, that is hardly what the letter says.

35,024. We will have the letter; we have got it here?—I should like to have it.

35,025. (*Mr. Coleridge.*) You dropped the obligations you were under. What do you mean by that?—I mean the party who had applied to me to come down here to contest the borough.

35,026. (*Mr. Anstey.*) You say I am misrepresenting you. I must have this cleared up first of all?—No, I do not say that. I only say I think that is not quite the expression I made use of in that letter.

35,027. You say I am misrepresenting you in effect. Now just listen to this, after promising all sorts of liberal contributions to local interests as well as local institutions, and promising to pay a considerably larger sum than Mr. Westropp will pay, which is 500*l.*, you go on thus, "If you and the other "heads of the party think that my qualification as a "merchant, together with the fact of my having the "support promised by Mr. Spofforth here, renders "me a fit person to represent the constituency there, "I can promise you great zeal in the work and "liberal support to all your local interests and in-"stitutions."—Yes.

35,028. That shows there was an engagement between you and some party in London?—The only point to which that applies is just this expression of Mr. Spofforth, "I can only say that Mr. Gray will "have the support of the party." That is all he said to Mr. Toogood, "We accept Mr. Gray as a candidate, "and he shall have the support of the party." That is the only expression that Mr. Spofforth used.

35,029. When you used the word "proclivities" in this letter, empowering Mr. Lilley to make such alterations in your letter as he thought might "best "suit the sentiments and proclivities of your people," this is on the 25th of September 1868, were you not, Mr. Gray, perfectly well aware, that the best known and the most characteristic of those proclivities was the proclivity of the constituency on both sides to bribe and to be bribed?—I think that merely refers—the "proclivities"——

35,030. I only ask you, sir, were you not aware, when you used this phrase, that that was the leading proclivity of the borough?—I did not use that phrase in that way.

35,031. That is not an answer, as you know as a merchant. Did not you know that the leading proclivity of this borough, of the old constituency, was to bribe and to be bribed?—I think if you will allow me to say so, it carries its own refutation with it. I asked Mr. Lilley——

35,032. I ask you the state of your knowledge at the time you wrote this letter. At the time you wrote that letter did you know that that was the leading characteristic of the borough?—No, I did not.

35,033. Then why did not you answer the question at once?—The Commissioners must know I am judging now after the events have happened, I knew nothing of that at the time. The words "proclivities" and "sentiments" I used do apply to the address. It would not apply to bribery at the election.

35,034. Why not?—I suppose no man would put in an address anything tending to show he was going to bribe.

35,035. No?—I should say not.

35,036. Supposing your address contained these very words which you used in your own letter, which is to be a sort of sketch of the address, "If you elect "me I promise you liberal support to all your local "interests," do you mean to say that they would not understand by "local interests" their own individual interests?—Well I cannot say, I did not weigh every expression, I did not certainly take it to a lawyer to put down, I simply put down what was in my mind at the time. I intended no corrupt practices should be carried on, and no mixture in any shape or way with them, and I thought I had put it plainly.

35,037. But you were aware of two things, first, that Mr. Westropp had been paying 300*l.* a year for many years past, and a large sum in capital in 1865, and that he was now going to insist upon being let off with 500*l.*, that you were aware of at the time you wrote this letter?—That Mr. Westropp should be let off.

35,038. Will you tell me whether you were aware, I will use the words of your letter, that it was intended that Mr. Westropp's legal expenditure should amount to some 500*l.*?—About 500*l.* I think it was intended to be, that it should not exceed 500*l.*

35,039. I ask you was not the other point that you were aware of at the time you wrote this letter this, that your own expenditure would of course be considerably above that?—I thought it would most likely be so.

35,040. Therefore the two points had been ascertained by you to your satisfaction by the 25th September, namely, that whatever Mr. Westropp's election cost him, it would not be less than 500*l.*, but yours would be more?—About. Mr. Westropp said about 500*l.*

35,041. But yours would be much more?—Yes.

35,042. I want to know how much more than 500*l.* were you prepared to go to; were you prepared to go to 5,000*l.*?—Certainly not.

35,043. How far were you prepared to go in your own mind?—In my own mind I was prepared to go to 1,000*l.* or thereabouts if it could be paid legitimately or legally. I had no intention to spend it illegally.

35,044. Was it your intention to follow every pound of the money to see how it was spent, or did you intend to confide it entirely to your respectable agents here?—I had no agents here.

35,045. How were you going to secure the legitimate expenditure of a large sum of money?—I

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simply had in my mind what I suppose every man would have under the circumstances, that every seat in Parliament must cost something, and I had running in my mind that to contest a seat in Parliament it must cost some money.

35,046. You are evading the answer ?—I cannot answer you in any other way.

35,047. I will put it to you again, a thousand times if you like, but I will have an answer to it. How were you to secure the honest application of a large sum of money, about 1,000*l.* or so, you having no agent ?—I was not an expert in electioneering matters, and I did not know what it would cost.

35,048. I will put the question to you again. I am not asking you what it would cost, but I am asking you with reference to your answer that you determined not to spend money corruptly, how were you to secure that it should not be spent corruptly ?—I could not tell.

35,049. You could not tell ?—No.

35,050. Therefore all this about purity of election was merely a subterfuge on your part, as is the case at all elections ?—I deny it.

35,051. You do ?—I do, entirely.

35,052. (*Mr. Price.*) As a man of business you are a merchant ?—Yes.

35,053. As a man of business you do not embark into an ordinary venture in your business without counting the cost thereof ?—Well, as well as I can I do.

35,054. Then you were going into a venture in the House of Parliament for a borough called Bridgwater ?—Yes.

35,055. Did it not occur to you, as a man of business, to inquire what would be the cost of the contest ?—No, I did not positively inquire what would be the cost of the contest here.

35,056. It is nonsense to say that you inquired the cost of the contest at Bradford with reference to Bridgwater ?—You see the determination was made in my mind whether it cost 5*l.* or 500*l.*

35,057. Or 5,000*l.* ?—No, I say not.

35,058. You say you would go to 1,000*l.* ?

35,059. (*Mr. Anstey.*) Or more ?—No, I did not say more; but to 1,000*l.* if it could be spent legitimately.

35,060. (*Mr. Price.*) It is nonsense to talk of "legitimately." You see your own legitimate expenses were only 196*l.*; do you mean to say, as a merchant and a man of business, that you never took the trouble to inquire what it would cost to contest the borough of Bridgwater legitimately ?—I did not.

35,061. (*Mr. Anstey.*) And you have told me, after considerable pressing, that you could not tell how you were to secure the money being spent legitimately and not corruptly ?—I could not.

35,062. Then why did you use that phrase just now, that it was not a subterfuge your stating that that money was to be legitimately expended ?—I had running in my mind that the contests of all the seats in Parliament cost sums of money.

35,063. (*Mr. Price.*) No doubt; but you know that the legitimate expenses of this borough came only to 196*l.* ?—I know now.

35,064. Did not you ask your friend, Mr. William Toogood, before you went into a matter of this kind, how much it would cost you ?—No I did not ask him.

(*Mr. Price.*) Then all I can say is, you went blindfold into the matter, prepared to bribe or not, as the case might be.

35,065. (*Mr. Coleridge.*) What did Mr. William Toogood say about it ?—We discussed the matter.

35,066. Did he discuss what it would cost ?—No, he did not; he said it might be 1,000*l.*

35,067. Then he did say something about it ?—I think I said so.

35,068. (*Mr. Price.*) Did it not astonish you that 1,000*l.* should be spent in a small borough like Bridgwater ?—It did not strike me at the time. If you remember I was then quite a new hand.

35,069. But you are not a child ?—No.

35,070. You are a grown-up man ?—I was not an expert in these matters.

35,071. (*Mr. Coleridge.*) Did not Mr. Toogood tell you what was the character of his native borough ?—No, he did not.

35,072. Did he not tell you it was most impure, and he wanted you to go there to make it pure ?—No, he did not. I did not hear that until I came down here.

35,073. Had you not heard it before, that it was most impure ?—No, I had not. When I came down here, I heard it was a place where there was a good deal of money spent corruptly.

35,074. Had you not heard there had been a petition filed before in 1865 ?—I had not.

35,075. (*Mr. Anstey.*) As I shall not have an opportunity of asking Mr. Westropp about it, I will ask you. Did not he tell you before this of the manner in which he had bribed and his friends had bribed the voters here, and the demands the voters had made ?—He did not. He told me of course that there had been a petition against him, and that he had been turned out for bribery.

35,076. And that was all ?—And he added, "But "there is a different state of things now, because I have "determined to come down, and this shall be a pure "election."

35,077. I am asking you about Mr. Westropp's former experience. We have had it in evidence that it cost him thousands and thousands of pounds, and yet the voters kept continually saying "give, give." Do you mean to say that he communicated to you no part of that dearly bought experience both at the corrupt election of 1865 and the election of 1859 ?—He did not.

35,078. Then what is the meaning, let me ask you in the name of truth and your oath, of this concluding sentence of your letter of the 25th September 1868, to Mr. Lilly your agent here. "But if, on the contrary, "you are of opinion that victory will be hopeless "unless by a *large*," that is underlined, "by a "*large*," not *any* expenditure, but "a *large* expendi-"ture of money and *outside* influence"—"outside" is underlined—"then I fear my candidature must "drop. It would not suit my position here, nor my "convenience, to go through the ordeal of which "Mr. Westropp has had experience formerly ?"—Yes, that alludes to Mr. Westropp's petition, and his being ejected from Parliament.

35,079. Then he had told you of it ?—That is the ordeal Mr. Westropp had told me of—his being turned out of Parliament.

35,080. But the "it" has reference to large expenditure of money and outside influences. I cannot see that it has reference to a solitary case, that of his being turned out ?—Well I think the letter will tell you exactly the programme on which I was prepared to come down. I was not prepared, and do most strongly state it, I was not prepared to come here to spend money illegally.

35,081. Then you have no other explanation than that to give to that question of mine ?—No, I have not.

(*Mr. Anstey.*) Then all I can say is, it is no explanation at all.

35,082. (*Mr. Price.*) If, as you stated, Mr. Westropp had informed you that he was prepared to spend 500*l.*, why in the name of fortune should you be asked to put down double that sum for legitimate expenses ?—I did not know what the legitimate expenses might be. I think it might possibly be, and would probably be——

35,083. Why were you to pay double what Mr. Westropp had to pay ?—Well, because I thought I should require to have a great deal more of the time taken up of these legal gentlemen and others connected with the borough, and that I as a new candidate should

be put to a longer canvass, and a greater amount of expense.

35,084. What expense?—The expense of the legal gentleman. A legal gentleman will not give his time without money.

35,085-6. (*Mr. Coleridge.*) What was work for Mr. Westropp was work also for you; it was not a different thing, you were working together?—Well, I required a great deal more time and tutoring than he would require.

35,087. (*Mr. Price.*) You say "tutoring," do you mean to say you used to sit in the attorneys' office to be tutored?—No.

35,088. Then what do you mean by "tutoring"?—I thought as a new candidate I should take up a great deal of these gentlemen's time, more than Mr. Westropp.

35,089. How?—In canvassing.

35,090. (*Mr. Coleridge.*) But you canvassed together?—Yes.

35,091. Then how could one take up more time than the other candidate, Mr. Westropp?—I thought I should take up a great deal more time, and that my legal expenditure would be a great deal larger than Mr. Westropp's.

35,092. What was the whole of your expenditure in fact, of all sorts and kinds?—The whole of my expenditure from beginning to end?

35,093. Both before and after the election, and up to the present moment?—Do you mean including the petition?

35,094. No, without the petition?—The whole of my expenditure would be about 500*l.*, just about 500*l.*

35,095. Including the lawyers fees and everything?—Including the lawyers fees and everything.

35,096. (*Mr. Price.*) You have not spent it?—I have not spent it; at least that is to say——

35,097. You have not paid the lawyers for their tutoring?—No.

35,098. Now a statement has been made in reference to your hotel bill remaining unpaid?—My hotel bill was included, as I understood, in the expenditure which was provided for. As you are probably aware, there was money sent down, and I suppose the hotel bill was paid from that money.

35,099. (*Mr. Coleridge.*) By the "money sent down," you mean the deposit?—Yes, the money sent down by me.

35,100. (*Mr. Anstey.*) Do you mean to swear you have not been applied to by Mr. Brice repeatedly for the payment of that hotel bill?—He has repeatedly applied to me. Allow me to say, I wrote to Mr. Brice that that bill ought to be paid, and I wrote to Mr. Westropp, and his answer was, that it had virtually been paid, as it had been returned amongst our expenses here, and I concluded that that bill would be provided for out of the money which was here.

35,101. But Mr. Brice, who knew all about the money, and provided it, told you that the money was not sufficient to pay the bill?—He never said anything of the sort.

35,102. He applied to you several times about it?—He applied to me several times about it.

35,103. He was the person who had the money?—He wrote me twice about it.

35,104. No matter whether he wrote twice or 200 times. Do you mean to say that Mr. Brice was not constantly saying that the bill was not paid, and that Mr. Leaker was pressing for it?—Yes, he told me it was not paid.

35,105. And that Mr. Leaker was pressing for it?—Yes.

35,106. And do you mean to say that he did not tell you that the money he had in hand was not sufficient to pay it?—No, he did not.

35,107. Do you mean to say that he never told you that the money he had in hand was not sufficient to pay the fees of counsel and other moneys out of pocket?—No.

35,108. That it was not sufficient to pay counsel's fees, not to speak of other expenses which would have to be settled as well as the tavern bills?—Never. I never heard so.

35,109. (*Mr. Coleridge.*) You know that he stated so here?—I do not know it.

35,110. How much have you actually paid, not what your liabilities are; how much have you actually paid?—I have paid altogether 500*l.*

35,111. (*Mr. Coleridge.*) Besides the petition?—Besides the petition.

35,112. (*Mr. Price.*) How did you spend that?—I send down 350*l.* here, as you are aware. I paid Mr. William Toogood some time afterwards 150 guineas.

35,113. For introducing you?—Well, for his services generally. He sent me in an account.

35,114. (*Mr. Coleridge.*) How many days was he here with you?—I think he makes it 25 days, and at various times he was down.

35,115. (*Mr. Price.*) Then 350*l.* and 150*l.* make 500*l.*?—Yes.

35,116. Then 350*l.* goes partially towards paying the return expenses. I believe the legitimate expenses amounted to 196*l.*?—Yes.

35,117. Then there would be a balance?—There would be a balance.

35,118. Go on and tell us any more you know about that election. It seems to have got abroad, Mr. Gray, that your name meant money?—I endeavoured by every means that I could to dissipate any such idea as that.

35,119. Had you found it was the prevailing idea?—No; Mr. Toogood mentioned to me once or twice that he thought money might be required, and I said immediately "I will withdraw. I will do anything, "but as to spending money illegally, I will not do so."

35,120. (*Mr. Coleridge.*) When did Mr. Toogood tell you that money might be required?—I think Mr. Toogood mentioned that just before.

35,121. Was it after you were down here?—Yes, it was after I was down here.

35,122. How long before the polling day?—I cannot state the date, but I have it running in my mind that it was some time before the canvassing commenced. I think so. He was here, and he told me something that led me to suppose that money might be required.

35,123. Did he tell you how much?—No, he did not.

35,124. Did he ask you, in case money should be required, whether you had made any arrangements as to sending it down?—No.

35,125. Are you sure of that?—I am certain of it.

35,126. We have heard it said that money on your side was in the town on the night before. Now, do you know anything of that?—No, most undoubtedly not.

35,127. Had you made arrangements with your bank with respect to sending down money; you say you were prepared to spend 1,000*l.*?—Yes.

35,128. You were prepared to spend 1,000*l.*?—Yes, if it could be spent legitimately or legally.

35,129. (*Mr. Anstey.*) Legally! you say you had no control over the expenditure?—I did all I possibly could. I said I would not spend money illegally. I laid that down in every shape and way I could.

35,130. In every shape, did you? Perhaps then the newspaper reporters do you injustice, but I have looked in vain for any clear definite statement in your speeches to the people here, in your addresses to them, to the effect, "Do not hug yourselves with the "belief that you are going to have money; though "an accredited agent of mine tells you you are going "to have money, do not believe him. I shall not pay "you if he promises you ever so much, and if he pays "you I shall not recoup him." I find no such statement in your speeches as that?—I must say that I did not know, and I did not assume the constituency were corrupt. I did not know it, and would not

THIRTY-FOURTH DAY.

Mr. C. W. Gray.

4 Oct. 1869.

assume it, and I should have thought it was an insult to the electors if I had stood up and told them so.

35,131. (*Mr. Coleridge.*) You knew the old constituency were?—I knew the old constituency were.

35,132. You knew there were some 600 or 700 of the old constituency?—Ah! but I did not know they were all corrupt.

35,133. (*Mr. Price.*) You were under the private tuition of the lawyers, and you were here some time under their tuition. Did not they let you into the history of the borough a little?—I heard a little of the history.

35,134. Long before the day of the polling?—Certainly.

35,135. Was it not perfectly obvious to you that the contest could not be carried on without money?—When I thought that money was likely to be required I immediately took what I supposed to be the proper step in my circumstances, and that is, I considered whether I should not retire, and, as I said just now, I went to London, and I had a consultation as to whether I should then and there retire.

35,136. (*Mr. Anstey.*) When was that?—That was a few days before the polling.

35,137. How many days?—I think four or five after the canvassing, and before the polling.

35,138. Was not that because you were distinctly told by Mr. Westropp, or his friends here, that unless your side paid money to voters, they would have no chance at the election in the event of the other side bribing?—Yes.

35,139. It was?—Yes; and that was the general tenour of the conversation, that if the other side spent money we should stand no chance.

35,140. And nevertheless, Mr. Gray, with that knowledge, and with that conviction, which induced you to offer to retire, you, a man of purity principles, consented after all, to waive your purpose, and to go to the poll, and to enjoy for a season a large majority of bought votes, or votes of persons who had always been bought at elections?—Well, I am sorry that the Commissioners should not give some one credit for purity principles, but I can only say I never sought a bought vote. I had always held out from beginning to end that I would contest the borough on purity principles. I said I never would spend any money whatever for the purpose of buying votes. I said I would fight the borough for what it was worth, and the result is that I lost the election.

35,141. (*Mr. Price.*) The result is, that your majority might have been preserved to the end of the day if there had been no money spent on the other side, but your side would have expected you to buy their votes if you came down again?—I had no conception of it at the time.

35,142. (*Mr. Anstey.*) Do you suppose that any men in their senses in an old borough like this, where certainly there is no political enthusiasm, if there be an enthusiasm, would send to London for one utterly unknown, not connected with the borough, not distinguished as a statesmen, or an author, famed for nothing in the world but wealth, unless he meant that that wealth (the only qualification in their eyes) was to be liberally dispensed amongst them?—I did not take that view. As I said before I merely came to fight the borough for what it was worth on certain principles, and those principles I carried out, and the result is this Commission.

35,143. (*Mr. Price.*) Then you never have paid anything more than you told us?—I have not.

35,144. (*Mr. Coleridge.*) Taking the petition and all into consideration, how much are you the worse off with regard to Bridgwater?—I paid, as far as regards the petition, 300*l.*

35,145. How much more do you expect to pay?—I really do not know; I have not heard that there is any more to pay.

35,146. At present you have not quite spent 1,000*l.*?—At present I have not quite spent 1,000*l.*

35,147. And how much are you said to be liable for; how much have you been asked for?—I have not been asked for any more.

35,148. How much besides?—I have not been asked for any more.

35,149. Mr. Brice, I think, said he was 1,000*l.* out of pocket for counsel's fees and different things, and then there is Mr. Leaker's bill?—For Mr. Leaker's bill, if I am to be liable for it, it must be added.

35,150. (*Mr. Anstey.*) It may be, that when some of the bills are delivered which have not yet been delivered that they may possibly disclose some item which you may not like to come out before this commission?—No, certainly not. I know of no bill.

35,151. Why is a tavern bill left unpaid until after a lapse of a twelvemonth?—I supposed it was to be provided out of the funds sent down.

35,152. You were disabused of that when the custos of the money, Mr. Brice, wrote down to say the bill ought to be paid, and there were not funds enough to pay it?—No, he did not say so. I wrote down and said, I thought Mr. Leaker's bill ought to be paid, and I wrote to Mr. Westropp to say the bill would be provided for.

35,153. Did you not tell Mr. Brice that Mr. Westropp is hanging fire; did you not use those words?—No.

35,154. That is what Mr. Brice represented as being your words, whether they were yours or not?—Most undoubtedly not. I never used such words.

35,155. On what principles, may I ask you, did you stand here, never having rendered any political services or any public services whatever at any place I believe before,—upon what principles did you come here, except upon your money?—I came here because I was desirous of doing the party a service if I could.

35,156. What party?—You must admit some one to have principles; I had certain principles; I had certain political views, and those views I wished, as far as I could, to support.

35,157. Are you sure they were your principles, or those of Mr. Lilley?—I cannot undertake to say anything about Mr. Lilley's principles.

35,158. Because by your letter here, which is the sort of precursor to your address,—it seems your address was not prepared, nor was it to be prepared unless Mr. Lilley approved of it, just as if it had been a bill of sale.

35,159. (*Mr. Price.*) You say by this letter, "I would leave you," that is, leaving this auctioneering man whom you had never seen in your life before?—Oh yes, I had.

35,160. Or of whom you could only have heard as being a bribery agent in 1865?—Pardon me.

35,161. You say this, "I would rather leave you "*carte blanche*," that is you Edward Lilly, Esq., "to "add, reduce, or alter, as you think would best suit "the sentiments and proclivities of your people"?—I am not very happy in my expressions, but I wrote an address, and sent it down, and I thought there might be some points which it might be desirable to be touched upon.

35,162. Well, but Mr. Gray, there is positive evidence, which your letter furnishes us, of your having no principles except those of Mr. Lilly. The very next sentence is this, "There are other points "which I should have touched on myself, such as "freedom for all religious denominations, the late "Reform Bill, &c. &c., but you will best know." Therefore you had cut out church and state, and reform and anti-reform, and had left him *carte blanche* to put them in again if he liked, or leave them out, or reduce them—I do not mean the church—but to reduce the profession of principles if it was too large, and to increase it if it was too small, exactly according to the "proclivities" of these intelligent people. I ask you, were you not really standing in the name of Mr. Lilly's principles, and not on your own?—Certainly not, most undoubtedly not.

35,163. It seems to me that that letter allows Mr. Lilly to go to the extent of writing an address for you, advocating radical principles if he pleased?—Certainly not.

35,164. It seems to me to do so?—When I saw Mr. Westropp on the subject of this letter, he put down what he supposed a Conservative ought to touch upon as applying to this Borough. I wrote an address from that, and sent it down to Mr. Lilly, and in fact said in that letter, or I meant to say as much as that, "if there is anything else you think should be said, "or anything you think should be left out, let me "know, and I will alter the address."

35,165. (*Mr Price.*) Did you know what position in the town Mr. Lilly occupied?—I knew he was an auctioneer.

35,166. Not knowing that he was in the habit of knocking down Bridgwater to the highest bidder?—He was not my agent, he was the first person to whom I was introduced.

35,167. He was to be your confidential address writer?—No, he was not to be my confidential address writer.

35,168. You give him *carte blanche* by this letter, if you understand the meaning of the word?—Yes.

35,169. To alter and amend?—To alter and amend.

35,170. (*Mr. Anstey.*) And add also?—Yes.

(*Mr. Coleridge.*) I have a copy of your address here, and with the single exception of the Irish church, as far as I can judge, it might do just as well for the address of a Liberal or a Conservative, or a Whig or a Radical. This is what it says: "Gentlemen, A dissolution of "Parliament being about to take place, I venture "respectfully to solicit from you the honour of being "returned as one of your representatives to the new "House of Commons. My principles are Conservative. "As a protestant and a sincerely attached friend to "the union of church and state, I am opposed to "the threatened disestablishment of the church in "Ireland, believing, first of all, that it will be futile "to accomplish the professed object of its advocates, "and secondly, that it will be the first in a series of "measures of which the end will be the dismember-"ment of the church and the destruction of our pro-"testant institutions. At the same time, I am alive to "the fact that serious anomalies exist in the Irish "branch of the protestant church, and to the redress "of these, as well as to all other measures having for "their object the welfare of the sister kingdom, I "should, if elected, give my earnest support. The "foreign policy of the present Government has "met with the approval of both sections of politicians, "and you will doubtless agree with me that the "direction thereof cannot be intrusted to more able "hands than those of Lord Stanley. Education must, "in my opinion, form a prominent subject of legis-"lation with the new Parliament, and I should give "my hearty advocacy to every well considered "measure for promoting the spread of knowledge "and its consequent results, the diminution of "poverty and of crime. I should also advocate "strict economy in the administration of the public "finances. As a merchant and one familiar with "the details of business, I should make it my duty "to closely scrutinize the estimates brought before "Parliament, with a view to check extravagance and "lighten taxation. I will only add that your local "and individual interests will receive every attention "at my hands. I hope shortly to have the honour of "meeting you in person, and of explaining more at "length my political views."

35,171. (*Mr. Anstey.*) You do not use words such as those I suggested to you just now, but you use words which the Heals, and Dyers, and Allans, and Bussells of this town would perfectly comprehend, such as "individual interests"?—I can only say that it was never intended to convey a corrupt intention on my part in that address.

35,172. (*Mr. Price.*) What do you mean by "individual interests"?—Well I suppose every constituency has individual interests to attend to.

35,173. Did you mean to get the individual a place?—I do not mean that, but every Member of Parliament, and every person, knows that every constituency has individual interests.

35,174. What individual interests are there of a person, apart from those which are private to himself?—I cannot answer that question, I can only say that every constituency has individual interests.

35,175. (*Mr. Anstey.*) In fact, it means the same thing as the passage I read from your letter, "liberal "support to all your local interests," does it not?—"Liberal support to all local interests and institu-"tions" it says.

35,176. Institutions may be one thing, and interests another thing, and yet be a local interest?—I did not use words purposely to convey the meaning you put upon them. I may be a very bad writer, or a very bad address writer, but I had no such intention as that.

35,177. You knew that Mr. Westropp had been unseated for bribery of the grossest kind, leaving uninquired into about 100 more cases, equally gross, which it was not necessary to inquire into, he being already unseated?—I did not. I simply knew that he was a gentleman who had been unseated in Parliament, that is all I knew of Mr. Westropp; I knew he had been in Parliament, and had been unseated for bribery.

35,178. And you also knew of the mysterious matter of the 1,500*l.*?—I did not.

35,179. He told you, as part of his experience, that he had been ill-used in the borough, did not he?—No, I do not think I ever heard that from him.

35,180. Do you mean to say that the very first day you took up your parable in this hall, and addressed the electors, that there were not a considerable body of electors who reproached him to his face, before, or at that meeting, not only with having ill-used the borough, but doing so after having taken an angry farewell of the borough for ever and ever?—I do not catch the question.

35,181. Do you remember the meeting of the 10th October?—I do.

35,182. Do you remember a person holding up a placard which Mr. Westropp had issued before, stating he would never come down to the borough again?—No, I do not.

35,183. Do you mean to say he never told you so,—that "if it had not been for the change in the con-"stituency, I should not have come down here again"?—Undoubtedly he did.

35,184. That he had taken leave of the borough?—Undoubtedly he did,—but that it was a new constituency.

35,185. Did he tell you that they had ill-used him?—No.

35,186. That they had been ungrateful to him after all his expenditure?—No.

35,187. Nothing of the kind?—Nothing of the kind.

35,188. (*Mr. Price.*) Is that all you have to tell me?—That is all I have to tell you.

35,189. (*Mr. Anstey.*) You meditated leaving the borough after the nomination before the poll?—I did.

35,190. What made you think of doing that?—That was on the night of the nomination.

35,191. What made you think of leaving the borough after your nomination?—Identically the same thing as I mentioned before. Something was said about money. "We shall lose unless we spend "money—the other side is going to spend money, "and we shall lose unless we spend money."

35,192. You are aware, that on the canvass the Liberals had two promises to one that you got?—I was not aware of that, on the contrary I was told——

35,193. You, at all events, were aware that the greater number of persons did not promise you?—A great number did not promise us.

35,194. You knew, I suppose, what that meant?—Well, I cannot say. When I say "a great number," I cannot say that the majority did not promise us, because, according to the books, the majority did promise us.

35,195. If you believe the books, why should you have thought of going away, having a majority of promises, according to the books?—Because, as I said before, there was a kind of intimation that there was to be money spent on the other side, and we should lose if we did not spend money; and rather than I would spend money I decided that I would go away—that I would go away at the eleventh hour, rather than spend money.

35,196. What induced you to recede from that wise determination?—Because it was said, that, under any circumstances, we had better go to the poll. It was decided, that, under any circumstances, we should go to the poll.

35,197. (*Mr. Coleridge.*) There is one thing you have forgotten to tell us about, and which I think you can throw some light upon, and that is, with respect to the compromise afterwards?—Most of the negotiations with respect to that were carried on by Mr. Westropp, and through Mr. Trevor, and the legal gentlemen on the other side. I was informed of what passed.

35,198. There was one period of time, we are told, at which the project was, that you should keep your seat, and not Mr. Westropp?—That was never intimated to me.

35,199. (*Mr. Anstey.*) Because I asked a witness, "Why was Mr. Gray to be sacrificed and Mr. Westropp "kept?" and the answer was just the reverse, "We "were prepared to let Mr. Westropp go, and keep "Mr. Gray"?—All that negotiation was without my knowledge.

35,200. (*Mr. Coleridge.*) I was going to ask upon that, was it not in consequence of that, your seat being kept and Mr. Westropp's let go, that he was induced not to spend any money on that election?—No.

35,201. (*Mr. Coleridge.*) If no money was going to be spent by you at the last election, why should he not have been kept, as against you the younger man?

(*Mr. Price.*) They probably thought there was more to be got out of you in the future.

Adjourned till to-morrow morning at half-past ten.

THIRTY-FIFTH DAY.

Tuesday, 5th October 1869.

PRESENT :

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.

DE TRACY GOULD, Esq., Acting Secretary.

(*Mr. Price.*) We understand that the gaoler has here the person who was committed by us yesterday.

(*The gaoler.*) He wishes to express his regret, sir.

(*Mr. Price to the prisoner.*) What do you say ?

(*Hensley.*) I am very sorry for what took place yesterday, and I beg the Court to release me.

(*Mr. Price.*) That is very proper behaviour on your part. It is impossible for any tribunal in the world, from the most inferior in the kingdom up to the highest, to conduct its proceedings if conduct such as yours was not reprehended and dealt with signally at the time ; but as you have expressed your regret, and it was done under the impulse of the moment and not from premeditated design, we remit further punishment, and you are now discharged.

HENRY WESTROPP, Esq., recalled.

Mr. H. Westropp.

35,202. (*Mr. Price.*) Are you now, in conformity with our unanimous decision yesterday, as it was your bounden duty to do, prepared to disclose the names of the persons who found the money for you, and who were the means of conveying it to Mr. Tromp, on the occasion which he says it was brought and given to him at Weston-super-Mare ?—Sir, it is with exceedingly great pain that, on consideration, I find I must submit myself to your wishes.

35,203. Then you are prepared, unconditionally and absolutely, to disclose to us the name of the person or persons who found you the money, and of the person or persons who carried the money down to Weston-super-Mare, and were the means of handing it over to Mr. Tromp ?—Yes.

35,204. And at other times, of course ?—Yes.

35,205. You are prepared ?—Yes.

35,206. Unconditionally and absolutely ?—Yes.

35,207. Under these circumstances, having vindicated our authority by insisting on that, we now have to tell you that you may put down on paper the names of those various persons, with their names and addresses, distinguishing the names and addresses of the person or persons who found the money from the name and address or names and addresses of the person or persons who conveyed the money ; that we shall most undoubtedly think it our bounden duty to call before us certainly the person who found the money ; but upon your putting that down, we will retire to consider what is the particular course we shall take. I ought to add to you after that, you must put down, if you please, the degree of relationship, if any, that those people stand in to you.

[*The witness wrote down on paper. The Commissioners retired. On returning into the Court.*]

35,208. (*Mr. Price.*) Mr. Westropp, are we to understand from you that the names and addresses of the two ladies who met Mr. Tromp at Weston-super-Mare are upon this paper ?—Yes.

[*The Commissioners retired. On returning into Court.*]

35,209. (*Mr. Price.*) Mr. Westropp, are you prepared, I do not say at the moment, but will you be prepared to prove to us by evidence other than your own, that the person whom you have named here as the one who found the money had control, being a married woman, over money to an extent and with such unlimited power, that she could find that money unknown to you, and have it handed over for the purpose of your election ?—I can. I will tell you the evidence. I can give you the name of the stockbroker who placed the money for her through the funds, in the year 1861, who I believe, indeed I may say I am certain, received the dividends, appropriated them to her use, and transacted her business for her until the year 1865.

35,210. And who would have to sell out do you mean the stock to produce the money brought down to Weston-super-Mare ?—Yes.

35,211. By her directions ?—By her directions, under her responsibility, and at her request.

35,212. (*Mr. Coleridge.*) Was she a lady with a settlement to her own separate use ?—It was a sum of money ; there was an annuity secured by bond.

35,213. And was it settled to her own separate use ?—If you will allow me to say, it was. It was an annuity secured by bond, with the alternative of paying over 1,500*l.* in the event of its being taken up. It was taken up, and to avoid trusteeship and various other inconveniences, it was invested in the funds by the stockbroker in her maiden name.

35,214. In effect, after she got married, that would become the property of her husband, there being no settlement to her private use ?—But she was married at the time.

35,215. Then it would be her husband's and not hers, unless there was a settlement ?—The bond was given originally to secure 150*l.* a year.

35,216. (*Mr. Price.*) An annuity to her ?—An annuity to her.

35,217. As a married woman?—As a married woman, immediately after marriage.

35,218. (*Mr. Coleridge.*) Were you a party to that bond?—Yes.

35,219. (*Mr. Anstey.*) Can you produce that bond?—When the sum of money of 1,500*l.* was paid, that bond was destroyed.

35,220. (*Mr. Coleridge.*) And has not that sum of money been replaced?—No.

35,221. (*Mr. Price.*) Then you must be good enough, if you please, to give us the name of the stockbroker and any attorney who was concerned in the preparation of the bond?—There was no attorney.

35,222. Who prepared the bond?—I did.

35,223. (*Mr. Coleridge.*) You got a printed form, I suppose?—I got a printed form and drew the bond from an old one.

35,224. Who were the parties to the bond? Who was the person covenanted with?—The lady.

35,225. (*Mr. Price.*) Some one settled an annuity upon her?—Yes.

35,226. Who was the settlor?

(*Mr. Coleridge.*) Was her husband the settlor?—Yes.

35,227. Then, in fact, it was a void bond?

(*Mr. Price.*) A bond without consideration?—The consideration was marriage, of course.

35,228. (*Mr. Coleridge.*) It was a post nuptial bond?—Yes.

35,229. (*Mr. Anstey.*) One question more which I think very material, the date of the bond?—1853, I think.

35,230. (*Mr. Coleridge.*) But it was after marriage?—Oh, yes.

35,231. (*Mr. Coleridge.*) Under these circumstances we reserve to ourselves, as I said, the right and necessity, no doubt, of calling this person before us, but in the meantime we will not say anything further about that part of the transaction, but shall require you to give the name of the stockbroker who managed this to our secretary at once, in order that we may telegraph at once to that gentleman to come down here as soon as he possibly can?—Yes, I can give the name, but his address is somewhere near the Exchange. Probably you will find it in the Directory. It may be spelt in another way from that on the paper.

35,232. (*Mr. Coleridge.*) Is it in Change Alley, or one of those turnings out of Lombard Street?—I think it was.

(*Mr. Price.*) I think we got to this point yesterday, that we had arrived at this question of the 1,500*l.* being found, and then the question was put to you which at that time you declined to answer, but which on further consideration you have avowed your full determination to answer, and therefore have submitted yourself properly to the authority of the Court. We will not go further into the question of how that money was found at present; but you will be good enough to go on with the history of the election?

35,233. (*Mr. Coleridge.*) You got so far as the money being taken by a lady to Mr. Tromp?—You may recollect that I said yesterday to you that there was one other thing in connexion with my evidence before the House of Commons which I have since found out very much indeed to my great annoyance and great displeasure that I stated untruly besides that one of having had Mr. Veysey to dine with me, and it is with regard to the fact of the 500*l.* which Mr. Tromp alleges was placed on the garden seat. There was a luncheon at Hodge's down at the Railway Hotel, and there were a number of supporters there. The question was then very seriously mooted as to whether or not a second candidate were not necessary. I had always opposed it, indeed hoped, that as I knew Colonel Tynte was not coming forward, that the other party would have been contented to let me remain with Mr. Kinglake as the representative; but after the lunch was over, Mr. Bealy Smith came up to me and said, "Have you got another candidate?—Can "you get another candidate?" "No," said I, "I "cannot; the only man whom I know at all likely "is a man that I do not exactly think would come "forward; and at all events if he did he would "more likely expect his expenses to be borne than "anything else." "Well," said he, "I was going to "speak to you about that, and it is necessary that you "should go up and get 1,000*l.*"

35,234. (*Mr. Coleridge.*) If you do what?—"If "you have a second candidate you must go and get "1,000*l.*" "Well," said I, "1,000*l.* is a good deal of "money." "Well," said he, "If you do not, I "think it is probable that you would lose the elec-"tion. The fact is this, you must have it, and lodge "it for the expenses of the candidate; it is not for "any illegal expenses, but you must have it, and "lodge it for the expenses of the candidate." I went up to London.

35,235. How long before the election?—I think about four or five days, and I brought down 500*l.*; this I gave to Mr. Bealy Smith at the railroad station.

35,236. Did he ask you how you came not to bring the 1,000*l.* you had asked for?—Oh, I told him that I could not get it.

35,237. (*Mr. Anstey.*) Was that the 6th of July when you went up to town?—Yes, it was; I only went up once just before the election.

35,238. After having finished your canvass?—After having finished my canvass.

35,239. Did Mr. Smith go up in the same train with you?—It is Mr. Bealy Smith, not Mr. Smith; Mr. Bealy Smith was his son.

35,240. I am aware of all that. Did Mr. Smith go up to London with you?—No, he did not; he went up two days before me.

35,241. Did Mr. Bealy Smith go up with you?—No, he did not.

35,242. (*Mr. Coleridge.*) I understand you to say that Mr. Bealy Smith went up two days before you?—No, Mr. Smith, and Mr. John Trevor, I think it was, went up to look for a candidate, the understanding being that the 500*l.* was requisite; if a second candidate came 1,000*l.*, and not otherwise.

35,243. (*Mr. Price.*) Did you come down the morning after you had left Bridgwater?—The evening after.

35,244. And had you in the meantime had any communication with a man of the name of Edwards?—No, none. Mr. Edwards came after my return. I had never seen Mr. Edwards until he came here on the Saturday.

35,245. Were you aware in London that Mr. Edwards was coming down, or was coming over rather from Barnstaple?—No, I had not the least communication whatever with anybody in London. I went to my home. I resided at Chiswick, and went from Chiswick to a bank that has since failed, Bainbridge's; and from that I went to Waterlow's to have some circulars printed, and to write them, and from that I went to the Bank of England.

35,246. (*Mr. Anstey.*) To do what at the Bank of England?—To get money changed into gold.

35,247. How much gold?—500*l.*

35,248. (*Mr. Coleridge.*) You got the notes at Bainbridge's?—I got the note at Bainbridge's.

35,249. On your own cheque?—On my own cheque.

35,250. (*Mr. Anstey.*) Then when you came to Bridgwater you met Mr. Lilly, did not you?—No.

35,251. Or some one who told you that a placard with "Westropp and Edwards," or "Edwards and Westropp" had been circulated?—Certainly not, because allow me to say it was on the Saturday that I came down; as near as I can recollect the Town

Hall was open here, I think as near as I can recollect on the Thursday, and there was a concert here at which Sir John Shelley sat at the end, and I was sitting near him, and I went out after the first act, and went to town, and in order that it should not be known that I was gone I walked down to the station.

35,252. But you see, notwithstanding all that, it is quite consistent with it that you did see, and did you not see, placards posted in the market place having "Edwards and Westropp" upon them?—Certainly not "Edwards and Westropp."

35,253. Westropp and Edwards?—Certainly not on my return, because Mr. What's-his-name did not come down until Saturday night, and I was back on Friday.

35,254. (*Mr. Price.*) Then we will say Saturday or Sunday if you like?—He came on Saturday night.

35,255. Then on Saturday night or Sunday did you not see those placards posted—and I will give you a place—on the market house?—Certainly, I saw placards.

35,256. It was right under your eyes, opposite your own hotel?—Certainly, I saw placards opposite.

35,257. Who posted them, or ordered them to be posted?—I have not the remotest idea, and I am happy to have the opportunity of repeating here what I said to the Committee in the most solemn way, before persons whom I look upon almost as my own townsmen, to assure you that I had no agent at that time other than Mr. Bealy Smith.

35,258. Did not you ask Mr. Bealy Smith what was the meaning of this juxtaposition of names?—If you mean to say I was not aware that he was coming to stand with me, I was perfectly well aware of it on Saturday night.

35,259. That was long before the election?—It was the Saturday; I went to town on the Thursday night.

35,260. The election was the Wednesday following?—Yes.

35,261. Therefore, in the interval had you any conversation either in London or in Bridgwater, it does not matter which, with one Mr. Wellington Guernsey?—On the Monday I had.

35,262. Where?—In the "Clarence" Hotel.

35,263. Was Mr. Edwards present?—No, he was not.

35,264. Who else was present?—I do not think any person was; the conversation was simply this, asking me why it was that Mr. Edwards had played me so falsely.

35,265. As to go away?—As to go away.

35,266. We have heard about his going away, and that is what you asked?—That is what I asked, and nothing more.

35,267. Did you make a statement to him then about money?—Certainly not.

35,268. Now Mr. Wellington Guernsey is going to be called to state what you said on that occasion; it is fair to tell you that?—You know it is a very difficult thing after such an interval of time to say what I did say, but I will tell you what I did not say, which is, that I never mentioned the subject of money to him.

35,269. Did you allude to it?—No, certainly not.

35,270. Are you quite sure that no statement was made by you from which he could have fairly have inferred an intention on your part to fight the election with corrupt means, or that such had been at one time your intention?—No, certainly not.

35,271. He is going to appear before us?—If he were here 20 times, I could only tell exactly what is the fact, and perhaps you will allow me to say something more. When Mr. James Trevor was in town last, about three weeks ago I think it was, he said to me "You said that Mr. Richard Smith was your "agent, how could you say he was not." I said "Well, Mr. Trevor, he was not," and he said, "All "I can tell you is if he was not he did things which "savoured very much of being your agent." I said, "I am very sorry for it, what did he do?" "Oh, he "did many things." The conversation stopped there, and afterwards I said to him, "But, Mr. Trevor, "there has been an allusion made about a meeting "which was held, in which it was decided that I "was to go to the poll by a majority of one. Was "such a meeting ever held?" He said, "There was "no such meeting ever held, but," said he, "I will "tell you what, there was a meeting convened by "Mr. Richard Smith to get together the heads of the "party to decide whether it was to be a pure election "or not."

35,272. (*Mr. Coleridge.*) Mr. Trevor told you that?—Mr. Trevor told me that.

35,273. (*Mr. Anstey.*) Are you speaking of the election of 1865?—Yes, I am perfectly convinced that Mr. Trevor never supported for one moment the idea.

35,274. We have had his evidence?

(*Mr. Coleridge.*) Before you go on had you any monetary arrangement whatever with Mr. Edwards?—None in the world.

35,275. (*Mr. Anstey.*) How came you to meet this Mr. or Major Wellington Guernsey in the dead of night?—I did not meet him in the dead of night.

35,276. At your hotel?—Pardon me, it was not in the dead of night, it was on Monday in the middle of the day when the telegrams came in from Mr. Edwards, one to Mr. Smith, another to me, and I forget to whom the third.

35,277. Do you deny that you ever had a meeting with him at night?—Certainly not, never.

35,278. Did you ever speak to him at night?—Not that I am aware of.

35,279. How came you then, putting it in your own way, to talk on such a subject to an utter stranger at all at so critical a period of your own contest?—It was simply as I tell you in consequence of the telegrams that came in and then persons denied that the telegrams could be true, because, if they were not false, this man would be away—would not be at the hotel.

35,280. What?—When the telegrams came in I for one thought it was false, that it was a ruse in fact of the other side.

35,281. To say that Mr. Edwards had gone away?—Mr. Edwards had gone away, and he brought down the telegram to me from Mr. Smith's office to prove to me it was true, and I was in the hall at the hotel, and this man there. I do not know who, indeed, pointed out to me in point of fact that the telegram might be false, because this man was remaining there, and I rather think he went off.

35,282. But I want to know how did you hear anything which put you in communication with this man?—Some person in the place—I cannot tell you who—some person in the hall mentioned this man had been in the suite of Mr. Edwards, he was there with his luggage, and went off that time in the afternoon.

35,283. (*Mr. Coleridge.*) Mr. Edwards had his daughter with him?—Yes.

35,284. (*Mr. Anstey.*) Cannot you tell us who told you that, because every witness we have had yet has denied your having as much as seen or heard of any person coming down with Mr. Edwards?—Mr. or Major Guernsey was away more than that now I begin to call the circumstance to my mind, which, indeed, had escaped me. I think as well as I recollect he told me he had been rather a humble scholar with a schoolmaster at Cork with whom I was preparing for College.

35,285. Just so?—I think so.

35,286. You recognized him, did you not?—No, I did not.

35,287. Are you quite sure?—Perfectly.

35,288. Are you quite sure that, speaking now from your belief at this present moment, you had never met Mr. Wellington Guernsey before that?—No, never to my knowledge; certainly not.

35,289. (*Mr. Coleridge.*) Look at those names, and tell us of the two which is the stockbroker (*Handing the names to the witness*)?—I think that is it (*Returning one*).

35,290. (*Mr. Price.*) While on this matter attend to me for one moment. Who was present at the interview which you had with this Major Guernsey?—There may have been many present.

35,291. Were either of the Mr. Smiths present?—No, certainly not.

35,292. Now was there any meeting—and let me draw your attention very carefully to this—was there any meeting at the "Clarence" Hotel when you and Mr. Guernsey, and one of the Mr. Smiths were present, and had a discussion as to the price to be paid for votes?—Certainly not, sir. I will tell you who there really was there if you will allow me.

35,293. Let us get the thing quite clear?—Certainly; I never in any way whatever talked about money to Mr. Smith.

35,294. Was there any meeting at all at the "Clarence" when you were present with one of the Mr. Smiths and Mr. Guernsey at which there was a discussion; whether you took part in it or not I do not ask you, but at which a discussion took place as to the price to be paid for votes?—Certainly not.

35,295. You say that positively?—Oh, decidedly.

35,296. (*Mr. Anstey.*) Do you remember any such meeting at which anything was said, with or without discussion, by anybody as to that?—No, I do not play on the words I assure you, but I will tell you what did take place. When Mr. Edwards came down I did not know of it until very late in the evening, but there was a large number of persons, all the usual heads of the party, in the room which, I believe, you are occupying at present in the hotel, and Mr. Edwards came in, and with rather a long speech, and he said, "Gentlemen, we must win;" just so—hitting the table, "I am determined to win."

35,297. (*Mr. Coleridge.*) That has a signification in Bridgwater we hear?—I am afraid it has.

35,298. (*Mr. Price.*) Is that all you are going to say about that?—Yes.

35,299. Did you know that this Mr. Guernsey was staying as long as a fortnight at the "Clarence"?—Certainly not, I had no idea whatever. He went away in the afternoon after, nor do I believe that he was staying a fortnight. I should think I must have known it.

35,300. I have sent for Mr. Leaker?—Mr. Leaker was not there at the time, it was Mr. Longhurst.

35,301. In fairness I tell you that Mr. Guernsey has now been telegraphed to to come down, and what I have been reading to you is a note taken of what he is prepared to swear, that he was a fortnight at the "Clarence," and thoroughly learnt the whole history of Bridgwater in that time, and that during that stay of his at Bridgwater he had an interview with you and one of the Mr. Smiths, at which a discussion or conversation took place as to the price to be paid for votes?—Certainly not that I remember.

35,302. I only want it to be perfectly clear, that there may be no mistake?—Not the slightest of having any conversation directly or indirectly with Mr. Guernsey about money.

35,303. I do not put it on conversation with him?—Or being present when the things were mentioned, because I am perfectly aware I was not present with either of the Mr. Smiths and Mr. Guernsey together.

35,304. Now go on?—As I say, after the election was over I asked on the part of Mr. Smith when I was going away next day. I said, "That money I "brought down yesterday, I think you may as well "let me have the 500*l.* you know." He said, "Oh, "perhaps you had better not take it up to-day." I said, "I do not know." "Well," he said, "You had "better not, I will settle it." I came away, and asked two or three times subsequently for it, but I could get no satisfactory answer.

35,305. (*Mr. Price.*) I do not think you have told us where you got that 500*l.* from?—Yes, I told Mr. Coleridge just now, and I suspect—I have no reason for saying it further than the evidence of Mr. Tromp here—that that money was the money found on the garden seat. At the same time, I assure you at the time I gave my evidence in the House of Commons I was not at all aware of it, and thought it was real and true, because at the time of the election, until after the petition was determined, Mr. Bealy Smith and I had no conversation about money matters, not the least, and I was chary of asking him then.

35,306. But were you at that time in 1865 professing that you intended to fight that election on pure principles?—I never professed anything at all, never.

35,307. But you had been nursing the borough from 1859 to 1865, therefore your agent, Mr. Smith, would naturally know that you were anxious to represent the borough, and that money was no great object to you, and yet it seems when it came to the pinch you objected, and did not find for him by 500*l.* as much as he asked for. I want to know whether you can account for that in any way by saying to Mr. Smith you did not intend to find money?—Certainly not. I never spoke to him, but I did not, certainly. I never told him that I did not mean to.

35,308. (*Mr. Coleridge.*) That would have been fatal at once?—I think some of the witnesses have told you, as was the case at the last election, of which I shall speak presently, but I think had it been generally known that we had determined not to give anything, it is very likely great dissatisfaction would have been manifested, although I am perfectly convinced that when the push came that morning all the men went up better on the few words said to them.

35,309. Were you under the impression then that what you had been doing for those six years had made your seat sufficiently secure without illegal expenditure at the election itself?—I did think so, and Mr. Smith also told me that I was deceived, but I really did think so.

35,310. (*Mr. Anstey.*) You are speaking still of the election of 1865?—Yes.

35,311. Let me ask you, if that be so, why did you take the trouble to change notes, which are far more portable, into 500*l.* in gold, which is far less portable?—Mr. Smith desired me to do that.

35,312. Then, knowing Mr. Smith's notorious character, his scandalous character for every species of corruption, how came you not to suspect Mr. Smith's object in asking you to become a carrier of gold?—If you mean to say that did I not suspect, I am certainly not going to tell you here that I did not suspect.

35,313. Very well, I will ask you further. You know your expenses at the contest which was not your election in 1859 were not above 200*l.*, I think, including extra expenses?—The 200*l.* was matter of agreement. I never saw the account of that.

35,314. You had ascertained what the official accounts of the expenses of the election of 1865 were before you gave your evidence in the House of Commons?—Yes.

35,315. Otherwise you could not have referred to them?—Certainly.

35,316. Were not they far short of that one sum of 500*l.* in gold, which you had brought down yourself to the borough, the sum stated in the official account of your expenses in the borough to which you refer in your evidence; was not the sum set down there as the sum total infinitely short of even the 500*l.* you had brought down?—I should imagine so.

35,317. Not half the amount?—I should certainly say so.

35,318. I have it here?—I should certainly say so. I cannot tell you how much, but I know they were.

35,319. Yet you, with the suspicion which you justly entertained of Mr. Smith, and the caution you had taken at his instance to change your notes into gold to the large amount of 500*l.*, nevertheless told the Committee of the House of Commons not merely on your oath, but added, upon your honour as a gentleman, you neither paid nor meant to pay one farthing more than was represented by that absurd thing called the election agent's statement of account, and furthermore that you had not entered into any engagement or promise of any kind to do so?—I am exceedingly obliged to you for putting it in that way, and I will tell you exactly. That 500*l.* which I stated about, until Mr. Tromp gave his evidence here the other day, and I read it, I was perfectly under the idea that it went to pay, with a vast number of sums, for the election without being specifically devoted to the purpose of bribing.

35,320. (*Mr. Price.*) Went to pay what kind of liabilities do you mean?—I do not understand. As I go on afterwards I will tell you the various sums I paid to Mr. Smith, which amount to a very considerable sum.

35,321. But the question is this, you are asked by the House of Commons, or rather you volunteer a statement, that you had paid and would pay nothing beyond the legitimate expenses. Now the legitimate expenses, so far as the House of Commons can recognise them, are those which are returned through the election agents, and those expenses will be nothing like 500*l.*; but you had at that time full knowledge that you had brought down 500 sovereigns from London, and that could not be legitimate expenses?—Yes, at the time I said that to the House of Commons, in the first place that 1,500*l.* was certainly not mine, therefore I passed that over, but for the 500*l.*, I was not at all under the impression that it had been said I could get no account of it.

35,322. (*Mr. Coleridge.*) Then do you mean to say you knew about the 1,500*l.*, but drew the distinction between its being some one else's and your own?—No, I told you that.

35,323. (*Mr. Anstey.*) I will read to you the questions and answers. I have them here in this book. You must not be under the least misapprehension from want of memory as to what you said. You were not asked anything about corrupt practices, but you were asked the question itself in the most general form, and in the way I suggested to you just now, "more money than appeared in the official returns"?—I did not spend it.

35,324. Now this is the question of Mr. Serjeant Sleigh, no doubt under your instructions?—No, excuse me.

35,325. It is question 1662, and do not interrupt me whilst I read it: "Upon your honour," that is, your counsel says it, "as a gentleman and a Member "of Parliament, and upon your oath, did you expend "one shilling more in the course of this election than "the sum which is returned by the returning officer?" "—Certainly not." Then question 1663 is, "Or "enter into any bargain, promise, or engagement to "pay any further sum than that which is returned as "the sum of your legal expenses?—Certainly not." Nothing about corrupt practices?—Certainly; and I did not expend it.

35,326. (*Mr. Price.*) That is the reason I asked you again not to depart from the question. You brought 500*l.* down from London?—Yes.

35,327. And you handed 500 sovereigns over to Mr. Smith?—Yes.

35,328. That with a shrewd suspicion, as you say, that it was going to improper practices, how could you declare as a man of honour that you had not paid?—Expended it is.

35,329. (*Mr. Anstey.*) Or entered into any engagement?—No, I had not.

35,330. (*Mr. Coleridge.*) How do you mean, giving Mr. Smith is expending?—Because it had not been expended.

35,331. (*Mr. Price.*) Do you mean when you used the word "expending" you did not think handing it over to Mr. Smith to expend was an expenditure by you?—Yes, certainly; in that light it was not spent.

35,332. But it was spent?—Pardon me, I did not know it.

35,333. It was spent as far as you were concerned; it was given; it had left your hands, and was spent as a matter of fact, and you took care not to inquire because you had a suspicion how it was going to be spent; but do you mean to say, when you answered those questions to the House of Commons, you were quibbling—I can use no other expression—about the word "expending," and because you handed it over to Mr. Smith with the fullest power to deal with it as he liked, therefore you did not consider it an expenditure by you, is that what you mean to say?—Yes; but do not you see that was not to be used unless there was a second candidate.

35,334. (*Mr. Coleridge.*) You should have added that to the House of Commons to make yourself clear.

(*Mr. Price.*) You should have added that, if you mean to say now you thoroughly believed at that moment when you swore, that that sum of 500*l.* had never been used by Mr. Smith. If you really believed that honestly at the time, that would account for making that solemn declaration?—I did, that was it; and I did believe it.

35,335. I understand you now, and if you had, you ought to have taken very good care before you answered in that solemn manner to have assured yourself of the fact from Mr. Smith?—But I did.

35,336. (*Mr. Coleridge.*) Have you ever asked him to give that sum back?—Yes, I did over and over again.

35,337. You did not get it?—I did not.

35,338. (*Mr. Price.*) What did he say?—He made an evasive answer. It never was said that it was spent. I may have been wrong in saying that the expenditure was not the fact, my giving it to Mr. Smith, but it was not.

35,339. (*Mr. Price.*) You are explaining a very serious matter indeed, that you were at the time you made this solemn declaration you mean to say under the false impression that that money which you had handed over to Mr. Smith had not been spent by him? I was perfectly convinced of it.

35,340. How were you convinced?—Because Mr. Bealy Smith told me on the day of the election it had not been spent.

35,341. (*Mr. Coleridge.*) Did he tell you so the day after?—The day after the election.

35,342. After the election?—When I was going to town after the election.

35,343. (*Mr. Price.*) Told you deliberately the 500*l.* had not been spent?—Yes.

35,344. Do you mean to say that?—Yes, I do.

35,345. (*Mr. Anstey.*) Remember we are speaking of April 1866?—Yes, quite right; he told me the day after the election.

35,346. The 18th April 1866 you were examined on oath before the House of Commons?—Yes.

35,347. And as your counsel rashly, in my opinion, says,—— ?—Well, I think so, sir, for I never authorized him.

35,348. Now on oath and on honour you were asked these questions, which you have answered,

THIRTY-FIFTH DAY.

Mr. H. Westropp.

5 Oct. 1869.

Now is it or is it not the fact that in the meantime, the 7th February that year, there had been a petition to the House of Commons, the petition against your return, setting forth something with the particulars of something like 110 separate cases, or more than that, of bribery of the grossest kind charged against you personally or against your agents, you are aware of that, of which number of cases only two or three were actually examined into by Mr. Baxter's committee, which broke off the inquiry after unseating you, and so predisposed matters for that election, which has had, I do not hesitate to say, fatal and deplorable consequences for the last three or four weeks. Do you mean to say, when you were told of these 110 cases, which the evidence charged against you personally or your agents, that you did not ask your respectable friends, Mr. Lilly and the two Smiths, "Is this petition true, or are any "of its statements true?" Do you mean you never asked them that question?—Mr. Lilly had never anything to do with that petition, and Mr. Smith was paralysed at that time.

35,349. Did you not ask your trusty friend, Mr. Smith, from whom you had received so much kindness, whether it was true or not?—He was paralysed.

35,350. Mr. Richard Smith was not paralysed till the trial was on?—Yes he was.

35,351. Put out of the question altogether Mr. Richard Smith, and his paralysis, which seems to be a very convenient thing, it comes and goes as the occasion requires. Did you ask Mr. Bealy Smith?—I asked him about the two statements with respect to Staples and Cooze.

35,252. Why did you, on hearing of 110 cases, in February 1866, pick out those very two cases which were first inquired into by the Commons in the month of April?—Because we knew they were the fatal ones.

35,353. Who knew?—Mr. Smith knew, and he said to me they were the cases that would upset me.

35,354. He first spoke to you about the matter?—Yes. He naturally talked to me about our winning and losing, and he told me that Staples' and Cooze's case, or at least Cooze's, would be a very bad case, because it had been alleged that it had been done by his clerk.

35,355. By Smith's clerk?—Yes, but he never said to me whether the cases were true or false.

35,356. No; but he told you of their existence, and you knew there were 108 or 110 other cases?—I did not know whether they were true or false, and he never told me. I am a man who has gone a great deal through the world, and I blindly put faith in what Mr. Smith told me.

35,357. Did you never hear of what are called the "particulars" delivered of cases on which the other side meant to rely?—I did not at the time, but I have heard of them since.

35,358. What do you mean by "at the time"?—Not at the time when my election was over, nor did I know very much about them until the last.

35,359. Until the last what?—Until this last petition.

35,360. Here is the petition. It is couched in the usual terms you know, and it charges you in the usual terms with having done it personally, and through your agents, making it thereby your duty to inquire, and see whether your name had been abused in the way described. And then came the particulars, which said that it had been abused in from 110 to 120 cases?—I say on my honour, that I never spoke to him except on that occasion with regard to that petition itself.

35,361. I am referring to the fact, that on the 26th April 1866, when you were giving your evidence in the House of Commons, you had had an opportunity of hearing, as I have no doubt you did hear, all, or nearly all the evidence that had been given before the Committee, referring to the other fact which you must take in connexion with that, that you were yourself perfectly aware then, that with the suspicion that Mr. Bealy Smith wanted it for the purpose of bribery, you had yourself raised the large sum of 500*l.*, more than double what was wanted for an honest expenditure, that you had gone to the Bank of England and got it changed into gold, under the same suspicion as to the reason why it was wanted to be changed into gold, and you had handed it over without condition into the hands of the most corrupt fellow in Bridgwater; and, against that, you had nothing but the assurance, which you must have known, coming from a bribery agent, was worth nothing at all, that it had not been spent. Do you mean to tell me you thought that sufficient to justify you in making, in the presence of the Committee of the House of Commons, the statement you did, as a gentleman upon your honour, and as a witness upon your oath?—Well, sir, in the first place, excuse me for saying that I did not hand that money over without condition to Mr. Smith. I handed it over to him, under the supposition that it was not to be used unless there was a second candidate, and for legal expenses.

35,362. (*Mr. Price.*) Unless there was a second candidate?—Unless there was a second candidate. In the next place, if you look at the way in which that question was put to me, it was asked whether I had a suspicion, or the least idea that bribery was going on. I had no more idea about it than I have now; I had a suspicion.

35,363. (*Mr. Coleridge.*) How long after the election was it that you knew about the 1,500*l.*?—Not till after the petition.

35,364. (*Mr. Price.*) You say that after the election Mr. Smith told you that 500*l.* had not been expended. Did you never make it your business to inquire, from that time down to the time the petition was tried before the Election Committee of the House of Commons, whether that 500*l.* had been spent or not?—I have told you so two or three times that I asked him about it.

35,365. And what did he say?—He gave an evasive answer.

35,366. (*Mr. Coleridge.*) Did you ever speak to Mr. Trevor and the other lawyers about it?—Certainly not. Mr. Smith had the entire management.

35,367. (*Mr. Price.*) Who was the Smith to whom you gave the 500*l.*?—Mr. Bealy Smith.

35,368. Then the paralysis had nothing at all to do with it?—Oh no, not at all.

35,369. Then you say that Mr. Bealy Smith always in the first instance denied that the money had been spent, he positively denied that?—Certainly.

35,370. And then afterwards, when you asked him if it was spent, did he give you an evasive answer?—Yes.

35,371. We are in this difficulty: your counsel, you say, were not instructed to put these questions, but he must have been instructed to put them by Mr. Bealy Smith?—I do not know whether he was or was not. I think, as well as I recollect, I was asked whether I had any objection to go into the chair, and I said, "No, certainly not."

35,372. As we know, it is almost the universal thing when there is a charge of bribery against a candidate for the candidate to be called, if no other person is called, to clear himself from any personal complicity in the matter; therefore, naturally, you would have had to go into the box, but you were not aware beforehand that questions were going to be put to you in that form?—Certainly not.

35,373. However, they were put in that form, and you say now that the state of your belief of what Mr. Bealy Smith said to you justifies you in giving those answers?—Yes.

35,374. (*Mr. Anstey.*) Then, Mr. Westropp, Mr. Bealy Smith was a lawyer, was not he?—Yes.

35,375. Then how do you reconcile your answers to-day with your answer before the Committee of the

House of Commons to question 1967? In answer to a question about payment made to lawyers, you say, "Upon my honour, as a gentleman, I can say no more "than that I have neither paid nor have agreed to "pay anything, and I believe I am not to pay one "shilling to them; I can say no more than that." You yourself admit now that you had paid 500*l.* to one of them, to Mr. Bealy Smith, the worst of them all; worse than Mr. Veysey, a great deal?—I think the question is No. 1967, is it not? "Is it usual at "Bridgwater for all these professional men to be so "earnest in a cause that they go out canvassing like "this, without being paid for it?"

35,376. (*Mr. Price.*) You say to that, "No; I "have neither paid nor have agreed to pay any-"thing?"—I did not pay more than that. I never saw an account.

35,377. You were in this position: 500*l.* you had handed over in sovereigns to Smith?—Yes.

35,378. Smith told you, the day after the election, that that had not been spent, and you asked him several times afterwards, you say, about it, and he gave you evasive answers; then, you took upon yourself to state to the House of Commons that you had not paid, and did not intend to pay, one single shilling. Now, at that time, you knew perfectly well that Mr. Smith had 500*l.* of yours, that he was your legal agent, and that he had refused to account to you for it?—Yes; but was I to suppose that he was going to spend that 500*l.*?

35,379. The question is, what you paid to the lawyers. Do you think that was a clear, candid, and true statement of the money matters as they stood between you and your legal agents? If you ask me what you should have said, I should say you ought to have had no hesitation in saying, "Smith has 500*l.* of "mine, which he has never accounted for." That is what you should have said at once, without scruple, when you were asked that question. If you ask me what you should have done, I say that is certainly what I should have advised you to have said, if I had been your counsel?—What I understood the question to be was, whether any arrangement had been made as to their fees.

35,380. (*Mr. Anstey.*) No. You are aware that those questions were put to you in the most searching, painful, and prolix form by counsel in cross-examining you, the last set of questions, I mean, about the lawyers. You are perfectly aware that they cross-examined you about that very closely indeed?—I did not engage those lawyers.

35,381. Are you not aware, that the way in which they closely cross-examined you about that was because the unequivocal, temperate, frank, and truthful answers which you gave in the examination-in-chief to the two questions put by Mr. Sleigh must have led them to think that it was impossible to cross-examine you upon the other part of your statement, namely, that you never had paid any election expenses beyond those contained in the official return, and consequently that they had nothing left for them to cross-examine you upon other than your statement which was less clear, namely, as to your having employed lawyers to act for you. Are you not aware that they forbore to cross-examine you upon the general statement you made with regard to your not having paid any election expenses beyond those contained in the official report, and only cross-examined you upon your statement with regard to the lawyers?—I am not a barrister, and I cannot say what ought to be done.

35,382. Are you not aware that you were not cross-examined at all upon those two answers of yours which I read to you, which you gave to Mr. Sleigh, when he asked you to speak on your honour as a gentleman and a member of Parliament, as well as upon your oath, and having made those two unequivocal answers, you are aware, are you not, that upon those two answers no cross-examination whatever on the part of the opposing counsel took place?—There was no cross-examination, sir, but if you will have the kindness to refer to the report, you will find that there is a little interposition by Mr. Powell, after question 1661. You will see Mr. Powell stated that that was not alleged in the petition, and there was no such allegation made. Now I should think that would account pretty well for there being no cross-examination made upon those two answers.

35,383. No, it would not account for there being no cross-examination with respect to answers which came after that interposition. That relates to a preceding question, and not to these two answers?—Yes. But do not you see——

35,384. Do not you know yourself, without being a barrister, that when a person who is not supposed to be anything but a man of truth states upon such high sanctions as those as a man of honour and a member of Parliament, not to speak of the sanction of the oath itself, that a state of things exist, or has existed, which seems to exclude cross-examination altogether, to make it impossible, or to make it useless, that the natural conclusion which must come to the barrister's mind is, "I must not cross-examine upon that, as it will be of no use." Do not you know that?—Mr. Price's suggestion to me what I ought to have done sets the whole thing right in my mind.

35,385. (*Mr. Anstey.*) There is no suggestion made at all.

(*Mr. Price.*) If you ask me, I am not bound to tell you, but I said, if you had intended to give the fullest information to the Committee, that upon being probed upon questions of that kind, I should have thought, in my judgment, that you ought to have mentioned to the Committee that "there is one sum of 500*l.* "which my legal agent has had, which he has not "accounted for, and which he says he has not "expended?"—Perhaps I am wrong in not having stated it.

35,386. It seems obvious to any man of common sense that that is what you ought to have stated?—The idea floating in my mind was, that he had not paid it.

35,387. (*Mr. Coleridge.*) You told me just now you did not know of this 1,500*l.* until after the election petition. Did the lady who advanced that money tell you about it herself?—I cannot remember.

35,388. Did you also hear how it came to her knowledge that 1,500*l.* was the amount of money that would be required? How came she to advance 1,500*l.*? Who suggested to her the necessity for it?—I cannot say.

35,389. I mean to say that a lady in her position is not very likely to know that 1,500*l.* was wanted in Bridgwater, without its being communicated to her by somebody. Who was the person who communicated to her and enabled her to find out that 1,500*l.* would be a very acceptable present to you?—I cannot answer exactly, but I have no doubt it was through Mr. Bealy Smith.

35,390. Had she been in communication with Mr. Bealy Smith at the time?—Oh, when he came to town he dined with me, I have no doubt.

35,391. (*Mr. Anstey.*) I will return to what I was examining you upon just now, with reference to your former evidence. Was it correct what you stated just now to the learned Chief Commissioner, that you were called before the Committee of the House of Commons just in the way in which candidates or sitting members are called when their names are mentioned. Is it not the fact that, on the contrary, you were the principal witness in defence of your own seat, the questions put to you, ranging from question No. 1,580 down to question 2,003,—you have the report there before you—you were therefore a principal witness?—Of course in the nature of things.

35,392. Did not your counsel, Mr. Sleigh, take you right through the election from first to last, and obtain evidence from you in contradiction or explanation of the evidence of witnesses who had been ex-

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amined during those two days, the first days of the trial?—Let me clearly understand your question. Did he take me through it at the time of the trial of the petition, or did he take me through it previously to putting me in the chair?

35,393. No, when you were examined in the chair. You have got the questions before you. You allowed the Chief Commissioner to remain under the impression that you were called in the usual way, namely, because you were a sitting member. Now, was it not the fact, that you were called because you were a principal witness, and to rebut Staples's case, Cooze's case, and Veysey's case?—No, certainly not.

35,394. Why, were not all the questions put to you for that purpose?—Mr. Sleigh did not put any questions to me till I was put in the chair.

35,395. You know what I mean. You have read through all your evidence lately, which is contained in that report you have now before you I suppose?—Yes.

35,396. And you affirm it all through, except as to two statements. Now, having read it all through lately, I ask you (your memory being refreshed by that recent perusal), is it not the fact that you were called as a principal witness to answer a number of questions which affected the credit and the statements of witnesses who had been called in the preceding two days in support of the petition against you?—I cannot say that I was called as the principal witness. I was called there, and asked questions which would have the tendency to rebut (if believed) anything that might have been given in evidence against me.

35,397. Have you the index there?—Yes.

35,398. If you have the index there, you will see that the analysis of your evidence commences with the history of your defeat in 1859; the conduct of your supporters in the interval, and your enthusiastic reception in Bridgwater; the meeting of your supporters at the "Clarence" Hotel; the fact, real or fanciful, of your having a committee; of your having attended committee meetings; your having Mr. James Trevor for agent; Mr. Smith, junior, that is the Mr. Bealy Smith, as unpaid professional agent, and Mr. Smith, senior's positive refusal to act for you; the persons who accompanied you by name in your canvass; in particular Mr. Boys' authority with regard to you; Mr. Veysey's authority with regard to you; the case of the voter Cooze; your own accounts and expenses; the case of Mr. Stroud; the case of Mr. Lilly; the nature of the support given to you by old Mr. Smith, the pawnbroker; the nature of the support given to you by William Pimm of the "Golden Lion;" the nature of your knowledge with regard to public houses, committee rooms, committees; the fact of your having been accompanied by Mr. Heal; the nature of your connexion with Mr. Edwards; and the nature of your connexion with the two other Smiths, as well as the point, not that it is an important one, except as affecting your credit, of your actually having invited Veysey to dine with you, an invitation which you deny. That is the analysis of your evidence; and after my having taken the trouble to read it to you, will you now say you were not a principal witness for the defence of your own seat on that occasion?—Oh, certainly. I was called in support of the seat, and was turned out.

35,399. Then why did you not say so at once. Now let me go a little further, and then I shall have done with it. Mr. James Trevor and Mr. John Trevor, I believe, constituted then, as now, the firm of Trevor, did not they?—Yes.

35,400. They were both highly respectable men?—Decidedly so.

35,401. They had no part in this case of the 500*l.*?—Oh no, certainly not.

35,402. Or any other case that smelt even from afar of corruption?—I am not aware of it.

35,403. And you did not place in them any more confidence than that which you have described in your evidence before the House of Commons, namely, that he was merely your election agent, that is, the official agent?—Yes.

35,404. But that your professional agent, who acted for you in the general politics of the election, was this Bealy Smith?—Yes.

35,405. And you further stated—I wish to get rid of all mention of the Trevors at once—and you also stated that Mr. John Trevor in particular was very seldom with you, and a very "slow coach," and that he had not been with you altogether above three or four times?—Exactly so.

35,406. Then I may take it for granted, having refreshed your memory, that with the proceedings which we now know to be most reprehensible at that election, there is not the slightest pretence in the world to connect that highly respectable firm of gentlemen?—Decidedly not. Will you allow me to make one observation upon that expression "slow coach," because that has been the subject of great talk.

35,407. I think it is a compliment to him rather than anything else?—It was from a physical defect that he laboured under that I used that expression. It was simply from the fact of his having bad legs. If you will kindly refer to the report, you will see I state so and so was out with me—yes or no, according as the case might be; and then it was said I said Mr. Trevor was a "slow coach," and he was a "slow coach" because he did break down.

35,408. I am not going into a critical examination of the course of the cross-examination, but it proceeded, as my present examination of you is now proceeding, as to which of the gentlemen in Bridgwater had kept themselves with you, and which of them had kept themselves aloof from you. Now I will go on. Mr. Brice has told us in like manner, plainly, not by inference but plainly, that there was not any confidence imposed by him in you, nor by you in him?—On the contrary, I have had great confidence in Mr. Brice; but whether he reciprocated it I do not know.

35,409. I mean that kind of confidence which manifests itself by the outward and visible sign of employment?—Mr. Bealy Smith acted for me.

35,410. Is it not the fact that Mr. Brice did not act for you in the way of employment?—In 1865.

35,411. Yes?—Quite right. Mr. Bealy Smith and Mr. Brice were by no means friends at that time——

35,412. I am only proceeding now, as schoolmen say, *via remotionis*, that is, by way of exhaustion. Now Mr. Ruddock took little or no part?—In canvassing with me?

35,413. In canvassing with you, and in what you call in your own language the general politics of the election, which were handed over to the man Bealy Smith, he took no part?—I believe not.

35,414. I really forget whether I have gone through all of them?—Mr. Auber, Mr. Ruddock's partner, carefully avoided it.

35,415. Mr. Veysey, on the other hand, canvassed along with you?—No, excuse me.

35,416. He swears himself he did?—No, excuse me, he did not, except on one or two occasions.

35,417. Well then he did, if that is the case?—Yes, but he was not habitually with me. I remember he did on one occasion in Barclay Street.

35,418. Then he did canvass with you?—Certainly not.

35,419. You say "Excuse me, sir," as witnesses generally do here in Bridgwater, and it turns out he did canvass with you on certain specified occasions, and he also dined with you at the "Clarence" when other specified parties were there; you are aware of that?—I am aware of that.

35,420. He had been examined before the Committee before you had been examined?—No, he had not.

35,421. At all events, some of his victims had been examined, or his intended victims. I will tell you of

one, Mr. Osborne, and also his daughters, the Misses Osborne?—Yes.

35,422. And it was very material for Mr. Veysey to show he was not your agent; because there were two highly respectable young ladies, and their highly respectable father, who gave evidence on the first day, who clearly convicted Mr. Veysey of having attempted to bribe the father. There is also evidence of his having been a party to the two cases, which you yourself say were of a most dangerous character, namely, the two who were commenced with, and found by the Committee to have been upheld; I mean, the cases of Cooze and Staples; and in both of those cases Mr. Veysey was proved by witnesses who swore to it to have been concerned together with Mr. Boys. Now when you made your statement with regard to Veysey, I ask you, in so many words, to tell me, in answer to the question I am going to put to you, was it not your object, in repudiating as you did Mr. Veysey, to get rid of the liability which Mr. Veysey's agency would certainly have cast upon you if you had admitted it?—My object was to show that Mr. Veysey was not my agent, decidedly.

35,423. I take it for granted, and I say nothing more about it?—Decidedly.

35,424. Mr. Veysey's evidence was not believed by the Committee?—I believe not.

35,425. In two points of view they did not believe him in what he deposed against Mr. Kinglake, because they seated Mr. Kinglake; and they did not believe him in what he deposed in favour of you; and his evidence took the same form that Boys' evidence took, because they found there were proved against him those two very cases of bribery which he denied having had anything to do with, and which you said Mr. Bealy Smith had admitted to you before the trial as being very serious cases?—Oh, most certainly.

35,426. The only other lawyer you appear to have had on your side is this same man, Bealy Smith; that is the only other lawyer I believe?—Yes.

35,427. Did it not strike you then, at the election, or if not at the election at all events at the election trial the year afterwards, that there must have been something very suspicious about a circumstance like this, that the only respectable lawyers on your side held themselves aloof from you, beyond giving you a general political support; whereas those who were willing to be taken to your bosom were men of such evil reputation and antecedents as Mr. Bealy Smith and Mr. Veysey?—Will you allow me to answer that *in extenso*? The reason I employed Mr. Richard Smith was this: as I told you in the first instance, he had been exceedingly kind to me during six years. I had been frequently dining, and staying at his house, and several persons told me I had no business to remain at Mr. Richard Smiths so long as I did; and, consequently, I stayed at the hotel. But I am sorry to say, both the Mr. Smiths are men of very bad temper, so that it was exceedingly difficult for them to get on with the other attorneys on that side; and I remember a very serious difference occurring between Mr. Brice and them, as I dare say Mr. Brice will tell you, if he is here, in the middle of the election. I believe it was on coming up from Hodges's from dinner. Mr. Brice had a very serious difference with them. He could not get on with them in any way. To prove that Mr. James Trevor had acted as an agent, when he was in town before the election he told me that he and the heads of the party had come together to determine as to whether my election was to be pure or not. I do not know who the heads were; and although these lawyers may not have ostensibly gone about and worked for me, as they did subsequently, it is not to be inferred from that that they disliked me or would have nothing to do with me.

35,428. If you were sincere in your wish that there should be no money spent beyond the legal expenses,—I can scarcely help smiling in putting such an hypothesis—why did you not from the windows of the "Clarence," which command the market place, putting aside men like Veysey and Bealy Smith, and all your other evil advisers, why did you not as a man of sense address the electors before you, the voters, the strangers, the mob, and tell them, "My "election is coming on next week, but I warn you "beforehand, notwithstanding what other people may "say to the contrary, not a penny shall be spent by "me in corruption; and whatever promises are made "by my agents, or anybody else in my name, or on "my behalf, I will not keep those promises, and if "money is paid by them, remember, it will not come "from me, nor will they be recouped the money they "may pay. I will not pay a farthing in bribery, and "we will have a pure election, and pit a Conservative "against a Liberal." If you had done that you would have been either defeated with honour, or have been gloriously returned?—Mr. Anstey, I am perfectly certain, from my own personal knowledge and experience, that that is the way you have always conducted yourself in elections in which you have been concerned.

35,429. That is precisely so?—I know it is. I am a native of Cork, which is near the place which you represented, and I know you have so conducted yourself; but it is not because you have so succeeded and rightly succeeded upon those principles that they would be successful everywhere. The old constituency of Bridgwater, I am sorry to say, had been so in the habit of receiving money, that if I had proclaimed upon my coming down here, that I did not intend to spend any money, I might as well have gone back at once, as my chance of winning the election would have been utterly hopeless. It is a different thing with the new constituency. The new constituency is a very very different thing from the old, very different. I know there are influences to be brought to bear, not monetary, such as that exercised by the employers of labour in this place.

35,430. (*Mr. Price.*) What does it matter what are the influences if it cannot be a free election?—Very well.

35,431. What does it matter if there cannot be a free exercise of the franchise by the voters; what does it matter whether there are 1,000 or 10,000 of them, or whether it is done by bribery or undue influence? Some people think that if done by undue influence it is nothing. You have had it in evidence from persons of respectability, that they believe the influence of employers is used by the employers in this way, and that it does prevent the free exercise of the franchise in this town. Now, if that be so, if the employers are Liberal, and it so happens that the employers in this town are Liberal, they might attempt to force a Liberal down the throats of the constituency; and supposing the tables were turned in the course of years and the employers became Conservative, they would then equally tend to thrust a Conservative down the throats of the constituency. It does not matter whether it is old Bridgwater or new Bridgwater, there never can be, under those circumstances, a free and independent exercise of the franchise.

(*Mr. Anstey.*) And besides that, unless the impression can be destroyed, that there may be money going on the part of the candidates, does it not strike you that there may be hundreds of votes secured, not by any promise, but through an expectation, which any honest candidate would at once dissipate into thin air; do not you see that?—I am sure you will not think it is any pleasure to a candidate to spend money.

35,432–3. (*Mr. Coleridge.*) You have not quite finished about this money matter. You say, in a conversation after the election, you heard money had come down here?—Yes.

35,434. Had you heard the means by which it had come?—I knew all about it afterwards.

35,435. And all about Mr. Tromp, and so on?—Oh yes.

35,436. How soon after the election did you see Mr. Tromp, to speak to him as to what he had done?

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—I never spoke to him in my life, except when Mr. Bealy Smith passed as a solicitor, and Mr. Bealy Smith was so overjoyed at his having passed a very good examination, that he asked some of his friends to dinner at the Charing Cross Hotel.

35,437. And you went?—Yes. After dinner Mr. Tromp sang a very good song. I asked who he was, and they told me it was Mr. Tromp. I then sat down beside him, and complimented him on his song.

35,438. And thanked him for his good service?—How could I thank him for his good service?

35,439. You did not know of it?—Oh no, no. This was in the year 1862, I think.

35,440. You say probably that the lady who found this money did so at the instigation of Mr. Bealy Smith?—It may be so.

35,441. How long before the election of 1865 had Mr. Bealy Smith been to your house?—I cannot say.

35,442. Within a week?—No.

35,443. Within six months?—I cannot say.

35,444. If it was done, it must have been done by letter?—How can I say anything about it?

35,445. You would probably know whether Mr. Bealy Smith had been in your house at all?—Mr. Bealy Smith had been constantly dining with me.

35,446. When was the last time before the last election that he had been in your house and met this lady?—I cannot say.

35,447. Had he been there a week before?—No.

35,448. Or a month before?—That carries out the story about pulling the hairs out of the horse's tail. I cannot say. It might have been a month before, I cannot tell.

35,449. (*Mr. Anstey.*) Can you tell me whether the lady in question either did meet, or might have met Mr. Bealy Smith somewhere out of London?—I cannot answer that. Certainly she could have.

35,450. What is your belief?—I have no belief about it, because I cannot go upon a thing upon which I have no premises to go, and I had not the slightest hint, except after the time I mention.

35,451. Were you aware that she had ever been to Weston-super-Mare about the time in question?—I should imagine not.

35,452. Or at Burnham?—I should imagine not.

35,453. Should you imagine that she had ever met Mr. Tromp before the time they met at Bayswater?—I should say not before that introduction, or the negotiations were entered into that have been spoken about. It may be. I see Mr. Tromp speaks of her having been several times at his house.

35,454. But my question has reference to her knowing him, not as to his knowing her. Might she have seen him, or have had him pointed out to her?—I should think not.

35,455. She had no opportunity?—I should think not.

35,456. How long before the election was it that Mr. Bealy Smith mentioned that Mr. Tromp was to be employed?—I could not know anything about the man until after the election; I could know nothing about him. To say that I knew about him would be to say I knew all about it.

35,457. Did any man ever say anything to you about employing him?—I cannot say anything at all about it.

35,458. Did Mr. Bealy Smith ever say anything to you about employing a man, not for bribery, but a useful man?—Not a word.

35,459. (*Mr. Coleridge.*) Have you ever heard from the lady who advanced this money up to the present time the circumstances under which she was induced to advance this money to you?—No, I have not.

35,460. I mean who came to her? Had you suggested it to her?—No, I had not.

35,461. Had you suggested to her that money must go down to Bridgwater?—Nothing further than that; of course the character of the old constituency being known, I talked of it in that way.

35,462. Have you in talking to her said to her, "It will be necessary by hook or by crook to have "some money at the next Bridgwater election"?—No. If I were to say that it would be the same as saying that I contemplated the fact of bribery.

35,463. But you adopted it if you did not contemplate it?—I was under the foolish impression that I should be returned.

35,464. But I mean what induced that lady to advance the 1,500*l.* to Mr. Bealy Smith, and through Mr. Tromp, to be brought into the borough to secure your return? What brought her mind to that state?—It is a hard thing to say what brings a lady's mind into any state. That is all I can say.

35,465. Who suggested it to her?—I cannot say. We have hardly ever spoken to one another when we have met; it is a sort of tabooed subject between us.

35,466. (*Mr. Anstey.*) Supposing this was a pure borough, or the amount of its impurity had not been known to her, would she, do you think, have raised the 1,500*l.*, or 500*l.*, whatever the sum may have been?—Until the case has arisen, I cannot say what she would do.

35,467. You must know whether it was arranged with her at all. How else would she know that money would have to be spent?

(*Mr. Price.*) I thought you said you had no doubt that she had been in communication with Mr. Bealy Smith as to the amount which would be required?—I said, I think so.

35,468. (*Mr. Anstey.*) I think the unhappy ignorance in which she seems to have kept you as to her sources of information, and her sources of advice, and as to the influences which have been brought to bear upon her in order to induce her to raise this large sum of money secretly to you, and in confidence with this fellow Bealy Smith, will make it necessary for me, I am afraid, as one of the Commissioners, to require our Secretary to summon her, for the purpose of her being examined here before us, unless you can tell us something about the subject which will leave no doubt upon our minds. In the meantime, you may look at this—this is the official document that I spoke of, containing that statement of legal expenses, which you know you represented in the House of Commons to be no more than you spent. It is signed, "James Trevor, Election Agent." Read it out, the sum total (*handing the document to the witness*)?—189*l.* 9*s.* 0*d.* Perhaps, if you will allow me to make a statement, however unwilling I may be, I dare say many persons here know who it is, therefore, if you will allow me to make the entire statement, it will save you the trouble of sending for the lady.

35,469. (*Mr. Price.*) Certainly. We will adjourn now, and hear your statement when we come back?—I shall not take five minutes to make it.

35,470. Very well. Then will you make it at once?—The fact is the lady who advanced the money is my wife.

35,471. (*Mr. Coleridge.*) And the conduit-pipe was your sister-in-law?—And the other lady was my sister-in-law. After we were married I was very ill, and I gave her a bond for this sum of money, an annuity of 150*l.* a year, with the option of redeeming it for 1,500*l.*

35,472. As a sort of post-nuptial settlement?—Yes. And afterwards, although I had a pretty fairish income at the time, I had no ready money, and afterwards ready money came in the year 1862, and one of the uses I made of it was to buy up this annuity, or at least to change it, because it was a better thing altogether I considered for her interests, and, as I told you, to avoid the very thing which you alluded to, which was the trusteeship for her separate use, and that we considered it better to invest the money in the three per cents. in her maiden name.

35,473. (*Mr. Coleridge.*) I need hardly say that no lawyer could have advised you to adopt that course?—There was no lawyer employed in it.

35,474. Because it was no protection whatever to her?—That is the way I did it. I gave you the name of the broker, and you will find, if you send for him, that the money was invested in her maiden name, and remained in that name from the year 1861 to the year 1865.

35,475. But that is not the object for which we shall require Mrs. Westropp's presence. We want to know who induced her to advance this money for corrupt purposes?

(*Mr. Price.*) What we want to know is this, whether you were in any way a party in the first instance to letting her be communicated with, not by yourself, but through somebody else, with the view to induce her to advance this money, or whether, after it had been so advanced, you were cognisant of it, and have in any way undertaken to recoup the money to her to place her in the same position as if she had not spent it?—Oh no, certainly not.

35,476. (*Mr. Coleridge.*) It is a delicate thing to put to you, but the question is this, in the event of your death, would she be 1,500*l.* the worse off by the expenditure of this money at the election at Bridgwater?—Yes, of course, except by will.

35,477. (*Mr. Anstey.*) I must confess, my curiosity must take a different turn. I do not seek to know what has become of the money, or what is the consequence of its expenditure; but I seek to know, and I certainly shall press for all the information which will enable me to know, who was the original tempter, who it was that persuaded her to waste her patrimony in the crime of bribery, and who furnished her with such an accurate estimate of the amount required in the borough, as to enable her to say, "I will raise 1,500*l.*"?—With regard to that, I think I have more than once spoken in her presence of Padwick's election; and we all know what Padwick's election cost.

35,478. (*Mr. Coleridge.*) That was above 2,000*l.*?—2,400*l.* I think it cost; and I dare say I have said that in that way. I have not talked of the necessity for money certainly, but I have talked about this being a corrupt place in that way, but I have never put any pressure upon her, or named 1,500*l.* to her.

35,479. (*Mr. Price.*) Who suggested 1,500*l.*?—That I cannot tell, but I believe it is exceedingly likely it was her own self who sent it down.

35,480. (*Mr. Anstey.*) But you must, from what you were, and the circles in which you moved in life between 1859 and 1865, be able to answer me distinctly this question: Were there any of these three classes of the Conservative party, namely, those in the House of Commons, those of the Carlton Club or the Conservative Club, and thirdly, those connected with certain great firms, any of the great firms of Parliamentary agents as they are called, who were in the habit of visiting at your house; because if they were, it is perfectly clear to me at least what the nature of the influences was that were brought to bear upon her in your favour?—The only time that any person came to my house who was a parliamentary agent was Mr. Spofforth. I have a very handsome breed of Charlie dogs, and he called and took a very handsome pup away with him in the January of 1866; I have never received the value of that book for it.

35,481. (*Mr. Price.*) What my learned colleague, Mr. Anstey, wants to know from you is this, whether any of the leaders of the Conservative party, who are supposed, rightly or wrongly, to have the means of advancing money for election purposes, whether any of those persons in the first instance ever visited in your house in such a way as to give them an opportunity of putting a pressure upon Mrs. Westropp, to induce her to advance this money for you?—To my knowledge, no person ever came near the house, or ever called, or pressed her in any way, or had any communication with her, of the three descriptions of persons you have described.

35,482. None of those classes of persons I have mentioned, either in the House of Commons or out of the House of Commons?—Certainly not.

35,483. (*Mr. Coleridge.*) Has Mrs. Westropp any relation of that class?—No.

35,484. (*Mr. Anstey.*) Did any leading politician call—— ?—No, none.

35,485. I have not finished my question. Did any leading politician of the Conservative party call upon you, or rather, was he in the habit of calling upon you, between 1859 and 1865?—Never; decidedly not.

35,486. (*Mr. Anstey.*) Then I am afraid we must examine Mrs. Westropp as to the sources of her information; because she must have had some pressure put upon her to induce her to advance this 1,500*l.*

(*Mr. Coleridge.*) It was the sole sum at her own disposal?—It was the sole sum at her own disposal. It was so covenanted by the bond.

35,487. (*Mr. Price.*) Do you wish us to be under the impression.—I do not say it is at all an unnatural one, I do not know why we should suppose it to be an unnatural one, that Mrs. Westropp did this;—she might have been guided as to the amount of it by Mr. Bealy Smith,—but is it or is it not your desire to leave us under the impression that Mrs. Westropp did this with the desire to secure her husband's election for Bridgwater?—I do. I believe that most sincerely.

35,488. Then how do you account for her being put in connexion with this man Mr. Tromp?—One thing is, that I know myself since that time, as I mentioned that it was through Mr. Bealy Smith's influence.

35,489. You ought to tell us those things at once?—That I know.

35,490. (*Mr. Anstey.*) What do you know?—I know that she was put—not she, but her sister was put—in communication with that man.

35,491. Tell us what you mean by "put into communication"?—There is a French word which expresses it best, "*en rapport.*"

35,492. You had much better use an English word. This man, Bealy Smith, is either at Melbourne, or else he is in Teignmouth, and his father is either able to attend to business, or he is lying on his death-bed, paralysed, or in a hopeless state of imbecility; but we have you here in the box, and I should like to know from you when her sister was put in communication with that person, Mr. Tromp?—I cannot tell you the time, because it is so many months afterwards.

35,493. (*Mr. Price.*) What do you really know about the matter? You really seem desirous of embarrassing this matter more than there is any necessity for. You either can tell us from your after acquired knowledge the whole detail of this matter, which may or may not be satisfactory when we have heard it, or from your previous knowledge. You say, of previous knowledge you had none. But you then hint that you have some knowledge of the sister being put into communication with Mr. Tromp. Tell us all about that after-knowledge; because, otherwise, it is only trifling with us and wasting our time. We must have the two ladies down here. If you want to put us into that embarrassing position, we are quite ready to accept it. It is out of regard for you that we have abstained to a very considerable extent. We have offered indulgences to you, under the circumstances, which we otherwise should not have done, and you seem to me to desire to repay us for that indulgence, by fencing with the questions, or at all events by not making a full disclosure of your after-acquired knowledge. The result must be, that we must abstain going any further with your examination, and it must stand as it does, until we have the two ladies down. That is the position in which you place us?—I know perfectly well that my sister-in-law was in communication with Mr. Tromp.

35,494. How, in what way?—Going to his house.

35,495. Were you the means of putting her in communication with him?—No.

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35,496. (*Mr. Anstey.*) Then who was?—I cannot tell you.

(*Mr. Coleridge.*) That is the very reason why we must have her down.

[*An adjournment of* 20 *minutes here took place.*]

35,497. (*Mr. Price.*) Now, Mr. Westropp, will you be good enough to go on with the next election, your connexion with the next election; I think we have exhausted the other?—About 1866.

. Mr. Patton's.

35,498. (*Mr. Coleridge.*) Mr. Patton's first election?—Well, in May, I think it was; I had been over in Ireland after I was unseated, and then I returned.

35,499. But before you go to that, you have not told us what was the cost of your election petition. What did the whole of that business cost you?—I never had costs from Mr. Bealy Smith from first to last.

35,500. What did the whole of that 1865 business cost you?—Allow me to say, through the election petition, I did not pay any subscription to things from the time I was elected until I was unseated. The whole thing amounted to within a few pounds of 7,000*l.*

35,501. Including nursing the borough?—Including every expense.

35,502. (*Mr. Price.*) 7,000*l.*?—I think so.

35,503. Including the election inquiry of 1865? Do you mean including the expense of that of the committee?—Yes; I think about that.

35,504. (*Mr. Anstey.*) There is another thing I wanted to ask you, Mr. Westropp, before you went on. When Mr. Bealey Smith told you that he thought there was great danger of those two cases being proved, because his clerk, Mr. Boys, was named as the person who had bribed them, did he tell you that he had spoken to Boys on the subject?—He said that if the two cases were proved, there would be great danger of losing the seat, on account of Boys being connected with his office.

35,505. Being what?—Being connected with him. He did not say that Boys had bribed them.

35,506. Did he tell you he had spoken to Boys on the subject of those two cases?—No.

35,507. Did you gather from what he said that his fear that they would be proved so as to unseat you, or his fear that there was danger of that, was entertained by him after he had seen Boys on the subject?—No, he did not.

35,508. Of course you are not aware?—I am not aware——

35,509. Are not you aware that he had told Boys what Boys was to say?—No; not the least.

35,510. It has been stated by Boys on oath before us, that he was positively ordered by Bealy Smith, in order to neutralize that danger, to go up and deny all knowledge of these things?—I am certain that——

35,511. And you are aware that Boys, who was examined before you were examined —— ?—No; I think afterwards.

35,512. Well, who was going to be examined; you are aware that Boys positively denied all knowledge of those two cases?—I am aware that he denied them.

35,513. Both the bribery and the employment; both his employment about your election and his having used that employment for the purpose of bribing these two voters?—I was not aware that he denied the employment, I was aware that he denied the bribing.

35,514. Now, since that election, any time since that election (you know it is four years ago now, more than four years), had you learnt, till it came out in evidence before us the other day, that Boys had acted in the way he did under the influence of Bealy Smith?—No, I did not; the only thing I had ever——

35,515. That he had given his evidence under the influence of Bealy Smith?—The only thing I ever heard of Boys, subsequently to that election, was after Mr. Patton's second election, and Bealy Smith was then talking about various things that took place. He came up to town and said that Boys had kicked some of the voters, told them to go to a warm place, and kept the money.

35,516. That was after the second election in 1866?—Yes.

35,517. But I am asking you, did Bealy Smith ever say anything to you at any time, either at the time or since, about the evidence which Boys had given before the Election Committee?—No, never, never; he never mentioned his name save once, and I tell you that was exactly what occurred.

35,518. (*Mr. Coleridge.*) Now go on with the 1866 election, Patton?—I am not exactly certain whether the first time that I heard of Mr. Patton coming down was from Mr. Spofforth or not, but I recollect that Mr. Spofforth asked him and me to dine at the "Carlton," and after dinner Mr. Patton and I discussed generally the prospects of the borough.

35,519. To dine where?—At the "Carlton."

35,520. Oh, the "Carlton Club"; the "Junior Carlton"?

(*Mr. Anstey.*) No, no, the "Carlton"?—The Senior.

35,521. (*Mr. Coleridge.*) You were both members?

(*Mr. Anstey.*) Yes.

35,522. (*Mr. Price.*) Mr. Patton was a member too, was not he?—Yes, he was; and he asked me what his prospects of success were? I told him I thought, as far as I could say, they were good, for I had been returned by a large majority, and I could hardly understand that a very great number of them would go away so as to leave him in a majority. I told him what Mr. Bealy Smith had told me, that sometime before that, he and Mr. Cook, I believe, had been talking about election matters, and Mr. Cook remarked, "You are a great deal weaker than you were "at the time of Mr. Westropp's election."

35,523. (*Mr. Coleridge.*) What Cook?—James Cook, is it not?

35,524. What Mr. Cook do you mean?

(*Mr. Anstey.*) The solicitor here.

(*The Witness.*) The solicitor.

35,525. What was it?—That he and Mr. Smith had been talking over the probable strength of the two parties here, and that Mr. James Cook said that we were—that is the Conservative party were—weaker than we were at the time of my election, and he recounted that so many of them had gone away, and all that sort of thing; and Mr. Bealy Smith said, "Well, it is astonishing, those fellows, how well-"informed they are." Well, Mr. Bealy Smith came up to town, and I am in perfect ignorance of any arrangement that he may have made. I know not what arrangement he may have made with any person, but he came to me and he told me that I must get 1,500*l.*

35,526. (*Mr. Coleridge.*) For Patton?—For Mr. Patton.

35,527. What security did he offer you for it? Did he offer you any security for it?—Oh, none.

35,528. Then why should you have got 1,500*l.* for Mr. Patton?—I tell you that is what he came and told me, and I said "1,500*l.*! Where on earth am I "to get it?" Well, a few days after that a gentleman came up to me at the Carlton Club and told me that he was Mr. Patton's agent.

35,529. Have you seen that gentleman here to-day?—No, he is not here.

35,530. What was his name?—Mr. Thompson.

35,531. (*Mr. Price.*) Wait, just let me ask for a moment, had you known Mr. Patton before the interview at the Carlton Club—at the dinner?—No.

35,532. Then at that time were you aware or not whether Mr. Patton had had an interview with any deputation from Bridgwater?—No.

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35,533. Did Mr. Patton inform you that he had had an interview with a deputation from Bridgwater?—Not that I can recollect.

35,534. Were you under the impression, from what took place at that interview, that that was the first communication that Mr. Patton had had with respect to Bridgwater, viz., such information as you, Mr. Westropp, could give him?—Certainly not, certainly not. He seemed to speak as having had some talk about standing for Bridgwater.

35,535. Before he saw you?—Before he saw me.

35,536. (*Mr. Anstey.*) Therefore it is not true that you were the person who first proposed to him coming down to this borough?—Certainly not, certainly not.

35,537. Who was it, do you know?—I have not the slightest idea.

35,538. He did not tell you?—No, he did not.

35,539. Not the least?—Not a word said on that subject. However——

35,540. Did you understand from him that he had never canvassed a constituency before, never stood for a constituency?—The subject never was mentioned one way or the other.

35,541. (*Mr. Price.*) Then Mr. Patton did not tell you at that dinner that he had had an interview and introduction from Mr. Spofforth to the Bridgwater gentlemen in the lobby of the House, and that he had made any arrangements with him?—No, certainly not. I am quite positive of that.

35,542. At the same time you did gather from his conversation that he had intimated to somebody that he was going to stand for Bridgwater, or thought of standing?—I understood from his conversation that he was thinking of Bridgwater, and, in point of fact, my dining with him at that time was not the first idea of it.

35,543. Exactly; that is what I wanted to know. Well?—I think it was the day subsequently I told Mr. Thompson. Mr. Thompson introduced himself to me, and that sort of thing, and Bealy Smith told me, as I tell you, I must find the 1,500*l.*, and Mr. Thompson, being Mr. Patton's agent, I told him this. I told him as Mr. Patton's agent, and he gave me 1,500*l.*

35,544. (*Mr. Coleridge.*) Who did?—Mr. Thompson.

35,545. Who is Mr. Thompson?—I really do not know at this moment. George, I think, his name is.

35,546. Where does he live?—I think he lives about the world pretty much.

35,547. (*Mr. Price.*) How was he introduced?—He came and introduced himself to me.

35,548. Was that at the Carlton Club?—Yes.

35,549. (*Mr. Coleridge.*) Is Mr. Thompson a member of the Carlton Club?—Yes. He is a Scotchman.

35,550. (*Mr. Price.*) You are sure it was not Mr. Pitman?—I am sure it was not. There is Mr. Pitman there (*pointing*). I know Mr. Pitman very well.

35,551. Mr. Thompson gave you 1,500*l.*?—Yes.

35,552. What in?—In notes.

35,553. Did he tell you what to do with them?—No, not a word. I told him that Bealy Smith wanted 1,500*l.*, and he gave it to me.

35,554. (*Mr. Anstey.*) Was this in the Carlton?—Well, he gave me two sums, and I think the same on both elections.

35,555-6. Was it at the Carlton he gave it to you?—I am just saying I went to the room one morning, and I cannot tell you whether he gave me two sums of 1,500*l.*, one at the first election. I am not very sure that it was not 2,000*l.* at the second. However, it was either 1,500*l.* or 2,000*l.* at the second, and it was 1,500*l.* at the first, and I am not sure which, but one of those sums he gave me standing close to the Carlton, and the other was in at his lodgings.

35,557. Where were they?—It was either in St. James's Street or some street off St. James's Street.

35,558. (*Mr. Price.*) St. James's Place?—Some place; I do not exactly know.

35,559. (*Mr Anstey.*) Is he still a member of the Carlton?—Oh yes, he is.

35,560. (*Mr. Coleridge.*) When did you last see him?—I saw him before our petition was presented.

35,561. (*Mr. Anstey.*) This year?—I think about January.

Mr. Frederick Pitman, sworn.

Mr. F. Pitman.

35,562. (*Mr. Price.*) Do you know anything of this Mr. Thompson?—I know him and I saw him within the last few days, and I was requested by him to state to the Commissioners that he would be most happy to attend and give evidence provided I telegraphed to him to-day. He is in Edinburgh at present, but he will be here on Thursday, and I will telegraph to him immediately.

35,563. (*Mr. Anstey.*) Perhaps you will have the kindness to do it now. Our secretary will do it in your name, if you like.

(*The Witness.*) Will you allow me to send the telegram?

35,564. (*Mr. Price.*) Oh yes.

(*Mr. Anstey.*) For Thursday morning, half-past ten.

(*The Witness.*) I think he could hardly be here in time.

35,565. (*Mr. Coleridge.*) Thursday or Friday.

(*The Witness.*) He could be here on Friday. He told me so.

(*Mr. Anstey.*) If he is here at two o'clock on Thursday we will examine him, if he is not here by then, we will examine him on Friday morning.

Mr. Henry Westropp, recalled.

Mr. H. Westropp.

(*The Witness.*) I gave as well as I recollect 1,250*l.* to my sister-in-law to take to Mr. Tromp.

35,566. (*Mr. Coleridge.*) Did you give it in notes?—No, not in notes.

35,567. (*Mr. Price.*) Just give us the history of that. You got it changed into sovereigns?—No, I did not.

(*Mr. Coleridge.*) No, not on this first occasion.

35,568. Having known at that time what your sister-in-law had done at the former election, you gave it to her to give to Mr. Tromp?—Oh yes.

35,569. By Bealy Smith's directions?—Yes.

35,570. 1,250*l.*?—Yes, and the other 250*l.* I think there was 1*l.* of it that I told Mr. Thompson I should keep. There were some small expenses. I sent the account to Mr. Pitman afterwards. He is here, and he will tell you I sent the account how that was expended; and the other 150*l.*, as well as I recollect, was sent to Mr. Bealy Smith in notes.

35,571. Sent to whom?—Mr. Bealy Smith, in notes.

35,572. What, by post?—Yes, Mr. Pitman and I.

35,573. (*Mr. Price.*) I think we must ask you, where did you get that money from?—

(*Mr. Coleridge.*) Mr. Thompson?

35,574. (*Mr. Price.*) Oh, Thompson gave you that?—Yes; Mr. Thompson gave it to me.

35,575. (*Mr Anstey.*) You were going to say something about Mr. Pitman?—Mr. Pitman and I were coming down to Bridgwater, I think two or three days before the election, and we had got on to the platform at the Great Western, and Mr. Pitman received a telegram from Mr. Bealy Smith, telling us not to go down till the following day.

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35,576. Who was the telegram from?—Mr. Pitman can tell you. I think it was from Bealy Smith. Well I was rather annoyed at this altogether, having made up my mind to travel, and I went home and I found there a letter from Mr. Bealy Smith telling me he wanted 500*l.* more.

35,577. You found the letter as soon as you got home?—I found the letter when I got home telling me that if I did not send it the election was lost and I do not know what. I came to town again. It was late and I saw Mr. Thompson. Mr. Thompson said "I will have nothing to do with it. The first money, "I did not know what it was to be expended in, but "if you come to me and tell me that this was what "of course it evidently must be for, I will have "nothing to do with it."

35,778. Will you repeat that sentence? — Mr. Thompson said "The first money I gave I really "know nothing about, I gave it; but the last, "as you are asking for it in this way, I know its "destination and therefore I will have nothing to do "with it."

35,579. (*Mr. Coleridge.*) That is a bit of Scotch casuistry.

(*The Witness.*) Mr. Pitman and I came down the following day, I think it was, and there was a proposal and all that sort of thing. The following day was the election day, and about eleven o'clock Bealy Smith came running in to me and said "We are beaten." "Well," said I "I am sorry to hear that, it is a nuisance," and that sort of thing. "Have you got," said he, "that 500*l.* that I wrote for?" "No, I have not." "Have you got any money," said he, "Not a farthing," said I. "Humph! the election is lost, that's all," said he. I walked downstairs and there was standing in the room that man Heal, William Heal. He came up to me. "Mr. Westropp," said he, "do you mean to win this election?" "Well," said I, "I hope we shall." "Well," said he, "you had better begin if you do." "What do you mean," said I. "You know," said he, "haven't you brought it down?" "No," said I, "I have not, Mr. Heal." "Well," said he, "I know there are forty men on your side that are here and there," I think he mentioned some of them at the Bull and Butcher.

35,580. (*Mr. Coleridge.*) Very likely.

35,581. (*The Witness.*) "And if you can get me "to them as you have no money they will vote for "me on promise." I knew Mr. Heal's character and I did not trust him. I said "Mr. Heal, I have no "means of getting at these men. You had better "stay where you are, stay in the room, stay quietly," and he remained, and thinking the election was over I went upstairs to my bedroom. Now I know what Robert Bussell swore about my having received a letter and asking about the mysterious stranger and all that.

35,581. (*Mr. Price.*) He said you know this, he said that he went down with a letter; we now know it was from Mr. Tromp, if it was true at all, and he met you. You were going in to Mr. Bealy Smith at the Clarence, and you said "Is that from the friend at the Globe?" and you took it from him and went into the room?—No, I did not, that is perfectly false.

35,582. The whole of that?—The whole of that. It never took place.

35,583. (*Mr. Price.*) This is a very important matter, because if there is any means of confirming that account which you give of that matter we should think it quite worth our while to pursue it further, for the sake of showing that the man Robert Bussell should not amongst his other enormous offences——

(*The Witness.*) There is certainly not the least doubt that I received no letter from him, nor did I ask him about the stranger.

35,584. A friend?—I never knew anything about "a friend" as he called him.

35,585. Did you use any such expression as that?—No.

35,586. Just tell us what took place?—Bealy Smith—I am afraid I must call him Bealy Smith—came up to me and was talking, and when he was talking Robert Bussell came up and stood in the doorway, and said one or two common-place remarks and went away. That is what really did take place.

35,587. There is nobody whom we can get at who can confirm your contradiction of Robert Bussell's evidence on that point?—None.

35,588. (*Mr. Anstey.*) You are aware that the "friend" or "stranger" Tromp was staying at the house of Robert Bussell?—No, I was not aware of it. That is the reason why I could not have asked the question.

35,589. There is no doubt he was staying there?—I daresay he was. That I do not know. Well, I was saying that he said "It is lost altogether," and I said, "Well, I am very sorry for it," and all the rest of it, and whilst I was in the room some one came upstairs.

35,590. (*Mr. Price.*) Did he present a note at all to Bealy Smith?—None that I saw. He may have given it to Bealy Smith outside. I did not see it.

35,591. There is this corroboration of the story. That is followed up by an action on the part of those present, viz., that there is a whip then and there made. It is a story which also implicates you; there is a whip made of 350*l.*, and you were the person who said "I cannot draw a cheque." This is the evidence, you know; I am drawing your attention to that which is the effect of the evidence, "I cannot draw a cheque, "but I will be guarantee if you gentlemen will find "the 500*l.*"?—So far from it, Bealy Smith asked me if I would guarantee it, and I said "I certainly wont," because Mr. Thompson had refused the 500*l.* when I asked him for it.

35,592. (*Mr. Coleridge.*) You did not mean to run the risk of having to pay it yourself?—Certainly not.

35,593. (*Mr. Anstey.*) Are you aware that your name was used in this way?—I forget the name of the tradesman, but one tradesman paid 30*l.*, saying he would pay that and much more for you.

(*Mr. Price.*) "Will you lend Mr. Westropp 30*l.*?"

(*The witness.*) I was not aware of it until I read the evidence given in this Commission.

35,594. (*Mr. Anstey.*) Were you aware that moneys were repaid or paid after that election to persons who were said to have advanced money during the election?—I have read it here.

35,595. Not till then?—Of course I took for granted it was paid. If you will let me, I will tell you exactly how it was.

35,596. I will put it to you in this way, not asking you about anything that took place before the election, but did you after the election, or if you like, on the election day—either the one or the other—understand that payments had been made to persons whose claim to receive them consisted in the fact of their having previously, on the day of the election, for election purposes, advanced sums of money in equal amount?—I did.

35,597. How soon did you become aware of that?—I think about a week afterwards.

35,598. (*Mr. Price.*) Now give us your account of the thing, Mr. Westropp?—I was, as I say, sitting, when—I really forget now who it was came up and said, "Here is some money." I was rather taken by surprise at first, but I took it. I suspected of course what it was for, but it was followed up in quick succession by various sums from different persons, whose names at the time I took down, with the exception of two or three of them, I really cannot recollect.

35,599. (*Mr. Coleridge.*) What sort of sums?—There were thirty, and forty, and five-and-twenty, and fifteen.

35,600. That was the subscription of which we have heard?—Yes, that is the subscription.

35,601. (*Mr. Price.*) 350*l.* altogether ?—Oh, there was more.

35,602. 500*l.* ?—There was over 500*l.* and odd subscribed.

35,603. (*Mr. Anstey.*) Did you also become aware that the moneys so advanced were said at that time to have been the means of turning the election in favour of Mr. Patton ?—Oh, I heard it, certainly. Immediately when I got the money there——

35,604. (*Mr. Price.*) Did you say anything whatever of the kind, because let us have it as specific as possible. Did you say anything whatever to any number of persons assembled or to anybody at the "Clarence," that you would be guarantee for any sum of money raised ?—No.

35,605. Never anything of the kind ?—No.

35,606. Nothing of the kind to induce them to rely upon your guarantee or your word in any way ?—Certainly not. I would not have done it.

35,607. When these sums came in, Mr. Westropp, did you express, or did you make any remark about it to anybody ?—Oh, of course I knew perfectly well what it was for.

35,608. Well, but did you say anything to repudiate any notion that you were to be liable to repay ?—No, certainly not.

35,609. Whom did you hand it over to ?—If you will allow me I will go on. I said, "Now here am I "with this large sum of money. What in the world "am I to do with it ?"

35,610. (*Mr. Price.*) How was it it was handed to you instead of being handed to Mr. Bealy Smith. That is what I want to know, why it was handed to you ?—Well, I tell you candidly that from my known character in the town, I never told a falsehood in the town, and I never in any way owed money and not paid it, and all that, and I think it was as much as anything else on that account.

35,611. Rather than trust Bealy Smith with it ?—I think so.

35,612. They would trust you ?—I think the people of Bridgwater, it may be vanity to say it, but I think at this moment they would trust me with a good deal of money upon my own word.

35,613. You have a right to say so. Mr. Bealy Smith absents himself, has chosen to absent himself, therefore he must take the consequence of anything which is said in his absence. Do you think it was because they trusted you in preference to Bealy Smith that they allowed you to be *custos* of the money ?—I think so, and at the same time, neither by word nor deed did I let it be understood that I would be liable in any way for it.

35,614. (*Mr. Anstey.*) You declined you say to have anything to say to William Heal ?—Yes.

35,615. Because you say you knew his character; how did you become acquainted with his character ?—Well, in the first place, when he came to the Conservative dinner it was contrary to my will. Having been in Bridgwater for a good many years, I knew pretty well the characters of almost everybody here.

35,616. When did you first become acquainted with the character of William Heal ?—From the time I knew Bridgwater.

35,617. All the time ?—Yes.

35,618. You knew it therefore when you canvassed him at the contest of 1865 ?—Yes, perfectly well.

35,619. You are aware that he was employed ?—I am aware.

35,620. In that election ?—I am aware since this Commission that he was employed. I was aware after my election petition that he had been employed, and I was aware that he had taken exactly what he has since acknowledged that he did take.

35,621. You were asked by the Election Committee how often you had seen him ?—I think I had only seen him twice.

35,622. But you knew his character ?—But I knew his character perfectly well; and there was a dinner here in 1864, as well as I recollect, a Conservative dinner, and he was introduced to it I think by a man of the name of Stroud, who has since gone away, and I very strongly objected at the time to his being amongst us at all.

35,623. Stroud was afterwards examined before the Election Committee of 1866 ?—Yes.

35,624. (*Mr. Coleridge.*) You do not agree with Heal's estimate of himself that he is none the worse for what has happened, and anybody in Bridgwater would trust him to any amount ?—I should not trust him.

35,625. (*Mr. Anstey.*) Facts speak for themselves, do not they ? He has been trusted, and is at this moment in a position of great trust by a man who knows perhaps even more about his villanies than we do, Mr. Symmons ?—I cannot account for any fancies that a man may take to another.

35,626. (*Mr. Price.*) Well, go on ?—Well, as I tell you, here was I with this large sum of money, and in came Bealy Smith. Said I, "They have brought me "here 550*l.*," or something of that kind, I think it was, "What am I to do with it ?" I will send presently for it, said he, and you give 400*l.*

35,627. (*Mr. Coleridge.*) Do you know of a man of the name of Batten going over to Robert Bussell to tell them they were to expect money just at this time ?—No, I do not. I know nothing of the machinery that carried it on.

35,628. The after-manipulation you know nothing of ?—I know nothing in the world.

35,629. (*Mr. Anstey.*) Did you know that Bussell was employed ?—At that election ? No, I did not.

35,630. He was standing at the door ?—I did not know who was employed. I knew nothing at all further than I knew perfectly well——

35,631. (*Mr. Price.*) Bussell is a man evidently who will take very good care to let it be thought that he was a man of immense importance wherever he was ?—He is a very clever man.

36,632. That may be, but he takes care to make himself very notorious, and tries to make himself out as of as much importance as anybody in the borough of Bridgwater. Did not you know that he was employed in any way ?—I know that he had been employed.

35,633. As a bribe agent ?—I know from having read the evidence.

35,634. (*Mr. Anstey.*) You know how active he had been ?—I suspected it.

35,635. You knew it ?—I did not know it, except——

35,636. I am talking of your knowledge in 1866 of what he had done at your election in 1865. You knew that after he had been examined before the House of Commons ?—I knew that.

35,637. And he had been so trusted by your party that he had been actually employed during the whole of the nomination day watching the house of Mr. Smith ?—I read it in evidence.

35,638. If you say you know nothing about it, I shall have to put a great number of questions to show that you did know all about him. In the first place you know that Bussell had obtained a bailiff-ship for his political services ?—Yes, I know he was bailiff. I do not know that it was for his political services.

35,639. And you know that when he came before the election committee of 1866, there was no attempt made to deny his agency at your election, but the attempt was made to show that he was doing nothing that was wrong or improper. That was all. His agency could not be denied. Then in 1866 you saw him, you say, himself standing in the doorway. He says he was in the room. You say he came to the door, and stood in the doorway, where you and Bealy Smith were having your confidential conversation. Surely you must have known from that that he was again employed by the party ?—I am perfectly willing to admit it.

35,640. (*Mr. Price.*) Go on, Mr. Westropp ?—He said I must send 400*l.*, and I gave the 400*l.* to a young man who is here now.

35,641. Who is that ?—Mr. Neal.

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35,642. A clerk to Bealy Smith?—He was a clerk to Bealy Smith. He went away, and came back a short time after that as white as a sheet of paper. I said "My goodness, have they taken the 400*l.*?" I thought somebody had seized it. "Oh no," said he, "they have not. It is all right." I said "What did "you do with it?" He said "I gave it to a man "whom I met in the churchyard, and he dropped it "into a big pocket."

35,643. (*Mr. Coleridge.*) Did he tell you who the man was?—No.

35,644. (*Mr. Price.*) Well go on?—Well that is all I know of that election.

35,645. (*Mr. Coleridge.*) What did you do with the rest of the money?—Oh the rest of the money I put into my portmanteau. And that evening we had a dinner, and after dinner Mr. Joseph Smith said to me "You had better give me the money." He had brought me some money. I forget how much; it was a good sum.

35,646. Joseph Smith?—Yes.

(*Mr. Anstey.*) You mean Mr. Joseph Richard Smith, the ex-pawnbroker?

35,647. (*Mr. Coleridge.*) When had he brought you that?—During the day.

35,648. It was a part of the subscription?—Yes. And I said to him "Yes," and I came in. I forgot how much I gave him, but I reckoned it out to him.

35,649. Something over 100*l.*?—Yes.

35,650. Was it all that you had got?—Yes; indeed it did not quite make up the money, because I had four or five pounds to put to it.

35,651. (*Mr. Anstey.*) Before you go to the next election, Mr. Westropp, I want to understand you clearly about that dinner at which you met Mr. Patton. How many were present?—Mr. Spofforth, Mr. Patton, and I.

35,652. What were you to do? I do not understand. Why did you meet with him?—I had never seen Mr. Patton before, and Mr. Spofforth brought him there to introduce him to me, because, of course, having been such a length of time in the borough, and knowing more about it than anybody else, he introduced me to him.

35,653. For what purpose? I do not understand?—Nor do I. There was no particular purpose.

35,654. He began to converse about the borough and you told him, of course, all that was fresh in your recollection. Well, then did you tell him that it was a most corrupt borough, being so then, at all events, in the time of the old constituency?—No, I did not, and I never mentioned——

35,655. It being then, at all events, at the time of the old constituency, did you tell him that there was a great number of voters who expected to be bought?—No; I never mentioned to the poor old gentleman one single word connected with the monetary business of the borough.

35,656. But you saw that he wanted to start for the borough?—Yes, I did.

35,657. Do you mean to say that you allowed that "poor gentleman," as you most properly called him, to go down to the borough without one word of information which in his case would have been a word of warning?—I never said a word of money matters directly to him, licit or illicit.

35,658. Did you allow him to go down in perfect ignorance of the state of things without one word of warning?—Yes.

35,659. Well, you had your own notions of what was right or not. I presume you came to the conclusion that Mr. Spofforth had sought the meeting for the purpose of your giving him useful information?—I could not suppose for one moment that Mr. Spofforth would bring me to speak to a gentleman about illicit expenditure.

35,660. Did not you think Mr. Spofforth had brought you there for the purpose of putting him on his guard?—I did not think it was for that purpose. I certainly should not say anything.

35,661. Your thoughts seem to be running in a direction which is quite counter to the direction in which my questions point. I am speaking about warring against illicit expenditure. I will put the question to you again. Did you suppose, or did you not suppose that Mr. Spofforth and Mr. Patton wished to know amongst other things whether there was any danger of Mr. Patton's being called upon for expenditure for illicit purposes?—No, certainly I did not.

35,662. You did not?—No.

35,663. And you avoided altogether giving him any information on that point?—Had he asked me I should have told him exactly the state of the case. He did not ask me, and, therefore, I said nothing to him about it.

(*Mr. Anstey.*) Now I have got an answer.

35,664. (*Mr. Price.*) Mr. Westropp, if you had been asked, I suppose, to meet a friend there, a person whom you had known before and to whom it would have been a serious question whether he should spend a great deal of money or not, you would then have considered yourself bound, I suppose, to tell him?—Of course with an intimate friend one would talk upon many subjects which you would not do with other people; but most assuredly I should doubt very much if I was talking to a man who wanted to get into Parliament whether I should say a word about expenditure, because if he were to go in and knew that there was bribery going on, it might be alleged against him that he went in with the full knowledge, and, therefore, concurrence in it.

35,665. (*Mr. Anstey.*) Was there anything said then, or after this or about that time,—about a place being made or kept for you in the next Parliament?—Never.

35,666. Did you not contemplate standing again when there should be a new Parliament?—I did.

35,667. For Bridgwater?—I did, but I never for one moment contemplated that Mr. Patton was to go in and keep the place.

35,668. No, no; I said "kept" or "made." There are two seats, you know?—Yes.

35,669. Was anything like an arrangement—it is a word you do not seem to like,—but was there anything like an arrangement or understanding, or anything of the sort, that as soon as that Parliament was at an end, and thereby your incapacity was gone, you should be at least one of the Conservative candidates?—None whatever.

35,670. For Bridgwater?—None whatever.

35,671. But it was your intention that you should become one of them?—Yes.

35,672. Notwithstanding your experience of the election of 1865 and the election trial of 1866?—Yes.

35,673. (*Mr. Price.*) And there was, therefore, nothing whatever either passing from you to Mr. Patton, or from Mr. Spofforth to you, in any way which could lead up to the idea that Mr. Patton was to go down there to be a kind of warming-pan for you till you were ready?—Certainly not.

35,674. Because that would be,—I need not point out to you, a very serious thing indeed?—Nothing in the world, I assure you; nothing of the kind.

35,675. (*Mr. Anstey.*) It was known in Bridgwater that you meant to stand again?—No, I do not think it was. They sent a deputation to me.

35,676. A number of witnesses said——?—Well, they gave me a requisition afterwards, when I came down with Mr. Patton. Then I said if I found circumstances would allow, I would stand again, but I did not give an unqualified pledge.

35,677. Well, that was the intention?—In my case it was a perfectly true thing. It was not saying "Do "not bribe when you mean to." There was a real bonâ fide doubt whether I would stand or not.

35,678. You said you had an intention?—Under certain circumstances.

35,679. And a number of witnesses have said that that intention was known—was understood in the borough, and I suppose it must have got out in some

way or other—that you did so intend?—Oh, I daresay.

35,680. (*Mr. Price.*) Well now, go on, Mr. Westropp, with the next election. I do not know whether it is a convenient time to ask you this, but I want very much to ask you some time or other, perhaps you may as well tell us now. It cost you 7,000*l.* up to the time Mr. Patton came down here. This borough did?—No; that is the amount of the expenses, but I did not pay them, a great many of them, till after then.

35,681. Very well; but I mean it has cost you, that is enough for us?—Up to the last election.

35,682. It has cost you 7,000*l.* What the last election cost you as well. I do not inquire now into that, but it had cost you up to that time when Mr. Patton came down, you now know, as you have estimated it, 7,000*l.*?—Yes.

35,683. Had you then, or have you now, any reason whatever to believe that any portion of that 7,000*l.* beyond the sum that Heal is known to have embezzled, and has confessed himself to have embezzled, and Newton also, and perhaps Truman, about whom there is some suspicion, but with the exception of those three cases, have you any reason to believe that any portion of this large sum which you were called upon to give—of course that which is under the control of yourself, your annual subscriptions is another matter—but beyond that, that any other sum of money has stuck in any way to the hands of Mr. Bealy Smith, whom you have employed?—No; I have no reason in the world to suppose it, none in the world. I paid the money to him.

35,684. What you paid in the way of annual subscriptions you had a certain amount of check upon?—Yes.

35,685. But when you found 1,500*l.*, and he wanted 500*l.* more, when you found 1,500*l.* again, or rather Mr. Thompson did, and then another 500*l.* was wanted, have you any reason to suppose, from these constant demands, that Bealy Smith put any of that into his own pocket, or that any went into the pockets of persons employed by him?—I should say not. I am perfectly convinced that when he left this place he was a very poor man.

35,686. (*Mr. Coleridge.*) When did you last see Bealy Smith?—The night before he sailed for Australia.

35,687. Did he apply to you for assistance?—No; he came in perfectly mad.

35,688. With his wife?—No; he told me he had just parted from her. He said, "We have been to "the theatre," the night before "we have just had "dinner at the station; I have sent her off home, "and I am going away to-morrow."

35,689. Did you send him any money?—No.

35,690. Has he written to you for any?—He has written to me once to tell he was at Melbourne, and that he was seeking employment.

35,691. You in no way assisted him?—No.

35,692. Either directly or indirectly?—

(*Mr. Anstey.*) Did you say just now that he was a very poor man?—I think so.

35,693. Would not a very poor man, who was also not a very scrupulous man, be very likely to intercept money which he was not called upon to account for?—If I was asked my belief, I really do not believe he did.

35,694. You are aware, of course, that you could not get the money back from him, as you had put the money into his hands for an illegal purpose?—Well, I don't know about the legal right. I have lost many a pound by not actually enforcing my rights.

35,695. (*Mr. Price.*) You have no reason to believe that the money was stopped by him, or that he had his own ends to serve in making these additional demands?—No.

35,696. (*Mr. Coleridge.*) What did you pay him for his services in 1865?—Pay whom?

35,697. Bealy Smith?—I do not know. I paid, as I said, 7,000*l.* altogether, and I really don't know. I can hardly tell you.

35,698. Do you know what Mr. Patton paid?—No; I had nothing to do with the expenses of Mr. Patton's election further than this, that he told me what sums I was to get. I got them from Mr. Thompson, and directly they were got they were passed on.

35,699. (*Mr. Anstey.*) Cannot you tell me how much Bealy Smith got out of that whole sum for your election in 1865?—I cannot tell you in the least. I can tell you how much I paid him, and there was in it the petition expenses and subscriptions and things that I used to give, for I did not give a farthing from the time I was elected until I was turned out. He paid any subscriptions that might be going on in the town, and what he said was the election expenses. I paid altogether,—it cost 7,000*l.*

35,700. Altogether what?—Altogether, from first to last, my connexion with this borough up to the last election cost 7,000*l.*

35,701. If you cannot tell me the exact sum that Bealy Smith got, perhaps you can tell me what portion of the 7,000*l.* you set down for expenses of the same kind as the remuneration of Bealy Smith would be. You call them, perhaps, "professional men's expenses," or something of that kind?—Here is my banker's book, and if you will allow me I will just tell you exactly the sums that were——

35,702. (*Mr. Price.*) What my brother Commissioner wants to know is this: whether you can give any clue, the whole sum you have given us—no doubt your banker's book would show how much you have drawn; what we wish to know is whether you have any item or any heading which will show what was paid in the shape of expenses to legal gentlemen?—Not in the least; he never gave me any account. I am obliged, of course, to prove everything to your satisfaction, but to prove that I did not know, I may say that there was a testimonial given to Mr. Lilly, to which Mr. Vanderbyl had not subscribed, and there was a letter sent to me by Mr. Gabriel Poole asking me to subscribe, and I got a letter from him subsequently, saying that he was very sorry, as I had lost so much in the borough, that a request had been made to me for a subscription, and I wrote a letter back to him to say——

35,703. That has nothing to do with it?—I said I was not aware; that I had never had an account furnished me, and therfore I was not aware of what I had lost.

35,704. Nobody suspects Mr. Gabriel Poole of having taken part in any election except giving his own vote. I wish you would attend to my questions. You are wasting a great deal of valuable public time by your habit of running off into one groove when I am directing you, as I said before, into another groove. I will take it point by point. Bealy Smith got some remuneration, did not he?—Yes, he did.

35,705. And he paid himself?—I suppose so.

35,706. When did he pay himself? I am speaking of the election of 1865. When did he pay himself for that election?—I cannot tell you when he paid himself, but the last sum that I paid to him for that election was the 23d November 1866 when I paid him 240*l.*

35,707. But you had made payments to him before that?—I had made payments to him before that.

35,708. The first payment being the 500*l.* in sovereigns?—Yes, if you call that a payment. Well then, as well as I recollect (I put them down this morning.) I sent him 700*l.* in notes; I sent him 100*l.*, 50*l.*, 250*l.*, 150*l.*, 330*l.*, and 240*l.*

35,709. (*Mr. Price.*) Did he never render you any account which will show how much he put down for himself for his own services as your agent?—Never; he never rendered an account at all.

35,710. (*Mr. Anstey.*) How did you know that he paid himself?—I cannot tell you that he did.

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35,711. You have told me?—Pardon me; I said I supposed he did. I cannot tell you that he did.

35,712. You meant that he should; you never intended him to give his services for nothing?—He said he never would ask——

35,713. That is no answer to my question. Did you mean when you employed him as your agent to do all these things,—did you mean it to be gratuitous or did you not?—He said he never would.

35,714. What did you mean?—I should have given him a present afterwards.

35,715. Well, call it a present. I will re-commence my examination if you like, and use the word "present" all through instead of remuneration?—It is perfectly unintentional. I know you are a very straightforward man, and I wish to be straightforward in my evidence.

35,716. You know perfectly well that a present, under such circumstances, is the same as a remuneration. I must go back again. Did you make Bealy Smith any present at any time?—No, I did not.

35,717. Did you intend to make him a present?—No, I did not, after the sums of money which he charged me.

35,718. Then he did charge you with money?—He charged me with money.

35,719. Did you understand that the moneys with which he charged you included moneys of an amount equivalent to that which you would have given him in the form of a present if he had not charged it?—No, I did not.

35,720. Then I do not understand your answers. You meant originally to give him a present; you did not give him a present because of the amount of money charged?—I thought there was a great deal of money spent at the election, and therefore I did not give him a present.

35,721. You thought he had paid himself?—I took it for granted.

(*Mr. Anstey.*) Therefore you ought to have told the Chief Commissioner just now that you had some reason to believe that some of the money had stuck to his hands.

35,722. (*Mr. Price.*) It comes back to that. I am sorry I did not make myself understood by you. My question was this, whether you had any reason to believe that Mr. Smith paid himself out of that money. You now say that having that belief you did not give him a present which you would otherwise have given him. There is no doubt he did pay himself, but you cannot tell what amount he paid?—Supposing he paid it to a number of others.

35,723. I am sorry I could not convey it to your mind?—I have not perhaps such a legal mind as yours.

35,724. We want to know whether you have any reason for supposing that out of this large expenditure Bealy Smith stuck to any money for himself. You said you had not. Now it turns out that you had the best reason for believing it, because he, having spent such a large sum of money, you did not think it necessary to make him a present?—If you make that inference.

35,725. (*Mr. Anstey.*) You told the Committee of the House of Commons, through the counsel, Mr. Powell, who was cross-examining you, when you were asked a question about the remuneration of the lawyers, "Upon my honour as a gentleman I can say no more "than that I have neither paid nor agreed to pay "anything, and I believe I am not to pay one shilling "to them. I can say no more than that." Then the counsel applying his question to all the lawyers, says, "Am I to understand that all these gentlemen were "out at the time that you have mentioned, and you "have paid them nothing for it? *A.* Decidedly no. "*Q.* What you may be called upon to pay of course "you do not know? *A.* I do not believe I shall be "called upon to pay anything. *Q.* I believe it is "usual for the agent, as Mr. Bealy Smith, to charge, "is it not? *A.* I have nothing at all to pay Mr. Bealy "Smith. *Q.* But he was your agent? *A.* Yes. "*Q.* Have you returned any charge in your election "expenses for Mr. Bealy Smith, your agent? *A.* No, "because I am not going to pay him anything. "*Q.* Now, without having any communication about "the matter with Mr. Bealy Smith, do you mean to tell "the Committee that you do not think Mr. Bealy "Smith, your election agent, is going to charge you "anything? *A.* Upon my word, I do not think he is. "*Q.* You have never had conversation with him "upon the subject? *A.* The only thing I have had "in the way of professional business with Bealy "Smith was when I gave him my address, and "told him to wait until Mr. Kinglake's address "was published. And directly it was published "the address was to be sent to me, and on the "receipt of that I said I would come down. *Q.* Is "it on that ground that you are not going to be "called upon to pay him? *A.* I think so. *Q.* I "hope you will not be disappointed. *A.* I hope that "all our expectations may be realized." I ask you, Mr. Westropp, whether these answers of yours to the questions which I have read of the 18th of April 1866 contained a true, complete, and candid statement of the pecuniary relations of Mr. Bealy Smith to yourself, after the statement which you have made to us of your intention, of his charges, and of your payments?—I had an intention—I had a general intention of giving him a present, but I certainly had not made any arrangement to pay anything to him, nor to anybody else directly or indirectly. There was no charge.

35,726. (*Mr. Price.*) Was it the largeness of the sum you had to pay eventually for your election expenses which determined you to change your mind with regard to making Mr. Bealy Smith a present?—Yes, the largeness of the sum.

35,727. At the time you gave that evidence I suppose you had not had the sum total of your expenditure present to your mind?—I will give you the dates; the first is the 18th of April, the next is the 2d of May, the third is the 23d of May.

35,728. Then you would be in this position that at that time you say you intended making him a present, and would have done so but for the large bill he sent in, or the large expenditure which you were at at that time; you might well have contemplated making him a present, yet you stated to the Committee of the House of Commons you had no intention?—No, I had no intention at the time; in fact I did not know what way the accounts could be furnished.

35,729. (*Mr. Coleridge.*) Now go to the second election of Mr. Patton?—Between the first and second——

35,730. About a month elapsed?—On the 7th of June Mr. Bealy Smith made two claims upon Mr. Patton; I forget either sum, but they were very large, and my own impression is that Mr. Patton's first election cost very close upon 4,000*l.* I may be wrong, because I never kept an account, but that is my own impression.

35,731. (*Mr Price.*) How did you make that out, because 1,900*l.* is said to have passed through the hands of the bribery agents here. Mr. Temblett, I think, told us that amount, how could you make up the difference between that and 4,000*l.*?—I will tell you what made me think so; it may be 950*l.* less, but I have been trying to recollect it, and I have got some idea floating in my mind that there were two sums of 950*l.*

35,732. (*Mr. Coleridge.*) Two claims on Mr. Patton?—I know there was one claim of 700*l.* besides.

35,733. (*Mr. Price.*) Made by Mr. Bealy Smith?—Yes.

35,734. Did Mr. Patton pay them?—Yes, it went through my hands, but it was either a certain sum which I imagined to be 4,000*l.* or something near it, or it was 4,000*l.* minus 950*l.* which I did not receive; a second sum of 950*l.*; but Mr. Thompson when he comes before you——

35,735. You had it all through Mr. Thompson?—Yes, and if he came and said I received two sums of 950*l.*, I should say "Yes."

35,736. (*Mr. Price.*) The importance of it will be very great in this way, that whereas as far as the account given of bribing is concerned, we have not had accounted to us for more than 1,900*l.* at the election, therefore if any demands are made up afterwards, making it up to 4,000*l.*, a large sum has been stuck to?—I am perfectly convinced that there was a sum of 950*l.*

35,737. (*Mr. Coleridge.*) Do you happen to know from Mr. Thompson where he obtained the money?—Not the least.

35,738. (*Mr. Price.*) That is your impression at all events?—As I told you, it is either 4,000*l.*, or if Mr. Thompson were to say to me, "You received two "sums of 950*l.*" I should say, "Yes, I did," or if he said, "It is only one," I should say, "That is it," too. I am really in doubt.

35,739. (*Mr. Coleridge.*) Assuming it is only one sum of 950*l.*, when and how did Mr. Thompson pay you that?—In notes, all.

35,740. But when and how?—Just after.

35,741. What did he say to you?—I asked him for it. The way was this—any accounts that were settled were settled by Mr. Bealy Smith, with whom I did not know, and Mr. Bealy Smith said, "Will you "send me the money;" and I applied to Mr. Thompson. Mr. Thompson gave me the money, and I sent it. I had nothing whatever to do with the arrangement as between Mr. Smith and Mr. Patton, nothing. The next election, I think it was Mr. Thompson said there was a great deal too much money spent at the preceding election, and as well I remember, Mr. Smith told me that he had agreed for 4,000*l.* for the election, that it was to cost no more.

35,742. (*Mr. Anstey.*) That who had agreed?—That he had agreed, he did not say with whom, for 3,000*l.*

35,743. (*Mr. Coleridge.*) Mr. Thompson told you that?—No, Mr. Smith told me 3,000*l.*

35,744. (*Mr. Price.*) Now I ask you this, you had been introduced to Mr. Patton in the way you have told us, and you had to a certain extent assisted him by encouraging him by your presence here, why was it necessary for you, he having secured his election at that time by the means you have told us, to have anything to do with his re-election?—I will tell you. I thought I had been very badly used, because I was perfectly well aware that there never had been an election without some money going on, and at that time I knew, it was after I came to know the whole *modus operandi*, and I thought, having beaten them with their own weapons, the least they could have done was to have allowed me to stay in. I acted very foolishly, and I am very sorry I did it. Only to show my sorrow for it or at least my annoyance at the last election, I said nothing would ever tempt me to have anything to do with it again. It brought on so much falsehood and deceit that I was perfectly disgusted with it. Why I did it was a sort of madness that came over me. Having turned me out, I did not choose for them to have the seat if I could prevent it. After that election Mr. Bealy Smith came up to town, as I told you, and he told me he had arranged for 3,000*l.* with some one whom I did not know.

35,745. (*Mr. Price.*) Did it never occur to you or to any one of your party, or to Mr. Patton; one does not say more than one can help about poor Mr. Patton, but one would have thought it would strike any man coming down here with you who had been unseated for bribery, that it was rather a dangerous thing?—I cannot say anything about that. But, however, when Mr. Bealy Smith came up to town, I got, I am not very certain whether it was 1,500*l.* or 2,000*l.* from Mr. Thompson then, it was either one or the other; however, suffice it to say, I went with it to the Bank of England and changed it into gold, and I brought it down and put it into a box that had had chocolate in it, one of those flat boxes, and handed it to Mr. Bealy Smith.

35,746. Why did you take it to the Carlton?—I will tell you, it was in bags, and another club to which I belong is the Union, and the dressing-rooms of the Union are directly opposite upstairs where the servants are, on the contrary, at the Carlton the dressing-rooms are underneath, looking into the street, and there you are perfectly quiet, no one can come near, and that is the reason I did it.

35,747. But you could have locked the door always?—Yes, only at the Union I must have run the risk of being heard.

35,748. (*Mr. Coleridge.*) Then you went there and took it out of the bags and put it into the chocolate box?—Yes, into the chocolate box.

35,749. Who handed it to Mr. Bealy Smith in the cab?—I handed it to him.

35,750. We have heard something of your standing on the steps?—I think Mr. Lilly was mistaken; whether Mr. Bealy Smith was standing by the cab or not I do not know, but I am perfectly satisfied that I handed it to him.

35,751. (*Mr. Anstey.*) What did you say?—Nothing in the world; he knew well enough what it was.

35,752. You are quite sure that there was nobody out of livery?—Not that I saw.

35,753. Let me finish; you are quite sure there was nobody out of livery who carried it out into the room?—Perfectly certain of that.

35,754. And you were not standing on the top of the steps at all, but at the cab?—I walked down the steps.

35,755. Then you did not stand there?—No.

35,756. You gave it into his own hands, and then he drove off?—Well whether Mr. Smith was standing at the cab or not, and whether he handed it to anybody, it being very heavy—you know it weighs nearly 34 lbs.—whether he got into the cab, and then got someone to hand it to him, I do not know; but I did not stand at the cab, but walked away.

35,757. Then was anything said either by them or by you on that occasion?—Well, there was.

35,758. What was it?—Mr. Bealy Smith said, "We shall win."

35,759. Was he in the cab when he said that?—I do not think he was in the cab, because I walked away directly after giving it to him, and then it would be inferred that I gave it to him in the cab.

35,760. What Mr. Lilley's motive could be for concealing such a material fact as that I do not know, but he has given a totally different story?—I do not know how that is.

35,761. Whilst the money was in the Carlton Club had you any conversation there with anybody about it?—Certainly not.

35,762. Did anybody ask you anything about it?—Certainly not.

35,763. No joke?—No, nobody knew it; not a soul. I am certain nobody knew it.

35,764. Then go on?—That is all I can tell you about that election.

35,765. Did you not come down?—No, I went to Ireland.

35,766. By whose arrangement did the two ladies go to Weston-super-Mare?—That was my election.

35,767. You did not come down at all at that election?—No, I went to Ireland.

35,768. Did you see Mr. Patton between those two elections of 1866, between that election and his coming down a second time?—Yes.

35,769. Did he tell you he had discovered there had been a good deal of expenditure?—No, he did not.

35,770. Did he express anything like disgust or anger at the expense he had been put o?—To me?

35,771. Yes?—No, he never spoke of it, and knew nothing of it, I am perfectly convinced.

35,772. Do you remember what he said to you?—He said very little to me more than good morning, or something of that kind. Where I saw him just to speak to him in that way was on one of the staircases at the Carlton, coming down stairs. Then, if you will allow me, there is something here which will assist you,

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and I know that you are anxious to be informed there was a petition threatened at that election, and I have some correspondence here that perhaps would be useful. I was in Ireland, and on the 22nd July I got this paper. It is a paper from Mr. Bealy Smith to Mr. Pitman, and it contains some very monstrous demands.

35,773. What is the date of it?—Bridgwater, 19th July 1866.

35,774. And signed by Mr. Bealy Smith?—"Very "faithfully yours, R. Bealy Smith," directed to "Fre- "derick Pitman, Esqre." He says here, "Dear Sir, "a meeting of the heads of the party was held yester- "day afternoon, and it was unanimously resolved "that, while on the one hand every attention and "respect should be paid to the wishes of the Lord "Advocate, yet on the other, it was of great impor- "tance to keep up the position of our party in the "town. This can only be done either by a diligent "prosecution of this petition, or by making all our "partisans quite satisfied so far as the recent contests "are concerned, and by obtaining assistance from the "present Government in appointing a sufficient num- "ber of new justices of the peace, to outnumber those "who have been appointed by our opponents, and in "the distribution of some of the patronage in their "hands in favour of the Conservative party in the "town. There is a very strong feeling in the town, "encouraged, doubtless, by the Lord Advocate's "parting address, that a petition should be presented. "The signature thereto and recognizances have been "arranged, and I am quite satisfied that there would "be a liberal subscription to prosecute it to the "utmost, and evidence to support it would not be "wanting. Indeed, a great many people are in favour "of an inquiry and a partial disfranchisement of the "borough rather than allow the Liberal party to ride "in tyranny over the town. The meeting, however, "desire to consult the wishes of the Lord Advocate, "and if I receive your assurance that his Lordship "will use his utmost exertions to cement the party "here by giving us the means of making a liberal "settlement with all parties for the last two elec- "tions, and by obtaining a sufficient number of justices "appointed and a fair share of the patronage distri- "buted, I think the party generally will be satisfied, "because they will then believe that a fair oppor- "tunity is open of winning at the next election both "seats, and thereby maintaining the status of the "town. If you desire to see me upon the subject "of this letter, I shall be prepared to meet you in "London either on Monday or Tuesday next, but I "should receive your reply at latest on the morning "of the latter day. These are the opinions of the "heads of the party, and I write at their request."

35,775. (*Mr. Coleridge.*) Of your own knowledge can you tell us who the heads of the party are who are there referred to?—Certainly not.

35,776. You know the place so well, can you tell us who you supposed were meant by the heads?

(*Mr. Price.*) By whose authority could he pretend to write in that way?—I should say in the first place perhaps his uncle, Mr. Lilly and all the solicitors, Mr. Boyle was not here then.

35,777. (*Mr. Anstey.*) All the solicitors?—Yes, I should say so.

35,778. (*Mr. Coleridge.*) All the Conservative solicitors that is?—All the Conservative solicitors.

35,779. Including Mr. Gabriel Poole?—No, he never took any part.

35,780. (*Mr. Price.*) That sort of letter would have been written, would you judge, after consultation with the Trevors and Mr. Brice?—I should say so most decidedly if asked to put an interpretation upon it if it be true.

35,781. Exactly?—I do not mean to say it was true or had taken place.

35,783. But my learned colleague rather wanted to know whether you had any reason for supposing that Mr. Smith was ever made the mouthpiece?—Certainly I did.

35,784. Of the party?—I did certainly at that time, 1865 or 1866.

35,785. That he was the mouthpiece of the gentlemen?—I do think he was the leading man then.

35,786. That is another thing; a man might make himself a leading man, as Robert Bussell might suppose himself to be, for a short time, but the question is, whether Mr. Smith was in a position to be mouthpiece of the leading men of the party expressing their sentiments when he wrote that letter?—If you ask me my opinion I should say he was.

(*Mr. Coleridge.*) Is either Mr. Brice or Mr. Trevor in Court?

Mr. W. Brice.

Mr. William Brice recalled.

35,787. (*Mr. Price.*) You heard that letter read?—Yes, it is a pure fabrication from beginning to end.

35,788. (*Mr. Coleridge.*) Was there any such meeting at all?—Never.

35,789. (*Mr. Price.*) Any consultation between the heads of the party that could possibly justify Mr. Bealy Smith writing in that tone to Mr. Pitman?—Not to my knowledge, and I do not believe it either.

35,790. (*Mr. Anstey.*) You will not answer for such a leader of the party as Mr. Lilly or Mr. Veysey?—Mr. Veysey was never consulted.

35,791. But I am speaking of this demand, which in any view of the case is a most infamous demand whether warranted or not warranted; therefore you understand I am not saying who was or not consulted, I know what I think about it; but you say the heads of the party were not consulted?—I do.

35,792. But Mr. Westropp has put his own meaning on "the heads of the party" by including amongst them Mr. Bealy Smith, Mr. Lilly, and *inter alios* Mr. Veysey, because he says all the solicitors except Mr. Poole. Now it is just possible is it not, that such a demand as that may have been got up between Mr. Bealy Smith and those other two persons Mr. Lilly and Mr. Veysey?—Yes, possibly, not to my knowledge.

35,793. (*Mr. Coleridge.*) You do not know of such a meeting?—No.

35,794. (*Mr. Price.*) Would such a thing as that be a sort of thing if true that would have been likely to have been discussed at the Bridge Committee?—No, the Bridge Committee is about a hundred people.

35,795-6. Where then would it be likely?—It would be at a private meeting, if anywhere. As I said before I was not friendly with Mr. Bealy Smith.

(*The Witness.*) I should state that at this election Mr. Bealy Smith told Mr. Trevor and myself that money was short, and instead of getting 50*l.* we got only 35*l.* or 40*l.*

35,797. (*Mr. Price.*) Had you the least idea that there had been 4,000*l.*?—No, not the least idea. I never received but 40*l.* in my life.

35,798. (*Mr. Anstey.*) Was that paid for the 1865 election?—One fee, 1865 and 1866.

35,799. When?—After the election of 1866.

35,800. But your charge was made before?—No, none.

35,801. But you expected it?—Yes, I expected 50*l.* At Mr. Padwick's election, I should tell you, that Mr. Richard Smith then came and said he agreed to "no cure no pay," and we abated our fee to make up a fee for him on that occasion.

35,802. (*Mr. Anstey.*) While you are there, I may ask whether I correctly represented you in your absence yesterday. I asked Mr. Gray whether you had informed him that the tavern bill at Mr. Leaker's was unpaid, and he said, yes, you so informed him, and that he wrote back simply that it ought to be paid, but he denies that you afterwards informed him that Mr. Leaker was pressing for it, and that there was not money enough to meet it?—What I stated in my evidence I repeat, that Mr. Leaker was

pressing me; he came to me frequently for his bill. That is not the bill in reference to the election, there Mr. Gray is making a mistake, but there was a bill sent in by Mr. Leaker to the election auditor, which bill he paid then. There was a subsequent bill in reference to the petition, which is the bill now unpaid.

35,803. That is what I understood?—Mr. Leaker came to me, and said "This bill ought to be paid, it has nothing to do with the election." And I said "I think so too."

35,804. And you wrote to Mr. Gray?—I wrote to Mr. Gray.

35,805. To that effect?—I did.

35,806. I rather took upon myself in the absence of my notes to quote your words, which I think were "hanging fire"—that Mr. Gray was willing, but Mr. Westropp was hanging fire?—I did.

35,807. Did you obtain the information to that effect from Mr. Gray?—No, that was the conclusion I drew from Mr. Gray's reply to me, which was this: I wrote and told him the bill ought to be paid, as it had nothing to do with the election. Mr. Gray wrote back that he thought so too, and would write to Mr. Westropp, and then not receiving the cheque, I inferred that he was under the impression that there was money here to meet it.

HENRY WESTROPP, ESQ., recalled.

Mr. H. Westropp.

35,808. (*Mr. Coleridge.*) Now you have another letter to read?—I did reply to that letter; do you wish me to read it?

35,809. Yes, if you have your own reply?—This is written on July 22nd. "My dear Bealy, I received "yours of the 20th this morning. As this letter "will reach you on Tuesday morning just before the "last opportunity of forwarding a petition, and as "I learn from your letter to Mr. Pitman that all is "quite prepared at Bridgwater, I would suggest a "few considerations to the heads of our party. I shall "be very pleased if you would take counsel with "them in whatever way appears most desirable to "you. Perhaps it is not for me, in a matter where "the lasting interests of our party at Bridgwater "are concerned, to oppose my own judgment to that "of a number of gentlemen living on the spot, and "therefore more conversant than I with the interests "of that party, especially as my opinion may be "considered biased by personal motives and feelings; "but I would ask, in the event of Mr. Patton's non-"acceptance of the alternative for the petition as "expressed in the letter to Mr. Pitman, what is to "be done? If nothing, where will our party be sup-"posing Mr. Pitman does not reply by Tuesday "morning. How are you going to act after having "turned me out for bribery, and after the very men "thus acting having, as we know and can make "appear, done the same thing at both this last "election and that of June 7th, is it unlikely that "the presenting a petition would drive them into a "compromise for next election. My impression is "that an exposure of the conduct pursued by the "Liberals at the last election would effectually "shatter their party for a very long while, as it "would destroy their agreement and falsely insisted "upon prestige for purity. Supposing even two "seats won at the next election,—a very great "stretch of imagination—can it be supposed that "then there would not be a petition? We all know "how those seats must be gained, and that petitions "are not very difficult. These are points which, in "my idea are well worthy of being considered before "the abandonment of the petition is resolved upon, "and though last not least is the consideration that "supposing all sought from Mr. Patton to be granted, "and put into execution, the patronage of the Govern-"ment will naturally be given, will it facilitate the "finding two candidates, or even one at the next "election with all the requisition for winning, things "remaining as they will then appear on the surface, "37 majority for the Liberal candidate,—a petition "threatened,—a bribe produced on the hustings, "stated to have been given by the Liberals to a "Conservative voter—and after all this no pro-"ceedings taken, a very lame and impotent con-"clusion." I then had a letter from poor old Mr. Patton of the 24th July, "I awaited your arrival "with a view to aid you in certain matters in con-"nexion with Bridgwater," this was the appoint-of magistrates, "but I have received a communication "from Mr. B. Smith of a character which precludes "me from further interference; if not immediately "corrected, I shall be in Edinburgh, where any "communication addressed to me at No. 30, Heriot "Row will reach me."

35,810. Did you answer that?—No, I do not think I did, I forget.

35,811. Did you write again to Mr. Patton?—Subsequently I did. Then on the 25th July Mr. Bealy Smith again wrote to me to tell me the letter which I had written on the 22nd July was in fact nothing, and writing me a humbugging letter.

35,812. Have you it?—No, I have the letter he has written to the Lord Advocate himself, in which he says, "A meeting of the heads of the party has "been held to-day, and the subject of the petition, as "well as of your letter of the 23d instant, has been "brought under their consideration. They have de-"termined to fall in with your views, and no petition "will be presented. For your kind assurances of "assistance, with reference to the justices and the "patronage of the Government, I am desired to "tender to you their warmest thanks. In these "matters the party throw themselves entirely upon "your kind consideration."

(*Mr. Price.*) Bear in mind that is the 25th July 1866.

35,813. (*Mr. Coleridge.*) Then the petition was dropped?—Then the petition was dropped, and I went over to Ireland, and in consequence of finding how matters were going on at the last election, after all their promises to me and asking me to stand again, and all this sort of thing, I made up my mind.

35,814. (*Mr. Price.*) What were those matters?—Why, seeing that there were 26 men, I think, who put down their names as ready to support me through thick and thin, and I found them voting for Vanderbyl and Bagehot, I found there could be no faith placed, no certainty; and, as you may see by my letter here, although I have mentioned my determination I was very undetermined in my mind even then as to how to act, and I went to Dublin. I do not know whether you have heard of the late Judge Dobbs, my brother-in-law?

35,815. A judge of the Landed Estates Court?—A judge of the Landed Estates Court, and he and I had a consultation, and he perfectly well knew my anxiety to get into Parliament was nothing more than an occupation, that there was nothing to gain, and he begged me, for God's sake, to have nothing to do with that place at all. I then came up and waited on Mr. Spofforth. I thought it would be right to tell him, in case anything afterwards occurred, if he wanted to look for a candidate he would find the coast perfectly clear, and I went to him, and curiously enough whilst I was there in walked Mr. Lilly and Mr. Smith, and I then told them I would have nothing to do with the place again, and Mr. Smith was rather angry with me for it, and all that sort of thing; and I at once sat down to write an address, and it began, "In consequence of the results of the last election." And Mr. Smith said to me immediately, "Do not do "that, that will be ruin to our party; do not injure "the party." And he then copied this out; "From "the circumstances which have occurred,"—"Well," says I, "that will not do; they may put that down

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"to me or 50 things, and I will not do it. The real "thing is, I am not satisfied with the results of the "election and will not stand again;" and I then turned to and wrote a parting address to the people and sent it down to Mr. Lilly to have printed off. I dare say you have seen it.

35,816. No, we have not seen it; we have heard of it?—It began, "Gentlemen, In consequence of the "results," that was the most important part of it, "the results of the last election, I am sorry I cannot "again offer myself as candidate for the representa- "tion of the borough of Bridgwater." I received a good many kind letters, saying they were very sorry I had so determined.

35,817. (*Mr. Price.*) What would be the date of that address?—I can tell you, because this is dated a few days subsequently.

35,818. Before the passing of the Reform Bill?—Yes, it was in 1866; it must have been before August 10th, because here is a letter I wrote to Mr. Patton, to tell him I had determined never to stand again. He wrote me, "I am surprised and sorry that you "should no longer remain a candidate for Bridg- "water. With such a number of pledged requisition- "ists, and such popularity as you enjoy, I should have "thought that you would not have retired. The "petition would have been forced on, and ended in "expense and annoyance. I do not believe that any "compromise can be effected with such persons as "manage the Liberal interests in that borough. If "there were any chance for it, it would be by your "remaining in the field. I am glad that the magis- "trates question has been favourably settled."

35,819. Was there an addition made to the magistrates then; there were four or five added, I believe?—There were, but they wanted me to interfere about it. I said I would not.

35,820. Who wanted you to interfere?—Mr. Bealy Smith.

35,821. Did he give you any names of nominees of him?—No; he merely said he wished to do it. I said, I had nothing further to do with the borough; and such being the case I begged to decline any interference, and I subsequently was told that the matter had been sent to Mr. Gore Langton, and that he had referred it to Mr. Gabriel Poole.

35,822. I only want to know if you know any pretence being put forward by Mr. Smith to have any particular persons named as magistrates here?—No; I can tell you nothing whatever.

35,823. (*Mr. Coleridge.*) All that he wanted was to have Conservatives, I suppose?—Well, I do not know; I wrote subsequently, after he had been appointed, and he says, "My dear Mr. Westropp, I "thank you most sincerely for your kind letter. I "have certainly had a more than ordinary share of "good fortune in reaching the safe haven in which I "am now moored. In looking back to our Bridg- "water experience, although not without disagreeable "reminiscences, it forms a chequered page in a some- "what monotonous life. My only regret is, that my "misfortune should have been the means of severing "a connexion between you and the borough which "had all the surface appearance of affection and "cordiality. When you visit the north do not "forget that you have friends at No. 30, Heriot Row, "who will rejoice to see you, and who now unite in "best wishes for your health and happiness."

35,824. (*Mr. Anstey.*) You receded from that determination, and stood again in 1868?—Perhaps you will allow me to mention why? I do not know whether I have it here or not.

35,825. (*Mr. Coleridge.*) One question first, had you during the time this Commission has been sitting any communication with Mr. Patton?—Not a word. There are some papers here, allow me to propose to disembarrass myself of them; they are letters from poor persons in this town since the last election, and I think they tend very materially to show how it was not very much that was expected.

35,826. Read them if you like?—There are a great number.

35,827. Read one as an illustration?—There was a man who was here to-day, Abraham Frost, whose name has been a good deal mentioned as never having voted without money.

35,828. (*Mr. Price.*) These are letters as I understand which you have had since the last election?—Since the last election.

35,829. From persons who voted for you?—From persons who voted for me, which will tend to show that they did not expect money, that they did not come to vote with the intention of receiving money.

35,830. (*Mr. Anstey.*) The writers did not?—No, the writers did not.

(*Mr. Anstey.*) We have not to inquire into their virtuous practices.

35,831. (*Mr. Price.*) The only thing I understood you to say was that there was one man who was mentioned before us as not being likely to vote without?—Abraham Frost. The reason I pick him out is, that I think it was Mr. James Cook that said he had no doubt whatever that money was going on our side at the last election, giving as a reason because Abraham Frost had voted for us, and was not known to vote without money, and that is the reason. "I am "at present in great distress and trouble, having "lost my wife after a few days suffering. I am "pressed very sorely. My children have robbed me "since her death, and I am a little in debt on the "opposite party, and they are pressing me. I want, "sir, a small favour to ask, that is if you will oblige "me with a small sum, and I will give you a note of "hand to repay it again at any time you may fix. A "few lines from you will greatly oblige, as I hope "shortly to have the pleasure of seeing you, and "Mr. Gray again. You will always have my sup- "port, but pressing circumstances have induced me, "sir, to apply to you for a little assistance, which I "trust will not offend."

35,832. (*Mr. Anstey.*) What is the date of that?—June 7th last.

35,833. How does his coming to you, we will say for the first time, or we will say for the second time, in June 1869 show that he had not expected a reward for his vote in November 1868?—I give it *quantum valeat.*

35,834. (*Mr. Anstey.*) Well, if they are like that——

(*Mr. Coleridge.*) They only show there was an expectation going on amongst them still.

(*Mr. Anstey.*) Now go on and tell us how you came to stand for the borough in 1868?—I do not know whether I have it here or not, but perhaps you will allow me to give you the last letter which I ever had from Mr. Bealy Smith with regard to money.

35,835. Yes, the date first?—"Bridgwater, 19th No- "vember 1868." But I may read first of all a letter of the 10th November 1866, "My dear Sir, I have "been a good deal from home lately, otherwise very "much occupied, or you would have heard from me "before. The amount remaining due to me is "235*l.* 17*s.* 8*d.* The cheeses cost 2*l.* 1*s.* 6*d.* eah. "I am glad they are liked. I was at Brighton last "week, and saw a decided improvement in my "father. He is quite looking forward to seeing you. "Brighton is a charming place, and much pleased "me. I should be truly glad to know that you have "successfully contested the county of Limerick. It "is more worthy of you than this blackguard place. "I saw Spofforth when I was last in town, and he "was very kind. Sir A. A. Hood was consulted by "the Government as to the justices, and he con- "sulted Mr. G. S. Poole, who undoubtedly selected "the names appointed and put in. Mr. W. H. Axford, "whose name was not on the list. The matter has "given great offence to some, but I hope to remedy "it early next year. Mr. Hammill has been elected "mayor. I send you about it. The town council "election passed off very quietly, and the registration "resulted in a gain to us for what it is worth. I am "going to Ireland on Tuesday next. I shall be glad "to see your new villa when I am next in town. "You may be interested to know that I am now

" engaged to be married to the young lady whose " carte I sent you, and I shall get married at South- " ampton as soon as my house is finished." I then sent him the money, and he wrote me on the 19th November 1866, " My dear Sir, I am in receipt " of your cheque for 240*l.* 0*s.* 8*d.* to close our " accounts to this time, and I need not say how sorry " I am that anything should have occurred to neces- " sitate its closing. I have only this evening closed " for the purchase of a piece of land upon which to " build my house. I shall now set to work in real " earnest, but I shall send plans for your inspection, " as promised. After you come back from Brighton " I shall be glad to know your opinion of my father. " I find that Vanderbyl has given 5*l.* 5*s.* to Lilly's " testimonial."

35,836. (*Mr. Coleridge.*) What did they testimonialise him for?—He did very efficient services to the infirmary. " Neville Grenville and Earl Cavan, " 2*l.* 2*s.* each, along with several others. I think if " you feel disposed to give, this latter would be the " correct sum. Gabriel Poole is the treasurer of the " fund. The weather has set in quite cold, and we have " winter at last. Trusting it does not increase your " rheumatism." After that he wrote me respecting some furniture—it is only to show how it ended, and I wrote to him to say that I did not like exactly the way he was going on, and he wrote me on the 10th July 1867, " We have known each other for " some time, and I have received very many marks " of kindness at your hands, and I very much regret " that anything should have occurred to induce you " to take the course mentioned in yours of yesterday's " date."

35,837. (*Mr. Price.*) That was in consequence of your address?—No, it was in consequence of getting married, and many things occurred I did not like, and I told him.

35,838. Will you come to the time you determined to stand again?—I do not think I have it, but suffice it to say I received it from Mr. Lilly to say they were going to have a meeting on the 5th May, and it was left an entirely open question to myself whether I would come down again or not. I came down. A good many speeches were made containing expressions of good feeling towards myself, and they should be obliged if I would stand again. I told them I certainly could not unless I had a deputation.

35,839. That was the dinner at the Bridge Committee?—The Bridge Committee. On the 4th July I got a letter from Mr. James Trevor: " My dear Sir, " Some of our friends are very anvious to complete " the arrangements for the coming election, and have " deputed Mr. Brice and me to go to London on " Monday and see you and Mr. Spofforth on the " subject. We will call on you at the Union on " Monday evening or Tuesday morning if you will " kindly write me a line addressed the 'Tavistock' " Hotel, Covent Garden, naming which day and the " hour." And they came up, and Mr. James Trevor asked me about standing again, and I said I should be glad, that I considered this a deputation, that I should have no objection to stand again. That went on for a little time, and he at last asked me, and I said, " I will not expend another shilling towards the " illegal expenses." That I was determined on. He said, " I do not know how it is, your popularity is not " worth 10 votes."

35,841. Who said that?—Mr. James Trevor. " Your popularity is not worth 10 votes." " I do not " know, Mr. Trevor, I should doubt very much if there " is very violent opposition to me, for I have been in " communication in a curious way with one of the " people who is prominent down at Bridgwater, and " from what I gather from him, I do not think there " will be much opposition to me."

35,842. (*Mr. Coleridge.*) That is Mr. Smith?—If you will allow me I will speak to that presently. " Well," says I, " I do not know. Let us go down to " Mr. Spofforth;" and we went down to Mr. Spofforth. He told Mr. Spofforth I was determined to stand, and Mr. Spofforth did not say a word, no further than he thought I was right. I had spent a good deal of money, and we went away, and I think on the following day he communicated with Mr. Treby, and Mr. Treby said he would have nothing to do with it.

35,843. (*Mr. Coleridge.*) Who is Mr. Treby?—A gentleman who represented Lyme I think. I forget how it cropped up, but it was Mr. Trevor, I think, said, " I can hardly expect anybody to throw " himself away in Bridgwater running second," as I should have all the popularity. " Now, Sir, I will " tell you what, if you can get a man to go down, if " he makes the objection that I am the first can- " didate, I will run second and let him go first. I " am anxious to get in that place at which I have " been scandalously used," and I said, " I should like " to get in, and I think that with a new constituency " there is a very good chance of it." That evening I mentioned that to some of my friends, and they said, " Stop, stop, you must not think of it one second; it " will never do, never." On the following morning I went to my house at Norwood, and told Mr. Trevor that I would not run second. We then went to a Mr. Thruston; his friend Mr. Jamieson lives at 34, Lincoln's Inn Fields; we were told immediately about that, and Mr. Thruston said he would stand with me on purity principles. I must tell you in the *interim* Mr. Pain had made an application to me for a cousin of his.

35,843–4. (*Mr. Anstey.*) Is that the intellectual young gentleman who was examined here the other day?—I do not know; a solicitor here. Well, I did not altogether like—there were reasons why I did not exactly like to say anything about it. I told him, in fact, that I did not like the way he was introduced.

35,845. (*Mr. Coleridge.*) Was this Mr. Thruston, Mr. Pain's cousin?

(*Mr. Price.*) He is Mr. Pain's cousin?—I forget his name altogether. But we went up to this gentleman, and Mr. Thruston said he was perfectly content to run with me on purity principles. Then Mr. Brice and Mr. James Trevor said they would come down, for they could not take on themselves to report what the party down here would like, but that they would send a telegram or letter by the following Wednesday, and on Tuesday I went into Mr. Jamieson, as I had heard nothing at all from Bridgwater, and he told me that Mr. Thruston was sent down last evening, that is Monday; then the letter, of course, reached on Tuesday morning here, saying he would have nothing to do with the borough. Mr. Trevor then said afterwards to me I do not know whether Mr. Brice told you there was a gentle pressure put on me to give up, and certainly that was what I hardly expected. I said I would come down here, and would throw myself entirely on the Conservative Working Men's Association, and I do not know exactly how it was, but I do not think it pleased them, it may or may not; but however, things went on in that way, and on the 1st September it was, I recollect perfectly well, that Mr. John Smith and Mr. Ruddock met me in Clifton. There I told them again I would stand decidedly, and then determined to come down and have a meeting with my friends, and speak to them. In the meantime I got a letter from Mr. Ruddock to say that Mr. Gray had called on me at the Union. I had not the most remote idea who Mr. Gray was, and I went to Mr. Spofforth, and said, " Can you tell me?" He said, " All I can tell you is, if it is Mr. Gray of " St. Helen's, he is one of the best men you can get," and he instanced a case where a poor boy was deprived of his work, and Mr. Gray took care of him as long as he lived.

35,846. (*Mr. Price.*) That was Mr. Spofforth's idea of an eligible candidate?—I only tell you what he said.

35,847. He having taken care of the boy, might take care of the borough?—That he was a kind man; if it was Mr. Gray of St. Helen's you could not have a better candidate.

35,848. If he took care of one, he would of all?—Yes, I suppose so. However, Mr. Gray then met

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me, he was with Mr. Toogood, and when he came in I said, "Well now Mr. Gray, there is one thing I "must place before you, I will not either directly or "indirectly spend any money, I will not spend any-"thing, but will go on purity principles, because I "have no intention of being turned out again, and to "be kicked out once is all very well, but a second "time I will not stand it, therefore, if you like to "come with me it must be on purity principles," and he assented to it. He came down here. We had no particular arrangement with any person as to costs. Mr. Toogood came. The night before he was there, and I do not know who he went to, I think it was Mr. Brice's office, and he arranged then there would be 200*l.* lodged by each of us for legal expenses, and 150*l.* each for the solicitors; that was 350*l.* each lodged. We went to town, then there was a truce. I was in hopes that we were not going to canvass, and on the 26th October I think it was Mr. Lovibond told Mr. Trevor that the truce was at an end, we must begin to canvass. I did understand, and I have heard it stated here by the Liberal solicitors, that they had a very large majority on their books. I dare say, and I think it is perfectly likely, that many men promised on both sides, that I am quite willing to admit, but I have no hesitation in saying that on our books we had a majority of something like forty promises.

35,849. (*Mr. Price.*) From your experience as a candidate I ask as a general question do you believe there is the slightest virtue in a canvass?—Decidedly not, it was one of the things that in the new Reform Bill I should have been most anxious to see put an end to with the nomination. I think it would do so much good if made penal to divulge in any way the state of the poll during the hours of polling. There is nothing that would tend so much to counteract bribery.

35,850. (*Mr. Anstey.*) Before coming to the poll I want to ask you about this particular canvass; you were accompanied by that same Mr. Pain nearly every day he says?—No, I do not think we were accompanied by him, in fact I know we were not, for this simple reason, Mr. Pain on one occasion expressed his anger at not being more employed than he was, and when he was, only to carry cards.

35,851. Will you finish your answer which you broke off. My question was, he accompanied you every day during your canvass?—I should say not every day, nor nearly every day.

35,852. On some occasions when canvassing with you he says that it is very likely indeed that he admitted he had; very likely he might have, he certainly admitted he had said to the voters whom he saw with you that in all probability there would be money by-and-by. I asked him whether you ever found fault with him for doing that or Mr. Gray either?—We never heard him do it.

35,852. And after considerable hesitation he said no, but he was not sure whether you heard it or not. I here ask you, did you hear any of those assurances or expectations held out by this intellectual gentleman?—Never. Do you think that if I had I should not have considered it tantamount to a promise, and do you think I should have presented a petition against the sitting members if I had not believed we had not been guilty of bribery in any shape or form?

35,853. Especially as you relied not on what you were going to give but on large sums already paid, and the popularity already purchased?—I relied on popularity as I told you yesterday the reason why it was I made the commencement at the commencement.

35,854. (*Mr. Coleridge.*) To purchase popularity? It may be.

35,855. (*Mr. Anstey.*) You were not a Bridgwater man?—There is Mr. Kinglake.

35,856. You made yourself a Bridgwater man by frequent bleeding?—There is Mr. Kinglake, but I doubt very much, except among a few, that he is very unpopular.

35,857. (*Mr. Anstey.*) He will have his account to render by and by, we will take yours now.

35,858. (*Mr. Price.*) At all events you never heard such things said in your presence?—Most certainly not. At the same time I daresay it is a fact, because Mr. Pain himself in unmeasured terms abused both Mr. Gray and me on the evening of the nomination for not having spent money.

35,859. (*Mr. Anstey.*) Do you mean the eve or the evening?—The evening.

35,860. Therefore on the eve of the polling day?—On the eve of the polling day after the election.

35,861. I thought you said the nomination?—No, pardon me, "election."

35,862. Then there was an agreement between you and Mr. Gray he has given us some evidence about, and there is a letter from Mr. Lilly which bears further record of it by which you were to spend 500*l.*, and he was to bear the rest of the expenditure which he thought, he says, in the letter would be considerably more, and which he told us he was prepared to bear if it did not exceed 1,000*l.* or so, which means 1,500*l.* I suppose, the mystic sum which has been what candidates are expected to spend here?—I will tell you about that. When I mentioned Mr. Gray I was standing upon paying merely legal expenses, and he said, "What will this "be, 1,500*l.*?" I said, "What nonsense talking like "that," I said, "500*l.* is the limit; it cannot be "more, and in fact I will not spend more than that." "Dear me," he said, "I thought it would be con-"siderably more than that; I thought it would be "1,500*l.*" Then I think he added, "I think I "ought to pay more than you." "Well," said I, "nothing of the sort, my impression is we ought "only to pay share and share alike, as it will be "merely costs, and I give you fair notice I am not "going in any way to spend more than 500*l.*"

35,863. He first of all says that he got a manuscript letter, what the manuscript is does not appear; it cannot have been, as was suggested by Mr. Lilly, the manuscript of the address, because he puts it thus, "Mr. Westropp manuscript, and also a draft address." The manuscript, whatever it was, was not preserved by Mr. Lilly, at least he does not know what it could be. This is what he says of his interview with you. This letter is the 25th of September, what date his interview was he does not state. "On our first inter-"view with Mr. Westropp he gave me to understand "that he had information (later than any I could have) "that was most encouraging that a large number of "the men electors were prepared to vote blue, that "there were diversions in the opposite camp, and "that in his opinion the latter were demoralized. On "the subject of money he was decidedly oppposed to "anything beyond legal expenditure, giving reasons "in which I entirely agreed." Then he says, "Mr. "Westropp estimated that his legal expenditure "would amount to some 500*l.*" It being in 1865, 185*l.*, and again in in 1859 something less than 200*l.* Then he goes on to say, "Of course mine would be "considerably above this as I should have to ask the "active assistance of yourself"—That is Mr. Lilly, —"And our legal friends. But what I should wish "clearly understood is that I am not prepared to fight "the battle by undue influence." Then again he says, "If you and the other heads of the party think that my "qualifications as a merchant, together with the fact "of my having the support promised by Mr. Spofforth "here, render me a fit person to represent the "constituency, then I can promise you great zeal in "the work, and liberal support to all your local "interests and institutions. But if on the contrary "you are of opinion that victory will be hopeless "unless by a large expenditure of money on "outside influences then I fear my candidature must "drop. It would not suit my position here, nor my "conscience, to go through the ordeal of which Mr. "Westropp has had experience formerly. Pray "give me your candid views. I should have been "glad to have seen Mr. Toogood before sending you "this letter, but he will not be at business before "Monday, and meanwhile you may be called on to

" act." Now you see what was in his mind when he wrote this?—Well, if you will kindly ask me any question about it.

35,864. The question I put to you a little while ago which was whether that correctly represents the result of your conferences down to that time with Mr. Gray?—Very nearly; the only thing is that I did not say I was prepared to spend 500*l.* in legal expenses of the election but that I would not let them exceed it.

35,865. (*Mr. Coleridge.*) What did you spend at the last election?—350*l.* was lodged. And now, if you will allow me, I am glad that Mr. Brice is here, for he will be able to put an end a great deal to the subject of this tavern bill, which I hope I am not taking up the time of the Court by trying to make clear.

35,866. (*Mr. Price.*) I think we understood about that bill unless you have something to add?—I have, which may alter your opinion.

35,867. About that 500*l.*, did you represent at all to Mr. Gray that he would have to spend anything like double the sum you would have to spend?—Certainly not.

35,868. Did you give him any idea?—No.

35,869. Where could he have got it?—He said I am prepared to pay more, and asked me what the legal expenses would be; I said certatnly not more than 500*l.*

35,870. Each of you 500*l.*?—No, they could not be more than that. "I would pay more than you, and " I think I ought to, because I am a new comer." " No," I said, "Mr. Gray, that will not do, we must " pay share and share alike." But in the first instance when he came to me he said he thought 1,500*l.* would be it. The first time he ever stood, and as we were walking in Trafalgar Square, he said, " By Jove! You have enlightened much to-day; I " always thought the legal expenses could not be less " than 1,500*l.* to 2,000*l.*" "I assure you," I said "it " cannot by any possibility be any higher."

35,871. (*Mr. Coleridge.*) You lightened and enlightened his mind?—Yes; I think so, rather. Then, as I told you, Mr. Toogood came down and made an arrangement that there was to be 200*l.* lodged for our legal expenses, and 150*l.* for the solicitors, by each of us. After the election Mr. James Trevor wrote up to me to say, on the 23d of December, "My dear " Mr. Westropp, Leaker has sent bills of 26*l.* 9*s.* 1*d.* " and 96*l.* 10*s.* 11*d.* on you and Mr. Gray, which I " enclose, for your tavern expenses, which should be " paid by yourselves and not by me as agent, and " you and Mr. G. must send me account of all your " personal expenses." I sent down my personal expenses to him, which I thought were about 8*l.*, and two or three days after I got a letter from him, dated the 27th, in which he says, "I think your tavern bill " at Bridgwater must be included in your personal " election expenses, so will you send me amended " account, and get Mr. Gray to send me his account " also." We sent down that, and I am under the impression that our personal expenses are made 72*l.*, which would be 62*l.* of the tavern bill, the half, and 10*l.* which I returned him, or something about 10*l.*, the legal expenses. That 72*l.* does not exhaust the 200*l.*

35,872. No?—And, therefore, when Mr. Brice wrote up to Mr. Gray to say that we ought to pay our tavern bills, and that it was disreputable not to do it, when he made the first application I said, " Oh yes, let us pay." In the interim came that second letter, saying it ought to be included in our legal expenses.

35,873. Personal expenses?—Personal expenses; and when I found this, "By Jove!" I said, "I will " not pay it because the tavern expenses are included " in our legal expenses, and the whole account does " not amount to the 200*l.* which I have lodged." Have I made myself clear to you?

35,874. Yes; but the way I understand Mr. Brice to put it is this, that quite apart from that bill incurred at the election, there is a further bill unpaid at Mr. Leakers, which is irrespective of expenses connected with the petition, and that is that bill which is unpaid?—It is not so much, it cannot be; it is perfectly impossible that it can be what was alleged, 139*l.*

Mr. William Brice recalled.

Mr. W. Brice.

35,875. (*Mr. Price.*) How is that?—Mostly for the petition.

35,876. Do not let us have any confusion about a matter of this kind. The bill incurred at the election Mr. Westropp represents to be one which you thought ought to be included in personal expenses?—A portion of it.

35,877. What do you mean by a portion?—I never looked at the bill, I took it from Mr. Leaker.

35,878. Whatever Mr. Westropp's expenses incurred were it was debited to him, and he would have a right to return as personal expenses, even if he entertained his friends?—No doubt.

35,879. If he entertained them every day he would have a right to return them as personal expenses?—Clearly.

35,880. Beyond that what is there?—It was a portion of that, I apprehend. It was not included in the election account.

(*Mr. Anstey.*) I understand the bill is cut into two parts, but each part is not complete itself, but is made up of part of the expenses incurred during the election, and partly of the petition.

Mr. Henry Westropp recalled.

Mr. H. Westropp.

(*The witness.*) Excuse me addressing you again, but I am very earnest about this, and I do not wish it to be supposed that I am acting in an ungentlemanly manner. If you add those two sums of 22*l.* 9*s.* 1*d.* and 96*l.* 10*s.* 11*d.* together and divide it by 2, and add it to the 10*l.*, you will find that sum, thus made up, amounts exactly to our private expenses, as returned by the election agent.

35,881. (*Mr. Coleridge.*) 72*l.*, is not it?—Yes. Therefore I maintain that the only thing that can be put down to the petition is anything above those two sums.

35,882. (*Mr. Price.*) Mr. Leaker must explain that; you understood that was the whole incurred at the election?—I knew well there was the petition, but was never applied to for that.

35,883. (*Mr. Anstey.*) I have a lively recollection of what Mr. Leaker stated then, and being followed by Mr. William Brice, he modified some statement of his, and he modified some statements of Mr. Brice, and the result was what I have now declared, that the bill has been cut into two parts, which do not seem to have been separated from one another without much regard to principle, and if either be unpaid, it is in fact unpaid election expenses as well as unpaid petition expenses, and that is the important part we have to inquire about. While you are upon that I must ask you, you have been a party in your time to three returns,—what were the legal expenses at the election of 1859, 1865, and 1868? There have been three elections of which returns had to be made. Now, a person who publishes under an anonymous name, but who is a very recognisable writer has stated within the last two days in print that he has been behind the scenes at the cooking of accounts of that kind, that he has seen member, agent, and returning officer racking their brains in a frenzy to make those accounts fit, "and I," says he, "have seen accounts sent in at a

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" sum of 400*l.* or 500*l.*, when within the knowledge " of everybody more than 1,000*l.* has been spent in " beer alone." Now, rejecting those incidental circumstances of aggravation about the beer, and so on, I ask you as a matter of fact, were the accounts in 1859 settled between you, your agent, and the returning officer ?—Certainly not.

35,884. Nor in 1865 ?—I never directly or indirectly arranged or had anything to do with what is vulgarly called " cooking " the accounts, in my life.

35,885. Nor in 1865 ?—Nor in 1865.

35,886. Nor at either Mr. Patton's contests in 1866, nor in 1868 ?—None whatever.

35,887. (*Mr. Price.*) I for my part do not hesitate to say that I am perfectly disgusted when a man writes and makes these wholesale accusations. If he is an honest man, why does he not come forward and swear to his statement ? It is perfectly discreditable and disgraceful.

(*Mr. Anstey.*) It is a public print.

(*The Witness.*) Then there was some question about the cost of the petition. I know that Mr. Gray and I lodged 700*l.* for the petition.

35,888. (*Mr. Price.*) Now I have Mr. Leaker's evidence, and he says, " They came down for a month. " *Q.* The 10th of October ?—*A.* The commencement; " I have not the date here; that was 21*l.* 16*s.* " *Q.* From the 10th to the middle of November ?— " *A.* From the 10th to the middle of November, one " month's account, 21*l.* 16*s.*, and their second account " was from November; they were there a long time, " and it was altogether for posting Mr. Westropp's " private account—when he came down about the " petition he came down alone—was altogether from " the commencement staying at my house till they " left 139*l.* 4*s.* 3*d.* *Q.* Were there any payments " made either by Mr. Westropp or Mr. Gray, or for " them ?—*A.* None at all; I never had a shilling of " their money yet. *Q.* Does not it strike you as a " very long time to have a mere hotel account unsettled ? " —*A.* It is. *Q.* Does not that suggest that in " Mr. Westropp's mind, if not in yours, there are " other items of expenditure which he has to account " for ?—*A.* I really do not know, but I have applied " for the account to Mr. Brice, and they have said in " consequence of the Commission coming down, and " one thing and another, they did not feel inclined to " pay it Mr. Price. *Q.* If there are no items, but " what a gentleman would legitimately incur for " himself or a few friends by way of hospitality, why " should he be afraid of paying it ?—*A.* Well, I think " it lies between the lawyers and themselves. They " fancy that the lawyers have had sufficient to pay my " account, and the lawyers fancy that there are other " claims on them. *Q.* (*Mr. Coleridge.*) Is not it " that there are items for conveying voters to the poll " in hired carriages in that account ?—*A.* No. *Q.* Were " not there such items ?—*A.* I lent a carriage from " my stables to take two or three, such as Sanders, " who could not go. *Q.* There was not any general " system ?—*A.* No, I never charged a shilling for a " carriage. (*Mr. Anstey.*) Is this what Mr. Brice said " to you, returning to what I have been putting to you, " that having regard to the election trial and the " present Commission, and one thing and another, " Westropp and Gray's agents thought it better to lay " down a general rule, that is, to settle none of " Westropp and Gray's for the present ?—I never " heard that mentioned at all. *Q.* Is not it the fact " that there are no election accounts positively settled " as yet ?—*A.* I do not know a single word about any " account but my own account. My account is still " unpaid. *Q.* Do you suppose if all other bills had " been settled yours would have been made an excep- " tion ?—*A.* I should think not. I should think there " were several in abeyance up to the present time. " *Q.* Is Mr. Brice the only election agent ?—No, the " Trevors." I understand from that, that Mr. Leaker meant to leave us under the impression that he never had a single shilling in respect of any bill incurred from the month of October down to the petition ?—Half our tavern bill was included in our expenses.

35,889. He never had a penny from either Mr. Westropp or Mr. Gray ?

35,890. (*Mr. Anstey.*) It is further stated by Mr. Brice, after Mr. Leaker had been called and after Mr. Brice had been recalled, that Mr. Leaker has been obliged to receive payment of a portion of this, for which he has given a note of hand to Mr. Brice, and Mr. Brice on that note of hand has advanced him the amount of it. The note is payable on demand, and as Mr. Brice very candidly stated, is not a payment at all to him on your account, but is, in point of fact, a loan to Mr. Leaker on Mr. Brice's account ?—All I can say is, I hope I have made it clear to you.

35,891. You see the effect now, seeing that matters are disposed so as to make it necessary for Mr. Brice to take that note for his own security, that note is not a payment and therefore could not find its way into the return of your legal expenses, do you perceive that ?—There are 62*l.*

35,892. (*Mr. Price.*) I understood you to say that you deposited a sum of 200*l.* ?—For legal expenses, and 150*l.* for solicitors.

35,893. You have an account of the tavern bill sent in. You had before you that tavern bill, and you return your own private expenses at 10*l.* ?—Under 10*l.*

35,894. Upon that Mr. Trevor writes to you to say that your tavern bill ought to be added to that. You then add that tavern bill on to the 10*l.*, and then refuse to pay any more, because you say these men have had 200*l.*, and adding your tavern bill which they now say you owe, and 10*l.* your own personal expenses, they have ample to pay ?—And other things, hustings, and various things, do not amount to 200*l.*

35,895. Therefore there is no occasion whatever for Mr. Brice paying anything whatever out of his own pocket in respect of Mr. Leaker's bill to you during the election ?—Exactly.

35,896. And I find Mr. Brice says he has " an ample " balance to pay the 139*l.* which is the balance run up " since the petition, but we are several hundreds of " pounds out of pocket at this moment " ?—But, sir, how could 100*l.*——

35,897. I do not know how that may be. You will have to look for that; but at all events, I understood your explanation to be that you believe you had thoroughly paid Mr. Leaker his bill out of the deposit money which was ample to cover that and the hustings.

35,898. (*Mr. Anstey.*) But do you believe that ?—Yes, I do.

35,899. Do consider for a moment—you know the amount is 79*l.* odd, and that Mr. Leaker's demand was 139*l.*

35,900. (*Mr. Price.*) That is not for the election but the petition ?

(*Mr. Anstey.*) And you see the total amount is 139*l.* It is said of that, a portion, not by any means exhausting for the election period, has been paid in the way you describe, but it is stated by Mr. Brice and by Mr. Leaker both that the unpaid residue of the 139*l.* consists of items partly relating to the election period and partly to the subsequent time; that is stated by both of them. Now if that be true, it is your business, is it not, to inquire into the truth of it ? —Decidedly.

35,901. (*Mr. Price.*) Did you ever hear, for I never did before, that the bills of your expenses at the election—now quite understand—are more than 72*l.* would cover ?—No, 62*l.*

35,902. Is there any document you have either from Mr. Brice or Mr. Trevor which shows that a portion of that election bill would come to more than your deposit money would cover ?—No.

Mr. WILLIAM BRICE recalled. *Mr. W. Brice.*

35,903. (*Mr. Anstey.*) I have correctly stated your evidence on that subject, Mr. Brice?—Yes.

35,904. (*Mr. Price.*) I should like to hear you tell us what portion of Mr. Leaker's bill against candidates during the election is not amply covered by the amount deposited by the candidates?—I do not know for this reason, I never had anything to do with that 700*l.* deposit.

35,905. 200*l.*?—700*l.* altogether. I have never had anything to do with it from first to last. I said to Mr. Leaker, "Have not you claimed to have the account?" He said "No." I said, "You had better speak to Mr. Trevor about it." He told me it was to be paid by Mr. Westropp himself, whereupon I wrote to him, and that is all I had to do with it.

35,906. Do you know anything of your own knowledge which will support you in stating that Mr. Leaker has now an unsettled claim for any portion of the election bill?—I understood him that that was made up in that way by Mr. Leaker.

35,907. (*Mr. Coleridge.*) Why was it divided?—I understood Mr. Leaker to tell me so.

35,908. Mr. Leaker gets 62*l.* or 72*l.* out of the election expenses; he ought to?—Yes.

35,909. And he did, I suppose?—I do not know

Mr. JAMES LEAKER recalled. *Mr. J. Leaker.*

35,910. (*Mr. Coleridge.*) Did Mr. Trevor ever pay you a bill?—He paid me a bill which you have.

35,911. How much?—I think just about 24*l.* for committee rooms and refreshments.

35,912. (*Mr. Price.*) Then Mr. Trevor or Mr. Brice have stuck to the money, that is all; and we had better have it found out at once. What was your bill against Mr. Westropp for items incurred during the election, personal expenses?—October, November, and a short time that Mr. Westropp was at my place when he came down on the Commission.

35,913. Leaving the Commission alone, what was the expenditure incurred by Mr. Westropp at your place during the election?—It would be about 134*l.*, and the odd money would make it 139*l.* 3*s.* 4*d.*

35,914. Against Mr. Westropp alone?—No, against Westropp and Gray.

35,915. Had it to be divided between the two?—That is to be divided between the two.

35,916. Did it include the whole of what they paid you before the election inquiry?—Everything.

35,917. That would be about 62*l.* each?—That would be about 62*l.* each.

35,918. Then it is perfectly clear Mr. Trevor has had the money to pay you?—Not one penny is paid me.

35,919. No, but Mr. Trevor has had it?

Mr. HENRY WESTROPP recalled. *Mr. H. Westropp.*

(*The Witness.*) I am glad to have an opportunity of this explanation.

35,920. (*Mr. Price.*) Your explanation to my mind is satisfactory. You found a bill of 62*l.* owing by you to Mr. Leaker, and you considered that ought to come in the 200*l.*?—By Mr. Trevor's desire.

35,921. Including that, when we add that together, 200*l.* you deposited would cover it; you considered you had discharged that bill?—Yes.

35,922. Therefore there is remaining the question what became of that?—In addition to that, they had 700*l.* on the petition.

35,923. (*Mr. Anstey.*) This is what Mr. Leaker stated when examined before. I ask him the question, "You used a phrase just now which struck me "as important. You said that the only part of your "bill which was paid was the demand for their own "legitimate expenses. What other expenses were "there in the months of October and November "incurred at your place besides those which you call "legitimate?—No other expenses, only their private "account in October. What do you call the private "account which is not settled by the election auditor? "—Their private account would be for their dining, "apartments, and wine. And that is not in the "account furnished to the election auditor?—Cer- "tainly not. Then do you mean legitimate expenses "or merely those expenses which were specified just "now by you, the committee-rooms, sending refresh- "ments, or whatever it is—to the polling booths or "things of that sort; but that formed a very small "part of the entire demand, did not it?—A small "portion it was of the entire amount."

(*Mr. Price.*) The whole was 134*l.*; that divided between the two would be 62*l.* a-piece, and you considered that having deposited the 200*l.* and being told by Mr. Trevor your tavern bill ought to come in your personal expenses, you added that on to the 10*l.* and considered they had enough to pay?—Exactly.

35,924. (*Mr. Anstey.*) And they had not, I suppose?

(*The Witness.*) There were many letters addressed to me at the time about the compromises. I have a very great deal to tell you about those compromises.

35,925. (*Mr. Price.*) We want the whole history of that?—I am afraid in Mr. Anstey's mind there is an impression that I laid a plant. I assure you it is nothing of the sort.

(*Mr. Price.*) You had better keep those letters, and, at your request, we will go into that matter on Thursday.

Mr. FREDERICK PITMAN recalled. *Mr. F. Pitman.*

35,926. (*Mr. Price.*) What are you?—A writer to the Signet in Edinburgh, but I was not an agent or solicitor in any way for the late Lord Justice Clerk. At the time it was arranged that Mr. Patton should stand for Bridgwater I happened to be in London, and he asked me if I would come with him as a private friend. This was, I think, before a Bridge Committee meeting early in May.

35,927. Had you been on terms of intimate friendship with the late Lord Justice Clerk?—Many years.

35,928. Had you had anything whatever to do with electioneering matters previous to this?—I have had electioneering in Scotland for the county of Midlothian. I am an electioneering agent there. I came down to Bridgwater to a meeting of the Bridge Committee, and was present at the dinner here. After that Mr. Patton remained and canvassed. I did not remain, but I returned to Bridgwater with him. Mr. Westropp reminded me to-day that I came to London with him. I returned just before the first election. I did not remember that I had come down with Mr. Westropp, and I had no recollection of the telegram which I heard him speak of in his evidence from Mr. Bealy Smith. I came down, however, two or three days before the first election, and I was here at that time with Mr. Patton. At the time of the second election I was also here.

35,929. Keep to the first one. Tell us about the money?—Well, I know nothing about the payments of any money except as has been stated to-day, that Mr. Patton, when he went to Edinburgh, asked his

THIRTY-FIFTH DAY.

Mr. F. Pitman.

5 Oct. 1869.

friend Thompson in London to advance any sums that might be required for the election. I cannot tell exactly what they were, except what I will mention afterwards. I heard it accidentally after both elections were finished. The only money transactions which I had to do with were after the second election. Mr. Patton came to me and said he was very much annoyed that he had spent some 6,000*l.* in this place, Bridgwater.

35,930. (*Mr. Coleridge.*) Between the two elections?—Between the two elections; something over 6,000*l.* I think you will find it to be. That he was very much annoyed that claims were still being made upon him, and he asked me if I would endeavour to get a settlement of them with Mr. Bealy Smith. I wrote several letters to Mr. Bealy Smith, asking for a statement of accounts. He gave no answers to some of them, and to others he gave excuses that his father was ill, or press of business; in fact, he put it off altogether. Towards the end of the year he let out in a letter that he had some 700*l.* or 800*l.* of claims still against Mr. Patton. I saw Mr. Patton with regard to that, and he requested me to make the best settlement I could for him. He said, he was anxious to be relieved from the place altogether; that if there were claims of agents still unpaid, or anything of that kind, "do not press for accounts, but clear them up, and try "to get rid of this disagreeable business altogether." I wrote to Mr. Bealy Smith for an account of what was owing, which he sent me, claiming 700*l.* or 800*l.*, and I got a cheque for 500*l.* from Mr. Patton, and in February 1867 I met Mr. Bealy Smith, and handed him the cheque for 500*l.* in discharge of all claims.

35,931. So that it cost Mr. Patton nearly 7,000*l.*?—Yes.

35,932. (*Mr. Anstey.*) Was Mr. Patton Lord Advocate then?—I think he must have been Lord Advocate.

35,933. You recollect the vacancy which was created by the promotion of Sir Duncan M'Neil to the House of Peers by the title of Lord Colonsay?—Yes.

35,934. When the Parliament met in February 1867, it was probably in that month the promotion took place?—I am under the impression that he must have been Lord Advocate. I am not quite sure of the date. At that time I received that 500*l.* from Mr. Patton to discharge all claims in full. That is the only money transaction, to the best of my recollection, that I have had to do with in the matter.

35,935. We have had it in evidence from Mr. Spofforth, that at the beginning of Mr. Patton's connexion (an unfortunate connexion for him) with this borough, Mr. Spofforth said to him (I believe it was Mr. Spofforth), "Don't let any people down there "talk to you about money; you had better, there-"fore, have a private confidential friend;" and the witness, be it Mr. Spofforth, or be it somebody else, considered that his applying to you was in consequence of that advice which he gave. Do you remember that?—Not in the least.

35,936. What were you to do when he first applied to you?—He asked me to come down to Bridgwater. He said he wanted me to go down to this Bridgwater, to be present at this Bridge Committee.

35,937. Did he ask you to be the medium between him and the voters?—Certainly not.

35,938. (*Mr. Price.*) Mr. Spofforth said, "to prevent importunity"?—I saw the report and was struck with the expression. I did not know what it meant.

35,939. (*Mr. Anstey.*) Were you to be interposed between Mr. Patton and Mr. Bealy Smith?—I am afraid I was to some extent, not with respect to payment of money, but after the second election I had a good deal to do with him.

35,940. But after the time of the first and before the second election?—I may have done so.

35,941. It appears from the evidence of Mr. Westropp, that Bealy Smith was a perfect horse leech's daughter, and he was continually calling out "Give" "Give," does that tally with your experience?—That is my idea. My idea is that Mr. Patton was desirous of being released altogether from the thing. I was present at a meeting with Mr. Bealy Smith, and Mr. Bealy Smith led Mr. Patton to believe that the expenses would be from 1,000*l.* to 1,500*l.*, something of that kind, and I remember Mr. Patton using the expression that he did not grudge any sum, providing it was legal.

35,942. Did not that sum, being so put in the alternative, 1,000*l.* or 1,500*l.*, convey to your mind, amongst other circumstances, the idea that illegal expenses were contemplated?—I must honestly admit it.

35,943. (*Mr. Price.*) There were 600 voters?—I knew nothing about any borough elections at all, but I certainly did fancy that there must be—under cover of employment of agents and others—that there must be payment of that sum. That was my own fancy on the thing.

35,944. (*Mr. Anstey.*) If you had been told, moreover, that 1,500*l.*, the mystic sum, had been on several occasions named as the sum for bribing voters, you would have thought it still more suspicious?—Yes. The last time I saw Mr. Patton was on Monday the 30th August. He had been summoned to attend the Commission on the Wednesday following, and I had been summoned I think on the same day. His brother had died suddenly I think on the previous Saturday, and he had come into Edinburgh on the Monday, but he came up with a view to other arrangements after his brother's death. He was then engaged in going through the accounts in connexion with the election, and I do not think at that time he had realized the total amount which had been spent. He told me then what it was, that it was over 6,000*l.*

35,945. (*Mr. Price.*) The two elections?—The two elections, and that he had paid Mr. Thompson himself 4,000*l.* between the first and the second election. That was evidently the matter which annoyed him more than anything else. He said that he could conscientiously state that he believed there had not been direct bribing, but he thought there had been treating, and he explained to me that he thought the larger proportion of that sum was required with reference to a petition against Mr. Kinglake. I do not think he had heard before this Commission that bribing had been going on, and it was hearing that which certainly broke him down.

35,946. (*M. Anstey.*) When did you hear him say first that he expected to have to pay some of Mr. Kinglake's expenses in 1865 and 1866?—I think I must have heard of it down here.

35,947. Before he came down here?—Either before he came down here, or when he was down here. What I was speaking about just now was only the other day. He thought that might account for a large amount of expenditure.

35,948. It is the fact, as has been stated by one of the witnesses who have been called here, that he was called upon to pay the expenses of the petition and the cross petition tried before the House of Commons in 1866?—Most certainly; but the fact is, I never saw an account, neither did I ever have the remotest idea, till I read the evidence given before this Commission, how much went in bribery, or how much went to Mr. Smith.

35,949. (*Mr. Price.*) But Mr. Patton might have been under the impression that the greater part did go to pay for that petition?—Yes. But it was my own impression, and it was his impression, that there had not been direct bribery.

35,950. (*Mr. Anstey.*) Were you not aware that those expense were paid to the insatiable Bealy Smith?—I understood everything had been paid to Bealy Smith.

35,951. (*Mr. Coleridge.*) Did anybody write to Mr. Patton, pressing him for money after the election?—After the election I think there were one or two letters.

35,952. From where?—I think one was from a public-house.

35,953. (*Mr. Anstey.*) Yes; we had one in evidence here, and either you or Mr. Patton told the writer very properly, "You had better apply to Bealy Smith," and refused to have anything to do with it. I forget who the man was. He handed in one letter, and said, he had lost another letter.

(*A voice.*) Mr. Harden.

35,954. (*Mr. Anstey.*) Yes, Mr. Harden.

(*The Witness.*) Mr. Bealy Smith offered to come to Edinburgh at my expense, and he said, really, what he did must be at our cost.

35,955. (*Mr. Price.*) As you say, he was insatiable.

35,956. (*Mr. Westropp.*) If Mr. Pitman is going away, will you kindly ask him this; there is a letter there, the authenticity of which has been doubted. Will you kindly ask Mr. Pitman if he has seen it.

(*The Witness.*) I remember the letter perfectly well. I do not think the Lord Advocate answered. He was immensely disgusted with the thing, as was shown by a letter which I was glad to see was preserved.

35,957. (*Mr. Price.*) Can you give us any idea, whether the Lord Justice was under the impression that Bealy Smith had pocketed an immense amount of this money?—My impression is, that he had pocketed a large proportion of it.

35,958. (*Mr. Anstey.*) There is one thing which is necessary to connect your evidence with that of Mr. Westropp, which has been given, and that of Mr. Thompson, which is to come. Will you inform us what you know of Mr. Thompson's employment in this business?—Mr. Thompson came to London after Mr. Patton had started for Bridgwater after he had been down here, after he had canvassed the whole constituency; and perhaps I might bring in a remark here, that one of the remarks Mr. Patton made to me was, that he canvassed the whole constituency, and there was not one word spoken to him that led him to believe bribery was expected. That was in the beginning of 1866. Mr. Thompson was an old friend of Mr. Patton's, and he had travelled about a great deal, and Mr. Patton asked Mr. Thompson if he could recommend anybody in Bridgwater in whom he could repose confidence. That is Mr. Thompson's connexion with him.

35,959. Who had recommended Bealy Smith as a person to be trusted with money?—I suppose we must have got his character from Mr. Spofforth; he spoke of him, I believe, as the recognized Conservative agent here.

35,960. (*Mr. Coleridge.*) What is Mr. Thompson?—He is of no profession.

(*Mr. Westropp.*) I mentioned to you that Mr. Thompson gave me 1,500*l.*, and that there was 100*l.* that I kept. Now, sir, would you ask Mr. Pitman if I did not send an account to him showing the balance?

35,961. (*Mr. Coleridge.*) Did Mr. Westropp send an account to you with reference to that 100*l.*?—I have a recollection of something coming from Mr. Westropp, and my just handing it over to Mr. Patton.

(*Mr. Westropp.*) On the 30th November 1866.

(*The Witness.*) I certainly do remember it.

35,962. (*Mr. Coleridge.*) All the accounts were supposed to be fully closed up?—Fully closed up. He felt that Mr. Westropp had worked very hard for him in the matter.

35,963. (*Mr. Anstey.*) At what time did Mr. Patton obtain, I do not say perfect knowledge, because he may never have had that, but a resonable surmise that bribery had been practised on his behalf at his first election?—Well, I am sorry I cannot answer that question; it was a subject that was never mooted between us. He was a very sensitive man, and I really felt myself, that although I knew pretty well what must have been done, it was better not to annoy him on the subject. He always kept away from himself everything having any connexion with Bridgwater. All I can say is, he paid 4,000*l.* between the two elections.

35,964. And then he expressed his disgust at the largeness of the amount?—Yes; he told me that he had expressed his disgust with that, and he had threatened not to stand again, but that Bealy Smith had told him that the Liberal agents had had enough of fighting for the present, and there was no chance of a contest; and I know, as a fact, that it was only on the day before the nomination on the second election that he learnt Mr. Vanderbyl was to stand, because he said to me at Edinburgh, "I will not "trouble you to go up again, I will not allow you to "do so; I will telegram."

35,965. (*Mr. Price.*) He thought it was going to be a walk over?—He thought it was going to be a walk over, but I firmly believed he would not have stood.

35,966. (*Mr. Coleridge.*) Do you know where Mr. Patton found the money?—Every penny was paid by Mr. Patton himself.

35,967. (*Mr. Anstey.*) Why did Mr. Patton abandon the purpose which he announced here, in unequivocal language, and which he made the subject of the last passage in his farewell speech, that of contesting the validity of Mr. Vanderbyl's return by a petition?—I think his reason was simply this: that he had thrown enough money away upon the place, and that he was determined, when he thought more seriously of it, that he would not allow another penny to be spent in connexion with Bridgwater. It was not from any knowledge of bribery on his part.

35,968. You do not think it was from his having discovered the impurity of the practices in Bridgwater?—I think not. He remarked a little while ago, with regard to that threat of the petition, that he intended to mention that to the Commission.

35,969. To show his *bona fides*?—To show his *bona fides*. He would have mentioned that to the Commission if he had been alive.

35,970. There is no reason to suppose that he got that money from the Carlton Club, or the Conservative Club, or from anywhere else, but that he paid it out of his own pocket?—I am perfectly certain that he never had any assistance from anybody, but that he paid it out of his own pocket.

35,971. Have you anything further to state?—No.

35,972. (*Mr. Westropp.*) I mentioned that at the second election Mr. Bealy Smith agreed with Mr. Patton for 3,000*l.*, and my recollection is that 4,000*l.* was the cost of the first election, which has been substantiated by Mr. Pitman now. When you come to examine Mr. Thompson, he will tell you, I think, that he gave me 2,000*l.* before coming down to the election, and I would like you to ask Mr. Pitman, if he did not write to me to appeal to me as to the agreement with Bealy Smith when Bealy Smith wanted too much.

(*The Witness.*) Yes, I did. On the final settlement of the claims, one of the things complained of was, that he had not accounted for that 500*l.* which has been spoken of, and I wrote to Mr. Westropp to know about it.

(*Mr. Westropp.*) And I told him that 3,000*l.* was the sum agreed upon.

Adjourned till to-morrow morning at half-past ten o'clock.

THIRTY-SIXTH DAY.

Wednesday, 6th October 1869.

PRESENT :

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHLOM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.

HENRY FRANCIS PURCELL, Esq., Secretary.
DE TRACY GOULD, Esq., Acting Secretary.

THIRTY-SIXTH DAY.

Mr. J. Leaker.

6 Oct. 1869.

Mr. JAMES LEAKER recalled.

35,972. (*Mr. Coleridge.*) Have you your book there?—Yes. (*Handing it.*)

35,973. If I understand, there was some confusion about what you were paid, and what you were not paid; you have turned to your book and pointed out to me all you were paid last time was this item; "Sandwiches & sherry for 6 committee or poll rooms," and also some trifling sum that was had in the coffee room at your own house, 2*l.* 10*s.*?—Yes.

35,974. Amounting to how much?—21*l.* something.

35,975. And that is all you have received from Mr. Trevor, the election agent?—Every farthing.

35,976. And the whole of this private account, if I understand, of Westropp and Gray, amounting to 139*l.*, every single item on those two pages applies to the election and to the election petition?—Quite so.

35,977. And all that applies to the petition is some 4*l.* 6*s.* Mr. Westropp incurred when he came down on the inquiry?—Yes.

35,978. Therefore the whole money owing to you now is for personal expenses at the election itself?—And before the election.

35,979. And nothing in the world to do with the petition?—Not the least.

35,980. And the whole to do with the petition is 4*l.* 6*s.*?—The private account of Mr. Westropp.

35,981. You have received a cheque from Mr. Brice for 139*l.*, but for that you have given your I O U?—I do not know; I forget the amount Mr. Brice has paid me.

35,982. One hundreds pound odd?—100*l.* odd, which I gave him an I O U for; a personal debt of my own.

35,983. (*Mr. Anstey.*) A promissory note, was not it?—An I O U.

35,984. You are liable for it?—Yes.

35,985. Therefore you look on that cheque as more in the nature of an advance than a payment of a debt to you?—Yes.

35,986. Were you party in any way to any arrangement by which you were to look to the lawyers for the payment of your claim on Westropp and Gray, and not on Westropp and Gray themselves?—Not at all.

35,987. Therefore it was nothing to you what arrangement they made among themselves?—Not at all.

35,988. (*Mr. Coleridge.*) There is one other thing; I do not know whether you can explain it or who, except Mr. Trevor. Why are the personal expenses charged as having been paid to you, you only receiving 21*l.*?—The bill I sent to Mr. Trevor was by his dictation. He said he could not pay any private account.

35,989. How can you account for his putting down 72*l.* and only paying 21*l.*?—I cannot account for it.

(*Mr. Anstey.*) I think Mr. Brice explained that; that they cut the bill into two parts.

35,990. (*Mr. Coleridge.*) This bill for personal expenses was never paid?—Not that I know of.

35,991. Was there any other house where they could have had personal expenses besides yours?—No.

35,992. Any other house where they could have had large parties or dinners?—No.

(*Mr. Price.*) There is Mr. Trevor's letter of the 23rd December:—"My dear Mr. Westropp,—"Leaker has sent me bills of 26*l.* 9*s.* 1*d.* and "96*l.* 10*s.* 11*d.*, on you and Mr. Gray, which I "enclose, for your tavern expenses, which should be "paid by yourselves and not by me as agent; and you "and Mr. Gray must send me account of all your "personal expenses without loss of time as to the "election. The charge seems high for rooms, but "Leaker says his home was so overrun that the ordi-"nary charge would not pay." Now Mr. Westropp says in consequence of that he returned as part of his personal expenses, he having originally only returned to Mr. James Trevor as personal expenses 10*l.*, or not quite 10*l.* He did not explain quite what that was for, but we shall get it from him; then added on to that 10*l.*, half of Mr. Leaker's bill. There is something more to Mr. Gray which we did not get explained from Mr. Gray; it is 72*l.* here, and he says he added on half of your bill. Now the whole of your bill as against the two would be somewhere about 24*l.*, would not it?

35,993. (*Mr. Coleridge.*) Including the 21*l.*?—If you will look, that is what I brought when I gave my evidence the first day. (*Handing in an account.*)

35,994. Amounting to 139*l.* 4*s.* 3*d.*?

35,994*a*. (*Mr. Price.*) Does that 132*l.* include anything beyond the tavern bill incurred by Westropp and Gray?—No, it does not include anything besides that.

(*Mr. Coleridge.*) Lend me your book again; it is as simple as possible.

35,995. (*Mr. Price.*) What is this 4*l.* 6*s.*, Mr. Westropp's bill?—That is when down at the petition.

35,996. Then that is to come out?—That is to come out.

35,997. Then it is 135*l.* and not 139*l.*, because you struck off what Mr. Westropp incurred at the petition inquiry altogether, and taking that 4*l.* 6*s.* from the 139*l.* 4*s.* leaves 134*l.* some shillings; then Mr. Westropp says, "I divided that with Mr. Gray, and conse-"quently I added as my part of my personal expenses "the half of what I should owe Mr. Leaker for my "tavern bill;" and that with the sum he had already returned as personal expenses he says makes up the sum of 72*l.* Now, according to all rule that I ever have heard of, that 72*l.* ought to have been accompanied by vouchers, which could easily have been done, because your bill would have been an ample voucher for it; it should have been returned with a voucher to show that it had been paid, and then the whole personal expenses would have been discharged, and would have come within the 200*l.* which Mr. Westropp says he and Mr. Gray deposited with the attorneys for the legal expenses?—After the petition was over, when Mr. Gray and Mr. Westropp left my hotel they told me that Mr. Brice would see to my account, which would be paid.

35,998. That has nothing to do with it, but that is

the way we stand, because, according to these returns, they purport to be information to the public of what each candidate has actually spent at the elections; therefore this represents that Mr. Westropp spent as personal expenditure 72*l.*, and paid it, whereas it turns out now he says he has paid it, because he gave enough to pay to his agents, and they have not paid, but they kept the money for some other purpose?—If they have returned my bill as paid, they ought to have returned me my money.

35,999. Of course, and the voucher should have gone in for it?—Mr. Brice will produce my account if you ask him.

That ought to have gone into the returning officer with every other voucher.

36,000. (*Mr. Coleridge.*) They have taken your bill and paid you 21*l.* on account, thrown it into the one amount, and then charged one candidate 76*l.* 14*s.* 10*d.*, and the other 72*l.* 2*s.* 3*d.*, and that has not been paid you, but put into the personal expenses?—Not paid me, but put in as paid.

36,001. In one sense it has been paid you, but you have given your I O U for it?—I have.

36,002. (*Mr. Price.*) It is 130*l.*, I think, as near as possible. I do not know but what the share of the dinner of November 9th would have to be added?—It would have to be added.

36,003. Then it is exactly 132*l.* 10*s.* 5*d.*, exclusive of Mr. Westropp's 4*l.* 6*s.* 6*d.*?—Yes.

36,004. Then half of that would have to be paid by each candidate?—Yes.

36,005. Then Mr. Westropp would have to pay 4*l.* 6*s.* himself?—That is another transaction.

36,006. Mr. Westropp says, "I did not leave Mr. "Leaker's bill unpaid, because I considered the 200*l.* "I lodged with the attorney as ample to cover it, and "when I looked at the return of my personal expenses "I found it was ample to cover it"?—That is the impression Mr. Westropp laboured under.

(*Mr. Price.*) And quite properly it seems to me.

36,007. (*Mr. Anstey.*) It is quite clear that the unpaid bill includes items relating to the election?—Yes, nothing more than their private account.

36,008. Have you had any conversation with Mr. Westropp or Mr. Gray since we came down here this time about it?—Not at all; only Mr. Westropp expressed his surprise the bill was not paid, that it should still be owing.

36,009. Surprised he is returned as having spent 76*l.*, and therefore thinks he has paid it.

FREDERICK CHARLES TEMBLETT recalled.

F. C. Temblett.

(*The witness.*) I heard a good deal said about a letter written yesterday by Mr. Smith in the name of the heads of the party. I happen to know something about that, which I heard at the time. That letter was written, I believe, in the name of the party. I heard that a meeting had been held——

36,010. (*Mr. Price.*) You are telling us a great deal you have heard. Where did you get your information from?—I believe it was from Joseph Richard Smith that I got it.

36,011. Tell us, and then we will have him here?—That this meeting had been held, and in the first place when it had been decided to petition against Mr. Vanderbyl, after some time the thing fell through, and that Mr. Patton wrote down to say he would have no more to do with it.

36,012. It has nothing to do with that. The letter which Mr. Smith says he wrote in the name of the party was a totally different thing altogether?—I heard the meeting was held, and they came to a determination that Mr. Patton would use his influence to get a batch of magistrates appointed, to get a majority on the bench, and pay up all outstanding accounts.

36,013. Who but the Smiths were present at this meeting?—I cannot say, but I heard that there was a meeting of the whole party; that is, the heads.

36,014. You know nothing about it?—No, not more than that; but while I am under examination I may say that Murlis gave my name as having had some money from him. I did have some money from him, but not for myself. I paid it to another man. He gave in the names of several people as sub-agents. He does not give my name as sub-agent. I paid the money to William White, of Durley, to give a voter.

HENRY BEALE sworn.

H. Beale.

36,015. (*Mr. Anstey.*) Are you a clerk in Messrs. Sealy and Prior's bank?—Yes.

36,016. Were you there on the polling day of the last election?—Yes.

36,017. Did you see Dr. Kinglake come into the bank?—No.

30,018. Did you see him go out of the bank?—No, I did not see him there the whole day. I was there between 12 and 1, and that is when Mr. Prior stated he came in.

36,019. And were you there between 1 and 2?—Yes.

36,020. How long?—I was there the whole time.

36,021. And did not leave?—Between 1 and 2.

36,022. Did you hear the clock strike one?—It does not strike.

36,023. Did you see the clock?—Yes.

36,024. Are you sure you were there at 1 o'clock?—Certainly, or within a few minutes.

36,025. How many minutes?—Five.

36,026. From about five minutes past 1 to 2 o'clock you were there?—Yes.

36,027. Did you see Mr. Kinglake come in at that time?—No.

36,028. Did you see a fly drive up to the door?—No.

36,029. What other clerks are there in the bank?—Mr. Edward Prior.

36,030. Only Mr. Edward Prior?—That is all.

36,031. Was he there when you were absent?—Yes.

36,032. Was he there when you were present?—Not between 1 and 2.

36,033. He was not there?—No, at dinner.

Mr. EDWARD PRIOR recalled.

Mr. E. Prior.

36,034. (*Mr. Anstey.*) Did you see Dr. Kinglake come to the bank that day after the time you have spoken of, when he went in to your father in the parlour?—No, he came soon after 12.

(*Mr. Price.*) That is not an answer to the question.

36,035. (*Mr. Anstey.*) You have already stated that Dr. Kinglake came there that day and went into the bank parlour?—Yes.

36,036. And came out again, and you do not know what took place?—I do not know what took place.

36,037. And immediately after that you were sent down with the 500*l.* to Allan?—I went to Allan's after 3 o'clock.

36,008. But you were told to go after Dr. Kinglake had been there, immediately after?—No, I was not told until after 3.

36,039. When were you first told to take the 500*l.*?—After 3 o'clock.

36,040. By your father?—By my father.

36,041. When you saw Dr. Kinglake come out of the bank parlour and go away, what o'clock was that?—Soon after 12.

36,042. How soon?—It must have been between 12 and a quarter past.

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36,043. Did you see him come back again that day?—I did not.

36,044. When he came that time did he come in a fly?—No.

36,045. Did you see a fly drive up to the door and then go away, having been dismissed?—No.

36,046. Were you there between 12 and 1?—I was not there between 12 and 1.

36,047. I mean between 1 and 2?—I was not.

36,048. Did you leave before 1?—I left about 1; I cannot say to five minutes.

36,049. It might have been five minutes before 1?—It might have been five minutes before 1.

36,050. Or a few minutes after?—Or a few minutes after; I cannot say to five minutes.

36,051. But you can charge your memory thus far, that the time when you saw Dr. Kinglake going into the bank parlour was from 12 to half-past?—From 12 to a quarter past.

36,052. And you can also charge your memory thus far, that you did not see him after that?—Not after that.

36,053. How can you fix the time when you did see him, because I want to draw your attention to this, if you had been told then to take the 500*l.* down that would have struck you, and made you think of the time, but had anything occurred to make you look at the clock, or think what the time would be when you saw Dr. Kinglake enter the bank?—Well, it was soon after Mr. Beale left; that is the only answer I can give.

36,054. But you were employed, were not you, in the business of the bank?—Yes.

36,055. You were at your work?—I was at my work.

36,056. And you were occupied at your work from the time that Mr. Beale left until the time you saw Dr. Kinglake?—Yes of course; I was attending to my duties.

36,057. Did you look at the clock then?—I did not particularly look at the clock. I did not look at the clock immediately when he left.

36,058. Did you look at the clock about the time when he came in and left?—Yes, I did.

36,059. How long after?—Well, I looked at it the time he was there.

36,060. (*Mr. Price.*) Do you mean positively to swear that you looked at the clock?—Yes, I am in the habit of looking at the clock.

36,061. I do not say you are not; but the question is, will you undertake to say positively that you looked at the clock, and have such an accurate recollection of it that you will swear it was not between 1 and 2, instead of between 12 and 1?—Yes, I can.

36,062. Then how?

36,063. (*Mr. Anstey.*) What made you look at the clock to begin with?—Well, I cannot say particularly what I had looked at the clock for, but I am in the habit of looking at the clock.

36,064. Do you swear positively that whilst Dr. Kinglake was staying in the bank you looked at the clock?—Yes.

36,065. Positively?—Yes, I can.

36,066. Then you can tell me positively what time it was?—I cannot say to five minutes, but between 12 and a quarter-past.

36,067. (*Mr. Price.*) Was there anything particularly to draw your attention to the clock; was it your hour of leaving the bank to go to luncheon?—It was about the time that I make the exchange with the West of England Bank, and I left the bank to go to the West of England immediately after Mr. Kinglake left.

36,068. Whom did you make the exchange with at the West of England Bank?—I cannot say what clerk it was.

36,069. (*Mr. Anstey.*) You say you had an exchange to make with the West of England Bank, and you did make that exchange as soon as Mr. Kinglake went; which Mr. Kinglake?—Dr. Kinglake.

36,070. As soon as he went there?—As soon as he left the bank.

36,071. How long was he in the bank?—He was there about three minutes I should say, not any more.

36,072. How came it that you did not look at the clock before he came into the bank, as you were so anxious to go there in time?—I never go there until a little after 12, and I could not leave while he was there, because I could not leave the bank alone.

36,073. But you did not arrive at the bank until 12, did you?—Yes.

36,074. Then Mr. Beale did not leave until 12?—He does not leave until 12; he leaves at 12.

36,075. Answer my question, and do not take example of other witnesses of that sort. You gave your answers before right enough, and you understand what I mean. Is not it the fact that he left at 12?—Yes.

36,075*a*. And is not it a fact that he then left because it is his usual hour?—That is his usual hour.

36,076. Then what earthly motive could you have for looking at the clock, knowing that he had left, to look a few minutes afterwards?—As I said before, when Dr. Kinglake left I looked at the clock to see whether it was time to go to the bank.

36,077. What made you do it?—I cannot give you any idea.

36,078. (*Mr. Price.*) You knew that Mr. Beale had gone?—I knew Mr. Beale had gone.

36,079. And that he goes at 12?—He goes at 12.

36,080. And therefore there was no occasion to look at the clock to see whether it was or was not, because the fact of his going pronounced it to be 12?

36,081. (*Mr. Coleridge.*) It is his dinner hour?—He goes to luncheon.

36,082. What time did you go?—At one o'clock.

36,083. Is it that you looked at the clock to see whether your own dinner hour was approaching?—No.

36,084. Or luncheon?—No, because it was three quarters of an hour to that.

36,085. How much time did you give to effect the exchange you spoke of?—Three or four minutes.

36,086. (*Mr. Price.*) You did not require three-quarters of an hour to effect the exchange in?—No.

36,087. (*Mr. Anstey.*) Then why were you so particularly anxious during the three minutes Dr. Kinglake was there to see what the time was after Mr. Beale had left. Explain it if you can; come, tell me?—I cannot give any.

36,088. I am tired of asking questions; you cannot give any what?—Any further explanation.

36,089. (*Mr. Price.*) Is it your custom to go to clear with the West of England Bank when you are the only clerk left in the bank?—If the partners are present; if my father or Mr. Sealy is in the bank, I go then.

36,090. There is no necessity to go at any particular hour?—Well, we generally go at either 12 or soon after.

36,091. (*Mr. Anstey.*) When did you go that day?—I went immediately after Dr. Kinglake went out of the bank, which was about from 12 to a quarter past 12.

36,092. (*Mr. Coleridge.*) Did your father send you there?—To the West of England Bank?

36,093. Yes?—No, he did not send me there; I do it as a matter of course.

36,094. (*Mr. Anstey.*) Did you ever tell him you were going?—No.

36,095. But he was shut up in the parlour, and there was no clerk?—He came out in the bank when Dr. Kinglake left.

36,096. You did not tell us that. Now tell us what took place between them?—Dr. Kinglake came out of the bank parlour, and went out of the bank door, and left; and then my father came out into the banking room, and said nothing to me whatever about what took place then.

36,097. Did Dr. Kinglake say anything?—Not a word; he does not know me, I believe.

36,098. I did not ask whether he said anything to you; my question was as general as your answer is particular. Did you hear Dr. Kinglake say anything?—I did not.

36,099. (*Mr. Coleridge.*) What is your regular time for your going out to your luncheon?—One o'clock.

36,100. How long do you stay then?—Sometimes three-quarters of an hour, and sometimes an hour.

36,101. (*Mr. Price.*) Why should you not go and clear at that time, why go at 12 o'clock?—Well, it is a rule we have to go soon after 12 to the West of England, and about two, or soon after, to Stuckey's.

36,102. (*Mr. Anstey.*) What time did you go to the West of England Bank?—It was about a quarter-past 12 I must have been there.

36,103. It was a quarter past when you left, and a quarter past when you arrived?—Well, I cannot say to a few minutes; it is only across the road.

36,104. Who did you see there?—I cannot say who was in the bank.

36,105. But you must say?—I do not really know.

36,106. Who did you speak to?—The clerk who attended me for the exchange.

36,107. How many clerks are there?—Two.

36,108. Then if it was not one, it must have been the other?—Well, they have changed, I believe, since. I think so; I am not sure.

Mr. John Ford recalled. *Mr. J. Ford.*

(*The witness.*) I do not know whether the clerks will remember the time.

36,109. (*Mr. Anstey.*) Is that the customary rule to go at that time?—Yes, generally between 12 and 1, except on market days it may be later.

Mr. Edward Prior recalled. *Mr. E. Prior.*

36,110. (*Mr Anstey.*) How long did you remain at the bank?—Two or three minutes; just time to allow me to make the exchange.

36,111. (*Mr. Price.*) Now we have evidence before us of persons who are perfectly impartial about the matter, who fix the hour that Dr. Kinglake was at the bank, whether at the time you speak of I do not know, but who fix an hour at which he was at the bank which is quite inconsistent with your story that he was only there once, and that was half-past 12. They give a reason for fixing the hour, and you give none?—I was not there between one and two.

36,112. Was he only there once?—Not to my knowledge.

36,113. Then we must have your father here to see whether he was there twice.

(*Mr. Price.*) Now step down and consider the thing carefully over. Do not hurry, because the matter is of considerable importance, the question of time.

Henry Beale recalled. *H. Beale.*

36,114. (*Mr. Anstey.*) Were you out of the bank making exchanges, or doing anything else between one and two after you came back from luncheon?—No, I stayed in the bank the whole time with Mr. Sealy.

36,114*a*. With whom?—Mr. Sealy. Mr. Prior and his son went to dinner at one o'clock, and I was with Mr. Sealy between one and two.

36,115. Where was Mr. Sealy then?—In the bank.

36,116. What part of it?—In and out from the room.

36,117. Where were you?—In the banking room.

36,118. You mean the front room?—Yes.

36,119. Were there many people in during that hour?—No.

36,120. Do you know Dr. Kinglake by sight?—Oh, yes.

36,121. Had you often seen him at the bank?—No, not often.

36,122. Had you ever seen him there?—Yes.

36,123. When before?—I cannot tell; I daresay he comes in twice or three times a year.

36,124. How many years have you been there?—Ten.

36,125. Had you seen him there the day before?—I do not remember.

36,126. Or within a week or two before?—He may have.

36,127. But did you?—I do not remember seeing him.

36,128. (*Mr. Price.*) Is there any way of getting into your banking establishment without going through the bank?—They must pass through the banking room, if they go round the passage.

36,129. They must go through the office?—Yes, to go to Mr. Sealy's private room.

36,130. That is the bank parlour?—Yes.

36,131. (*Mr. Anstey.*) There is only one private room for Mr. Sealy and Mr. Prior?—Only one.

Mr. Edward Prior recalled. *Mr. E. Prior.*

36,132. (*Mr. Anstey.*) When your father was at the bank that morning before he went to dinner with you, was Mr. Sealy in the room with him?—No. I did not see Mr. Sealy until I came back from my dinner. I did not see him the whole of the morning before, not in the bank.

Henry Beale recalled. *H. Beale.*

36,133. (*Mr. Anstey.*) When did Mr. Sealy arrive at the bank?—He was there before me; I got there about one, or five minutes past.

36,134. That is what I want. Now, be particular, it was past one you have told us already when you got to the bank?—Yes.

36,135. And when you got there you found Mr. Sealy there?—Yes; and Mr. Edward Prior.

Mr. Edward Prior recalled. *Mr. E. Prior.*

36,136. When you went away with your father to dinner it was one o'clock?—It was about one; I cannot say to five minutes.

36,137. It may have been five minutes, then?—It may have been five minutes, then.

36,138. When you went away had Mr. Sealy already arrived?—He was coming in at the door when I went out with my father.

(*Mr. Anstey.*) Then perhaps it was done in those ten minutes; that is all.

Mr. William Brice recalled. *Mr. W. Brice.*

36,139. (*Mr. Price.*) What I want to understand about this bill is this, Mr. James Trevor seems to have received from Mr. Westropp an account of personal expenses, amounting, I think Mr. Westropp said, to something under 10*l.*, and on the 23rd of December he seems to have written to him in this

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form :—" My dear Mr. Westropp,—Leaker has sent me " bills of 26*l.* 9*s.* 1*d.* and 96*l.* 10*s.* 11*d.*, on you and " Mr. Gray, which I enclose, for your tavern expenses, " which should be paid by yourselves and not by me " as agent; and you and Mr. Gray must send me " account of all your personal expenses without loss " of time as to the election." Then Mr. Westropp then says that he added on to this item, whatever it was, something under 10*l.*, his half of Leaker's bill, which would be about 62*l.*, and that therefore he then returned to Mr. Trevor as his personal expenses, half the expenses—half of the tavern bill—which with the sum he had already returned makes the sum of 72*l.* 2*s.* 3½*d.*, and accordingly Mr. Trevor returns this to the returning officer, but without the voucher I think he ought to have sent, because it is very easy to get Leaker's bill signed as a proper voucher for it, but he returns as actual expenses by the candidate, Mr. Westropp 72*l.* 2*s.* 3½*d.*; and it turns out afterwards that Leaker is not paid, and Mr. Westropp expresses surprise that he has not been paid, and so does Mr. Gray; but they refuse to send any more money to pay Leaker's bill, because they say, "We deposit with " you 200*l.* each of us, to cover legal expenses. You " make a return of 191*l.* to me as legal expenses. In " that is included my tavern bill, and therefore you " have had enough out of that 200*l.* to pay my tavern " bill, and I will not pay any more." Now, I do not know whether you can explain, Mr. Gray's is an analogous case, only his personal expenses are larger, 76*l.*, and his total is 195*l.* Therefore, according to that, there is no doubt 200*l.* ought to have covered the tavern bill?—Clearly.

36,140. And Mr. Leaker ought to have had it out of that 200*l.*?—To that extent.

36,141. (*Mr. Coleridge.*) To the whole extent?—To the extent of 200*l.* I understand what you mean.

36,142. It is charged as having been received, but he says he has not had it. What has become of that money?—I do not know. I never received a farthing, or paid a farthing.

36,143. (*Mr. Price.*) Mr. John Trevor is the only person who received that?—Clearly; he can give you the information. I never received a penny, nor paid a penny.

36,144. We know that you had a bill against Mr. Westropp and Mr. Gray with regard to the expenses of the election?—I quite see the point you take.

36,145. That is a different matter?—Entirely. What you mean to say is, that this money being deposited for a specific purpose ought to be appropriated to that specific purpose, notwithstanding the fact that there was a double claim on him for other expenses.

(*Mr. Price.*) That is it.

36,146. (*Mr. Coleridge.*) It is much stronger than that, because it amounts to a false declaration; here is put down personal expenses 72*l.* odd?—Which have not been paid.

36,147. Which have not been paid; therefore in reality that money has not been honestly applied?—I see the point you take, and a proper one too. I never received nor paid a penny.

36,148. (*Mr. Price.*) We thought it right that you should have an opportunity of explaining it because it struck one as being a disgraceful imputation on the two candidates that they should have left their tavern bill unpaid, they being under the impression that it had already gone into the account?—Yes; in that account I should tell you when Mr. Leaker came to me I knew nothing of what was in it. I had the greatest confidence in the probity and honour of Mr. Westropp and Mr. Gray.

36,149. (*Mr. Coleridge.*) Did you know what these items were?—No.

36,150. Take them in your hand; you will find them charged to Mr. Leaker (*handing it to the witness*)?—Yes; it is the first time I have seen the paper.

36,151. (*Mr. Price.*) It struck me the time I first heard this, that personal expenses could only mean such a thing as a tavern bill?—Of course not.

36,152. Because there is nothing else?—There is nothing else. I quite see what you mean, and Mr. Trevor will be here to-morrow and will explain it.

Mr. J. H. B. Carslake.

Mr. J. H. B. Carslake recalled.

36,153. (*Mr. Anstey.*) Tell me where I can find the state of the poll, not the true state, but as announced at the time at the "Clarence" hotel, at one o'clock of the polling day?—You will find it in the box of papers we handed to your secretary. I think Mr. Justice Blackburn had before him the return which was agreed on by the parties as being correct of the state of the poll. I think I saw it.

Mr. J. R. Smith.

Mr. Joseph Richard Smith recalled.

36,154. (*Mr. Coleridge.*) What year was it that your father died?—My father has been dead 12 or 13 years.

36,155. Then he was dead before 1859?—Yes; he must have died about 1856 or 1857.

36,156. (*Mr. Anstey.*) Who was the second person who signed the petition you got up, I suppose, as your name is first to it, in 1866—the 820; it is printed "Thomas Hatley"?—I have not an idea. I will tell you how that emanated. After the petition was presented asking for an inquiry by the Liberal party, a public meeting was called in the town, and held in the large room at the "Clarence" hotel. I was elected chairman. A resolution was moved by Mr. James Trevor, I think, that that petition should be adopted, and that it should be first signed by the chairman. It was either Mr. James or Mr. John Trevor, but I have not an idea which. I have tried to recollect, and I asked Mr. James Trevor, and he has not been able to recollect.

36,157. Were you consulted by Mr. Murlis in 1859?—Not that I am aware of in any shape or form.

36,158. About the payment of money?—Not that I am aware of in any shape or form. I should say no.

36,159. He has mentioned a Mr. Smith whom he consulted in 1852 was that you or your father?—1852; my father I should apprehend.

36,160. Your father died in 1856?—Or 1857; thereabouts.

36,161. Are you quite sure that Murlis had no communication with you about the payment of money to voters at any election that followed your father's death?—Certainly not.

Mr. W. Brice.

Mr. William Brice recalled.

36,162. (*Mr. Price.*) One letter was read yesterday, if not two, by Mr. Westropp, which Mr. Smith wrote to him saying there had been a meeting of the heads of the parties?—Yes, one was on the 25th July.

36,163. "Dear sir,—A meeting of the heads of the " party has been held to-day, and the subject of the " petition, as well as of your letter of the 23d instant, " has been brought under their consideration. They " have determined to fall in with your views, and no " petition will be presented. For your kind assu- " rances of assistance with reference to the justices " and the patronage of the Government, I am desired " to tender to you their warmest thanks. In these " matters the party throw themselves entirely upon " your kind consideration."

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Mr. JOSEPH RICHARD SMITH recalled. *Mr. J. R. Smith.*

36,163. (*Mr. Price.*) Was there any meeting of the party?—As to the date I will not speak. I will give you all I know of any meeting after the last. On Mr. Patton's election there was a meeting called at Mr. Lilly's office, at which I was present.

36,164. Who else?—Mr. Lilly, Mr. John and Mr. James Trevor, Mr. Brice, I think, old Mr. George Pain, and some others, at which the subject of a petition in reference to that election was talked over, and it was proposed amongst those present that a petition should be presented, and Mr. John Trevor said if I would sign a petition he would, and immediately on that Mr. Bealy Smith came in, he was not present at the previous conversation, and he said, "No, this must "not be done; the authorities in London will lend you "no assistance, and another thing is, that our own "hands are not clean," or words to that effect.

Mr. WILLIAM BRICE recalled. *Mr. W. Brice.*

36,165. (*Mr. Price.*) Do you remember that?—I do not remember anything at all of it, and I further say, that I do not think I was present, for I see in my diary of that day a perfect blank, as also in my office book. It is the 25th July, on a Wednesday.

(*Mr. Price.*) Then there is this letter:—"Bridg- "water, 19th July 1866.—Dear sir,—A meeting of the "heads of the party was held yesterday afternoon, "and it was unanimously resolved, that while on the "one hand every attention and respect should be paid "to the wishes of the Lord Advocate, yet on the "other, it was of great importance to keep up the "position of our party in the town. This can only "be done either by a diligent prosecution of the peti- "tion, or by making all our partizans quite satisfied, "so far as the recent contests are concerned, and by "obtaining assistance from the present Government "in appointing a sufficient number of new justices of "the peace to out-number those who have been "appointed by our opponents, and in the distribution "of some of the patronage in their hands in favour of "the Conservative party in the town."

Mr. JOSEPH RICHARD SMITH recalled. *Mr. J. R. Smith.*

36,166. (*Mr. Price.*) Was there any such meeting held on the 18th July?—Never any such conversation as that occurred.

36,167. Was there any such meeting held on the 18th July of the heads of the party?—There was but one meeting.

36,168. Were you ever present at a meeting on the 18th July of the heads of the party?—I was present at one meeting I have given you an account of at Mr. Lilly's. I do not know the date, but no such conversation as that took place.

"There is a very strong feeling in the town, "encouraged doubtless by the Lord Advocate's part- "ing address, that a petition should be presented. "The signatures thereto and recognizances have been "arranged, and I am quite satisfied that there would "be a liberal subscription to prosecute it to the utmost, "and evidence to support it would not be wanting. "Indeed, many people are in favour of an inquiry, and "a partial disfranchisement of the borough, rather "than allow the Liberal party to ride in tyranny over "the town. The meeting, however, desire to consult "the wishes of the Lord Advocate, and if I receive "your assurance that his lordship will use his utmost "exertions to cement the party here, by giving us "the means of making a liberal settlement with all "parties for the last two elections, and by obtaining "a sufficient number of justices appointed, and a fair "share of the patronage distributed, I think the party "generally will be satisfied, because they will then "believe that a fair opportunity is open of winning at "the next election both seats, and thereby maintaining "the status of the town."

Mr. WILLIAM BRICE recalled. *Mr. W. Brice.*

36,169. (*Mr. Price.*) Was there ever such a meeting to your knowledge when anything of the kind was suggested?—Certainly not, and I do not believe there ever was such a meeting.

Mr. JOSEPH RICHARD SMITH recalled. *Mr. J. R. Smith.*

36,170. (*The witness.*) I may be allowed to say there was no meeting at which such a conversation occurred.

36,171. (*Mr. Price.*) He says there was not?—Not when I was present.

36,172. That does not alter my view that he is a liar?—No; but no such conversation took place at any meeting.

36,173. You are one of the heads of the party?—Mr. Bealy Smith has assumed that.

36,174. You are one of the heads of the party?—I suppose I should be called so.

36,175. (*Mr. Coleridge.*) Would there be a meeting of the heads of the party at which you would not be present?—I should say not.

Mr. WILLIAM BRICE recalled. *Mr. W. Brice.*

(*The witness.*) There was no such meeting as that, and besides we never saw Mr. Patton's money.

36,176. (*Mr. Coleridge.*) You are quite sure. Mr. Bealy Smith made a claim of 900*l.* to clear up the accounts?—I am not surprised at it.

36,177. And got 500*l.* by agreement?—I am not surprised at it.

36,178. Nor are you surprised that he has gone to Australia?—Not in the least.

Mr. JOSEPH RICHARD SMITH recalled. *Mr. J. R. Smith.*

36,179. (*Mr. Anstey.*) You said that your nephew, the only member of his family with whom you are in communication, left this place in a disturbed state of mind; was that disturbed state of mind brought about by his apprehension of a criminal prosecution for obtaining money, or attempting to obtain money, under false pretences?—I have not the slightest conception. He was in a very serious state of mind for some time. I have not the slightest conception; I was not on visiting terms with him, and I cannot tell you.

(*Mr. Anstey.*) The misfortune seems to be that poor Mr. Patton died a calamitous end with his own hand, and all that is brought about by Mr. Bealy Smith.

(*Mr. Price.*) It is a most shocking affair. There is a letter in which the late Lord Advocate says, "I "have certainly had a more than ordinary share of "good fortune in reaching the safe haven in which I am "now moored"—being the Lord Justices Clerk's place; and then you find this poor old man when he heard these horrible revelations was quite overpowered by them.

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Mr. J. Prior.

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Mr. JOHN PRIOR recalled.

36,180. (*Mr. Price.*) It has become a very serious matter indeed since you were here before to thoroughly get at the truth about what took place between you and Dr. Kinglake on the polling day. I do not hesitate to say that it is a matter of the last importance to yourself that you should impress us that you are giving us the thorough truth about the matter, because, if you do not, you must abide the consequences whatever they be. Now we had evidence given us by persons who are apparently impartial in the matter who certainly date a visit, I do not know what visit it was, but a visit of Dr. Kinglake to your bank at a period of time very much later, and very much more suspicious with regard to the events on that day, than either you or your son has spoken to; therefore it behoves you to consider very carefully indeed before you answer these questions as to all the results that may follow. Did Dr. Kinglake pay more than one visit to the bank that day to your knowledge?—He did not.

36,181. How long were you absent from the bank on that day during banking hours?—From one to two o'clock.

36,182. That you are perfectly certain?—That I am perfectly satisfied of.

36,183. (*Mr. Coleridge.*) It is your regular dinner hour?—It is my regular dinner hour.

36,184. (*Mr. Price.*) Therefore, if Dr. Kinglake were seen to drive in a fly to your bank and discharge the fly and go in at one, it would be at a time when you were absent from the bank?—Yes.

36,185. And when the persons then in the ordinary course of things present would be your partner, Mr. Sealy, and Mr. Beale the clerk?—Yes, that is so.

36,186. Now, having told you that, and the importance of all the events of that day—of course we must send for Mr. Sealy—I wish again to ask you whether you have told us the whole of what took place between you and Dr. Kinglake—whether you mean us to understand that Dr. Kinglake when he came on that day told you not only to destroy the cheque, but that the whole transaction of the night before was to be considered as if it had never happened, or whether it amounted to more than this, that he asked you to destroy the cheque which was the evidence, if it had ever come before the court, of what had taken place the night before?—He destroyed the cheque himself. He came into the bank about 12 or soon after. I did not look at the dial to see.

36,187. Did you understand my question; do you mean to convey to us that all that took place was the mere destruction of the cheque by Dr. Kinglake, or whether he went further and said, "Not only do I "destroy the cheque, but you are to consider that "what took place last night is to be as if it had never "happened"?—Well, he did say so.

36,188. Did say what?—That it was to be as though nothing had taken place between us, as though nothing had happened, or words to that effect. I cannot say exactly.

36,189. It makes a great deal of difference if it was the mere destruction of the cheque so as to get rid of the documentary evidence of his having anything to do with the advance, the destruction would be enough?—When he tore up the cheque he said, "as if nothing had taken place between us," or words to that effect.

36,190. (*Mr. Coleridge.*) You have told us that you would not have given the 500*l.* but for this conversation about the cheque?—I was thrown off my guard.

36,191. If the cheque was cancelled only, and not the transaction itself, it is perfectly natural that you must take the consequences of that inference, but if it was only the cheque that was cancelled, and not the transaction——?—The transaction was cancelled certainly.

36,192. Then how came you to give the 500*l.*?—Well, I did it unguardedly, as I told you in the first instance.

36,193. (*Mr. Anstey.*) You said just now that you did not look at the dial plate?—I did not.

36,194. Then what earthly means have you of giving the time you left the bank on that occasion?—I left the bank at one o'clock. I then looked at the dial, but I did not look at the dial to see what time Dr. Kinglake came in; but from the time Dr. Kinglake came into the bank to the time of my leaving I am sure made it very near 12 o'clock.

36,195. You see the difficulty is this, when you come to anything which fixes Dr. Kinglake with a very great crime, or seems to do so, then you say your spirits were so excited or depressed—I forget which—and your mind so much taken by surprise that you cannot say positively one way or the other, but whenever you come to anything which tends to screen Dr. Kinglake from the punishment which if he really has done this he will deserve, you undertake to speak positively to minutes, quarters of hours, half hours, and so on; how do you account for that?—Well, I do not know that I speak positively as to minutes.

36,196. You say you did not look at the dial plate, yet you will undertake to say the time he came was about 12?—About 12.

36,197. You said you could not say it was not a quarter past, perhaps you will not say it was not half-past, or a quarter to one?—I am positive; I cannot say more than that.

36,198. Why you say you were in a great state of excitement about this unhappy election?—Not at the time he came in.

36,199. (*Mr. Price.*) When did it come on?—Towards the close of the day. I am subject to an affliction, which Dr. Parsons could tell you of, and that affliction sometimes causes me to be very excited.

36,200. (*Mr. Anstey.*) Your son cannot say positively that it was not before one when you left the bank, and he too?—Well, perhaps it may be a few minutes before one.

36,201. Did not you leave the bank as soon as Mr. Sealy came into it?—Perhaps I may.

36,202. You did, that is——?—I may.

36,203. Did not you meet him at the door?—I did not meet Mr. Sealy at the door.

36,204. Did you see him before you left?—Well, I might have.

36,205. Then you and your son went away?—No, I went before my son.

36,206. Your son says he went away with you?—I do not know whether he did. I was under the impression that I went alone.

36,207. You must surely know whether you had anyone with you, when you said in the street, "Brown's "men will not come up, they expect to be paid"?—I did not say anything of that kind that I am aware of.

36,208. Oh, I thought it was your conversation. Was that Honeyball?—I had no conversation with Honeyball.

36,209. Or Mr. Mogg?—Or Mr. Mogg.

36,210. There was some you had in the street for I asked you about it?—As I was passing on I saw four or five who stood talking. I think young Mr. Carslake was one, and I told them, and whilst we were there talking Brown's man ran by waving his yellow handkerchief. One of the party said (I do not know who), "You are rather sanguine;" and I left and walked over to my house.

36,211. That was Honeyball?—That was Honeyball.

36,212. Then why contradict when I name a name?—I did not speak; I never opened my mouth.

36,213. But he spoke to the whole of you?—Yes.

36,214. (*Mr. Coleridge.*) Shouted something out?—Yes.

36,215. At that time was your son with you, or not?—He was not with me at the time I was talking to those persons.

36,216. How do you know?—I should have known if he was by my side.

36,217. He says he went from the bank, and you met Mr. Sealy as you were going out of the door?—

I would not swear so or not, but I would not have left if he was not on the premises.

36,218. (*Mr. Anstey.*) At what time did you return?—About two, or a few minutes before; it could not have been more.

36,219. Did you see Dr. Kinglake or Mr. Kinglake at the time they were said to have gone off by the railway station?—I did.

36,220. Did you hear they had gone off?—I heard when I came back they had gone.

36,221. Did you hear either had returned into the town?—I did not.

36,222. Did you hear of Dr. Kinglake having called at the bank in your absence?—I did not.

36,223. Or of a fly having come there and been dismissed?—I heard nothing of the kind.

36,224. Whom did you find there when you got back to the bank from your dinner?—Mr. Sealy, and Mr. Charles Bate was with him in his private room.

36,225. Who else?—Well, Beale, I think, was in the bank. I think my son went back before I did. I think they were all there. I will not be certain, but I think Mr. Beale was there.

36,226. Was there any conversation that evening or morning about Dr. Kinglake?—Nothing passed; his name was not even mentioned.

36,227. Nor Mr. Kinglake?—Nor Mr. Kinglake, except that it was reported they had left, one for London and the other for Taunton. That is all I know.

(*Mr. Price.*) You make the story more extraordinary every time you come. You came back to the bank, having seen Dr. Kinglake before you left. You say he told you the whole transaction was to be considered cancelled. You hear when you come back that Dr. Kinglake had gone away and his brother, and yet you get into a sudden flutter of excitement and forget all you have been told, and let him have 500*l.*

36,228. (*Mr. Anstey.*) Perhaps you did not believe the report, for you say it was only a report, that Dr. Kinglake had left the town?—Of course. I think Mr. Sealy told me they were gone.

36,229. Mr. Sealy must answer for himself, and every man in this borough?—Yes.

36,230. I ask if you believed that report that Dr. Kinglake had left the town?—I had no reason to disbelieve it.

36,231. That is no answer to my question?—I did believe it.

36,232. At the time you paid the 500*l.*?—At the time I paid the 500*l.* I never thought of Dr. Kinglake nor anybody else.

But you said you did think of Dr. Kinglake. You told us before; you told us this—Heaven knows if it be true when I came to ask you how you came to know that it was Dr. Kinglake, or on his credit or authority that this was done, as the paper was of the most meagre description, merely "500*l.* to Allan," not saying that you were pay it, you immediately associated that in your mind with the conversation the night before, and you remembered that, and thereupon you, in your excitement, paid it away. You did think of Dr. Kinglake.

36,233. (*Mr. Price.*) If you had not thought of Dr. Kinglake you would not have paid it?—It was very foolish of me.

36,234. (*Mr. Anstey.*) You said so. I am not talking about what was done, but you told me distinctly you associated it in your mind with Dr. Kinglake, now you say you never thought of him?—I might have been thrown off my guard by what passed.

36,235. Which is true?—At the moment I did not think of Dr. Kinglake nor anyone else. At the moment it passed from me.

You are making it still more incredible.

36,236. (*Mr. Price.*) Paid over the counter to a man not a customer, who presents no cheque, without that passing through your mind as to who authorized it or who was security to the bank——?—It was done in a moment.

36,237. Without thought who it was for or who was responsible?—It was.

36,238. (*Mr. Anstey.*) It is stronger even than that. If he had named Mr. Henry Lovibond that might have called up something to your recollection, but you are positive he never said a word to you, but he handed you the paper, having written it in your presence, and without any word handed it to you, and without a word on your side or on his side you received the paper and gave the necessary instructions, but he never spoke during the whole time he was in the bank, and yet, though the words were only "500*l.* to Allan," you paid away your partner's money and your customers' money to a person you only knew as a bribe agent, sending your own son out of the bank for that, and perhaps having not the feeble security in honour, which Mr. Lovibond's name being mentioned by Mogg might have been understood to give you. You say now you did not think of Dr. Kinglake or anybody else, consequently you did not think of Mr. Lovibond, you did not think of Allan, and you did not think of any person to whom you were to look for payment. Is that really what you mean to say?—Well, I hoped I should be repaid by some one, but I did not know whom to look to.

(*Mr. Price.*) You must not suppose you can make us believe such nonsense. You go deliberately down into the cash cellar, for it is not taken out of the counter. It takes you—I do not care what flutter of excitement you were in—I presume some time to go to the safe to take the bag of gold out and come back, having Mr. Mogg in your private parlour, which you concealed from us when you first gave evidence, and this is all done in this flutter of excitement, and you never think of anything connected with this 500*l.*

(*Mr. Anstey.*) And there is another thing. Your son made the statement, and I shall ask you about that statement, offered by him and very properly; it now appears that you did not give him the directions at the time you were in the pretended flutter of excitement.

36,239. You did not direct him to take the money to the bank until Dr. Kinglake had seen you, or been at the bank at half-past one, as I am inclined to believe he was, but two hours afterwards; if your statement is true, more than two or three hours after the transaction—I mean with Mr. Mogg. Mr. Mogg came in with this piece of paper, and handed it to you and left; I ask you more particularly when he made the statement whether he did not then and there receive his instructions, he says, "No, not till long afterwards," it being, he says, about half-past three?—Half-past three, that is a mistake.

36,240. At all events, long after the time he speaks of; the time of settling?—It was about three.

36,241. Do you mean to tell this large assembly and us, and expect to be believed, that your flurry and excitement had such dominion over you that during the whole of that time you were unable to recollect one prudential consideration to restrain you from handing over this money?—I believe from the time Mr. Mogg entered the bank, to the time the money was given out did not occupy three minutes.

Your son has been twice asked the question.

36,242. (*Mr. Price.*) How long was he in the bank parlour with you?—Whilst writing this memorandum.

36,243. What did you take him in there for?—The door was open. There are two doors leading into this room, one was opened when the other was closed. I do not know whether I was in there at the time he came in. I will not be certain.

36,244. All that makes it ten times more remarkable a transaction. If it be over the counter with an ordinary cheque there would be nothing in it, but here is private and mysterious business done in the bank parlour in a corner where the clerks cannot see, and yet you say you had no thought about it, but did it all in the moment and hurry of excitement.

(*Mr. Anstey, addressing the shorthand writer.*) I

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should like you to read the question which Mr. Prior, jun., intercepted, in order to make the statement about the time at which he took the money, and what Mr. Prior says about it. (*The shorthand writer then found the question referred to.*) Before it is read, let me draw your attention, Mr. Prior, to the evidence you have just given. You say deliberately, after your attention has been called to it by two questions, not three minutes elapsed between Mr. Mogg's departure and your son's departure with the money. Now listen to your son's evidence.

The shorthand writer then read from his note the following extract from Mr. Edward Prior's evidence: "And immediately after that you were sent down "with the 500*l.* to Allan?—I went to Allan's after "3 o'clock. But you were told to go after Dr. "Kinglake had been there, immediately after?—No, "I was not told until after three."

(*Mr. Anstey.*) After three you see he says.

(*The shorthand writer.*) "When were you first told "to take the 500*l.*?—After 3 o'clock. By your "father?—By my father."

(*The witness.*) Well, it may be after three, as I said.

36,245. (*Mr. Anstey.*) But when I said half-past 3, you said, "Oh dear no"?—It was not so late as half-past 3. It is as stated there.

36,246. Then you recognize the truth of your son's statement?—I have no doubt it may be correct.

36,247. Is it true what your son also stated, which you contradicted by anticipation, that you took Dr. Kinglake into the bank parlour and shut the door, and conversed with him there, your son being in the bank room outside?—Dr. Kinglake naturally walked in there.

36,248. Did you do so, or not?—I walked in there with him.

36,249. You shut the door?—I believe I did.

36,250. Then why did you tell us in every examination we have subjected you to until to-day, that the conversation was over the table in the public room—I called it the "counting-house;" that you thought there were no clerks there except your son, if there were any they were outside, and in fact there was no conversation, because it consisted merely in handing in the papers; and again and again your attention was drawn to the point of its being or not being the front room. I called it the "counting-house," and asked you if that was the proper name, and you told me the proper name was the "bank room"?—The "bank room."

36,251. Why did you tell me that, if it was not true?—I am not aware that I have told you any untruth.

36,252. We were most pointed in our inquiries, and I referred to it myself particularly pointedly?—You are referring to Mr. Mogg's coming there?

36,253. Yes, to Mr. Mogg's coming there?—Mr. Mogg naturally walked into that room.

36,254. (*Mr. Price.*) You represented to us that it was done over the counter; that you have told us over and over again?—Not with Mr. Mogg.

(*Mr. Anstey.*) Yes, you did.

36,255. (*Mr. Price.*) You certainly said, over and over again, that Mr. Mogg walked into the public office, I will call it, and wrote down this on a slip of paper, "500*l.* to Andrew Allan;" that you then went down to the cash room, leaving him standing there in the public office; that you came back, and in the public office, having brought the money back, that this paper was handed up to you, and he went away, and your son took it down?—When Mr. Mogg first came in he asked for some paper, and he walked naturally into that room.

36,256. Naturally! You did not tell us so at the time you were examined about it before. You gave us to understand that it took place in the public room, and now you say he "walked naturally" into the private room. Why should he walk naturally in there; he is not a customer or a partner. Why should he "naturally" walk into the private room of a firm of bankers?—The door was open.

36,257. If the door of the safe was open he could not walk in naturally and take a bag of gold?—He could not have done that.

(*Mr. Price.*) Although after what I have heard, I do not say that anything could not be done in your bank, I do not see why Mogg should not have walked into your cash room and taken 500*l.*, and have said, "I have 500*l.* for Allan here."

36,258. (*Mr. Anstey.*) Now you have stated here again, as you stated on the first occasion, although entirely contradicted by your son, that Mogg said, "Give me some paper," and a piece of paper having been handed to him, he thereupon wrote something upon it; and then you say, what you never said before, that he walked "naturally" into the bank parlour. Your son says he did not say a word in the bank room, that he did not take a piece of paper, that he did not write a single word in that room; that if he wrote anything he must have written it in your bank parlour, that the door must have been closed upon him, and you say that your son could not see what took place. Is that true or false?—That is true.

36,259. Then what you have said just now is utterly false?—No, as I understand you.

(*Mr. Price.*) This is utterly inconsistent.

36,260. (*Mr. Anstey.*) You this moment said that he came and wrote on a bit of paper, and walked naturally into the private room?—He wrote the words in the room.

36,261. (*Mr. Price.*) All that seems to have made it a very much more remarkable transaction, and it ought to have removed any excitement from your mind, and have made you calmly consider what you were doing. His naturally walking into the bank parlour, which I suppose he never did in his life before, and asking for paper, all that ought to have given you some little time to reflect, and yet you say you did not say a word about it. I repeat again, that looking at the flutter of excitement you were in, that Allan, or anybody else, might have walked into your safe and have taken out of it as much gold as he liked, and have walked off with it?—The safe is underground.

(*Mr. Price.*) No matter. The flutter of excitement you were in was so great during the time of the election that you do not seem to have known what you were doing, or what anybody else was doing.

(*Mr. Anstey.*) I do not believe your statement about the flutter of excitement you were in. You have voluntarily come here and made a statement, and I have not seen you in a flurry for one single second, or for half a second. I do not believe in the flutter of excitement.

36,262. (*Mr. Price.*) We ask you again for the last time, just repeat deliberately to us, not so much what was the effect, because it is of great importance to know, as near as you can tell us, what passed between you and Dr. Kinglake, and whether you are prepared to abide by that, and take the consequences. Now, then, you have had lots of time to consider this matter?—Dr. Kinglake walked into the bank, and he said, "I want that cheque," or "order," I forget which he called it.

36,263. Where was this said?—He spoke to me in the banking room, and walked into the inner room.

36,264. Did he say that loud enough to be heard by anybody in the bank?—I do not know that he did.

36,265. Was nobody in the bank?—I think my son was there, I am not certain; and he walked into the inner room, and I got him the cheque.

36,266. Did you shut the door?—Well, the door was closed.

36,267. You shut it, I suppose?—I did; I have no doubt of that.

36,268. Good heavens! What is the use of saying "the door was shut," as if it shut by itself?—No; it is a glass door.

36,269. You shut the door?—I shut the door.

36,270. You are sure that Dr. Kinglake asked you to give him that cheque? Collect your recollection, and just tell us what took place?—Dr. Kinglake asked me to give him that cheque. I gave it to him, and he tore it up.

36,271. (*Mr. Coleridge.*) But what cheque? You

say "that" cheque. What did he say?—The cheque for 1,000*l.*, which he gave me the night before.

36,272. (*Mr. Price.*) Well, what then?—He says, "No use has been made of this" and he tore it up; and threw it in the fire, and he said, "Now, this is as though nothing had taken place between us," or something to that effect.

36,273. That is what you wish to stand by?—That is what I wish to stand by.

36,274. (*Mr. Anstey.*) What else did he say?—"It "is as though nothing else had taken place between "us."

36,275. That you have said already. What did he say besides that?—I do not know that he said anything particular.

36,276. Oh yes, you do. Now, come; you can recollect?—He walked out into the banking room.

36,277. But before he walked out in the bank room, what else took place; I must have everything he said?—I cannot recollect at this distance of time that he made use of anything else. All I know is, that he said, "This is as though nothing took place between us."

36,278. What did you say to that?—I cannot say. I cannot recollect.

36,279. (*Mr. Price.*) You were in no flutter of excitement then?—I cannot say that I was.

36,280. You were perfectly calm and collected, and you understood that not only the cheque was to be cancelled, which was the documentary evidence, but as to the whole transaction, as to the credit being opened, that it was to be at an end?—Oh yes. I understood it was to be at an end with Dr. Kinglake.

36,281. The whole thing was to be at an end?—Yes.

36,282. You thoroughly understood that?—Oh, I thoroughly understood that.

36,283. And gave him to understand that you understood it so?—Well, I did not make any reply to him. He walked in the private room, and he said, "I cannot do without some cash; will you cash me a "cheque for 10*l.*, I cannot leave the town without "it;" and while I was cashing that, I said, "Well, Mr. "Kinglake, I am very sorry we have lost your "brother;" because it was considered a lost election then.

36,284. That is a deliberate affair, and yet in about two hours after your memory is a complete blank, and you hand over 500*l.* in this haphazard way across the counter?—I did so.

36,285. That is what you wish to say?—And that is my loss.

36,286. Never mind your loss?—It is.

36,287. The loss is a very unimportant thing to us in a transaction of this kind. You mean to say, that in your flutter of excitement that all recollection of Dr. Kinglake's solemn act accompanying his words—the solemn act of tearing up the cheque accompanying his words, and your implied assent to it, and your full understanding that the whole thing was to be cancelled, all that vanished from your mind at the time when Mr. Mogg came in, and no thought arose in your mind as to the 500*l.*; that is the way you wish it to stand?—That is the fact.

36,288. That is the way you wish it to stand?—Oh yes.

36,289. You say "Oh yes." Now I put it to you in this way: did not you really believe that when you handed that 500*l.* to Mr. Mogg that all that Dr. Kinglake had done was merely to destroy the cheque, but that his credit was still pledgod to your bank for any advance?—No, I did not believe anything of the kind.

36,290. (*Mr. Anstey.*) Nor his honour?—Nor his honour.

36,291. (*Mr. Coleridge.*) But you have told us you would not have advanced the money unless you had had the conversation with Dr. Kinglake as to the cheque?—It put me off my guard.

36,292. It ought to have put you on your guard instead of throwing you off your guard, and you have told us you would not have advanced the money but for that, and I suppose you did look to Dr. Kinglake as the eventual paymaster of that 500*l.*?—Well, I have no right to look to him.

36,293. I know that; but did you not think ten minutes after that, "Well, I have done a foolish "thing, but Dr. Kinglake is the person I must look "to"?—No, I did not think so.

36,294. When did you think he was the proper person to look to?—I have thought so from that time.

36,295. You thought Mr. Lovibond was the proper person, you have said?—If Dr. Kinglake had sent Mr. Lovibond to me I should have let him have the money.

36,296. You said you did it on the faith of Dr. Kinglake's cheque. Do you mean now to say that if Mr. Lovibond had sent Mogg to you in the way he did, you having had no conversation with Dr. Kinglake, and no cheque, you would have let him have the money?—I should, certainly.

36,297. In that same way, without a cheque?—In that same way, without a cheque, because he was a customer of ours.

36,298. Even if you had had no conversation with Dr. Kinglake at all?—Well, I may have been thrown off my guard.

36,299. (*Mr. Anstey.*) Who do you say was a customer of yours?—Mr. Lovibond.

36,300. Well, but Mr. Mogg was not?—No.

36,301. And Mogg, according to you, never mentioned Mr. Lovibond's name?—No, he did not.

36,302. Do you mean to say, if you had had no conversation with Dr. Kinglake over night, that you would have let Mogg have the money without Mr. Lovibond's name being mentioned?—I should have had to look to Mogg.

36,303. Do you mean to say you would have given it to Mogg, who was not a customer, without anybody else's name being mentioned to whom you could look for payment; do you mean to say you would have given it to him?—To Mr. Mogg?

36,304. Yes?—Well, Mr. Mogg was a man of responsibility.

(*Mr. Price.*) Do you mean to say that if a person of responsibility came into your bank and asked for 500*l.* you would let him have it without a cheque or anything else?

36,305. (*Mr. Coleridge.*) I think I understood you to say you would not let the best customer in the world have a sum of 500*l.* unless you were in a flutter of excitement?—No, I do not think I said that.

36,306. Supposing a person came into your bank and said, "I want 500*l.* at once, I am going off by the train;" supposing it was Lady Taunton, or the richest person in the place, would you hand over the 500*l.* without a cheque or anything else?—No, certainly not, unless he gave me security.

36,307. (*Mr. Anstey.*) I want to give you another chance, if you have worldly wisdom enough to take advantage of it. You saw Dr. Kinglake over night, you say?—Yes.

36,308. And you were told by him enough, I shoukl have thought, to make you aware that this was not to be considered a regular business transaction; you were told that you were to keep the cheque out of the coffers, and the entry of it out of the books, were you not?—I was not told that of course.

36,309. You have sworn it, that is all?—In the regular course the cheque would not have been debited to Dr. Kinglake unless it was made use of.

36,310. I am not asking you what would be the regular course. Did not he tell you you were not to make an entry in your books, but to keep it as a private transaction in your box, or drawers, or coffers, or whatever they are?—No; I have never said anything of the kind.

36,311. Your evidence stands so in our shorthand writer's notes?—No.

36,312. (*Mr. Price.*) Then what did Dr. Kinglake say, in Heaven's name; I certainly understood it so myself?—When Dr. Kinglake asked me what he

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should give me, I said, "You cannot do better than give me your cheque," and he said, "Mr. Lovibond will tell you how you should draw that cheque," or at least something of that kind, "he will give you the instructions;" but he never said to me I was not to enter that cheque, or to debit him with it; but of course, if the cheque was not made use of, it would not be entered one way or the other; and consequently he called in about 12 o'clock or soon after, the next day, and he said, "You have not made any use of that cheque?" and I said, "No."

36,313. Did you make any entry the first thing in the morning?—No, I did not.

36,314. Why not?—Because there was no call for the money.

36,315. (*Mr. Coleridge.*) Was that cheque on Stuckey's?—Stuckey's, at Taunton.

36,316. Where he had been unable to raise the money before?—That I know nothing about.

36,317. (*Mr. Anstey.*) This is what you told the learned Chief Commissioner: "Where does Mr. "Kinglake live?—*A.* At Taunton; and he asked me "what he had better give me for the 1,000*l.* I told "him that he had better give me his cheque, which "he did. He gave me a cheque on Stuckey's Banking "Company, Taunton. This was the evening after "the nomination. *Q.* The evening of the nomina-"tion?—*A.* After the nomination. Next morning, "just before 12, he called on me at the bank and said, "'Have you made use of that cheque?' I said, 'I "have not.' He said, 'Please give it to me,' and I "returned it to him, and he put it in the fire; and he "said, 'Now this is just as if nothing had happened.' "*Q.* As if what?—Nothing had taken place between "us." Then Mr. Coleridge asks, "Where was the "money all the time?—*A.* It was a cheque on us—" that must be a mistake—"and I was to have disposed of the 1,000*l.* as Mr. Lovibond should direct." Then the Chief Commissioner says, "That is what he told "you?—*A.* That is what he told me. (*Mr. Cole-"ridge.*) Then he had no money?—Then he had no "money; he kept his account at Stuckey's, at "Taunton." Then I ask, "Was it to be drawn by "cheques, or did you authorize him to authorize Mr. "Lovibond to come for the money without cheque? "—*A.* There was nothing about his drawing cheques. "*Q.* That would not have been necessary, perhaps? "—*A.* No, it would not." Then Mr. Coleridge asks you, further on, "Do you mean this was kept from "Mr. Sealy?—*A.* Yes. When I came to think of it "the next day I thought, 'Well, I have not consulted "'Mr. Sealy upon this, for he was not in the bank, "'and therefore I must get this money back again in "'the best way I can.'" Then I ask, "What money "was this you were prepared to give out in this way, "without cheque: was it your own, or your de-"positors?—*A.* It is my own, because I make it "good if it is never forthcoming." Then the Chief Commissioner asks you, "It was your own you "advanced?—*A.* I am responsible for it. *Q.* It was not "any depositor's money?—A. It was not." Then the Chief Commissioner goes on to say, "What I want "particularly to know is, is there any understanding "or practice at your bank with regard to elections, by "which there shall be a certain fund considered to "be guaranteed or answered for by certain persons, "and then for anybody who is understood to be an "agent to go and get the money out of it?—*A.* No, "nothing of the kind. *Q.* Did you pay this 500*l.*, and "would you have paid the 1,000*l.* at the personal "risk of you, Mr. Prior?—*A.* No, I should not, "the 1,000*l.* *Q.* But you would have paid the 500*l.* "at your own personal risk?—*A.* I should." Then Mr. Coleridge asks, "And not have charged it to the "bank?—*A.* I should not have charged it to the "bank." Then the Chief Commissioner asks, "If "you had had an opportunity of consulting your "partner, and he had consented to the thing, then it "would have been mutual?—*A.* A bank transaction." Then I ask, "Was there ever any transaction of that "kind to which your partner was privy with your-"self?—*A.* Certainly not. *Q.* Neither at this elec-"tion nor the former one?—*A.* Well, I do not know "whether in the election when—— *Q.* For instance, "look at this with reference to the election of 1865," and so on; then you are asked about that. Well, then by-and-by I return to the question, thus, "The night "before, when Dr. Kinglake deposited the cheque, "did he tell you the money was to be asked for over "the counter?—*A.* No, he did not. *Q.* How did "you arrive at that understanding, that you were to "honour any demand though not made in writing?—"*A.* He did not say a word about writing. He said "Mr. Lovibond will order the disposition of it. "*Q.* Does not that generally mean order in the sense "of drawing a cheque or endorsing one?—*A.* No, "because I had his cheque, and it is just as if he "brought a cheque of our bank to get it cashed, or "lodged it there for me to cash it. When that "cheque was cashed, that cheque would then be "entered in our books. *Q.* But supposing it was "cashed in small sums of 100*l.*, 200*l.*, 250*l.*, and so "on?—*A.* Then I should have entered it. *Q.* But "you would have given up those sums to Mr. Lovi-"bond without a cheque?—*A.* Yes, I should have done "so. *Q.* Therefore there must have been some under-"standing between you and Dr. Kinglake as to that? "—*A.* He told me, when Mr. Lovibond made the dis-"position of it, whether he did it personally himself or "not, I was to supply that money." Then the Chief Commissioner asks, "Was it not an understood "thing that there should be no record of that kind in "your books, which there would have been if the "cheque had been drawn from time to time, of the "cheques? Was not it arranged that there should be "no record of that kind in your books, and therefore "simply Mr. Lovibond was to send down and say 50*l.*, "or 60*l.*, or 150*l.*, and you would have shovelled the "sovereigns over the counter?—*A.* Well, that is how "I understood it." Now, do you mean to deny it?—I do not deny it.

36,318. Then the Chief Commissioner goes on to say, "There was to be nothing to show for it after-"wards, if possible, in your books?—*A.* Yes. At "the close of the day I should have sent on his "cheque to Stuckey's, at Taunton." Then I ask, "That is deposited with you?—*A.* Yes." Then the Chief Commissioner says, "But no record in your "book?—*A.* No." Now, after giving us all this trouble, and also after wasting so much of our time, do you mean still to say, with the audacity with which you made your statement half an hour ago, that you told us nothing of the sort?—I was not aware that I gave you that answer.

36,319. (*Mr. Price.*) Can anything be more precise, because the all-importance of the matter was this, as anybody must have seen, to find out whether this was to be a secret transaction, so that it could not be traced in the event of such an inquiry as this, and you saw the object of the question, and you say you so under-stood it. There would have been nothing to show the transaction?—There would have been Dr. Kinglake's transaction.

36,320. But it would have shown nothing?—Yes, it would.

36,321. How could it; because if you had given that money out in sums of 50*l.*, 60*l.*, 100*l.*, or 150*l.*, and made no record or entry of it at the time, what would there have been to trace it by?—Directly that cheque was drawn upon I should have debited it.

36,322. (*Mr. Anstey.*) We have learnt from Mr. Sealy that when you told him in a formal business way of what you had done (I daresay he had learnt it before), he did not blame you for it in the least; is that true?—Well, Mr. Sealy said nothing to me about it.

36,323. But you told him about it?—Yes.

36,324. After some time it was wrung from you; you said you told him of it, and he did not blame you in the least?—He did not make any remark.

36,325. Is it not all a sham and hypocrisy on your part and on the part of your partner? Was it not understood in 1868, as in 1865, that all this work was to be done by you, but that you were to take care that Mr. Sealy was not told formally of it, although fully prepared to warrant and adopt it?—Oh no.

36,326. You say it was done in 1865, and that when you told him of it he said, "Why the devil did you mention that to me;" and you were asked whether you understood by that that he disapproved of the thing itself, or disapproved of your having made him privy to it, and you said, Certainly not, that he disapproved of the thing itself; you told us so distinctly?—Certainly.

36,327. And was not the same shocking piece of hypocrisy gone through with regard to this pretended concealment of the 500*l.* in 1868; was not the same decent formula gone through as in 1865?—In 1865, or 1866 rather I should say, the cheques were regularly entered in our books and sent on.

(*Mr. Price.*) But you said you spoke to Mr. Sealy and he said, "Why the devil do you talk to "me about it." And then I asked you distinctly, "Did "you understand from that that Mr. Sealy disapproved "of your letting the money go for bribery purposes, "or that you were merely to keep it from him," and you said, "I was merely to keep it from him. I "understood the money was for bribery purposes, and "he did not want to hear anything more about that." Now, Mr. Prior, you may go.

(*Mr. Anstey.*) Stop one moment. I have not finished with him yet. I have another question to ask him.

36,328. I ask you distinctly with reference to a question I put to you before; you are answerable for the digression, because you denied the statement you made before, and I was obliged to read all these notes over to you. When Dr. Kinglake came to you, sir, the night that you speak of, now that your memory is refreshed, if it needed refreshing, did it not occur to you that a transaction which was to be kept out of your books, and which was to be conducted in this wholly irregular fashion, was a very special transaction indeed, involving unusual risks, and exposing you and your partner to possibly unpleasant consequences, did it not?—It did not occur to me but what it was a regular transaction.

36,329. You have already sworn over and over again that it was a most irregular transaction, and you were very sorry for it?—Well, the 500*l.*——

36,329*a*. But the other thing?

(*Mr. Price.*) The 1,000*l.*

36,330. (*Mr. Anstey.*) The keeping the cheques out of the books, sir, the transacting business out of business hours, I think at your private residence, but at all events out of business hours. It was at your private residence?—No, it was not.

36,331. But at all events out of business hours, and the keeping it out of your books; I ask you, was not that an irregular transaction, something very unusual?—It did not occur to me in that way, because when Dr. Kinglake gave me the cheque——

36,332. I have not come to his giving you the cheque; I have come to his proposing it. When it was first proposed to you, did it not strike you as something unusual?—It struck me as an election affair, of course.

36,333. And something out of the ordinary course of business; so you have told us already?—Well, it was certainly not so regular as it should have been.

36,334. Was Dr. Kinglake of such notoriously prosperous circumstances as to make it safe for you to rely upon his credit to back you up upon so unusual a transaction?—I think I said before, that if he had asked for 3,000*l.* or 4,000*l.* I should have cashed his cheque.

36,335. I daresay you would, and that is the reason why I do not believe your statement that you would rely upon his credit. Is it not the fact that Dr. Kinglake is by repute in anything but prosperous circumstances?—I do not know that he is not in prosperous circumstances.

36,336. Do not you know that he in vain attempted to raise 1,000*l.* or 1,500*l.* at Taunton on this very occasion?—I have not heard of it.

36,337. Do you mean to say you have not heard of it to this day?—No.

36,338. Not heard of it?—No; except something that Mr. Lovibond stated here, that Dr. Kinglake had tried to raise it elsewhere. That is all I have heard.

36,339. Mr. Lovibond stated "something," as you say; but what he stated was this, that Dr. Kinglake told him himself that he had in vain attempted to raise the money at Taunton, where his own bankers are?—That is all I know about it.

36,340. Do you mean to say you did not know he was in notoriously embarrassed circumstances when he came to you?—I did not know it.

36,341. Then under what circumstances would you have advanced him 3,000*l.* if he had required it?—Because I understood him to be a responsible man.

36,342. Do you mean to say you believed him at that time to be a man in prosperous circumstances?—I had no reason to believe otherwise.

36,343. Do you really mean to pledge your oath, that Dr. Kinglake was at that time believed by you to be in such prosperous circumstances that he could have paid you the 3,000*l.* on demand if you had asked him?—Well, I believed he was in good circumstances.

36,344. What! when he leaves his own bankers, Stuckey's Bank, behind him in Taunton, and comes to you in Bridgwater, not approaching you in the light of day, but coming to you under the cloud of night, and asking you for an advance of that kind. Do you mean to say that you then believed him to be, not in good circumstances, but in circumstances so good as to ensure your being able to recover the 3,000*l.* from him on demand, whenever you chose to ask for it? That is my question?—I believed so at the time, and I have no reason to disbelieve it now.

36,345. (*Mr. Price.*) Do you mean to say that you would have been able to justify to your creditors your letting him have 3,000*l.* if in consequence of anything like a panic having taken place in the ensuing month your bank would have been obliged to close its doors? Had you any reason for supposing in your then state of knowledge of Dr. Kinglake, that you could have justified your conduct to your creditors in letting him have 3,000*l.* of their money, because it was their money and not yours; what was your state of knowledge of Dr. Kinglake, that if your bank had stopped a month afterwards, that you could have justified to your creditors the letting him have 3,000*l.* of their money; I say of *their* money?—It would not be their money.

36,346. Why not?—Because Mr. Sealy has ample means.

(*Mr. Coleridge.*) We are merely putting an hypothesis.

36,347. (*Mr. Price.*) We do not want to be told about "ample means." Supposing the worst came to the worst, and that your bank was obliged to close its doors, what justification could you have held out to your creditors if you had let Dr. Kinglake have 3,000*l.* of their money; because I maintain it is their money, it is entrusted to the bank. You could not get on without the depositors' money, could you?—I think we could.

36,348. What would you do?—I think we could get on without.

36,349. Then why do you take money every day?—Because we make a profit by it.

36,350. Of course you do. Then what justification could you have given to your creditors?—That, of course, I never thought of.

36,351. But you say it was a regular transaction?—As to the 1,000*l.*

36,352. But you said you would go even to the extent of 3,000*l.*?—Yes, if he asked for it. If he

had asked for 3,000*l.* I should have consulted Mr. Sealy upon it.

36,353. Then what was your state of knowledge of Dr. Kinglake, who is a practising physician at Taunton, and nothing more that anybody ever heard of; what was your state of knowledge of Dr. Kinglake that justified you in telling him that you would honour his cheque to the amount of 1,000*l.* without asking your partner, Mr. Sealy, about it?—I had no doubt upon it in my mind.

36,354. What did you know about him?—I always understood him to be a responsible person.

36,355. I do not know what you mean by his being "a responsible person." I may be a responsible person, but you would not give me credit for 1,000*l.* If it was a regular transaction why did you not tell Mr. Sealy?—I should have told him if the cheque had been drawn upon.

36,356. (*Mr. Anstey.*) Why was it not drawn upon?—Because it was not wanted.

36,357. (*Mr. Price.*) But up to 12 o'clock the next day you were under peril every minute, because the moment your doors were open you were under a pledge to Dr. Kinglake that that cheque should be drawn out, if circumstances required it, at a quarter past 10?—Yes.

36,358. Do you mean to say that it was not important you should tell your partner that at a quarter past 10 it was likely that 1,000*l.* would be abstracted from your coffers?—I did not see Mr. Sealy that morning; he was very unwell that morning, and I sent the keys of the coffer to him.

36,359. But he came down to the bank in the course of the day?—Yes.

36,360. He was not too ill to attend to business?—He was suffering from neuralgia.

Neuralgia does not prevent a man from being communicated with about 1,000*l.*

(*Mr. Anstey.*) That is not the reason you gave nearly two months ago. You have left us now for nearly two months under this impression, that the real reason was this, that you were (to use your own language) entrusted with the cashier's department of the bank, and that Mr. Sealy had nothing to do with that. That is one reason you gave us; and, not satisfied with that, you gave us another reason, which was, that it occurred to your own mind that when in 1866 you dabbled in another bribery transaction you were distinctly told by Mr. Sealy to keep it from him, and that that was the meaning of his language, and that therefore you thought you would do the same then; you now forget what you have said, as all men do who give false evidence upon matters of this kind, and you give a third reason, wholly inconsistent with those which you have given before, and that is, that you should have told him all this, and would have told him this, if he had not had neuralgia. Which of of those three reasons is the real reason, because they cannot co-exist you see; which was the right one?

36,361. (*Mr. Coleridge.*) Was it neuralgia, fear, or prudence, which made you keep it from him?—I was not subject to neuralgia.

36,362. No, I do not ask you that. Was it neuralgia, or fear of telling him, or your prudence in not telling him, that you kept it from him; which of the three was it? Was it his being ill, was it your fear of telling him after what he had said to you in 1866, or was it your prudential reticence that made you keep it from him?—I certainly kept it from him.

36,363. Do answer the question at once. Was it Mr. Sealy's illness, or was it the fear of what Mr. Sealy would say if you told him, bearing in mind what he told you in 1865, or was it your prudential reticence which made you keep it from him?—Well, it was the latter.

36,364. (*Mr. Anstey.*) The way in which you have answered our questions is really disgraceful, more especially as you are in the commission of the peace, and having perhaps by-and-by to pass judgment on some poor man brought up before you for false swearing.—I am not in the commission of the peace.

(*Mr. Price.*) I trust you see now that the result of what you did under the flutter of excitement is this, that if bankers in all boroughs were to act as you did there never could be a stop put to bribery, because, whether a man is solvent or not, or can pay 20*s.* in the pound, or only 10*s.*, or nothing at all, you let him have money without inquiring anything about him.

36,365. (*Mr. Anstey.*) You not only misappropriated in this manner your depositors' money, but what would have prevented them from regaining easily the possession of it, had your bank stopped payment within a few weeks afterwards; you deliberately omitted all mention of this in your books, consequently if your bank had stopped a few weeks afterwards, as suggested, your books would have shown that your assets were 500*l.* short, and you would have been brought under the lash of the bankruptcy law, which visits with severe punishment bankers and merchants who do not keep their books truly and accurately. Now, why did you for the space of 10 months, not just at that moment, but for 10 months, allow that state of things to exist, no trace whatever in your books of the deductions which had been made from the assets of the bank, to the extent of 500*l.* why did you do that?—As I told you before, I put my memorandum for the 500*l.* in the adjoining bag, and I had likewise kept in my private drawer that memorandum which Mr. Mogg gave me, besides which, my son could have explained the circumstances in case of my death.

36,366. (*Mr. Price.*) He could not. How could he explain what took place between you and Mr. Mogg?—Because he had seen the memorandum.

36,367. He could not have told what passed between you and Mogg, because he did not hear it.

(*Mr. Anstey.*) How could a memorandum, as I asked you once before, merely containing the words "500*l.* to Allan," on a certain date, and put, not into the empty bag, because the empty bag was parted with to Allan, as well as the money, but into another bag which contained another 500*l.*, how could that have explained or accounted for the absence of the other 500*l.*?—Well, when that bag came to be opened my memorandum would have been seen.

36,368. And then it would have been found that the bag would have contained, besides your memorandum, the sum of 500*l.*?—Yes.

36,369. Would not that show equally that that sum which was in the bag with the memorandum had been handed back by Mr. Allan or Mr. Lovibond, as well as to show that the 500*l.* which was not there had been handed over to Allan?—That memorandum would have gone to show I had paid 500*l.*

36,370. (*Mr. Price.*) It could not have done so at your death. You might have been able to explain it, but how, in the name of heaven, if you had died the next morning, could anybody, if he had found this memorandum of 500*l.*, have unravelled this mystery?—My son could have done so.

36,371. How?—Because he knew of the transaction.

36,372. (*Mr. Anstey.*) He has sworn distinctly he did not. He swore that the door was between him and you. He swore you never mentioned to him a syllable about it. He swore that all he knew about the money was, that after three, you stated most untruthfully in your former evidence before three, he was sent down with the money in the bag to Allan, and that he received no other information on the subject, but that he was to take this money to Allan?—I showed him the memorandum which Mogg had written, where it was written "500*l.* to Allan."

36,373. That was only "500*l.* to Allan"?—Yes.

36,374. But it did not state what it was for?—No.

36,375. Or on whose credit it was advanced?—Of course I made myself the debtor.

36,376. Why did you keep it out of your books, not even debiting yourself or your private account, to which you say it was to go; why did you keep it out of your books for the long period of 10 months, in which space of time almost any disaster might have happened to

your bank?—Because I hoped the money would be paid by somebody or other.

36,377. By somebody or other for ten months. Then I want to know why, if you kept it out of your books for that reason, why you have entered it in your books now, under a false date, namely, the date of your examination in court before us?—Because it was made public then, and it was no use for me to keep it a secret any longer from Mr. Sealy.

36,378. You knew you were safe from any censure if you had told him; you knew you were perfectly safe; that you would not have had any censure from him at all?—No, I was not aware of that.

36,379. Do you mean to say you feared anything more from him than this censure if you told him, because you knew you were violating his direction to keep him out of it and not let him know of it; is not that what you were afraid of?

36,380. (*Mr. Price.*) You were not afraid of being dismissed?—No, I was not afraid of being dismissed.

(*Mr. Price.*) No, I should think not.

36,381. (*Mr. Coleridge.*) Were you a partner at that time?—Yes, I was; and I was a partner for nearly five years.

36,381*a*. (*Mr. Price.*) Did you anticipate for a single moment that it would have made the slightest difference, considering what took place in 1866, in your relations with Mr. Sealy? Because, if you did, nobody else would have done so?—No. I do not think there is any difference between Mr. Sealy and myself.

36,382. You merely kept it from Mr. Sealy, because he said to you, "Why the devil do you tell me of such things?"—I had forgotten he had spoken to me in such a way, until he said so here.

36,383. (*Mr. Anstey.*) On a former occasion you told us distinctly the contrary, that that was why you kept it from him. The misfortune is, that on every appearance of yourself here in the witness box, what you say one day you contradict on another. Now, have you spoken to Mr. Sealy on the subject since his last examination here?—No, I do not know that I have.

36,384. Has he told you that he considers himself and his firm at liberty to keep the books in the bank in any way they like, that is, to omit true entries and insert entries under false dates, or do anything that he or they please, and to shut up the bank to-morrow, which I suppose would be the natural result of that state of things? Has he told you that?—He has mentioned it here in court, but he has not said a word to me upon that.

36,385. Do you concur with him that this is the way the business of Sealy and Prior is carried on; on the assumption that they are at perfect liberty to keep their books in any way they like; to omit any entries they please, or insert them under false dates if they choose, because nobody has a right to prevent them shutting up their bank to-morrow; is that the way you think it right to conduct the business and duties of Sealy and Prior?—No, I think not.

36,386. (*Mr. Price.*) I have only one more remark to make to you, and that is, if you, from anything which occurred in your examination, have been under any impression from the beginning to the end of it—I am sorry to say that the very great inconsistency of your evidence obliges me to say this, to use the mildest term—that you are sheltering Dr. Kinglake from the consequence of what he did, or that you are sheltering Mr. Sealy, you are under a very wrong impression indeed. They must stand or fall by the acts they themselves were guilty of; and if you from any feeling—I do not care what it is, be it the best or most amiable feeling in the world—think you are sheltering Dr. Kinglake or Mr. Sealy by anything you have said, you are quite mistaken, because it will not shelter them at all?—I have not said the least word in the world here to shelter Dr. Kinglake, or Mr. Sealy, or anybody else.

36,387. You know best; but if you fancy, or if Dr. Kinglake or anybody else thinks you are to be a buffer to keep off anything from them, you and he are quite mistaken?—I am quite aware of that.

(*Mr. Anstey.*) And you should also know Mr. Prior—I think I have had the painful duty of telling you before—that in order to constitute an indemnity of yourself from the Commissioners against criminal prosecution for anything done by you in the course of this election, every Commissioner must sign a certificate, and that I, for one, shall remember your mode of making answers when the time comes for considering that. And, further, you should know that even a certificate, when complete and signed by three Commissioners, does not protect you against an indictment for perjury.

A short adjournment here took place.

Mr. Richard Axford sworn.

Mr. R. Axford.

36,388. (*Mr. Price.*) Now, Dr. Axford, you are a medical man practising here?—I am.

36,389. In this town?—Yes.

36,390. The first matter we want to inquire of you is this: On the day of the poll at the last election, was your attention called in any way to Dr. Kinglake during that day in any part of the town?—Yes, I think about the middle of the day.

36,391. As near as you can, try and fix a time?—It was between half-past twelve and one, I think.

36,392. Just tell us the circumstances under which your attention was called to him?—I was walking down the town with Mr. Hayward, timber merchant, of Wellington, and just as we got outside the West of England Bank we saw Dr. Kinglake tripping lightly across the road, and he went into Sealy's bank. Mr. Hayward says to me "There, that looks rather suspi-" cious! I think by the time we come back again" (we went down through the street and over the bridge into Eastover) "we shall find the state of the " poll much altered." Those were just the circumstances, and between half-past one and two, when we came back, we did find that the state of the poll was altered, and we also heard the report that Mr. Kinglake had retired, gone away.

36,393. (*Mr. Coleridge.*) Are you quite sure it was Dr. Kinglake?—Quite sure; I know Dr. Kinglake very well. I have frequently met him in consultation.

36,394. (*Mr. Anstey.*) You have met him in consultation?—Oh, yes.

36,395. (*Mr. Price.*) There is no mistake about it at all?—Not the slightest.

36,396. (*Mr. Anstey.*) Did you see him get out of the fly?—No, I did not. I simply saw him cross the road and go into Sealy's bank. I saw nothing more of him.

36,397. You did not observe whether a fly was drawn up the other side of the road?—No.

36,398. It might have been?—It might have been. I did not see it.

36,399. (*Mr. Coleridge.*) Can you say whether it was nearer twelve or one?—Nearer one; between half-past twelve and one. I think about half-past twelve.

36,400. (*Mr. Price.*) How soon after that did you go to see the state of the poll?—Between half-past one and two.

36,401. Then, at a quarter to two we find (that was perhaps rather after the time you saw the state of the poll) the majority had got down so low (the majority against Kinglake and Vanderbyl) that it had been reduced by a quarter to two from 240 to 79?—Yes.

36,402. Now, at 12.30 the majority was, respectively, over Kinglake 240, and over Vanderbyl 249. That is the 12.30. Can you give us any intermediate state of the poll?—I think I can fix about the time; between half-past 12 and 1. Because I recol-

THIRTY-SIXTH DAY.

Mr. R. Axford.

6 Oct. 1869.

lect at that time the majority was so great; 240, I think.

36,403. When was the next state of the poll that you remember seeing afterwards?—I think about two o'clock.

36,404. A quarter to two?—About two or a quarter to two.

36,405. That would be the return which showed the majority reduced to 79?—The majority was dwindling away very fast indeed.

36,406. (*Mr. Anstey.*) Did you see any what are called "runners" going about?—No, I did not.

36,407. You know what I mean?—Yes.

36,408. (*Mr. Price.*) Men who go and look after——?—I quite understand what you mean. I did not see any.

36,409. (*Mr. Anstey.*) I have the official state of the poll ascertained at one o'clock. At that time the majorities were respectively 142 and 129. Do you remember whether you had seen any statement of the majority of anything like that number as you passed the "Clarence" at about that time?—No. The largest majority that I recollect was 240.

36,410. That was the largest?—That was the largest. I do not know exactly what time that was.

36,411. Do you remember seeing (you know you had probably seen) the state of the poll announced at the "Clarence" either when you were with Hayward or just before you saw Hayward?—Yes.

36,412. Well, do you remember seeing posted there that the majorities over Kinglake and Vanderbyl were respectively 142 and 129?—No, I cannot recollect it.

36,413. Mr. Hayward is distinct in recollecting that the majority which he had seen just before he spoke to you about Dr. Kinglake was 143, he thinks something like that, and some other number. That would tally with the largest majority, tally with the official statement within one?—I cannot recollect; I do not recollect the numbers. I won't pretend to recollect them.

36,414. Now, did you see Dr. Kinglake come out?—No, I did not.

36,415. You passed on, I think?—We passed on down through the street, over the bridge, and went down into Eastover. I did not see Dr. Kinglake afterwards.

36,416. You went to see a patient?—Yes, I did.

36,417. How long were you with him, do you think?—I should think about half an hour.

36,418. Mr. Hayward waited for you?—Yes.

36,419. He is a friend of yours?—Yes; we walked back together.

36,420. He is a friend of yours?—I know him very well. He was originally a clerk to my father.

36,421. (*Mr. Price.*) I want to know what part of Eastover you were in?—Nearly opposite the "Commercial Inn."

36,422. Were you in such a part of Eastover that if a person had been going to the train, to catch the 1.40, I think it is, to Taunton, or the 1.37 to London (they go very much about the same time), if a person were going about that time, you would in all probability have seen any fly going up?—I should not, because I was in the house, in the back part.

36,423. What time did you leave this house? If you left about one——?—I did not see any fly.

36,424. (*Mr. Anstey.*) You met no fly going up as you came back?—No.

36,425. And no fly passed you as you were going?—Not that I recollect.

36,426. Was it on the highway to the station where the house was?—Yes, exactly opposite the "Commercial Inn."

36,427. Before you went up to see the patient, did you hear from Mr. Hayward or from anybody that Mr. Kinglake (not Dr. Kinglake, but Mr. Kinglake) had already left?—No, it was only when I came back that I heard it.

36,428. You heard it then?—I heard it. I do not know when Mr. Hayward heard it.

36,429. Did you know the daughter, who is dead, of the witness Danger?—I knew her.

36,430. Did she ever speak to you on the subject?—No; I was not her medical attendant.

36,431. Can you give us, Dr. Axford, (it may be material, or it may not be,) but can you tell us the name of any person who saw the same as you saw, viz., Dr. Kinglake going into the bank?—Only from conversation that I have had since; Mr. Slocombe told me so.

36,432. That is one; we have had him. He swears distinctly to it.

36,432*a*. (*Mr. Price.*) Who else?—No person else, that I am aware of.

H. W. Batten.

HENRY WILLIAM BATTEN recalled.

(*The witness.*) I saw Dr. Kinglake. I had been down the other side of the station to see a voter, and I was riding up in the carriage with Dr. Farmer. Just before we came to the station gates I saw a fly going into the station yard, and Dr. Kinglake and, I believe, two other gentlemen were in that fly. That was just before the express was due I know.

36,433. (*Mr. Price.*) It was due about what time?—It is later now than it was then, about half-past one or twenty minutes to two.

36,434. (*Mr. Anstey.*) Which express, up or down?—Both. That fly was in time for both expresses.

36,435. Therefore it was in time for the up express?—It would be, for certain.

36,436. And the down express, at ten minutes later?—Yes, but it very often happens that both expresses meet at the station.

36,437. I know; but that does not matter. I am speaking as to the fixed time. Sometimes an express breaks down. You say you saw the fly arrive in time to enable a person to go by the up express?—Most certainly.

36,438. Therefore quite in time for a person who had come to see a friend off by the up express to leave the place again before the down express?—Yes, I should think so.

36,439. Did you see that fly afterwards return?—No, I did not, because I went up in the carriage. I looked particularly, and I said to Dr. Farmer, "Do you see that? there is Dr. Kinglake going into the station." It was just outside the station gates, before he got into the yard.

36,440. (*Mr. Price.*) You could not distinguish who the other was?—No, I was under the impression at the time, and I heard from Mr. Pope, the ticket clerk, afterwards, that it was Mr. Kinglake who was in the same fly, because I went into Fore Street afterwards and met him, and he said, "Dr. Kinglake is gone off; I gave him a ticket." I heard it before, but I would not believe it till Mr. Pope told me so himself. You will get it from him how he took the ticket, and everything about it.

J. Farthing.

JOHN FARTHING sworn.

36,441. (*Mr. Price.*) What are you, Farthing? Are you a fly driver here?—Yes.

36,442. Who for?—Mr. Ricks.

36,443. On the day of the polling was your fly hired to go to the station by anybody?—Yes.

36,444. Who by?—Mr. Kinglake, Dr. Kinglake, and Mr. Bate are the three gents who went down; and there was Mr. Kinglake's servant.

36,445. Where did you take them up?—I took them up at Mr. Allan's door, in George Street.

36,446. What time?—Soon enough to meet the express. I understood that Mr. Kinglake was going by the express, but whether Dr. Kinglake was going I could not say. I did not know anything about that. Whether he went away or not I do not know. I took them down to the station and left them at Mr. Hodges's hotel door.

36,447. (*Mr. Anstey.*) You left them at Mr. Hodges's hotel door?—Yes.

36,448. They got out there?—They got out there, all four of them; and there I left them.

36,449. Did you see them go in at the door?—Yes; inside the door.

36,450. We have it in evidence that Mr. Bate left them in a private room?—I do not know. They went inside the outside door. That was all I saw.

36,451. (*Mr. Price.*) Was your fly dismissed then?—Yes.

36,452. Paid for and dismissed?—Yes.

36,453. You came away from the station then altogether?—I came away from the station altogether.

36,454. (*Mr. Anstey.*) Do you remember how long before the up express was due that was?—No, I could not say nothing at all about that, because I took them there (my orders were to take them there). I took them there; and I put them down and came away momentarily.

36,455. You were not told to take them to the station, then?—To the hotel door; that is where I put them down. That was my orders, and I did so.

26,456. Therefore, if they had something to do at the hotel, it must have been some time before the express was due?—I could not say anything at all about that.

36,457. Now what time did you take them up at Allan's?—Soon after one; I could not say.

36,457*a*. How long?

36,458. (*Mr. Anstey.*) Five minutes?—Something like that; I could not say to a few minutes.

36,459. Not more?—It was somewhere thereabouts. I could not say for five minutes or ten minutes, as far as that goes.

Mr. John Lovell Sealy recalled. *Mr. J. L. Sealy.*

(*Mr. Price.*) Mr. Sealy, we see you are here; we shall not trouble you. You need not wait unless you like; we are not going to examine you.

(*The witness.*) I simply wish to say I have some information obtained a few minutes ago. I believe Mr. Davis's son drove up at the bank.

(*Mr. Anstey.*) We cannot have your "belief" here. I certainly shall object to take any "belief" from you. I do not get any information from you.

(*The witness.*) Would you allow me to state——

(*Mr. Anstey.*) You are not here as an advocate for anybody, you are here as a witness, and I shall certainly object to it, and I shall ask the Chief Commissioner to commit you if you interrupt the proceedings.

(*The witness.*) I only wish to explain——

(*Mr. Anstey.*) I do not want another word. If we have a desire to call you, we shall call you. You are not here to speak for other people.

Thomas Barratt sworn. *T. Barratt.*

36,460. (*Mr. Price.*) Where do you live?—In London.

36,461. What are you?—I am a draper by trade.

36,462. Where do you carry on business?—I am not in business now.

36,463. Where did you carry on business in 1865?—I was out of business. I am a clerk at the present time.

36,464. Where are you a clerk?—In London.

36,465. But where?—Must I give the address?

36,466. What is the reason not?—Simply because I am in the employ of a very large firm. I will give you the name on paper if you will allow me.

36,467. (*Mr. Coleridge.*) Are you in a draper's firm?—No, I am not; I am in a large public company. I will give the name on paper, if that is satisfactory.

36,468. (*Mr. Price.*) Well, give the name. Were you in their employment also at that time?—I was at that time. (*The witness wrote the name in question and handed it to the Court.*)

36,469. (*Mr. Price.*) Very well, then; there is no occasion to say it. Now, did you come down here in 1865 with Mr. Tromp?—I came down about a week or eight days before the election.

36,470. Before the election of 1865?—I came as a commercial traveller, and stopped at the "Globe" hotel.

36,471. Were you the person who went by the name of Tom?—Yes.

36,472. Were you the person to whom Temblett was to give the signal; I think it was Temblett?—I have no doubt in my own mind that I was the person.

Frederick Charles Temblett recalled. *F. C. Temblett.*

36,473. (*Mr. Price.*) Is this the man you knew (*pointing to the last witness*)?—That is the man.

Thomas Barratt recalled. *T. Barratt.*

36,474. (*Mr. Price.*) You were known as "Tom"?—Yes.

36,475. And as "Matthews" also?—And "Matthews."

36,476. You were down here under Mr. Tromp's orders?—I was.

36,477. You were the person who went to the "Bull and Butcher"?—I went to the "Bull and Butcher."

36,478. Was yours the hand that was held out?—As near as possible, if you will allow me——

36,479. (*Mr. Coleridge.*) Give us an account of the whole thing?—I came down about a week previous to the election of 1865. I stopped at the "Globe" hotel.

36,480. That was the Liberal house?—That was then the head quarters of Sir John Shelley.

36,481. You were there to watch them?—I was there to watch them. I was to report to Tromp, who was part of the time staying at Weston-super-Mare and part in London. I stopped there three nights, and mixed as much as I possibly could with the company. I was sometimes in the commercial room, of course; I dined in the commercial room; I was in the commercial room in the morning, and in the smoking room in the evening. I got into conversation, and from what I gathered I have no doubt in my own mind that bribery would be resorted to on the other side, on the Liberal side. Of course I reported to that effect to Mr. Tromp.

36,482. (*Mr. Price.*) What made you understand that? because they represented to us that it would be a pure election?—I was a perfect stranger in the town; but from what I could gather there was never an election down here without bribery. They all seemed to expect it as a matter of course. Finding I could not remain at the hotel longer than two or three nights as a commercial man, I removed to private lodgings, which I believe were secured for me by Mr. Smith. I had nothing to do with bribery direct at that election.

36,483. You were merely to gain information and give it?—Merely to gain information and give it and

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assist Mr. Tromp. Of course I knew what was going on. At the next election I also came down and stopped at the "Globe" hotel again.

36,484. (*Mr. Coleridge.*) But what more did you do in that election?—Not anything more. I had nothing more to do with that election.

36,485. Had you anything to do with money yourself?—No; only saw money passed from Tromp to certain men.

36,486. Who to?—Harden, Temblett, Truman, and I believe a man of the name of Heal had some money.

36,487. Which he stuck to?—Yes.

36,488. Can you tell us anything about Truman?—No, I cannot. He was always a doubtful one.

36,489. Are you at all cognizant of what it was that Mr. Truman had done that made him distrusted on a future occasion?—I am not.

36,490. Still you mean that even on this first occasion Mr. Tromp seemed to doubt him?—I have it in my mind that he was misdoubted by Mr. Tromp.

36,491. Newton—he was "misdoubted" too?—I do not remember about Newton.

36,492. Do you remember they were obliged to trust Heal, although they knew he was a scoundrel, because they had got so deep with him?—Mr. Tromp was told to trust him?

36,493. What did you get for your services on that occasion?—The first time,

36,494. Yes?—About 20*l.* and paid my own expenses.

36,495. They were about half that?—Quite that.

36,496. Did you get a free pass?—I had taken my holiday from the firm.

36,497. Did you get a pass?—I should get it as a right.

36,498. Where were you taking your holiday?—I was stopping at Weston-super-Mare. I left my wife there.

36,499. Go on.—In the election of 1866 I came down, and stopped at the "Globe" again that year. Late in the afternoon I had understood from Mr. Tromp and one or two of his men that he was losing the election for want of some money. A message was sent, I believe, to the "Globe," and I was told to go in the churchyard and there I should meet, I believe, Mr. Neale. As I understood, he was a clerk in Mr. Smith's office.

36,500. Yes. Have you seen him here to-day?—I have seen him here yesterday and to-day. I saw him, and he gave me a matter of 300*l.* to the best of my recollection. I dropped it in my coat pocket. I had to take that money to a man named Bussell where Mr. Tromp was stopping. The money was tied up in packets of 10*l.* I was told to go to the "Bull and Butcher," and give 10*l.* to each man who would put his hand inside, which I did. I believe I gave all except about two packets or something like that. Those I took back.

36,501. Then you gave about 28 packets away?—I believe I gave 28 packets away. I believe there was a matter of 30 men. I am not clear about it, but at any rate I believe that won the election.

36,502. Is that all you did then?—That is all I did then.

36,503. What did you get for that?—I got 25*l.*

36,504. Were you on your holiday then?—I was.

36,505. How did you first become acquainted wiih Mr. Tromp?—I had known him for some years.

36,506. Where had you known him? Are you a native of this place?—No. The first time I was ever in the place was in 1865.

36,507. Where had you known him?—I knew him in London.

36,508. (*Mr. Price.*) Connected with railway matters?—No.

36,509. Did you know him as connected with this sort of matter?—No, certainly not.

36,510. You believed this to be his first experience of this sort of thing?—As far as I have any knowledge It was the first time that I ever knew anything about it, or ever heard anything about it.

36,511. Between that election and the next one did he send you down to make some outstanding payments?—I am under the impression that I came down for one night, but I also think he came with me.

36,512. What did you do in the way of paying money on that one night that you came down?—I do not think I paid it; I think he paid it.

36,513. Do you recollect what he had with him?—400*l.* or 500*l.*

36,514. They were the outstanding debts for the former election?—They were the outstanding debts for the last election, which must be paid before another.

36,515. Then the next was Vanderbyl and Patton; were you down again?—I came down again.

36,516. What did you do on that occasion?—I went to Taunton in the afternoon, and came in here late at night.

36,517. Was Tromp with you?—Tromp, I think, was stopping in the town. I really do not remember the house he was stopping at.

36,518. Had you anything to do with bringing money down?—Well, I saw the money in the afternoon. I think, if I am right, the election was on a Thursday. On Wednesday afternoon I came in from Taunton to Mr. Tromp—on Wednesday morning at least—between 11 and 12 o'clock, I think. He followed me. I was told to wait down by the river and watch a certain house which he pointed out to me, where I saw the name of Lilly on the door; and when I saw him come out I was to walk down the street at a respectful distance from him him and see that nobody took the bag away from him.

36,519. Take what away?—A carpet bag or portmanteau that he had with a lot of money.

36,520. You had nothing to do with bringing money down from London?—No, nothing whatever. That money of course went to Taunton so tied up. On the following morning, at least the same night, I brought my assistants into the town. I placed one at Newton's and one at the "Bull and Butcher," and I myself early in the morning of the poll went to Pinn's at the "Golden Lion." I think we had a matter of 300*l.* each, and we distributed it.

36,521. Do you know the names of the persons to whom you gave it?—Not at all. I was merely to give it through a little hole which had been cut in the door, which was closed. There was some one outside to see that the proper parties had it.

36,522. What did you give away?—I gave away 270*l.*, I think.

36,523. In gold?—In gold.

36,524. 10*l.* each?—10*l.* each. 270*l.* I think it was.

36,525. Did your assistant who had been watching Newton's report anything suspicious about Newton's conduct?—No, he said that the men that he had paid did not vote.

36,526. Or rather that Newton had not paid them, and so they did not, I suppose?—Perhaps so. But he is here to answer for himself.

36,527. Not Newton?—No, no, but the man who paid him.

39,528. Which of your assistants is it that is not here?—Jones, the one that paid at the "Bull and Butcher."

36,529. Do you know where he is to be found?—I do not. I parted from him on the Bristol platform, going to Wales, and have not seen him since.

36,530. How did you engage this man? Where did you meet with him?—I knew Jones by living with him as a draper's assistant.

36,531. Have you never heard of him since?—Oh yes, I have. I had one letter from him, from Wales.

36,532. Do you know where he is living now?—No. I think I could tell you more than he knew himself. He was very nervous over the job. I put him in a small bedroom at the "Bull and Butcher," and there he stopped, or I kept him at work till after

the poll closed. I then took him to the station and started him off to Bristol. I have never seen him since.

36,533. He told you that he had disposed of 300*l.*?—He did.

36,534. What did they get for their trouble?—They had 10*l.* each. I was money out of pocket.

36,535. You bribed about 30 yourself?—Yes.

36,536. And he did about the same?—Yes.

36,537. And your other assistant ought to have done about the same?—Yes.

36,538. He is here, is not he?—He is here.

36,539. What else did you do about the election?—I do not know of anything else.

36,540. Did you come down any time afterwards to pay up things after the last election?—No.

36,541. How many times have you been in Bridgwater altogether?—Four times.

36,542. Before this time?—Before this time.

36,543. You did not come down in 1868?—No.

36,544. What did you get the last time you were there?—I got 10*l.*, which left me money out of pocket.

36,545. Is that all you have to tell us?—That is all I have got to tell you.

36,546. And you cannot assist us to find Jones?—No.

36,547. You know we are very anxious to have the man who watched Newton?—Jones did not watch anybody. I believe he parted wiih all the money he had. I am satisfied.

36,548. And all this money you received from Mr. Tromp?—Yes.

36,549. (*Mr. Anstey.*) Do you remember the appearance of the men to whom you paid money?—Not the slightest, because as near as I can remember a little hole was cut in the door and the hand came out. Somebody was outside to see the proper men brought to me. I merely gave them the money.

36,550. I should like to know whether any of them were men who, to use a very misused phrase, belonged to the "respectable" class of society?—I think not.

36,551. (*Mr. Price.*) Why?—From the names given, I got familiar with the names (we had a list of the names) having been down once or twice before; and I understood they were not what was looked upon as respectable, although I understood that those that did consider themselves respectable did receive bribes.

36,552. (*Mr. Anstey.*) But not from you?—Not from me. I think I got the roughest ones.

Mr. John Parsons sworn. *Mr. J. Parsons.*

36,553. (*Mr. Price.*) You are a medical man practising in Bridgwater, and we understand you are attending a person who has been summoned before us of the name of Poole, of the Taunton Road?—Yes, I am.

36,554. Summoned last night?—I have the subpœna in my hand, and I have to inform you he that is suffering from a diseased condition of heart with considerable effusion into the chest, and he is quite unable to come here, but he will be very happy to be examined at his own house if you think his evidence material.

36,555. Do you, as a medical man, think it would be dangerous?—I do think it dangerous. I think he would be quite incapable of coming here.

36,556. (*Mr. Anstey.*) He would be able to manage the examination at his own house?—Yes.

36,557. (*Mr. Price.*) Then we may arrange for some time?—I think it would be quite immaterial what time; some time that might suit the pleasure of the Commission.

Robert Tunmer sworn. *R. Tunmer.*

36,558. (*Mr. Price.*) What are you, Mr. Tunmer?—A printer.

36,559. Where are you carrying on business?—In Cannon Street.

36,560. In the city?—In the city.

36,561. In the employment of somebody else, I suppose?—Exactly.

36,562. When were you brought down to Bridgwater by Mr. Tromp?—Mr. Barratt came to me and requested me to meet him at Taunton.

36,563. (*Mr. Coleridge.*) What year?—That was in 1866.

36,564. (*Mr. Price.*) The early part of 1866?—It was in that election. I won't be sure about its being 1866. It was the only one election I was down. I was only down at one.

36,565. Do you remember the candidates, Patton and Bagehot?—No. Mr. Patton I think was alone.

36,566. (*Mr. Coleridge.*) There were two, you know; one on each side?—Yes, exactly. I think it Mr. Vanderbyl.

36,567. (*Mr. Price.*) Mr. Barratt came to you and asked you to come down?—He did.

36,568. To meet him at Taunton?—To meet him at Taunton.

36,569. Did you meet him at Taunton?—I met him at Taunton; I believe at the Railway Hotel.

36,570. How long before the election?—On the eve of the election.

36,571. The night before, you mean?—The night before.

36,572. Did he bring you on to Bridgwater?—He brought me on to Bridgwater.

36,573. Where did he place you?—At the "Three Crowns" I believe it is called; Newton's.

36,574. Were you to be there the next day?—I was to be there the next day.

36,575. Tell us what you did that day?—All I did in the morning was to get rid of a certain amount of money.

36,576. Tell us what amount of money, and where you got it from?—300*l.* I got it from Barratt.

36,577. How were you to dispose of it?—Ten pounds to each man. They were to be introduced by Mr. Newton, the landlord of the place. He brought them into the room, and as they came into the room I took their names and gave them 10*l.* each.

36,578. What did you do with the list of the names?—I gave it to Mr. Tromp.

36,579. Did you pay the whole of that away?—Every farthing.

36,580. What did you get for yourself?—Ten pounds.

36,581. (*Mr. Coleridge.*) And your travelling expenses, I suppose?—No, that is all I got.

36,582. Did you get a pass?—No.

36,583. (*Mr. Price.*) Then you went back to London, did not you?—Then I went back to London the same night.

36,584. Is that all you had to do with it?—That is all I had to do with it, and that is all I know about it.

36,585. (*Mr. Coleridge.*) Is that the only election you have been concerned in?—Oh no, because I was brought up in electioneering down at Ipswich.

36,586. Were you ever at Norwich?—Well, I have been to Norwich, but not electioneering.

36,587. Or to Yarmouth?—No.

Mr. George Bryant Sully recalled. *Mr. G. B. Sully.*

36,588. (*Mr. Anstey.*) It has come out in evidence, Mr. Mayor, that there is an office of trust and emolument in the gift of the corporation which has been kept very long vacant. I think it is called the water bailiffship. Is that so?—No, it is not vacant. The resignation was sent in by the present water bailiff,

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but he was asked to retain his position until some arrangements which are now in contemplation by the Bristol and Exeter Railway Company, in connecting the docks with the railway, and putting a bridge across the river, which would necessitate our present arrangements being reconsidered and varied. He has been asked to retain his position until that bridge was thrown over and he has agreed to do so.

36,589. When will that be?—The contract, I believe, is now let.

36,590. And how long will it be before he vacates it?—I should think the bridge would be over some time next year.

36,591. I wish to ask you has any promise of that office been made to Henry Chapman Bussell by the corporation?—Not to my knowledge.

36,592. Have you promised your vote and influence on his behalf?—Certainly not.

36,593. Are you aware he is a candidate for it?—I know that 12 months ago he applied for it.

36,594. As a matter of fact, will he be appointed under the present state of things, that is, assuming that the Liberals continue to have a majority in the town council?—I do not know that I can answer as a matter of fact. I should think not as a matter of opinion and impression.

Mr. J. Woodland.

Mr. JOHN WOODLAND sworn.

36,595. What are you now, Mr. Woodland, and where are you living?—I am living at Minehead at present.

36,596. Have you anything to do with a bank there?—Nothing whatever; I am entirely out of business; entirely retired altogether.

36,597. Were you manager of Stuckey's bank here in the year—— ?—1859.

36,598. 1859?—Yes, I was.

36,599. Can you tell us anything about a transaction in which an I O U was given by Murlis, and a sum of money was drawn out of your bank, 500*l.*?—Yes, I think I can. I am sorry to tell you that I have had a very long continuous illness, and I cannot recollect the circumstances as well as I could wish to have done.

36,600. Can I refresh your memory?—Well, I will tell you what took place as far as I recollect.

36,601. (*Mr. Coleridge.*) Give us the best you can?—I will, indeed I will, and truthfully too. The only thing Murlis was wrong about was the day on which he received the money. I fancy myself it was on the nomination. I met Mr. Richard Smith in the street, who had a large account with us, and always a considerable sum of money in our hands. He said, "Mr. "Woodland, I shall want 500*l.* to-day, and I should "like it in gold. I cannot get up to the bank in time "before business hours are closed; do you think you "could arrange for me to have it after hours?" Knowing him to be a good customer, and always having money in our hands, I really considered he was only asking for his own, and could do what he liked with it. I, of course, suspected what it was wanted for.

36,602. (*Mr. Price.*) Had he an ample account at that time to cover such a sum?—Oh yes, three times such a sum; if he had brought in a cheque for 2,000*l.* I should have cashed it without hesitation. I took home 500*l.* I had told him that if he would come down in the evening, I would take home 500*l.* and let him have it. I thought until I read Murlis's evidence that Bealy Smith, his son, came, and that I handed the money to him; and I have no doubt that the hesitation that Murlis speaks of on my part was on account that he had not been mixed up in the transaction, as far as I can recollect, at all, and therefore I did hesitate, because of course I should not give any man who had no account with us 500*l.* on an I O U; it is not likely.

36,603. Murlis's account is that he got it on his I O U?—And I have no doubt that he is right in that. I have no recollection at all of it.

36,604. I think you said just now that on no account would you have allowed a person like Murlis to have 500*l.* on his I O U?—But then I had Mr. Smith's instructions.

36,605. You have not told us that he said Murlis was to come for it?—As well as I can recollect Murlis's name was never mentioned.

36,606. When Mr. Smith said he should want 500*l.*, and when you offered to have it at your house for him, did he say that he would send anybody for it?—I cannot recollect at all; I cannot recollect. My impression was, until I saw Murlis's evidence, that Bealy Smith fetched it, and knowing of course that Murlis was in Mr. Smith's confidence in all electioneering matters, he would have it. Perhaps I did hesitate a little; I do not recollect it.

36,607. You did know Murlis was in Mr. Smith's confidence?—Oh, dear me, yes.

36,608. Then you knew perfectly well what the money was for?—Oh, I had no doubt about it; not the slightest.

36,609. (*Mr. Anstey.*) You have no doubt if Murlis says so that he gave you an I O U for it?—I cannot recollect having an I O U for it.

36,610. But if he says he did?—I have no doubt of it.

36,611. Would not the fact of his giving an I O U show that he brought no other voucher?—I do not know whether he brought any other voucher; I cannot remember it.

36,612. (*Mr. Price.*) You would not want an I O U if you had a regular and proper cheque?—No.

36,613. (*Mr. Anstey.*) Then does not that show that he got the money in the way he mentioned, and whatever may have been your inducement to give the money, probably as you say the request of Mr. Bealy Smith—— ?—Not Bealy Smith, Richard Smith.

36,614. Well, Richard Smith. Murlis, at all events, brought no voucher?—Not that I can recollect.

36,615. (*Mr. Coleridge.*) At that time had Bealy Smith any account with you?—No; I do not think he had ever an account with us.

36,616. How long did you remain manager?—Several years; I left the bank six years ago.

36,617. Did Mr. Bealy Smith ever have an account in your recollection?—No, no private account.

36,618. He had not?—No, I am sure of it.

36,619. (*Mr. Anstey*) Where did he bank?—I do not think he had any account.

36,620. Probably nowhere?—No, I think not.

36,621. Did he keep his money in a bank? We have it in evidence that he was the only member of his family who is on speaking terms with Joseph Richard Smith. Did he keep his money, do you know, in the hands of Joseph Richard Smith?—I have not the least idea; I knew very little of Mr. Bealy Smith.

36,622. (*Mr. Price.*) At all events you parted with the money, and parted with it under the idea, or at all events fully alive to the conversation you had with Mr. Richard Smith?—Entirely on that account; no other.

36,623. If there had been any fuss about it, I should simply have put the I O U (if it was an I O U), I really do not recollect, put it into his account and charged it off.

36,624. (*Mr. Anstey.*) I presume that no bank, or officer of a bank, unless he had had some very explicit understanding beforehand with the person to whom he looked in honour to make good such an amount, would answer such a demand as that?—Oh, certainly I should not.

36,625. We have had an example of that to-day?—Oh no, I should not without a conversation with Mr. Smith have advanced Murlis money. I had been a very short time in the town; I had not the means of knowing the great majority of the people. Although I was manager for two years, I had been living at Taunton.

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Mr. J. W. Ford recalled.

Mr. J. W. Ford.

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36,626. (*Mr. Coleridge.*) Mr. Ford, did Mr. Bealy Smith have an account with you?—Never, sir.

36,627. Do you know where he did bank?—I do not know at all. I do not remember that I ever saw a cheque of his.

Frederick Charles Temblett recalled.

F.C.Temblett.

(*The witness.*) I know where Bealy Smith banked. It was at Stuckey's, after Mr. Woodland left.

(*Mr. Coleridge.*) Then we must have Mr. Salmon here?

Walter William Neale sworn.

W. W. Neale.

36,628. (*Mr. Price.*) What are you?—An articled clerk.

36,629. Whom to?—Mr. Thomas Dewes of Coventry.

36,630. Were you ever articled clerk to anybody in this town?—To Mr. Richard Smith.

36,631. How long ago?—I think in June I went away from him. My articles were assigned in October two years this month.

36,632. Two years ago?—Yes, two years ago.

36,633. Before that time had you been in Mr. Smith's office as an articled clerk?—Yes.

36,634. For how long?—For a year and a half or two years. In May I was articled, in May 1865.

36,635. May 1865?—May 1864 it was.

36,636. We are now in 1869?—It was May 1864.

36,637. You have served your articles then, have not you?—My articles expire in May, next May.

36,638. Then you were with him in 1864, 1865, and 1866?—Yes.

36,639. And part of 1867?—Part of 1867.

36,640. Well, now what can you tell us about the election in 1865?

36,641. (*Mr. Coleridge.*) Where did you lodge at that election?—At Trinity College, on the Taunton Road.

36,642. Do you recollect any stranger coming there to lodge at the time of the election?—I do not recollect whether it was at that election, but at one of the elections, I think for one or two nights Mr. Barratt stayed there. I think it was Mr. Bealy Smith asked me to speak to Mrs. Hayward for him to have some rooms, as far as I remember it. Whether I took a note from Mr. Smith to Mrs. Hayward, or whether I spoke to her, I do not know. He stayed there, and I think I took two notes to him; one or two notes to him from Mr. Bealy Smith.

36,643. (*Mr. Price.*) To Mr. Barratt?—I think it was Mr. Barratt. I did not know his name at the time. Once before that election Mr. Smith asked me to go to Weston-super-Mare, to meet a gentleman at the station. He described him to me and said I should perceive he would come up by a certain train to Weston, and I was to give him a note which I did.

36,644. (*Mr. Coleridge.*) Who was that gentleman?—I did not know his name at the time. I believe it was Tromp from what I have heard since.

36,645. (*Mr. Price.*) Did you give him the note?—Yes, I gave him the note. I had no reply to that I believe, and I fancy at that election I several times took notes from Mr. Smith to Mr. Tromp; but not there, I met him in different parts of the town.

36,646. (*Mr. Coleridge.*) Did you carry any money at that election?—No.

36,647. What election was it you carried some money?—That was Mr. Patton's last election.

36,648. Oh, Vanderbyl's?—No; Mr. Patton's first election.

36,649. (*Mr. Price.*) Is that all you can tell us about the election of 1865; about your carrying the notes to Tromp and other people?—That is all I believe I did except work in the office in connexion with it. I copied some names for Mr. Smith. He asked me to copy them, and I did.

36,650. (*Mr. Anstey.*) Are you quite sure that you know nothing about the election of 1865 beyond what you have said. Recollect, Mr. Boys was employed in bribing voters?—I knew nothing whatever about that.

36,651. He was a clerk in your office?—I knew nothing whatever about it.

36,652. You recollect Boys going up to London to give evidence?—On the election petition? Yes, I do.

36,653. You recollect his going up to London after that election about the petition, to give evidence about what he did?—Yes, I do.

36,654. After the election of 1865, do you recollect a conversation between him and your master, Mr. Bealy Smith?—I do not remember any particular conversation.

36,655. Had you any conversation, particular or general, with Mr. Smith, in your recollection?—None, that I recollect.

36,656. Do you remember that Mr. Boys was told that he was to go up and ignore everything that he knew?—Certainly not. I do not think any such thing was told him, and if it was it would not have been said in my presence.

36,657. We shall form our own opinion; we do not want your opinion. I ask if you know it?—Certainly not.

36,658. Are you sure about that?—Yes.

36,659. Were you served with a Speaker's warrant?—No; I served many.

36,660. Did you receive a Speaker's warrant?—No. Do you mean a Speaker's warrant served upon myself or to serve upon others?

36,661. (*Mr. Price.*) Did you receive a Speaker's warrant for yourself?—No.

36,662. (*Mr. Anstey.*) Was there an intention that you should go up and give evidence?—Not that I am aware of.

36,663. Do you mean that no intention to that effect was ever communicated to you either by Mr. Richard Smith, Bealy Smith, or Boys?—No, I think not; Mr. Smith once said to me, Mr. Bealy Smith, he was talking about my doing extra work in the office on account of the election, and he said, "I "should like you to go to London if it would be a "treat to you. I would do it if I could do it; if "my employers would allow me to do it." I never went to London, and never heard any more about it.

36,664. (*Mr. Anstey.*) What were you to say when you got to London?—Nothing. I was not to go as a witness. I had no evidence to give.

36,665. Very likely you had, but do you mean that neither of the Smiths said anything to you about giving evidence?—No, I am perfectly confident that——

36,666. Do not run ahead of my question. I am not asking you whether you made any reply to such a proposal, but whether such a proposal was made to you?—I certainly do not recollect such a proposal.

36,667. Are you quite sure?—I am quite sure I do not recollect it. If I did——

36,668. (*Mr. Price.*) Then you had nothing to do with the petition at all?—Yes, I had with the petition. I copied some names for those briefs, I believe, and I served the Speaker's warrants and notifications of time, and so on.

36,669. Had you anything to do with the preparation of the briefs, copying out the proofs, or anything of that kind?—No, I think not.

36,670. (*Mr. Anstey.*) You said just now you did?—I copied some lists of names which I believe were

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for the briefs and were to be copied again, but no evidence.

36,671. (*Mr. Price.*) Did you draft any evidence, or if not draft, did you brief any evidence? brief it or draft it?—I might possibly have copied evidence, but I do not recollect it.

36,672. (*Mr. Anstey.*) You said just now that you copied briefs?—No, I said I copied some lists of names.

36,673. Yes, before that you said you were employed in writing out briefs. You know what a brief is?—Of course I do.

36,674. Do you mean to say that you never put pen to write in fair manuscript the part of the brief which is called "the stating part," the statement of the case?—I think the only part of the brief, if I copied any at all. I remember copying some lists of names whilst in the office on draft paper, not on brief paper. Whether those lists of names were used in the brief or not I do not know.

36,675. Do you mean that you never saw, or if you saw that you never copied any part of the "case" as it is called which is found in a brief?—I say I copied some lists of names; I do not remember whether I copied evidence.

36,676. You know perfectly well that names of witnesses or proofs of witnesses are one thing, and you know perfectly well, or else you know nothing of the practice of your profession that the "case" itself is another thing. I am asking you about the "case," and you are talking of proofs. Yes or no, did you copy, either on draft paper or brief paper or any other paper, any portion of that part of the brief that is called "the case"?—I do not recollect doing so, in fact I believe I did not. That is my opinion.

36,677. Then did you copy any portion of that part of the brief which is called the "proofs"?—I believe not. I would not undertake to swear that I did not.

36,678. They pray what did you copy?—Mr. Bealy Smith brought to me in the room I was sitting in lists of names, I believe of men residing in Bridgwater, and asked me to make a list similar to those, which I did.

36,679. What from?—From the copy he gave me.

36,680. Then the first statement you made to-day, which you volunteered when you were asked "Had you anything to do with the petition?" was, "I copied some briefs"?—I do not recollect saying that.

(*Mr. Anstey.*) Then we will have it read. (*The portion of the evidence referred to was read by the shorthand writer from the notes.*)

36,681. (*Mr. Anstey.*) Then you did say so, afterwards you cut it down to copying lists of names?—Fair copies of the names. They were on draft paper. I certainly never made any fair copies of the briefs or any part of them.

36,682. Do you mean to say you never read the briefs?—I did not say that. I believe I examined the briefs.

36,683. Then you must add that to what you did. You examined the briefs with the drafts, the fair copies of briefs will be drafts?—I believe I did. I do not even know where those copies of the brief were made, whether they were made in the office or not.

36,684. Then you corrected the briefs from the drafts?—I think I did. I think I examined some parts of the briefs with the drafts.

36,685. Was that all you did in the petition?—I served Speaker's warrants and notifications of time whilst the petition was going on, many of them, nearly all of them.

36,686. Do you remember any of the statements that were made in the briefs that would throw light on what was done at that election?—I do not remember a single statement.

36,687. Not a single word?—Not a single word.

36,688. Do you remember it being admitted in the brief that there was no getting over the cases of Cooze and Staples?—No, I do not.

36,689. Do you remember a statement of this kind, "There is no doubt that bribery to a very considerable extent was practised on our side"?—I do not recollect. I had not been long then in a solicitor's office, and I should not have taken notice.

36,690. Not of such statements as that?—If I did at the time I certainly do not recollect it now.

36,691. (*Mr. Price.*) What age were you then?—Eighteen.

39,692. (*Mr. Anstey.*) When did you see those briefs last?

36,693. (*Mr. Price.*) Were they still in the office when you left?—I am sure I could not tell. I saw them about the time of the petition, but never afterwards to my knowledge.

36,694. (*Mr. Anstey.*) What petition?—The petition against Mr. Westropp.

36,695. Do you mean to say you have never seen those briefs since 1866?—No, I do not think I have.

36,696. Were you in the office when the business was sold before Bealy Smith's sudden departure to Australia?—No, I do not think my articles had been assigned, but I was not here. I was at home at the time.

36,697. (*Mr. Price.*) You never heard anything about him?—No, except what I have seen in the papers. I know nothing at all about it.

36,698. (*Mr. Anstey.*) We have it in evidence that Mrs. Smith was in the habit of coming to the office and looking over the papers. Was she in the habit of coming to the office and looking over the papers at the time when Richard Smith and Bealy Smith were carrying on business together?—No.

36,699. Then when she came to examine the papers it must have been after your departure?—Yes, but I could explain to you. Mrs. Smith did come to the office while it was the firm of Smith and Son, while Mr. Richard Smith and Mr. Bealy Smith were away ill. She did come and see one of the clerks and state that her husband was ill and made some arrangements about Mr. Boys coming down to manage the business.

36,700. Did she do anything about papers?—Not to my knowledge.

36,701. Therefore if she did anything about papers at a subsequent period, it was something new and unknown in your time?—Yes.

36,702. (*Mr. Price.*) Now in 1866 what part did you take in Mr. Patton's first election? Had you anything to do with the conveyance of money in any way?—Yes.

36,703. Tell us what it was?—I conveyed some money from the "Clarence" hotel to Barratt, I think, the witness Barratt.

36,704. What time of the day was that?—It was in the afternoon.

36,705. Were you present at the "Clarence"? It may throw some light upon it. Were you present at the "Clarence" hotel when Mr. Westropp was there, and when any note was brought to your employer Mr. Smith? Do you know Robert Bussell?—Yes, I know him.

36,706. Did you see Robert Bussell at all that day at the "Clarence" hotel with any note which he brought to Mr. Westropp?—I do not recollect seeing Robert Bussell at the "Clarence" at any particular time. I think I saw him about in the election at different times during the day.

36,707. Now tell us about this money you had to take. How do you know about how that money was procured, or where it came from?—It was collected, I believe, from different Conservatives about the town.

36,708. And in the room?—I do not know whether any in the room, but I think it was all brought to the "Clarence."

36,709. Did you hear any conversation take place before you went with this money between Mr. Westropp and Mr. Smith, or anybody else, in which he said anything about being guaranteed, though he could not draw a cheque himself?—No.

36,710. Did anything of that kind take place to your recollection?—I remember saying to Mr. Smith myself that we ought to get enough money. I heard

it said by some one that 300*l.* was wanted to win the election, and I said to Mr. Smith they ought to get enough for that. Mr. Smith said, "Oh, my dear "fellow, I cannot get it." I said, "Well, but I "should think we could get enough out of the bank "for it," and he said, "I could not draw a cheque for "it myself," or something of that sort.

36,711. That was Mr. Smith?—Mr. Bealy Smith.

36,712. You did not hear Mr. Westropp say, "I cannot draw, but I will guarantee"?—No.

36,713. Was Mr. Westropp present when you had this conversation with Mr. Smith?—I think not. I think I and Mr. Smith were walking along the passage of the "Clarence."

36,714. How were you told to get this money?—I did not get it.

36,715. But you took it there?—Yes; I took it from Mr. Westropp.

36,716. It had been brought to the "Clarence"?—Yes, it had been brought to the "Clarence" by some tradesman of the town who had given the money towards the election, or lent it.

36,717. Then Mr. Westropp gave it to you?—Mr. Westropp, and I counted it, and he gave it to me.

36,718. How much?—Whether it was 300*l.* or 400*l.* I cannot say.

36,719. Then you counted it with Mr. Westropp?—Yes.

36,720. And took it down?—I took it down and met Mr. Smith. I do not know how I came, but I was told that I should meet him in the passage by the side of the churchyard. I had this money in the bag, and I gave it to him.

36,721. (*Mr. Coleridge.*) Were Mr. Tromp's assistants lodging with you at that time?—They were not lodging with me at any time.

36,722. One was in the same house?—No, I think not. I think he lodged there one or two nights, but I cannot tell which election. Twice he stayed there. I took one or two notes from him to Mr. Smith. What the notes contained I do not know.

36,723. Is that all the part you took at that election?—Yes, I think it is.

36,724. Are you sure?—I do not recollect taking anything except these notes.

36,725. Can you tell us at all at that election from what you know in the office in any way, what amount of money Mr. Smith got himself?—No, I never knew at all what Mr. Smith had.

36,726. You have no idea?—Not the slightest.

36,727. Were you at all intimate with Mr. Bealy Smith?—Yes, intimate, he being the junior partner of the firm.

36,728. (*Mr. Price.*) He was about the same age as you were?—No, older. He was admitted before I was articled.

36,729. *Mr. Coleridge.*) Have you heard from since he has been away?—No; we were never very friendly.

36,730. (*Mr. Anstey.*) Where did Mr. Bealy Smith bank?—At Stuckey's, I think, the firm's account and the private account as well.

36,731. But Mr. Bealy Smith?—At Stuckey's; if he had a private account it would be at Stuckey's.

36,732. Can you tell us anything about the next election of 1866?—Vanderbyl's election?

36,733. Yes?—I did much the same thing, being a messenger with these notes for Mr. Smith.

36,734. (*Mr. Coleridge.*) Anything about money at that election?—No; I think I had nothing to do with money on that occasion.

36,735. (*Mr. Price.*) Before the next election you had gone?—Yes, I took the notes to Mr. Tromp for Mr. Smith, but had nothing to do with money at all.

36,736. Is there anything else you have to tell us that will throw light on the matter?—I believe not.

36,737. Or any evidence at all to give us with regard to any money Mr. Bealy Smith got for himself?—I never knew that he got any. I suppose he would be paid for his work, but I do not know the fact.

36,738. Did you hear of his writing to Mr. Patton from time to time?—No.

36,739. None of that correspondence passed through your hands?—No, certainly not.

36,740. Did he and his father seem to manage, so far as you could judge, the whole affairs of the party?—Mr. Smith, senior, did not seem to have much to do with it whilst I was in the office.

36,741. Did Mr. Bealy Smith seem to have the management?—Yes, principally.

36,742. Managed the whole thing?—Yes. I always had an idea that he did the whole thing in connexion with the other solicitors. I never knew until I saw the evidence here. I have seen them consulting about it.

36,743. (*Mr. Anstey.*) Did you never hear that it was not until there had been a positive row or quarrel that Mr. Bealy Smith was allowed to have anything to do with it at all?—I never head that.

36,744. Do you not know that Mr. Westropp, your firm's client, gave evidence to that effect before the House of Commons?—I read his evidence at the time, but I cannot remember now. I have not read it recently.

36,745. Now consider what you have just been saying. Do you mean, from the imperfect recollection you must have as an articled clerk, to contradict the positive testimony of honourable men like the Trevors, or Mr. Brice, or Mr. Poole, and the others, who state distinctly that they had nothing to do with Mr. Bealy Smith and his works?—I am not attempting to do so.

36,746. You say you always understood they had? From the impression of seeing them talking together at the election, nothing besides. I have seen solicitors and all of the same politics talking together.

36,747. (*Mr. Price.*) You have seen them, so far as the public are concerned, apparently acting together?—Certainly.

36,748. But you never saw them come to Mr. Smith's for consultation or anything of that kind?—I would not say I have not. I do not recollect distinct times.

36,749. Mr. Veysey you saw perhaps in close and intimate consultation?—No, rather the other way.

36,750. What?—I have not. I think Mr. Smith rather avoided him. I do not think Mr. Smith and Mr. Veysey were very friendly at the time.

36,751. (*Mr. Anstey.*) Was Mr. Bealy Smith ever insane whilst you were in the office?—Well, it was said he was insane. He was very ill; he went away ill.

36,752. Was Mr. Bealy Smith ever insane at the time you were at the office?—I cannot tell whether it was insanity, or what was the matter with him. I knew he went away from the office. I am not in a position to say it was insanity. It was always said he was insane. Whilst conducting the business I did not see anything which permitted the belief that he was insane. He was a member of the firm some time afterwards.

36,753. What was the date of the attack of paralysis from which we have been informed Mr. Richard Smith continues to suffer; was not it in the middle of the preparations of the inquiry before the House of Commons committee in 1866?—It was about the time there was some political excitement in the town, but I cannot tell whether it was during the time of the petition.

36,754. It must be after the election, we know; had the petition been then disposed of, or was it being tried before the committee at the time when he got the alleged attack of paralysis?—I do not think the petition had come on before the committee of the House of Commons.

36,755. At all events it had been presented?—It had been presented, I believe.

36,756. And the evidence got up before he was stricken?—I do not know whether it was got up or not; it was during the time the petition had been presented, I believe; I know it had, in fact.

36,757. Do you know of his expressing his anxiety about the probable consequence to him, Mr. Smith, and the other getters up of the evidence on that occa-

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sion?—No, I think Mr. Bealy Smith got up the evidence more than the other.

36,758. The other did not?—I fancy Mr. Bealy Smith principally.

36,759. But they were both in for it, were not they?—Well, Mr. Bealy Smith had the management

36,760. He afterwards showed signs of distressed mind?—Yes.

36,761. How soon after the result of the trial before the committee of the House of Commons?—It was not until after Mr. Patton's second election.

36,762. And did you hear anything of his writing that letter in the name of the heads of the Conservative party here, for the purpose of screwing money from Mr. Patton under false pretences?—I never heard anything but what I saw in evidence here.

36,763. But it was that period that he betrayed signs of perturbed mind, which you said was generally understood to mean insanity?—Yes, it was after Mr. Patton's election.

Mr. W. Guernsey.

Mr. Wellington Guernsey sworn.

36,764. (*Mr. Price.*) What are you?—At present I am in no occupation.

36,765. In 1865, were you concerned with Mr. Edwards?—I was.

36,766. Who, at one time in 1865, had an idea of being candidate for Barnstaple?—He was a candidate for Barnstaple.

36,767. Were you an intimate friend of his?—I was.

36,768. For some time?—For some time.

36,769. By his instructions did you come here to Bridgwater?—I did come down, after seeing Mr. Spofforth.

36,770. In London?—Yes.

36,771. How long before the election of 1865 had you seen Mr. Spofforth?—I never saw him until the election of 1865.

36,772. How long before the eleetion did you see him?—About a month. I will give you the reason of my seeing him. Mr. Frank Edwards went down to Barnstaple and wanted to be returned member there, and Mr. Spofforth interfered. Mr. Howell Gwynne and Mr. Stuckley wrote up to Mr. Spofforth what a pity it was to divide the Conservative interest there; in fact Mr. Spofforth said if Mr. Edwards would resign he would pay all his expenses down there, and find a borough for him, and recommended him to come to this borough, and Mr. Edwards came here and I came here.

36,773. How long before the election did you come here?—A very short time, about a fortnight.

36,774. (*Mr. Coleridge.*) Did you go to Barnstaple?—I was at Barnstaple a month or six weeks.

36,775. (*Mr. Price.*) And then you came on here?—Yes.

36,776. Where did you stop with him?—At the "Clarence."

36,777. You were here a fortnight before Mr. Edwards came?—No, I was here about a fortnight before the election. Mr. Edwards came here and went away again; he was to come back, but did not return.

36,778. Did he leave you here?—He did.

36,779. Did you come with him?—No, I came by myself, at his request.

36,780. How long before the election did you take up your abode here?—About a fortnight.

36,781. Were you alone when you first came here?—Yes.

36,782. Where did you take up your abode?—At the "Clarence."

36,783. Tell us what you came here for?—Mr. Spofforth gave me a letter, and gave Mr. Edwards a letter, to see Mr. Smith. I saw Mr. Smith and his son, and had several interviews with them; I saw Mr. Westropp at the "Clarence," and Mr. Westropp told me that Mr. Edwards would have to find 1,200*l.* Mr. Smith said he would have to find 2,000*l.*, from that to 2,500*l.*

36,784. Who said so?—Mr. Smith, the solicitor. I sent word to Mr. Edwards, and he came up here, and he went away intending to return the following week, but did not come, and he would not stand any more. I wrote a letter to him telling him the circumstances.

36,785. What other conversation did you have with Mr. Westropp?—Mr. Westropp told me that it was a moral certainty of his being returned if the 1,200*l.* was found.

36,786. (*Mr. Coleridge.*) Why did Mr. Edwards go away and not return?—Well, his friends advised him, and I advised him not to.

36,787. You thought he had not a good chance?—I am certain he had not a good chance, from the state of affairs.

36,788. (*Mr. Price.*) Did anything more pass between you and Mr. Westropp?—No; they made a demand on Mr. Edwards for some money for the expenses incurred.

36,789. Who did?—Mr. Smith.

36,790. I am asking you about Mr. Westropp. You have made very serious charges—if you will not understand I will tell you—very serious charges against Mr. Westropp, which he entirely denies. Are you prepared to support them?—I swear I made no charge against Westropp.

36,791. Yes, you did, of this kind: That he discussed with you deliberately, in the presence of Mr. Smith, the price that was to be paid for voters?—No.

36,792. You did say so?—At the "Clarence" hotel——

36,793. Did you never make that statement?—I certainly did, and I make it again, and I am prepared to swear it, that the election was sure if 1,200*l.* was found.

36,794. You made a deliberate statement that you discussed the price to be paid for voters?—No, I did not; he said 1,200*l.* was to be found; that is what I stated.

36,795. You tell one thing on which you are brought down here; when Mr. Westropp is examined he denies it, and you come and do not support the thing?—I never had any interest; I never had a shilling in it.

36,796. (*Mr. Anstey.*) What is your story; let us hear it?—I met Mr. Westropp at the hotel and had a conversation with him, after seeing Mr. Smith. He told me that if 1,200*l.* was found there was no doubt in the world of Mr. Edwards being returned member of parliament for this town.

36,797. Did he say what was to be done with the 1,200*l.*?—Yes, he said there were a certain lot of voters here who had to be bribed.

36,798. (*Mr. Coleridge.*) Did Mr. Edwards pay anything here?—No.

36,799. (*Mr. Coleridge.*) How long had you known Mr. Edwards before you went to Barnstaple with him?—He was solicitor for me. I had known him before for five years before that.

36,800. He had acted as your solicitor?—He had done law business for me.

36,801. How came you to be mixed up in electioneering matters with him?—Mr. Edwards asked me if I knew any borough he would be likely to be returned for, he said he would like to be returned and was anxious to get into Parliament, and asked me to make inquiries.

36,802. Who sent you to Barnstaple?—One or two people there in the town.

36,803. Had you any connexion with Barnstaple?—None whatever.

36,804. How came you to get hold of Barnstaple, that was not Mr. Spofforth?—No.

36,805. How came you to go there?—Mr. Edwards asked me to go down there. I was never at Barnstaple before.

36,806. (*Mr. Price.*) What was your connexion with Mr. Edwards?—As a friend.

36,807. Are you a client of his?—No, not now.

36,808. You call yourself a major?—I have been.

36,809. What in?—The army.

36,810. The Queen's service?—I served in the Crimean campaign.

36,811. (*Mr. Coleridge.*) Did you go down merely as a friend, or as a paid agent of Mr. Edwards?—As a friend; I never had a shilling.

36,812. Do you mean you spent six weeks, and never got anything?—I got nothing for it.

36,813. It was out of your own pocket?—No.

36,814. Then who paid it?—Mr. Edwards paid a portion of it. When he came down he paid the hotel bill, and that is all he paid; while I was there I paid my own hotel bill.

36,815. (*Mr. Anstey.*) What did Mr. Westropp say when that remark was made about 1,200*l.* being wanted to secure a certain class of voters?—He told me distinctly there was a lot of voters in this town who would not vote without being paid.

36,816. It was Mr. Westropp who said so?—Yes, and Mr. Smith told me the same.

36,817. Did you hear Mr. Westropp say whether he did or did not mean himself to secure those voters?—No, he did not; he said he was in the hands of Mr. Smith, the solicitor, and I brought a letter down from Mr. Spofforth to Mr. Smith, and that is how I became acquainted with him. I saw Mr. Spofforth twice in London.

36,818. What did he say to you?—He told me that it was a pity that Mr. Edwards should divide the Conservative interest at Barnstaple, and he would find a borough for him, and said, "If you go to Bridgwater," he would give me a letter, and give Mr. Edwards a letter, to Mr. Smith. Accordingly I come on.

36,819. (*Mr. Anstey.*) Did you read the letter which he wrote to Mr. Smith?—I did not.

36,820. It was not open?—No.

36,821. Do you recollect what was on the outside of it, was it "Favoured by Major Wellington Guernsey," or anything of that kind?—I cannot recollect now.

36,822. Did you give your name to Mr. Spofforth?—No, I did not.

36,823. What name did you give him?—I said I was the friend of Mr. Edwards.

36,824. What was the letter to do, to introduce you or Mr. Edwards?—To introduce Mr. Edwards.

36,825. Your name was not known to Mr. Spofforth?—No. Mr. Edwards had just at that time got into the Carlton Club, I think.

36,826. Listen to this. I will read it. Are you quite sure that the name of Edwards was mentioned to Mr. Spofforth?—I am quite sure.

36,827. In connexion with Bridgwater?—Certainly.

36,828. Now this is Mr. Spofforth's evidence. Mr. Anstey asks, "Do you know the name of Mr. Wel- "lington Guernsey?—*A.* I do not. *Q.* Or the name "of Edwards?—*A.* I never heard of it." Then, amending that answer, he says, "Edwards is a com- "mon name." On which Mr. Coleridge asks, "Mr. "Francis Edwards, of Delahay Street?—*A.* I have "seen him." Mr. Coleridge asks again, "He came "down here once for a day?—*A.* Yes." Do you think that those answers of Mr. Spofforth to the questions put, fully disclose the nature of the connexion between Mr. Spofforth and Mr. Edwards?—I cannot say.

36,829. You know what you recollect yourself?—I know I saw Mr. Spofforth certainly twice, and I recollect very well his asking me what Mr. Edwards it was, and I told him distinctly of Eaton Place, and of 8, Delahay Street, and of Slough, near Windsor.

36,830. Surely you can answer my question?—What is that?

36,831. If your recollection is so lively about what occurred between Mr. Spofforth and you, whether those answers to the questions put to Mr. Spofforth fully disclose the nature of the connexion between Mr. Spofforth and Mr. Edwards?—There is no answer to it at all.

36,832. Do they sufficiently disclose?—Certainly not.

36,833. Then the Chief Commissioner follows them up with this question immediately following Mr. Coleridge's, "There is no sort of information you can "give?—*A.* If anything more occurs to me I shall "be most happy to appear before you in London." I infer from those answers that he had never seen you, or at all events that he had nothing to do with Mr. Edwards coming down here for the day?—I swear I saw him twice on the subject.

36,834. And he gave you a letter?—Certainly; which I brought to Mr. Smith.

36,835. He gave a letter of introduction of Mr. Edwards to Mr. Smith, and made you the bearer of it?—Yes.

36,836. Telling you at the same time that it was a letter of introduction?—Yes.

36,837. Did he?—He did, and he has written since to Mr. Edwards, and stated whatever expenses, at the time I should say, had been incurred at Barnstaple by Mr. Edwards, he would undertake to see they were paid, and they have been paid since.

36,838. (*Mr. Price.*) Have you seen that letter?—I have seen it, and Mr. Edwards mentioned it to me two or three times.

36,839. Have you seen the letter yourself?—I have.

36,840. In Mr. Spofforth's handwriting?—I could not swear to his handwriting.

36,841. Signed by Mr. Spofforth?—Signed by Mr. Spofforth.

36,842. When?—Some years ago.

36,843. (*Mr. Anstey.*) At the time?—Yes.

36,844. (*Mr. Price.*) I should like to know something more about your history, if you will forgive me. Tell me whether you know that handwriting (*handing a letter to the witness*). You need not read it?—I do not.

35,845. The signature I wanted you to look at (*handing it to the witness again*)?—I do not.

35,846. What?—I cannot say.

36,847. Look at the number of W's and Ll's, and things in it, are there not?—There may be, but I do not know.

36,848. Who is there you know who would be so wonderfully acquainted with your affairs, who would pretend to write from the Reform Club, to say you were in the whole secret of the Bridgwater election?—I cannot say I am sure.

36,849. Have you any friend at the Reform Club who would interest himself so much about you?—I certainly know two or three members of it, but not more.

36,850. Who would know you could give us the whole history? You are Major Wellington Guernsey?—I know no history but what I have told you.

36,851. And you were the private agent of Mr. Edwards?—So far as that I was.

35,852. What do you mean by it, friend or paid agent?—I was not the paid agent.

36,853. What do you mean by calling yourself agent?—I do not know I am sure, I went down as his friend to Bridgwater with him.

36,854. (*Mr. Coleridge.*) Was there anybody else with him?—Yes.

36,855. How long have you been his friend?—Eight or ten years, I think.

36,856. Who else was with him?—There was a Mr. Reed.

36,857. Who is he?—He was a paid agent, I think.

36,858. Who is he?—A Barnstaple man, an attorney I think.

36,859. Did he come on here?—No.

36,860. Anybody else?—No.

36,861. Nobody?—Nobody.

36,862. Nobody came on here with him?—Nobody came on here with him but me.

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Mr. W. Guernsey.

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36,863. Nobody ?—Nobody.

36,864. We have been told that his daughter came ?—Oh yes, his daughter, certainly, his daughter came.

36,865. (*Mr. Price.*) Who is the man who interests himself so much about you as to get you a journey to Bridgwater ?—At a great deal of pains I came here, I had no idea of coming.

36,866. He said you can tell us, and you have told us ; and you have told us very little at present ?—I have told you all I know about the affair.

36,867. This man tells us, and he must have got it from you, that you can disclose more of the villany of Bridgwater elections than any other man, but you have not disclosed any great amount yet.

36,868. (*Mr. Coleridge.*) And we have heard a great deal disclosed ?—I know nothing at all.

36,869. (*Mr. Price.*) There is a gentlemen writes to us, and if you take the trouble to look at your own signature, which I will ask you to do, it strikes me that there is a very considerable similarity between them (*handing two letters to the witness*)?—Yes, that is my writing.

36,870. Look again. There are a great number of "Ll's" in that mysterious signature, which it is impossible to decipher, but the letter is from the Reform Club ?—I swear distinctly this is my writing, and that not. I do not know anything about it. I did not want to come down.

36,871. It is a strange thing that a gentleman should write who will not give his real name, and who seems to be so much in your confidence to say if we could only get hold of you you can disclose more of the villany of Bridgwater than any other man ?—I do not know anything about it. I was just telling you what occurred between Mr. Edwards and myself, and I know nothing more.

36,872. You tried to claim acquaintance with Mr. Westropp, did not you ?—No, I did not.

36,873. As having known him somewhere ?—In Ireland.

36,874. (*Mr. Anstey.*) Been at school with him ?—I daresay at the time I might.

36,875. Where was that ?—At Cork.

36,876. Are you an Irishman ?—I am.

36,877. Were you staying at the "Clarence" for a whole fortnight ?—I stopped there.

36,878. Answer the question ; were you staying at the "Clarence" for a fortnight ?—Not for a fortnight, I do not think it was a fortnight ; certainly not.

36,879. You said a fortnight ?—Before the election I said.

36,880. How long ?—Several days I was here, and I stopped at the "Clarence" during the time I was in the town.

36,881. Did you make a statement to our clerk in London who served the subpœna upon you, that you stayed a fortnight at the "Clarence"—No, I did not ; certainly not a fortnight.

36,882. Be careful, for he has been sworn ?—I might have said so. All I say is while in Bridgwater I stayed at the "Clarence."

36,883. Did you state to the person who served the summons on you that you stayed at the "Clarence" at Bridgwater for a fortnight ?—I have no recollection.

36,884. Did you stay there a fortnight ?—I do not think I did.

36,885. How long did you stay there ?—I stopped several days there, certainly not a fortnight.

36,886. (*Mr. Anstey.*) You were a fortnight in Bridgwater altogether ?—No I was not.

36,887. I thought you said you were ?—A fortnight before the election.

36,888. (*Mr. Price.*) It is not true you said you were in Bridgwater a fortnight and stayed at the "Clarence" ?—Certainly not. I stopped at the "Clarence" for the several days I was here, but certainly I was not a fortnight here.

36,889. Who paid the bill at the "Clarence" ?—I paid the bill myself.

36,890. (*Mr. Anstey.*) Did Mr. Edwards repay you ?—He has not.

36,891. Did he promise you ?—He said that any money I was out of pocket, but I never made an application for it.

36,892. (*Mr. Price.*) What do you do going about touting at elections, what do you get by it ?—I got nothing.

36,893. What were you to get, how do you gain your livelihood at present ?—I am living on my private means.

36,894. Your half-pay ?—No, I have not half-pay.

36,895. Not half-pay ?—No, I sold it.

36,896. Then have you private means enough allow you to go about staying at hotels like the "Clarence," and making inquiries ?—But for a friend I do anything.

36,897. You represent yourself as a sufficient friend of Mr. Edwards to do all this ?—No, he asked me ; he said he should feel very much obliged if I would. I am sure he would not ask me to be money out of my pocket.

36,898. But you have a bill at the "Clarence" ?—Yes, I have.

36,899. This was in 1865, and now it is 1869, and Mr. Edwards has let you be out of pocket all that time ?—He has, and I swear distinctly now that he owes me the money.

36,900. (*Mr. Coleridge.*) When did you last see him ?—I have not seen him for the last 12 months.

36,901. (*Mr. Price.*) How much does he owe you ?—18*l.*

36,902. Besides the bill at the "Clarence"?—Besides the bill at the "Clarence."

36,903. And besides what you paid at Barnstaple ?—And besides what I paid at Barnstaple.

36,904. And your travelling expenses to and fro ?—And my travelling expenses to and fro.

36,905. (*Mr. Coleridge.*) Have you anything to do with getting up public companies, with promoting companies ?—Yes, I have.

36,906. (*Mr. Price.*) What companies have you promoted, may I ask ?—The Mercantile.

36,907. (*Mr. Coleridge.*) The Imperial Mercantile Credit ?—Yes.

36,908. And the Credit Foncier ?—No.

36,909. (*Mr. Price.*) What are you of the Imperial Mercantile ? a director ?—Nothing in the world.

36,910. City Offices ?—No, but there is another.

36,911. The Humber Iron ?—No, not the Humber Iron.

36,912. The Viskonsky ?—Yes, that is a Russian company.

36,913. Give the name of any solvent company with which you are concerned ?—I am concerned with none of them.

36,914. Give the name of any solvent company of which you are a promoter, and have taken any part in getting up ?—I have only one or two.

36,915. (*Mr. Coleridge.*) The Contract Corporation ?—The Contract Corporation.

36,916. But that has gone to smash, the Mercantile Credit has gone to smash, the Credit Foncier has gone to smash, the Humber Iron Company has gone to smash, and the Viskonsky has gone to smash.

36,917. (*Mr. Price.*) I want a solvent company which you had anything to do with the promotion of.

36,918. (*Mr. Coleridge.*) The Millwall Docks ?—No, nothing to do with those two companies.

36,919. (*Mr. Price.*) They are both gone ?—Both gone. It cost me money. I had to pay severely for it.

36,920. I must put it to you again : you made these statements on the faith of which you were brought down here, that you were confidential friend to Mr. Edwards, that you were present in the room of the "Clarence" hotel with Mr. Westropp and Mr. Smith when the bargain took place between Mr. Westropp, Mr. Guernsey, and Mr. Smith as to the price to be

given for votes, and were at Bridgwater a fortnight, and stayed at the "Clarence," and you also said that the man at Baxter, Rose, and Norton's knew all about it, and was the real man behind the scenes, and that Bridgwater was the most corrupt, venal, and blackguard place you ever set your foot in?—I have had nothing to do with it. I was never at Bridgwater.

36,921. Now what do you know of Bridgwater to enable you to say that?—I do not say so.

36,922. Is that a correct version of what you stated in London to the person who served you with the summons?—I only go——

36,923. Is that the correct version?—I read the journals, and form my opinion on that.

36,924. Is that a correct version?—It was from what I read in the papers.

36,925. Now what part of that is true according to your evidence to-day?—My evidence—I am just giving what I read in the public journals.

36,926. (*Mr. Coleridge.*) We did not want you down here to do that. Your friend writes to say that you can give us most important evidence?—Who my friend is I do not know, and I do not know anything about it.

36,927. Do you know anything more about the Bridgwater election?—I know nothing more than I have stated.

Mr. William Hodges sworn.

Mr. W. Hodges.

36,928. (*Mr. Price.*) What are you?—The manager of the "Railway" hotel for my mother.

36,929. Now I will draw your attention to the day of the polling at the last election. Were you at your hotel on that afternoon at any time from half-past 12 to 2?—I was.

36,930. Do you remember Dr. Kinglake, Mr. Kinglake, and Mr. Bate, coming to your hotel?—I do.

36,931. What time was it when they came?—I should think it was about one, or perhaps five minutes after.

36,932. Where did they go?—They went to Mr. Kinglake's private room.

36,933. (*Mr. Anstey.*) The two Kinglakes?—And Mr. Bate.

36,934. (*Mr. Price.*) How long were they there?—Perhaps some five or ten minutes, and Mr. Kinglake retired to his bedroom to get his things packed, as he was going up by the express.

36,935. (*Mr. Anstey.*) Did Mr. Bate remain?—He remained.

36,936. Are you sure that he did not leave them both, he says he did?—If he did, he must have returned again after the train left.

36,937. I will read his evidence. He says he left them, and not that they him, in a private room, and did not see them again?—He was in the private room with them, but I am not quite sure whether he remained the whole time or not.

36,938. At all events the two Kinglakes remained about five minutes?—Ten minutes, and Mr. Alexander William Kinglake went to his bedroom to get his things packed.

36,939. Did you see where they went to?—They stayed talking to several of their supporters.

36,940. Who were they?—There was Bunter, a plumber, and I think Gold, and Dyer, and Alway, and several men who were going to Taunton, who had given up the election as a hopeless case, and were going to Taunton. They stood in front of the house as Mr. Kinglake and his brother were going up to the station.

36,941. Did you see where they went?—They went to the station.

36,942. They went in?—They went in on the platform, and I saw Mr. Kinglake in the train.

36,943. But Dr. Kinglake?—I did not see Dr. Kinglake in the up express, but he went by the down express.

36,944. Did you see after he left your house he went to the station?—I saw him in the down train; he went to Taunton.

36,945. That was half an hour afterwards?—No, a few minutes apart.

36,946. Is not it?—They were both in on that occasion, within five minutes of each other.

36,947. Did you see him in the carriage?—I saw Dr. Kinglake in the down express train, and saw the late member of parliament in the up express.

36,948. You have timed this about one when they got there, and they spent ten minutes at the hotel?—They spent more than that, because Mr. Kinglake remained about ten minutes in his private sitting room, and then went with the servant to the bedroom to have his things packed, they were packed and the servant came down. In point of fact the servant was not in the way when he arrived. I had to go to look after his servant, and tell him he was going by that train.

36,949. Did Dr. Kinglake leave the hotel before his brother?—They both went out together, to see him off by the up express.

36,950. In the meantime, had he left to come back again?—No, he had not.

36,951. Are you sure of that?—Quite sure. The only time his brother left him was to go to his bedroom to see about his luggage being packed with his servant, because there was not sufficient time. It was about five minutes past one, I believe, when they arrived in a fly. I paid the fly driver. Mr. Kinglake desired me to do so.

36,952. They stayed there five or ten minutes you say?—In the sitting room.

36,953. Then the up train starts?—Thirty-two minutes past one.

36,954. Then there is a difference between that and the down train. Was not there ample time for Dr. Kinglake to have taken a fly after leaving your hotel to drive down to Sealy's bank, or not?—Certainly not, because the fly left empty. I saw it start.

36,955. Was there ample time for it, supposing there was a fly there?—But there was not one there.

36,956. How do you know that?—I know very well there are no flys kept there except they are kept at the hotel, only you have to harness the horse and get it out, which would take some few minutes to do.

Jonas Bottomley recalled.

J. Bottomley.

(*Mr. Price.*) You have been detained here some time because your answers were so unsatisfactory before. We hope therefore to day that you will be able to give us clearer information than you did the other day, if not, you will have to stay here a little longer. Now give us your account yourself.

36,957–8. (*Mr. Anstey.*) You broke down on two occasions, where your memory absolutely failed you. You were sent for to Tiverton to vote for the election of a member of this borough?—Yes.

36,959. Did two different persons come on those two occasions to you?—Four different persons.

36,960. Give us their names?—The first was Dymond, I believe.

36,961. You have remembered him at last?—Yes, I did not remember him in Bridgwater.

36,962. Now the others. (*The witness hesitated.*) If you cannot, we will call another witness, and you can stay till this day week?—Dymond, Harden, Thomas Walkem, and Edgar Haviland.

36,963. You got 10*l.* on each occasion, did not you?

36,964. (*Mr. Price.*) Are you going to answer, did

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J. Bottomley.

you get 10*l.* on each occasion?—I got 10*l.* for voting.

36,965. Did you get 10*l.* for each occasion?—I only voted once in Bridgwater.

36,966. But how many 10*l.* did you get?—One 10*l.*

36,967. And no more; you mean to swear that?—I will swear that.

36,968. (*Mr. Coleridge.*) But you came up a second time, all those four men did not fetch you for one election?—Those were the men that waited upon me to come to vote.

(*Mr. Anstey.*) Perhaps you will remember it at this time to-morrow.

A. Allan.

ANDREW ALLAN recalled.

36,969. (*Mr. Price.*) Tell us what you know about this?—It was at Mr. Vanderbyl's first election. I saw Bottomley, it was about two in the day. He came to me here, and would not poll until he was paid. He wanted 30*l.* for his vote. I told him we had won the election, and I should not give him it, but if he voted I would give him 10*l.*, and he voted, and I gave him 10*l.*

36,970. (*Mr Anstey.*) How often has he been sent for at Tiverton; how many elections?—I do not know.

Mr. E. Haviland.

Mr. EDGAR HAVILAND recalled.

36,971. (*Mr. Price.*) Tell us what you know about this man?—I went down for him on the nomination day at Mr. Vanderbyl's first election, and I stayed there the whole night, and I brought him by the half-past two on the polling day, and as I said before, Mr. William Hurman met me at the station, and I left Bottomley with Hurman; they went up in the omnibus, and I walked by myself.

36,972-3. During that time, did you make any bargain with him or promise him?—Not the slightest.

36,974. (*Mr. Coleridge.*) Did he not say something to you, that he thought bribery very wrong, but that a person ought to be paid handsomely for his expenses?—Not a word. I think you will find he said that to Dymont the previous election of Bagehot.

36,975. He says he did not vote?—Yes, he did, because I have looked at the poll since. The only one he did not vote at was Shelley's.

36,976. Has he had money either time?—I have heard so.

36,977. (*Mr. Anstey.*) On this occasion do you know whether he got the money from anybody?—The last one?

36,978. The one you are speaking of?—Where I fetched him?

36,979. Yes?—I only heard so afterwards.

36,980. Whom did you hear he had got it from?—I heard he had had it at Allan's.

A. Allan.

ANDREW ALLAN recalled.

36,981. (*Mr. Anstey.*) Is that the election you are speaking of?—Yes, the same election.

J. Bottomley.

JONAS BOTTOMLEY recalled.

36,982. (*Mr. Coleridge.*) How often have you voted altogether?—Once in Bridgwater.

36,983. Will you swear it was not twice?—Not twice.

36,984. If your name appears as voting in the poll book it is false, is it?—I have only voted once to my recollection.

36,985. Before Mr. Vanderbyl's election, when Bagehot and Patton stood, did not Dymont bring you up from Tiverton, and did you not have a conversation to the effect that you thought bribery atrocious, or something of that sort, but people ought to be paid their expenses, and did you not get 2*l.* 10*s.* afterwards?—I did not get a farthing.

36,986. (*Mr. Price.*) Did he not offer you 2*l.* 10*s.*?—He did not offer me 2*l.* 10*s.*

36,987. Did you vote at that election?—No.

36,988. Not at all?—I do not remember voting at all.

36,989. Do not talk about not remembering. Will you swear you did not?

(*Mr. Coleridge.*) Have you the poll book?

(*H. C. Bussell.*) Bottomley voted at that election.

36,990. (*Mr. Price.*) I am sorry you interposed, because this man is a schoolmaster, and talks about not recollecting. I am sorry that you spoke, you stopped his deliberate perjury. Did you vote, or not?—I do not remember voting.

36,991. Will you swear you did not? and take care what you are about.—I did not vote; I have not the slightest recollection that I voted.

36,992. Will you swear you did not vote? Yes or no. We are not going to be kept here all day. You will swear you did not vote at that election?—I will swear I did not vote.

36,993. Now you stand by that?—I do not remember at all.

36,994. (*Mr. Coleridge.*) You have sworn you did not vote; you have sworn it. Do you swear that you did not vote at Bagehot's election?—I will swear I did not.

36,995. (*Mr. Price.*) Now you stand by that.

H. C. Bussell.

H. C. BUSSELL recalled.

36,996. (*Mr. Coleridge.*) What do you know about this? Be careful; it is Bagehot's election at that time?—Yes, I do not know that Bottomley voted, but I know he came back to our house after. I suppose he had been to poll, and there was a squabble between him and Dymont about his expenses; he would not take the 2*l.*

36,997. What did he ask?—I got into the room where he was, and I heard that Dymont was offering him 2*l.*, and he said he would not take it.

36,998. His expenses being about 2*s.*?—About 5*s.* or 6*s.* his expenses would be. I know Dymont took the money up and put it in his pocket a few minutes afterwards. I went out, because I was a little bit disgusted at the squabbling about this money.

36,999. (*Mr. Price.*) That would be after the poll was over?—No; about 2 or 3 o'clock in the afternoon.

37,000. He had had plenty of time to poll?—I believe he had polled at that time.

37,001. (*Mr. Coleridge.*) Did you believe for Mr. Bagehot?—I am certain he did.

37,002. If he voted at all?—Yes, and I believe he did.

Mr. HENRY CLEMENT HEARD sworn. *Mr. H. C. Heard.*

37,003. (*Mr. Price.*) What are you?—A chemist and druggist.

37,004. Carrying on business in Bridgwater?—Yes.

37,005. (*Mr. Anstey.*) You signed the petition to the House of Commons which was presented in 1859, I think?—I did.

37,006. Against the return of Colonel Tynte and Mr. Kinglake?—I did.

37,007. You were also, I believe, the object of a prosecution for libel instituted by your opponents here, those of the opposite political party, about the same time that your petition was pending against them?—I was the publisher and proprietor of a newspaper at that time.

37,008 Was that so, that a rule for a criminal information had been obtained against you?—Yes.

37,009. We have it in evidence that the petition was withdrawn, and the rule for a criminal information dropped, and an action that was pending also, I believe, discontinued, all about the same time?—That is correct.

37,010. Are we correctly informed about that, that all that was the result of a compromise, one being set off against the other?—I cannot tell that personally, for I never went to London; at the time I understood that was so, but I do not knew it; I was not at the time in the lobby of the House.

37,011. Your belief, on the information of the lawyers, is that it was so?—That it was one part of the arrangement.

37,012. The other part of the arrangement is more important in my view, that is, as to the payment of certain money by the Tynte party or the Kinglake party, and the party of Westropp and Padwick?—That; I know nothing about it.

37,013. You have not heard that a sum of money was paid over by the Liberal party which was intended to indemnify the Tory party, and which Mr. Padwick put into his own pocket?—Not until this Commission has been sitting.

37,014. What was the other part of the arrangement made on that transaction?—I only know that the petition was withdrawn, and the lawsuit against me dropped.

37,015. Was Colonel Tynte to be at liberty, and Mr. Kinglake of course, to go to the House of Commons, and state there, without contradiction by Mr. Gore Langton or anyone else, that the petition was from the first a frivolous and vexatious one, and that there was no real intention to prosecute?—I know nothing about that; it was the heads of the party, the lawyers, who managed that.

37,016. Then you were only nominally the petitioner?—I was only nominally the petitioner.

37,017. (*Mr. Price.*) You were put in for the purposes of recognizances?—I do not know anything about that.

37,018. You would be put in as a responsible person?—Under the new Act.

37,019. In those days, and now also, recognizances are required, and responsible people, before the petition is allowed to go on?—I heard everything necessary was done.

37,020. And you would be the person put in as a responsible person?—I was petitioner with Mr. Reuben Bond.

JONAS BOTTOMLEY recalled. *J. Bottomley.*

37,021. (*Mr. Coleridge.*) Is your name Jonas?—Yes.

37,022. Were you a draper at this time?—Yes.

37,023. (*Mr. Price.*) Here you are, a draper, voting for Mr. Bagehot. You have sworn deliberately ten minutes ago that you did not vote at Bagehot's election. Now here is the poll sheet, with your name recorded as voting for Bagehot?—I really have no recollection of voting for Bagehot. I have not the most distant recollection.

37,024. (*Mr. Coleridge.*) Do you recollect refusing 2*l.* 10*s.* for your expenses?—Yes.

37,025. And wanting more?—I refused to take it.

37,026. (*Mr. Price.*) Then if you had not voted, what was the question about your expenses at all—refusing to take 2*l.* 10*s.*? Surely it was because you had voted and claimed more?

37,027. (*Mr. Anstey.*) How often is Mr. Coleridge's question to be put to you? You have not answered it up to this moment. Did you ask for more—yes or no, sir?—I do not recollect asking for more. I refused 2*l.* 10*s.*

37,028. (*Mr. Coleridge.*) Did you say it was not enough?—Yes.

37,029. How much was enough?—I did not say anything.

37,030. How much did you ask for?—Not any price. I did not state any price.

37,031. What should you have taken? What do you think you ought to get for a 5*s.* journey to and from Tiverton?—5*l.*

37,032. (*Mr. Anstey.*) I must caution you as I have cautioned a man with the same degree of morality as yourself, though not a schoolmaster, one Hayward. Sure as your name is Bottomley, if you leave that box a manifestly perjured man, your name will be transmitted, if I have any influence, to Her Majesty's Attorney-General. This is what Mr. Justice Blackburn says to the fellow Hayward at the last election: "It is a very mistaken idea that you can avoid the "consequences of a falsehood by saying not to your "recollection; such a matter cannot be forgotten." Now, sir, do you mean to swear that you do not recollect having voted more than once for this borough, at more than one election?—I said honestly that I did not recollect it.

37,033. But do you, now your memory has been refreshed by the words of Mr. Justice Blackburn, recollect as disclosed on that poll paper that you voted at that election besides the one you had previously confessed to? Now do you remember?—I must according to that.

37,034. (*Mr. Coleridge.*) And must you have got money to induce you to do it? Now, what did you get, and who from?—I got 10*l.* from Allan, that is the only money I received.

37,035. I am talking of this other election, Bagehot's contest. What did you get at that time when you refused the 2*l.* from Dymont?—Nothing.

37,036. When you wanted 30*l.*?—Nothing.

37,037. Nothing at all?—It was Vanderbyl I voted for.

37,038. Vanderbyl you voted for, and got 10*l.* when you wanted 30*l.* At this election of Bagehot what did you get of Dymont?—I got nothing.

37,039. Nothing at all?—Nothing at all.

37,040. You swear that and stand by it?—I do not recollect.

37,041. Neither before nor after the election?—Neither before nor after the election.

37,042. At no time subsequent?—At no time subsequent.

37,043. You distinctly swear you got nothing, having refused 2*l.*?—I do not recollect receiving a farthing.

37,044. Will you swear you did not, or anyone on your behalf?—No, one on my behalf, I am certain.

37,045. Your wife?—No.

37,046. On behalf of your wife?—No.

37,047. Will you swear you did not receive a farthing for voting on that occasion, either before or after?—I received nothing before, I received nothing after, and I do not recollect receiving a farthing then.

THIRTY-SIXTH DAY.

J. Bottomley.

6 Oct. 1869.

37,048. (*Mr. Price.*) How much do you say you asked, 5*l.*?—I did not receive 5*l.*

37,049. How much did you ask?—I did not ask any sum.

37,050. (*Mr. Anstey.*) You said just now 5*l.*?—I did not ask any sum at all.

37,051. (*Mr. Price.*) Did not you say 5*l.*?—No; that is what I would vote for.

37,052. Did not you name any sum as that which you expected to receive?—Yes.

37,053. You swear that?—I will; I do not recollect.

37,054. Will you swear positively that you did not ask for a specific sum of money?—(*No answer.*)

37,055. (*Mr. Anstey.*) Come, sir!

37,056. (*Mr. Coleridge.*) Yes or no?—I have not the most distant recollection of asking any sum.

37,057. (*Mr. Price.*) Did not you say you could not be properly paid unless you had 10*l.*?—I have not the most distant idea of saying such a thing.

37,058. Will you swear you did not say so?

37,059. (*Mr. Anstey.*) Why do not you speak?—I should not like to swear, I do not know it to be true.

37,060. And did not the man to whom you said it turn round in disgust and say that he would have nothing to do with you?—I do not remember such words.

37,061. Will you swear nothing of the kind took place?—I do not remember such words spoken by me in the world.

37,062. What words?—That I wanted 10*l.*, and he turned round in disgust at my asking for it.

37,063. I am not asking that; that was a gesture, and possibly a fitting one. Did he say he would have nothing to do with you?—I do not remember it.

37,064. (*Mr. Anstey.*) In whose service are you now a schoolmaster? Are you a dissenter, a Church of England man, or a Roman Catholic, or what religion has the benefit of your morality and science?—Church of England.

37,065. (*Mr. Price.*) Are you appointed by anybody?—No.

37,066. (*Mr. Anstey.*) It is your own school?—Yes.

37,067. (*Mr. Price.*) No foundation attached to it?—No.

37,068. Any salary attached to it?—No.

37,069. Did you start it yourself?—Yes.

37,070. How many scholars have you?—Twenty-seven to thirty.

37,071. What is the name of the street?—Ashsted Road.

37,072. What parish?—I think, Nichels.

37,073. If you are a Church of England man, you must know what parish your school is in?—Ashted.

37,074. Is that in Birmingham?—Yes.

37,075. Is it a suburb?—It is close adjoining it.

37,076. What is the name of the clergyman of the church to which you belong? Do you ever go to church?—Yes.

37,077. What church?—Ashted church.

37,078. Who is the clergyman?—Mr. —— I have not been many times to the place.

37,079. Have you ever been there in your life?—Yes.

37,080. When?—Half a dozen times in the last few months.

37,081. Then you can give us the name of the clergyman?—(*No answer.*)

37,082. Do you mean to say you cannot give us the name of the clergyman whose church you attended half a dozen times the last two months where you have a Church of England school?—It is not a Church of England school. It is a private school.

37,083. (*Mr. Coleridge.*) Do you take your pupils there?—No, it is a private school.

37,084. Where do your pupils go?—I do not know, it is a day school.

37,085. (*Mr. Price.*) What is the name of the clergyman whose service you attend?—My memory is at fault this morning. Wilkins, I think it is.

37,086. (*Mr. Anstey.*) Do you do anything there besides keeping a day school?—No.

37,087. (*Mr. Coleridge.*) How long have you been a Church of England man?—I was brought up one.

37,088. (*Mr. Anstey.*) Were not you a dissenter when in Bridgwater?—Yes.

37,089. A preacher?—No.

37,090. Do you mean to say you never preached?—Never.

37,091. Your name has been mentioned by a witness as of a dissenting preacher?—I never was in this world.

37,092. Or a lecturer?—Or a lecturer.

37,093. (*Mr. Price.*) What place of worship did you ever attend at Bridgwater?—I attended the Independent chapel.

37,094. What is the name of the person who officiated there in your time?—Jones.

37,095. Is he here now?—I do not know.

37,096. Did any single person in Bridgwater ever see you in a place of worship in your life?—I should think there are many persons.

37,097. (*Mr. Anstey.*) What were you doing at Tiverton?—Keeping a draper's shop.

37,098. And when did you give up drapery and become a schoolmaster?—About two years ago.

37,099. Had you previously passed through the Bankruptcy Court?—Yes; no, I compromised.

37,100. Then you took to the scholastic line?—Yes.

37,101–7. You have followed it ever since?—Yes.

(*Mr. Price.*) You will not be able to leave the town, because we shall have to consider by looking through all this evidence what is to be done with you. You will have to remain till Dymont returns.

Adjourned to to-morrow at half-past 10.

THIRTY-SEVENTH DAY.

Thursday, 7th October 1869.

PRESENT :

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
HENRY FRANCIS PURCELL, Esq., Secretary.

Mr. GEORGE THOMPSON sworn.

37,108. (*Mr. Price.*) What are you?—I am an independent gentleman ; I have no profession.

37,109. (*Mr. Coleridge.*) No profession or trade?—I was bred to the Scotch bar, but never practised.

37,110. (*Mr. Price.*) Do you reside in London or in Edinburgh?—I really have no fixed residence. I live in the season a good deal in London, and at my own pleasure.

37,111. You are a member of the Carlton Club?—I am a member of the Carlton Club.

37,112. And I presume, therefore, are Conservative in politics?—A very strong one, and have always been.

37,113. Were you acquainted with the Lord Justice Clerk?—Most intimately.

37,114. And had been so during a great part of his professional career?—Since I was a very young man.

37,115. When did you first become acquainted with his intention to come down and stand for Bridgwater?—I arrived from Italy about the middle of May 1866. I looked it up; I think it was about the 15th. I arrived in London a day or two after I left him. I had then spoken to Mr. Patton on the propriety of his coming into Parliament, and when I met him he told me that he had been recommended by Mr. Spofforth to stand for Bridgwater.

37,116. Was he at that time Solicitor-General for Scotland?—No, the Liberal Government were then in power, but he had been Solicitor-General before. He told me he had been to Bridgwater, and had thoroughly canvassed the constituency, and was very much elated by the reception he had met with. He was obliged to go to Scotland, and he then asked me, as a very old friend, if I would meet Mr. Bealy Smith, who was his agent, and make any arrangement that I thought right for him; he would think it a great favour. I very unwillingly agreed to do it, and have never ceased to regret it.

37,117. (*Mr. Anstey.*) Why unwillingly?—I thought it a disagreeable thing.

37,118. And I suppose you also knew the reputation which Bridgwater had enjoyed for a century past?—I cannot say I did much. I may have heard it was a place one could not wish to go to, but I had no definite knowledge.

37,119. But you had a general notion?—Well, I daresay I had.

37,120. (*Mr. Price.*) Did you put yourself in communication with Mr. Smith?—Mr. Smith very shortly afterwards came to London, and I had an interview with him. He mentioned to me that Bridgwater was a very expensive place to contest, that there were a great number of legal gentlemen in it, and that they always expected to be very well paid. He also mentioned to me, as a particular demand that would be made on that occasion, that there had been large expenses incurred in connexion with the petition; that a great number of those—himself and other gentlemen—had been in London, and had remained a long time, and had been put to great expense, and they would not act cordially if that was not paid.

37,121. (*Mr. Anstey.*) By "other gentlemen," did he mean professional gentlemen?—I understood so.

37,122. Would you be very much surprised to hear that none of them were paid for being in London, except their expenses?—Well, he made a demand upon that subject for 750*l.*, and there was also a smaller demand of some other kind, which I have forgotten, for 150*l.* I cannot say what it was, but a smaller demand for 150*l.* more ; but he wanted 600*l.* to conduct the election and maintain the interest, and therefore he made a demand for 1,500*l.*

37,123. Did it strike you as a very curious way of making up the round sum of 1,500*l.*?—I cannot say that t did.

37,124. Did it strike you as very strange that it should be exactly 750*l.* for past expenses, and exactly 750*l.* for the current expenses of the election?—Well, I think the other 150*l.* was for something that had gone by.

37,125. Also back?—Also back.

37,126. But nothing to do with the petition?—I really could not say. I would not swear to it positively.

37,127. I do not say that so wary a man told you so, but did not it flash across your mind that some of those past expenses were illegal expenses?—I cannot say that it did. I was not aware that it was. I may say that the thing that flashed through my mind was that he wanted to pocket a little money. Mr. Patton being a stranger, and having no connexion with them, they thought they were entitled to something to put in their own pocket.

37,128. (*Mr. Coleridge.*) Have you ever stood for any place yourself?—Never in my life.

37,129. Or had any experience of elections?—Never in my life before.

37,130. (*Mr. Anstey.*) Nor Mr. Patton?—Nor Mr. Patton.

37,131. And did he tell you that he had circulated, or that anybody had circulated, in the borough a report that, though not a rich man himself, Mr. Patton was the brother of a wealthy Glasgow merchant, or some one who had made a large fortune by commerce?—His brother was a wealthy man.

37,132. Did he tell you that he had circulated that notion?—I cannot say that he did.

37,133. Did Mr. Smith tell you that that notion had been circulated in the borough?—No, I do not know that he did ; at least if he did I do not recollect it. He had a brother who was a very wealthy man, and who died very shortly before, and left the Lord Justice Clerk his whole fortune. Well, I had not 1,500*l.* at the time, and I told Mr. Smith if he would come up in a few days I would let him have the

THIRTY-SEVENTH DAY.

Mr. G. Thompson.

7 Oct. 1869.

1,500*l.* He said he could not come himself, and that Mr. Westropp was quite the same thing, whom I might have perfect confidence in, and would be there, and would receive the money, and I accordingly, a few days afterwards, paid it to Mr. Westropp.

37,134. (*Mr. Coleridge.*) Where did you get the money from, from your own banker?—From my own banker.

37,135. In gold?—Not in gold.

37,136. In notes?—In notes.

37,137. Then what occurred? Did you communicate that to Mr. Patton?—No, I did not; Mr. Patton was in Scotland at the time; he had left there, and I do not think I saw him until just the eve of the election. I had had frequent demands from Mr. Smith for different sums of money, and at the first election the whole he got, including the 600*l.*, not the 900*l.*, was 2,000*l.* I paid him the 2,000*l.*

37,138. (*Mr. Price.*) Before the election?—No; I think 1,450*l.* before the election, and 650*l.* after.

37,139. Besides this 1,500*l.*?—No, including the 600*l.*, not the 900*l.*, which I looked upon as a preliminary expense.

37,140. 600*l.*?—I think 750*l.* and 650*l.*; that is how I make it. I would not be prepared to swear that those were the exact identical sums.

37,141. (*Mr. Coleridge.*) Whom did you see on the matter besides Mr. Smith?—Nobody besides Mr. Smith and Mr. Westropp.

37,142. Did you ever see Mr. Spofforth?—I have seen him.

37,143. But about Bridgwater?—No; I do not mean to say I never spoke to him about Bridgwater.

37,144. What was the conversation?—I had none. I think he introduced me to Mr. Bealy Smith as a most excellent and respectable agent, whom I met in perfect confidence.

37,145. A most excellent what?

37,146. (*Mr. Anstey.*) Gentleman?—A most respectable agent I might have confidence in.

37,147. (*Mr. Coleridge.*) I should think it was the only time in his life he had been considered so?—I had every reason to suppose it. I do not think I had any other conversation with Mr. Spofforth.

37,148. Probably what you have read as having occurred here has altered your opinion?—It has, most decidedly, on this subject.

37,149. (*Mr. Anstey.*) How much money for back expenses, and the future expenses, was it you paid Mr. Smith?—If you like I will give you a small note of it; I do not pretend that it is strictly correct.

37,150. (*Mr. Price.*) Just give it, so that we can have it on the notes?—I may mention that the first election was 2,000*l.*; 1,350*l.* before the election, and there was a demand for 650*l.* after the election, which I paid whenever that was paid. There was another demand for 750*l.*, which I positively refused to pay.

37,151. That would be with what you paid before?—I am sorry to say that was not persevered in after the second election came on.

37,152. Tell us, up to that moment, how much you had spent with what you gave in the first instance for back purposes, and what you gave in respect of that election?—3,500*l.*

37,153. (*Mr. Price.*) That is exclusive of the last demand made on you, which you did not settle until after the second election?—I said before the second election it was 3,500*l.*

37,154. (*Mr. Anstey.*) How much was demanded of you or him, over and above that?—750*l.*

37,155. Did you, when these demands for past expenses were made upon you, not object to him that Mr. Westropp, or those who had come before Mr. Patton, ought to be the persons to bear it?—They said that there was nothing paid except, I suppose—— I do not know on what account it was paid.

37,156. You see there was a counter petition against Mr. Kinglake?—It was in connexion with the two petitions.

37,157. Just so; both the petition and the cross petition preceded nearly 12 months Mr. Patton's first coming here. He had had nothing to do with the borough whatever?—Nothing in the world.

37,158. Did you, or did you not, on his behalf object, when asked for these expenses, "Pray what has "Mr. Patton to do with petitions which he was never "connected with, and a trial in which he took no "part"?—Well, I cannot say I did.

37,159. You did not?—I did not.

37,160. Then was not it an understanding that the condition was that Mr. Westropp was to give him the benefit of what he is pleased to call his popularity?—No, not at all; there was no conditon at all; no condition of the kind.

37,161. Was not it the understanding?—I think not. I do not think I had ever communicated with Mr. Westropp, or heard.

37,162. Not between you and Mr. Westropp?—Or between me and Mr. Bealy Smith. I do not think there was any such understanding, not on my part. I never thought of it.

37,163. I will tell you what has been said by a very respectable person who has been examined here, Mr. Trevor, who being asked why Mr. Patton, who had a just horror of bribery, put himself in the hands of such a man as Mr. Westropp—those are the very words of the question—said, that he might have the benefit of Mr. Westropp's popularity. Mr. Westropp was a very popular man?—Well, it may have been so.

37,164. You do not know anything about it?—I never thought of it. It did not occur to me in that point of view.

37,165. At all events, you can tell me, as I suppose, if that was not the reason, you cannot suggest any other?—My suggestion was simply this, I thought it was a *cadeau* to the legal gentlemen of Bridgwater.

37,166. What?—A present to the legal gentlemen of Bridgwater.

37,167. That would account for the 600*l.*?—No, that accounted for the whole 600*l.* I understood to go to the expenses.

37,168. That would not account for the 150*l.*?—Well, I cannot account for the 150*l.* I think Mr. Westropp will be able, perhaps.

37,169. I am asking you whether this point was present to Mr. Patton's mind, or his friend; can you suggest any reason why Mr. Patton should be asked and advised by his friend to submit to the preposterous extortion of 150*l.*, not going to the lawyers, but relating to past matters, unless it were that on those terms Mr. Westropp's friends would give him support?—Well, it did not occur to me. I paid the money, and did not really think of it.

37,170. I am asking you, cannot you suggest any reason?—I cannot.

37,171. (*Mr. Price.*) As I understand, Mr. Patton was never put in communication with Mr. Westropp, was he?—I think so.

37,172. Excepting at the dinner at the Carlton Club?—I think the dinner at the Carlton Club; but it was long before I came home.

37,173. But, so far as you know from Mr. Patton, did you understand that he was to pay anything in respect of getting Mr. Westropp's popularity?—No, I do not think that; I am not at all sure that Mr. Westropp ever knew what it was for.

37,174. (*Mr. Anstey.*) We have had a great deal of evidence about the Liberal proceedings, and we have taken it for granted hitherto that Liberal candidates do not pay expenses of former candidates without incurring the guilt of bribery?—I was not aware of it.

37,175. That is the conclusion we have come to with regard to Hurman's bill for 33*l.*, and others. Can you see anything to distinguish the case of the 750*l.* payable in respect of past expenses, and the case I was just alluding to of the draper's bill?—I

do not think there is any moral distinction. I was not in the least aware that it was illegal, I must say.

37,176. (*Mr. Price.*) You were never informed that there was any outstanding debts beyond this liability with regard to the expenses of the petition? —Oh, there is 150*l.*, but I really can give no explanation of it; I do not remember anything about it; I paid it, and asked no questions.

37,177. With reference to the outstanding debts of Mr. Westropp?—I did not consider it as an outstanding debt of Mr. Westropp.

37,178. (*Mr. Anstey.*) Why not?—I do not know, I am sure.

37,179. Was not it outstanding to Mr. Patton?—No.

37,180. If it was not for the election petition, what could it be for but for some vile election bill that Mr. Westropp and his friends had not settled?—I cannot clearly say.

37,181. It appears to me as plain as can be what the nature of the claim was; I see no distinction myself between that and Hurman's claim; one is Liberal and the other Conservative, that is all?—After the second election I had a conversation as to whether he ought to stand again. I represented to him that I had paid the whole amount that had been paid, but I did not make any suggestion as to whether it had been illegal expenditure, or anything about it; I told him the amount that had been paid, and he gave me a cheque for the amount.

37,182. (*Mr. Coleridge.*) You were a sufficient electioneerer not to mention those things to him?—I did not.

37,183. Purposely?—Purposely. I did not mention it; in point of fact I did not know it myself, and I purposely avoided mentioning anything about how any of the money was expended after the first. I admit at first I really had no suspicion of anything seriously for a long time, but when continued demands came in I considered it a very gross robbery.

37,184. In fact, in the first election you were as much taken in by Mr. Smith as anybody?—I believed he was a most excellent and trustworthy person.

37,185. (*Mr. Anstey.*) Did he tell you he was the mouthpiece of all the lawyers?—Yes, he did; he gave me to understand he was the leading man.

37,186. (*Mr. Coleridge.*) Did it not strike you that he was a very young man to have the entire lead?—He informed me I believe that he had succeeded his father, that he had been in the same position, bred up from his youth as legal electioneering lawyer.

37,187. As the legal corrupter of Bridgwater.

37,188. (*Mr. Anstey.*) You knew at this time, of course, that Mr. Westropp had been unseated for gross bribery at the election of 1865, did not you?—I suppose I knew; I know I did, I may say.

37,189. You know the name of your countryman, Mr. Baxter, the member for Montrose, I think?—I do.

37,190. You are aware that he was chairman of the committee which unseated Mr. Westropp?—I cannot say that I was; I was out of the country, I had been away.

37,191. You had not heard anything of the talk which had taken place in the House of Commons after Mr. Westropp was unseated?—No, I had no recollection of it; I was quite ignorant of it, but I knew Mr. Westropp had been unseated.

37,192. And you were aware that Mr. Westropp had been introduced to Mr. Patton by Mr. Spofforth; you were then aware when he asked you for the money?—I did not know about Mr. Spofforth, but I knew he had been.

37,193. Did you not—it is too late now, of course—but did you or not caution Mr. Patton against placing any confidence in the unsupported statement of a man like Mr. Westropp?—I certainly did not; I gave him no warning whatever.

37,194. (*Mr. Price.*) Had you any reason for doing so with regard to Mr. Westropp?—No, none whatever.

37,195. Had you any reason to suppose that Mr. Westropp was a dishonourable man, not to be trusted?—On the contrary, from what I saw of Mr. Westropp.

37,196. Or Mr. Patton?—Mr. Patton knew a great deal more than I did.

37,197. He was in the country during the whole time of the election petition, and would see it in the public prints, I suppose?—In all probability.

37,198. He was the candidate, and you came home not knowing anything at all of this; you only knew Mr. Westropp from what you had heard of Mr. Patton and Mr. Spofforth?—I heard it at the Carlton Club.

37,199. (*Mr. Anstey.*) I do not believe I said anything to you about Mr. Westropp being a dishonourable man, did I?—Oh, dear no.

37,200. Then I will pursue my question. Mr. Westropp made a statement as to his chances, on the faith of which Mr. Patton came down to the borough?—Yes.

37,201. And I understood you to say that Mr. Patton communicated to you, I forget the expression, his satisfaction?—It was his satisfaction.

37,202. At the way it had gone on?—He was delighted that he was a popular man.

37,203. Now observe this: a stranger going down to a place like Bridgwater, especially a Scotchman, or one not an Englishman I mean, would naturally inquire of persons immediately connected with the last election as to the place, and did not it occur to you at that time that he would naturally have consulted Mr. Westropp as to his chance?—I think so.

37,204. I then ask you, that is the meaning of my question which appears to have been misunderstood, as Mr. Westropp had been just unseated for gross bribery, did it or did it not occur to you to caution Mr. Patton against being led away by any statements of the prospects coming from a man like Mr. Westropp, who most likely had a very over-coloured notion in his own mind?—No, it certainly did not.

37,205. (*Mr. Coleridge.*) Must not Mr. Patton have known from the character of Bridgwater, and the fact of Mr. Westropp having been unseated for the grossest bribery here, that he had a corrupt constituency to deal with?—I do not believe Mr. Patton had the slightest notion; that he knew anything of Bridgwater more than about any other place.

37,206. I am sorry to ask any question about Mr. Patton, but it is very material here. Mr. Patton, instead of in a straightforward way paying the ordinary sum of 3,000*l.* or 4,000*l.* into the hands of the agents for election purposes, gives you a *carte blanche* to pay whatever you like, must he not at that time have known that there was something more to pay for Bridgwater than for any ordinary and not corrupt borough, or else why did he leave it with you instead of paying his agents 300*l.* or 400*l.*, the ordinary expenses of a contest of this sort?—I cannot answer.

37,207. When Mr. Patton asked you to advance what money was necessary, did he do that without one word of conversation as to what amount was likely to be required? Supposing it had been 10,000*l.* should you have found it? Did Mr. Patton say to you, "I expect it to be 1,500*l.*," or leave it entirely to you?—He left it entirely to me.

37,208. Do you mean that he gave you no sort of limit above which you might go?—No, I do not think he did.

37,209. Try and recollect. Was nothing at all said about the amount, because it is an extraordinary thing that a gentleman going into office should not be careful about what he was doing, but left a complete *carte blanche* to commit any amount of bribery, for it amounts to that; if the sum is unlimited it can only be for bribery?—I do not think he contemplated the extent.

37,210. Did he contemplate anything like the extent you made it?—I cannot say.

THIRTY-SEVENTH DAY.

Mr. G. Thompson.

7 Oct. 1869.

37,211. Or half of it ?—I cannot say; he may.

37,212. One half you say he may ?—I should think so.

37,213. That would be 2,000*l.* if you contemplated it. It must have been going for illegal purposes ; he could not suppose it was going in a direct manner, because it would be equally illegal if it was for the expenditure of a former election ?—I do not think he contemplated anything of the kind.

37,214. Probably Mr. Patton was too wide awake to attempt actual bribery?—I think he was a most simple-minded man when taken in thus easily.

37,215. I understand Scotch elections are very cheap ?—On the very contrary, we pay very large sums to agents, but no such thing as bribery.

37,216. In boroughs ?—In boroughs. Greenock cost about 3,000*l.*

37,217. (*Mr. Anstey.*) Greenock was an exceptional place ?—Very few contests.

37,218. (*Mr. Coleridge.*) And about 90,000 inhabitants ?—About half, 50,000 or 60,000.

37,219. (*Mr. Anstey.*) Surely 3,000*l.* expended in Greenock was considered by the legal gentlemen who advised Mr. Christy so enormous a sum to be spent in a Scotch borough election, that they relied mainly on that in support of a petition for corrupt practices ?—Yes.

37,220. And I believe it is the only petition tried in the memory of man, either before the House of Commons or the present tribunal, against an election in Scotland on the ground of bribery ?—Well, I believe so.

37,221. Bribery being a very uncommon offence there ?—Yes.

37,222. (*Mr. Coleridge.*) Either uncommon or undetected.

37,223. (*Mr. Anstey.*) You remember Lord Barcaple said in giving judgment that he had considerable difficulty on that point about the largeness of the expenses ?—The largeness of the expenses.

37,224. But on the whole he thought, standing alone, it was not sufficient evidence of corrupt practices to justify him in declaring the election void ?—Yes.

37,225. Therefore 3,000*l.* was spent at Greenock, having an inhabitancy of 60,000, and is considered by all those persons, and I believe the public generally, as an unprecedented expenditure for Scotland ?—I am not sure of that. I know nothing about Scotch elections, but I know the Falkirk burghs were closely contested.

37,226. (*Mr. Coleridge.*) The Falkirk burghs are almost a county.

37,257. (*Mr. Price.*) Now be good enough to tell me this, when did Mr. Patton know the whole extent of what you had spent for him at that contest?—It was immediately after the first election was over.

37,228. How soon afterwards ?—About the 1st of July ; from the last week of June.

37,229. Then he would know up to that time that you had paid everything except this last demand ?—Yes.

37,230. Which you had refused to pay ?—Which I had refused to pay.

37,231. Therefore you had spent for him in respect of back demands, and for the purposes of the then election, something over 3,000*l.* ?—Yes.

37,232. And that he knew about a month after ?—Yes, less than a month after.

37,233. (*Mr. Anstey.*) How much less ?—I do not remember exactly the day of the election.

37,234. (*Mr. Price.*) At all events, whether it be a fortnight or a month, it makes no difference to what I want to know. Mr. Pitman has told us that the late Lord Justice Clerk expected to spend about 1,500*l.* Mr. Pitman has named that as the sum. Mr. Patton mentioned to him as to what he thought it would cost him, and it did not strike Mr. Pitman and Lord Justice Clerk as a large sum, although if he knew much about English boroughs it would have struck him as being a large sum for legitimate expenses, because the legal expenses are about 200*l.* ; however, that is the idea Mr. Patton seems to have started with, that he would have to spend that amount. Then, a month or a fortnight after the election, whatever it was, you carry him the expenditure rather more than double that ?—Yes.

37,235. That being so, did not he then say anything to you about its being more than double what he expected, or anything of that kind ?—Oh, he certainly said it was very extravagant, but he seemed to think, his idea was, it was a robbery.

37,236. Was his idea that it was spent, not in bribery, but he had literally been robbed by his agents, or extortion ?

37,237. (*Mr. Coleridge.*) And he himself considered the expenses in the advantage of his office ?—I suppose so.

37,238. Because Mr. Spofforth has told us that it is not usual to assist Government candidates in any way, they are expected to pay it out of what they can get ?—Of course he paid it out of his own pocket, every farthing of it.

37,239. (*Mr. Price.*) Mr. Pitman has told us that as soon as he found out the whole expenses, whether at that time or when you had to tell him of the other large demand, he declared himself so disgusted with the thing that he made up his mind that he would not stand again, and it was only on being assured by Mr. Bealy Smith that the other side was sick of fighting, and that the thing was to be a certain walk over, that he consented, believing it would be a walk over, to come down ?—That, I am sure, is correct. Mr. Bealy Smith came to me, and assured me that he had seen the Liberal agents, that they were not going to oppose the Lord Advocate on this occasion ; there would be no opposition if he would only come forward.

37,240. But for that assurance conveyed to you and conveyed, as Mr. Pitman says, in the strongest manner to Mr. Patton, do you believe he was so disgusted with the expenditure he had been put to that he would have declined to come forward ?—He would not have come to Bridgwater after, I am sure.

37,241. (*Mr. Anstey.*) Did he tell you so ?—He told me so.

37,242. As the nature of the connexion between Mr. Westropp and Mr. Patton appears to be in some doubt, I must ask you to look at this letter, and say whether it is Mr. Patton's handwriting (*handing a letter to the witness*) ?—It is.

37,243. Then be so good as to read it out, so that it may come on the notes. It is directed to the Secretary of this Commission, and dated August 14th, 1869. —" Sir,—I have just received your letter addressed to " me at Edinburgh, on the subject of the Bridgwater " election, and have to acknowledge the courtesy of the " Commissioners in kindly consulting my convenience " as to the time of my attendance. I shall be ready to " attend on any day between the 26th August and the " 10th September that may be thought most suitable. " I shall again be free between the 29th September " and the 12th October. As to the questions you put " as to bankers and deposits, my bankers are and were " during the years mentioned the Union Bank of " Scotland. They were so for years before. There " was never any account kept except in my own name. " A deposit of 500*l.* was made before the first election " in the joint names of some nominee of the Bridge " or Bridgwater Conservative Committee, and of my " cousin, Major Malcolm, of the Royal Engineers, on " the other. I do not at this moment recollect in what " bank the sum was deposited ; in fact none of the de- " tails were managed by me ; but I shall ascertain the " fact if desired. I was paying a visit in Yorkshire " when a telegram reached me from my friend, Mr. " Frederick Pitman, that a seat at Bridgwater was " vacant, and was sure. Mr. Pitman is a writer to " the ' signet,' and consequently a professional man ; " but he acted in the election as a friend so entirely,

" that he refused to permit me to pay one farthing of " his travelling expenses. I went up to London, and " saw Mr. Westropp, Mr. Bealy Smith, Mr. Ruddock, " and I think several others of what was called the " Bridge Committee, and proceeded to Bridgwater, " where Mr. Westropp introduced me to the con- " stituency."

37,244. " Where Mr. Westropp introduced me to " the constituency " ?—Yes. " I believe that I visited, " along with that gentleman, almost every voter, or " some member of his family. I dined with the Bridge " Committee, and a large body of Conservative elec- " tors. Mr. J. Trevor was my parliamentary agent. " I found, after the election was over, that various " gentlemen, members of the committee, claimed to " have been agents whose services I had thought were " to have been rendered simply as committee-men. The " second election was conducted by the Bridge Com- " mittee, or Bridgwater Conservative Committee ; my " liability being restricted contributing to a sum which " was fixed "—thatis quite a mistake—" beforehand by " Mr. Bealy Smith and Mr. Pitman as a proper amount. " I may mention that the contest was to me quite un- " expected, as the previous election was so recent, and " nothing had occurred to alter the position of parties, " except what I considered favourable to the Conser- " vative party. My first information as to a contest " reached me on the railway platform at Bridgwater, " arriving there on the eve of the election."

37,245. (*Mr. Price.*) That is the second election he is speaking of?—The second election.

37,246. (*Mr. Anstey.*) Now tell me about the 500*l.*; what part of the sum raised by you is represented by the 500*l.*?—That I had nothing to do with.

37,247. Which he says in that letter he deposited in the joint names of a member of the Bridge or Bridgwater Committee and Major Malcolm?—That I had nothing to do with; never heard of it until long after.

37,248. What did you hear about it?—I merely heard what that letter contained.

37,249. What was the object of depositing 500*l.* in that way?—I suppose Mr. Bealy Smith wanted it. I know nothing of it, and can give you no information on that 500*l.*

37,250. There was some laughter, not only on your part but elsewhere, when I asked why the 500*l.* was deposited in that particular form in the names of two persons. You see that would be a security against Mr. Bealy Smith?—I really cannot tell you about that ; I have no information.

37,251. Was the 500*l.* intended to provide for the legal expenses, and the remaining sum of money left out in Mr. Bealy Smith's hands ; is that it?—I cannot tell you anything about that.

37,252. (*Mr. Price.*) I understand you to have said a little time ago that you knew nothing about this 500*l.* at the time in any way whatever?—In no way whatever. I never heard of it until long after.

37,253. (*Mr. Coleridge.*) That is natural; because if the 500*l.* was for legal, and what you advanced for illegal, expenses, they would not have troubled you with the legal?—I suppose not.

37,254. The 500*l.* was for legal expenses, and what you advanced was for extras?—I am afraid so. At the second election, when Mr. Bealy Smith came to me and told me that there would be no contest, that if I would pay for Mr. Patton that 750*l.*, he could assure me positively——

37,255. (*Mr. Price.*) This last demand?—This last demand, that there would be no further claim.

37,256. That there would be no contest?—That there would be no contest.

37,257. And upon that assurance did you pay this further sum?—I did.

37,258. (*Mr. Anstey.*) Now about the difficulty of raising the money which came to Mr. Bealy Smith's and Mr. Lilly's hands in cash, which was deposited in their hands at the Carlton Club by Mr. Westropp himself, were you aware of the manner in which that money was to be brought into their possession, the particular mode of transport, namely, the Carlton Club?—I gave the money to Mr. Westropp, with the direction to give it to them.

37,259. (*Mr. Price.*) But you gave it for a cheque?—No.

37,260. (*Mr. Anstey.*) Were you a party to the operation by which it was conveyed to the Carlton Club on its way to their hands ; the story is that he got the notes somewhere?—I gave him the notes.

37,261. That he changed them into gold at his own bank, and then carried them in a parcel to the Carlton Club to one of the dressing rooms there, and kept it there until the appointed hour, when he gave it to two persons at the door in a cab. Were you aware that was going to be done?—I was aware it had been done.

37,262. How soon after were you made aware?—It was in the course of the day.

37,263. What reason did Mr. Westropp give you for taking it to the Carlton Club?—None at all ; none in the world.

37,264. He did not say anything to you about his fear of being seen from the windows of the Union Club?—No, he gave me no reason whatever.

37,265. Were you at the Carlton Club at the time the money was so handed over?—I do not know whether I was ; I think I was.

37,266. Were any of the leading men of the Carlton Club aware of it?—No human being except those immediately concerned.

37,267. Had those persons who are supposed to manage the Conservative interest at the Carlton Club anything to do with it?—No, nothing in the world ; no connexion with it whatever.

37,268. (*Mr. Price.*) I do not know whether you were going to tell us anything before you got to that period of time?—No, there is nothing.

37,269. Did you remain in just the same ignorance as Mr. Patton until he arrived at the platform?—The day before the election, when this demand came out ; and I am afraid I was quite reckless at the time.

37,270. (*Mr. Coleridge.*) You would have advanced money to any extent, I suppose, to secure Mr. Patton's election?—No, not that ; I said to Mr. Bealy Smith that nothing would induce me to go further than that, and on no condition.

37,271. You had given 4,000*l.* the first time ; why restrict yourself to 2,000*l.* the second time?—I always looked on the 900*l.* as totally unconnected with the election.

37,272. That was merely goodwill?—I understood it was a sop to the agents.

37,273. For the goodwill?—I understood it was a sop to the agents.

37,274. A retaining fee to the agents?—A retaining fee ; I believed it to be that.

37,275. (*Mr. Coleridge.*) They charged their fees afterwards, did not they?—I have no doubt about that.

37,276. Who did by name?—I know nothing ; I never saw the account.

37,277. Did any agent charge after this his fee?—I never saw the account.

37,278. (*Mr. Price.*) Mr. Bealy Smith took what he liked?—Mr. Bealy Smith took what he liked.

37,279. And gave what he liked?—And gave what he liked.

37,280. (*Mr. Coleridge.*) I think that your conduct at this election shows that you have never been in business?—I never have; I was as solicitous as possible ; it was the first time I had ever had to do with any election, and I hope the last.

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Mr. G. Thompson.

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37,281. (*Mr. Anstey.*) At all events with an English election?—At all events with an English election. I do not mean to say that I would not vote in my own country.

37,282. (*Mr. Price.*) Is that all you have to tell us?—I think so. If there is any question you would like to ask me——

37,283. When the Lord Advocate was defeated and this money was found, how soon after his defeat did you make the representation to him as to the money you found?—Well, he gave me before the election, I think——

37,284. He had repaid you 4,000*l.* Mr. Pitman says?—I think I can tell you exactly how that is. I paid 1,900*l.* of my own at the first election, which he repaid me for the legitimate expenses, or for the retaining agents, or whatever it was; about 600*l.* more for the second, between the first and the second, and I employed the 1,900*l.* which he repaid me again in paying the second.

37,285. For the second?—For the second, but I afterwards received it.

37,286. (*Mr. Coleridge.*) Tell us the whole amount the Lord Advocate received through your hands?—6,150*l.*

37,287. And 500*l.* of his own besides?—500*l.* of his own besides, and I think 350*l.* by Mr. Pitman.

37,288. (*Mr. Anstey.*) Was any portion of that money repaid through his brother or out of his brother's money?—I should think not.

37,289. Was it out of his own money?—I should say it was entirely paid out of his own pocket.

37,290. Do you know whether he received any contribution towards it from any source?—Not the least that I am aware of

37,291. (*Mr. Price.*) There is some misapprehension as to his position; he had a patrimony independent of what his brother left him?—Yes, he had amassed money.

37,292. 2,000*l.* a year independent of professional income?—2,000*l.* a year independent of professional income.

37,293. And a large professional income?—Yes; he did not marry till late in life, and must have been a rich man.

37,294. He was a man without family?—Without family.

37,295. And kept a very inexpensive household?—He lived in a most gentlemanlike manner, but not an expensive manner; a kind, simple-hearted man. I was with him a few days before I saw this, and I have never recovered from it.

37,296. (*Mr. Anstey.*) Were you party in any way to the arrangement by which Mr. Bealy Smith received his last payment, somewhere in the early part of 1867, and gave a receipt in full as a protection both to Mr. Pitman and Mr. Patton against further extortion?—I was not. I may mention, by-the-bye, one thing, that Mr. Bealy Smith came to me after the second election most anxious that there should be a petition, that he assured me that the other election had been lost by bribery on the other side; that we were perfectly pure.

37,297. (*Mr. Price.*) He assured you that you were perfectly pure?—Yes. I did not believe that statement.

37,298. (*Mr. Anstey.*) Was that the reason why Mr. Patton did not pursue his purpose as announced from the hustings, or his hotel, on taking his farewell, of presenting a petition against Mr. Vanderbyl's return?—I think Mr. Patton had had quite enough of Bridgwater then.

37,299. Was it because he had spent money, or because he knew their hands were not clean?—Well, I believe it was that he had spent money; that he really did not know, and had no idea as to the extent.

37,300. I understood you to say a little while ago "less than a month"—you were going to tell me how much less when another question was interposed—less than a month he had been aware that money had been spent corruptly?—He never was made aware of it.

37,301. What then?—Of the amount that had been spent.

37,302. The amount?—The amount spent he was made aware of.

37,303. Was that before his second election?—Before his second election.

37,304. With the knowledge of the bad faith of Bealy Smith and the people who had involved him in that large expenditure, do you think he went to the second election with that in his mind, that his agents were going to conduct the contest on purity principles?—I know I was fully impressed with the idea, and I believed there was to be no contest.

37,305. But I am speaking of the time when he was informed there was to be a contest?—He never was informed until on the platform.

37,306. I am bringing you to your last answer, which was that you do not think that Mr. Patton was influenced when he changed his determination about presenting a petition by any thought excepting this: that he had not spent much money, or did not think there had been corrupt practices?—I do not say that he might not suspect it, but I do not think he had any idea of the extent.

37,307. But I mean as to the extent of it?—I think he must have been rather suspicious.

37,308. That is one reason at least why he did not present the petition?—I think, perhaps, it may be.

37,309. You have mentioned Mr. Bealy Smith coming to you, but I will bring you still further down; after Mr. Bealy Smith had obtained his final payment, and I daresay most unwillingly given a receipt in full to Mr. Pitman, which was somewhere about the beginning of the parliamentary session of 1867, did you receive any importunate letters from Mr. Bealy Smith?—None. I got various importunate letters before he went to Mr. Patton. He tried me in every way, and I absolutely refused to have anything to do with it, and then he took to attacking Mr. Pitman and Mr. Patton, but I never heard from him afterwards.

37,310. After he had silenced them by paying that last enormous sum he demanded he did not renew his importunities to you?—No.

37,311. And of course you never wrote to such a man yourself?—I never had anything to do with him.

37,312. You know nothing of his subsequent movements?—No; nothing whatever.

37,313. (*Mr. Price.*) I do not want to say anything to hurt the feelings of relatives or friends, but Mr. Pitman was asked it, and therefore I will ask you, do you agree with him; was not it till he noticed these proceedings were going on, and was looking over his papers as to any evidence he might have to give, that he fully realized the position he stood in and the mode in which he won his contest?—Well I believe so.

37,313*a*. And that Mr. Pitman said was the reason he broke down?—That is my belief.

37,314. He did not realize the effect of a large expenditure and having to account for it?—Yes; and I think that is what preyed on his mind, that he really had not considered it before. I saw him a very short time before. I went to see him and found him in a very great state of excitement, and I thought it was very likely he would resign his seat on the bench in consequence, but never for a moment fancied that such a thing would have happened as has.

37,315–6. (*Mr. Price.*) You have nothing else to tell us?—I do not think so.

JONAS BOTTOMLEY recalled.

37,317. (*Mr. Coleridge.*) Do you recollect any more this morning?—(*The witness hesitated.*)

37,318. (*Mr. Price.*) About that first election of Mr. Bagehot's; did you get any money then?—The first?

37,319. Do you recollect, at Bagehot's election, about the 2*l.* 10*s.* being offered to you, and saying you ought to have 10*l.*? (*A pause.*) You said yesterday that you offered to take 5*l.* I ask you whether you did not say to Dyment that you ought to have had 10*l.*?—I do not remember having used such words.

37,320. Did you say you would take 5*l.*?—No.

37,321. (*Mr. Coleridge.*) You told us 5*l.* yesterday?—It was suggested, "Would I take 5*l.*?" I said "Yes."

37,322. Who suggested it?—I think it was you.

37,323. No, no. I asked you what was the least you would take, and you put the 5*l.* upon me; I did not put it upon you?—I do not think I named 5*l.*; it was only suggested, sir.

37,324. Yes, you did. Have you made up your mind as to whether you voted at that election or not?—I must have done so.

37,325. You have sworn about ten times over that you did not do so?—I do not recollect the circumstance.

37,326. But you have withdrawn that, and you say you did do it?—I recollect being taken by Dyment into Bussell's parlour.

36,327. You were brought up by Dyment and offered 2*l.* 10*s.* Surely you must recollect whether you did or did not vote, having come from Tiverton to vote?—I was brought up by Dyment, and brought into Bussell's; and I believe he did offer me 2*l.* 10*s.*, which I refused.

37,328. Why?—I thought it was not enough.

37,329. For coming here your fare was about 3*s.* 10*d.*, or some such thing, with a return ticket. You expected to be bribed for your vote, and because you were not bribed you imagine you did not vote, when you did; is not that it?—I believe I did vote now.

37,330. You have sworn pretty often you did not vote?—Yes, I did vote.

37,331. Did you get 10*l.* afterwards?—No.

37,332. What did you get?—I do not know that I ever got a penny.

37,333. Who paid your fare?—No one.

37,334. Did you pay it yourself?—I think so.

37,335. Will you swear it?—(*No answer.*)

37,336. Did not Dyment pay it?—I do not know that he did.

37,337. Well, will you swear that you did?—(*No answer.*) Well, now, if you really do not try and give us some satisfactory evidence, you must stay here till the Commission has finished; that is the only thing, if you cannot recollect who paid your fare, and so forth?—I had so little to do with elections; I never interfered with them in any shape or form.

37,338. (*Mr. Price.*) That is not the question, whether you interfered with them or not. The question is, whether you will give us truthful answers or not?—I will give it as near as I can.

37,339. No, you do not give it even near?—I will give it as truthfully as I can.

37,340. Who paid your fare from Tiverton?—I think I paid it myself; I will not be sure.

37,341. Where did you get the money from?—From my own pocket, of course.

37,342. (*Mr. Coleridge.*) You have committed the grossest perjury. You swore one thing yesterday, and you have sworn another thing to-day; and you swear to-day you voted, only because I show you the poll-sheet?—I really was not aware at the time that I voted for Mr. Bagehot.

37,343. Were you aware that you voted at all?—I was brought up from Tiverton.

37,344. (*Mr. Price.*) For Bagehot?—For Bagehot.

37,345. (*Mr. Coleridge.*) Did you imagine that you voted the other way, for Mr. Patton?—No. I did not recollect I had voted for Bagehot.

37,346. Did you tell anyone, that unless you were paid more than the 2*l.* you would go and vote for Mr. Patton, or you would not vote at all?—I never uttered the words.

37,347. That you would go and vote for Mr. Patton, or you would not vote at all?—I do not know that I ever said so.

37,348. What time in the day did you vote?—I think it was in the forenoon.

37,349. Then you recollect all about it now?—I recollect the time, now I am reminded of it.

(*Mr. Price.*) You had better stand down now.

37,350. (*Mr. Anstey.*) Before you go, what do you say you recollect now?—I recollect the time when he took me into Bussell's parlour and offered me this 2*l.* 10*s.*; but that I went to give a vote, that is the part I do not recollect.

37,351. (*Mr. Coleridge.*) You say that you voted in the forenoon?—That is the part I do not recollect.

37,351*a*. (*Mr. Anstey.*) Well, go on?—I must have voted; I must have——

37,352. You were going to say something else?—I must have confounded the two elections together.

37,353. After he offered you the 2*l.* 10*s.* you went and gave your vote. What happened after that?—Well, I went away.

(*Mr. Anstey.*) Perhaps when you come up again you will recollect a little more. You seem only to recollect by driblets.

WILLIAM MOORE sworn.

W. Moore.

37,354. (*Mr. Price.*) What are you?—A draper.

37,355. Do you carry on business here?—Yes.

37,356. Are you one of the persons who subscribed at the election of 1866?—I was.

37,357. Some money towards the Conservative side?—I was.

37,358. How much?—I do not exactly recollect what the exact amount was, but I think it was somewhere about 30*l.* or 37*l.*; something like that.

37,359. Were you afterwards repaid?—I was afterwards repaid, the next morning.

37,360. Did you receive anything for yourself?—Not a farthing, and never have.

37,361. (*Mr. Coleridge.*) Have you had anything to do with other elections?—Never.

37,362. Never given anybody anything?—Only voted.

37,363. Never given anybody anything?—Never gave anything.

37,364. Nor promised anything?—Nor promised.

37,365. Or ever received anything yourself?—Never received anything myself.

37,366. Before or after?—Before or after. I had some bills.

37,367. What were those?—But they have always been paid me; at the first election of Westropp my bill was 12*l.*

37,368. What for?—For flags.

37,369. (*Mr. Price.*) When was it paid?—It was paid about two months after. It was settled by a cheque from London; a bank post bill I think it was.

37,370. (*Mr. Coleridge.*) From whom; from Mr. Tromp?—No, from a party who signed his name "Academicus;" and I sent the receipt for it to a post office.

37,371. Parliament Street?—No, at Hackney, I think. At Patton's first election I had another bill for 25*l.*

THIRTY-SEVENTH DAY.

W. Moore.

7 Oct. 1869.

37,372. What was that for?—Ribbons and flags.

37,373. At election prices?—No. I can show you the bill, and you will find that I only charged 2¼*d.* a yard, the ordinary prices.

37,374. At the next election, had you another bill?—No. Mr. Bealy Smith sent to me after the second election, and he said to me, "Well, Mr. Moore, I have "called about your bill. Mr. Patton does not choose "to pay the whole of the accounts, and he has sent "down a certain amount of money, divide it amongst "yourselves as well as you can." I said, "I think it "is very hard; I have not charged you more than "anybody else; the goods were sent out to you in "plain figures"—as I always do send out goods marked in plain figures—"and I said it is very "hard; I have not charged you more than anybody "else." And he said, "You can have 15*l.*, or have nothing."

37,375. Instead of 25*l.*?—Instead of 25*l.* I said "I am not rich enough to lose the money, but if you "give me 15*l.* I will give you a receipt in full." At the last election I said I would not have anything to do with ribbons, flags, or anything else. Hobbs, I think it was, the shoemaker, came to me on the morning of the last election, and he said, "I want a flag;" and I said, "You cannot have one unless you pay for it." He said, "Oh, very well, I want to fly it on my ship;" I think he is a shipowner; and he said, "I will pay you for it."

37,376. And did he have it?—Yes.

37,377. (*Mr. Anstey.*) How did you happen to get only 25*l.* at Westropp's election instead of 50*l.* that you got at Patton's election?—Westropp's bill was 12*l.* 8*s.*

37,378. And how much was Mr. Patton's bill, the two elections?—25*l.*

37,379. I thought you said it was 50*l.*?—Oh no.

J. Temblett.

JAMES TEMBLETT, senior, sworn.

37,380. (*Mr. Price.*) What are you?—I am not doing anything now.

37,381. What did you ever do here?—I used to keep an inn.

37,382. What inn?—The "Bull and Butcher."

37,383. Are you one of those who subscribed any money at Patton and Bagehot's election?—No.

37,384. Then what have you come here to prove?—Well, until the gentleman puts the questions to me I do not know what I am going to prove.

37,385. (*Mr. Coleridge.*) When was the first election you ever voted?—Well, about 30 years ago.

37,386. What were you then?—I voted for the two Conservatives.

37,387. What did you get for it?—I believe it was Broadwood and Forman.

37,388. What did you get for it?—I got 10*l.*

37,389. Thirty years ago, in Broadwood and somebody else's election, you got 10*l.*; whose election was it? Broadwood and Leader?—Broadwood and Forman.

37,390. Who gave you the 10*l.*?—A man named Oliver.

37,391. Is he alive?—No.

37,392. Then the next election: what was the next election at which you voted?—Who was the candidate, sir, at that time?

37,393. The next one to Broadwood and Forman?—That would be Broadwood and Tynte.

37,394. Yes, Broadwood and Tynte; how did you vote then: for Mr. Broadwood?—Then I voted for Broadwood and Tynte.

37,395. One and one?—I split my vote.

37,396. What did you get then?—Nothing.

37,397. On neither side?—On neither side.

37,398. Before or after?—No.

37,399. Then the next time was in 1852: Follett, Mansell, Tynte, Lord Henley, and Kinglake; for whom did you vote then?—I voted for the Conservatives and Mr. Follett.

37,400. Follett and Mansell you voted for?—Yes.

37,401. Not for Tynte?—For Tynte; I did vote for him.

37,402. You voted for Tynte and Follett?—For Tynte and Follett.

37,403. What did you get that time?—I got nothing.

37,404. No promise?—No promise.

37,405. Nothing at all?—Not until three weeks after the election.

37,406. What did you get then?—Then a man came and shook hands with me, and dropped a 5*l.* note in my hand; and I said, "Here is something you have left behind." He said, "Never mind about that; that is something for yourself."

37,407. Then the next election in 1857: Follett, Tynte, and Kinglake; for whom did you vote then?—I split my vote twice.

37,408. For Tynte and Follett?—For Tynte and Follett.

37,409. What did you get then?—Nothing at all.

37,410. Nothing at all?—No.

37,411. No promise?—No.

37,412. Then we come to the notorious election of Padwick, Westropp, Tynte, and Kinglake; whom did you vote for then?—Padwick and Westropp.

37,413. What did you get then?—10*l.*

37,414. From whom?—Murlis.

37,415. What was the reason you let Tynte drop out that time?—The reason is this: he came in to solicit my vote, and I said to him, "The other day you voted for the ballot;" he said, "Yes." I said, "I don't, and I don't support you."

37,416. And that, coupled with the 10*l.*, made you vote for Padwick, of whom you knew nothing, and Mr. Westropp, of whom you knew less?—I promised Mr. Westropp I would vote for him, and I always voted for the Conservatives.

37,417. In 1865, Westropp, Kinglake, and Shelley; whom did you vote for then?—I voted for Mr. Westropp.

37,418. What did you get then?—Nothing at all.

37,419. Nothing at all?—No.

37,420. After the election?—Nothing at all.

37,421. Did you get anything for your expenses?—I kept an inn.

37,422. There was treating at your house?—There were a good many people there, certainly.

37,423. What did your bill amount to?—It amounted to about 20*l.*

37,424. To whom did you send it?—To the lawyers.

37,425. Mr. Smith?—Mr. Smith.

37,426. And he paid it?—No, he did not pay it.

37,427. Who did pay it?—One of the strangers.

37,428. Did he pay you the whole of it?—I think the bill was 22*l.*, and he paid me 20*l.*

37,429. (*Mr. Anstey.*) You were not employed at that election to distribute money?—No, sir, I never was.

37,430. Come! it was a very important house, the "Bull and Butcher." Do you remember Mr. Lilly being there?—No, I never saw him there.

37,431. Not at your house?—Not at all.

37,432. Do you remember Heal being there, and Veysey, that day?—No, neither one of them.

37,433. Hayward?—No.

37,434. You must be very careful, you know?—Well, at election time I was busy in my bar. I had got very little to do with the business, more than attending to my bar.

37,435. (*Mr. Coleridge.*) Then he might have been there without your seeing him?—He might; the house was full.

37,436. (*Mr. Anstey.*) You are the father of the baker?—I am.

37,437. And your name is very frequently mentioned, and your inn, too, in the proceedings before the House of Commons, and we have had it very frequently mentioned here?—Well, the men were polled therefrom.

37,438. Just so; a great number were polled therefrom. How did they go from your house; a large number together?—No, they went away as they chose.

37,439. You do not say they went up without somebody to show them the way?—No; I suppose they went away as they chose.

37,440. Some of them were drunk, were they not?—No, not that I know of.

37,441. You must know, as you were in the bar?—There was one man I know, who was paid, and he was lopping about after he was paid; something of that kind, and Bussell said, "Why do not you go to poll?"

37,442. Robert Bussell?—Robert Bussell; and he said, "Why do not you go to poll?" and the man began to swear awfully.

37,443. (*Mr. Coleridge.*) What was his name?—Thomas Gane, at the "Cock."

37,444. (*Mr. Anstey.*) Did anybody send him up to poll?—No, he did not go to poll; he would not go.

37,445. Did not your party take care that the men who had had their money should go up to poll at once?—He went away, and after that I heard he had been to poll for the Radicals.

37,446. I am not asking you about that. I want to know, when your party saw that man was playing them false, did not they take care that the others who had had the money went up to the poll?—No.

37,447. Some kept their promise, and some did not?—Yes, and some kept lopping about.

37,448. How many were paid in your house on that day?—I cannot say.

37,449. They went upstairs?—Yes.

37,450. (*Mr. Coleridge.*) And none of them returned empty handed that went up?—There was victuals and drink for them.

37,451. And money?—I never saw them have money.

37,452. (*Mr. Anstey.*) How many were in your inn drunk that day?—Well, everybody has customers who get drunk, as far as that goes. I do not know.

37,453. (*Mr. Coleridge.*) At the first election in 1866, when Patton and Bagehot were the candidates there, for whom did you vote?—For Patton.

37,454. What did you get?—Nothing at all.

37,455. Something between that and the next election?—Nothing at all.

37,456. Nothing at all?—From neither of them.

37,457. At the second election in 1866, for whom did you vote?—For Patton.

37,458. And what did you get then?—Nothing at all.

37,459. Nor afterwards?—No.

37,460. No bill?—Oh, yes, a bill.

37,461. How much was your bill at Patton and Bagehot's election?—Over 20*l.*

37,462. Who paid it?—It was not paid till after the last election.

37,463. Of Mr. Vanderbyl's?—Not for nine months after that.

37,464. Who paid it?—Mr. Smith's clerk.

37,465. How much was your bill in Vanderbyl's election?—Well, about 25*l.*

37,466. That was paid, too?—That was paid about nine months afterwards.

37,467. Of course you felt bound to vote the way your bill was paid?—I was always a Conservative, only I split my vote. It was for Tynte, he being a neighbouring gentleman.

37,468. For whom did you vote at the last election?—I voted for the Conservatives.

37,469. What did you get then?—Nothing at all.

37,470. What was your bill?—At the last election?

37,471. Yes.—That was in 1868, was it not?

37,472. Yes. What did you get then?—I was not in a public-house then. I had been out of a public-house 18 months.

37,473. Did you not get anything else?—Nothing at all.

37,474. Nothing at all?—No.

37,475. Besides these bills for treating, how much have you received altogether for your vote in your lifetime?—25*l.*

37,476. Are you related to the Bussells?—That is my son-in-law.

37,477. Who is?—Robert Bussell. I wish to state one word. There was 10*l.* which was paid to a man named John Webber at Mr. Patton's last election, and at about 5 or 6 o'clock in the evening he came back to me, and said, "I have not voted for your party." I said, "How is that?" Then he said, "I was obliged "to vote on the other side, or else I should have been "turned out of my land that I rent under Mr. "Thompson, and I will return you the money again."

37,478. (*Mr. Price.*) Is that Mr. Thompson, the ironmonger, the Quaker?—Yes, I suppose so; I did not ask him the question. He said it was Mr. Thompson, and he returned me the 10*l.*, and when my son came in I said, "Here is Webber brought back the 10*l.*, and gave it to me." He said, "You had better "mention that to the committee, and keep that, as "they have not paid your first bill. You had better "keep that in part of the bill." I kept that as part of the bill, and it was deducted out of the bill when they paid me.

37,479. (*Mr. Price.*) What is the christian name of that Webber?—John Webber.

37,480. Where does he live?—John's Gate.

(*Mr. Price.*) He ought to be known; when a man voted under undue influence, and gets a bribe on the other side for his vote and returns that bribe, his name ought to be published to the world.

ELIAB CANN sworn.

E. Cann.

37,481. (*Mr. Price.*) What are you?—A millwright by trade.

37,482. Are you a voter?—Yes.

37,483. Did you vote at the last election?—I did.

37,484. How did you vote?—For the Conservatives.

37,485. Did you get anything for it?—No.

37,486. Had you any bill or any expenses paid you?—No, never.

37,487. (*Mr. Coleridge.*) Any promise?—No.

37,488. (*Mr. Price.*) Did you vote at the election before, when Mr. Vanderbyl came down, in 1866?—I had better begin at the beginning.

37,489. Will you answer my question: did you vote at Patton and Vanderbyl's contest?—Yes.

37,490. How did you vote?—As a Conservative.

37,491. Did you get anything for it?—Yes.

37,492. How much?—10*l.*

37,493. Who from?—Jarvis. That is the second election of Patton's?

37,494. Yes. Did you vote at the first election of Patton's?—Yes.

37,495. How did you vote then?—Conservative.

37,496. What did you get then?—10*l.*

37,497. From whom?—I do not know; a stranger.

37,498. Where did you get it?—At the "Red Lion" inn.

37,499. Who keeps the house?—Pim kept it then.

37,500. (*Mr. Coleridge.*) Who told you to go there and get it?—Nobody.

37,501. Then how came you to go there?—Because I saw others going there, and I went with the stream.

THIRTY-SEVENTH DAY.

E. Cann.

7 Oct. 1869.

37,502. Did you ever get paid by both sides at any election?—No, never.

37,503. (*Mr. Price.*) Did you vote for the Conservatives at the last election with the expectation of getting money, if there was money going after the election?—No.

37,504. (*Mr. Coleridge.*) If there had been money going at the "Red Lion" inn, I suppose you would have gone in for a part of the swag?—I cannot say anything about that.

37,505. (*Mr. Price.*) Did you vote on the promise that there would be money after the election?—Certainly not. I would not believe any man's promise.

37,506. In 1865 did you vote?—Whose election was that?

37,507. The second time Mr. Westropp came?—Yes.

37,508. How did you vote?—For Mr. Westropp.

37,509. Did you get anything then?—No; but there is a circumstance I shall have to mention to you.

37,510. Well, tell us the circumstance?—Some time before one of the elections, it is either Patton's first or second election, Mr. Temblett called on me, and said, "You have not been paid for the last election." I did not know him from Adam; but I was working at that time at Highbridge, and I only came to Bridgwater on Saturday nights, and went away Monday mornings. He said, "You were not paid for the last election." I said "No."

37,511. Did that mean the election of Mr. Westropp?—I understood it as much. I am not certain about that. I believe he gave me 10*l.*; 5*l.* or 10*l.*; either of those sums; I cannot be certain.

37,512. You got 10*l.*; therefore, if it was in respect of that election, you have had 10*l.* at each of the three elections except the last?—Yes.

37,513. Did you vote in 1859?—No; you have the list there.

37,514. Padwick and Westropp were the candidates?—No, I do not think you will find I voted then. I think the first time I voted was at Mr. Follett's first election.

(*Mr. Coleridge.*) Follett's was before that.

37,515. (*Mr. Price.*) Long before that. Did you get anything at Follett's election?—No.

37,516. What other money did you get at any other election?—I do not think I voted at any other election.

37,517. (*Mr. Coleridge.*) How much have you had altogether in your life for your vote?—30*l.*; 25*l.* or 30*l.*; no more than that.

(*Mr. Coleridge*) That is quite enough.

I. Drake.

ISAAC DRAKE sworn.

37,518. (*Mr. Price.*) What are you?—I am a machine worker.

37,519. Who do you work for?—Hennett and Spink.

37,520. Are you a voter?—Yes.

37,521. Did you vote at the last election?—Yes.

37,522. For whom?—Westropp and Gray.

37,523. Did you get anything?—Not a farthing.

37,524. Did you vote under any expectation of getting money?—No, not at all.

37,525. Did you vote under any influence of Messrs. Hennett and Spink?—No.

37,526. Did they canvass you for your vote?—No.

37,527. Did they ask you how you were going to vote?—No.

37,528. Did you vote at any previous election?—Three times.

37,529. In the election in 1866, the one before that, whom did you vote for then?—Patton.

37,530. What did you get?—10*l.*

37,531. From whom?—Jarvis.

37,532. (*Mr. Coleridge.*) Where did you get it?—At the "Golden Lion."

37,533. (*Mr. Price.*) Did you vote at the first election, 1866?—Yes.

37,534. For Mr. Patton?—Yes.

37,535. What did you get?—10*l.*

37,536. From whom?—Jarvis.

37,537. Go back and tell us of any other election at which you voted, and what you were paid?—In 1865.

37,538. For whom did you vote?—Westropp.

37,539. What did you get?—10*l.*

37,540. From whom?—Jarvis.

37,541. 1859, had you a vote?—No, I had no vote.

37,542. How often have you been paid by both sides?—No, I was never paid by the other side.

37,543. Has nobody ever offered you money on the other side?—No.

37,544. Did Bussell never offer you money?—No.

T. Gardener.

THOMAS GARDENER sworn.

37,545. (*Mr. Price.*) What are you?—A labourer.

37,546. Are you a voter?—Yes.

37,547. Did you vote at the last election?—Yes.

37,548. How did you vote?—I voted for Mr. Westropp.

37,549. Mr. Westropp alone?—Yes.

37,550. How much did you get for it?—Nothing.

37,551. Had you any promise made to you by anybody?—No.

37,552. (*Mr. Coleridge.*) What made you plump for Mr. Westropp, instead of voting for Westropp and Gray?—I did vote for both of them.

37,553. You told us you voted for Westropp only.

37,554. (*Mr. Price.*) Did you vote at the election before that of 1866?—Yes.

37,555. For whom did you vote?—Mr. Patton.

37,556. What did you get for it?—10*l.*

37,557. From whom?—Mr. Jarvis.

37,558. Did you vote at the early election in 1866, the first election?—Yes.

37,559. For whom did you vote then?—Patton.

37,560. What did you get then?—10*l.*

37,561. From whom?—Jarvis.

37,562. Did you vote in 1865?—Yes.

37,563. For whom?—Westropp.

37,564. What did you get then?—10*l.*

37,565. From whom?—Jarvis.

37,566. (*Mr. Coleridge.*) Did you vote in 1859?—No.

37,567. That is your first time?—My first time.

37,568. Have you never got any money from the other side too?—No; they never offered it to me.

H. Harris.

HENRY HARRIS sworn.

37,569. (*Mr. Price.*) What are you?—A tinman.

37,570. Carrying on business on your own account?—Yes.

37,571. In this place?—Yes; Eastover.

37,572. Are you a voter?—Yes.

37,573. Did you vote at the last election?—Yes.

37,574. How did you vote?—I voted for Westropp and Kinglake.

37,575. Did you get anything for your vote?—Nothing from neither side, nor no promise.

37,576. (*Mr. Anstey.*) Why did you split your vote?—I think all through, you will find, from the first election in 1865, the first time I voted, that I have always split my vote, down to the last election.

37,577. (*Mr. Price.*) That is when there has been two candidates; but when there has been only one candidate, as in the elections of 1866, how did you vote?—At Patton's first election I gave him the preference; I voted for Mr. Patton.

THIRTY-SEVENTH DAY.

H. Harris.

7 Oct. 1869.

37,578. (*Mr. Coleridge.*) What did you get for it?—10*l.*

(*Mr. Coleridge.*) That was the reason of the preference.

37,579. (*Mr. Price.*) From whom?—Frederick Jarman.

37,580. Did you vote for Mr. Patton in his second election?—For Mr. Vanderbyl.

37,581. (*Mr. Coleridge.*) What did you get then?—I got 10*l.* from Charles Collins at the "Queen's Head."

37,582. You were paid on both sides then?—No.

37,583. When were you paid on both sides?—At neither one at all.

37,584. In 1865 how did you vote; did you split your vote then?—Westropp and Shelley.

37,585. (*Mr. Coleridge.*) What did you get then?—Well, I got 5*l.* on Westropp's side, but nothing on the other. Sir John told me that I should not go unrewarded, but what he meant by that I cannot tell.

37,586. (*Mr. Anstey.*) When did he tell you that?—When he called and thanked me for my vote.

37,587. That was in his canvass?—No, that was after the defeat.

37,588. After the election?—Yes.

37,589. On the same day?—He called in.

37,590. Was that on the same day?—No, the day after the election. He was defeated of course.

37,591. (*Mr. Price.*) Did you say he called on you?—Yes, he did.

37,592. He took the trouble to call on you and thank you for your vote, and say you should not go unrewarded?—Yes; the meaning of it I cannot tell.

37,593. (*Mr. Coleridge.*) At that time you expected to be paid on both sides?—No.

37,594. But you had been paid on one side, and you thought that you would be paid by the other?—No.

37,595. (*Mr. Anstey.*) And you were paid 5*l.*, which was only half the price of the vote, and you looked to Sir John Shelley for the other half?—No. I was never told I should have anything. It was the evening after the election day that the 5*l.* was brought to my house.

37,596. (*Mr. Coleridge.*) How much have you received altogether in your life?—30*l.*

37,597. What have you received at other times after the election?—Nothing.

37,598. Were you not paid something after the election in 1866, some time after Mr. Patton's?—Oh, yes; Bussell gave me 5*l.*

37,599. Then why did you not recollect that before; that makes 35*l.*?—No, 30*l.*

37,600. (*Mr. Anstey.*) That makes up the 30*l.* you have just stated?—Yes.

37,601. (*Mr. Price.*) When Sir John Shelley came to tell you this, had you before that complained to the other side that you had not had any money?—No.

37,602. Then, as far as you know, he knew nothing about your expecting 5*l.* from the other side?—No, I do not believe that he did.

37,603. (*Mr. Anstey.*) When did you get the 5*l.* from the other side?—Which side?

37,604. Westropp's?—Why, the night after the election.

37,605. (*Mr. Anstey.*) When did Sir John Shelley call on you and tell you that you should not go unrewarded?—I think it was the day after the election.

37,606. Which took place first, his calling upon you, or your getting the money from the other side the same day; did they happen the same day?—Very like it might. Sir John Shelley might have called on me in the morning, and I might have had this in the morning.

37,607. Did the other side know that Sir John Shelley had told you you should not go unrewarded?—No.

37,608. Did you tell the other side?—No, I did not. I never mentioned it—never.

37,609. Did the other side ever hear that Sir John Shelley had told you you should not go unrewarded?—Not that I am aware of.

HENRY DUNN sworn.

H. Dunn.

37,610. (*Mr. Price.*) What are you?—A foreman of the fitting department at Hennett and Spink's.

37,611. Did you vote at the last election?—Yes.

37,612. You voted for Westropp and Gray?—I did.

37,613. Did you get anything for it?—No.

37,614. Were you promised anything?—No.

37,615. Were you canvassed by your employers, or induced by them in any way to vote for their side?—No, I was not induced in any way at all.

37,616. Had they spoken to you about your vote?—No. There were placards stuck up, which told the men to vote which way they pleased.

37,617. Did you vote at the election before, Patton and Vanderbyl's election?—I did.

37,618. For whom did you vote then?—For Patton.

37,619. Did you get anything?—I did.

37,620. How much?—10*l.*

37,621. From whom?—Jarvis.

37,622. Did you vote at the other election of Patton in 1866?—Yes.

37,623. For Patton?—For Patton.

37,624. Did you get anything?—Yes.

37,625. How much?—10*l.*

37,626. From whom?—Jarvis.

37,627. In 1865 did you vote?—Yes.

37,628. For whom did you vote?—Westropp.

37,629. And what did you get?—5*l.*

37,630. How was it you only got 5*l.*?—I do not know.

37,631. (*Mr. Coleridge.*) Did you get anything more after the election?—No.

37,632. (*Mr. Price.*) Any promise or anything?—No.

37,633. Did you vote in 1859?—No, that was my first vote in 1865.

37,634. (*Mr. Coleridge.*) Were you ever paid anything by the other side?—No; I never had anything to do with them.

THOMAS BRAWLEY sworn.

T. Brawley.

37,635. What are you?—Foreman of the smiths.

37,636. At Hennett and Spink's?—Yes.

37,637. Did you vote at the last election?—Yes.

37,638. For whom?—Westropp and Gray.

37,639. Did you get anything?—No.

37,640. Any promise?—No.

37,641. Did you vote freely?—Yes.

37,642. Did you vote at the second election of 1866, Patton's election?—Yes.

37,643. For whom did you vote?—Patton.

37,644. Did you get anything?—Yes.

37,645. How much?—10*l.*

37,646. From whom?—Jarvis.

37,647. Did you vote in the first election of that year?—Yes.

37,648. For whom?—Patton.

37,649. Tell us what you got then?—5*l.* from Jarvis, 10*l.* from Gough, and 5*l.* from Harden.

37,650. Then you had 20*l.*?—20*l.*

37,651. How was that?—Because I had it from the Liberals, and did not vote for them.

37,652. You kept the money?—I did, like a brick.

37,653. Do not talk in that way. "Like a brick," indeed?—They turned out Westropp for bribery, and that is why I did it.

(*Mr. Anstey.*) I think it is a very disrespectful expression to use in a case like the present.

(*The witness said something in an undertone.*)

THIRTY-SEVENTH DAY.

T. Brawley.

7 Oct. 1869.

37,654. (*Mr. Anstey.*) What did you say?—I did not say anything. I do not say anything until I am asked.

37,655–6. You said something then?—No, I did not.

37,657. Did you vote in 1865?—I did.

37,658. For whom?—Westropp.

37,659. What did you get?—10*l.*

37,660. From whom?—Jarvis.

37,661. Did you get anything the other side then?—No.

37,662. In 1859, did you get anything then?—No, I had not a vote.

W. Sellar.

William Sellar sworn.

37,663. (*Mr. Price.*) What are you?—A labourer.

37,664. Where do you work?—Down at Hennett and Spinks's foundry.

37,665. Did you vote at the last election?—Yes.

37,666. How did you vote?—Westropp and Gray.

37,667. Did you get anything for it?—No, not a farthing.

37,668. Were you promised anything?—No.

37,669. Did your masters canvass you for your vote?—No, neither one of them.

37,670. Or the foremen?—No.

37,671. At the second election in 1866, did you vote?—Yes.

37,672. How?—For Mr. Patton.

37,673. Did you get anything?—Yes.

37,674. How much did you get?—10*l.*

37,675. From whom?—Jarvis.

37,676. Did you vote at the election before that?—Yes.

37,677. For whom?—I voted for Patton again, and got 10*l.* again from Jarvis.

37,678. Did you get anything from the other side?—No.

37,679. In 1865 did you vote?—Yes.

37,680. Go on, and tell us whom you voted for?—I voted for Westropp, and received 10*l.* from Edwin Bryant in Eastover.

37,681. Did you get anything from the other side then?—No.

37,682. In 1859 did you vote?—Yes.

37,683. For whom?—Padwick and Westropp.

37,684. Did you get anything?—I received 10*l.* from Mr. James Bryant, who is dead.

37,685. In 1857 did you vote?—No.

37,686. You had no vote before 1859?—No.

37,687. Have you ever had anything in your life from the Liberals?—No.

37,688. Never got paid on both sides, like the man who was in the box just now.

H. Green.

Henry Green sworn.

37,689. (*Mr. Price.*) What are you?—A dairyman.

37,690. Where do you work?—Here in the town.

37,691. Are you a voter?—Yes.

37,692. Give us the history of your last vote?

37,693. (*Mr. Coleridge.*) Did you vote last time?—Yes.

37,694. What did you get for it?—Nothing.

37,695. Whom did you vote for?—Westropp and Gray.

37,696. Were you promised anything?—Not a farthing.

37,697. In the election of 1866, Vanderbyl and Patton, what did you get?—15*l.*

37,698. How did you vote?—For Westropp and——

37,699. No, no, he was not a candidate then. There were only two in 1866. There was nobody but Patton and Vanderbyl. For whom did you vote?—Mr. Patton.

37,700. You got 15*l.*?—15*l.*

37,701. From whom?—I had it at the "Bull and Butcher."

37,702. Who gave it to you?—It was handed out of a room to me.

37,703. By a stranger?—Yes.

37,704. Did you get anything from the other side?—No.

37,705. At the first election, Patton and Bagehot, did you get anything?—Yes.

37,706. What did you get?—10*l.*

37,707. You voted for Mr. Patton?—Yes.

37,708. Who gave it to you?—That was at the "Bull and Butcher."

37,709. That was a stranger too?—Yes.

37,710. In 1865, whom did you vote for?—I had no vote.

37,711. 1866 was your first vote. You voted three times, and got 25*l.* for your vote?—I voted in 1852; I voted for Tynte and Lord Henley.

37,712. Did you get anything then?—Nothing.

37,713. From neither side?—No.

37,714. How came you afterwards to turn round from being a Liberal to being a Conservative?—At that time I kept a public-house, and Mr. Haslam and others came to me, and advised me to let go some drink.

37,715. You had a treating bill in Tynte and Lord Henley's election?—Yes.

37,716. How much did it amount to?—It ran about 8*l.* or 9*l.*

37,717. Who paid it?—I never had it.

37,718. Whom did you look to for it?—I thought Mr. Foister would have paid it.

37,719. How came you not to vote between 1852 and 1865?—I had no vote.

37,720. You had no vote?—My father-in-law at the time was the householder.

37,721. What is his name?—John Bryant.

37,722. Is he alive?—Yes, but very old.

37,723. He was paid instead of you at all those elections?—I cannot tell. He is very old.

37,724. (*Mr. Price.*) Is he the man who was called just now "John Bryant the elder, a seafaring man?"—Oh, no; that man is dead.

37,725. (*Mr. Anstey.*) Did they come to you about his vote?—No.

37,726. Had you anything to do with those elections when you had no vote?—No, nothing whatever.

37,727. As agent?—Oh, no. I was a labouring man at that time.

R. Saunders.

Robert Saunders sworn.

37,728. (*Mr. Price.*) What are you?—A blacksmith.

37,729. Do you work for yourself?—No.

37,730. For whom do you work?—Hennett and Spink.

37,731. Are you a voter?—Yes.

37,732. Did you vote at the last election?—I did.

37,733. How did you vote?—I voted for the Liberals.

37,734. What did you get?—Not a farthing.

37,735. Did you vote at the second election in 1866?—Yes, I voted.

37,736. For whom did you vote?—Mr. Patton.

37,737. What did you get?—10*l.*

37,738. (*Mr. Coleridge.*) What made you change from a Conservative to a Liberal on the occasion of the last election?—I will tell you. As soon as the placard was issued down at our works, I went with goodwill; I went according to my principles.

37,739. You mean your principles were Liberal?—Yes.

37,740. How was it you were compelled to go against your principles before?—I received 10*l.*

37,741. You say this last time you went with your will?—Yes.

37,742. Before that you went against your principles for 10*l.*?—I will tell you. I did not do it from selfish motives, as I may call it, but it is what you may call a "blue" yard, or at least all the voters were Conservatives, or nearly so; and that was the reason I voted the same way as they did, and no other reason at all.

37,743. And the 10*l.* too?—Well, I daresay.

37,744. If you had been offered 10*l.* with your will, should you have gone with your will?—(*No answer.*)

37,745. Did the Liberals offer you anything?—No.

37,746. (*Mr. Price.*) Did you vote at Mr. Patton's first election?—Yes.

37,747. (*Mr. Coleridge.*) What did you get then?—10*l.*

37,748. From whom?—Jarvis.

37,749. Did you vote in 1865?—Yes.

37,750. For whom?—For Mr. Westropp.

37,751. What did you get then?—10*l.*

37,752. From whom?—From Jarvis.

37,753. Did you get anything from the other side?—No.

37,754. Did you ever vote at any election before that?—No, I had no vote.

37,755. You got three 10*l.*?—Yes.

37,756. You got three tens for voting against your principles, and nothing when you voted with your goodwill?—Yes.

37,756*a*. (*Mr. Anstey.*) You voted Conservative at three elections previous to the last?—Yes.

37,757. And you say at the last election you went for the Liberals?—I did.

37,758. Had your employers said anything about that?—No, not a word, never.

37,759. Did they ask you to vote for the Conservatives?—Never in their lives.

GEORGE HOLLAND sworn. *G. Holland.*

37,760. (*Mr. Price.*) What are you?—A smith.

37,761. Where do you work?—I work for myself. I am my own master at present.

37,762. Are you a voter?—Yes.

37,763. Did you vote at the last election?—Yes.

37,764. How?—For Westropp and Gray.

37,765. Did you get anything?—Not at all.

37,766. Promises or anything?—Not at all.

37,767. Employment in any way whatever?—No.

37,768. Were you employed in any way whatever?—No.

37,769. Did you vote at the second contest in 1866?—Yes.

37,770. How?—I voted for Mr. Patton.

37,771. How much did you get?—10*l.*

37,772. From whom?—From Jarvis.

37,773. (*Mr. Coleridge.*) Did you get anything from the other side in that election?—No.

37,774. (*Mr. Price.*) Did you vote at the first election in 1866?—Yes.

37,775. How?—For Mr. Patton.

37,776. Were you paid anything?—Yes.

37,777. How much?—10*l.*

37,778. From whom?—Heal.

37,779. (*Mr. Anstey.*) William Heal?—Yes.

37,780. Did you get anything from the other side on that occasion?—Never.

37,781. (*Mr. Price.*) In 1865 did you vote?—Yes.

37,782. For whom?—Mr. Westropp.

37,783. Did you get anything?—Yes.

37,784. How much?—10*l.*

37,785. From whom?—Temblett.

37,786. (*Mr. Anstey.*) The innkeeper, or the baker?—Yes.

37,787. Which of them?—The baker.

37,788. (*Mr. Price.*) Did you vote in 1859?—Yes.

37,789. How?—Westropp and Gray.

(*Mr. Coleridge.*) No. That was Padwick, Westropp, Tynte, and Kinglake.

(*Mr. Price.*) Padwick and Westropp were the two Conservative candidates.

37,790. (*Mr. Coleridge.*) You had no vote in 1859, had you?—Yes.

37,791. When Padwick and Westropp were the Conservatives?—At least I had no vote at that time.

37,792. (*Mr. Anstey.*) Did you ever vote before 1865?—That was the first vote.

JOHN JOBSON sworn. *J. Jobson.*

37,793. What are you?—A railway labourer.

37,794. Do you work at the railway works here?—Yes.

37,795. Are you a voter?—Yes.

37,796. How did you vote at the last election?—Westropp and Gray.

37,797. Did you get anything for it?—Nothing at all.

37,798. Did you get any promise?—Nothing whatever.

37,799. Was anything said to you about your vote who employed you at the railway, by any of those whom you work under?—Not at the last election.

37,800. Did you vote at the second election of 1866?—Yes.

37,801. For whom?—Mr. Vanderbyl.

37,802. How was it you voted for Mr. Vanderbyl?—I was persuaded through my inspector, Mr. Robert Garrett, to vote for Mr. Vanderbyl.

37,803. (*Mr. Coleridge.*) What did Garrett say to you?—He kept on canvassing me day after day, every time he came near me, a week before the election.

37,804. Did he say he would discharge you if you did not?—Oh no, nothing of the kind.

37,805. You had some other inducement of the kind, had you not?—15*l.*

(*Mr. Coleridge.*) I thought so.

37,806. (*Mr. Price.*) Did he tell you he would get you money if you voted for Mr. Vanderbyl?—He said he would get what he could for me if I would vote for Mr. Vanderbyl.

37,807. He said he would get what he could for you?—Yes.

37,808. What did he get for you?—15*l.* He got it from Mr. Andrew Allan.

(*Mr. Anstey.*) How did you know he got it from Mr. Andrew Allan?—(*No answer.*)

ANDREW ALLAN recalled. *A. Allan.*

37,809. (*Mr. Price.*) Do you know anything about Garrett?—Yes. Garrett paid this witness 10*l.* at Vanderbyl's election.

JOHN JOBSON recalled. *J. Jobson.*

37,810. (*Mr. Price.*) Did you vote at Patton's first election in 1866?—Yes.

37,811. For whom did you vote?—I voted for Mr. Patton.

37,812. Did you get anything?—Yes.

37,813. From whom?—Frederick Jarman, Barclay Street.

37,814. Did you get anything from the other side?—Nothing.

THIRTY-SEVENTH DAY.

J. Jobson.

7 Oct. 1869.

37,815. Did you vote in 1865?—Yes.

37,816. For whom?—Mr. Westropp.

37,817. What did you get?—10*l.*

37,818. From whom?—I did not know the man. I had it from the "Goldon Lion," in St. John Street.

37,819. (*Mr. Anstey.*) Did you get anything from the other side at that election?—Nothing.

37,820. Did you vote in 1859?—No. That was my first vote.

37,821. (*Mr. Coleridge.*) Were you ever paid by both sides at any election?—Never.

A. Allan.

ANDREW ALLAN recalled.

37,822. (*Mr. Price.*) Is that the Garrett we have had here, the inspector of platelayers?—Yes, that is the man. I do not know whether the witness did get the money, but Garrett had the money from me to pay him with.

C. Dyer.

CHARLES DYER sworn.

37,823. (*Mr. Price.*) What are you?—I do not do anything.

37,824. What used you to be?—I used to be a dairyman.

37,825. How did you vote at the last election?—For Westropp and Gray.

37,826. Did you get anything for it?—No.

37,827. Any promise?—No.

37,828. Did you vote at the second election in 1866?—Yes.

37,829. How did you vote?—For Mr. Patton.

37,830. How much did you get?—10*l.*

37,831. Did you vote for Mr. Patton?—Yes.

37,832. Did you get anything from the other side?—No.

37,833. (*Mr. Anstey.*) Who gave you the 10*l.*?—I do not know.

37,834. (*Mr. Price.*) Where did you get it?—The "Bull and Butcher."

37,835. (*Mr. Coleridge.*) Did you get anything from the other side?—No.

37,836. (*Mr. Price.*) Did you vote at the first contest of Mr. Patton's in 1866?—Yes.

37,837. How did you vote?—For Mr. Patton.

37,838. How much did you get?—10*l.*

37,839. From whom?—The same as I had it from before.

37,840. Did you vote in 1865?—I did not have a vote in 1865.

37,841. (*Mr. Coleridge.*) Did you ever have a vote before?—No.

37,842. Then the first time you had a vote was in 1866?—No.

37,843. (*Mr. Anstey.*) What relation are you to Ambrose Dyer?—No relation at all.

R. Prole.

ROBERT PROLE sworn.

37,844. (*Mr. Price.*) What are you?—I keep an inn.

37,845. What inn?—The "Sheep Market" inn, Fryern Street.

37,846. Did you vote at the last election?—Yes.

37,847. How?—For Westropp and Gray.

37,848. Did you get anything?—No.

37,849. Had you any bill for treating?—No; in no shape nor form.

37,850. Had you any oustanding bill at a former election?—No. At a former election?

37,851. Yes. Had you any outstanding bill last time, for any former election, unpaid?—Not at all.

37,852. (*Mr. Anstey.*) Was your house open for treating at the last election?—No.

37,853. (*Mr. Price.*) How did you vote at the second contest of Mr. Patton's in 1866?—I voted for Mr. Patton.

37,854. What did you get?—10*l.* at each election.

37,855. From whom?—Jarvis.

37,856. Did you get anything from the other side?—No.

37,857. Did you keep an inn at the time of those elections?—I did.

37,858. Was it open for treating?—A band was sent to play outside my house, and I supplied them with drink. My bill came to 1*l.* 15*s.*; that was the second election.

37,859. 1*l.* 15*s.*?—I believe it was 1*l.* 15*s.* They did not come into the house; they stopped at the door.

37,860. Did you get it paid?—Yes.

37,861. Was the 1*l.* 15*s.* for the band?—Yes, for drink. They stopped at the door; they did not come into the house.

37,862. Did they consume 1*l.* 15*s.* worth of drink?—Yes. They did not come in.

37,863. Did you vote in 1865?—No, I did not. That was my first vote at the election of Patton's.

37,864. Had you ever anything from the other side?—No, sir, I never have.

C. Jefferies.

CHARLES JEFFERIES sworn.

37,865. (*Mr. Price.*) What are you?—I am a baker by trade.

37,866. Did you vote at the last election?—Yes.

37,867. How did you vote?—I voted for Westropp and Gray.

37,868. Did you get anything?—Nothing at all.

37,869. Any promise?—No promise.

37,870. Did you vote at the second contest of 1866?—Yes.

37,871. How did you vote?—For Mr. Patton.

37,872. What did you get?—10*l.*

37,873. From whom?—I think it was at the "Bull and Butcher;" but I did not see anyone. The door was open.

37,874. Did you vote at the first contest in 1866?—Yes.

37,875. Tell us about it?—I got 10*l.* then.

37,876. Whom did you vote for then?—I voted for Westropp and——

(*Mr. Coleridge.*) No, 1866.

37,877. (*Mr. Price.*) Patton and Bagehot?—No, I did not vote for Bagehot.

37,878. For Patton?—Yes.

37,879. Whom did you get the 10*l.* from then?—I got it at the same place.

37,880. (*Mr. Anstey.*) Did you get any money at either of those elections from the other side?—I did not.

37,881. (*Mr. Price.*) Did you vote in 1865?—Yes.

37,882. How?—For the Conservatives.

37,883. How much did you get?—I had 5*l.*

37,884. From whom?—I think it was from Mr. Smith.

37,885. How was it you only had 5*l.*?—It was brought to me, and I willingly took it.

37,886. (*Mr. Coleridge.*) What Mr. Smith is that?—It was brought from Mr. Smith to my house.

37,887. Who brought it?—I think it was old Mr. Smith.

37,888. What, the attorney?—Richard Smith.

37,889. (*Mr. Price.*) Did you vote in 1859?—I did.

37,890. For Padwick and Westropp?—I did.

37,891. What did you get then?—10*l.*

37,892. From whom?—From old John Murlis.

37,892*a*. Did you vote in 1857?—No. I do not recollect anything about it. I do not think I did.

37,893. Did you ever vote before 1859 at any election?—I have no recollection whatever.

37,894. (*Mr. Coleridge.*) If you did vote, did you get anything for it?—Never.

37,895. How much have you got in all?—I think I have had 35*l.* in all amongst the lot.

37,896. You have told us of more than that?—I have told you exactly what I have had.

37,897. (*Mr. Price.*) Three tens and a five?—Certainly; that is it.

WILLIAM BAKER sworn. *W. Baker.*

37,898. (*Mr. Price.*) What are you?—A shoemaker.

37,899. Do you work for yourself?—Yes.

37,900. A master man?—Yes.

37,901. How did you vote at the last election?—Westropp and Gray.

37,902. Did you get anything?—No.

37,903. Had you any bill for anything?—No.

37,904. How did you vote the election before?—For Mr. Patton.

37,905. What did you get?—10*l.*

37,906. From whom?—Mr. Jarman, the baker.

37,907. Did you get anything from the other side then?—No.

37,908. Did you vote at the other election?—Yes.

37,909. For whom?—Mr. Patton.

37,910. How much?—10*l.*

37,911. From whom?—Mr. Jarman.

37,912. Did you get anything from the other side?—No.

37,913. Did you vote at the previous election in 1865?—Yes.

37,914. For whom?—Westropp.

37,915. What did you get?—10*l.*, from William Heal.

37,916. In 1859 did you vote?—Yes.

37,917. For whom?—Padwick and Westropp.

37,918. Did you get anything?—I had 10*l.* from John Murlis.

37,919. Did you vote in 1857?—Yes, for Tynte and Follett.

37,920. Did you get anything?—Not a farthing.

37,921. How did you vote then; for the Conservatives?—No. My landlord was living in the house, and he was a Liberal, and he asked me to vote for his party, and I did so.

37,922. (*Mr. Coleridge.*) Did not he give you anything?—No, not a farthing.

HENRY COOKSLEY sworn. *H. Cooksley.*

37,923. (*Mr. Price.*) What are you?—A tailor.

37,924. Did you vote at the last election?—Yes.

37,925. How did you vote?—For Westropp and Gray.

37,926. What did you get?—Nothing.

37,927. Any promise?—No.

37,928. Did you vote at the election before that?—Yes.

37,929. For whom did you vote?—For Mr. Patton.

37,930. How much did you get?—10*l.*

37,931. Where from?—Mr. Frederick Jarman.

37,932. The election before that?—The same, from Mr. Jarman.

37,933. You voted the same?—Yes.

37,934. Did you get anything from the other side at either of those elections?—No.

37,935. In 1865 did you vote?—Yes.

37,936. For whom?—For Mr. Westropp.

37,937. How much did you get?—10*l.*

37,938. Where did you get it from?—From the "Red Lion."

37,939. Did you vote in 1859?—No. That was my first vote.

HENRY MAIDMENT sworn. *H. Maidment.*

37,940. (*Mr. Price.*) What are you?—A dairyman.

37,941. How did you vote at the last election?—For Westropp and Gray.

37,942. Did you get anything?—No.

37,943. Any promise?—No.

37,944. How did you vote at the election before that?—Mr. Patton, both times.

37,945. How much each time?—10*l.*

37,946. (*Mr. Coleridge.*) From whom?—Jarman.

37,947. (*Mr. Price.*) Did you get anything from the other side either time?—Never.

37,948. Did you vote in 1865?—Yes.

37,949. How?—Mr. Westropp.

37,950. How much?—Nothing.

37,951. No promise?—No.

37,952. (*Mr. Coleridge.*) How came you to get nothing?—I had 10*l.* for voting the time before.

37,953. At Padwick's election?—Yes.

37,954. How came you to get nothing in 1865?—I thought it was due to him to vote for him again.

37,955. Did they never offer you anything?—No; they never asked me.

37,956. Did the other side?—No.

37,957. Who gave you the 10*l.* in Padwick's election?—Old Mr. Bussell.

37,958. (*Mr. Anstey.*) Do you mean that old Mr. Bussell gave you the money in 1859?—In 1859; yes, sir.

37,959. Then had he by that time gone over to the Conservative side?—I do not know.

(*Mr. Anstey.*) I suppose he had.

37,960. (*Mr. Coleridge.*) Did you ever vote before that?—No.

THOMAS CLAXTON sworn. *T. Claxton.*

37,961. (*Mr. Price.*) What are you?—A confectioner.

37,962. How did you vote at the last election?—I voted for Westropp and Gray at that election. I neither received nor gave a bribe nor promise.

37,963. At the election before that how did you vote?—I voted for Patton at Vanderbyl's election. At that election I received a sum of 10*l.* from a hand behind the door at the "Bull and Butcher." At the first election of Patton's I received a sum of 5*l.* on the morning of the election, and Mr. Temblett paid me 5*l.* some time after that. At the election of 1865, Mr. Westropp's, I received a sum of 10*l.* That was given me by a person of the name of Henry Harwood, in the kitchen of the "Bull and Butcher."

37,964. (*Mr. Coleridge.*) How did you vote?—For Mr. Westropp. That was the only other time I voted.

37,965. (*Mr. Price.*) Have you ever had any money from the other side?—I never have from any of the party, and never have been offered anything by the party.

THIRTY-SEVENTH DAY.

7 Oct. 1869.

William Hodges sworn.

W. Hodges.

37,966. (*Mr. Price.*) What are you?—I am a farmer and dealer.

37,967. Did you vote at the last election?—I voted for Westropp and Padwick the last election.

37,968. (*Mr. Coleridge.*) No, Westropp and Gray?—Westropp and Gray.

37,969. (*Mr. Price.*) What did you get for it?—Nothing.

37,970. Any promise of any kind?—No.

37,971. Or any consideration for your vote?—No, not at all.

37,972. How did you vote at the election before that?—I did not vote at all.

37,973. How did you vote at the first contest in 1866?—I voted then for Westropp.

37,974. No. When Bagehot and Patton stood?—I voted for Patton.

37,975. Why did you not vote at those two elections in 1866?—Why did not I vote?

37,976. Yes?—Because they said I was not wanted; I was of no use.

37,977. (*Mr. Coleridge.*) In Vanderbyl's election did you vote?—At the last election I voted.

37,978. (*Mr. Price.*) What do you call the "last" election?—Yes.

37,979. I ask you what you mean by the "last" election; the last election was Westropp and Gray's?—Very good; and then I voted for them.

37,980. Did you vote in 1866, when Vanderbyl stood against Patton, when Vanderbyl was returned?—I did not vote at all.

37,981. Well, I understood you so. Did you vote when Bagehot stood against Patton?—No, I did not.

37,982. Why did you not vote at either of those elections?—Because I was not wanted they said.

37,983. Who said so?—Why, the party that were in.

37,984. (*Mr. Coleridge.*) Tell us something about it; what was this party you were in?—At the "Clarence Hotel."

37,985. You were one of the "bottled" men?—No, I was not.

37,986. Were you not kept in a room there?—There was nothing of that sort. We came there, and they gave up the election in the forepart of the day.

37,987. Do try and let us understand this. Do you know that in 1866 there were two elections?—Yes.

37,988. Did you vote at either of those two elections?—At the first of the two.

37,989. And you voted at the time of Patton against Bagehot?—Yes.

37,990. Whom did you vote for?—Westropp.

37,991. Westropp did not stand then. It was Patton on the one side, Conservative, and Bagehot on the other side, Liberal?—That was the one I did not vote at at all.

37,992–3. No. The one you did not vote at at all was the one of Vanderbyl against Patton. At how many elections have you voted?—I have never voted more than those two times in my life, except for Tynte and Follett.

37,994. (*Mr. Coleridge.*) You voted at the last election for Westropp and Gray. The election before that was when Vanderbyl was returned against Mr. Patton. Do you recollect that?—Yes.

37,995. Did you vote then?—No, I did not.

37,996. About a month before that there was another election, in which Mr. Patton was returned against Mr. Bagehot. Did you vote then?—I cannot recollect anything about that.

37,997. At the election at which you did vote, did you get anything paid you?—Yes, I had 10*l.*

37,998. In 1865, when Westropp stood, did you vote for Westropp?—I voted for Westropp.

37,999. What did you get then?—That was the election I got the 10*l.* at.

38,000. At how many elections did you get anything?—Only one 10*l.* At one election I voted, and the other I did not vote at all, and at the other election I had 10*l.*

38,001. Is 10*l.* the only sum that you ever received for your valuable franchise in this place?—No. When I voted for Follett and Tynte I had 10*l.*

38,002. Who gave it to you?—The man is dead. He is called Hodge. He gave me 10*l.*, and I had 5*l.* five or six weeks afterwards.

38,003. Do you mean to swear you have only had altogether 25*l.* for your vote?—Yes, 25*l.*

38,004. You were paid 10*l.* in Follett and Tynte's election, and 10*l.* in Westropp's; and when was the other 5*l.*?—I cannot recollect.

38,005. You have had 25*l.* in the whole?—Yes.

38,006. And you have been paid on both sides?—In Follett and Tynte's election I was paid 10*l.*, and I voted for Charles Tynte and Follett.

George Faulkner sworn.

G. Faulkner.

38,007. (*Mr. Price.*) What are you?—A saddler.

38,008. How did you vote at the last election?—I voted for Vanderbyl.

38,009. (*Mr. Coleridge.*) Not for Vanderbyl. Did you not split with Kinglake?—Oh, yes, Vanderbyl and Kinglake.

(*Mr. Coleridge.*) Then why did you not say so?

38,010. (*Mr. Price.*) Did you get anything?—No.

38,011. How did you vote at the election before then?—I voted for Vanderbyl.

38,012. Did you get anything then?—Yes.

38,013. How much?—8*l.*

38,014. Who from?—Cook, a brewer.

38,015. (*Mr. Coleridge.*) How came you to get only 8*l.* instead of 10*l.*?—I do not know.

38,016. (*Mr. Anstey.*) Did Cook keep back 2*l.*?—I do not know.

38,017. (*Mr. Coleridge.*) Did you expect to get 10*l.*?—No.

38,018. You always had got it?—No.

38,019. What did you get at the election before?—10*l.*

38,020. Whom did you vote for then?—The same parties.

38,021. You could not have done so, because he did not stand. Did you vote for Bagehot?—Yes.

38,022. In 1865, the time before, whom did you vote for?—The Liberals.

38,023. What did you get then?—Nothing.

38,024. How was that?—I do not know.

38,025. Nothing afterwards?—Nothing afterwards.

38,026. Nothing before?—No, nothing at all.

38,027. In 1859, Padwick's election, what did you get?—Nothing.

38,028. Nothing at all?—Who were the Liberals then?

38,029. Tynte and Kinglake?—I had nothing.

38,030. In 1857 did you get anything?—Tell me their names.

38,031. Tynte and Kinglake again?—No.

38,032. What have you received in your life for all your votes?—18*l.*

38,033. 10*l.* and 8*l.*?—Yes.

38,034. That is all?—That is all.

38,035. Nothing at any of the earlier elections?—No.

38,036. (*Mr. Anstey.*) I want to ask you a question about the 8*l.* you got from Cook, the brewer?—He let me have it.

38,037. You had had 10*l.*, you know, the election before?—Yes.

38,038. Did it not strike you as very odd that you did not get 10*l.* the next time?—No, it did not.

38,039. Did you owe any money to Cook?—No.

38,040. Were you in his employment?—No, not at all. I have never done anything for him.

38,041. How came he to give you the 8*l.*?—Haslam saw me and told me Mr. Cook wanted me, and I went up, and there was a man there gave me this 8*l.*

38,042. Did you say, "It ought to be 10*l.*"?—No.

38,043. Nothing was said?—No, nothing at all.

38,044. Had you promised to vote for 8*l.*?—I came away directly, and went to poll.

38,045. But before that had you said anything about 8*l.*?—No, nothing at all.

38,046. This Henry Cook is the partner of William Heal, is he not?—Yes.

38,047. Was he in partnership with William Heal then?—I suppose he was. I do not know.

38,048. They are not in partnership now?—Not now.

GEORGE BARTRAM sworn. *G. Bartram.*

38,049. (*Mr. Price.*) What are you?—A stone-mason.

38,050. Where do you work?—At Bridgwater.

38,051. For whom?—For myself.

38,052. Did you vote at the last election?—Yes.

38,053. What did you get?—Nothing.

38,054. How did you vote?—Westropp and Gray.

38,055. Any promise?—No.

38,056. How did you vote at the election before?—For Mr. Patton.

38,057. How much did you get?—10*l.*

38,058. From whom?—The "Bull and Butcher;" the stranger, I suppose.

38,059. Did you vote at the first contest in 1866?—Yes.

38,060. How much did you get?—10*l.*

38,061. The same party?—Yes.

38,062. Did you vote in 1865?—Yes.

38,063. For whom?—Westropp.

38,064. How much?—10*l.*

38,065. From whom?—Temblett.

38,066. 1859?—I had not got a vote then, or at the other elections.

38,067. Did you ever get anything from the other side?—Never.

38,068. You voted at no other election?—No.

HENRY JEFFERIES sworn. *H. Jefferies.*

38,069. (*Mr. Price.*) What are you?—A baker.

38,070. Did you vote at the last election?—Westropp and Gray.

38,071. What did you get?—Nothing.

38,072. For whom did you vote at the election before?—Mr Patton.

38,073. How much did you get?—10*l.*

38,074. From whom?—The stranger.

38,075. Where?—The "Bull and Butcher."

38,076. The election before?—Patton, 10*l.*

38,077. From whom?—Harden.

38,078. 1865?—Westropp.

38,079. How much?—10*l.*

38,080. From whom?—Temblett.

38,081. 1859?—That is all.

38,082. (*Mr. Coleridge.*) Have you ever been paid by the other side?—No.

38,083. Thirty pounds altogether?—Yes.

WILLIAM CHORLEY sworn. *W. Chorley.*

38,084. (*Mr. Price.*) What are you?—A shoemaker.

38,085. Do you work on your own account?—Partly.

38,086. And for whom else?—Mr. Henry Hobbs, Eastover.

38,087. How did you vote at the last election?—Westropp and Gray.

38,088. Did you get anything for it?—Not a farthing.

38,089. Is your employer a Conservative also?—He is.

38,090. Did he get you to vote for them?—No.

38,091. For whom did you vote the election before?—Mr. Patton.

38,092. How much did you get?—10*l.*

38,093. From whom?—Temblett.

38,094. How much the election before?—Patton, 10*l.*

38,095. From whom?—Temblett; a hand came out from the door. It was in the "Bull and Butcher."

38,096. Did you vote in 1865?—I did.

38,097. How much did you get?—10*l.*

38,098. From whom?—It was a hand came out from the door in the same way; I do not know the party.

38,099. 1859?—No; I had no vote then.

38,100. Did yot get anything from the other side?—No; I never tried.

38,101. Thirty pounds altogether?—Yes.

ROBERT COLES sworn. *R. Coles.*

38,102. (*Mr. Price.*) Are you the Eastover Coles?—Yes.

38,103. What are you?—A pattern maker.

38,104. How did you vote at the last election?—Kinglake and Vanderbyl.

38,105. Did you get anything?—Nothing.

38,106. No promise?—No promise.

38,107. What time in the day did you vote?—I cannot say exactly to a minute or two, but just after one; I believe between one and two.

38,108. Did you vote at the election before?—No; I had no vote.

38,109. At any other election have you voted?—Never.

38,110. Never had any money in your life?—Never had any money in my life.

(*Mr. Anstey.*) You were called by mistake for the other Robert Coles, I suppose.

38,111. (*Mr. Coleridge.*) Are you one of the unlucky ones who never received anything for your vote in Bridgwater?—I never had a vote before.

VINCENT CASE sworn. *V. Case.*

38,112. (*Mr. Price.*) What are you?—A baker.

38,113. How did you vote at the last election?—Westropp and Gray.

38,114. What did you get for it?—I never got anything.

38,115. (*Mr. Coleridge.*) Were you promised anything?—No, not a farthing.

38,116. (*Mr. Price.*) What did you do the election before that?—That was Patton?

38,117. Yes?—Voted for Patton.

38,118. How much did you get?—10*l.*

38,119. Where did you get it from?—I think Frederick Jarman.

38,120. The election before that?—I voted for Patton.

38,121. How much?—10*l.*

38,122. Where from?—I think Mr. Frederick Jarman gave it to me.

38,123. 1865?—I voted for Westropp.

38,124. How much?—10*l.*

38,125. Did you ever get anything from the other side at that election?—I never voted for the other side.

38,126. That does not matter at all. People here take money on both sides without voting.—Oh, no.

38,127. (*Mr. Coleridge.*) In those last three elec-

THIRTY-SEVENTH DAY.

V. Case.

7 Oct. 1869.

tions did you ever get anything from the Liberal side?—Not a farthing.

38,128. 1859, Padwick and Westropp?—I voted for Padwick.

38,129. How much?—10*l.*

38,130. From whom?—Upon my word I cannot say.

38,131. In 1857 what did you get? Kinglake, Tynte, and Follett?—I voted for Kinglake and Tynte.

38,132. You were a Liberal at that time?—Yes.

38,133. How was that?—I was a Liberal at that time.

38,134. How much did you get?—10*l.*

38,135. I suppose that was the reason of your Liberalism?—No it was not.

38,136. (*Mr. Price.*) Why did you change?—I had something to do with two lawyers here in the town, and both of them cheated me; and when they came round I showed them to the door, and I said I would have nothing to do with them.

38,137. Who were the lawyers?—Why, old Lovibond was one of them, and old Bate the t'other.

38,138. (*Mr. Coleridge.*) 1852, Lord Henley's time, did you vote?—No.

38,139. What have you received altogether?—I do not know.

38,140. Fifty pounds?—No, not so much as that.

38,141. If you have told us the truth it is.

38,142. (*Mr. Price.*) 1857, 1859, 1865, and the two elections of 1866?—That is right.

38,143. (*Mr. Coleridge.*) You have had the satisfaction of quarrelling with the lawyers, changing your politics, and getting 50*l.*?—No, I quarrelled with them on account of their bad behaviour.

38,144. (*Mr. Anstey.*) I do not want to know the particulars of the cheatery, especially if it is not connected with the election; but I ask you, was the money which "old Lovibond and old Bate," as you call them, cheated you out of, money which was owing to you, or which you fancied was owing to you, in respect of your services at elections?—No, not at all. I quarrelled with them——

(*Mr. Anstey.*) I do not want to know anything more.

38,145. (*Mr. Price.*) You had a private quarrel with them?—No, it was about some quarrel at one time——

W. Webb.

WILLIAM WEBB sworn.

38,146. (*Mr. Price.*) What are you?—A tailor.

38,147. Where do you work, or are you a master tailor?—No.

38,148. For whom do you work?—I work for nobody at present.

38,149. How did you vote at the last election?—Mr. Padwick, was it not?

38,150. (*Mr. Coleridge.*) No; that is 10 years ago.—Westropp and Gray.

38,151. What did you get for it?—Nothing.

48,152. Before or after?—Nothing before nor after.

38,153. (*Mr. Price.*) How did you vote at the election before that, when Patton and Vanderbyl stood?—I voted for Mr. Patton.

38,154. How much did you get?—I got 10*l.* From whom?—From Mr. Temblett.

38,155. How did you vote at the election when Patton and Bagehot stood?—5*l.* I got from Mr. Jarman.

38,156. (*Mr. Anstey.*) From the Liberal side?—No.

38,157. Which Jarman?—Mr. Frederick Jarman.

38,158. (*Mr. Price.*) How did you vote when Patton and Bagehot stood?—Bagehot.

38,159. When Patton and Bagehot stood what did you get?—15*l.*

38,160. From whom did you get the 10*l.*?—10*l.* from Temblett, and 5*l.* from Jarman.

38,161. (*Mr. Anstey.*) Let us see that there is no confusion here. There were two elections at which Mr. Patton stood?—Yes.

38,162. How much did you get at the first election?—Mr. Bagehot's?

38,163. Yes?—10*l.*

38,164. You said just now, 15*l.*?—That is the second.

38,165. How much did you get at the first election of Mr. Patton's in 1866, when he was elected?—Mr. Bagehot's?

38,166. Mr. Patton's, when Mr. Bagehot stood against him?—10*l.*

38,167. Did you get anything at the second election, when Patton was defeated by Vanderbyl?—15*l.*

38,168. (*Mr. Price.*) How was it you got 15*l.* then?—10*l.* from Mr. Temblett.

38,169. How was it you got 15*l.*?—And 5*l.* from Mr. Jarman.

38,170. Did Jarman know you had 10*l.* from Temblett?—No.

38,171. (*Mr. Anstey.*) Then you cheated them out of 5*l.* or 10*l.*?

38,172. (*Mr. Price.*) In 1865 did you vote?—Yes.

38,173. How did you vote then?—Westropp.

38,174. What did you get?—10*l.*

38,175. From whom?—Temblett.

38,176. Did you get anything from the other side then?—No.

38,177. Did you vote in 1859?—Yes.

38,178. For whom did you vote then?—Mr. Westropp.

38,179. Padwick and Westropp?—I voted for those.

38,180. How much did you get?—10*l.*

38,181. From whom?—From Mr. Murlis.

38,182. In 1857, Kinglake, Tynte, and Follett, did you vote then?—I voted once before.

38,183. Did you ever vote for Mr. Follett?—Well, I dare say I did.

38,184. Well, I dare say you did too. Did you get anything for it?—Yes, 10*l.* at that election.

38,185. How much have you had altogether for voting at the different elections? Fifteen pounds and three tens, have you not?—55*l.*

J. Tottle

JOSEPH TOTTLE sworn.

38,186. (*Mr. Price.*) What are you?—Well, I have no occupation at present.

38,187. Are you a voter?—Yes.

38,188. Did you vote at the last election?—I did.

38,189. For whom?—Westropp and Gray.

35,190. Did you get anything for it?—Nothing.

38,191. No promise of any kind?—Nothing whatever.

38,192. Did you vote at the election before that?—I did.

38,193. How did you vote?—Conservative.

38,194. For Mr. Patton?—Yes.

38,195. What did you get?—10*l.*

38,196. From whom?—Newton.

38,197. Did you vote in the election of Patton and Bagehot?—Yes.

38,198. For whom?—Mr. Patton.

38,199. How much?—10*l.*

38,200. From whom?—The "Bull and Butcher."

38,201. Did you vote in 1865?—No.

38,202. You had no vote then?—No.

38,203. Those were the only times you voted?—That is all.

38,204. And you have been paid twice. Were you ever paid anything on the other side?—Nothing.

A short adjournment here took place.

THIRTY-SEVENTH DAY.

W. Herbert.

7 Oct. 1869.

WILLIAM HERBERT sworn.

38,205. (*Mr. Price.*) What are you, Mr. Herbert?—A coal merchant.

38,206. Are you a voter?—Yes.

38,207. Did you vote at the last election?—Yes.

38,208. How did you vote?—Westropp and Gray.

38,209. Did you get anything?—No.

38,210. Any promise of any kind?—No.

38,211. Did you vote at the election before that, Vanderbyl and Patton?—I voted at six before that.

38,212. Vanderbyl and Patton, how did you vote?—Patton.

38,213. How much did you get?—Nothing.

38,214. Any promise?—No promise.

38,215. Nothing at all?—Nothing at all.

38,216. Did you vote when Patton and Bagehot stood?—I voted for Patton.

38,217. Did you get anything then?—No.

38,218. Any promise?—No.

38,219. No money of any kind?—No money of any kind.

38,220. Nor any inducement?—No inducement of any kind.

38,221. Were you offered anything?—No.

38,222. (*Mr. Coleridge.*) Has anybody said here that they bribed you?—Not that I am aware of.

38,223. (*Mr. Price.*) What have you come for?—I am subpœnaed to come.

38,224. In 1865 did you vote?—Yes.

38,225. How did you vote then?—Conservative.

38,226. Westropp?—Yes.

38,227. What did you get?—Nothing.

38,228. Any promise?—No, not of any kind.

38,229. Did you ever get anything for any of the elections?—No, nothing.

38,230. Had you ever any contract for coals or anything?—Nothing at all of any sort.

38,231. In 1859 did you vote?—Yes.

38,232. For Padwick and Westropp?—Padwick and Westropp, yes.

38,233. Did you get anything then?—No.

38,234. (*Mr. Coleridge.*) But how came you never to have got anything when everybody else did?—Because I never wanted it. I was not so avaricious after money. I voted from principle.

38,235. Was nothing ever offered you?—Nothing was ever offered to me; I was never aware that anything was going.

38,236. (*Mr. Price.*) Did you vote in 1857?—Yes.

38,237. How did you vote? There were Tynte, Kinglake, and Follett?—Follett and Mansell.

38,238. Did you get anything?—No.

38,239. In 1852 did you vote?—Yes; that was Follett and Mansell.

38,240. Did you get anything?—No.

38,241. Did you vote in 1847?—The first time of my voting was Follett and Mansell.

38,242. Have you ever had anything?—No.

38,243. Any promise of any sort at all, or any influence?—No, no influence at all.

38,244. (*Mr. Anstey.*) What is your christian name?—William.

38,245. Is there any other person of your name here?—Oh yes, several in the town.

(*Mr. Anstey.*) Is Mr. Murlis or Mr. Temblett here?

(*Superindent Lear.*) No.

38,246. (*Mr. Price.*) We must have got hold of the wrong man. Mr. Herbert, you have had an opportunity, which must be a gratifying thing to you or anybody in Bridgwater, to be able to come and say this?—Well, I can, sir, with a clear conscience.

(*Mr. Price.*) I am sorry you have been troubled, except for that reason. It is evidently a mistake.

38,247. (*Mr. Coleridge.*) I should think your examination must have created more astonishment than that of anybody who has been examined here?—Well, I give it you correct.

38,248. (*Mr. Price.*) You have always voted consistently on one side?—Always on one side.

W. Evans.

WILLIAM EVANS sworn.

38,249. (*Mr. Price.*) What are you, Mr. Evans?—No business at all.

38,250. How did you vote at the last election?—I did not vote for anyone.

38,251. Did you vote at the election of 1866?—1866, for Mr. Patton.

38,252. The second election; the second contest?—No, never but once.

38,253. Was that the time when Mr. Patton was returned, or when he was beaten by Mr. Vanderbyl?—Only once.

38,254. Once, you know, he was beaten by Mr. Vanderbyl; did you vote then; do you remember that?—No, I never voted but once.

38,255. But do you remember whether you voted at that time when Mr. Patton was thrown out by Mr. Vanderbyl?—Mr. Patton?

38,256. Yes, he stood against Vanderbyl, and Mr. Vanderbyl was elected?—I never voted for Mr. Vanderbyl at all.

38,257. No, no; but did you vote for Patton at that time?—Yes, Patton.

38,258. Did you get anything for it?—Yes.

38,259. How much?—10*l.*, I suppose it was. I never examined the money, and never saw it.

38,260, Who from?—Mr. Cole. I had it in a piece of paper. I never untied it.

38,261. You kept it, I suppose?—No, I did not; I returned it.

38,262. Whom did you return it to?—Mr. Cole.

38,263. Who is Cole? What is he?—A carpenter and wheelwright.

38,264. Had you been promised any money?—No.

38,265. Did you return it?—Yes, I did. I was never promised any.

38,266. And you returned it?—Yes, I did.

38,267. Very well; did you vote at the election when Mr. Patton was elected, when Mr. Bagehot stood against him?—No, I never voted but once for Mr. Patton.

38,268. That was the only time you ever voted?—It was the first time I ever voted in this borough.

38,269. How long have you been in Bridgwater; you are an old man?—Eight or ten years.

38,270. Had you never exercised your vote before?—No.

38,271. How came you to vote at that particular time?—I do not know. I did vote then.

38,272. Have you been a voter for Bridgwater at other elections?—No, not at Bridgwater; county elections.

38,273. Then you had no vote for the borough till 1866?—No, not till 1866.

38,274. (*Mr. Anstey.*) What is your christian name?—William.

38,275. (*Mr. Price.*) What were you, Mr. Evans, then, a farmer?—A farmer.

38,276. When you retired from farming you came to live in Bridgwater?—Yes, I lived in the parish before.

(*Mr. Price.*) You lived in the parish, but that would not give you a vote.

(*Mr. Anstey.*) I do not know why you are called.

38,277. (*Mr. Price.*) Were you summoned to come here?—I received a summons since I have been here, but I came forward voluntarily without any summons.

38,278. (*Mr. Coleridge.*) What have you come to tell us?—I took the summons since I have been here.

38,279. Oh, John Cole says, "William Evans, 10*l.*" You are quite sure you returned the 10*l.* to Cole?—Yes.

38,280. The reason you are sent for is no doubt

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W. Evans.

because Cole had returned your name to Jarman as a man who received 10*l.* Whether Cole stuck to it or not we do not know.

(*Mr. Anstey.*) Is Cole in court?

(*Superintendent Lear.*) No.

(*Mr. Price.*) Well, you may go, Mr. Evans. It was necessary that you should come, because we may find out now whether Cole returned it or not.

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GEORGE HILL sworn.

G. Hill.

38,281. (*Mr. Price.*) What are you, Mr. Hill?—A journeyman blacksmith.

38,282. Whom do you work for?—I am not working at present.

38,283. How did you vote at the last election?—For Mr. Kinglake and Mr. Vanderbyl.

38,284. Did you get any money for it?—Not at all.

38,285. Any promise?—Not at all.

38,286. How did you vote at the election before that?—That was my first election. I belonged to the new constituency.

38,287. Did you receive any offer from the other side?—Not at all.

38,288. Did you receive any promise of any kind from anybody?—Not at all.

38,289. For your vote at the last election?—Not in way whatever.

38,290. (*Mr. Anstey.*) What is your name?—H—i—ll.

38,291. (*Mr. Price.*) Were you summoned here?—Yes.

(*Mr. Price.*) Well, it is a mistake. I do not know why you are summoned.

(*Mr. Anstey.*) Is Mr. Allan in court.

A. Allan.

ANDREW ALLAN recalled.

(*Mr. Price.*) Do you know anything of Cole, Allan?

(*Mr. Anstey.*) Of Hill?

(*Mr. Price.*) Hill or Cole?

38,292. (*Mr. Anstey.*) Cole is the other side. Do you know how George Hill's name came to be mentioned?—No, I do not.

(*Mr. Price.*) Is Henry Bussell in court?

H. C. Bussell.

HENRY CHAPMAN BUSSELL recalled.

38,293. (*Mr. Price.*) Do you know anything of this man, George Hill?—No, nothing. I do not know him.

A. Allan.

ANDREW ALLAN recalled.

38,294. (*Mr. Price.*) Did anybody ever return his name? Do you know, Allan, whether anybody ever returned his name? He says he voted for Kinglake and Vanderbyl, and he is a new voter. Did anybody ever return George Hill's name to you as a person who received money?—No, I made my own return the last election, and he is not returned by me. (*To Henry Chapman Bussell.*) Is not a man returned by Murlis of the name of Hill.

H. C. Bussell.

HENRY CHAPMAN BUSSELL recalled.

38,295. (*Mr. Price.*) Did you ever hear of the man having received any money?—No.

38,296. Or did anybody ever return him as supposed to have money?—Not that I know of. He is not in my list.

38,297. (*Mr. Anstey.*) Or anybody of the name of George Hill?—No.

G. Hill.

GEORGE HILL recalled.

38,298. (*Mr. Price.*) Did you ever hear that you had been spoken of as a man who had received bribes?—No, I have not seen it or heard of it at all.

38,299. (*Mr. Anstey.*) Did you come here merely because you were summoned?—I was summoned on the second day of your inquiry. I sent the summons back once.

38,300. (*Mr. Coleridge.*) Did you sign the petition?—Not at all.

38,301. (*Mr. Anstey.*) You were not an elector till last year?—Not at all.

38,302. You were summoned on the second day that we met down here.

(*Andrew Allan.*) I have one of the name of John Hill, Polden Street.

(*Witness.*) Mine is Wellington Road.

(*Andrew Allan.*) I have John Hill, Polden Street.

(*Mr. Anstey.*) We have got the wrong George Hill.

(*Mr. Price to Andrew Allan.*) It is John Hill, you say?

(*Andrew Allan.*) John Hill.

38,303. (*Mr. Coleridge to witness.*) What is your name?—George Hill.

W. Sheppard.

WILLIAM SHEPPARD sworn.

38,304. (*Mr. Price.*) What are you, Mr. Sheppard?—A baker.

38,305. How did you vote at the last election?—Westropp.

38,306. Westropp, or Westropp and Gray?—Westropp and Gray.

38,307. Then why do you not tell us so? Did you get anything for it?—No, nothing whatever.

38,308. Any promise?—No.

38,309. Did you vote at the election before that?—Yes.

38,310. Tell us about it?—At the first election of Patton I voted——

38,311. No, no; the second contest of 1866.

38,312. (*Mr. Coleridge.*) Vanderbyl and Patton; whom did you vote for?—Patton.

38,313. What did you get?—10*l.*

38,314. Who from?—Temblett.

38,315. (*Mr. Price.*) Did you vote at the one before that?—Yes.

38,316. What did you get then?—10*l.*

38,317. Who from?—Harden, at the "Bull and Butcher's."

38,318. Did you vote for Patton?—Yes.

38,319. Did you vote in 1865?—No; I had no vote then.

38,320. Then you had two tens?—Yes.

38,321. Did you get anything from the other side?—No, nothing whatever.

Mr. HENRY WESTROPP recalled.

38,322. (*Mr. Price.*) Is Mrs. Westropp here?—Yes.

38,323. Then we will call her now. There is a great deal you have yet to tell us, I think. We will take Mrs. Westropp in the meantime.

(*The witness.*) If you will allow me, there is a statement which I wish to make with regard to a portion of my evidence. You may recollect that I said I confided 1,250*l.* to my sister-in-law to take to Mr. Tromp, and I also swore that it was in notes. I find that there was a thousand pounds of that in gold. I certainly received only notes from Mr. Thompson, and therefore that transmutation must have taken place whilst the money was in my possession; but at the same time I have tried, and really tried hard, to recollect it, where in the universe I could get it. I cannot tell you how, when, or where it was done; but I am quite willing to accept the responsibility of it.

38,324. (*Mr. Price.*) Was that 1,250*l.* part of the sum you took to the "Carlton"?—No, it was Mr. Patton's first election. The fact remains unaltered as to the sum of money having gone, but I thought for my own veracity's sake I was bound to mention it to you. I think you will find that my sister-in-law will tell you that there was 1,000*l.* of it in gold. Of course it makes more against myself.

(*Mr. Price.*) Very well; we will take that explanation.

Mrs. MARIANNE WESTROPP sworn.

38,325. (*Mr. Price.*) You are the wife of Mr. Westropp, whom we have examined here?—Yes.

38,326. Do you remember the election of 1865?—Perfectly.

38,327. When Mr. Westropp was a candidate for Bridgwater?—Yes.

38,328. Were you his wife at that time?—Yes.

38,329. Do you remember his coming down here in 1859 with Mr. Padwick?—Yes.

38,330. Now then, in 1865 will you tell us what induced you first to put yourself in communication in any way with Mr. Tromp?—I can scarcely say that I was in communication. It was my sister.

38,331. If you were not in communication with Mr. Tromp, tell us how it was that you first took a part in the election at all; about the finding of the money?—Because I wished Mr. Westropp to be returned.

38,332. Was it in consequence of any communication you had received from Mr. Westropp?—Decidedly not.

38,333. Was it in consequence of any communication you had received from anybody else?—I scarcely know how the impression would be produced.

38,334. Well, had you any communication with any friend of Mr. Westropp with respect to his chances of getting in at Bridgwater?—No.

38,335. None?—None.

38,336. (*Mr. Coleridge.*) Had you seen Mr. Bealy Smith?—I had seen Mr. Bealy Smith.

38,337. When did you see Mr. Bealy Smith?—I saw him repeatedly. He dined at our house.

38,338. Between 1859 and 1865?—Yes.

38,339. Several times?—Several times.

38,340. Has he ever spoken to you on those occasions about Mr. Westropp's coming forward again, and what he would have to spend?—We often spoke of it. We did not decidedly talk about the money, but we quite came to the understanding that money would be required. Mr. Westropp was not to know it.

38,341. Did Mr. Bealy Smith give you any reason why Mr. Westropp was not to know it?—Not in words. I quite understood it.

38,342. Well, now then go on, tell us as the time came on in the 1865 contest, we want to know about the 1,500*l.*, you will save us a great deal of trouble if you will tell us exactly how this came about?—No one misled me——

38,343. Who mentioned the sum of 1,500*l.* to you?—It was all I had, with the exception of some loose money I had in the house.

38,344. Had it been named to you as a sum that would be sufficient to start with?—No, they would have liked to have more if I had got it.

38,345. (*Mr. Coleridge.*) Did Mr. Smith ask you to get more?—We did not really speak of it openly.

38,346. (*Mr. Price.*) But a sum of money must have been spoken of. Did Mr. Smith know that you had 1,500*l.* at command?—He did.

38,347. Had you told him that?—Yes.

38,348. Had you said that you were willing to spend that?—Yes, he quite understood that.

38,349. It could only have been understood from what you said to him. Did you tell him you would find that 1,500*l.*?—Yes.

38,350. Did he tell you that he would arrange in any way to whom you should give it?—He was to send a letter of instructions when it was required.

38,351. How long before the election of 1865?—Oh, some months before. I really do not recollect accurately.

38,352. You had then told him that you had a sum of 1,500*l.* of your own which you were willing to spend?—Yes, I would have spent double if I had got it.

38,353. Did you tell him that was all you had, and did he say he would take that as far as it would go?—Yes.

38,354. He did say so; as far as it would go he would take it?—At least, he did not. Mr. Tromp when he got it said that.

(*Mr. Coleridge.*) And do the best he could with it?

38,355. (*Mr. Price.*) Tell us how you were put into communication with Mr. Tromp?—By a letter from Mr. Smith to my sister.

38,356. (*Mr. Coleridge.*) Your sister was cognizant of all these proceedings?—For the last few months. She did not at first know very much about it.

38,357. You let her know before the election came on?—Yes, she was more prominent then than I was.

38,358. (*Mr. Price.*) And in that letter was the address of Mr. Tromp given at Bayswater?—I believe so. I never saw it.

38,359. Was it in consequence of what your sister said that you sold out that 1,500*l.*?—I had sold out before that.

38,360. Who sold it out? Who was the broker?—Mr. Harris.

38,361. Then you had got that 1,500*l.* ready when Mr. Smith should send instructions?—Yes.

38,362. When the instructions came did you give the 1,500*l.* to your sister?—Yes.

38,363. In notes or gold?—In gold.

38,364. (*Mr. Coleridge.*) Did Mr. Harris give you the money in gold when he gave it to you?—We went to the bank to get it changed.

38,365. What did he give it to you in; in notes or a cheque?—A cheque on the bank.

38,366. (*Mr. Price.*) Then you took that to the Bank of England?—Yes. They were unwilling to give us so much gold.

38,367. Were you and your sister alone?—Quite alone.

38,368. (*Mr. Coleridge.*) Was Mr. Harris present?—Oh yes, Mr. Harris went to the bank.

38,369. (*Mr. Price.*) To identify you, I suppose?—Yes, he was very kind.

38,370. They said it was unusual to give so much in gold?—Yes.

38,371. How did you take it away?—In two bags.

38,372. Canvas bags? Did you have anything else afterwards to put it in?—Then it was put into a black bag.

38,373. It was a long way. Who carried it ?—Mr. Harris kindly put it into the cab, at least he offered to, but we said we could take it ourselves.

38,374. (*Mr. Coleridge.*) Did Mr. Harris know what the purpose of it was ?—Decidedly not.

38,375. Where did you go in the cab ?—To the door of the bank.

38,376. (*Mr. Price.*) Where did you go in the cab then ?—We went home.

38,377. (*Mr. Coleridge.*) What, all the way to Norwood in the cab ?—We were not living at Norwood then.

38,378. Where were you living then ?—At Chiswick, near Chiswick.

38,379. You took it home ?—Yes.

38,380. What became of that money afterwards ?—We took it down to Weston.

38,381. In the meantime had your sister seen Mr. Tromp at Bayswater ?—Decidedly.

38,382. And had given him information that you were going to Weston ?—Yes, he wished to have it then. He thought he would take it, but we preferred taking it down.

38,383. Then you came down to Weston, and you lodged at the "Royal" hotel, Rogers's ?—Yes.

38,384. And then Mr. Tromp came ?—On Sunday morning, when he came in he took it away.

38,385. Was anything said ?—Nothing in connexion with that. I think there were some few remarks made.

38,386. Was it you who expressed a desire to come over to the election and see what was going on ?—Yes, I always intended to come.

38,387. And he advised you not ?—I do not know that he did. We did come.

38,388. You did come. Were you at the "Clarence"?—Yes.

38,389. Were you at the nomination ?—Yes.

38,390. Did you hear all that took place ?—Yes, all.

38,391. Did you stay there the whole day ?—Yes, until the day after the polling.

38,392. But at the "Clarence" ?—Yes.

38,393. Mr. Westropp, of course, was down here ?—Yes, but he did not——

38,394. Did he express any surprise at finding you here ?—He was rather surprised to find us here.

38,395. Did he know you had come to Weston ?—He did not know we had come to Weston.

38,396. You took him by surprise entirely when you came over here ?—Yes, decidedly, when we came to the "Clarence."

38,397. Did he blow you up ?—Oh no.

38,398. (*Mr. Anstey.*) Did his friends at the "Clarence" know that you and your sister had come down ?—No one knew who we were.

38,399. No one knew it ?—Not even the landlord.

38,400. Then you were not in the same room. The room from which you witnessed the proceedings of the nomination was not the room used by Mr. Westropp ?—Oh dear no.

38,401. (*Mr. Coleridge.*) Where did you go to in the "Clarence," because it was all engaged on that day ?—We went into the public room with a lot of other ladies. We wished to have a private room in front and there was not one disengaged. The next morning there was one. We went into a small room at the side of the committee room.

38,402. You stayed there that night ?—Two nights.

38,403. The people at the "Clarence" found out by that time——?—They did not know at all.

38,404. Did you and your sister sleep together ?—Yes.

38,405. Then you preserved your incognito entirely when you were here ?—Yes.

38,406. Then did you go back to Weston ?—Oh dear no. I went home.

38,407. Went to London ?—Yes.

38,408. Is there anything more that you have got to tell us about that election ?—Not anything more that I remember.

38,409. That money has not been replaced to your account ?—Decidedly not.

38,410. That was money, we understand from Mr. Westropp, which had been invested in your name ?—Yes.

38,411. In your maiden name ?—Yes.

38,412. By the broker ?—Yes.

38,413. In the funds ?—Yes.

34,414. Now, Mrs. Westropp, are you quite certain therefore that up to that time (till after the election was over), are you quite certain that in no way whatever was Mr. Westropp cognizant of what you had done ?—Oh, quite certain.

38,415. After that election, you know, there was a petition ?—Yes.

38,416. And you know, of course, by the petition that he was going to be unseated, or at least that there was a petition against him on the ground of bribery ?—Yes.

38,417. Had you at any time conversations with Mr. Westropp to let him know that you had found part of the money ?—Decidedly not. I should be more particular then than before.

38,418. (*Mr. Price.*) When did you first let him know ?—Not very long ago; long after the petition.

38,419. Long after the petition ?—Oh, yes.

38,420. After 1866 ?—After 1866.

38,421. During the time that Mr. Patton was standing here, did he know it then ?—He did not. I do not think he knew it then. I am sure I do not quite remember when, but it was long after the petition.

38,422. (*Mr. Coleridge.*) Did he never express any surprise how the money had come ?—It was decidedly my own.

38,423. Did Mr. Westropp never while the petition was going on express any surprise about where the money had come from that had caused his being unseated ?—Never; never expressed anything of the kind.

38,424. (*Mr. Anstey.*) If he did not know what you had done in 1865, was he not very much surprised when he found that you were in communication with Tromp, at Patton's election, in 1866 ?—I had nothing to do with that. It was my sister.

38,425. (*Mr. Price.*) Your sister ?—Yes.

38,426. Had you nothing whatever then at all to do with money being found for Mr. Tromp in 1866 ?—Decidedly not; nothing at all.

38,427. Nothing to do with the sum of money which was taken to the Carlton by Mr. Westropp, your husband ?—Not anything.

38,428. Did you ever hear of that from your husband ?—I do not recollect

38,429. You have heard of it now, you know ?—Yes.

38,430. Of a sum of 1,500*l.* ?—I think I may have heard of it.

38,431. (*Mr. Anstey.*) Well, but how came your sister to be employed in 1866, if Mr. Westropp was ignorant then that she had been already employed in 1865 ?—I suppose through Mr. Smith; Mr. Westropp may have thought then it was the first time she was put in communication with him.

38,432. Was not Mr. Westropp perfectly aware that your sister had been employed in 1865 ?—He was not aware of it at all.

38,433. But in 1866 was not he aware that she had been employed in 1865 ?—Not that I am aware.

38,434. He seems to have been aware of her being employed in 1866. How came he to permit her being employed in 1866 ?—I believe Mr. Bealy Smith gave Mr. Tromp a letter to be given to Mr. Westropp at that time.

38,435. (*Mr. Price.*) Just repeat that. You think he gave a letter ?—A letter to Mr. Tromp. My sister had then a letter from Mr. Bealy Smith,

38,436. Do you mean that communications passed between your sister and Mr. Bealy Smith between the

1865 election and the 1866 election, when Mr. Patton came ?—I should think it was in 1866.

38,437. Were you aware of those communications at the time ?—I never saw the letter.

38,438. Was your sister living with you ?—Yes.

38,439. (*Mr. Anstey.*) Your husband must have been aware of it too, then ?—No, never, because when a letter came we should not show it to him.

38,440. You say yourself he was aware of her being employed in 1866 by Bealy Smith ?—No, I believe she took whatever was given to her to Mr. Tromp.

38,441. (*Mr. Price.*) Were you aware that your husband did know of her communications with Mr. Tromp in 1866 ?—I do not remember anything about that; any further than that she took what was given to her.

38,442. Did you learn anything from your husband in 1866 as to his knowledge of your sister being in communication with Bealy Smith or Tromp ?—I think he quite knew that she was going to Mr. Tromp.

38,443. He quite knew she was going to Mr. Tromp ?—Yes.

38,444. But did you know of it ?—Oh yes, I knew it.

38,445. Then you had discussed it together ?—My sister and I had.

38,446. But not you and Mr. Westropp ?—Not Mr. Westropp; no, because it was given to her.

(*Mr. Price.*) There is nothing more, Mrs. Westropp, that we need ask you about, unless you have some further secrets to divulge.

38,447. (*Mr. Anstey.*) I am under the impression, and I can easily verify it, that Mr. Westropp said distinctly that between the election of 1865 and the election of 1866 he had become aware of what you had done in 1865. It had come out in conversation ?—It may be so. I am not quite sure when it did come out in conversation.

38,448. You said just now that it was long after 1866, you think, that he became acquainted with it.

38,449. (*Mr. Price.*) With what you had done ?—With what I had done ?

38,450. Yes ?—That was after the petition, I know.

38,451. (*Mr. Anstey.*) The petition you know was presented in 1865 and tried in 1866. Do you mean after the trial of the petition, or after the petition was presented ?—After the trial of the petition.

38,452. Well then that was all over in April 1866, and the election did not take place till June ?—No.

38,453. Now, might you not between April and June have told him what you had done ?—I may have.

38,454. He says it came out in conversation ?—I may have. I decidedly did not intend to say anything which was not quite true.

38,455. (*Mr. Coleridge.*) After the petition was over and Mr. Westropp was unseated, it was the natural time for you to have told him. Is not it probable that after the petition and before the next election would have been the time you told him ?—Yes.

38,456. You kept your secret till the petition was over, that Mr. Westropp might go into the box and say he knew nothing about it ?—Decidedly.

38,457. That would be the natural thing to do. Then you might have told him ?—Yes.

38,458. (*Mr. Price.*) That is all, Mrs. Westropp, unless you have any more secrets in connexion with the elections. This was your first essay in electioneering matters, I hope ?—And I think it will be the last.

38,459. (*Mr. Anstey.*) Have you received any promise from any person, or have you any expectation that at some future time, or upon some future contingency, the money which you spent for your husband's election will be replaced ?—Never.

Miss Maria Stockwood sworn.

38,460. (*Mr. Price.*) You are the sister of Mrs. Westropp ?—Yes.

38,461. She has informed us that she had communications with regard to the election of 1865 with Mr. Bealy Smith. Were you aware of the communications she had at that time with Mr. Bealy Smith ?—I should say nearly all, if not quite.

38,462. She went to the bank and you went with her and she drew this sum of money, this 1,500*l.*, in sovereigns ?—In sovereigns.

38,463. And that was taken down and eventually conveyed down to Weston-super-Mare and given up to Tromp ?—Yes.

38,464. Well, now then, so far for that election. Will you tell us, if you please, what communications you had after that election, when Mr. Westropp had been unseated and there was going to be a fresh election for Bridgwater. What communications did you have in any way with regard to the election from Mr. Bealy Smith or Mr. Tromp or Mr. Westropp ?—I took the money.

38,465. But before you took the money had you had any communication with Mr. Bealy Smith—letters ?—I had several letters, I cannot say when, from Mr. Bealy Smith.

38,466. (*Mr. Coleridge.*) Have you got any of those letters now ?—Not any; I never kept them a day.

38,467. (*Mr. Price.*) Do you recollect whether they were in reference to the fresh election in 1866 ?—I do not think they were in reference to that.

38,468. You must tell us, if you please, how was it that you were employed in the first election of 1866, when Mr. Patton first came down here—that you were employed in this money transaction ?—From having done it before.

38,469. Well, but whom by ?—I took the money from Mr. Westropp.

38,470. Did Mr. Bealy Smith ask you to do the same thing again ? Was it Mr. Westropp who asked you ?—Mr. Westropp, I believe.

38,471. Well then, Mr. Westropp having asked you to do that, what did you do ?—I took the money to Mr. Tromp.

38,472. To Mr. Tromp ?—Yes.

38,473. To his house ?—To his house.

38,474. At Bayswater ?—At Bayswater.

38,475. Did you see him ?—Oh, yes.

38,476. Did anything pass about it at all ?—Nothing at all.

38,477. Did anything pass between you about it ?—About the money ?

38,478. Yes ?—Yes, I said it was to be conveyed to Bridgwater to be expended there. I think that was all.

38,479. (*Mr. Price.*) We shall have to put you down in the schedule as a briber ?—Shall you ? A very innocent one, I think.

(*Mr. Price.*) Well, I do not know about that.

38,480. (*Mr. Coleridge.*) Bealy Smith was at the bottom of the whole thing, I believe ?—He was at the bottom of the whole thing, and we thought him so able a man that I had every confidence in him.

Mr. Henry Westropp recalled.

38,481. (*Mr. Anstey.*) Mr. Westropp, before you continue your statement, I want to refer you to an answer you made just before the court rose. You said that you believed, that you still believe (so I understood you), that when Bealy Smith made those demands upon you for money, and indeed made communications to you generally upon the borough, he was, to use your own expression, the mouthpiece of the other Conservative lawyers. That was, I think, what you said ?—Yes.

38,482. Well now, is not it the fact, as stated by you in describing the circumstances under which Bealy

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Mr. H. Westropp.

7 Oct. 1869.

Smith became your confidential agent at the election of 1865, or before that election, that Bealy Smith's becoming your confidential agent was owing to the circumstance that none of the other solicitors could agree upon a course of action, and as they separated in the "most admired confusion" you had to appeal to Bealy Smith to help you?—I think you mistake the date of that. When I say "They separated in the most admired confusion" was about three years previously. I always wished, as I knew Mr. Bealy Smith to be by far the most able man, and I have no hesitation in saying that he is the only man in this town of our party who had the slightest electioneering talent—I have no hesitation in saying it——

38,483. (*Mr. Price.*) Electioneering talent in Bridgwater means a very peculiar kind of talent?—Well, it is not alone that, because you may recollect Bolingbroke says that anybody may thrust a pound note into the greasy paw of a chambermaid.

38,484. (*Mr. Anstey.*) Well, go on?—The reason of that I take it was this, we all got together, and old Mr. Smith then said that neither directly nor indirectly would he ever again interfere with the electioneering or be an agent. He said he would not; and we were thinking of getting a man down from London. We had this meeting, and there was a good deal of words about it, and Mr. James Trevor then said to me, "You "have not the ghost of a chance." They all went away different ways. As a gentleman said to me they were "a regular covey of solicitors which I saw flying "out of the 'Clarence.'" Things then went on, and Mr. Bealy Smith became a solicitor, and I saw very clearly that he was a very clever young man. None of the others made the slightest overtures to me to take the conduct of the election, and in point of fact it was the party here, whoever guides them, that made him the solicitor at the head of it, and there was the reason that I took Mr. Bealy Smith. In fact I did not appeal to anybody else.

38,485. Very well, that is precisely what I suggested to you just now, that, far from being the mouthpiece of the other lawyers, he was chosen in preference to them, who would not communicate with you at all?—Well, it was not that they would not communicate, but they never said a word. There was nothing of the sort. In fact, from his ability there was not at that time I am perfectly certain in Bridgwater a man equal to him, and if I had employed any other man the party would have left me. The party generally would have rebelled. I do not mean to say the leaders of the party, but the lower part of the party.

(*Mr. Price.*) The men who wanted bribes no doubt would have rebelled.

38,486. (*Mr. Anstey.*) Then do not you now see the expediency of modifying your statement, that down to the last moment, when he was making these exactions upon you and Mr. Patton and Mr. Pitman, he was acting as the mouthpiece of the other lawyers?—I cannot say what took place after I left the borough. I am perfectly certain that he was a most active man, and when a meeting took place he was the scribe of it, and did all the official writing that there was. This I am perfectly certain of.

38,487. But the position you describe was rather antagonistic to the other solicitors than otherwise?—The elder Mr. Smith had been soured early in life by a very unfortunate circumstance, and the very idea of speaking to him about it drove him nearly frantic.

38,488. Well, they were antagonistic?—Their tempers were very decidedly different. I do not know whether that was the reason.

38,489. Therefore they were no mouthpiece?—They were the mouthpiece by necessity. There was nobody to do the work.

38,490. (*Mr. Price.*) It amounts to this, does not it, Mr. Westropp, that so far as you knew at that time if the other lawyers had had the conduct of the election the chances are they would not have had recourse to these practices. That is about it, is not it?—I certainly pass no opinion upon that.

Dr. Russell Reynolds sworn.

Dr. R. Reynolds.

38,491. (*Mr Price.*) You are a physician practising in London?—I am.

38,492. Where?—In Grosvenor Street.

38,493. Have you been in attendance upon Mr. Richard Smith lately?—I have seen him to-day and he has been more or less under my care since the summer of 1866. I think that was the first time. I saw him about June in 1866.

38,494. Where did you see him to-day?—At Bristol, Clifton.

38,495. Then he has moved from Exeter or Teignmouth, or wherever he was. When did he move?—I do not know.

38,496. The last account we had of him was that he was down at Exeter.

(*Mr. Anstey.*) No. He was afterwards at Teignmouth; then afterwards at Dawlish, and now he is at Bristol.

(*The witness.*) At Clifton I saw him.

38,497. (*Mr. Price.*) Then he is able to move, to travel?—Yes.

38,498. What is the present state of his health?—He is paralysed in the left arm and partly paralysed in the left leg.

38,499. Has that affected his brain?—It is the result of disease of the brain.

38,500. Has it enfeebled his memory or his intellect at the present time?—No; I do not think his intellect is affected at the present time. His memory was defective about a year and a half ago. He was slow in catching things that were said to him.

38,501. Is he in a condition in which, if he were examined cautiously, not in the public court, but examined cautiously in a room where there would be nobody but our own shorthand writer present and ourselves, you think him capable of undergoing such an examination, an examination cautiously administered to him, with regard to certain facts that we require to get from him?—I have no doubt that he would answer the questions, if you mean with regard to his intellectual capacity.

38,502. Is he in a state to understand the questions, to appreciate the nature of them, and to give us definite answers?—Oh, I think so, quite, but I think it would be attended with very great danger.

38,503. Tell us why you think it would be attended with very great danger?—Because of the disease that is at present existing in his brain. It does not quite at the present moment affect his intelligence, but it affects the movement of the left arm, but there are special symptoms in his case which make it a very grave one. He is better than he was, but I believe that any excitement would put him in danger either of his intellect or his life.

38,504. Supposing, for instance, we required your attendance. Supposing we went over to his place, or had him removed within a distance to which we could go, because we must have him within a certain distance, though we might not require his attendance actually in this town; suppose we had him at Burnham, and we were there to attend upon him, and you or his ordinary medical man were present, and the questions were put to him quietly and without any unnecessary excitement about the thing, do you think it would be attended with any very serious results?—I have not any question about it; it would be very dangerous indeed to him. I will tell you why I think so, because there are many occasions when anything in the shape of emotional excitement renders him hysterical very quickly.

38,505. Have you talked at all about election matters?—Oh no, I never knew anything about them.

38,506. Has he expressed any horror at the thought of being examined?—Not specially at that; I do not know that he would express horror at that, but on several occasions previously I have had to prevent him

from doing things that he was rather wishful and anxious to do.

38,507. Are you aware that some time ago, a few days ago, he was seen in the presence of our secretary, and there evinced, as far as could be judged, no disinclination to answer questions, and did give us most valuable information?—I was informed of that by Mrs. Smith.

38,508. And without any apparent excitement resulting from it. Under those circumstances do you think if he was subjected to an examination of half an hour or three quarters of an hour of a very similar kind to that he went through the other day, for the purpose of giving us information respecting these matters, that that would be a matter you could not countenance as a medical man?—I could not, really.

38,509. (*Mr. Anstey.*) Supposing it was done in this way, having regard to the strong opinion you have just expressed, suppose the Commissioners determined amongst themselves to put certain questions only, to be reduced to writing and to be read slowly and quietly by one of the Commissioners, understanding that no interruptions were to take place on the part of the others, and that he was to have his own time to answer them. And further that if the medical man present thought a respite or an adjournment necessary should take place, that that should be granted, would there be any danger in that, do you think, when you are informed by me that to our secretary the other day he stated not only that he was not disinclined but that he was fully prepared, supposing we exercised our compulsory powers, fully prepared to answer fully every question?—My deliberate judgment is that it would put Mr. Smith in very grave danger.

38,510. Even in that form?—Under that form.

38,511. Have you any suggestion to make, Dr. Reynolds, as to any mode which could be adopted. I may tell you that there is a very important fact which remains to be ascertained, which none but he (his son having chosen to leave the country), can inform us of. He says he is fully prepared to inform us of all the facts, and that amongst the others, I suppose. Have you any suggestion to make whereby without endangering his life or his reason, we may get, not second hand but from his own mouth, the fact which we desire?—I think that if it is one simple isolated fact that you wish to have from him, it may be obtained in the manner that some information was that you mentioned just now; but I think anything like a formal examination of Mr. Smith would put him in danger of another attack, which might be fatal to his life, or at all events to his reason.

38,512. Suppose two of the Commissioners were in the same room with folding doors, and only one Commissioner were actually speaking to him, that would not be formal you know?—It is so very difficult to understand different people's temperaments that I should imagine perhaps that that kind of formality would be as trying to him as any other.

38,513. (*Mr. Coleridge.*) Do you think that it is being put on his oath that would try him so?—No, I should not think that, but if you commenced an examination like that it is so difficult to know when it would come to an end.

38,514. (*Mr. Anstey.*) But we do know what we want to get. This is not the commencement of our inquiry here, but it has almost come to an end, I hope, and we have much information we need, and putting it so—assuming that we only need information on certain points——?—I will just mention one fact, which will show you the difficulty of answering a question like that you propose. This morning, although Mr. Smith expressed his willingness, almost his anxiety, to come, yet in a few minutes afterwards he began to cry; his eyes filled up with tears, and he trembled all over. I do not think that a man that has paralysis of one side of the body, and that the result of serious disease of the brain, ought to be exposed to that danger. That is my feeling.

38,515. You have no further suggestion to make then beyond what you have said?—I really do not feel competent to make any suggestion beyond what I have said just now.

38,516. When does he return to Bridgwater?—I do not know.

38,517. When does he leave Bristol?—I do not know; I was not consulted upon that point. I was telegraphed for to come down the day before yesterday, but I could not come down then.

38,518. Did he come to Bristol to meet you?—I think he has been there for the last 10 days or a fortnight. Of course one's time was rather short there, and I simply examined him as to his present state of health.

38,519. What is his address at Bristol?—He was stopping at the hotel, "Clifton Down" hotel.

38,520. (*Mr. Price.*) Well, I think that will do, but I will ask you again, to get it formally on the notes, then is your medical opinion that you must leave upon us the risk of doing it, seeing that you cannot answer for the medical consequences?—I could not, indeed; I should think they might be very grave.

38,521. Having told us what you have, you leave upon us the risk and the hazard of examining him?—I must do so. I am much obliged to you for your courtesy in examining me so early.

Mr. Henry Westropp recalled.

Mr. H. Westropp.

38,522. (*Mr. Price.*) We will go on now with the history. I think you were beginning with the last election. You had got so far, I think, as to tell us about the compromise. I think you were beginning about the compromise. I am not quite sure whether you had got to that point?—I should wish, if you will allow me, to mention some facts connected with the man Palmer. I have read all the evidence, and Mr. Anstey addressed a question to Palmer as to which I should wish fully to satisfy his mind that there was no such arrangement between Palmer and me. I was at the "Clarence," as he says, and he went down and did various things. It has never been stated in evidence, either at the trial of the petition here, nor before you that the first thing that that man did was to throw all the sovereigns down on the table in the room where all the clerks were writing. I at the time was talking. It was about 3 o'clock; and I was talking to young Mr. Smith, who was looking at the gross accounts, seeing how the numbers were, and I heard the noise on the table, and looking round I saw some sovereigns on the table. He did not come to me, but he threw them down. "What is this?" said I. "Money from the opposite camp," said he. "Well," said I, "I promised "this morning that if I catch them tripping I will go "at them." That is what I said that morning. I said moreover, "Somebody had better go and take his deposition." I remained there some time, and then I went upstairs, and after I was in my room upstairs Palmer came in, and, as I said, received the money. It was 7*l.* I gave, and 3*l.* Mr. Hennett. That was the history of that transaction. There is something which, if you will allow me, I will explain to you, another thing, that is, about Mr. John Smith. This was before the election. Now it has been thought that I had some underhand dealings with Smith. In the first place, except Heal, he is the man that I should least of all trust in Bridgwater. He is too astute; he has been in America for a long time. The first communication (I believe Mr. Brice has given you my letters), the letters that he sent to me, I think you have. The first communication I had from Mr. Smith was (I dare say you will find it there): "Dear sir—Should you be in town," or, "are you in town," "can I see you?" something like that. The following day I came up. This was received (they marked it here) on the 3rd of February. It is marked "private," and it contained the papers relative to the loss of that ship of his, and also all Mr. Kinglake's letters to him. He says, "I enclose Mr. "Kinglake's letters to me on the subject which you

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" will return to me when in London. I merely let " you have them for your guidance." He also alleged that he did not know me till he came to see me when in London. There is actually in this, " Will be at your hotel " (the Union Club) " at half-past 10 o'clock on Thursday morning." You see, therefore, so far from not knowing me till he saw me in London, he made the appointment. " Please " (and he dashes it) " merely acknowledge the receipt of letters and papers " that I may have Tuesday morning." He came up and he told me the circumstances of the case. Oh, I must tell you, after that I went down, and I knew Mr. Peel, Lord Henry Lennox's secretary, and asked him——

38,523. (*Mr. Price.*) That was to the Admiralty, you mean?—Yes. Mr. John Smith simply asked to be allowed to plead his own cause; so I said, " Yes," and he said he would do it. And not only that, but Captain Walker who has something to do there——

38,524. Something to do in the department?—Yes; I do not know exactly what. However, when Mr. Smith was going down, I never shall forget it, he was skipping about by the Horse Guards and he said to me, " Mr. Westropp, I shall not forget this, so I pledge " you my word, that I shall never directly or indirectly " do anything against you;" and my answer was, " Mr. Smith, you are in a state of excitement now; " pray say no more. I do not want any promise, and " I do not want anything in the world from you; but " I am merely doing it as I should for any Bridg- " water man. I should be ready to do it for anybody." He went to the Admiralty, pleaded his cause there successfully, and he came back towards the " Union," and I asked him if he would have a glass of wine. (Perhaps you will allow me to say with regard to that money which I gave to my wife that I made a mistake as to the broker's name.)

(*Mr. Price.*) That is all set right.

(*The witness.*) He showed me the books, and I find it was a Mr. Harris. I saw the books yesterday.

(*Mr. Price.*) We agreed that Mr. Harris should not come down if we did not require him. We have telegraphed now to say that we shall not now require him.

(*The witness.*) Smith then took and tore up certainly two of, and I dare say all, Mr. Kinglake's letters, and he said, " He is a gross humbug, and no good." There is the man who said he would pawn his shirt for him. He told me also that Mr. Kinglake did not mean to stand again, and he said I was as right as the mail. Well, he said, " I am going to see " Mr. Kinglake," and he went and saw Mr. Kinglake, and he wrote me word to say that he was going to stand again. On February 12th I wrote to him, " My dear sir,—I feel much obliged by your setting " me right respecting A. W. K.'s intentions about " the borough. Of course the certainty of this " modifies to a great extent what you were good " enough to express as your ideas respecting my " chances of success. But the fact of Mr. K.'s " coming forward or not, however it may alter my " chances, does not in the least change what I have " determined upon, and indeed, than which in common " decency I could not do less, after having formally " taken leave of the electors, not again directly or " indirectly to bring myself forward and to stand " again solely on the manifested wish of a large pro- " portion of the constituency. This will be for the " electors to decide upon." And he also asked me to send down a sort of memorandum of the conversation which took place as well as I could recollect it, *verbatim*, " I shall only add that any little kindness " which I may have shown to you when in town will " be again at your command; and I only wish that I " had a few friends with your intense energy." There was my letter; and on February the 17th there is a letter that I never mentioned. He says that he took an active part in the last election, because I had broken my covenant with him. I made no covenant. I had never spoken of a compact. I never implied it either directly or indirectly.

38,525. (*Mr. Price.*) He gave as his excuse; his excuse I wont call it; but he gave as a reason for voting against you that he considered he was absolved from any understanding, or anything to be implied from anything he had written or said to you in consequence of your publication of a private conversation?—Well, so far from that, Mr. Joe Smith and Mr. Ruddock met me in the middle of August, I think it was, by appointment, and the moment Mr. Joe Smith saw me, he said, " Hallo," said he, " so John Smith " has been asking you to get his son into the Blue " Coat School?" I said, " How do you know?" He said, " Oh, we talked a great deal of that. He told " me himself on the platform as I was coming up " here."

38,526. Had you at that time, or before that, divulged in any way to anybody anything which could have reached Bridgwater, showing that he had asked, or what had taken place?—Never in any way directly or indirectly, so far from it, when I sent the letters down to Mr. Brice I withheld this letter:

" Dear sir,

" I suppose you don't know of a presentation to " the enclosed school. Got a boy just the age, and " oftentimes a thing of that sort goes begging.

" I am, dear sir, yours sincerely,

" JOHN SMITH."

I have never broken faith with anybody, and it rather took me by surprise when I heard this. I would not have troubled you with all these things.

(*Mr. Price.*) Oh, you are certainly entitled to have an opportunity afforded you of explaining.

(*The witness.*) Well, after the examination of him here I got a telegram from him: " John Smith, " York House, Bridgwater, to Henry Westropp, Esq., " Union Club, Charing Cross, London." Oh, he also said that in my conversation with him I had said I had been robbed by a great many of my own supporters. I never thought it, and therefore if I said it to him it must have been a falsehood, but I never told him either directly or indirectly. He told me a great deal of the way in which Bagehot's election was lost. He told me that in the middle part of the day he went down and found the solicitors and others eating lobster salad and drinking champagne down at the old hotel of Herbert's, the " Commercial." He said they were all crowing, and saying how grand the election was going, and somebody said, " No, it is not; I can tell " you it is not won yet. They have those men up at " the 'Bull and Butcher,'" and it was perfectly true, as it afterwards turned out. On that evening, September the 4th, on the day that he was here——

38,527. The evening of the day he was examined before us?—That same evening I had a telegram from him: " Dear sir,—Report here that when I saw you " in London I promised to vote for you. I did not. " Did I? Answer paid for." What I telegraphed back to him was, " Unasked, you said, 'I will never " act against you.' My reply, 'I do not want that or " any other promise.'" That was the telegram that I sent back. That evening I got a telegram (I think it was that evening; yes, it was) from Temblett. He says, " John Smith, of York House." (I think it was from Temblett. Oh no. This letter arrived an hour after that telegram from John Smith. I got this letter): " Sir,—Mr. John Smith, of York House, in " his evidence yesterday before Her Majesty's Com- " missioners, stated that in a conversation he once " had with you in London you said you had been " swindled very much by your own party in Bridg- " water, and that you gave the name of myself, " Robert Bussell, and others as having robbed you to " a great extent. I will thank you to say by return " whether you ever made such a statement to him, " and if so, what grounds or authority you had for " doing so. I will thank you to give this your imme- " diate attention, as I probably shall have to give " evidence early next week, when I shall probably be " asked questions relating to this matter. In conclu- " sion, I would beg to state I shrink from nothing. " On the contrary, I court inquiry into my conduct in " the election matters. If you have anything to urge " against me I hope you will bring it out, and give " me an opportunity of replying to it." I telegraphed

back at half-past 9 o'clock at night that it was utterly false about my having said one word about these men, and that I would write to him the following morning. I wrote to him a letter, which I daresay he had. Now, sir, in regard to this negotiation with Mr. Fennelly himself, I am very anxious to put you on the right path, because it may have been thought I was trying to trip up the heels of my friend Mr. Gray, than whom a better man I do not think exists, or a more truthful. On the Friday before the election Mr. Vanderbyl was muffled up and speaking very hoarse. I said, "It is a bad thing for you, this weather." It was very bad weather. "You had better get a little cap and put on your head."

38,528. Was he bald?—Oh no. On the Saturday, not having concluded our canvass, not having called upon Mr. Spink, I said to Mr. Joe Smith, "I will go and see Mr. Spink." I went to go out to see Mr. Spink, and when I went out I knocked at the door. Mr. Smith remained in the cab, and I knocked at the door. The servant came, and I did not ask whether they were in or not, but I went in, and I think as you go in there is a little recess in the opposite end of the place, and there were two persons, and (I say it with consideration) they evidently were trying to hide something. What it was I do not know. I went into the room, and as I went into the room Mr. Spink called out to the servant, "Go and tell your mistress," said he, "Mr. Westropp is below, and a friend of mine." We went into the drawing room, and Mr. Fennelly looked at me and said, "That was good advice that you gave to Mr. Vanderbyl." I had not recognized him even when he sat down. "Oh," said I, "it was you, was it, that I met on the Cornhill?" "Yes," he said. We talked for a little time. He had been a clerk to one of the banks in Cork, and therefore he knew perfectly well all about me. After a time I got up and went out, and when I went out and got into the cab Mr. Smith said, "We are done; the money is down." There was a sort of feeling about me—I cannot tell you what it was, but I had a perfect conviction in my mind that there was money down at that time—and I believe that was the first lung that, as Mr. Cook said, was pumped out. I believe that was the first, and no one will make me believe that the number of 263 who polled and ran our majority down was ever got without that. What is more I have not a shadow of doubt about it, however it has been managed. However, on the following Sunday I went down to Mr. Brice in the evening; it was rather late when I went. When I say late, about half-past 5, and Mr. James Trevor was there, and after I was there I said, "I think I will go "in and tell Mr. Hennett not to say anything in "seconding me to-morrow more than the ordinary "topics—to say very little." He was not there, and I left word to say where I was. In a little time a knock came to the door, and there were Mr. Hennett and Mr. Spinks. "I want you," said Mr. Spinks. We went out into the street and he said, "I have a "proposition to make; it is my proposition altogether. "Mr. Vanderbyl knows nothing, in fact nobody does; "you know you have been doing dirty things." The moment he said that, knowing that I had not, I said, "There is a trap; we will see what is to come of it." "Now," said he, "I have come to propose that you "should keep back 100 men, and Mr. Vanderbyl will "keep back 100, and we will come in with a rush at "the end and return you and Mr. Vanderbyl." "But," said I, "Mr. Spinks, that is a sort of thing which I "should not entertain for a moment. Where is my "friend Mr. Gray to be?" He said, "Well, will you see Mr. Vanderbyl?" It was not Mr. Fennelly, but Mr. Vanderbyl. "Certainly not." I went back and told Mr. Brice and Mr. James Trevor what had occurred. "Well," they said, "you had just as well go there and see Mr. Vanderbyl." They proposed a meeting at Mr. Hennett's house that evening. "You may as well go and hear what they have to say." I went back and told Mr. Spinks, and he said. "Oh, very well; I will go down to the "'Globe,' and see and arrange about it." It was very late, and dinner had been kept back an exceedingly long time. I mentioned this fact only to tell you that this is the only part of the conversation which Mr. Gray was not made cognizant of five minutes afterwards. When I went back to the hotel, Mr. Toogood was staying there. I think he had come from London, and I did not wish to state anything at all about it in the state in which the matter then was. Mr. Spinks wrote me a letter from the "Globe" asking me to be at Mr. Hennett's house at 9. When I went up Mr. Fennelly was there. Said he, "Mr. "Vanderbyl from physical ability is unable to attend, "but I understand that he has desired me to come." I must tell you that Mr. Brice and Mr. James Trevor told me, "If they propose anything to you in the way "of compromise, do not you for one moment accept "anything, but refer them to us." When I went up Mr. Fennelly told me, "A quarrel with Reed and Cook you see," that they had taken the management entirely out of their hands. Well, this rather staggered me, because I thought if this man makes me any overture, and I am told by my two friends that I must refer them to the solicitors, what am I to do? We went on talking, and he said about the hundred men being kept back just as Mr. Spinks had said, and he also said that he had proposed it to Mr. Spinks whilst walking out somewhere that day. I told him, "I "cannot do that, there is nothing in the world can be "done." We talked for a considerable time on one thing and another. At last he got up. "Well," says he, "I will tell you what, we will meet you half way." Says I, "This is quite another turn of the affair." I immediately suspected there was something further, more than the hundred men. I said, "Mr. Fennelly, "excuse me, I cannot entertain the thing; you must "mention whatever it is. Allow me to call in Mr. "Hennett and Mr. Spinks." I rang the bell, and they came in. I mentioned to them what the heads were, and told them that they must communicate through my solicitors, and Mr. Fennelly said, "Shall it be Mr. Reed or Mr. Cook?" and I said, "I do not "care one wit. It is nothing to me; but you must "communicate with Mr. Trevor and Mr. Brice."

38,529. (*Mr. Anstey.*) Who were those you called in when you rang the bell?—Hennett and Spinks.

38,530. I asked each of them particularly, "Tell "me what took place when you and Mr. Fennelly "were present?" I could get nothing of this from them?—Well, I tell you exactly what occurred.

38,531. What were you and Mr. Fennelly speaking about particularly at that moment when you heard those words after getting up to the mark which you described, you said, "I will tell you what, I will meet you half way"—half way to what?—It was *apropos* to nothing, and is the extraordinary part. We had been speaking of Mr. Carnegie who lived somewhere near. I think you know him, and who he is.

38,532. Yes, but you had better state shortly what it was?—We were speaking about Mr. Carnegie, and it was *a propos* of nothing. He got up in rather a strange way, and said, "I will tell you what, I will meet you half way." I said, it immediately struck me there was some snake.

38,533. Was not a hundred against a hundred meeting you half way?—Yes, that could not have had any reference to that, because I put that aside altogether. In the early part, I told him that was a thing I had no control over.

38,534. What did you then understand from his words and manner?—I tell you candidly, I think he was prepared to spend money.

38,535. And that is what he meant by "half way"?—That is what he meant.

38,536. And if you withdrew Mr. Gray he was prepared to sacrifice Mr. Kinglake?—Yes, exactly, that was my impression; I may be wrong. I went back and told Mr. Brice and Mr. Trevor, and there was nothing more about the matter, and I went away. It was late at night, and we heard no more. After the petition was decided and the whole thing over, I was coming one night to my house on a Sunday and met

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Mr. Fennelly. This was not a private conversation. I was sitting in a compartment of the carriage in the train, and Mr. Fennelly passed by going from Victoria station.

38,537. Give us about the date of this?—Well, it was some short time before my poor brother-in-law died. I was returning about 12 o'clock, I think. I think it was about the 10th April this year, and Mr. Fennelly passed by. He came in, and I said, "Well, a pretty mess you have made at Bridgwater." "A pretty mess you made," said he. I said "It is no use bandying recriminations in this way," and we sat down. And there is a special case which I should call your attention to tried to be made about Wembdon——

38,538. I do not think it is necessary to go into that?—Perhaps there is a good deal you do not know about that, but I told him a good deal about this. I said "They tried to throw over Fennelly." "Damn them," said he, "I never heard a word about that."

38,539. (*Mr. Anstey.*) Mr. Kinglake's party tried to throw over Mr. Vanderbyl?—Yes.

38,540. You said "Fennelly"?—"Vanderbyl, I tell "you what," said he, "they have been doing. They "tried to carry that on up to the day of the petition, "and the morning of the petition I had a telegram "at Calais. I was stopping at Calais, and got a "telegram to come across at once, and I did," said he, "and the morning of the petition being tried here, "when we found what was going on, Mr. Henry "Lovibond had a telegram put into his hand to tell "him if he attempted to sever the connexion between "Kinglake and Vanderbyl that I would be there. "Confound the fellow," said he, "I had a conversa- "tion with him before that would have knocked over "50 elections."

38,541. (*Mr. Price.*) He said he had had a conversation?—With Mr. Henry Lovibond that would have knocked over 50 elections. I got out of the carriage at Norwood, and he said, "You made me hotter than "ever I was in my life before." I have not seen him since.

38,542. (*Mr. Anstey.*) I did not like to stop you before, because you were in the midst of a narrative, and it greatly destroys the effect of it, but having paused a moment I want to ask you, was it to you, or was it to your professional advisers some communications, which we have only in the vague at present, were made on the part of Mr. Vanderbyl about money matters before the election, proposing to betray Mr. Kinglake into your hands if you would consent to coalesce with them?—I never knew anything about that further than this: I think it was about the time that Mr. James Trevor came up first, I am not very certain whether then or afterwards, I became aware that there had been some effort at coalition, but it could not be carried out.

38,543. When did you first become aware of it? How many months before the election?—Some time before. I cannot say.

38,544. Then it was not really the first attempt made by Mr. Vanderbyl?—Decidedly not.

38,545. Do you know of any corresponding attempts by Mr. Kinglake to betray Mr. Vanderbyl, besides that which you have spoken of just now?—No, nothing except when those attempts afterwards took place. There were four different ones.

38,546. You seem to have shown some great hesitation, I will say prudence, in declining to act on these overtures; did it occur to you that men who would betray one another were as likely to betray you?—Not the least; I never thought of that. I merely took it without any casuistic reference at all, but simply on what I thought.

38,547. (*Mr. Price.*) I ought to ask you this, up to that time, for you have said yourself it had been insinuated that you had tried to throw Mr. Gray over, I think you say he had been kept informed of everything that was going on?—Everything after that, and I must do justice to Mr. Brice and Mr. James Trevor also by saying when I came to them and told them about those overtures, they immediately said, "We "could not have entertained this a moment." Do not think those gentlemen were going to betray Mr. Gray, because Mr. Gray had been very uncomfortable about it; he had been very off and on, and on one occasion it required a great deal of difficulty to prevent him retiring as he wanted. I said, "If you do, my flag is "down at once, and I am fairly ruined." He is a very nervous man, and betrayed a great deal of nervousness in this chair the other day, or perhaps he could have explained many things.

38,548. You think it would not have taken any difficulty to persuade him to retire?—Not only that, but he expressed a wish openly to us all, and to Mr. Brice, and to Mr. James Trevor, and among others he told me himself yesterday I saw him he expressed a wish to Mr. Spofforth in London to retire, and Mr. Spofforth said, "Do not, you will ruin Mr. Westropp "if you do; it is too late now to get any man." Therefore I want you to be certain that those two gentlemen in acting as they did did not in any way act but in the most honourable way to Mr. Gray.

38,549. (*Mr. Anstey.*) Was Mr. Fennelly chosen as the medium of communication because he was known to you, or merely because he was Mr. Vanderbyl's partner?—I should imagine that he was proposed, not chosen, but my having met him at Mr. Spinks' house, and thereby became to a certain degree acquainted with him——

38,550. Was it in consequence of that?—I dare say it was.

38,551. The point of my question is, was Mr. Fennelly chosen with a view of conciliating you, or because Mr. Vanderbyl had confidence in him?—Well, I should say it was a mixture of both, because the first thing he did was to announce he had Mr. Vanderbyl's confidence in the fullest way, and whatever he proposed and accepted Mr. Vanderbyl would ratify.

38,552. You have had no previous dealing?—No.

38,553. Therefore it could not have been out of consideration for you?—No, I never knew Mr. Fennelly by name. In point of fact his history and his being in the bank I have since discovered, since my last visit to Ireland.

38,554. Did Mr. Vanderbyl recognize him in the fullest way as his friend or agent?—I have not seen Mr. Vanderbyl since.

39,555. But on that occasion, when you went to meet Mr. Vanderbyl?—He told me——

38,556. Mr. Vanderbyl told you?—No.

38,557. Only Mr. Fennelly?—I did not see Mr. Vanderbyl. Well, I think it was Mr. Brice and Mr. James Trevor came up the latter end of November. They were trying to effect a compromise, and there being four distinct efforts made at a compromise during the negociation, at the first they came up, and it was proposed that Mr. Vanderbyl gave up the following February, that is next February, and to tell the truth of the matter my health had broken down a good deal, and I was very willing that Mr. Gray should take the place, but I thought he would have a much better chance if any negociatton was carried in from me, and I did not say yes or no in fact to it, but Mr. James Trevor wrote me, and I wrote then a letter to Mr. James Trevor; what it was I do not know, but this letter came on the 29th November: "I have received "yours of yesterday, but could not write anything "definite yesterday by day mail. I have had long "conferences with Brice, Lilly, Ruddock, Joe Smith, "Boyle, my brother, Porter, Batten, and Hodges, and "I think all (except perhaps Hodges) approve of the "terms suggested;" that was that Mr. Vanderbyl was to give up the seat, and that Mr. Kinglake was to promise one of our people; promise, mind you, that is all, because it is a different thing from the next compromise, that he would give up in the event of Mr. Vanderbyl failing to fulfil his condition.

38,558. (*Mr. Price.*) Who was it made that proposition on the part of Mr. Kinglake?—It was Mr. Henry Lovibond. There was one besides up with him, who it was I do not know, one of the Liberal lawyers.

38,559. (*Mr. Anstey.*) Mr. Barham perhaps?—I do not think it was.

38,560. Mr. Reed or Mr. Cook?—I could not clearly say.

38,561. They were both in town at different times?—Decidedly. My impression is, if you ask me, that it was Mr. Reed; I am not sure; there were so many came up so often.

38,562. And the banker who advanced the 500*l.*, Mr. Sealy, who was anxious about the money, was there too?—Well, I say it here, and before all Bridgwater men, that the result of all these fightings was Mr. Sealy's personal antipathy to myself. I believe I was petitioned against the first time not so much out of political feeling as from his personal antipathy to myself, and he told gentlemen of this town that as long as he lived I should never represent the place.

38,563. (*Mr. Anstey.*) It is a matter of fact, is not it, that Mr. Sealy is the only layman, as we lawyers say, who come up on that occasion with the lawyers on the Liberal side?—I cannot say. I do not know any others. Mr. Sealy was there I know.

38,564. If he did not come to represent his 500*l.*, what did he come for?—Mr. Kinglake had known him personally for 10 years, and as a very intimate friend, and consequently he might without any 500*l.* have wished to set at rest Mr. Kinglake's difficulties. I must be just to him. "They will give their consent of "course after discussing the pros and cons very much. "Batten and Hodges however say that the Working "Men's Conservative Association will kick tre-"mendously, which of course I quite expected. "Lovibond called on me about 2 p.m. yesterday and "says that Kinglake is quite ready to do his part, "that Vanderbyl has confirmed the negociation of "Friday with Fennelly, and that Nicholls and "Reed and Cook agreed to it. Sealy is from home "and we cannot see him till Tuesday. He doubts "whether J. W. Sully would sign, he is so determined, "but Wilton he thinks would, and the mayor would "accede (he thinks), though not sign. I have "arranged with Lovibond to go London with him on "Wednesday evening (Tavistock at 11.30), and get the "guarantees completed. Will you be at the 'Union' "not later than 11 on Thursday morning, and con-"sider who is to be our friend, W. Hunt, G. Hardy, "S. Northcote, or who else; I do not fancy going to "Spofforth or Noel. I feel that we are embarked in a "delicate and difficult business, but if I do my best and "should get done I cannot help it. I think, however, "we may rely on such of our opponents as we propose "to rely on. Cold still bad, and I have been obliged "to go in for the doctor, who enjoins two or three "days' nursing. Consider and frame a letter from you "to Porter which he may read to the Conservative "Working Men's Association if the treaty should be "carried out, and in the meantime we have thought "it best to proceed with petition, for which we sent "up final instructions after my return." Well, that was on the 29th. I have here a letter, which is the last letter I ever received from my brother-in-law, on this subject, if you will allow me I will read it.

38,565. (*Mr. Price.*) If you think it is material for us?—It is only why I changed so much, you will know in a moment when he says, "I hope you have not "bound yourself to any compromise with such "desperate men." On the receipt of that I sent off a telegram down to Mr. John Trevor, in truth I sent two, but this is one I know, "The proposed compro-"mise perfectly impossible, because illegal; no com-"promise can be entertained; legal opinion goes by "post to-night." I enclosed that letter which I have just read to Mr. James Trevor.

38,566. Had a legal opinion been taken?—No, he was my brother-in-law.

38,567. Judge Dobbs had told you you would be acting illegally?—If I attempted to do anything of the sort in any way whatever. I knew the seat could only be vacated by accepting the Chiltern Hundreds, but I was not aware that there was anything of the sort.

38,568. When once a petition is presented it would have been illegal, but up to the time of its being presented I do not think so?—Well, that was my idea; that this had been presented. Then I got a letter on the 2nd of December from Mr. John Trevor: "My "dear Mr. Westropp—Your letter of 8 p.m. of yester-"day arrived by day mail, and, in my brother's "absence at Stowey, I answer it, giving my opinion, "but I will forward it to him, and you will get his "answer on Thursday morning. I do not think "there is any necessity for your coming here,"—because I had an intention of coming down and staying all night—"for your No. 1 telegram arrived "just in the nick of time, about a quarter of an "hour before a meeting of 20 influential malcon-"tents at my office, and we then fully concurred "in the propriety of going on with the petition, "and on your second telegram arriving before the "meeting broke up I read it to them and they left "fully satisfied with what was doing. My brother is "confined to the house at home, so that he was not at "the meeting yesterday. You will hear from him as "to the petition by this post." Then it was all broken off, and then I got a letter from Mr. James Trevor of the 1st of December. "I still think that the arrange-"ment was feasible, but as our friends (including "Hennett and lots of others) wont have it, I have "written to my agents, Vizard and Co., of 55, Lincoln's "Inn Fields, that you and Mr. Gray will call on them "to-morrow, Wednesday, at 12, to sign it, and I have "written Gray at Great St. Helens to do so. I do "not know his private address, but on a venture I "will send another letter to him, 19 Regent's Park "Road.

"Faithfully,
"James Trevor.

"Do not go to Ireland."

Then on the 4th of December I was very much astonished on Friday evening to find that Mr. John Trevor was in town singly, and I went to the "Tavistock" hotel, and he then asked me to meet Mr. Kinglake personally, and I said, "Really I do not fancy meeting "Mr. Kinglake, I do not want to have anything to do "with him; I would rather not meet him;" but says he, "Do come and see him." I went, and when we went into the place Mr. Kinglake began in a very verbose sort of way to talk nonsense indeed—about how people could be represented with the prime minister. I said, "In what way?" and he said that the lowest people in Bridgwater could talk to the prime minister. I said, "How so?" and he said, "You "know that every representative meets with the "ministers in the lobbies, and you know what private "confabs they have."

38,569. (*Mr. Anstey.*) What was that tending to?—It was merely to fill up; stuffing, just to carry on the conversation.

38,570. If I heard you rightly, what Mr. Kinglake said was this, he was vaunting of the poorest electors of Bridgwater having vicarously, through him, personal conversations with ministers?—I think not as a matter of brag, for something to say. The conversation was flagging, and at last I said, "Come, Mr. Kinglake, if "you want to put this thing to the test," and it was then offered that Mr. Vanderbyl was to go out—that Mr. Kinglake was to give a written engagement—I must tell you this; "Why," I said, "what do you "mean, when is Mr. Vanderbyl to go out?" He would go out so-and-so after Easter. "Well," I said, "Maunday Thursday is the last day. Will you put "down Maunday Thursday?" "Yes," said he "I "will give you a written engagement in the strongest "terms. I will give you a letter which shall be "placed in the hands of anybody you like, that I will "give up my seat in the event of Mr. Vanderbyl not "doing it."

38,571. In the event of Mr. Vanderbyl not having by the arrival of the day which Mr. Disraeli has

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made immortal, vacated his seat?—However, that is it, but Mr. Fennelly has since told me that was not the agreement made, but that either was to go out, and it was to be referred to Mr. Something Drake to decide which was to go out.

38,572. Sir William Drake?—He was Mr. Drake then, and he was to decide which was to go out, and which ever was to be borne harmless, the other was to pay the full expenses of the election. "We did that designedly" said Mr. Fennelly, "because we knew "Mr. Kinglake had not money to do it, and thought "it was practically putting Mr. Vanderbyl in." Now said I, "Was that told to our people, was that part of "the condition told?" "Well," said he, "I do not know, "Mr. John Trevor ought to have known it." I said, "It was never mentioned to me, nor did I believe Mr. "Trevor did know it." However, I said, "Come, "Mr. Kinglake, let us see the test. You know all "this can be thrown over." And I said, "Go down "to Mr. Glyn, and bring me an answer at half-past 4, "and what Mr. Glyn says and thinks I will take." We separated. At half-past 4 I went and said, "Have "you seen Mr. Glyn"?—"Yes, I have," he says; "What did he say to you." Well, said he, just in this manner, "He said, and I said, and I cannot tell you "what he said indeed, but it is perfectly satisfactory "to me." "Well," I said, "Mr. Kinglake, if that is "the thing there is no more about it."

38,573–4. (*Mr. Anstey.*) Do you mean that Mr. Kinglake used the words to you which you have just now said?—Directly, the very words.

38,575. "He said," and without filling up the blank "I said"?—Yes, that is just what he said, "Mr. "Glyn he said, and I said, and he said. In fact I "cannot tell you what he said, but it was perfectly "satisfactory to me." That is the conversation just as it occurred. Well, said I, "Come, this will never "do, it is getting late," and then they pressed me to say whether or not, if the working men were contented with this arrangement with Mr. Glyn, whether I would be contented, and I may add this, you will see upon a piece of the "Union" paper, and consequently it cannot have been written there; I wrote two copies, one I think I gave Mr. Lovibond, and one small bit of paper I took, and when I went to the "Union" I copied it off there straight: "December 4th. Mr. H. Lovi- "bond this day offered a plan for the arrangement of "the election petition. The present plan differs much "from the former one, and is much preferable, in fact "if faithfully fulfilled is not to be objected to. I offer "no opinion on any point connected with it and shall "be guided altogether by the determination of the "association." When I was writing that out, they may have it to show with this latter part, I wrote this down, but I am not very certain whether I added it to the bit of paper they had. "What they approve "I do. To what they say may I refuse my consent?" That was with regard to the compromise. I must tell you that one of the points of this compromise also to have been that the seat so vacated was not to be opposed afterwards whoever was to go in.

38,576. (*Mr. Price.*) Do you mean it was to be safe to a gentleman for that gentleman's life?—For one of us.

38,577. For that gentleman's life?—No, for the parliament; Mr. Gray was to go in, and we had no arrangement between us of money matters; but I was anxious that Mr. Gray should go in. Well, I have not the letters, but I mentioned this to Mr. John Trevor when he came to town. Mr. Barham immediately said, "Oh, that is all very well, that may be, but there will be the opposition," of course you know if there had been anything intended that would have settled the matter at once, because it was an understood thing, there was to be no opposition, and I understood it was not so much Mr. Barham's opinion, as that he represented the feelings of the outside party. I do not believe it was so much his opinion; although Mr. Barham is a fair opponent, he is a very bitter one. Then on the 6th of December I got a letter from Mr. James Trevor, which is very long.

38,578. (*Mr. Price.*) Give us the effect of it?—He says shortly, "We had a meeting at our office from "25 to 30 of the most zealous friends, when my brother "explained the fresh offer of compromise, and you left "themselves in their hands. The meeting agreed to "go on with the petition. That the offer of com- "promise was reasonable, and ought to have been "accepted, as thereby we should in all probability, "though not certainly, have obtained the fond object "of our wishes, to see you our representative, and that, "with good management, for many years to come." He goes on, "The petition must be a considerable expense, and so on," and he says, "That at the meeting it was determined they should go on in every possible way."

38,579. (*Mr. Price.*) Is that the letter acknowledging the receipt of your communication, which you read us a copy of, which you wrote off at the "Union" you said?—No.

38,580. You had sent it down to Mr. Trevor, you said?—Well, I daresay I wrote it then, I am not certain about that. Be that as it may, he knew I was not going to. Then on the memorable 6th of December, which will be always remembered here in Bridgwater, there were meetings and all sorts of things held, and the whole place was in commotion. Now this is the fourth and last attempt, "My brother and Mr. Brice "left here for town this afternoon, and they will be "glad if you could meet them at the Union Club "to-morrow morning (Monday), at 10 o'clock or soon "after, as time presses." With Mr. Brice, Mr. Joe Smith came, and I think Mr. Batten. I do not think they came together, they came up in the same train, and as I afterwards understood from them all the object of it was to try and cause this previous arrangement to be carried out. But on the Sunday the working men had all got together, and at 7 o'clock on the morning of the Monday I was called down stairs to my drawing room to meet, as I thought, only one person, and there were six, and they brought up this with them.

38,581. Who were they?—One gentleman, I am afraid almost to mention him, Mr. Hook. Then there were Mr. Heard, Mr. Best, Harden, and there were two more I know—the two Mr. Trevors were with them, and they brought this up to me, "Bridgwater, "6th December 1866. To Henry Westropp, Esq., "and Charles Gray, Esq. We, the undersigned, "electors of the borough of Bridgwater, hearing that "a compromise is intended to be effected, do hereby "pledge ourselves that in case of you or any other "Conservative putting up for this borough we intend, "and you may take it for granted that we shall not "support you. We do not intend this as a threat, "but we are earnest. Our watchwords are, 'No "compromise, no surrender,'" and that was signed. Mr. Brice afterwards wrote me word, I think, by 270.

38,582. (*Mr. Price.*) Did any of those who signed that happen to be some of the 37 of the Conservative Working Men's Association who voted dead against you?—I never looked over it, to tell you the truth. However, that put an end to the business; and we presented the petition.

38,583. That stopped in point of fact the last negotiation?—That stopped that part of it. We presented the petition, and on the 24th December I got a letter from Mr. Trevor to say: "My dear Mr. Westropp—I "have reason to believe it possible on a special case "for the opinion of the court on a point of law to cut "down enough votes to unseat V. and seat you, and "so gain one seat only. Let me hear by return of "post whether you would entertain such a proposition, "and if so, I would come to town on Monday even- "ing, and confer with you and counsel on Tuesday "morning on the feasibility and possibility of doing "this without prejudicing our other case in the

" event of our failing on the special case. If it " succeeded——

38,584. (*Mr. Price.*) Did you ever learn what was their point of law ?—Well, I did.

38,585. What was it ?—I recollect that I am speaking to three legal gentlemen, therefore if I make a blunder, you will pardon me. It appears by the last Act of Parliament it is recited——

38,586. It was compounded, I understand ?—Yes, you are fully aware——

38,587. (*Mr. Anstey.*) Will you finish that sentence you were reading, "If it succeeded—— ?—"If it " succeeded, the proceeding with the petition would " not be worth while, so Mr. Gray must be consulted." That would not have suited me at all, for I wanted Mr. Gray to go in if there was to be but one, and I assure you it was not for money, there was no arrangement for money, and I was to receive no money or anything. Mr. James Trevor, indeed, long before told me that there had been an offer made, by Mr. Vanderbyl I suppose, to know whether or not the paying of money, legal expenses liberally, would at all turn me from my purpose. "I wish to hear from you by " return of post whether you entertain the idea that " your positive determination or conference with Mr. " Gray may be delayed till Saturday's post. Do not " mention the subject to anybody at Bridgwater and " address me here. Much haste. Yours truly, James " Trevor. It is important if this course is set about, " it should be done before the hearing of our case is " fixed." That is the 24th December. The petition would have to be filed long before that ?—Yes.

38,588. Did your professional advisers inform you to carry through a compromise after the filing of the petition it would be necessary for some one to make out that there was no condition with the other side ?—Yes, I heard it was necessary that some one should.

38,589. How did they suggest that difficulty should be got over ?—I know nothing about it ; I had no conversation on the subject in any way.

38,590. (*Mr. Price.*) I suppose the probability is that they thought they might get rid of the opposition if the *bonâ fide* decision of the Court of Common Pleas had been taken, and had been in your favour ?—This Wembdon business would never have carried off a sufficient number of voters to seat me, and it was to be supplemented by cases of bribery to be supplied us, and I said the moment I heard it, "It is all very well, but every one of those " men who is accused of bribery must have his " counsel and defend himself, and therefore, unless " the whole thing is decided on one point of law, this " case is impracticable." Then I went to see Mr. Gray, and this is dated from the place at St. Helen's. " My dear Mr. Trevor,—I have seen this morning Mr. " Gray. He and I am fearful that in the proposal " which you made some sort of compromise may lurk. " If so, we would not accede to it without a compro- " mise of our own honour with those who come up " to town, and to whom we feel pledged to prosecute " the petition, unless they be consenting parties. If " there be no idea of a compromise with the other " side. The argument as to the votes is worthy of " being entertained, and if such should be the case, we " must see if it can be brought before the court with- " out prejudice to our grand case. If you have no " objection, state to us in perfect confidence what the " actual meaning of your proposition is, to what it " would tend, and what, if anything, is expected from " us." I sent that down to Mr. James Trevor, and he wrote me back word on the 28th December : "My " dear Mr. Westropp,—As it seems from yours of " yesterday that you and Mr. Gray consider your- " selves bound to consult those who come to town on " any course to be adopted in reference to the petition, " it is useless for me to enter into the subject on " which I wrote to you, and I certainly could not " explain it except on a personal interview." I then wrote to him afterwards : " My dear Mr. Trevor,— " You know as well as I both the difficulties in any- " thing like a compromise, and the reasons why I " could not even entertain the idea of it without the " consent of the Working Men's Association. I think, " however, on the present proposition, it is a *modus* " *operandi* which may be fairly stated as attendant " on the petition, and as it leaves open the question of " the petition, which can be carried on still, certainly " cannot be in any manner called a compromise. I " therefore think that you had better run up on " Monday evening," and so on ; that is the sense of it, but the whole gist of it was, that I would not enter into it after having pledged my honour the morning after the election, that if I caught them tripping I would go at them, and after repeated promises I had made, no consideration on earth would have made me accept any proposition without the consent of the Conservative working men who supported me, for I am sorry to say there was some little idea before the election that I relied a great deal too much on the Conservative Working Men's Association, and that I overestimated my influence with them. I told both Mr. Trevor and Mr. Brice I thought they were deceived, and I believed the people would stick to me, and they did.

38,591. (*Mr. Anstey.*) Was that the only conversation you had with Mr. Kinglake, the one you have spoken to a little while ago ?—The only one.

31,592. I wish to know before passing on, when he was holding that tall talk about the meanest man having vicariously an interview with the prime minister every time his representative talked to him in the lobby, and so forth, did he at the same time tell you that he felt he had not been guilty, either vicariously or purposely, of corrupt practices at the last election, and was under no fear that they were going to unseat him ?—He did not mention it.

38,593. Not a word ?—Not a word.

38,594. He stated nothing therefore to the effect of that which he stated before Mr. Justice Blackburn when he was examined ?—Oh, certainly not.

38,595. (*Mr. Price.*) That he had nothing to fear ?—No, he never said it.

38,596. It would be rather more germane to the question ?—When the whole thing broke up, I said to Mr. Henry Lovibond, " I do not care what the result " is, I will go on with it." And he said, " You will " sink the ship, sir."

38,597. What did he speak of ?—Carrying on the petition.

38,598. (*Mr. Anstey.*) Your own ship ?—No ; that I would sink the borough if I carried on the petition.

38,599. Was Mr. Kinglake present when that was said ?—No. Now I must mention to you something ; they were going on perfectly easily ; they were rather prosperous than otherwise. Mr. James Trevor walked in one morning to Mr. Gray, and brought in our brief, which had become opened in its transmission to London and had been delivered opened, or rather the pages put together. It appears that the large envelope in which it was had rubbed against something, and the brief had come out. I can only say that the brief coming out of that had the most extraordinary effect of anything I ever knew, because from that moment their tone altered very considerably, and I do not think Mr. Brice, but Mr. James Trevor, I think, told me that Mr. Lovibond had said to him, "Pooh, you have two cases of bribery, and " you cannot prove agency." Now at that time our cases of agency were very slight indeed—so much so that Mr. Gray and I had a very serious consultation if it would not be better to abandon the petition, and in consequence of finding it so very, very slight, and that there was perhaps not altogether so much zeal displayed in carrying on the petition as there ought to have been, I came down here, and in a couple of days satisfied myself we were drifting to leeward altogether, and Mr. Brice suggested to me, "I know," said he "a very good man in London. He is the " common law clerk of my correspondent, and if you

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"get him down I think he will set the business right," and we did.

(*Mr. Price.*) Who was that?

(*Mr. Brice.*) The managing common law clerk, Mr. Feeland, of my agents, Messrs. Dynes and Harvey.

(*The witness.*) He mentioned the name of some person who communicated to me and told me exactly the way in which things were going on here. He told me how they were being neglected, and on that I came down here, and, as I told you, two or three days he set the matter right with Mr. Brice's help. I will say for Mr. Brice that no man in the world displayed greater zeal at the election petition than he. However, we got it right. Mr. Collins' opinion I have since read, two or three days ago, and it was in common phrase, if we did so and so the result would be so and so, but that is the case with which they in some mysterious way became acquainted.

38,600. Had the brief been put back again into the envelope?—Yes, and a piece of paper put over it.

38,601. (*Mr. Coleridge.*) It must have been tampered with at the post office?—I do not say it was tampered with.

(*Mr. Price.*) Evidently to some extent in the transmission it had become undone.

38,602. (*Mr. Coleridge.*) And its contents had become known?—I do not say it was in that way, but some bird of the air had carried it, there is not a shadow of a doubt of that; and mind you, as Mr. Brice can tell you, he had occasion subsequently to bring up the postmaster and speak very seriously to him about it, and in fact he made a talk about it. However, they changed in a moment.

38,603. (*Mr. Price.*) They took the high line?—Thep went the high horse altogether.

38,604. Have you any doubt that up to that time if you had been ready to accede to one or more of these negotiations upon the terms that were offered, that apart from whether there had been a contest got up contrary to their desire, you could have so settled the matter?—I think it is very likely indeed. It was a regular drawn blind.

38,605. (*Mr. Anstey.*) I do not understand the effect of the disclosures that come out from the contents of the briefs. Do you mean that whereas being before depressed they become elated?—Quite so.

38,606. Before they were depressed?—They were depressed before the accident took place at the post office.

38,607. What is there in this brief that should elate them? I should have thought the reverse?—Pardon me, the proofs of agency were so very weak.

38,608. Not certainly in the brief as delivered?—Certainly not, but that all came to be strengthened.

38,609. This was before Feeland came down?—Yes, after I had been down here, and with Mr. Brice and his friends they were got together.

38,610. Then after that it went on to the trial?—It went on. This letter (*producing it*) is merely to say Mr. Gray was quite willing to do everything.

(*Mr. Coleridge.*) Then you got to trial. I hardly know but little of that, of course, by hearsay. I heard various rumours that they were only too anxious to give a case; but I know one case supposed to be a friendly case; whether it was or not, it came from the opposite party, and I know it was the toughest case Mr. Serjeant Parry had to manage; that is the ex-secretary of the Reform Association here, of the name of Bowden. I understood, how I really cannot tell you, that his was a sort of case that was done in order to allow us to win; in fact that it might give the man opportunity; but all I know is he was the toughest man Serjeant Parry had to deal with.

38,611. (*Mr. Price.*) Do you mean to say they wanted the thing done up so soon?—It was reported so. I was not communicated with by any person.

38,612. That is the opinion you entertained?—That is the opinion I entertain at this moment.

38,613. That there was a desire to get the thing as soon as possible over?—Yes.

38,614. (*Mr. Coleridge.*) Were you present during the whole trial?—Except the opening part. I was not here on Tuesday, but on the Wednesday I was, to the end of it.

38,615. (*Mr. Anstey.*) How do you connect that with Bowden?—Because Bowden's was the case, and I rather think in some way there was—as I told you this is merely my own idea—but in some way it was suggested that he should be subpœnaed.

38,616. Suggested to your people?—Suggested to our people. I do not know any person.

38,617. And that was the object of so doing; it would have finished the thing at once?—Yes.

38,618. He appears to have been a very reluctant witness?—Yes.

38,619. I gather that from the intercallations to the effect that "the witness hesitated," and "made no answer," and so forth?—He was a very unwilling witness indeed.

38,620. (*Mr. Price.*) It was really calling a witness from the enemy's camp and taking the chance of what you could get out of him?—Yes, exactly; but I expected he would have said more.

38,621. (*Mr. Coleridge.*) That he would have fallen into the little arrangement made?—Well, perhaps so. Now this is a thing that may amuse you; when I was unseated, and let everybody in Bridgwater hear it, they were so very pure after turning me out, and mind you the reason that Shelley did not spend money was because he had not it, because before I came down a very intimate friend came up and says he, "Don't you be afraid."

38,622. (*Mr. Price.*) We all know he was represented as being a rich man, but was not?—But just a little before I was unseated the Liberals sent out a hand bill: "The time has come to break up the un-
"manly, the wicked practice of bribery that has been
"carried on in Bridgewater; a practice full of evil,
"for the money you had for your votes did no good.
"It was dirty money, for it sold your peace of mind
"and your independence, and it was the means of
"bringing many to dissipation and to idleness.

"Those who are implicated will have to appear
"before the Committee of the House of Commons.
"God will know if you speak the truth. Add not
"the sin of perjury to the sin of bribery. Make a
"clean breast of it, although those who bribed you
"and dragged you into the mess may tamper with
"you and beg you to shield them from the con-
"sequences of their wickedness." And yet with Mr.
"Bagehot and Mr. Vanderbyl it was within two months of that time that they published that; nay, more than that, there never would have been a shilling spent for Mr. Patton's first election had it not been given out in a manner not to be disputed about the intention that Mr. Bagehot had to spend money, and I have reason to believe—I will mention the source that you may take it for what you think it is worth—young Bealey Smith told me that a spy of his was in the same carriage with the men who brought the money from the bank. I forget where it is now, Bagehot's bank, and also that 4,000*l.* would cover that election.

38,623. (*Mr. Anstey.*) What was the name of the spy?—I do not know. He merely mentioned "the spy."

38,624. That reminds me again, I did not stop you when making a statement on another point, but incidentally you mentioned something I wish to ask you about; you said you knew, while these efforts at compromise were going on, Mr. Kinglake had no money. The question was about Mr. Vanderbyl applying for the Chiltern Hundreds, or Mr. Kinglake, and you said that one of the elements you had of forming a judgment was your knowledge that he had no money?—Pardon me, you misunderstood me. It was Mr. Vanderbyl who said we knew Mr. Kinglake had no money, and consequently it was practically seating Mr. Vanderbyl.

38,625. Was that in your presence?—He said it to me in the carriage that night.

38,626. I thought it was said at the meeting at

which you were present?—No, it was afterwards; the effect of the compromise.

38,627. Do you know whether either Mr. Kinglake, the late member, against whom you petitioned, and who was unseated for very great bribery, or his family, had the means of raising a large sum of money, which was raised for the purpose of being spent here at the last election?—I am quite unacquainted with Mr. Kinglake's private resources.

38,628. Mr. Vanderbyl stated he knew he had no money?—Mr. Fennelly told me that he said when they made the offer he accompanied that with a rider that whichever gave up he was to be borne harmless, and the man who gained the seat was to pay all the costs of the past election, and he said that was practically seating Mr. Vanderbyl, because he knew that Mr. Kinglake had not money to do it.

38,629. I do not know whether you have anything further to say?—No. There are some letters. I hope I have cleared up what John Smith alleged, and two or three things affecting my character.

38,630. (*Mr. Price.*) There is no occasion to defend yourself against John Smith. In case anything should require explanation you will probably not be gone to-morrow?—No, I shall be here.

Adjourned to to-morrow at half-past 10 o'clock.

THIRTY-EIGHTH DAY.

Friday, 8th October 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
HENRY FRANCIS PURCELL, Esq., Secretary.

HENRY WESTROPP, Esq., recalled.

(*The witness.*) I have a communication to make to you. I saw Mr. Gray on my return to town the day before yesterday, and he appeared very distressed at its being supposed that he had in any way, by writing or otherwise, given any sanction to money being spent on our side at the last election. If you will allow me to say so much for myself on the word "proclivity" which he used, he is very constantly in the habit of using it, and whenever I see him, which is very often, there is hardly a day that he does not make use of that word. I have often said to him, "Why bring in those wretched Yankeeisms." I drafted out for him his address.

38,631. (*Mr. Coleridge.*) Probably you agree, as you drafted it with what I put to him, that it might mean anything?—I drafted out the address, but I should not have known the production afterwards.

38,632. It was not the same that you drafted?—Certainly not.

38,633. Because his address as it appeared and was read out here might have meant either Whig, Radical, Tory, Socialist, or anything you like?—You see by the way I express myself in my address what it was, because it was the same with only a few words changed.

38,634. It must have struck you as rather remarkable that he should produce an address not only in itself inexplicable, but that he offered it to a man to alter in any way he thought would fit the proclivities of this borough?—He was very foolish in that. I have written a good many addresses for this town, and I never allowed a single word of my address to be altered without my permission.

38,635. Not only did he write this, which might mean anything or everything, or nothing, but that he should have sent it to a man like Mr. Lilly and told him to alter it to fit the proclivities of the town.

(*Mr. Anstey.*) Sent it to a mere auctioneer, and told him that he might put in any principles.

38,636. (*Mr. Coleridge.*) Anything to suit the place?—I do not know anything about that, and I cannot help thinking that he ought not to have entrusted anybody, because I never did in my life, or allowed anybody.

38,637. Mr. Gray cannot complain of the fact of there being rather strong comments made on that address?—I only wish to say what my own opinion is; and I also wish to state to you in the most unequivocal manner, that this letter has not been sent to me by any prearranged plan.

38,638. What is the letter?—Received by me this morning, and you may judge he was in a rather queer state of mind to put three stamps on when one would have done.

38,639. Perhaps his evidence was given in the same frame of mind when he was here the other day?—He is usually a clear, hard-headed man, and I was perfectly astounded with the evidence he gave.

38,640. (*Mr. Coleridge.*) You may read that letter—"My dear Mr. Westropp,—I do not like to trouble you "because you have enough to think of in your own "matters, but I find so much dissatisfaction among my "friends at the proceedings of Monday last, that "I must hit upon some plan to relieve myself of the "stigma——"

38,641. That is not a very collected expression, hitting on a plan to get out of what he has already sworn?—Then you see——

38,642. Well, go on (*valeat quantum*)?—"Two "courses suggest themselves, either to write an ex- "planation requesting the secretary to place it before "the Commissioners, or to write a letter requesting "them to interrogate G. Parker and some others who "heard me repeatedly express my determination to "fight only on pure principles, and to ask you whether "you did not know my intention to retire rather than "be committed to the contrary, and had not since

"stated that it was chiefly owing to my firmness that "our hands were kept clean."

38,643. That does not say much for your part in the matter?—I only give you the letter as it is. Allow me to say this, that Mr. Gray was subjected very often to very great pressure about spending money. I cannot say that any individual person pressed him, but there was a sort of atmospheric pressure if I may say so—people say so-and-so—"Oh yes, promises are nothing, something more is needful," and all that sort of thing.

38,644. But, then, were there promises?—No; I say without actually saying promises were to be made or anything in that way. "I think in a case of this kind, "where character is attacked, one must not be over "nice in protecting themselves, but you may suggest "some other plan, perhaps by volunteering a state-"ment, which will answer the same purpose. I hope "to have good news of you to-morrow." I give you the letter; it came this morning.

38,645. I must say that Mr. Gray's evidence is eminently more satisfactory than this letter, which asks you to hit on a plan to explain away what he has sworn on oath?—It was not me.

38,646. Yes, he says you may suggest a plan?—I give you the letter just as it came this morning.

38,647. You are quite right, but I do not think it says much for his idea how evidence is to be given if he thinks it is to be explained away vicariously?—I only give you the letter.

38,648. Now there are one or two questions I want to ask about that transfer of money. Did it never occur to you (I was sorry I did not ask Mrs. Westropp) when she signed with her maiden name she was committing forgery?—I cannot say anything about that; it may be illegal, but it was invested originally in her own name.

38,649. It occurs to me as an extraordinary transaction that any stock broker of respectability should enter into an engagement of that sort, for in reality he was vouching a woman to be Miss Stockwood who was Mrs. Westropp?—He did not know anything about her.

38,650. He knew that Mrs. Westropp was a married woman?—No, not at that time.

38,651. (*Mr. Anstey.*) Was the bond in 1853 given her in her maiden name or her married name?—Her married name.

38,652. (*Mr. Coleridge.*) That makes it the more strange?—How was he to know of the bond? He did not know that bond was in existence.

38,653. (*Mr. Price.*) Is this the sort of way in which it was done (we must have the broker here): she should go and instruct the broker to invest a sum of money in her maiden name?—Yes.

38,654. (*Mr. Coleridge.*) Then you say you gave her a bond for 150*l.* a year redeemable?—By paying 1,500*l.*

38,655. You bought it back by paying 1,500*l.*?—Yes.

38,656. How did you give her the 1,500*l.*?—I sent it from Ireland. I think it was by the Bank of Ireland.

38,657. Was it by bank post bill, or cheque, or what?—No, certainly not. I never had an account in Ireland.

38,658. Was it a bank post bill or not?—Bank post bill, I think, as near as I can recollect.

38,659. That would have to be endorsed by her?—That would have to be endorsed by her.

38,660. In her maiden or married name?—Certainly not her married name, because it was sent to her in her maiden name. The fact is, I wanted her to have the money that she might do what she liked with it without reference to electioneering.

38,661. You say the broker did not know that she was married?—No.

38,662. Do you know how she got introduced to him?—I know perfectly well.

38,663. How was that?—I wrote to my tailor in London if he would give me the name of a respectable stockbroker, and he gave me the name of his own, and a letter of introduction, not to any person by name, but to the bearer.

(*Mr. Coleridge.*) That accounts for it.

38,664. (*Mr. Anstey.*) I want to ask you a few questions about your part in the election of 1865. Did you go about with Mr. Bealy Smith in doing the election business at the time of the election; that is to say, go and occasionally look up a voter, and all that kind of thing?—Did Mr. Bealy Smith canvass with me?

38,665. Yes; but what they call canvassing here—a useless sort of thing it appears to me—when you all go in a body, but I mean more particularly as to election politics?—Certainly not, if you mean a private visit to any person, or anything in that way, I never did.

38,666. Was there a meeting held every night during the period of your stay here?—Certainly not every night; there were occasional meetings; there was one in this hall, at which there was a very great row, and I think there were two or three meetings, I am not very certain, at the "Clarence" rooms, but I do not think any other meeting that I am aware of; certainly not.

38,667. Not perhaps public meetings?—Or private meetings, directly or indirectly. I do not know of any private meetings.

38,668. Were you present at those two meetings you speak of?—At the public meetings?

38,669. Yes?—Yes.

38,670. And if there were any private meetings of a few score of voters?—Certainly not, that never took place; I never was at any of them.

38,671. Then you canvassed and attended these two meetings, and if voters came up to you, and spoke to you in the street when you were not engaged in that canvass, you, I suppose, allowed them to speak to you?—I merely spoke to them in the way of just saluting them, as I have been saluting every person for years. They may have said, "I shall support you," or something of that sort.

38,672. You had been for years nourishing the borough?—Well, it is a name that has been given to it.

38,673. I am quoting from your evidence?—Well, I do not recede from the word.

38,674. You know the class of persons who were the recipients of your bounty during those years?—All classes I assure you.

38,675. Except, I suppose, gentlemen in broadcloth; they did not receive money from you during those years in the street?—I never gave a fraction in the street.

38,676. One witness, who praised you for your liberality, says that you gave freely in the street, and he cautioned you not to?—He tells what is certainly not the fact.

38,677. How used you to give it, then?—They used to write that they were in great distress, and one thing and another, and it was generally cheques, and oftentimes through the post office. There never was any concealment; never.

38,678. No concealment; but it was done in such a way as to make you perfectly aware of the class of persons who were looking to your bounty and receiving it?—There were a great many persons applied to me for their charities, and that was as much as anything else.

38,679. During the—I will not call it your canvass, but the period preliminary to the election and immediately preceding it by some days and weeks, did any of those people you had been in the habit of relieving,

or any of them, come up to you and speak to you in the street?—Really I cannot say whether they did or not, but in this way I can answer: there were persons in Bridgwater whom I was habitually in the habit of relieving, that is regularly, particular persons, with the exception of one man I gave a pension to, and that was subsequent to the election. He had been a pensioner, and had been induced by the Government to go to Canada, and they took away his pension, giving him land, and he found he could not work it.

38,680. You were during that period between 1859 and 1865 living at Bayswater, were you?—No, by Chiswick Mall.

38,681. It is not with a view of inquiring into your domestic expenditure, but is it not a fact that Bridgwater is the only borough you have favoured with your bounties?—Decidedly.

38,682. Then you have no hesitation, I suppose, in saying it was done for the purpose of creating and keeping alive your political interest in this borough?—Decidedly.

38,683. I ask you, because I wish to see whether you concur in the view which Mr. Brogden has taken of some liberality. I see you do not. You do not concur in this, do you: "It was not the mere giving "of money, for that was only a part of the duty; but "it was the continual anxiety and care that the "money should be well applied, that the objects "which they knew to be well deserving should be "recipients of the charity. He knew that this feeling "pervaded them, as was witnessed by the self-"devotion and self-denial which had already charac-"terized them. He felt no anxiety for the future of "the institution. They must remember that amidst "the many engagements, the many struggles, and "trials of life, they could only do a certain amount of "good in their own day; and it was better for them, "laying their hands to the work whilst they had "health and were permitted to do it, to let their "charity be widely spread, and their efforts for the "alleviation of the suffering and for the addition to "the comforts of their fellow-townsmen be experienced "now. He would conclude by saying:

> 'The hours that fly so fast—
> A burden and a curse when unemployed,
> But to the wise how precious! Every day
> A little life—a blank to be inscribed
> With gentle deeds—such as in after time
> Console, rejoice whene'er we turn the leaf
> To read them.'"

Mr. Brogden having given that account of his own charities since he was examined was sent up to London with a suitable reproof, I thought it due to you to ask you whether you concur in that mode of presenting it?—Certainly not. I can assure you that the money I gave in this town was given without any reference to my seat. It was given certainly to cause a favourable impression, but a very large portion of it went in the way of charities. I gave 25*l.* to the School of Art every year; I gave 25*l.* to the races; I gave 15*l.* to a literary institution, and I do not believe in that institution there were three men of my own party; they were everyone Radicals.

38,684. (*Mr. Coleridge.*) I believe it is the uniform custom for members to subscribe to races?—Certainly.

38,685. (*Mr. Anstey.*) But it is not the universal custom for persons who are not members?—Yes; but recollect I was a candidate.

38,686. You were not member?—No.

38,687. The universal custom suggested to you was no excuse in your case?—No; but this I feel certain, that fully a third of the money I expended every year, deducting from it those sums I have mentioned, went to persons who were not voters at all; they went to old women—widows.

38,688. (*Mr. Price.*) Godchildren?—No, I do not mean for one moment to deny it was as a sort of standard erected against the Tynte interest, which was very much carried on in that way; but to say it was done in specific cases, that those persons were afterwards to support me, I deny it fully.

38,689. It was done rather in anticipation of the contest. Colonel Tynte did the same sort of thing on a larger scale?—Exactly; he canvassed, as was said, from the 1st of January to the 31st of December.

38,690. (*Mr. Anstey.*) In the case of members do you mean to pledge your oath that it is the custom for persons to give subscriptions towards that depraved practice?—You will not ask me to give the name, but I know a Liberal member, a very good man, told me not very long ago that he spent a very large sum yearly in his borough, and he told me—I do not think anybody thinks that I attempt to and never gave a shilling in bribery.

38,691–4. (*Mr. Price.*) I am not aware of any boroughs, and I know a good many in which the members are not called upon to subscribe over and over again to all the charities, to concerts, balls, and every species of things by which his purse can be milked?—I am perfectly certain of it.

(*Mr. Anstey.*) I do not ask whether members are called upon to do it or not, but will you pledge your oath that every member is so corrupt as to answer such a call. If we are on personal status I never did, and never lost a single vote, and Mr. Roebuck never did, and never lost a single vote by not doing it, and many other honorable members.

38,695. (*Witness.*) If you mean to ask me whether I agree in the propriety of doing it, I am perfectly of your opinion that they ought not to be done, but I am simply speaking now as to what has been the custom. I assure you I am as fully opposed to corrupt practices or corrupt things as you are.

38,696. (*Mr. Coleridge.*) I think all members of Parliament would agree with you as fully as I do; the question is, could they do without it?—That is it, and I hope they may.

38,697. (*Mr. Anstey.*) Do you mean to say that you hope members of Parliament may do without corrupt practices. If they do not they must submit to imprisonment and hard labour?—It was in answer to Mr. Coleridge's question.

38,698. (*Mr. Coleridge.*) My question was whether they could do without it?—And with regard to influencing voters I may take the opportunity of saying it before the people who, as I say, I look upon as my own townsmen, I believe that a firm of this town, where the least pressure is put upon them, and one to which belongs a gentleman who unfortunately fell under your displeasure, and I think he was not treated in any way more than his conduct deserved, and he ought to apologize to you, but I think Messrs. Symmons and Colthurst exercise less pressure than any firm in this town; the firm used that influence which an employer of labour, to say the least of it, possesses over his men. When our canvass was over this last time Mr. Gray and I were passing to take a walk along by the river, and there were two men at Barham's yard, and they said they would vote for us. I said "There are two votes gained that could hardly have been expected." And we went on, and going by Messrs. Symmons we were called in, and certainly four, and I think five, men unsolicited told us they were ready to vote. I said, "How can you do this?" I believe fully they are the least, I have no hesitation in saying, from all I heard in my canvass through the town, Mr. Sully is as tyrannical as any man; he uses the power that he has. I say it advisedly, because over and over again people have told me that they would vote but dare not do it. He does not directly say to them, "I will turn you out;" not a bit, but they know, as in the case of Luckes.

38,699. (*Mr. Anstey.*) I ask you about the meetings which you attended; were there meetings which you took good care not to attend, meetings of your friends?—Not to my knowledge.

THIRTY-EIGHTH DAY.

H. Westropp, Esq.

8 Oct. 1869.

38,700. That is what I mean?—Not to my knowledge.

38,701. Did you studiously avoid attending meetings, certain meetings?—I studiously avoided. Mr. Powell asked me whether I knew there were committee rooms I never attended, and studiously avoided them during my election in 1865.

38,702. Did you avoid attending any particular description of meetings of your friends?—Certainly not.

38,703. Did you studiously avoid attending any committees of your friends?—I studiously avoided going near any place where a flag was put out of the window.

38,704. Where there were meetings?—There might have been meetings.

38,705. Or committees?—I did not know there was a committee.

38,706. Never mind that. Why did you avoid them?—Because I saw the flags stuck up at the committee rooms, and of course I was warned. It is like putting the snare in sight of the bird. I said, "I will take care not to go inside of those places." I never acknowledged those places. I knew nothing about them, and I certainly would not know about any place where that insignia was put out.

38,707. I do not understand you. You attended a meeting here for instance, which you say was a noisy meeting?—It was a meeting of the general electors. It was a meeting not of our own party, but the electors.

38,708. You attended that meeting?—Yes.

38,709. Without considering whether you recognised it or not, I suppose, or whether you compromized yourself or not?—But it was a meeting of the electors.

38,710. And you attended another meeting at the "Clarence" hotel?—Of our own.

38,711. You did not consider that by going there you compromised yourself?—Certainly not.

38,712. Then why should you have compromised yourself by going to the houses taken by your friends, with your colors hung up?—I did not catch the question.

38,713. Why should you have compromised yourself by attending to your friends in houses taken by those in your interest, and who were, to your knowledge, men who were to be got together or instructed to vote?—For the very simple reason, that one was a general meeting; it was a general meeting in one case, where all my friends came to, and the other where the general townsmen came. If I had gone to a place where it was put up "Committee," and "Committee means a number of people who are your "particular friends, who meet, and who do certain "acts for you;" if I had gone to such a place I should have recognized their acts.

38,714. How was it you did not go to them?—How could I tell that they were doing anything for me.

38,715. In other words, you had reason to suspect that acts would be done by some of the people which might imperil your election?—I had no reason to fear or suspect it; to fear—yes, but to suspect it I did not. But of course no person of any care or prudence would go into any place where deeds might be done which afterwards would compromise him. I had no especial reason for supposing that they would be done, but we all know that when people get together in the heat of an election things are done and said which, perhaps, they would not do and say in cooler moments.

38,716. Did you not, in other words, take very good care to know nothing of what was done by people of that description at your election?—I took no especial care, but nobody ever came near me; and I believe truly that the reason of that was that Mr. Bealy Smith, as I said yesterday, was an exceedingly able man, and a very reticent man, and I believe in my heart that he did the whole work of that election single-handed.

38,717. This is what you told the committee, and you are led to it by your counsel, Mr. Sleigh: "During "the whole of the election did you engage or visit any "room which has been called a 'committee room' by "the witnesses here to-day?—On the contrary, I "studiously avoided going into any place of meeting "or of committee, or in any way connected with the "election"?—Oh, well, that was always understood in a private sense, for, as I told you, I was at public meetings, undoubtedly.

38,718. And places connected with the election?—They were not places connected with the election. They were not always connected with the election.

38,719. Then you are asked with reference to the flags, wherever it happened to you to see a flag, and your answer is, "I know there was a committee room, "for I have seen a flag there. I must have been blind "if I had not seen the flag. Did you immediately "order that flag to be taken down?—No, I had nothing "to do with it." Now, who had the conduct of the flag business, the hanging out the flags from the windows, and the taking of those rooms called "committee rooms"?—I know nothing of that whatever. I never had any communication with any person. At the time of the election Mr. Bealy Smith was my election agent, and he did the work rather in a mild sort of way, for he took the conduct of the election, I may say, more by inference than anything else; and the only time I had occasion to say anything to him was on the occasion of the address of Mr. Kinglake.

38,720. Did it never occur to you to inquire of him—in whose hands you had so placed yourself, or any other agent of yours, any other person who would fix you with "agency," as it is called—as to who was concerned either in the taking of these rooms, in the hanging out of the flags, or the transacting of the business which was transacted?—I never asked him about it. I never spoke a word to him on any subject during the election time (it was a very strange thing) except as to the affair with Mr. Edwards, and many other facts of this sort which are publicly known. I never had a private conference with him in my life.

38,721. You were continually in the streets?—Yes.

38,722. And you saw those flags very frequently?—No, not frequently. One was in St. Mary Street, and the other in St. John Street.

38,723. And there was a central committee room?—I am not aware that there were any flags flying anywhere else.

38,724. I will read to you what you say about it. You were asked about the great placard, with the words, "Westropp's Central Committee Room" on it; and then you answered thus: "I know there was a "committee room, for I have seen a flag there"?—Yes; there were two flags, because there was a flag in Eastover, and a flag in St. Mary Street.

38,725. What reason can you suggest for having studiously avoided asking such a necessary question (as it would appear to me, or to any person seeking to be elected on purity principles) of Mr. Bealy Smith as this: "Who are the people who are up in these "rooms, and call themselves my committee? Who "are the people who are acting for me, and under my "name—under the name of 'Westropp'? Are you "one of them? Is there anybody amongst them who "has actually involved me, according to the law of "principal and agent?" Do you mean to say you never asked any of those questions?—Really I never did.

38,726. Why did you not?—For the reason that I never asked any question about the election of anybody. I am certain you would never have done so, because you would have known the consequences.

38,727. I have already told you not to talk about myself. I have told you I never would have anything to do with a single committee room unless I was master of it. Is it true you never asked him nor anybody else as to who were the people who were concerned in any of the committees?—Certainly.

38,728. Then you were asked, "Did it occur to your "mind who the committees might be who were occu- "pying these committee rooms?—(*Answer.*) No; I "never troubled my head in the least degree about it." Is that true?—Quite. My sole business, as I imagined, was to go through what was necessary; that is to say, the (in my view) unmeaning and unnecessary process of the canvass. I was at it 12 or 14 days.

38,729. Then you are asked, and you do not answer it, "Perhaps you took care not to ask?" and you made no answer to it. I ask you now, and I expect you to answer the question, "Did you take care not to ask any of those questions I suggested?"—No, certainly not; I took no care in the business.

38,730. What do you mean by saying you avoided going into these places, if you took no care?—It was put up that it was a committee room, and I said, "Of "course if there should be a committee room, I am "not going in any way to interfere with them; I am "not going to identify myself with them in any "way."

38,731. That is what I am bringing you to. Is not this your reason, that nothing should take place which would give people afterwards the right to say they were your agents?—Oh, decidedly. I decidedly avoided going near any place that could in any way compromise me whatever.

(*Mr. Price.*) I understood you to say so before.

38,732. (*Mr. Anstey.*) I did not understand you to say so before?—What I said was this: I saw a flag up; that I was to infer from that that there were persons who met there, and I did not choose to identify myself in any way with any persons who took upon themselves to manage or do anything at an election. Supposing they were a self-constituted body—supposing there were even a committee appointed by me, and another committee chose to appoint themselves, and put this placard up, calling themselves a committee, was I obliged to go and identify myself with them?

38,733. (*Mr. Coleridge.*) In fact, you were looking at it in the light of your previous experience at elections?—Decidedly. I kept quite clear of everything of that sort.

38,734. When you were first introduced to this borough by Mr. Spofforth——?—I do not think it was Mr. Spofforth, but Sir Frederick Slade.

38,735. Well, Sir Frederick Slade. Did you have any conversation with Colonel Taylor about the borough?—I did not know Colonel Taylor at all then; I had no idea of him.

38,736. Before the last election, did you have any conversation with him?—This last election?

38,737. Yes?—Not the least in the world.

38,738. Or Mr. Gerald Noel?—I do not think I had. I should recollect it, I think, if I had.

38,739. Or Mr. Disraeli's private secretary, Mr. Corrie?—Certainly not. I do not know him. I have never identified myself with anybody.

38,740. Have you had any assistance from the party in the way of money at all?—Directly or indirectly, I never had a sixpence from anybody, with the exception of the 1,500*l.* my wife spent.

38,741. I mean you never had any money from Colonel Taylor, or Mr. Gerald Noel, or Mr. Corrie, or Mr. Spofforth, or anybody else?—Not a fraction.

38,742. (*Mr. Anstey.*) You told us so yesterday?—That is what I was just going to allude to yesterday, that Mr. Lovibond, in his statement, said that it was supposed I was the distributor of the money.

38,743. (*Mr. Price.*) Did anybody write down to you in this borough, as Mr. Travers Smith wrote down to the people on the Liberal side, a letter containing a list of rich and eligible candidates?—Never. Sir Frederick Slade sent me down here, and he told me he wished I would contest the borough.

38,744. Was any letter of that kind written to you by Mr. Spofforth, or any member of Messrs. Baxter, Rose, and Norton's firm, or by anybody on behalf of the party in any way?—Certainly not.

38,745. Or on behalf of Mr. Gray, as far as you know?—Decidedly not on behalf of Mr. Gray.

38,746. (*Mr. Coleridge.*) Were you always given to understand, from your earliest connexion with this borough, that as regarded your own party you must find the means to fight the battle yourself?—Decidedly.

38,747. Did you ever make an application for assistance to them?—In 1859.

38,748. When you were associated with Mr. Padwick?—When I was associated with Mr. Padwick. When I was with him, we were not Siamese twins, but when I was here with Mr. Padwick he told me, "You must go up, I think, to get some money."

38,749. Did he say where?—Yes; he told me to go to the Carlton, and I went up. I did not know so much about electioneering then as I do now. I went up, and when I went into the room I saw three or four gentlemen, I forget who they were now. I discussed the question with them, and told them that assistance would be required, and they said, "No, no, if you want that you had better go."

38,750. Do you know the names of those gentlemen who were present?—No.

38,751. Was Colonel Taylor one?—No.

38,752. Was Gerald Noel one?—No. I cannot tell you who they were. I can only say when I said we should require assistance, they said, No, no.

38,753. Where was it, at the Carlton?—No.

38,754. Then where was it?—At Mr. Spofforth's office—Baxter, Rose, and Norton's. The moment I came into the room I began by saying assistance would be required; they said, "You shall have any assistance we can give you by means of our influence." I said, "Oh yes, but——" I did not know exactly how to put it to them that I wanted money, and I hem'd and ha'd, and they, understanding what I meant, said, "If you want that you had better go away, and the sooner the better."

38,755. Did Mr. Padwick state that he had got assistance from them?—No, he did not.

38,756. Did you know anything about Mr. Padwick's speaking of 1,500*l.* that was paid to him in consideration of that petition of 1865 being withdrawn?—I knew nothing about it. When I found out Mr. Padwick's character I would have nothing to do with the matter.

38,757. You did not hear of it at all at the time?—Yes, I heard it.

38,758. Did you hear that 1,500*l.* was paid to Padwick in consideration of his withdrawing the petition against the other side?—1,200*l.*

38,759. Did you hear it stated by Padwick?—Yes.

38,760. Did you hear Padwick say, "I shall keep that money for what I have expended"?—No, I never did. I was on very intimate relations with Mr. Richard Smith for years, as I have stated, and I never heard him state that Mr. Padwick had done anything but behave in what he said was a very shabby, dirty way.

38,761. That might be what he alluded to?—I will tell you the words he used. He said he had very great difficulty in getting his money from Mr. Padwick, and that on one occasion Padwick had denied ever having sent down money at all.

38,762. Perhaps that was quite true, because, as we have heard, he brought it?—No, he did not; and I will tell you how I know he did not. On Sunday morning John Murlis walked into the "Clarence," and he turned round—and in reading John Murlis's evidence it immediately struck me—and he said, "I have got those samples of bottles and glass," or that something or another was sent. That is the way John Murlis said the money came down.

38,763. That was in 1859?—That was in 1859; and he said the only thing that made Padwick settle with him was, that he turned round and said to him, "Do you mean to say you did not send down money; "do you mean to say you did not send down the "cartridges for the rifle corps?"

THIRTY-EIGHTH DAY.

H. Westropp, Esq.

8 Oct. 1869.

(*Mr. Coleridge.*) Can you give us any information at all upon a point which has fairly puzzled us, that is, how the great majority which the Conservatives had in the morning was turned later in the day? We have heard there was no money going at the last election until late in the afternoon.

38,764. (*Mr. Price.*) How that majority, which at a quarter past 12 was 240 and 239 respectively——? —245.

38,765. Got down at a quarter to 2 to 79 and 64? —Well, as to making me believe that majority was ever brought down by Mr. Kinglake's prestige, I do not believe it.

38,766. We have been told that the moment they heard he was gone they were smitten with grief, and they rushed to the poll in a body?—No, that could not be, because the express train does not leave until 1.37 here, and if you look at the poll sheets you will find that it was actually while he was in the town at half-past 12, going on to 1.37, that the greater portion of that large majority was pulled down.

38,767. And very coincidently, it is after the meeting at the "Globe," between Mr. Lovibond, Mr. Mogg, Mr. Kinglake, Dr. Kinglake, and somebody else, and coincidently with the visit to the bank?—As I said, he was in the town when the greater part of that majority was pulled down.

38,768. Not in the "Globe"?—No.

38,769. Just close by?—No, that is not my allegation.

38,770. (*Mr. Coleridge.*) I ask you this as a matter of opinion, taking into consideration that Mr. Kinglake afterwards took the very absurd point of law, that because he went away that therefore no corrupt practices committed by his agents would affect him, do you believe that he went away on purpose at that time in order that any money got at that time might be expended?—I should be very sorry, for the sake of Mr. Kinglake, to allege that. I should be very sorry in any way to impugn his testimony.

38,771. Do you know anything about any money being advanced by Messrs. Hennett and Spink?—What I told you was this: I went to see Mr. Spink and Mr. Fennelly, and when I went to see them, Mr. Spink and Mr. Fennelly were in the hall; and I found there was there either a number of cloaks, or that there was a recess in the place, but I evidently saw a sort of shrinking back as if they were determined to hide something.

38,772. Was that Mr. Spink or Mr. Hennett?—Mr. Spink.

38,773. And Mr. Fennelly?—And Mr. Fennelly; and I said, that putting that together with what I have stated in the first part of my examination, and what has been explained to me about the first lung being gone——

38,774. You mean what Mr. Cook said that one lung was gone?—Yes.

38,775. (*Mr. Price.*) It was not fair to bleed one lung?—Yes; that I believed he was there at 1 o'clock, at Mr. Spink's. I am certain of it.

(*Mr. Price.*) That is also consistent with the explanation of somebody here, Bussell or Allan, or somebody, that by way of complaint, either Mr. Reed or Mr. Cook said, "We have done all we can; where the devil is Lovibond?" and Mr. Lovibond was enjoying his cigar at that time at Nicholls's.

38,776. (*Mr. Anstey.*) Do you know anything about it?—I do not know anything about it.

38,777. (*Mr. Coleridge.*) I asked you once, and I ask you again, and it may be valuable evidence, what time was this?—It was on the Saturday.

38,778. What time in the day?—I think it was about 2 o'clock, something about that time; and I was so convinced that there was something odd in it, that I told Mr. Smith, after I came out, "By Jove, the money is down; I am certain of it."

38,779. (*Mr. Anstey.*) About the Smiths again. Have you been under a liability of any kind to them, for monies raised for the purposes of your election?—Oh, certainly not.

38,780. Either to Joseph Smith, or to Joseph Richard Smith?—I have never been under a liability to any of them.

38,781. Did any of them advance any money, either Joseph Richard Smith, or Richard Smith, or Bealy Smith, to you for your election, or for either of the Patton elections, to your knowledge?—Certainly not. For myself, I will answer that they never did; but for Mr. Patton's election I will not answer; I believe they did not. They never did anything of the sort, as far as I am concerned.

Mr. J. Cook.

Mr. James Cook recalled.

38,782. (*Mr. Coleridge.*) Have you any recollection about some money being procured on the Saturday before the election, as well as that which was procured on the Monday?—I have not the slightest knowledge of it whatever. I never heard of any money being procured.

38,783. You know nothing of any money coming from Hennett and Spink?—Not a farthing.

38,784. Do you know that Mr. Fennelly was in constant communication with them?—I have no knowledge of it whatever.

38,785. (*Mr. Price.*) Does all that come by surprise upon you?—It does.

38,786. The part, the very active part, that Mr. Spink seems to have taken in trying to effect the compromise?—I had no knowledge of his taking any part beyond the communication that Mr. Fennelly made to me on the Sunday night. That was the first intimation I had of the part taken by him.

38,787. Had you any idea that Mr. Spink, who seems to have been trusted very much by Mr. Fennelly, and to have been very much in communication with him; had you any idea that Mr. Spink had supplied money, and which may have been disbursed without your knowledge?—I should say not.

38,788. You should say not?—I should say not.

38,789. Do you remember the incident spoken to by your partner, whom I did not examine, Mr. Reed, of the conversation between himself, Dr. Kinglake, and some others in the street, going up or down to the "Globe," shortly before Dr. Kinglake left?—Yes, I remember something.

38,790. Were you present?—I was not present at the conversation, but my partner returned to the "Globe" hotel; in fact I saw Mr. Reed leave with Mr. Lovibond and go downstairs, and in a few minutes they both returned, and then Mr. Reed told me in the presence and hearing of Mr. Lovibond what had taken place, or rather made some observation in the hearing of Mr. Lovibond.

38,791. Did you see what became of Dr. Kinglake after they separated?—No, I did not. It was before Mr. Lovibond and Mr. Reed went downstairs that I had seen Dr. Kinglake and Mr. Mogg through the windows of the large room, as I have before told you.

38,792. Do you happen to know whether Dr. Kinglake previously to the time when you last saw him that day had been to Sealy's bank?—No, I have no knowledge that he had.

38,793. Can you give pretty nearly the hour at which you last saw him that day?—I should think it would be about half-past 12, as far as I can now remember.

38,794. Nearer 12, or nearer 1, which?—I am unable really to fix the time with any degree of accuracy, because I did not notice it at the time.

38,795. It is in evidence before us, that after leaving the bank he went down the street, which I suppose was going in the direction of the railway station, but that before he went on further he stopped and spoke to some people in the street opposite the "Globe;" do you think that was the time you saw him?—It might have been.

38,796. At all events, you yourself were not in the street?—No, I was not in the street.

38,797. You were upstairs?—I was upstairs, and I saw him through the window.

38,798. Can you throw any light whatever upon the point I desire to know about; namely, as to whether he passed on on that occasion to the railway station, or whether he first of all came back and took up his brother at Allan's?—As, I believe, the time was about half-past 12, it would have been improbable that he should have gone from there to the railway station, for the reason that the down express would not leave for an hour after.

38,799. But we have had it in evidence that he went to the railway station hotel, and I believe it will be in evidence that at that hotel he took refreshment with Mr. Bate and the other Mr. Kinglake. You cannot speak further than as to the probability or improbability of his doing one thing or the other?—No, I cannot.

Mr. Joseph Travers Smith sworn.

Mr. J. T. Smith.

38,800. (*Mr. Price.*) You are a parliamentary agent?—I am.

38,801. I do not know whether you are a solicitor also?—I am a solicitor, but I have, generally speaking, practised as a parliamentary agent, excepting during a period as a political one. I do not think you would find me upon the list of parliamentary agents.

38,802. You are, in fact, what is called the political agent of the party?—I am not now.

38,803. You were?—Yes.

38,804. You were for an interval?—Yes.

38,805. Messrs. Wyatt and Hoskins are the political agents now?—I am not sure. Mr. Drake, who is an exceedingly busy man, asked me to join in that work for a period, and I undertook to do so prior to and during the fighting of the election petition after one general election.

38,806. (*Mr. Coleridge.*) That was in 1865?—That was in 1865; and I was working jointly with Mr. Drake, altogether for a period of something like three years, but after the general election of 1865 I gave it up, and never undertook to do any more.

38,807. In a certain sense you acted under the general supervision of Mr. Drake?—Yes; when I say "under the general supervision," we were continually in communication.

38,808. But he was still the responsible legal head and adviser of the Liberal party?—I do not know that he was more responsible than I was; each was responsible for the work he undertook. I did not exactly owe responsibility to him.

38,809. Mr. Drake, in 1865, took no active part in the election petitions?—No.

38,810. You did the whole of that work?—I believe the whole.

38,811. And he did the greater part of what may be called the advising work before the election?—Yes, the greater part.

38,812. Yes. I thought that was the sort of division of labour?—Yes. I am anxious to give you the fullest information in my power.

38,813. (*Mr. Price.*) Just so. We only wanted to know the relative position in which you stood with regard to Mr. Drake?—Mr. Drake took the principal part.

38,814. (*Mr. Anstey.*) Did you communicate the names of some persons in 1865 or 1866, or both years, to Mr. Benjamin Lovibond as being men of wealth and position, who would be willing to stand for Bridgwater?—Mr. Lovibond called on me, and several names were mentioned. One name was mentioned by me, and I think also one or two were mentioned by him.

38,815. Do you remember sending that paper to Mr. Benjamin Lovibond apropos of the election of 1865, then expected to come on (*handing the list of rich and eligible candidates dated June 20th, 1865, to the witness*). Is that in your handwriting?—No.

38,816. In one of your clerks?—No.

38,817. In whose handwriting is it then?—I do not recognize the handwriting at all; I never saw it before to my knowledge.

38,818. Do you mean to say you did not send that to Mr. Lovibond?—I certainly did not send this to him. May I read it?

38,819. (*Mr. Price.*) Certainly?—I mean read it to myself?

38,820. By all means?—The first name upon it is Sir John Villiers Shelley. I mentioned Sir John Villiers Shelley to Mr. Lovibond when he called upon me. There is a town address given. He is described as the "present M.P. for Westminster." He was certainly not the M.P. for Westminster when I gave his name to Mr. Lovibond.

38,821. (*Mr. Anstey.*) You will see if you read on?—I will do so. "Rich country baronet." Perhaps I had better mention before I answer upon this paper that I have been told that some such paper as this has been referred to in evidence.

38,822. (*Mr. Price.*) It has?—I then heard it with surprise, because I did not recollect sending such a paper, and I fancy that these might have been notes, or rather this paper in my hand might have been a copy of notes, made by Mr. Benjamin Lovibond as the result of his interview.

38,823. It was found amongst his papers?—I had no idea of it till it reached my hands.

38,824. (*Mr. Anstey.*) It is stated on some docket of his on another paper, if not on the back of that, what it is?—It is stated here, "Taken from bundle of papers handed in by the mayor."

(*Mr. Price.*) That is our note.

38,825. (*Mr. Anstey.*) It is stated on a docket in Mr. Benjamin Lovibond's handwriting on that paper, or some other document, "Correspondence with Mr. Travers Smith about the election"?—I do not think I ever corresponded with Mr. Benjamin Lovibond about the election. I saw him twice. He called on me one day, and I saw him again either the same day or within a day or two afterwards. I am not sure whether we ever met except upon that occasion, and I do not now recollect ever writing to him. I think all I communicated to him was the names of certain persons with whom he might communicate, and as the result I recommended him to see Sir John Shelley. He did see Sir John Shelley, and I had no occasion to see Mr. Lovibond again, and I do not think I ever saw him again, and I do not recollect writing to him. Sir John Shelley I mentioned.

38,826. (*Mr. Coleridge.*) Yes. I suppose he was down on your list as a person wanting a seat?—Not down on my list. At the time I saw Mr. Lovibond, if my recollection is worth anything, and my memory is generally a good one—at the time I saw Mr. Lovibond Sir John Shelley had just lost his seat for Westminster, and being a very good friend of the party, and himself being a respectable man, I mentioned him to Mr. Lovibond as a gentleman wanting another seat.

38,827. Did you describe him as a rich baronet?—I do not remember describing him as a rich baronet; I described him as a country baronet, and as a man of position, and so on. I will tell you the reason I mentioned Sir John Shelley, and it was this: Mr. Lovibond told me something about the character of the place, which I will repeat, if you desire it at all.

THIRTY-EIGHTH DAY.

Mr. J. T. Smith.

8 Oct. 1869.

38,828. (*Mr. Price.*) Oh yes, if you please?—Shall I tell you, as near as I can, what passed at the interview?

38,829. (*Mr. Coleridge.*) Exactly?—Very well. I had never seen Mr. Benjamin Lovibond before; I knew Mr. Lovibond's name as being a local agent of the party. I was sitting in my room one day, when one of my clerks came in and said that Mr. Benjamin Lovibond was waiting to see me. I told him to tell Mr. Lovibond to come in, and he did so, and he told me it was likely that they would want a candidate at Bridgwater. He stated to me that he had been told, by whom I do not know, that he had been told by a member of the Reform Club that I was the proper person to apply to. I asked him the character of Bridgwater, and so on, and so on; and what he told me was this: he premised his statement by saying that he came up determined to tell the precise truth with reference to the place; that he knew this was a matter of duty, and that he felt pledged, or felt himself bound, I would rather say, as a matter of honour, to speak with perfect frankness and candour on the subject; he added, not only as a matter of honour, but he felt bound to do so. He said, "It is a mere "matter of policy that I should do so, because unless "I tell you the real character of the place, and what "we really want, you will not be able to advise us." I said, "Certainly it would have been great folly if "you came up to ask me for my advice about it, if "you did not tell me what the character of the place "was." He said, "In former years Bridgwater had a bad reputation;" but he said that was owing to there being a large number of freemen on the register. Of course I do not want to attack anybody's character here, whether freemen or anybody else.

(*Mr. Price.*) They were scot and lot. I think they were.

38,830. (*Mr. Coleridge.*) There are no freemen here?—They were scot and lot voters.

38,831. (*Mr. Price.*) The old constituency were scot and lot men?—Very likely. He told me the number was greatly reduced, and he told me that the result of recent registration courts had been greatly to improve the constituency, improve it in his view—to make it more Liberal than it had been; and he said that the Liberals were then in possession of a very considerable and a safe majority, and he went on to say that he believed there was no chance of money being spent illegally in any future election. He said that it would not be necessary on the Liberal side, because they were in possession of this majority, and that it would not be worth the while of Conservatives to attempt it, because their chances of success, if they did, would be extremely small; and that if any expenditure were made on the other side, that is on the Liberal side, a very small expenditure on that side would counteract a very much larger expenditure on the Conservative side, and that, consequently, it would not be worth the while of the Conservatives to begin bribing, and of course the Liberals would not be fools enough to do so under such circumstances. I told him it was a very happy circumstance that the borough was becoming a much purer borough than it had been, and I asked him the sort of candidate he would require. "Well," he said, "you people in London may not "think much of the people of Bridgwater, but the "people of Bridgwater think a great deal of themselves;" and he said, "Though we may win if we "have a good candidate, and win as a pure election, "I do not know whether we should be equally secure "unless the candidate was a man of some mark."

38,832. (*Mr. Coleridge.*) He was assuming that Mr. Kinglake had consented to be one candidate, and he wanted a second?—I suppose so. He said, "What we want is a man well known in political life." "Well," I said, "there are not a great many men well known in political life who has not his own seat." I said, "I only know of one man who is well known, who has lost his seat;" and he said, "If he is not "very well known in political life, he must be a man "of good social position;" and I told him of Sir John Shelley. Sir John Shelley was the first person I mentioned; he was an old supporter of the party, and he was a very respectable man, and he had recently lost his seat for Westminster, and I thought he was just the man of the political character that they wanted; but I ought to mention that I did not suppose then, and do not suppose now, that Sir John Shelley was a man who would be guilty of corrupt practices, therefore I described him as a rich country baronet. It was not with any idea that he was coming down here to spend money corruptly, but merely to show that he was a man of well-known political character and of good social position.

38,833. You knew Mr. Benjamin Lovibond before then, down here?—No; I knew his local name. I knew he represented the party.

38,834. Did not you know the meaning of his expression, when he said "Bridgwater had been rather corrupt"?—No, he did not make use of that expression.

38,835. That is what struck me that you said?—I think his expression was, that Bridgwater had rather a bad reputation.

38,836. "Rather a bad reputation"?—I think that was the expression.

38,837. (*Mr. Price.*) Do not your party keep a register of the boroughs in England, so that your party may see which is a corrupt place, and where money is required to be spent or not?—There was no such register kept. I kept a register of the different places, which I will describe. It was ruled in four or five columns; the first column contained the name of the place—no, stop, the name of the place was at the head of the page. The first column contained the names of the members; the second column contained the names of the local agents, sometimes on the Liberal side only, and sometimes on both sides. It was a mere memorandum. The third column, if I recollect right, contained the names of intending candidates—people who would be likely to go down the next vacaney; and then there was one column for remarks. That column for remarks contained very little except the condition of the register from time to time, just the variation in the register that was produced by each year's registration, and even that was not at all accurately filled up. Sometimes it might contain reference to some family interest, or something of that kind, just the sort of information you might find in Dod's Peerage.

38,838. (*Mr. Coleridge.*) When you came to a place like Totnes or Yarmouth, was there not anything to denote that it was a corrupt place, and would require money?—I do not recollect it farther than that in some instances it may have been put down that it was a place where no particular personal interest had effect, and that money was believed to have been spent on former occasions, or a memorandum that it was a place to which it was better not to recommend any candidate to go. I may mention that I never sent a candidate to a place that I knew to be systematically corrupt.

38,839. (*Mr. Price.*) If I understand Sir William Drake's evidence in Totnes, all these places were always known; that nobody was ever known to win at some places without a certain sum of money being spent?—There are some places, but they are not mentioned in this book. The only places I know of I kept on a piece of paper which I made up from time to time; and whenever I heard of a corrupt borough I entered it down in my black list.

38,840. Did you mention Totnes?—No.

38,841. (*Mr. Anstey.*) Does your list show every borough in England?—Yes.

38,842. Did it also show the prevailing influences on either side; what used to be called in old days the patrons, who the patrons were?—No, only in a few instances.

38,843. How was Bridgwater set down in that respect?—I do not think there was anything about influence with respect to Bridgwater at all. I may mention that it was quite an exceptional case if the influence was put down, and if it was it would be the influence of some large family, or something of that

kind, and not the influence of anybody in the borough having money.

38,844. Such as the influence of the lawyers?—Yes.

38,845. Would that be put down?—Yes.

38,846. (*Mr. Coleridge.*) In a place like Totnes, would the Duke of Somerset be put down?—Yes. You were asking about the influence of a class.

38,847. Yes?—I should make a memorandum to this effect, that at a former election the men would not vote for anybody except for a man professing certain opinions; that at such and such a place the dissenting question was strong, or the evangelical question was strong, or that they would not vote for men who were not strong on the question of the ballot; but it was a political question, not a question of money.

38,848. What other names were mentioned at this interview?—Some other names were mentioned, I think, but I cannot charge my memory with them. I have not read the rest of this paper, but a friend of mine told me, whom I met on the continent the other day, that it was stated I had sent down a list of candidates, and he told me Mr. Pender was amongst them.

38,849. (*Mr. Anstey.*) No, that is not so?—I do not know whether his name was in this paper at all.

38,850. (*Mr. Price.*) It was stated that you mentioned the name of Mr. Pender to Mr. Lovibond. I think that was stated?—I do not think I mentioned the name of Mr. Pender in any way.

38,851. (*Mr. Coleridge.*) I think it was stated Mr. Pender's name was mentioned on a subsequent occasion after he was unseated for Totnes, that you mentioned him on a subsequent occasion?—I do not remember mentioning his name; I am very clear I never did, and I will tell you why I could not have mentioned Mr. Pender's name. Before he was unseated, Edward Pleydel Bouverie was the chairman of our committee, and he moved for the usual commission, and I think it was the very night he took up the report of the committee; if not then, within a night or two. Consequently, within a day or two of Mr. Pender's being unseated, we knew that there was to be a commission for Totnes.

38,852. He was unseated for personal bribery, and therefore was ineligible?—Yes. I never dreamed of mentioning him to anybody.

38,853. He was not eligible for that Parliament?—No.

38,854. He was unseated for personal bribery, for having made a personal promise to give Harris a place?—I do not think that the committee thought it so.

38,855. Yes, they did; and I, as one of the commissioners at Totnes, on examining him, found he was not guilty of that personal bribery?—I beg your pardon; I did not know that you were one of the commissioners. I entirely agree with that finding as to his not having been guilty of personal bribery from what I know of the matter, and our committee would not believe one atom of it, that he was guilty of personal bribery. To go on with what passed with Mr. Lovibond, I mentioned Sir John Shelley, and I gave Mr. Lovibond an introduction to Sir John Shelley in some shape; I am not sure how. I may have given him a note to carry to Sir John Shelley, or have given him my card simply, and communicated with Sir John Shelley myself; but I mentioned Sir John Shelley's name to Mr. Lovibond, and Sir John Shelley came down here to fight the election. I have no doubt that some other names were mentioned; and very likely, if I look at the rest of his paper, it may revive my memory as to whom I did mention; because on glancing at this paper the idea suggests itself to my mind that the probability is that Mr. Lovibond noted down the effect of our conversation, but that I ever saw this paper before is quite a mistake, and this document does not come from me in any way.

38,856. Or from your office in any way?—Certainly not; it could not have emanated from my office. Of course I am only speaking to the best of my recollection. I do not think this document emanated from me, but probably it may be Mr. Lovibond's memorandum of what passed at our interview.

38,857. (*Mr. Anstey*) Read the other names on that paper?—Shall I take them now?

38,858. Yes?—"Sir F. Halliday, late Governor of "Bengal; able man and valuable Indian public servant; "good speaker; Palmerstonian; very moderate."

38,859. "Palmerstonian; very moderate;" you see that?—Yes; "very moderate; new to Parliament; "against ballot; for abolition of church rates; rich; "and good candidate."

38,860. (*Mr. Price.*) You see that is very specific?—It is.

38,861. (*Mr. Anstey.*) The same man who recommends Sir John Shelley, who is an advanced reformer, recommends the "Palmerstonian; very moderate;" who has ample means, or perhaps larger means than Sir John Shelley. Do you see that?—Well, what I am puzzled at is this, that I do not remember mentioning Sir F. Halliday's name.

38,862. (*Mr. Price.*) I think with all the varieties of candidates that Bridgwater had that they did not know what an East Indian Nabob was, so you have the name of one given there?—I do not remember Sir F. Halliday's name being mentioned at all.

38,863. (*Mr. Coleridge.*) Was he on your list as a candidate?—I do not remember.

38,864. (*Mr. Price.*) Or on Sir William Drake's?—That I should not know.

38,865. (*Mr. Anstey.*) Look at the next one?—The next one was Mr. Walter Bagehot.

38,866. There you have advanced opinions again?—"An able man; editor, or part proprietor of 'Economist'; son-in-law of James Wilson, M.P.; a good candidate." I think it is very likely that I may have mentioned Mr. Bagehot, because Mr. Bagehot had some family connexion, or some connexion with Bridgwater. The next is "Lord Milton, eldest son of Earl Fitzwilliam; "age 26; intelligent young candidate, but not ex-"perienced; the highest social and family position."

38,867. (*Mr. Coleridge.*) Lord Milton had written a book?—That is all I know about it. Even if I did mention it, I confess upon looking through this document, which I have not seen before, I have some little doubt how far it was the result of some information received from me at all. I remember distinctly mentioning Sir John Shelley.

38,868. What is the next name after Lord Milton?—There is no other.

38,869. (*Mr. Anstey.*) There is a *placitum*?—The memorandum at the foot?

38,870. Yes?—"All the above are men of wealth "and position, who would do credit to almost any "constituency." I do not think it was any remark of mine. It may have been the general result of a remark made to Mr. Lovibond. I can see now the effect of your question; it is this, whether the candidates I recommended were wealthy men with a view to corruption; I say no.

(*Mr. Coleridge.*) Leave out the latter part "with a view to corruption."

38,871. (*Mr. Price.*) The better way will be for you to tell us the name of a man who is not a baronet, or not reputed in any way to be rich; any person who was a man, if you like, of good social position, or was a man of mark, if you like, but who had not any great means or property. Did you name any person of that sort? There must have been some young aspirants to fame among your party who were not rich, but who were quite capable of being, as Mr. Kinglake says, the grandest thing in the world, that of being the medium between the poorest man in the borough of Bridgwater and the Crown; therefore, we want to know whether you recommended any man of mark, or good social position, who did not happen to be a man of means

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and property, and a baronet?—I think Mr. Walter Bagehot is the man who would answer to that description.

(*Mr. Anstey.*) He brought here nearly 1,000*l.* at a moment's notice.

(*Mr. Price.*) It cost him that.

(*Mr. Coleridge.*) Mr. Barham, probably you know that handwriting (*referring to the list handed to the witness*).

(*Mr. Barham, referring to the document.*) This is the handwriting of Mr. Fletcher, Mr. Lovibond's clerk?

(*The witness.*) I will not answer positively, but I do not think I ever saw it.

(*Mr. Anstey.*) Is Fletcher in court?

(*Mr. Barham.*) He is dead.

(*Mr. Coleridge.*) Do you know that handwriting, Mr. Carslake?

(*Mr. Carslake.*) Yes; I know his handwriting perfectly.

(*Mr. Anstey.*) You did suggest Sir John Shelley, but you cannot give us the name of any other member of the Liberal party who was then anxious for a seat in Parliament, who did not happen to be rich, or a baronet, or an earl's son, but who might be a man of mark and social position?

(*The witness.*) I think Mr. Bagehot might come under that description; at any rate, if he does not, I did not know anything about it at the time, and the explanation I give is a very simple one, that Mr. Lovibond put it to me, as I say, that they required a man who was either well known as a political man, or a man of good social position, to fill the place. I pressed Sir John Shelley upon him, and that was the only candidate I did press upon him, and Sir John Shelley came down; and I did not believe at that time, and I do not believe now, that Sir John Shelley was a man who would spend money in an illegal way at an election. I do not know that he did. I do not know what has been proved before you, but I certainly do not believe he would; and therefore I say, without hesitation, that the answer to such a question, a perfectly natural one, put by the Commissioners is perfectly obvious, that the man was a man who would not spend money corruptly. I say it with the greatest respect to the Commissioners, that it is a complete mistake to suppose, if they do suppose, that I had the slightest intention to recommend a man to come down here who was a rich man, to spend money corruptly.

38,871*a*. (*Mr. Coleridge.*) Your position is very much changed when we find that that document is in Fletcher's handwriting, the clerk of Mr. Lovibond?—"All the above are men of wealth and position, who would do credit to any constituency," is not my phrase. My idea is that this list may have been prepared to submit to some meeting of the heads of the party as the general result of what passed between Mr. Lovibond and me, garnished and improved by Mr. Lovibond himself.

38,872. (*Mr. Anstey.*) Can you tell us how soon Sir William Drake means to attend here, in obedience to the summons which has been served upon him?—I cannot tell you that. I had no idea till this morning that he had even been summoned; and I have not seen Sir William Drake probably for the last two or three months. He generally goes abroad in August for the long vacation, and generally returns late in October.

38,873. (*Mr. Anstey.*) He has not only been told that he was required here, but he has been summoned twice. We cannot do without him.—I have no idea where he is. As a matter of fact, I have not seen him since the month of June or July. I am quite sure he is not a man to avoid attending here.

38,874. (*Mr. Price.*) I think, with regard to that list, your explanation is very possible, that that is, as you say, an amplification. The only thing that remains is, that these names, excepting Mr. Bagehot's, which might have occurred to Mr. Lovibond from his local knowledge, are names which he must have got from someone or the other?—No doubt.

38,875. He would have known nothing of Lord Milton, for instance?—No doubt.

38,876. Or of Sir F. Halliday?—No doubt.

38,877. The question is, besides you, whether he saw the whips of the party; probably he did. It does not follow that it came from you?—I have no idea whether these names came from anybody else.

38,878. You have no idea whether he communicated with the heads of the party?—I have no idea at all. My impression is that he called upon me about 3 or 4 o'clock one day, and he probably called on me the next morning. I do not think he was more than 24 hours in town, and I do not think he had much opportunity of communicating with anybody else than me; and I know this, that as to any names I gave him, or any names which may have been discussed which may not even be upon this paper, I did not give him the name of any person who I thought would be accepted, except Sir John Shelley, because I wanted Sir John Shelley to be taken.

38,879. (*Mr. Price.*) There is no doubt, as regards public position, Sir John Shelley was the best man named, so far as his public career is concerned?—Undoubtedly. I asked Mr. Lovibond about the expense of a contest. He told me it was not a very cheap place; that it was necessary to employ several agents. I am not giving you that from my own experience; I am only telling you what Mr. Lovibond says; and he went on to say that the place would cost 600*l.*, a contested election. I am not criticising what Mr. Lovibond says; pray understand, I am only telling you what he said. He said it might cost something more; but he did say this, that I might tell any person intending to come down that in no case would it cost more, if properly conducted, than 800*l.* That was what Mr. Lovibond stated to me.

38,880. In no case?—In no case would it cost more than that; and he made that statement to me, having told me that he came up under the feeling that he was bound in honour to tell me the truth; and more than that, that, apart from his being bound in honour to tell me the truth, that it was on a lower consideration, but common good policy that he should do so, or I could not advise him; and I believed Mr. Lovibond, and I believed him for this reason, that in the course of my experience no such attempt to deceive me has been made. I thought no such attempt to deceive me was being made by Mr. Lovibond, after the solemn asservation that he made, that he was going to tell the truth, and his statement of why he was going to tell it; and Mr. Lovibond, who saw Sir John Shelley, must have equally deceived Sir John Shelley, with all his political experience, with all his knowledge of the House of Commons, an old political man as Sir John Shelley was—far older than I even, and with the best means of obtaining information, must have been as much deceived as I was by Mr. Lovibond's statement, as I venture to say any man would be, if any man asseverated as Mr. Lovibond asseverated to me.

38,881. (*Mr. Coleridge.*) Did it occur to you to ask Mr. Lovibond what the former elections had cost the Liberal members?—I do not think it did.

38,882. Because we have it in evidence that it cost Mr. Kinglake about 1,400*l.*, and what it cost Mr. Tynte we do not know?—Perhaps I ought to explain apropos of the time Mr. Lovibond came to me, that I was so much engaged, and saw such multitudes of people, that probably I had very few words to say to anybody. I took the statement as Mr. Lovibond gave it to me, and I do not think I stated anything to him beyond.

38,883. (*Mr. Anstey.*) Have you anything more to state?—As to this matter?

38,884. Yes?—Anything and everything you ask me.

38,885. Have you anything to offer, I ask you?—Yes.

38,886. What is it?—Not in reference to this matter.

38,887. (*Mr. Coleridge.*) Not with reference to that paper, but with reference to that election?—As the learned Commissioner put it to me with reference to that election, I thought I was confined to that.

38,888. (*Mr. Coleridge.*) I thought it best to keep them separate?—Quite so. I have nothing at all to add with reference to that election. There was a petition subsequently, as you know. I was not concerned with that petition in any way, and I never heard anything about it, except the *verba disjecta* of the lobby, which all the world might hear and know about.

38,889. (*Mr. Anstey.*) What is the other matter?—The other matter is this, as to Mr. Vanderbyl's coming down. Perhaps I ought to mention, that on my return from the continent the other day I found a newspaper at my office containing the evidence given on one of the days before this Commission, and two passages were marked in the paper, and one was with reference to this precious document which I have in my hand; the other was with reference, I think, to Mr. Vanderbyl being introduced to the party. I did not introduce Mr. Vanderbyl, but Mr. Vanderbyl was in communication with some of the parties of Bridgwater, and I understood that Mr. Vanderbyl referred to me as to his political opinions. In consequence of that two gentlemen from Bridgwater, Mr. Henry Lovibond and Mr. Barham, called upon me to know what I knew of Mr. Vanderbyl. I told them that I knew he was a member of the Reform Club; that I believed he was a Liberal. I mentioned, I believe, or they were all aware, I do not know which, that he had stood for Yarmouth; and that, as far as I knew, he would be a satisfactory candidate, as far as political views went, provided he were accepted by the party. That, as far as I recollect, is what passed with reference to Mr. Vanderbyl when Mr. Lovibond and Mr. Barham came to me with regard to Mr. Vanderbyl. He, I believe I may say, and quite positively, never spent any money illegally at any election until he came down to Bridgwater. I have no idea that he did.

38,890. (*Mr. Coleridge.*) Not at Yarmouth?—No.

38,891. (*Mr. Price.*) Vicariously, through Mr. Brogden?—No, I am not aware that he did.

38,892. (*Mr. Anstey.*) Are you not aware that he is reported by the Royal Commission, and is scheduled as a briber?—By the Royal Commission at Yarmouth?

38,893. Yes. Vanderbyl and Phillip, are on the register, which was read out in court the other day.

(*Mr. Coleridge.*) He had the benefit of Mr. Brogden's money.

38,894. (*Mr. Price.*) You knew that, surely?—I did not know it; I thought he had been reported as having had nothing to do with bribery.

38,895. The committee returned that he was an unsuccessful candidate?—Yes.

38,896. Therefore the committee would have nothing to do with him or Mr. Brogden?—No.

38,897. Therefore all that came out with regard to Mr. Vanderbyl would be very incidental, and what came out was on the Commission; and then it appeared, beyond all question, that Mr. Brogden had spent an enormous sum of money, which Mr. Vanderbyl had had the benefit of, and that he was put down as a briber?—I was not aware that he had been so put down, or so reported by the Commission.

38,898. I understood you to say that Mr. Vanderbyl was spoken of by you; but was not Mr. Brogden first mentioned by you?—No.

38,899. Then how did they get hold of Mr. Brogden's name?—I do not know, but I think Mr. Brogden introduced Mr. Vanderbyl to them.

38,900. That is what I wanted to know. Who mentioned Mr. Brogden's name?—That I do not know.

(*Mr. Price.*) Mr. Brogden's was the first name put forward. He had been unsuccessful at Yarmouth, and was notoriously a very rich man, and he was the first person to whom they had recourse, and Mr. Brogden declined the honour, and thrust it upon his friend, Mr. Vanderbyl.

38,901. (*Mr. Anstey.*) I understood just now you were consulted about Mr. Vanderbyl and not about Mr. Brogden?—I am speaking as far as my recollection goes; I was consulted about Mr. Vanderbyl.

38,902. Therefore the Brogden affair had taken place before you were consulted about Vanderbyl at all; the proposal as to Brogden was over and gone before you were consulted about Vanderbyl?—Yes.

38,903. (*Mr. Price.*) I think there must be some misapprehension, because the evidence stands thus: they came to town, they saw you, and saw Mr. Brogden; they saw him, I think, twice; Mr. Brogden declined; they actually left London; at Bath they are stopped by a telegram; that they stayed there to refresh themselves; that in the train, when they resumed their journey, they find a gentleman, a Mr. Salmon, who has come down there, and who says, "I "have got a capital man for you; Mr. Vanderbyl will "stand, and here is his address ready cut and dried;" and they settled the address in the railway carriage, and they had it out, and Mr. Vanderbyl came down by the next train. That is their story.—All that is new to me.

(*Mr. Price.*) But this is the story stated to us, undoubtedly.

38,904. (*Mr. Anstey.*) You did not finish your sentence with respect to what you were stating about Mr. Vanderbyl?—As far as my recollection goes; but, as I said just now, I saw a vast multitude of people, and only gave a few seconds to each; but, as far as I recollect, Mr. Lovibond and Mr. Barham asked me about Mr. Vanderbyl. I think I am quite right about that.

38,905. But you told us you said a good deal about Mr. Vanderbyl, and you were going to state something more about Mr. Vanderbyl; what was that?—I was making a remark to this effect, when I was interrupted by one of the Commissioners, that I did not know Mr. Vanderbyl had spent any money illegally anywhere; certainly at that time I did not know it, because what I said was that I understood the arrangement with reference to Mr. Vanderbyl's going down there was, that he was to pay 100*l.* towards the legal expenses, and nothing else, and I thought that had been proved before the committee; I mean at Yarmouth.

(*Mr. Coleridge.*) I think at Yarmouth it was arranged that he was to pay 600*l.*

38,906. (*Mr. Anstey.*) What do you know of Mr. Vanderbyl personally?—Very little indeed.

38,907. Do you register these things in a book?—No; I have nothing relating to Mr. Vanderbyl in any book.

38,908. How did you know of these matters, about his being a sound Liberal, and all that?—What I told them was, that I knew he was a Liberal in politics, and that I had seen him at the Reform Club; but I know very little about him.

38,909. (*Mr. Price.*) I should like you to recollect this, because there is a great conflict about it. Was it Mr. Brogden whom you mentioned in the first instance?—Whom they mentioned?

38,910. Whom you mentioned to them.

38,911. (*Mr. Coleridge.*) Was Mr. Brogden down on your list as a man wanting a seat?—I knew he wanted a seat.

38,912. Mr. Brogden's answer to them was that he considered himself pledged rather to Yarmouth?—That I have heard of before. Will you forgive me for a moment while I try and recollect? I had forgotten

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it just now, but I am nearly sure that Mr. Brogden called upon me one day and told me that he had been invited to come down to Bridgwater, but he considered he was pledged to Yarmouth. I think Mr. Brogden called and told me that; if so, he had been invited to come down.

38,913. (*Mr. Price.*) I may be wrong (it is impossible to recollect all the details) in saying that they had an interview with Mr. Brogden apart from you; but I understood it was through you that Mr. Vanderbyl was introduced to them?—No; it was through Mr. Brogden. I did not introduce Mr. Vanderbyl in any way. I fancy it was through Mr. Brogden that Mr. Vanderbyl was mentioned, and that Mr. Vanderbyl referred them to me as to his being a Liberal. That is to the best of my recollection.

38,914. No, that could not be, if their story is correct that they left London, and that it was at Bath that they got this telegram. Am I right in that, Mr. Barham?

(*Mr. Barham.*) Yes. We never heard of Mr. Vanderbyl until we saw Mr. Salmon in the train at Bath. We got into the train at Bath with Mr. Salmon. That was only two days before the election.

(*Mr. Coleridge.*) Was Mr. Barham one of those who came to see you?

(*The witness.*) Yes, I think so. I saw so many people at that time that it is very difficult to remember who I saw.

38,915. (*Mr. Price.*) It makes really very little difference, Mr. Smith, only one does not want to get a confusion of the thing upon the notes?—I should be most anxious to avoid that, and really I am only telling you the perfectly sincere truth when I tell you that I saw so many hundreds of people at the time that my memory is not probably so accurate as that of the local gentlemen who had but one matter in hand.

(*Mr. Barham.*) It was Mr. Smith who introduced Mr. Brogden to us.

(*The witness.*) Was it?

(*Mr. Barham.*) Oh, there is no question about it. We never heard of Mr. Brogden in any other way.

(*Mr. Coleridge.*) Was Mr. Brogden in Mr. Smith's office?

(*Mr. Barham.*) Then Mr. Brogden declined, and we left London, and he afterwards thought of Mr. Vanderbyl. There is not the least question about it.

(*Mr. Price to the witness.*) I think you got into a confusion about it.

38,916. (*Mr. Coleridge.*) You know Mr. Brogden personally, don't you?—Yes.

38,917. Do you recollect his being at your office about this time?—I did not until the Chief Commissioner put a question to me just now, and then I said I think I had told Mr. Brogden, and I thought he had declined. It is rather an awkward thing, and not a very regular mode, for one witness to say to another, "I think you are in error;" but all I can say is that I do not recollect introducing Mr. Brogden. I am not quite certain, but if the gentlemen whose memory for the reason I mentioned is more likely to be accurate than mine say so, I think it is very likely.

38,918. (*Mr. Price.*) Very likely that is so, knowing that Mr. Vanderbyl afterwards was a candidate; and you may possibly have had a reference about it after he had come down and announced himself, and you may have said he was a Liberal and a reformer?—That is very likely.

38,919. Therefore you may have forgotten any anterior transaction about Mr. Brogden, but have got it fixed in your mind that you gave this recommendatory letter to Mr. Vanderbyl. That I think is the way in which it is reconcilable?—Most likely.

(*Mr. Price.*) It was all *post factum*, but you had probably seen Mr. Brogden before.

Mr. E. Barham.

Mr. Eustace Barham recalled.

38,920. (*Mr. Price.*) Mr. Barham, perhaps you will tell us whether any letter did pass afterwards between you and Mr. Smith asking him whether he knew anything about Mr. Vanderbyl?—I do not remember anything at all. Mr. Vanderbyl only came down about two days before the election. I do not think there would be time to correspond.

38,921. It would be quite at the last moment, you know?—I do not remember anything at all.

(*Mr. Price.*) It was all done in a great hurry, no doubt.

Mr. J. T. Smith.

Mr. Joseph Travers Smith recalled.

38,922. (*Mr. Price.*) What I want to ask you about is this: We understood rather that Mr. Bagehot had shrunk from coming forward again, partly to a certain extent because he thought it was hardly fair to Mr. Patton to oppose him when he had merely taken office, and was coming down for re-election—partly on that ground at all events. And then it was said, I think, that either you or Sir William Drake (I won't be quite sure which) had insisted that there must be a contest. I want you to tell us what you know about that—that it was insisted that there must be a contest. Whether it was you or Sir William Drake I cannot tell?—I certainly would not have insisted that there must be a contest, and I will mention this, that as a general rule in political life we do not encourage a contest where a gentleman offers himself for re-election only.

38,923. That is generally thought to be the comity of both parties, that there shall not be?—And my impression is that when I was consulted (whoever it was in reference to, whether Mr. Brogden or Mr. Vanderbyl), I rather discouraged the idea of a contest; but I cannot tell. At the same time, to speak perfectly frankly, I may mention that I do not know that the same rule would apply to a gentleman who was suspected at least of having come down to a borough with which he had no connexion, and having been returned by corrupt means. I do not know whether the same rule would be held to apply then.

38,924. Had you any knowledge at that time that Mr. Patton's first election, where he had succeeded over Mr. Bagehot, had been secured by corrupt means?—My impression certainly was that that was the mode in which the election had been secured, and for this reason, because I still believe that Mr. Lovibond's account of the matter was in the main correct. I was completely deceived by Mr. Lovibond.

38,925. You still trusted to Benjamin Lovibond?—Yes.

38,926. You had no idea then——?—I did not think that a stranger could come down to Bridgwater——

38,927. (*Mr. Price.*) A stranger is most liked in Bridgwater, I assure you?—I did not think that a stranger could come down and get in unless by corrupt means, and therefore I do not think, to speak *à cœur ouvert*, that I should have felt equally bound in the case of opposing Mr. Patton as I should in the case of another man, by the ordinary rule that you do not encourage opposition to a man offering himself for re-election.

38,928. Well, if you acted upon information that he had won his election by corrupt means you might be right in taking that view, or making that exception?

—I do not know that I did make that exception. I merely state that as my impression now.

(*Mr. Price.*) We have had no evidence before us that these gentlemen who went to London told you that Mr. Patton had got in by corrupt means. The evidence rather goes to show that there is a sort of detestation here in this place of any election being allowed to go over without the chance of money being spent.

(*Mr. Anstey.*) We have it in evidence that on the day of election one man was congratulating himself that the election might be set aside on petition, and then he was immediately confounded by the remark, "Mr. So-and-so, our hands are dirty too." That was at the time when Bagehot was defeated, so that it was the common talk of the town then that there had been bribery on both sides.

38,929–31. (*Mr. Price.*) They knew it here, there is no doubt, but whether they told you that in London as an inducement——?—I cannot say that they told me that in London. I merely gave that as an explanation. As I laid down before, the general rule is in political life that you would not oppose a man who is merely offering himself for re-election.

(*Mr. Anstey.*) The question is whether the last election was a fair criterion of the strength of the party. If it is, it is not fair to commence a new contest just afterwards.

38,932. (*Mr. Price.*) Mr. Bovill at Guildford, you know, was a strong instance?—I know a good deal about Mr. Bovill at Guildford.

(*Mr. Price.*) But, however, we need not go into that.

(*Witness.*) I may mention that two gentlemen came to me who wanted to go to Guildford, and I would not allow them.

38,933. (*Mr. Coleridge.*) As a regular rule you do not oppose?—No.

38,934. (*Mr. Anstey.*) You would not call it a corrupt practice to oppose, if you have a good chance?—Certainly not. Every constituency has a right to choose its own representative.

38,935. (*Mr. Price.*) But what do you think of a man coming, if it is for the keeping up of corrupt practices, if the gentleman comes down, as Mr. Vanderbyl, a man of an enormous amount of money came down, and floods the town with money? Would you not say then that those who brought him down had an idea not so much of strengthening the party as of flooding the town with money? You see they brought down an enormously rich stranger, and one not of any mark. I do not say it in disparagement of Mr. Vanderbyl, but he is not a man of mark?—Mr. Vanderbyl is a merchant.

38,936. I do not say it in disparagement of Mr. Vanderbyl, but he is a man of no such mark that he should be sent here?—His firm is a firm of very considerable standing.

38,937. Oh yes, no doubt?—And I believe he had some local interest in the borough.

(*Mr. Coleridge.*) He has got some place here.

38,938. (*Mr. Price.*) He has got some place?—There was something more than that, surely. He is interested in the trade of the borough.

(*Mr. Price.*) Well, he has got a ship called by his name, but he is utterly unknown in the borough.

38,939. (*Mr. Anstey.*) I presume that a man coming down to flood the town with money is a man coming down for corrupt practices, whether he violates the comity that has been spoken of, the rule of comity, or whether he does not. The corruption consists in the flooding, not in the breach of comity?—Certainly.

38,940. (*Mr. Price.*) And the question is why they bring down a man with money but a man of no mark, like Mr. Vanderbyl, but who has an enormous amount of money, and whose reputation is that of a man who will freely spend it for corrupting electors, and who is introduced by a Mr. Brogden, who is equally notorious for the same thing, and who brings the money down in a carpet bag. Perhaps you did not know of that?—I did not know of that. I have heard it said.

38,941. (*Mr. Anstey.*) You could not know it, it not having been committed when you were consulted by them?—No; and more than that, it is only fair to Mr. Vanderbyl to say that certainly my impression at the time was that he intended to fight this as a pure election.

(*Mr. Price.*) Yes, they all do. That is the common formula.

38,942. (*Mr. Anstey.*) Well, have you anything more to tell us?—I do not know that anything occurs to me particularly. I am prepared to give every information.

38,943. (*Mr. Coleridge.*) You had nothing to do with the last election, had you?—Not the slightest. I may mention this, though it may be a little irregular perhaps as a matter of evidence, but should there be any question upon which you wish information, if your secretary will have the goodness to send me a letter I will answer it at once, and I will attend in London for the confirmation of the information. I merely mention this for this reason, that you might want to take evidence here and act upon my information before you get at me again.

(*Mr. Coleridge.*) Well, if there is anything else that we want we could pursue that course in London.

(*Witness.*) I should like to say in explanation, I had nothing to do, either directly or indirectly, with either providing money, any corrupt practices, or in reference to this election in the slightest way in the world.

(*Mr. Price.*) I do not impute anything of the kind to you, Mr. Smith. I think there are idle rumours with regard to both sides, which are perfectly contemptible; and I should no more think of imputing that you were the means of getting money, by way of subscription, or anything else, for such a purpose than I should think of imputing it to any other gentleman of whom I know nothing.

(*Witness.*) I am very glad to hear you say it. You have done me only justice in saying it. The thought never entered my mind of any connivance, either direct or indirect, at any corrupt practices of any sort or kind. If Mr. Purcell will write to me I will assist you in any way that lies in my power. I do not know whether you allow any witness to have a copy of the shorthand writer's notes.

(*Mr. Price.*) No, we do not.

(*Witness.*) They will be printed, I suppose.

(*Mr. Price.*) They will be printed afterwards.

Mr. John Ruddock sworn.

Mr. J. Ruddock.

38,944. (*Mr. Price.*) Are you an attorney and solicitor, carrying on business in Bridgwater?—I am.

38,945. How long have you been in practice?—Since the early part of 1831.

38,946. You have been mixed up in electioneering matters during the whole of that time?—More or less.

38,947. I do not know whether it will be convenient for you to do as the other gentlemen have done, to begin and give us the whole history of what part you have taken, or shall we take you seriatim through them?—I cannot do better than read Mr. Trevor's account which he has already given you. I cannot recollect dates and names from memory in the way he has given them to you.

38,948. I will take you to the last election. Did you act in 1868 as one of the recognized agents of the

THIRTY-EIGHTH DAY.

Mr. J. Ruddock.

8 Oct. 1869.

Conservative party?—Certainly not. I have never been an agent since 1859.

38,949. Had you anything to do with the practical working of the last election?—No.

38,950. Not in any way?—No. I did assist my friends occasionally in taking part in the canvass, but in no other way. I supplied places occasionally when business prevented them, or when they wanted to get away.

38,951. But in any professional way? You had no staff of clerks, and no charges to make, and made no charges?—Not in the least. I cannot say there were no clerks employed, because on the day of election it is usual for us to lend clerks for check clerks, and that sort of thing, and I believe one or two of them may have been engaged, but I have no charges in the matter at all.

38,952. Now we will go to Vanderbyl's election in 1866. Were you in the same position then?—Precisely.

38,953. You had nothing on earth to do with it?—Nothing on earth to do with it in any way whatever.

38,954. Were you in communication at all with Mr. Patton as to his prospects, or discussing the question?—No. The first time I saw Mr. Patton was in the committee room at the House of Commons during the trial of one of the petitions; and Mr. Bealy Smith then (I was in a different part of the room) came to me and asked me to come across to the other end of the room to be introduced to Mr. Patton, who was to be our future candidate.

38,955. Oh, that was the time of Mr. Westropp's petition?—Yes; and he told me then that Mr. Patton was expected to be the Lord Advocate if there was a change of Government, and that he was to be our candidate; and he further said (which I believe you have got from Mr. Spofforth), that Mr. Patton had engaged to bear a portion of the expenses of the petition. He did not say what petition, whether the petition against Mr. Westropp or against Mr. Kinglake.

38,956. You are rather anticipating. I first began with Vanderbyl's election. You say you had nothing to do with that?—Nothing at all.

38,957. Then Patton's first election, had you anything to do with that beyond what you have told us?—No.

38,958. You had become acquainted with Mr. Patton under the circumstances you have now related?—Exactly.

38,959. And you understood as a part of what had been done between Mr. Patton and the party here that he had agreed to pay a part of the expenses of the petition against Mr. Westropp?—Well, I cannot tell of which petition, whether the petition against Westropp or the petition against Kinglake, one of those, because the expression he used was "the petition."

38,960. Besides that was there any other communication as to money matters?—Not the least in the world.

38,961. Or what was to be spent?—Not the least.

38,962. Did you make Mr. Patton's acquaintance?—I did.

38,963. Did he consult you in any way, or have any communication with you, as to the probable expenditure at the place if he became a candidate?—Not a word passed on the subject, and I am not aware in any way whatever of any pecuniary arrangements with Mr. Patton as to either of his elections.

38,964. Now we will go to 1865. That was the time Mr. Westropp was elected, and unseated afterwards. Had you anything to do with that election?—Only in the same way I have mentioned.

38,965. In 1859 Mr. Westropp was first introduced with Mr. Padwick?—Then I was an acting agent in 1859.

38,966. Then, as you have got to that point, tell us what part you took in the matter?—Well, the part I took in the matter was simply I attended them in their canvass upon several occasions.

38,967. Will you give us the history of Mr. Padwick's introduction to the borough here?—Mr. Richard Smith went to London to bring down one or two candidates, and he came down by the express train in the evening, bringing with him Mr. Padwick and Mr. Westropp, who were introduced to us at the "Clarence" as our candidates. Then they issued their addresses, and of course proceeded with their canvass, and I assisted them in the canvass from time to time with others, as it happened to be convenient. Sometimes I went with them, sometimes others.

38,968. Had you anything to do with the manipulation of the money part?—Not the least.

38,969. Who managed all that at that time?—That was left for Mr. Smith, I think.

38,970. Mr. Richard Smith?—Mr. Richard Smith, I apprehend. I had nothing to do with it. I know nothing at all about it.

38,971. Did Mr. Richard Smith keep all these matters entirely to himself?—Well, I suppose he did. I do not know. I do not know that any arrangements he made were communicated to anybody else. I have no knowledge of it. I knew nothing about it.

38,972. (*Mr. Coleridge.*) What did you receive for your services on that occasion?—I think it was about 65*l.* or 70*l.*, or something of that sort, with my partner. My partner was engaged also.

38,973. (*Mr. Price.*) Who was your partner?—Mr. Auber. He had very little to do with the election, and we received for our joint services, I think it was, a cheque for 65*l.* or 70*l.*, or something of that sort.

38,974. Did it ever come to your knowledge in any way whatever how much Mr. Richard Smith ever made out of these elections?—No, never in any way.

38,975. How much Mr. Bealy Smith ever made?—No.

38,976. I mean since you have known the borough?—No.

38,977. We have had such an enormous expenditure of money on the part of the Conservative candidates that is utterly unaccounted for. With regard to poor Mr. Patton, bribery does not account for the expenditure, because all the bribery we have had proved is 1,900*l.* at the first election, in 10*l.* notes or ten sovereigns, and 1,900*l.* at the second, very much the same amount, ten sovereigns a man, or five only in some instances, and yet we have it as the fact that he was fleeced to the extent of nearly 7,000*l.*?—Well, my own opinion is that Mr. Bealy Smith went away from Bridgwater a poor man.

38,978. Where did that money go to?—That I cannot tell you. I do not believe that——

38,979. There is no doubt about the money having gone?—Exactly.

38,980. Because we have had the gentleman who disbursed it, who found it in the first place, Mr. Thompson, who was repaid, and who says that he had not the slightest doubt had when the late Lord Justice Clerk went through the accounts for the purpose of coming before this Commission he was so horrified to find the large sums stated in the evidence that it broke him down.

38,981. (*Mr. Anstey.*) Do you concur in Mr. Westropp's opinion that Bealy Smith, when he made these demands for money, was the mouthpiece of all the Conservative lawyers in Bridgwater?—No, certainly not, because he was no mouthpiece at all with regard to these sums.

38,982. As far as your firm in particular is concerned, is it true or is it false?—He certainly was no mouthpiece of mine with regard to any money transactions whatever.

38,983. (*Mr. Price.*) It is a marvellous thing where this money has gone to. If the whole sum is added up that has been spent in Bridgwater within the last four years, from 1865 down to 1869, on both sides, it will come to over 20,000*l.*; I have no doubt con-

siderably over 20,000*l.*?—I can only repeat what I have said before; that I think Bealy Smith when he went away from Bridgwater would be a poor man.

38,984. Perhaps that is to be accounted for on the old proverb, "that ill-gotten gains do not prosper," and that he got the money for his own purposes?—I do not think that was applicable to him, because I do not think he put the money in his pocket.

38,985. Where could it have gone?—I cannot tell you where it could have gone.

38,986. It is a strange thing?—That is my own belief; that he did not put it into his own pocket.

38,987. Is that all you have to tell us with regard to 1859?—Yes.

38,988. Now, 1857; did you have anything to do with that?—1857; I had nothing to do with that election at all. I was returning officer.

38,989. (*Mr. Coleridge.*) 1852; Lord Henley's election?—Oh, yes, I was interested in that, certainly.

38,990. (*Mr. Price.*) As an agent?—Yes.

38,991. For Mr. Follett, I believe?—For Mr. Follett; Follett and Mansell.

38,992. Do you know anything about the expenditure of money then on the part of Follett and Mansell?—No.

38,993. Was there any money spent?—I do not believe there was on the part of Follett and Mansell.

38,994. Richard Smith still had the management then?—Yes, certainly of the pecuniary part; undoubtedly.

38,995. Before that; the 1847 election?—Well, I cannot carry my mind back as to who would be candidates.

(*Mr. Coleridge.*) 1847; Broadwood, Tynte, and Gaselee.

38,996. (*Mr. Price.*) Serjeant Gaselee was brought down at the last moment?—Yes, I believe he was. I cannot tell you anything about that.

38,997. He polled 196 votes?

38,998. (*Mr. Coleridge.*) I do not suppose Broadwood ever contested an election without spending money?—I cannot tell at all. He was said to have spent money. It certainly was understood that he spent money.

38,999. When Leader was here he spent money. We know he spent an immense sum?—Leader did. That is the first time he came down. There is no doubt money was spent then. He came down with Captain Markham.

39,000. (*Mr. Price.*) Is there any information you can give us about that?—I can give you no more than you already have.

39,001. (*Mr. Anstey.*) Were you one of those who kept watch and ward over Mr. Bowen's house after the riot of 1832?—I was, one night.

39,002. Was that after the riot?—That was after the riot.

39,003. The same night?—No, it was not the same night, because Mr. Bowen, as I have learned, was called away from a meeting which he was attending. I was at that meeting, and I went straight home, and I heard nothing at all of the riot until the following morning; I knew nothing at all about it. Whether it was the next night or the night afterwards I cannot tell, but I was one of those who stayed up at Mr. Bowen's house, as you say, to "keep watch and ward."

39,004. I ask you in order to put this question to you. Did you at the time consider it so serious an affair as to make it necessary for the protection of Mr. Bowen's person and property that some ward should be kept?—It was looked at in that light.

39,005. And not as a farce or practical joke, as Mr. Wood Sully described it?—Oh no. I should not have had my night's rest broken by a practical joke, certainly, or anything of that kind.

William King sworn.

W. King.

39,006. (*Mr. Price.*) What are you, Mr. King?—A house painter.

39,007. Whom do you work for?—I am working with Mr. Boulting at present.

39,008. Are you a voter?—Yes.

39,009. Did you vote at the last election?—I did.

39,010. How did you vote?—I voted for Westropp and Gray.

39,011. Did you get anything for it?—No.

39,012. Any promise?—No, not the slightest.

39,013. Any employment in any way?—No.

39,014. Did you vote at the election of 1866, when Vanderbyl was elected?—I only voted at the last election. That was the first time I had a vote.

39,015. Were you offered anything by the other side?—No, not at all.

39,016. Were you summoned here?—Yes, I was.

39,017. Do you know whether your name has been returned on any list as having been bribed?—Not that I know of.

39,018. (*Mr. Anstey.*) What is your name?—William King.

39,019. (*Mr. Price.*) Have you taken any part in any of the elections besides voting at the last?—Not the slightest. I do not know what I am subpœnaed here for.

(*Mr. Price.*) Well, I do not know either. I am sorry you have had the trouble to come.

(*Witness.*) It has put me to a great deal of inconvenience. I have had the subpœna ever since Saturday, and I have had to keep in readiness ever since.

39,020. Has your name been put on the list?—Every day since. Saturday my name has been put on the list.

39,021. Have you been obliged to attend here from time to time?—Well, I could not go out of the town if I wanted to; certainly not.

39,022. (*Mr. Anstey.*) Is there another William King besides you in Bridgwater?—Yes, there is William King, a smith.

39,023. Well, that is probably the person meant. Is there another William King?—Yes, William King, a shoemaker, who lives in Fryern Street.

(*Richard Hodges.*) I think this is the man Mr. Joseph Richard Smith spoke of as being at the meeting at the "Lamb."

(*Witness.*) I was at the meeting at the "Lamb."

39,024. (*Mr. Price.*) You were at the meeting at the "Lamb"?—I was.

39,025. Did you hear Mr. Joseph Richard Smith make a speech?—I did.

39,026. Now, tell us what he said, as far as you can recollect, about money?—Do you mean about the "M. D."?

39,027. Yes.—Well, I will tell you as far as my recollection will allow me. He said, "There's a great many young voters here that never voted before." He said, "No doubt some of you may be tampered with by the other party. If you are, don't take promises." He said, "There is an old adage that the Americans "use when they transact this sort of business; two "letters, 'M. D.' Perhaps you do not know what "'M. D.' means?" Then there was a bit of a laugh through the meeting. "I will tell you," said he, "'M. D.' means 'money down.' Now, if any of you "should be tampered with by the other party, mind "the old American adage, 'M. D.'"

39,028. You are quite sure he said "If you are tampered with on the other side?"—Yes, as far as my recollection goes I am certain.

38,029. (*Mr. Anstey.*) Did he say anything about sugaring their plums?—Not that I know of. I never heard him mention that at all. I have only heard that come from one party, that is Beal in West Street. That is the only man I ever heard mention that thing.

(*Mr. Price.*) Very well, Mr. King. It was important you should tell us that.

Short adjournment.

William Rees sworn.

39,030. (*Mr. Price.*) What are you?—Why, sir, I am a shipowner.

39,031. Are you a voter for the borough?—Yes.

39,032. Did you vote at the last election?—I did.

39,033. How did you vote?—For Westropp and Gray.

39,034. Did you get anything for it?—I did not.

39,035. Did you get any promise, or anything of the kind?—No.

39,036. Or any employment?—Nothing.

39,037. Did you vote in 1866, when Mr. Vanderbyl stood against Mr. Patton?—I did.

39,038. How did you vote then?—For Mr. Vanderbyl.

39,039. Vanderbyl?—Vanderbyl.

39,040. In 1866 there were two elections; one when Mr. Vanderbyl stood against Mr. Patton. You remember that?—Yes.

39,041. Vanderbyl was returned; how did you vote then?—For Vanderbyl.

39,042. What did you get for it?—15*l.*

39,043. Who from?—Bulpin.

39,044. Did you get anything from Jarman that time?—Yes, I had. The first time I voted was for Westropp, and then I had 10*l.*

39,045. In 1866 there were two elections; you remember that?—Yes.

39,046. Both times Mr. Patton stood?—Yes, I voted for him once.

39,047. Is that the first time he stood?—The first time.

39,048. The second time he stood you voted for Vanderbyl?—Vanderbyl.

39,049. And got 15*l.*?—I got 15*l.*

39,050. Did you get anything from the other side as well?—No, I did not.

39,051. Who did you get that 15*l.* from?—From Bulpin.

39,052. When Mr. Patton stood the first time in 1866, who did you vote for then?—Mr. Patton.

39,053. Mr. Patton stood against Mr. Bagehot?—I was not home at the time—oh yes, of course, to be sure I was. That was the time I voted for Mr. Westropp—no, Mr. Patton, to be sure it was.

39,054. Did you get any money then?—I got money from Mr. Patton.

39,055. How much—not from Mr. Patton, but who?—Well, at his election.

39,056. Who from?—I will tell you. I had first of all 10*l.* for Westropp's election.

39,057. Who from?—Heal. That was the first.

39,058. In 1866 you say you voted for Mr. Vanderbyl?—I voted for Westropp before that.

39,059. Will you stick to one thing at a time?—Yes.

39,060. Did you vote for Vanderbyl?—I did.

39,061. And got 15*l.* from Bulpin?—From Bulpin.

39,062. Did you vote at the election when Patton and Bagehot were the two candidates?—Yes, that is the time.

39,063. Who did you vote for then?—Patton.

39,064. What did you get then?—10*l.* I think it was.

39,065. Who did you get that from?—From Jarman.

39,066. Did you get anything for expenses besides?—No, I did not. I got 10*l.*, that is all.

39,067. Are you sure you did not get another 10*l.* from Jarman that year?—No, I did not.

39,068. In 1865 did you vote when Mr. Westropp stood?—Yes, when he got returned and unseated. That is the time; it was from Mr. Heal.

39,069. How much did you get then?—I had 10*l.* from him.

39,070. William Heal?—Yes.

39,071. Are you quite sure you never got 5*l.* for expenses from Jarman?—No, no money for expenses.

39,072. Did you get 5*l.* from Heal for expenses?—No. I got 5*l.* when I came home from Milford to vote for Westropp.

39,073. What year was that in?—That is when Westropp got in, and was unseated again.

39,074. Then you got 10*l.* and 5*l.*?—Yes, all the expenses I had.

39,075. 15*l.* you got?—15*l.*

39,076. And 15*l.* from Bulpin?—And 15*l.* from Bulpin.

39,077. That is 30*l.*?—30*l.*

39,078. (*Mr. Coleridge.*) How much besides?—Then I had 10*l.* from Jarman, you know.

39,079. (*Mr. Price.*) When did you get the 10*l.* from Jarman?—When I voted for Patton.

39,080. (*Mr. Coleridge.*) You were paid on both sides?—No, I was not paid on both sides. I had 10*l.* for voting for Patton. That was not both sides, was it?

39,081. (*Mr. Price.*) You voted for Patton one time, and the next time against him?—I did.

39,082. And you got 10*l.* for voting for him, and 15*l.* for voting against?—No, I had not 15*l.* for voting against him. You do not understand me.

39,083. (*Mr. Coleridge.*) I do not think anybody can?—You bother me so.

39,084. Tell your own story, then?—I came from Milford, and left the vessel at Milford.

39,085. When?—When Westropp came here. I cannot date the year back as you can. I left the vessel to come home, and I voted for Westropp, and he stood by himself and got in, and got unseated.

39,086. That was 1865?—Very well; then I had 15*l.*

39,087. Who from?—10*l.* from Heal, and 5*l.* from Mr. Trevor's office.

39,088. Mr. Trevor's office?—Yes.

39,089. Who gave it to you?—One of his clerks.

39,090. (*Mr. Anstey.*) What is his name?—Walford.

39,091. (*Mr. Price.*) Did you get paid at Mr. Trevor's office?—I got the 5*l.* at Mr. Trevor's office.

39,092. What was that for?—Because I left the vessel at Milford; expenses here and back. That was 15*l.* at that election.

39,093. Then came the next?—Yes, Mr. Patton came.

39,094. Patton and Bagehot?—I do not mind Bagehot, but my own man I voted for; that was Patton.

39,095. What did you get then?—10*l.*

39,096. No expenses?—Nothing.

39,097. Nothing afterwards?—Nothing but the 10*l.*

39,098. Then the next time?—Vanderbyl's; I got 15*l.*

39,099. How came you to desert your old love to go on with the new?—I will tell you how that was; there was a party working my vessel, and to please those two gents I voted that way.

39,100. (*Mr. Price.*) Who are those two gentlemen?—His worship the mayor, and Mr. George Wilton.

39,101. To please the mayor and Mr. Wilton you turned round?—Yes; but mind they did not ask me to do it, but I thought it would make the water a little smoother, you see, sir, because they were working the ship, and I went that side.

39,102. (*Mr. Coleridge.*) Was it the 15*l.*, or the mayor, that induced you to do it?—I did not know there would have been any money.

39,103. You could have got money on the other side, I suppose?—I know.

39,104. You preferred going to your employer's side to the other?—No.

39,105. Was it to make the water run smooth, then?—Well, at this election I had no money—Westropp and Gray's. I would not go with Mr. Vanderbyl's side again.

39,106. You would not?—No.

39,107. Were you in the employment of those gentlemen?—No, I was not; the ship was my own.

39,108. (*Mr. Price.*) They were the freighters of the ship?—Yes.

39,109. (*Mr. Coleridge.*) How did you vote the last time?—For Westropp and Gray.

39,110. That was your own way of thinking?—

Well, I thought they did not act right towards me, and I would not vote that side again.

39,111. How did they act not act rightly towards you?—I do not know.

39,112. But you must tell us?—You know all about them elections; that is Westropp and Patton's.

39,113. We want to know why Mr. Sully and Mr. Wilton did not behave well to you?—It was after Mr. George Wilton intimidated me at Mr. Westropp's election.

39,114. This is very important. You must be careful what you say.—He said it was no use coming to his office any more to see for a cargo, I would not have one.

39,115. Did he tell you why?—He did not tell me why, but he saw me going to the poll.

39,116. How soon after did he tell you?—There. I was going to give my vote.

39,117. Do you mean the very time?—Yes; just then.

39,118. (*Mr. Price.*) At Westropp and Gray's election?—No; that was Westropp's election he intimidated me.

39,119. (*Mr. Coleridge.*) When you voted for Vanderbyl?—At Westropp's election Mr. George Wilton intimidated me.

39,120. Do you mean the last election?—No, not the last election; it was the time when Mr. Westropp got unseated.

39,121. In 1865?—Yes; Mr. George Wilton intimidated me.

39,122. Mr. George Wilton is a Liberal?—Yes.

39,123. In 1866 when you voted Conservative, were you intimidated again?—No.

39,124. Your own story now is, because Mr. Wilton intimidated you in 1865 you would not vote for the Liberals again?—Then you do not understand me.

39,125. I do not, but I mean to before you leave that box?—Stay a bit; when I came first to vote for Mr. Westropp——

39,126. That was 1865?—Then I had to come from Milford.

39,127. You got 10*l.* then and voted for the Conservatives?—No, no such thing; it was the second time that Mr. Westropp came here, when he got in and was unseated again. That is the time, and then Mr. George Wilton intimidated me.

39,128. What did he do?—He told me if I came to his office again I should not have a cargo. I went to Milford, and brought my vessel home, and said to my wife, "I will sell this vessel now." I was the sole owner of that property, but the two elections were over then.

39,129. Westropp and Patton's?—No, stay a minute; I will tell you all about it, I will go as straight as a line. If you will listen to me I will tell you all about it. So he intimidated me, and I brought the vessel home. I was going to sell this vessel. I said, "I will sell this vessel, if I cannot get a cargo for her she is no use to me." Then it was on the eve of being sold, and Mr. Lilly was going to sell her for me.

39,130. What year was that in, was it 1865?—I suppose it was; it was four years ago.

39,131. Was it, or not, when Mr. Westropp was elected and subsequently unseated?—That is what I tell you; to be sure it was.

39,132. How long after the election were you going to sell the vessel?—I had only to go to Milford to fetch her back home.

39,133. That would take you a few days?—Two or three days, not long.

39,134. He had told you before that you never need come for a freight to him, so you thought you would sell the vessel?—Yes, that is it. Now you have my words right, have not you?

39,135. Now tell us about the sale of this vessel?—I sold this vessel; Mr. Lilly was going to sell her for me, he was my auctioneer to sell that vessel, and no man owned a rope in her but myself, and I worked hard to get her. So the eve came on to sell her, and who should pass by but Mr. Wilton, and he said to me, "Halloa, William, are you going to sell your vessel?" "Yes, sir"; says I. Mr. Wilton says, "What do you want to sell her for?" I says, "If I cannot get a cargo she is no good to me." "Pack of stuff about selling your vessel, why not come to me?" I said, "Sir, I do not want to come to anybody." "Pack of stuff," says he, "do you owe much money, William"? "No," I says, "not very much." He says, "How much do you think"? "Well," I said, "about 60*l.* or 70*l.*, perhaps." And if I had sold my vessel I could have paid all that. She was worth 250*l.* That was the reserved sum between me and Mr. Lilly. I listened to him; we went into the "Fountain," and he had a glass of whiskey and water, and I had a pint of half-and-half, and lots of people were there to buy the vessel. I said to stop the sale, "I shall not sell the vessel;" and the sale was over. Then he said, "You come to the Cornhill." The next morning I went down to see Mr. Wilton, and he said, "You shall have an agreement, you know." "Very well, sir," I said.

39,136. What was the agreement?—To work this vessel for him two years; so I went down the next day, and he says, "There must be some agreement, I suppose." I said, "Yes, sir." Mr. Sully got the agreement drawn up, and after he had it drawn up at his office, I was called in, and Mr. Sully read it to me.

39,137. Have you a copy?—I can get one.

39,138. We would rather have the agreement?—I can soon get it, and my statement is as near. I am telling you word for word. You can see the statement. I put this all in the attorney's hands, but they all served me out pretty well. I went to Mr. Sully's office a few days after; he read it over to me, and I took it.

39,139. What was the agreement?—To work her for two years; they were to work her if they were minded to.

39,140. What did they pay you?—14*s.* a week out of her earnings. I was to receive that.

39,141. Were you to be captain of her still?—No; but a young man was to go in the vessel. They said, "We shall be happy for you to be it." But I said, "I do not know, I do not care if I do not go to sea "any more. I have had a pretty good turn at it." He said, "How many years"? I said, "Forty-six out of "this port, and I cannot face the storm as I used to "when a young man. Well, the agreement was read "over. It is all right enough," I said, "I should like my "wife, who is outside, to come in and hear this agree-"ment read." She was called in, and when she came in Mr. Sully was not there, and one of his clerks read it over to me and my wife, the same thing. I said to my wife, "What do you say to that?" and she said, "I do not see anything against that, because in two "years, if we do not like their proceedings with the "vessel, we can have the vessel back again." I had to sign this agreement, and what do you think it was when I signed it? Why, a blank mortgage. I had no money from Mr. Sully or Mr. Wilton, and in less than ten minutes I was 70*l.* in their debt. What do you think of that?

39,142. Do you really mean that?—I do mean it.

39,143. Do you mean between the time the first agreement was read over to you?—In two minutes after my wife was in, not the first agreement.

39,144. Can you read yourself?—Yes.

39,145. Can your wife read?—Yes.

39,146. Do you mean between the time of your going out to fetch your wife and coming back they changed one agreement for the other?—No; it was read over to my wife the same as to me.

39,147. Do you mean they read what did not appear on the face of it?—They read one thing, and gave me another to sign; and I never knew it was a blank mortgage, or else do you think I would sign it? To be sure not.

39,148. When did you find out it was a blank mortgage?—Not till after they sold the vessel.

THIRTY-EIGHTH DAY.

W. Rees.

8 Oct. 1869.

39,149. When was that?—They sold it in about 10 months.

39,150. What did they return to you?—Nothing at all, not a farthing. I never saw anything of my vessel; she went out of my hand like a bird.

39,151. This is a serious matter; do you mean to say Mr. Sully and Mr. Wilton swindled you out of this vessel?—They did. Mr. Bealy Smith was my attorney, and he said it was a deliberate swindle.

39,152. Did you have an action at law about it?—I went to Mr. Bealy Smith, and went up day after day and said, "Well, sir, how do you get on?" He said, "They are doing it all on their own responsibility." He said to me like that. I went away again. The next day I went up again, and says, "Well, sir, how are you going on to-day?" He says, "Oh, they are doing it all on their own responsibility."

39,153. Whose responsibility?—Mr. Wilton and Mr. Sully were acting on their own responsibility, and they sold the vessel, and they showed no accounts; and when Mr. Bealy Smith sent down, they refused to show them, because they said, "We pay the accounts off, and have the vessel."

39,154. Did you have an action?—No, because I had not the tools, as they said to me, "We cannot go to work without tools," and I hold a bill of sale to this day. Who made out a bill of sale for her I cannot think, because I hold she was never transferred from me to that man who bought her.

39,155. They sold her as mortgagees in possession, I suppose?—That is it, and I never have had any money.

39,156. Do you mean they never paid anything for you?—No.

39,157. (*Mr. Anstey.*) Did you owe them anything?—No; there was an account between Mr. Sully and me, he was my shipbroker whilst I was here.

39,158. Has Mr. Sully anything to do with Mr. Wilton's firm?—I cannot say.

39,159. To Mr. Wilton's firm you owe no money?—Not a farthing.

39,160. (*Mr. Coleridge.*) Did you owe Mr. Sully anything?—He was my shipbroker, and there was something behind as far as commission on freights.

39,161. How much?—I do not know.

39,162. As much as 70*l.*?—I should think 3*l.* or 4*l.*

39,163. 3*l.* or 4*l.* only?—Yes.

39,164. (*Mr. Price.*) When this transaction took place you had voted for Westropp and Patton, and this is what took place between you and them, and then you voted for Vanderbyl?—Yes, because they were working my vessel then.

39,165. (*Mr. Coleridge.*) In 1866 you voted for Mr. Patton because they were employing your vessel. After voting for Mr. Patton they sold your vessel off, and between the two times, the second election in 1866, you voted for Vanderbyl?—When Vanderbyl came I thought to myself, if I vote against them it will not be so smooth as if I voted with them.

39,166. But they had sold your ship then?—No, they had not.

39,167. (*Mr. Price.*) When did they sell it?—I cannot say.

39,168. (*Mr. Coleridge.*) Because after this transaction, getting hold of you with this agreement, you voted for Mr. Patton in 1866?—Yes.

31,169. That was voting against them?—Yes.

39,170. Some time in 1866 they sold your vessel off, and you voted for Vanderbyl?—I voted for Vanderbyl.

39,171. Was that before or after they sold your vessel off?—I think it must have been before they sold the vessel.

39,172. Up to that time, had they been paying you your 14*s.* a week?—No, not since they sold her.

39,173. But up to the time they sold the vessel, from the time of your signing that agreement?—Yes.

39,174. Then you voted for Vanderbyl to keep the water smooth; and then at the next election, the ship being sold off and the 14*s.* a week stopped, you came back and voted for your old love?—Yes, I did, without any money and without any price.

39,175. Because there was no money going?—I do not know.

39,176. When was the first time you voted at all in your life?—Going on for 30 years ago, I should think.

39,177. Who for?—Broadwood and Forman.

39,178. What did you get then?—10*l.*

39,179. Who from?—James Gover, a sail maker.

39,180. (*Mr. Price.*) Did you vote anywhere between 1841 and 1865?—No, from the time I voted for Broadwood I did not give my vote here until Mr. Westropp came.

39,181. Why was that?—I was not at home.

39,182. (*Mr. Coleridge.*) Did not you vote for Mr. Westropp in 1859, when Mr. Padwick came down?—No, I was not at home. The first time was for Mr. Westropp.

39,183. What year do you say you received the 5*l.* from Mr. Trevor?—That was for Mr. Westropp's election; 10*l.* from Heal.

39,184. (*Mr. Price.*) And 5*l.* from Mr. Trevor's clerk, for expenses?—Yes.

39,185. (*Mr. Coleridge.*) Then, so far as your statement goes, which probably we shall have a deal to hear about, your ship was got away from you without your having a farthing in return?—Not a farthing; and they brought me in 4*l.* 1*s.* 5*d.* debt, and that stands to my account in their office now.

39,186. (*Mr. Anstey.*) Did not you consult any lawyer?—I did, Mr. Bealy Smith.

39,187. (*Mr. Coleridge.*) And he told you that you had no tools, and he could not go to work for you?—It was not him—one of his clerks. If I had had plenty of money, I should have gone to war with Mr. Sully and Mr. Wilton.

39,188. What is the name of the clerk?—Chapman; and my receipt is in that office. I never had any bill shown me of what the vessel went for. They took the vessel away and sold her for what they liked, because I had no tools.

39,189. (*Mr. Price.*) Are you quite sure, now be careful about what you are saying, that you did not owe Mr. Wilton or Mr. Sully any money?—There was something to Mr. Sully, the shipbroker.

39,190. 3*l.* or 4*l.*?—Harbour dues, and commission on freight.

39,191. He is a shipbroker; that would be brokerage?—Yes, the broker; not one farthing to Mr. Wilton.

39,192. (*Mr. Anstey.*) Nor Mr. Brown?—No, nor Mr. Brown.

39,193. (*Mr. Price.*) And you mean now deliberately to say before us that you were swindled out of your ship?—A deliberate swindle. Mr. Bealy Smith said it. I said, "Cannot you do anything?" He said, "We cannot go to work," Mr. Chapman says, without the tools."

39,194. What did you understand by "tools"—money?—He meant money, to be sure; he saw I had not much money.

39,195. (*Mr. Coleridge.*) Are you sure he did not msan facts by "tools"?—Hammer and chisel?

39,196. No, facts; when he said "no tools," did not he mean to say you had no facts to depend on?

39,197. (*Mr. Price.*) No case?—No, he told me it was a deliberate swindle. What could it be else? a blank mortgage put before me, which I never knew, but I signed what he read to me. I never knew it was a mortgage on the vessel.

39,198. Is your wife alive?—Yes.

39,199. We should like to have her here, because this is a black transaction charged against these people.

CHARLES SENDELL sworn. *C. Sendell.*

39,200. (*Mr. Price.*) You are called Charles Sendell the younger ?—Yes.

39,201. What are you ?—A plumber, painter, and glazier.

39,202. Where do you work ?—For myself.

39,203. Are you a voter ?—Yes.

39,204. Did you vote at the last election ?—I did.

39,205. For whom ?—Westropp and Gray.

39,206. Did you get anything at all for voting ?—I got nothing for it.

39,207. Did you vote at the next election of 1866, when Vanderbyl was returned ?—Yes.

39,208. How did you vote ?—For Patton.

39,209. Did you get anything ?—Nothing at all.

39,210. Did you get any promise ?—No promise whatever.

39,211. Did you vote at the other election of 1866, when Patton was returned ?—I did.

39,212. Whom did you vote for ?—Patton.

39,213. Did you get anything then ?—Nothing at all.

39,214. Any promise of any kind ?—No promise whatever.

39,215. Were you never paid anything after the election ?—I was paid by Jarman to pay some money to my father after the election.

39,216. Then you received money for your father ?—I received 10*l.* from Frederick Jarman for my father.

39,217. When ?—At Patton's first election.

39,218. You paid your father that 10*l.* ?—I did.

39,219. And he voted for Mr. Patton ?—He did.

39,220. Did you vote at any other election besides ?—Yes, in 1865.

39,221. How did you vote then ?—For Westropp.

39,222. Did you get anything then ?—Nothing at all.

39,223. Did your father receive any money ?—I do not know. I had nothing to do with my father then. In fact, I never interfered with him.

39,224. (*Mr. Anstey.*) Did you get anything after the election ?—No.

39,225. No promise ?—No promise whatever.

39,226. (*Mr. Price.*) The only money you have had in respect of any election is that which you handed over to your father ?—That which I handed over to my father.

39,227. (*Mr. Anstey.*) Did you vote in 1859 ?—I did.

39,228. Did you get any money then ?—No.

39,229. Or any promises ?—No.

39,230. Did you vote in 1852 ?—I was not in Bridgwater then.

39,231. (*Mr. Price.*) Have you ever been paid anything ?—No.

39,232. Or had any promise ?—No promise.

39,233. You have always voted one way ?—Always one way.

39,234. And never received any promise of employment ?—No, no appointment whatever.

39,235. But you have been the means of conveying this money to your father ?—I did, after the election. Jarman handed me 10*l.* at Patton's first election.

JAMES LONG sworn. *J. Long.*

39,236. (*Mr. Price.*) What are you ?—A bricklayer.

39,237. How do you work ?—I work on my own account.

39,238. Are you a voter ?—Yes.

39,239. Did you vote at the last election ?—The first time I ever took a bribe was in 1852.

39,240. We will go backwards ?—Well, I voted in 1868.

39,241. Who for ?—Westropp and Gray.

39,242. Did you get anything ?—No.

39,243. Any promise ?—No, not the slightest.

39,244. In 1866, when Vanderbyl was returned, did you get anything then ?—Yes.

39,245. Whom did you vote for ?—Patton.

39,246. What did you get ?—I voted for Patton twice ; it was the second time I voted, at least the first time I voted I did not get anything ; the second time I voted I had 10*l.*

39,247. From whom ?—Frederick Temblett.

39,248. Then you got 10*l.* for your two votes for Patton ?—Yes.

39,249. Did you get anything from the other side ?—No.

39,250. Or any promise of anything ?—No.

39,251. In 1865 did you vote ?—I did.

39,252. For whom ?—For Westropp.

39,253. What did you get then ?—Ten pounds.

39,254. Who from ?—Thomas Boys.

39,255. Is that all then ?—That is all I got then.

39,256. In 1859 did you vote, when Westropp and Padwick were here ?—Yes.

39,257. Whom did you vote for ?—Padwick and Westropp.

39,258. What did you get then ?—Ten pounds.

39,259. Who from ?—John Murlis.

39,260. In 1857 did you vote ?—No, I voted in 1852.

39,261. In 1857 you did not vote ?—I did not.

39,262. For whom in 1852 ?—I voted for the candidate who was up.

39,263. Follett and Mansell ?—I forget. I voted at every election the last 20 years.

39,264. You got nothing in 1857 ?—No.

39,265. Are you sure of that ?—I am sure.

39,266. No promise ?—No promise.

39,267. How is it you did not get anything then ?—Because they thought I was independent, that I would not receive any money.

39,268. In 1852 did you vote ?—Yes.

39,269. Who for ?—Tynte.

39,270. What did you get then ?—Ten pounds.

39,271. From whom ?—Haslam, who is dead now.

39,272. Was that the first election you voted ?—That was the first election I was bribed, not the first I voted. I voted several times at the elections, but I never received a bribe before 1852.

39,273. What was the first election you voted at ?—Well, I think that is almost the first election.

39,274. They gave you nothing ?—No.

39,275 In 1859 they found you were not so independent, and they have paid you since ?—A gentleman came up to me, and brought 10*l.*, and I thought I should have turned him out of the house. He asked me to receive 10*l.*, and I said he should not do it again.

39,276. For nothing ?—For nothing.

39,277. Have you ever got anything from the other side as well ?—No, that was the other side that first time, and the only time.

JOHN POLE sworn. *J. Pole.*

39,278. (*Mr. Price.*) What are you ?—A carpenter and wheelwright.

39,279. Where do you work ?—For myself.

39,280. Are you a voter ?—Yes.

39,281. Did you vote at the last election ?—Yes.

39,282. How did you vote ?—Westropp and Gray.

39,283. Did you get anything ?—No.

39,284. Did you get any promise ?—No.

39,285. Did you go up and vote on any expectation of getting anything ?—I did not think of getting anything at all. I did not go to look for it.

39,286. Did you vote at the election of 1866 before that, when Vanderbyl was down ?—I voted at two elections for Patton.

THIRTY-EIGHTH DAY.

J. Pole.

8 Oct. 1869.

39,287. What did you get?—The last of Patton's elections I voted and had 10*l.* from Frederick Jarman.

39,288. But nothing at the first election of Patton?—I will tell you directly. Then Jarman gave me 10*l.* to carry down to Mr. William Hinam, a neighbour of mine; I said, "Here is something Jarman has sent you "down," and he took the money, opened the drawer of the sideboard, and put it in there, and closed the drawer again, and I went into the house, and before I had finished breakfast he came to the house and wanted me to go to poll, and we went out and came home together, and he was in our house nearly the whole of the day after that. Two or three days after that he came again, and said, "John, our people have found out "the money, and I cannot keep it, and I bring it back "to you." I refused to take the money. I said, "What "am I to do with it? I cannot keep it." "I will give "it to you freely. It is a thing I shall never ask you "for, and never say anything about it," and I took the money and gave it to my daughter directly. I thought it was a free gift until now, because the man took the money and kept it in his possession. I went to the poll, and it was two or three days after—whether on the Friday or the Saturday I do not know.

39,289. Then you got 20*l.* by the transaction altogether?—That was 20*l.* Then he gave it to me. Certainly, if he had not told me I should not have had the money; I should have taken it back directly. Then at the next election I voted for Padwick, and did not get anything. Then about a week or a fortnight after, I was sent for by a master of mine, Mr. Robert Wood, timber merchant, and he said a gentleman had left something for me, and he took me two parcels. I never opened it until I came home and found there was 10*l.*

39,290. That was 30*l.*

39,291. (*Mr. Anstey.*) Did he tell you who the gentleman was?—He did not. I asked him who the gentleman was, and he said a gentleman came in and left it for me, and I gave it him.

39,292. The next before that?—1865?

39,293. Yes?—I voted for Shelley and Kinglake. That is the first election I voted.

39,294. What did you get then?—Nothing.

39,295. No promise?—No promise.

39,296. What made you turn round?—When they came canvassing I gave my word, and after I give my word I turned from no one, not the best man that is, for nothing.

39,297. Why did you give your word?—I gave my word, and after that I found I was wrong in voting on that side.

39,298. (*Mr. Anstey.*) You voted for Kinglake and Shelley?—Yes, and I said I would never give a vote after.

39,299. You were a Conservative?—I was a Conservative, and I gave my word accidentally to them, and I would not run from my word.

39,300. Who canvassed you? Who got your word?—Well, Sir John Shelley was there, and I do not know which attorney with them—whether it was Mr. Reed or who it was—one of them, and some more gentlemen with them.

39,301. They did not tell you that Shelley and Kinglake were Conservatives, did they?—No, they did not.

39,302. How came you to think they were Conservatives?—No, they were Liberals, but I voted on the other side. I was always a Conservative, and when I gave them the word I was a stranger in the town.

39,303. You said just now that you voted with them because you gave your word?—Yes.

32,304. And because you thought they were Conservatives?—No, I did not. I was always Conservative. I did not think they were; I knew they were Liberal.

39,305. (*Mr. Price.*) Why did you give them your promise?—I was never promised anything, and never received it.

39,306. But why did you promise to vote for two Liberal candidates if you were Conservative?—Why, because the gentlemen came and asked me for my vote, and I gave it to them accidentally.

39,307. (*Mr. Anstey.*) Was it because you expected they would do something for you?—No, I did not expect that; I did not look for anything.

39,308. (*Mr. Coleridge.*) You had received plenty of money before, so you knew all about it?—I will tell you——

39,309. (*Mr. Anstey.*) Had you ever voted before?—No, it was the first time.

39,310. (*Mr. Price.*) Do you mean you promised because they happened to be the first that asked you?—They did; that is how it was.

J. Webber.

JOHN WEBBER sworn.

39,311. (*Mr. Price.*) What are you?—A gardener.

39,312. (*Mr. Anstey.*) On your own account?—Partly on my own account. I garden for a great many gentlemen.

39,313. Are you a jobbing gardener?—I am.

39,314. What was the first election you voted at?—When Westropp and Shelley came here.

39,315. That was in 1865. How did you vote then?—For Westropp.

39,316. What did you get?—10*l.*

39,317. From whom?—I got it at Temblett's, at the "Bull and Butcher."

39,318. In 1866, when Patton came the first time, how did you vote?—I voted for Patton.

39,319. What did you get then?—I got 5*l.* then at the time out through a door, and some time after that Temblett brought round the other 5*l.*; I suppose a fortnight or three weeks after that.

39,320. (*Mr. Coleridge.*) He had bargained with you for your vote then. Who told you you should get 10*l.*?—I heard that money was being given away at Temblett's, and I went there.

39,321. You knew that 10*l.* was the price?—Yes.

39,322. How came you only to get 5*l.*?—I only got 5*l.* then; I think only fives were going then. I had 5*l.* afterwards.

39,323. Who promised the 5*l.*?—Temblett himself.

39,324. (*Mr. Price.*) At the second election, 1866, did you vote for Patton again?—I did not.

39,325. (*Mr. Anstey.*) Did you vote for Vanderbyl?—I did.

39,326. How much did you get?—30*l.*

39,327. Who gave it to you?—Mr. Gold, my landlord,

39,328. (*Mr. Price.*) In 1866, when Vanderbyl stood, did not you get 10*l.* from Patton?—I got 10*l.* at the "Bull and Butcher," and carried it back again.

39,329. And 30*l.* you got in gold for voting for Vanderbyl?—I did.

39,330. (*Mr. Price.*) Did you vote at the last election, in 1868?—Yes.

39,331. How did you vote?—For Kinglake and Vanderbyl.

39,332. Did you get anything?—Yes.

39,333. How much?—10*l.* at the "New Inn;" Allan gave it to me. There is one thing I wish to mention, that is, my name was brought up here yesterday by Temblett to say when John Webber brought back the 10*l.*, I told him I was forced to vote for Vanderbyl, for Mr. Thompson threatened to turn me out of the ground; I did not say such a thing.

39,334. Had he ever in his life threatened you?—Never in his life; he is the wrong gentleman to do so.

39,335. (*Mr. Coleridge.*) Then what made you turn round?—After I received the 10*l.* I went home to breakfast, and while at breakfast Gold, who is next door to mine, said to me, "You, being my tenant, may as well vote for Vanderbyl; here is 30*l.* for you."

39,336. It was the 30*l.* made you do it?—It was.

39,337. (*Mr. Price.*) What I have to say to you, as I have said to other men, is that their word is not to be considered very much unless it is

corroborated?—I took the 10*l.* back, and said to Temblett, "Here is the 10*l.*, for I do not intend to vote for you;" and I carried this money back about an hour or three parts of an hour afterwards. It was said yesterday it was the afternoon, but it was in the morning, and I said to Temblett, "I am renting under the Liberal party, therefore I must vote for them." I never mentioned Mr. Thompson's name.

(*Temblett, junior.*) He mentioned Thompson's name to me two or three days after. I saw him in Ham ward, and he told me the same tale as my father.

Mr. George Bryant Sully recalled.

Mr. G. B. Sully.

39,338. (*Mr. Price.*) A statement has been made here by a man of the name of William Rees. He gives an account, among other things, of his voting; that he voted, he says, once. You are not, perhaps, concerned in that, but it is better to tell you his whole story. No doubt he had voted once for the Conservatives, and then had been told by Mr. Wilton he need never look for a freight again; and he was the owner of a ship of his own, of course getting it freighted by persons who wanted a ship; and that he voted Conservative and for Mr. Patton; and then in the meantime he attempted to sell off his ship, in consequence of a threat of Mr. Wilton's, and you also, I believe, were concerned in the threat. However, he determined to sell off his ship, and he advertised it, and Mr. Lilly was the auctioneer employed to sell it; and then he had an interview with Mr. Wilton, who asked him what he was going to do, and he said he was going to sell his ship, and Mr. Wilton asked him if he owed any money, and he said 70*l.*, and he easily expected to get that, because the reserve bid for the vessel was 250*l.*, but he might at that time possibly owe for brokerage, he does not think, more than 3*l.* or 4*l.*; that he was then dissuaded by Mr. Wilton from going on with the sale of the ship; that he had had a kind of agreement that the ship was to be taken out of his hands, and worked by Mr. Wilton and yourself, and that a certain young man was to be captain, and that he (Rees) was to receive 14*s.* a week out of the earnings, and that he agreed to that for two years, becouse he and his wife thought at the end of the two years the ship would revert to him, and he would have his property back; that the agreement was then brought to him by Mr. Wilton, read over to him, and that that was what he understood it to be, but afterwards he found he had been induced to sign a document, which as he called it, was a blank mortgage, an out and out mortgage of the vessel; that he had for a certain time the 14*s.*, but in the end, he deliberately says, he lost his ship, and was completely swindled out of it, that is the expression he uses, by Mr. Wilton and yourself; that the ship passed away from him altogether, and that he owed you nothing except the 4*l.* for brokerage, and owed Mr. Wilton nothing in the world; and that is the history of his proceedings with regard to this vessel. That is a summary of it, and that he consulted Mr. Bealy Smith about bringing an action; that Mr. Chapman, Mr. Bealy Smith's clerk, said, "You have not got tools, and we cannot work;" by which he understands there was no money to be found, and of course no attorney will work without some prospect of being paid, and therefore he has never been able to bring the thing in proper form before a court of law?—I know the person well.

39,339. We sent for you because these things are grave, and if delayed for an hour we forget them or the witnesses are kept waiting in attendance from day to day?—I feel exceedingly obliged to you for sending while I suppose Rees is in court. I think if I followed your statement rightly it is of this kind, that he voted Conservative 1865, he voted Conservative at the first election of Patton, and then between the first election of Patton and the second election, we had done something, Mr. Wilton and myself, by which he was induced to vote for Mr. Vanderbyl.

(*Mr. Coleridge.*) Exactly so.

(*Mr. Price.*) Hardly so much as that.

(*Mr. Anstey.*) No, he voted for Mr. Vanderbyl, and in consequence of doing something he went back to his former faith and voted Conservative.

39,340. (*Mr. Price.*) To keep the water smooth he voted for Mr. Vanderbyl, he said?—Precisely, but in Mr. Patton's election he voted Conservative.

39,341. The first time?—The first time, because I remember distinctly that the arrangement with Mr. Rees for the working of his vessel commenced some time in the month of October 1865, which would be seven or eight months before Mr. Patton came down the first time.

39,342. (*Mr. Coleridge.*) Now let me call attention to this: I examined him, and he told me the 14*s.* was being paid then?—It commenced in October 1865.

39,343. When he voted Conservative for Mr. Patton the 14*s.* was going on, therefore he had no terror.

(*Mr. Rees.*) It was going on then.

39,344. But before the time he voted for Mr. Vanderbyl something was said about the ship, and he voted for you to keep the water smooth.

39,345. (*Mr. Anstey.*) I think the better way for you will be to tell the story without reference to his story?—Yes.

39,346. (*Mr. Price.*) Only I give you that to give you a sort of notion of his accusation against you. Now let us have your story?—I will tell you as well as I can. Some time in the year 1865, I suppose somewhere about October, because the payments to him began then, Mr. Wilton came to me, and made a communication something to this effect: "Here is "Mr. Rees about to sell his vessel, he is a very poor "man, so cannot we do anything by managing the "vessel for him which will give him bread and "cheese?" I said "I do not know, Mr. Wilton. "I have heard that the vessel is much run out, and "in debt, but I have known him for many years as a "master mariner of this port, and anything I can "do I shall be glad to do." We had a conversation on the matter, and I believe it was in consequence of that conversation I either saw Mr. Rees alone or with Mr. Wilton. We went into the financial state of the vessel, and found, as I expected, that she was very considerably in debt, and had run herself very bad as regards stores and materials, that it was quite impossible in her condition to earn money, and that he was then not only very old, but somewhat infirm. We pointed out to him the position of matters; we knew the vessel was advertised for sale because it was a matter of public notoriety. I am not sure whether she went to auction, or was bought in or not, but I believe immediately after the auction this conversation took place, or whether it was before the vessel was advertised I am not clear, but I am clear that as the result of the negotiations Mr. Wilton advanced a sum of 10*l.* and I advanced the sum of 15*l.* to pay off the pressing claims then made on the vessel, and we did that, as we pointed out to Mr. Rees and his wife at the time, because we would not make out the arrangement until he had gone home and seen his wife. First of all we were to have the entire management, and secondly a mortgage, and we explained to him the purport and effect of a mortgage; we said the vessel was to work, we giving him 14*s.* a week, which he has given in evidence here; the summary is very correct. We went on paying that money week by week to him until we found that the vessel was in a worse condition than we expected it, and would take more money to put her right than we were disposed to advance. Instead of putting her to earn money and putting her under a young man we found that we were getting to leeward, as they say, and we brought it to Mr. Rees, and told him the condition of things, presented him the accounts, told him that we could not go on any longer, asked him if he had any friends

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to step in and raise the money so that he could gain the control of the vessel, as we wanted to give it up, and as a last resource the vessel was sold. He has now an account of all the voyages made during the time the vessel was managed in my office. He has also a statement of account showing every shilling advanced, how the account stood, and what has become of the money.

39,347. (*Mr. Price.*) Then when the vessel was sold, you had no lien upon her, but only this agreement?—I believe she was mortgaged, but I am not sure without referring.

39,348. Of course if there was a mortgage you would have a bill of sale?—Yes, certainly, the public records would show.

39,349. And of course accounts rendered when the sale took place?—Certainly.

39,350. If she was already under debt what became of those claims for the other debts on the vessel; had they bills of sale?—No, the other creditors had not a mortgage of the vessel, but they were paid out of the proceeds of the vessel.

39,351. You said the vessel was in debt?—Yes, but I think I observed that Mr. Wilton advanced 10*l.* and myself 15*l.* to pay off pressing claims.

39,352. When the ship was eventually sold was there any balance after paying you yourselves the advances you had made?—I cannot speak from memory, but the books will show.

39,353. Who has the books?—Rees has the account book.

(*Rees.*) No, I have no account.

(*The witness.*) Well, my books will show, my ledger. I know there is an account book, and I am speaking under correction. I believe a voyage book, that has the account of each separate voyage, and a particular account of the vessel was in Mr. Rees' possession, or the people he has given it to.

39,354. (*Mr. Anstey.*) At the time he mentioned, namely, the election of Vanderbyl, or about that time, was he asked by any one belonging to you for his vote?—Certainly not, so far as I am aware; I have never spoken to him on his vote; I believe he will say so.

39,355. Did anybody you are aware of?—Not that I have heard of. I have not heard it till now, and I do not think Rees will say I ever influenced his vote.

(*Rees.*) No.

39,356. (*Mr Price.*) The only person ho has mentioned as having influenced his vote at all is the man who made the original threat, Mr. Wilton?—So far as my knowledge goes, the original agreement was made entirely in Rees' interest, and I am only sorry that it did not turn out as satisfactory as Mr. Wilton and myself wished.

(*Rees.*) The vessel grossed in that time 360*l.*; what need had she to run into debt, and what has become of that money?

(*The witness.*) Perhaps the Commissioners will ask you whether she was in debt.

39,357. (*Mr. Price.*) I think if you can bring your books, and show all the transactions with regard to this vessel, it will be satisfactory. It is not merely with regard to our views; we do not wish to rake up every private quarrel between one individual and another in Bridgwater, of course; still when there is a matter of this kind charged against a man in your position, it is as well that you should clear it up by your books?—I am exceedingly obliged to you, and will cause my clerk to make a transcript of the ledger account.

39,358. If you could show us the proceeds of the sale, how they were applied, and how absorbed, that would be it?—I shall be able to trace the whole transaction, I am sure.

Mr. S. Chapman.

Mr. Samuel Chapman recalled.

39,359. (*Mr. Price.*) Tell us, if you please, what your knowledge of this transaction is?—I remember Mr. Rees consulting Mr. Bealy Smith when I was present, and he made a similar statement that you made to Mr. Sully as to the way Mr. Sully had acted with the vessel. He went to Mr. Sully, and he asked for an account on behalf of Mr. Rees, and that was supplied him, and he supplied us with copies of the whole documents, and we, after Mr. Sully's statement (he made a similar statement to that which he has made to you to-day), we considered the best thing to do was to allow the thing to go on. I believe the balance was paid, which we paid the creditors, some 5*s.* in the pound.

39,360. Rees' creditors?—Yes, I have the account here.

39,361. (*Mr. Anstey.*) Are the whole of Rees' accounts here?—Yes, there is a list of the creditors.

39,362. (*Mr. Price.*) Give us a summary of the creditors; you need not go through the items?—It is about 70*l.* altogether.

39,363. He said it is about 70*l.* Now, the vessel was sold for how much?

39,364. (*Mr. Coleridge.*) You say the thing went on; to what extent? Was a writ issued?—It was advertised for sale before we were consulted.

39,365. Was a writ issued against Mr. Sully?—No.

39,366. Or Mr. Wilton?—No. Perhaps this is the best thing to begin with: here is a copy of a memorandum of agreement entered into between Mr. Rees and the mayor as to the ship "Galleon."

39,367. Is that a mortgage?—No, only for the management of the ship by Mr. Sully as ship's husband. That is the 6th of October 1865, as the mayor said.

39,368. (*Mr. Anstey.*) Is there a mortgage or bond there?—There was on the vessel with full powers of sale, for I went to the Customs myself, and saw it registered.

39,369. When was it given; about the same time, in October?—About the same time, I believe. Rees made a written statement which he handed to Mr. Smith there, his own statement in his own handwriting.

39,370. (*Mr Price.*) Is that very much what he has told us?—Yes.

39,371. Did you investigate the thing?—Yes.

39,372. Very thoroughly?—Thoroughly.

39,373. Is it true that you said to him you would not go on unless he had tools?—No, I think it is very probable he told one tale, and they another, and on investigation I told him it was no good to attempt to frighten the mayor.

39,374. Did you investigate the matter with regard to the truth of his story?—No, we did the best we could for him, and took the balance

39,375. Having investigated the thing on his behalf by examination of the books which the mayor furnished and the accounts, did you satisfy yourself that he had really no *bonâ fide* claim?—We did.

39,376. And you think so now?—I think so now.

39,377. (*Mr. Anstey.*) Is it true that you said to him it is a swindling transaction?—I do not remember any such words, and I do not believe I used such words.

39,378. (*Mr. Price.*) You have all the documents there?—I have all the documents here. Here is a bill of sale, and I think I have a list, and I believe the accounts supplied by the mayor afterwards.

39,379. We have not yet got what the ship was sold for. There was the 70*l.*, and the advances made by Mr. Sully and Mr. Wilton. We want what the ship was sold for, because he seems to be under the impression that there was more?

39,380. (*Mr. Coleridge.*) Were Reed and Cook solicitors for the mortgagor?—Yes, for Mr. Wilton.

39,381. (*Mr. Price.*) What did it sell for?—That I cannot say without going through Reed and Cook's letters.

39,382. (*Mr. Anstey.*) When did the sale take place?—In September 1866.

39,383. Were Messrs. Reed and Cook acting for Mr. Wilton and Mr. Sully?—Yes.

39,384. Then Reed and Cook will be able to tell us what it sold for?

(*H. C. Bussell.*) 100*l.* I believe. It was sold at our house.

39,385. (*Mr. Price.*) Then it was sold for 100*l.* Take it that 70*l.* was owing before the ship was mortgaged, and the 10*l.* and 15*l.* which they advanced, to pay off pressing claims?—The 70*l.* was after all this, that was the amount of the debts we compromised after the vessel was sold. We paid 5*s.* in the pound with the balance produced by the sale of the vessel.

39,386. (*Mr. Coleridge.*) In addition to the 25*l.*?—Yes, that we knew nothing about, it was paid away under the directions of Mr. Wilton and Mr. Sully. Here is a bill of costs.

39,387. (*Mr. Price.*) In point of fact, there was no money to come to Mr. Rees at all?—No, there was a sum which he knew of, and which we paid to his creditors under his directions.

39,388. There was nothing more to come?—Certainly nothing more.

39,389. (*Mr. Anstey.*) Before you leave the box, I want to ask you about these briefs in the election trial of 1866. Did you examine those briefs or read them while they were in preparation, or after they were prepared at your office?—I do not believe the briefs were prepared in the office, we got up the proofs.

39,390. But not the briefs?—I think the briefs were got up in town.

39,391. At whose office?—The agent acting in the petition. I do not know.

39,392. Do you mean the solicitor's office, the town agents', or parliamentary?—The parliamentary agents, that is where I should conceive they were got up, we obtained the proofs here.

39,393. That would be Messrs. Baxter, Rose, and Norton?—Yes, they were the agents.

39,394. Do you recollect what clerk of theirs was employed in the matter?—No, because it all happened in town. There is one thing I should like to mention: the learned Commissioners asked several times about an account of Mr. Bealy Smith's, as to some money outstanding; I can, I think, show by the books the whole expenditure of the 7,000*l.* which was received and entered to Mr. Patton.

39,395. (*Mr. Price.*) It is very important that you should?—I can do so in 10 minutes.

39,396. You have not it here?—The office is exactly opposite the road.

39,397. If you will do that we shall be glad, because it is an important matter, enormous sums of money are quite unaccounted for?—I can account for every penny of it.

39,398. (*Mr. Anstey.*) Had Mr. Henry Smith anything to do with that matter?—I do not know the name.

39,399. Was not there a brother of Richard Smith called Henry Smith?—I never saw him. I was in the office the whole time of the election of 1865, and he could not have had anything to do with it, or I should have seen him; I do not know such a man.

39,400. A man connected with the Welsh post office affair?—No; I think there is a Dr. Henry Smith who has been in America many years, before I came into the town.

Mr. George Wilton recalled.

Mr. G. Wilton.

39,401. (*Mr. Price.*) The only thing I intend to ask you about, because as to the ship matter it seems to me so far it is cleared up, is about this threat you held up that he should not have any more freights?—Well, I think I explained that to you on my examination.

39,402. Is this the man of whom you spoke?—This is the man.

39,403. You acknowledged that?—I did.

39,404. This is the man?—Yes; I am not quite sure it was in a precise form of words, but I admit having said in haste and anger foolishly what I said.

39,405. "When you want a freight you will find you cannot get one"?—I think I said, "He will want a freight another day."

39,406. (*Mr. Anstey.*) Then the other thing, about voting for Mr. Vanderbyl in order to keep the water smooth?—Well, I did not, until I saw the printed evidence, know that Rees had voted for Mr. Vanderbyl at that election; but this much it is right for me to say, that previous either to that election or Patton's, I do not know which, but I was standing one day in Salmon Lane with Thomas Duddridge and Phillip Headford, our two foremen, arranging some work with them, and Rees came from his garden to me and asked me if I should wish him to vote my way. My reply to Captain Rees instanter was this, "Captain Rees, do as "you like, but have the goodness not to mention "anything about voting to me." I turned straight from Rees to the men Duddridge and Headford, and told them the circumstances which transpired there and then, and that is the only time I spoke to Rees about voting one way or the other.

39,407. He got 15*l.* it is quite clear at that time, at least so he says, and I presume he did?—Yes.

39,408. Did you know anything at all of that?—Not the slightest, until I saw it in evidence here.

39,409. You do not connect that in any way with the threat held out?—No, most certainly not; I was sorry five minutes after for what I had said to Rees, and I have been ever since.

39,410. There is nothing you wish to add about this transaction of the ship?—There is nothing more I can explain than what his worship has told you.

William Rees recalled.

W. Rees.

39,411. (*Mr. Price.*) You have heard this statement, what do you say?—I never knew they ever advanced money on my vessel, neither did I ever ask them.

39,412. Do you intend to deny that when the ship was sold she was not sold for more money than would pay off the debts on the ship, and to say there was any balance due to you?—What has become of the money she grossed in that nine or ten months?

39,413. Because according to your own account they were to make what profit they liked for the ship, paying you 14*s.* a week. They were entitled to the whole profits of the ship.

(*Mr. Wilton.*) Allow me to say that Rees deposited the mortgage, and at the time of the arrangement the mayor produced it, and asked if it was his handwriting, and he admitted it.

(*The witness.*) I do not know of any mortgage on it. How could they when I had no money. If they advanced money on the vessel they received it again from the freights, 360*l.*, or something thereabouts, in less than 10 months. Where is that money? 70*l.* in debt and sold it for 100*l.*

39,414. (*Mr. Price.*) There were pressing debts?—Little trifling debts, they have never pressed on me, and nobody asked me for a shilling.

39,415. I do not understand why you did not sell the vessel out and out?—Could not I have gone in and sold that vessel? Could not I have mortgaged her and done what I liked?

39,416. Why did not you do it then?—Because Mr. Wilton came to me and said just as I told you just now, "Are you going to sell your vessel, William?" "Yes," I says. "What for?"

(*Mr. Wilton.*) And his reply to that question was this "I am pressed for the debts I owe."

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(*Mrs. Rees.*) No.

(*The witness.*) It is wrong. You never paid that to us from that hour to this, the 30*l.* that was left.

(*Mr. Price.*) We have gone far enough into this matter, because we are not sitting here to investigate the quarrels between individuals, and have only done so now so far because of your mixing up with this quarrel the question of intimidation and influencing your vote. We cannot go further. The documents are here. We are not to pass judgment on the thing; if we are satisfied with it we say so. We have heard your story and the story on the other side. The story on the other side is to be corroborated by documents produced before us, and we have heard the evidence given by Mr. Wilton, who acknowledges the threat or intimidation he used, and that is all we have to do. We can hear no more about it.

Mr. S. Chapman.

Mr. Samuel Chapman recalled.

(*The witness.*) The first account in this book is in the name of M. Spofforth, Esq. It is for Mr. Patton's portion of the petition, in fact the whole of the costs of the petition against Mr. Kinglake in 1866. April, to cash on account of petition against Mr. Kinglake, 200*l.*, ditto, 100*l.*, ditto, 150*l.*; June 30th, cheque 365*l.*, making a total of 815*l.* Now April, by paid witnesses, 317*l.* 6*s.* 2*d.*; paid witnesses for maintenance, 57*l.*; Mr. Ruddock's expenses, 10*l.* 15*s.* 7*d.*; Mr. Boys' expenses, 8*l.*; our own expenses out of pocket, 37*l.* 16*s.*; paid Mr. Neale's expenses, 5*l.* 7*s.* 3*d.*; Mr. Harden's expenses, 10*l.*; paid Newton a bill, 2*l.* 5*s.*; our fee 200 guineas; Mr. Ruddock's fee, 100 guineas.

39,417. What was Mr. Ruddock's fee? — Mr. Ruddock was in both petitions with Mr. Bealy Smith. July 17th, Hayward, 25*l.*; July 27th, R. Bussell, loan cancelled, 10 guineas.

39,418. What does that mean? — That Bussell required a loan before he went to London after he had given his proof. I should take it he asked for a loan, and when this account was settled he had a certain amount to take for costs, and Mr. Smith deducted his loan and carried into his ledger as cancelled.

39,419. (*Mr. Anstey.*) In other words paid out of Patton's money?—No, due to Bussell, who was a witness, as you will remember.

39,420. It says, "loan cancelled"?—Yes.

39,421. It was cancelled, no doubt, as soon as Mr. Bealy Smith, who made the loan, had got payment of the 10 guineas out of Mr. Patton's money?—No; it appears the money was received before then.

39,422. I understood you were going through the accounts to show how Mr. Patton's money was applied?—Yes, that is so.

39,423. And amongst others it was applied in respect of a cancelled loan to Robert Bussell, 10 guineas?—Yes.

39,424. Then that means of course, Bussell having got the loan long before Mr. Patton appeared on the stage, then this claim against him was cancelled or replaced on Mr. Patton's money being applied in liquidation of it?—Yes, it was paid on Smith and Son's account.

39,425. (*Mr. Coleridge.*) As I understand it was deducted from the costs Bussell ought to have received?—Yes. Then September 19th, James Harwood for witnesses, 8*l.* 17*s.* 6*d.* 1867, April 4th, balance 7*l.* 2*s.* 6*d.*; that is the balance in hand. After that I paid an entry not posted up. 1868, January 22nd, paid Harden for services rendered during the petition, he was in London, 20*l.* So that on that account Mr. Bealy Smith has overpaid 12*l.* 17*s.* 6*d.*

39,426. But he received 4,000*l.*?—I will show you that. There is 827*l.* 17*s.* 6*d.* of it. That Mr. Spofforth has given in evidence was paid out of Mr. Patton's money. Then on account of the election in 1866, May 7th, there was a cheque on account of the election expenses paid into the bank to the credit of R. B. Smith and Malcom, 501*l.* May 12th, a 10*l.* cheque in payment of a loan made the same day. I suppose the money was lent and repaid the same day by cheque; July 6th, cash, 135*l.*; July 17th, cash, 105*l.*; November 20th, balance in hand from June election, 41*l.* 13*s.* 0*d.*; balance in hand from July election, 195*l.* 1867, February 20th, Trevor balance, 24*l.* 8*s.* 11*d.*; July 22nd, Pitman account, 509*l.* 4*s.* 6*d.* Besides that we find in the banking account Malcom paid a cheque to our credit of 100*l.*, making a total with an overpaid balance of 28*l.* 6*s.* 0*d.* of 1,649*l.* 12*s.* 5*d.* Then 501*l.* was paid into Stuckey's to the credit of R. B. Smith and Malcom; on May 7th, to meet the regular expenses of the election Mr. Trevor drew on that account. Loan 10*l.* on the 12th. June 7th, fee for the election, 100 guineas; expenses during the election, 30*l.* July 17th, fee for the election, 100 guineas. Expenses of journeys to town during the election, 50*l.*; paid Gillow for pictures, 12*s.* 6*d.* I suppose they were portraits of Mr. Patton. Foresters' fête, 10*s.*; Mr. Brannan to disburse, 10 guineas. He is an auctioneer at Taunton, who brought some men here to watch the other side—strangers. Coles to disburse, 1*l.* 6*s.* 0*d.* 1867, July 5th, Joseph Rd. Smith to disburse, 158*l.* 12*s.* 1*d.*; 23rd, Joseph Rich. Smith to disburse, 25*l.* 11*s.* 9*d.*; February 25th, Samuel Chapman to disburse, 62*l.*

39,427. (*Mr. Anstey.*) What in?—I paid a lot of bills. There were two or three cheques debited to me, and I paid a lot of bills Mr. Bealy Smith gave me a list of. I have not been able to find any account but one I found among my own private papers showing how I disbursed one of these cheques.

39,428. Without the others that would be of very little use?—It will only show how the amount given me was spent.

39,429. What was the large sum of 158*l.* 12*s.* 1*d.* given to Joseph Richard Smith for?—I took him a cheque with a bundle of bills, pinned on to the corner of them for the amount, they were bills for bannermen, bandsmen, and such things as that which he paid.

39,430. Worthless expenses of that kind?—No doubt.

39,431. Bribery in another form?—Yes. Then February 26th, Veysey, solicitor, a fee; Samuel Chapman to disburse, 49*l.* 2*s.* 2*d.* That is the account you have in hand; exactly the amount. November 5th, Brice, a solicitor, a fee, 45*l.*; 8th, Messrs. Trevor, solicitors, a fee, 50*l.*; Samuel Chapman to disburse, 17*l.* 9*s.* 6*d.*; Coles for service, three guineas; March 9th, Pain, solicitor, a fee, 20*l.*

39,432. Is that the man who was examined here?—Yes. Lilly, auctioneer, &c., fee 60*l.*

39,433. What could he get a fee for?—For services, I suppose, he considered he was entitled to it, or Mr. Smith.

39,434. What services was it for?—Assisting at the election. He considered himself a lawyer.

39,435. In fact, again it was bribery in another form?—Yes. Then 20th March, Plowman for election lists, 1*l.* 10*s.* 0*d.*; 25th, Galop for service, 5*l.*; 28th, treating bill at "Bull and Butcher," 40*l.* That I paid myself in cash.

39,436. How many days' treating?—I do not know; it was both elections those bills are for. It amounted to more than that, but as Mr. Smith explained he made a demand on Mr. Pitman to cover the whole amount, but as Mr. Pitman did not send sufficient he should have to take a portion from everyone's bill, and taking credit for 10*l.* from a man named Webber, that is 50*l.* besides what I knocked off. Then June 18th, Mr. Brannan to disburse at the second election, 17*l.*, that was for those men he brought from Taunton. Then, after Mr. Smith's illness he told me I was to pay Temblett, Harden, and Jarman 20*l.* each; he was taken ill before the whole was paid, and I told Mrs. Smith of what he had informed me, and she drew a cheque and I paid to Frederick

Temblett 20*l.*; to Frederick Harden 20*l.*, and Jarman 20*l.* for services.

39,437. (*Mr. Price.*) Did Mr. Joseph Richard Smith also get a fee in 1866?—No; it was the amount of a bundle of bills.

39,438. Did he get a fee for himself?—I do not think he had a farthing. In February 1868, before Mr. Bealy Smith left the country, he found he was too ill to complete this matter, and he wished to be clear before all the world, and in fact to answer any inquiries that might arise; therefore he sent for Mr. Lilley and went into this account with him, told him there were bills outstanding and there was a balance still in his hands. He handed those bills to Mr. Lilley with a cheque for 206*l.* 5*s.* 5*d.*, the balance he considered remaining in his hands and asked Mr. Lilley to pay the bills as far as it would go. I was present at the meeting, and Mr. Smith asked me to assist Mr. Lilley in the payment if necessary. The whole of that makes the 1,649*l.* 12*s.* 5*d.*, and there was paid over and above what was received 28*l.* 6*s.* 0*d.* So you see Mr. Smith deducted from his own account as well as others.

39,439. (*Mr. Coleridge.*) Where is the other 5,000*l.*?—Mr. Tromp has accounted for the bribery money.

39,440. No, only between 3,000*l.* and 4,000*l.*?—If you look at his evidence I think you will find more. Mr. Tromp in his evidence said that the two elections cost Mr. Patton about 4,500*l.*, and if you add those together, as I have, assuming 4,500*l.* to have been spent by Mr. Tromp you will find that it amounts to 7,000*l.* all but about 20*l.*

39,441. (*Mr. Coleridge.*) There is a curious absence here, and I am sure neither of them would work without being paid; there is nothing for Mr. Spofforth himself, and nothing for counsel. Who paid Mr. Spofforth's bill and counsel's fees?—I think that is very likely to be in Mr. Westropp's account. You see we have another account of Mr. Westropp's for the defence of his seat.

39,442. You put the expenses of Mr. Westropp's defence petition into the 7,000*l.* Mr. Patton spent?—No, that is Mr. Kinglake's, not Mr. Westropp's at all, and Mr. Spofforth has given you evidence that Mr. Patton really did pay, although entered in Mr. Spofforth's name in our books, those expenses.

39,443. Although he had nothing to do with the election?—Although he had nothing to do with the election. That is an arrangement of course I know nothing about. I find here, Mr. Westropp's petition, cash 100*l.*, again 50*l.*, on account of payments 20*l.*, a cheque 240*l.* I have no doubt it was paid out of that.

39,444. (*Mr. Anstey.*) Did Mr. Joseph Richard Smith ever send in a detailed account of the application of that 158*l.* 12*s.* 1*d.*?—He sent in a bundle of bills amounting to that sum, the total, because I carried in those bills with the cheque pinned to the corner.

39,445. Did anybody audit those bills?—I do not know. I suppose he did himself.

39,446. Did you or Bealy Smith?—I should think not.

39,447. It was all one family?—But I know they were at variance at the time.

39,448. No, Mr. Joseph Richard Smith has told us that the only one he was not at variance with was Mr. Bealy Smith?—Well, they used to keep up the public appearance, but Mr. Smith will not say he ever visited at his house, although uncle and nephew they were not sufficiently friendly.

39,449. Mr. Bealy Smith thought it not safe according to his father's opinion to come to his house; he attended there by deputy, namely by you, that you appeared in his stead, or Neale?—I have taken many messages, always formal matters. I have never done anything friendly there.

39,450. (*Mr. Price.*) Have you any reason to suppose those are not *bonâ fide* bills?—No, I believe they were.

39,451. Mr. Smith may have got the commission. I do not know how he managed that; but as far as you know they were *bonâ fide*?—They were, I believe.

39,452. (*Mr. Anstey.*) It is a very large sum surely to pay in one class of bills?—As you have seen from experience here, there is a great deal of that going on at elections.

39,453. Exactly. With reference to your saying you had no reason to believe that they were not *bonâ fide*?—No, you see I paid a great many of the same class myself.

39,454. And that makes it still more probable that they were *mala fide*?—I cannot form any opinion more than I tell you.

39,455. (*Mr. Price.*) When I say *bonâ fide* I do not say there were not actual bills got, but were they all bills made out by tradesmen?—They were bills that came in from different tradesmen.

39,456. Whether jobs or not you do not know?—I do not know.

39,457. At all events they were bills which they returned, and as far as you know were paid by Mr. Joseph Richard Smith?—Yes.

39,458. Not made out in collusion with him or by forgery, which would suppose collusion?—No, I should say not. Of course he has accounted for the sums he received, and except those I paid myself in cash all were paid by cheque.

39,459. The bills Mr. Smith paid were very much of the same kind as those paid by you?—What I have paid I should take it those having a more strictly legal appearance than those Mr. Smith paid. Mr. Bealy Smith would not send me to pay any but what appeared in the public accounts.

39,460. Then they were those accounts for banners, and that was a very large sum?—Yes.

39,461. In fact you do not mean to say they were paid more or less in making out their bills on your side than they were on the other side?—No, I have no doubt they charged election charges.

39,462. Then certainly I shall not draw any distinction of it myself.

39,463. (*Mr. Price.*) No, they take advantage of an election to make their money?—It is naturally supposed so.

39,464. There is no supposition that Mr. Joseph Richard Smith got anything out of those bills, and put it in his own pocket?—No, Mr. Bealy Smith sent in for him to disburse every penny, and having all the bills correct.

39,465. He did not stand in with the tradesmen?—I do not believe he did.

39,466. So as to put money in his own pocket?—I do not believe he did.

39,467. (*Mr. Anstey.*) As a matter of fact nobody audited these accounts except Mr. Joseph Richard Smith?—No one else.

39,468. (*Mr. Price.*) There is not much auditing in such accounts as these?—Well, you cannot very well audit at election times. There is one other remark, and that is the making of justices. I remember hearing of the meeting; and there is one fact which came under my own knowledge, that a list of gentlemen was prepared, recommending them to the Lord Chancellor, or whoever had the making of the justices, and was taken round. Those gentlemen's names were the heads of the party whom Mr. Bealy Smith referred to in his letter, and it was taken round to the most respectable inhabitants to be signed, saying a few words recommending them to the Lord Chancellor as fit and proper persons to be made justices, and I know this list was carried round to all or nearly all the respectable people in the party to sign, although they repudiate all knowledge of the thing now; and I believe Mr. Lilley obtained most of the signatures, as far as my mind carries me back. That is the fact.

39,469. (*Mr. Anstey.*) That is not the suggestion,

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the suggestion contained in the letter which seems to have taken all by surprise; it certainly surprised me that the heads of the party had authorized Mr. Bealy Smith to write that letter to extort a very large sum of money, some thousands of pounds, from Mr. Patton, and one after another as far as we have gone yet, every person who is considered or considers himself a leader of the party, declares it is a dangerous falsehood, he never heard of such a thing before, never authorized such a letter to be written, never heard the letter had been written, until it was produced in court by Mr. Westropp; that is the suggestion?—Yes. Then I say I heard the report at the time, I have no doubt many others in the town heard of this meeting, that those suggestions were to be made.

39,470. (*Mr. Price.*) Which meeting are you speaking of?—There had been a meeting of the heads of the party at which there was a condition that so many justices should be made, and I made out a list of the justices myself then on the bench.

(*Mr. Anstey.*) That has nothing to do with it; the question is, whether the heads of the party authorized him to address his demand for pecuniary indemnity to an untold amount, which certainly implied thousands of pounds, as the only condition on which he was likely to be permitted to retain his seat.

39,471. (*Mr. Price.*) Liberal settlement is the word used?—Yes, that is the claim, 500*l.* on Mr. Pitman.

39,472. (*Mr. Anstey.*) They all deny it?—So they deny the existence of corrupt practices and their participation in them, although they accept their fee for assisting themselves, and attempting to extort money by what amounts to a compromise, and the rest. I told you just now that a demand was made on Mr. Pitman to pay the bills in full, but as he only paid 500*l.* we had to deduct so much off each bill in paying it. Of course Mr. Bealy Smith is not here. I cannot explain it further than that.

39,473. (*Mr. Price.*) You have given us valuable information, because you have cleared up this question about the expenditure of the money; it appears all spent then as far as you can make out?—Yes, Mr. Salmon, his banker, can produce the cheques for the payments.

39,474. They can all be fetched?—Yes.

(*Mr. Anstey.*) Showing the money spent, subject to very great reservation, which I make in my own mind.

T. Martin.

THOMAS MARTIN sworn.

39,475. (*Mr. Price.*) What are you, Mr. Martin?—A labourer.

39,476. Where do you work?—Browne & Co.

39,477. Are you a voter?—Yes.

39,478. Did you vote at the last election?—Yes.

39,479. Who for?—Kinglake and Vanderbyl.

39,480. Did you get anything for it?—Nothing at all.

39,481. No promise?—Nothing at all.

39,482. Had you ever voted before?—No.

38,483. Never?—Never.

39,484. Is your name Thomas Martin?—Yes.

39,485. (*Mr. Anstey.*) You are one of the new voters?—Yes.

39,486. What did you vote in respect of? What qualification have you?—My masters were that side, and I thought it was my place to vote as my masters were.

39,487. (*Mr. Price.*) No, no; but were you a lodger, or what?—No, I rented a house.

39,488. (*Mr. Anstey.*) Did you vote as a householder who has paid his rates?—Yes.

39,489. (*Mr. Price.*) You say you voted as your master voted?—Well, I voted that side.

39,490. You thought it right—you thought it the best thing to do?—Well, my mind led me that way.

39,491. Your mind and your pocket?—No, not my pocket. I had only what I worked for.

39,492. (*Mr. Anstey.*) Who do you say your master is?—Browne & Co.

(*Mr. Price.*) There is another Thomas Martin, who seems to have been bribed. There is a mistake about your name.

T. Vearncombe.

THOMAS VEARNCOMBE sworn.

39,493. (*Mr. Price.*) What are you?—I am living upon my means, sir.

39,494. Are you a voter?—Oh yes, I am.

39,495. Did you vote at the last election?—I did.

39,496. Who for?—Westropp and Gray.

39,497. Did you get anything for it?—Nothing at all.

39,498. Any promise?—No promise at all.

39,499. Did you vote at the election before that?—Mr. Patton's, I voted twice.

39,500. Did you get anything?—10*l.* from Mr. Harden.

39,501. Each time?—No.

39,502. Only once?—Only once.

39,503. (*Mr. Coleridge.*) Did you get anything the other time?—The first time I voted independent; the last time I had 10*l.*

39,504. Did you vote for Patton both times?—I I voted for Patton both times.

39,505. Did you get anything after having voted?—The last time I had 10*l.*

39,506. No, no; but the first time you voted for Patton, did you get money afterwards for having voted?—Not at all. But the last time I had 10*l.*

39,507. Two tens?—No, only one ten.

39,508. (*Mr. Price.*) Did you vote for Westropp in 1865?—I did.

39,509. Did you get 10*l.* then?—I had 10*l.* from Mr. Temblett then.

39,510. Did you vote in 1859?—I did so.

39,511. Who for?—For Padwick and Westropp.

39,512. Did you get anything then?—10*l.* from Mr. Murlis, John Murlis.

39,513. Did you vote in 1857?—I cannot tell. If you tell me whose election it was I will tell you who I voted for.

39,514. Follett and Mansell?—No sir, I never did.

39,515. Did you vote in 1852 for Shelley or Lord Henley?—I voted for Lord Henley and Tynte.

39,516. Then you were Liberal in those days?—Oh, I was, till I found out——

39,517. What did you get then?—I had nothing at all.

39,518. How was it you changed afterwards and went round?—Well, when I see persons in dirty actions it is time for me to get rid of them altogether.

39,519. (*Mr. Coleridge.*) What were the dirty actions that shocked you?—Well, I was town scavenger for five and thirty years.

39,520. Town scavenger?—I was.

39,521. (*Mr. Price.*) You know, there is a deal of dirt in this place?—And at last, in 1839, I voted for Padwick.

39,522. 1859 you mean?—Padwick and Tynte. And then owing to my voting for Padwick they cashiered me out of my work for three years.

39,523. What made you vote for Padwick; a 10*l.* note?—No.

39,524. What made you? You had voted Liberal before?—I will tell you exactly how it was. You know I always voted for Mr. Tynte and his father; well, when I see the dirty actions which they served me in turning me out of my work, I did not vote any more.

39,525. But they did not turn you out of work until after your voting for Mr. Padwick?—After I

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voted for Mr. Padwick, when the time expired, they turned me out of work.

39,526. I know. But why did you vote for Mr. Padwick?—Because I would not vote for Mr. Kinglake.

39,527. Why not?—Because I would not. I was always a Tynte man.

39,528. But Tynte and Kinglake were running in the same interest?—Yes, but I pleased my own fancy.

39,529. You pleased your own fancy, and got 10*l.* too?—Oh no.

39,530. You did not care to vote for Kinglake?—No, I never voted for Kinglake.

39,531. Then you voted for Padwick and Westropp?—No, I voted for Padwick and Charles Tynte.

39,532. You voted for Padwick and Tynte?—Just so.

39,533. Then Tynte dropped out altogether?—Eh?

39,534. Then Tynte never stood again?—No, he never did afterwards.

39,535. Now tell us about your being turned out, of this dirty job of yours?—Well, after I had voted for Mr. Padwick—if I had voted, you know, for Mr. Kinglake, of course I should not have been overthrown.

39,536. You would have been scavenger still?—I should still have kept on my work as scavenger. Well, after my time expired, when the three years were up—— Not only that, they objected to my vote, and wanted to cut my vote——

39,537. Yes?—I then went on, and I was determined I would not have anything more to do with them.

39,538. How did they turn you out of the scavenging?—Of course they could do it. My time was up, and of course——

39,539. Who had the appointment of it?—The market house trustees.

39,540. Who are the market house trustees?—Oh, there's a different lot; they are chosen in every year. The majority was in favour of it.

39,541. (*Mr. Anstey.*) It is a contract?—Yes.

39,542. (*Mr. Price.*) The majority was in favour of Mr. Kinglake?—Oh yes, they are, and Vanderbyl as well. I find them a dirty lot, and I would never have anything more to do with them.

Mr. Joseph Richard Smith recalled.

Mr. J. R. Smith.

(*Mr. Price.*) We understand you had 158*l.* entrusted to you to disburse in the shape of bills.

(*Mr. Anstey.*) At Mr. Patton's last election.

39,543. (*Mr. Coleridge.*) Which you never told us about before?—Mr. Batten has shown you one large sum that was paid. I think myself that was 70*l.* and 25*l.*; 25*l.* would be the cost of the band. And then there was a large sum which was paid, which Mr. Batten says was for the show of hands. In addition to that there would be the banners. The men were paid 5*s.* a day for two days, which would be 10*s.*, and I think that that amounted to something like 35*l.* Then there would be small refreshments for the band and banner men during the two days, and I think there would be a special cheque given for 25*l.*

39,544. (*Mr. Price.*) What I am drawing your attention to is this: There were a number of bills amounting to 158*l.* which were brought to you by Mr. Chapman, with a cheque?—Yes, there were.

39,545. Were those bills which you had incurred on behalf of the candidates?—I had not incurred them.

39,546. Well, then, how was it that those bills were rendered to you?—My nephew was the assistant in my shop at the time. I never paid a bill in my life with the exception of that one of Batten's.

39,547. Had you the disbursing of this cheque; the payment of these bills by this cheque?—The young person in my shop.

39,548. (*Mr. Anstey.*) What is his name?—Her name is Edith Hartnell; it is a young lady.

39,549. (*Mr. Price.*) Is she still in your employment?—She is still in the town.

39,550. (*Mr. Austey.*) Why did not you tell us about that before?—I did, sir, on my first examination say that there were bills.

39,551. (*Mr. Anstey.*) Yes, but you told us nothing of this large sum of 158*l.* sent to you to disburse, for no earthly reason that I can see?—Mr. Batten himself has pointed out to you that he had 95*l.* or 90*l.* out of that money.

39,552. But the question is, why did not you tell us that 158*l.* of bills, with which you had nothing to do, were nevertheless disbursed by you?—I had no object. I told you that bills were paid after that election.

39,553. You said you had nothing further to state than what you had stated?—You will find in my evidence I stated that bills were paid by an assistant in my employ.

39,554. You said nothing about 158*l.*, nor about your having anything to do with the bills, nor about your employing the young lady to do what for a very good reason you did not do yourself?—I beg your pardon; I think you will find I did state that bills were paid after the election by an assistant in my shop.

39,555. Well, I retain my mistake. That is all?—In addition to that I say for myself I have never been paid a single farthing for my assistance in any shape or form. I say that on my oath. This money was paid out of my pocket in July and never returned to me till the following February, and it was returned to me (what I had paid out of my pocket) without one shilling additional for interest or for any other purpose. The bundle of bills were sent in from Mr. Smith's office, and they were paid by the young person and returned again, and Mr. Smith's clerk would inform you that the whole of the money was accounted for to them. There is one other thing, sir, which has been brought forward in reference to a tenant of mine of the name of Tilly. It was asserted in the early part of this inquiry that I coerced him not to vote, that I had prevented Mr. Tilly from voting. Now I say here that I have never spoken to Mr. Tilly about electioneering matters in my life, neither have I authorized anyone, direct or indirect, to use any influence on Mr. Tilly. I think it is right to myself to state that to you.

39,556. (*Mr. Anstey.*) I do not remember the name of Tilly. I remember the name of John Pitman?—Well, sir, in reference to Mr. Pitman; that has been spoken of, and I will explain it to you. Mr. Pitman is a tenant of mine, and some years since I gave him notice that he was to leave my premises or pay an additional rent, and in giving the notice I wrote him a letter to say that if he felt disposed to give me an increased rental, which I considered the property worth, he would still be able to continue, and should have a lease of the property; and I gave him a certain time, either a fortnight or a month, to consider of it; and during the time he wrote back to say that he was prepared to give an additional rent.

39,557. When was that?—I have his letter at home. It was in 1864—1865, I think.

39,558. Just so. Now was not this the state of the case? Did not you tell him before the election of 1865, or some election, that if he did not vote according to your wishes, that is, according to your party, he must give up the property?—Did I tell him so?

39,559. Yes?—Never.

39,560. He did vote, I believe, against your Conservative side?—He has always voted. He occupies the premises now.

39,561. After he had voted, did you inform him that you were not going to turn him out of the property (to turn him out of possession), but that he must now pay 7*l.* additional rent?—I did not inform him anything of the kind. I gave him notice on quarter day to give up the premises, and at the same time I wrote him a letter to say that I did not wish

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him to give up the premises at all, but that I considered the premises were worth 35*l.* a year, and if he felt disposed to retain those premises, he could do so, and have a lease.

39,562. That was 7*l.* additional rent ?—7*l.* additional rent.

39,563. I ask you again, was not this just after the election ?—Yes.

39,564. The election of 1865 ?—The reason the notice——

39,565. Was it just after the election of 1865 ?—I think since then.

39,566. Since 1866 ?—It must have been in September.

39,567. Then it was after the second election of 1866 ?—It must have been. The notice I gave was on the 29th of September. The notice would expire at the expiration of this year.

39,568. That is, it would be the first quarter day after the second election of 1866 ?—It was the only time I could give him notice.

39,569. Will you give me a fair answer; was it the first quarter day after the second election of 1866. I only want to have the date ?—It must have been the 29th September 1866 or 1865. I have the letters at home, which I can show you; but I say this much, that Mr. Pitman has as cheap a house and a cheaper house than any in this street at this moment, and I have a tenant prepared to take the premises at an increased rental at this moment.

39,570. All that you deny is that you told him before the election that he must be prepared to give up the premises if he voted against you ?—I swear that I never spoke to Temblett or any other tenant about how he should vote in my life.

39,571. Or that you told Mr. Pitman before the election that you should expect him to vote for your party ?—I never told him anything of the sort. I never expected that he would.

39,572. That is all you deny. All the rest is true ?—It is perfectly true that I gave him notice to increase his rent. I apprehend I have a right, if my property is worth the money, to have the value, and I say this, that the house is the cheapest house in this street now; and I say in addition to that that I pay Mr. Pitman every year of my life double for meat that he pays me for rent.

39,573. (*Mr. Coleridge.*) That has nothing to do with it. You must have meat, and he must have a house.—It shows that he has his premises rightly. I wish you would put Pitman in this box.

39,574. (*Mr. Anstey.*) We must determine that, you know ?—Yes.

(*Mr. Price.*) One of the evils of being mixed up in a borough like this, with party feeling exceedingly high, is that all persons attribute everything that is done, everything in the shape of transactions between landlord and tenant, and everything else, to political interest.

(*The witness.*) Everyone's actions are misconstrued.

(*Mr. Price.*) That is one of the evils of living in a place like Bridgwater.

(*The witness.*) Everyone's actions are misconstrued; and in reference to Mr. Tilly, sir, I would ask you, in justice to myself, to put Mr. Tilly into the box and ask him.

39,575. (*Mr. Coleridge.*) Of course the observation applies equally to both sides, Conservatives and Liberals ?—Yes.

(*Mr. Price.*) Every action that is done where party spirit runs so high in a town like this is misconstrued. As Mr. Rees has got up a grievance against Mr. Sully, so Mr. Pitman has got a grievance against you.

(*Mr. Anstey.*) But we have not got to the bottom of this yet. Mr. Pitman has not been examined. I must say that I reserve my opinion upon that, and I always make up my mind without reference at all to the question of who is telling the truth or who is not till I have heard both sides; and whether a man is Conservative or Liberal it matters not to me.

(*The witness.*) I would add in addition to that, that I have many tenants at will who are Liberals, quarterly tenants, and who have been under me for years; and I would ask you to ask them what I am as a landlord.

J. Bishop.

JAMES BISHOP sworn.

39,576. (*Mr. Price.*) I cannot find your name on the list. What are you, Mr. Bishop ?—A smith.

39,577. Whom do you work for ?—Messrs. Hennett and Spink.

39,578. How did you vote at the last election ?—Westropp and Gray.

39,579. Did you get anything for it ?—Nothing at all.

39,580. Any promise ?—Nothing at all.

39,581. Did your employers say anything to you about which way you were going to vote ?—Not at all. They never spoke to me on the case.

39,582. Did you vote at the election before that ?—No. In 1865 I voted.

39,583. How did you vote then ?—For Mr. Westropp.

39,584. Did you get anything then ?—10*l.*

39,585. Who from ?—Mr. Jarvis.

39,586. What did you get 10*l.* for ?—I do not know.

39,587. (*Mr. Coleridge.*) Bribery, of course ?—For my vote.

39,588. Bribery ?—Bribery.

39,589. (*Mr. Price.*) Is that the only election at which you voted before ?—Yes, that is the only time.

39,590. Why did not you vote in 1866 ?—Well, I left the town; that is the reason.

G. Attwell.

GEORGE ATTWELL sworn.

39,591. What are you ?—A coach painter.

39,592. Where do you work ?—Mr. Ritson's.

39,593. Did you vote at the last election ?—Yes.

39,594. Who for ?—Kinglake and Vanderbyl.

39,595. What did you get for it ?—Nothing.

39,596. Any promise ?—No.

39,597. Did you vote at the election before that ?—No, I never had a vote before. I think there is a mistake. I think I am subpœnaed wrong.

39,598. Is there any other George Attwell in the town ?—Yes, my uncle.

(*Mr. Coleridge.*) It always seems that when there is a wrong one to be got we get him.

(*The witness.*) I have been three or four days in attendance.

(*Mr. Price.*) Well, we cannot help that. It is through the incorrectness of people who give in the names. They won't tell us where the people live, or whether there are two of the name or not.

E. Hartnell.

EDITH HARTNELL sworn.

39,599. (*Mr. Price.*) What are you, Miss Hartnell ?—An assistant to Mr. Temblett.

39,600. Now, did you pay any bills in respect of the election of 1866 ?—I did, sir.

39,601. How much did you pay away ?—That I cannot say.

39,602. As much as 158*l.* ?—I did not count it, therefore I do not know.

39,603. Have you got any list of the bills?—I did not keep any list at all.

39,604. Who gave you the money?—It was sent from Mr. Smith's office.

39,605. Was it sent in money or in a cheque?—In money.

39,606. In gold or notes?—Gold.

39,607. Did you pay all away that you received?—I did.

39,608. (*Mr. Anstey.*) Were any of the sums in shillings and pennies, or was it all in gold?—Oh, it was gold and silver.

39,609. No pennies?—No.

39,610. All gold and silver?

39,611. (*Mr. Price.*) Had you bills to take with you to pay at each place?—Yes.

39,612. And you saw the bills receipted, and paid the money?—I did not pay anyone unless they gave me a receipt.

39,613. You did see them receipted, and then you paid the money?—I did.

39,614. Did you give the bills receipted back again to Mr. Smith?—Yes.

39,615. (*Mr. Anstey.*) Who did you get the bills from?—Mr. Smith.

39,616. (*Mr. Price.*) Did you give the bills back again to Mr. Smith?—He told me to take them to the office.

39,617. What office?—Mr. Smith's office.

39,618. That is to Mr. Bealy Smith's office?—Yes.

39,619. Did you take them there?—I did.

39,620. Were there any bills unpaid which you had received from Mr. Joseph Richard Smith?—I do not understand the question.

39,621. Were there any bills that you received that you did not pay?—No.

(*Mr. Coleridge.*) Had you money enough to pay all the bills?

39,622. (*Mr. Price.*) Did you put any of the money into your own pocket?—I did not put it into my pocket at all.

39,623. Did your master, Mr. Joseph Richard Smith, keep back any of the money, or did he hand it all over to you?—He gave it all to me.

39,624. (*Mr. Anstey.*) I understand you to say that you got it; that it was sent to you?—I did not say anything of the kind.

39,625. Who gave you the money first of all?—Mr. Joseph Smith gave it to me.

39,626. What did you say about its being sent to you from the office?—I did not say anything of the kind.

39,627. You said, "Sent from the office." Then you cannot say how much money he gave you?—I had a bill for every one I paid.

39,628. Can you tell me how much money—how many hundred pounds, or whatever it was that you had got to pay?—I did not count it, and therefore I do not know.

39,629. He gave it to you in sovereigns and silver, no coppers. Then you paid a lot of people that came to you with bills?—No person came to me. I went to them all.

39,630. What?—No person came to me. I went to them all.

39,631. You went to every one of them? You went round the town to pay them at their houses?—I did.

39,632. Can you tell me what the amounts were? Were they large amounts?—I do not know. I did not count anything.

39,633. Were there any 5*l.*?—I cannot say anything about it, because I did not count them.

39,634. But you remember what you paid, surely! Did you ever pay anybody as much as 10*l.*?—I do not know.

39,635. Did you ever pay any shillings without gold?—Not that I am aware of.

39,636. All gold, or gold and silver, but you cannot say how much?—It is so long ago. I do not recollect.

39,637. Well, then, when you finished paying the bills, what did you do with the rest of the money?—I had no money left.

39,638. Then when you had paid away all the money, what did you do with the rest of the bills that were not paid?—I took them over; Mr. Smith told me to take them to the office.

39,639. And you cannot tell me how much?

39,640. (*Mr. Coleridge.*) What did you get for your trouble?—Nothing.

39,641. Nothing at all? Not a present?—After the election was over Mr. Smith gave me half-a-crown, but I was paid nothing.

39,642. (*Mr. Price.*) Did not you get a pair of gloves then?—No, I did not.

(*Mr. Coleridge.*) Or a new hat?

39,643. (*Mr. Price.*) Or ribbons?—No.

39,644. (*Mr. Anstey.*) How old are you now?—What?

39,645. How old are you now?—Twenty last birthday.

JAMES GILCHRIST sworn.

J Gilchrist.

39,646. (*Mr. Price.*) What are you?—A brewery agent.

39,647. Who are you brewery agent for?—Captain Shackell, of the Burnham Brewery.

39,648. Are you a voter for the borough?—Yes.

39,649. Did you vote at the last election?—Yes.

39,650. Did you get anything for it?—No.

39,651. How did you vote?—I voted for Westropp and Gray.

39,652. Did you receive any promise of any kind?—No, none at all.

39,653. Had it anything to do with your employment? What made you vote in that way?—No, nothing at all.

39,654. Did you vote at the election before that, in 1866?—Yes, I did.

39,655. How did you vote then?—I voted for Mr. Patton.

39,656. Did you get anything then?—Yes.

39,657. How much?—10*l.*

39,658. Who from?—Frederick Jarman.

39,659. Did you vote at the first election of 1866?—Yes, for Mr. Patton.

39,660. Did you get anything then?—Yes.

39,661. How much?—10*l.* from Frederick Jarman.

39,662. Did you vote in 1865?—I voted in 1865 for Westropp and Padwick.

39,663. No, no. Mr. Westropp stood alone in 1865. Did you vote for him?—Yes.

39,664. (*Mr. Coleridge.*) Did you plump for him?—I plumped for him.

39,665. (*Mr. Price.*) What did you get?—I had 10*l.*

39,666. Who from?—Frederick Jarman.

39,667. Did you vote in 1859, Padwick and Westropp?—Yes.

39,668. Whom did you vote for?—Padwick and Westropp.

39,669. How much?—10*l.* from Frederick Jarman.

39,670. Did you vote in 1857?—Yes.

39,671. How did you vote then, Follett and Mansell?—No, I think it was Tynte and Kinglake.

39,672. (*Mr. Coleridge.*) You were a Liberal then?—A Liberal Conservative.

39,673. (*Mr. Anstey.*) What did you get for your vote?—Nothing at all.

39,674. (*Mr. Coleridge.*) So you turned round to the Conservatives because you got nothing from the Liberals?—No.

39,675. You seem to be a man in a decent position. It may be as well to ask you as anybody else. Did you feel no sort of shame in taking this money for your vote?—Well, it was going you know. I did not ask for it.

THIRTY-EIGHTH DAY.

J. Gilchrist.

8 Oct. 1869.

39,676. Did you not feel the slightest shame? Did anybody think the worse of you for it?—I cannot tell.

39,677. Did you ever lose a customer through it?—No.

39,678. (*Mr. Price.*) How long have you been a brewery agent?—Scarcely two years.

39,679. What were you before?—A tea dealer, and kept a public-house.

39,680. In the town?—No, I was in the Scotch tea trade.

39,681. (*Mr. Coleridge.*) Going about the country with tea?—Yes, I drove.

39,682. (*Mr. Price.*) Like Mr. Allan?—Yes, precisely.

39,683. The difference between you and Mr. Allan is that he paid the money away, and you received it. How much have you had altogether at different times. You have given us about 40*l.* I think?—That is all.

39,684. Did you get anything at all from the other side?—No, nothing at all from 1840. I think that was about the first time I had a vote in Bridgwater. I have been for 32 years past in Bridgwater.

(*Mr. Anstey.*) Are you a member of the town council?

A. Gard.

ALFRED GARD sworn.

39,685. (*Mr. Price.*) What are you?—I work in the brickyard.

39,686. Where do you work?—Brown and Company's.

39,687. Did you vote at the last election?—Yes.

39,688. Who for?—Westropp and Gray.

39,689. Did you get anything?—No.

39,690. Any promise?—No.

39,691. Was that the first time you had ever voted?—Yes.

39,692. (*Mr. Coleridge.*) Then what have you come here to tell us about?—I had a paper this morning.

39,693. What have you got to say? Have you got anything to tell us?—No.

39,694. Did you help to bribe anybody?—No.

39,695. Did you carry any money to anybody?—No, I had none to carry.

39,696. That is a very good reason. Can you read?—No.

39,697. Do you never hear a newspaper read?—Not very often.

39,698. Has anybody told you that somebody said that he bribed you?—They have in chaff.

39,699. Just tell us who it was. We shall get at it presently?—I don't know who it was. They did not tell me.

39,700. Which way did you vote?—Westropp and Gray.

H. C. Bussell.

HENRY CHAPMAN BUSSELL recalled.

39,701. (*Mr. Coleridge.*) Do you know anything about him, Bussell?—No, I never knew anything about a person of the name who had a vote before.

F. C. Temblett.

FREDERICK CHARLES TEMBLETT recalled.

39,702. (*Mr. Price.*) Do you know anything about him, Temblett?—No. I do not know the man.

(*Mr. Price.*) It is a great waste of our time. Some of you men return people's names, and you will not give their addresses or anything.

(*The witness.*) I think it is a mistake. I do not think that man has been returned by either myself or Jarman.

(*Alfred Gard.*) My name was on the door last night.

J. Poles.

JOHN POLES sworn.

39,703. (*Mr. Price.*) What are you?—A labourer.

39,704. Where do you work?—Brown and Company's.

39,705. Are you a voter?—Yes.

39,706. Did you vote at the last election?—Yes.

39,707. Who for?—Kinglake and Vanderbyl.

39,708. Did you get anything?—No.

39,709. No promise?—No.

39,710. Did you vote at the election before that?—No.

H. C. Bussell.

HENRY CHAPMAN BUSSELL recalled.

(*The witness.*) In 1865 he did.

J. Poles.

JOHN POLES recalled.

39,711. (*Mr. Anstey.*) Did you vote at the election before?—1865, I did.

39,712. In 1866?—No.

39,713. In 1865 you got 10*l.*?—Yes.

39,714. Who from?—Frederick Harden.

39,715. Are you sure it was not from a man called Jones?—No.

39,716. (*Mr. Coleridge.*) Did you get it from both?—No. Jones introduced me to Harden.

39,717. (*Mr. Anstey.*) You had previously been canvassed by Shelley and Kinglake?—Yes.

39,718. And you had promised both of them to vote for them?—Yes.

39,719. And this 10*l.* you got in two packets, I think?—Yes.

39,720. What induced you to break your promise to Shelley and Kinglake and vote for Westropp?—10*l.*

39,721. That induced you to break your promise?—Yes.

39,722. And you voted for Westropp?—Yes.

39,723. Had you been promised any money before that by Stroud?—No.

39,724. Quite sure?—Yes.

39,725. Are you the brother of another respectable person called William Poles?—No, I have no relation at all but myself and my own family.

39,726. Did you vote before 1865 at any election?—No.

J. Jenkins.

JAMES JENKINS sworn.

(*Mr. Price.*) Now, Mr. Jenkins, what have you got to say?

39,727. (*Mr. Anstey.*) Were you the prosecutor of an information for which a rule had been obtained? or rather, were you the defendant in a prosecution for which a rule had been obtained by Mr. Heard in 1859?—I was.

39,728. And was there an action brought besides

that; an action for damages brought against you by somebody?—Against me?

39,729. Yes.—No.

39,730. Against somebody else then at the same time?—I brought an action against another proprietor of a Taunton newspaper, Mr. Bragg.

39,731. Oh, you were the prosecutor of the information?—Yes, I was the person libelled for bribing 60 voters.

39,732. Then is it the fact, or is it not, that the prosecution of that action, and of the election petition, which were all commmenced at the same time were all given up together; all withdrawn?—They were withdrawn against my wish. I brought the action, and was about to prosecute the action, and my solicitor——

39,733. Who was that?—Mr. Benjamin Lovibond.

39,734. He discontinued the action without your leave?—He discontinued the action against my wish. He never asked me.

39,735. In order to compromise the election petition?—Just so.

39,736. Do you happen to recollect whether any money was paid by Mr. Tynte and Mr. Kinglake on that occasion, on the withdrawal of the petition, or by anybody?—I heard that they received 500*l.* for it.

39,737. That who had?—I heard that they had. I never received a farthing.

39,738. Who are "they"?—Mr. Lovibond and the late Mr. Bate.

39,739. Ah, that is another thing. You heard that they received a present of 500*l.*? Did the Tories, Padwick and Westropp, or any of them, receive any sum of money as part of the consideration for not going on with the election petition against Kinglake and Tynte?—Not that I am aware of.

39,740. But you heard at this time that 500*l.* had been paid to Bate and Lovibond. By whom?—By Mr. Heard's party, to cause him to withdraw the action, my action against Mr. Heard for libel.

39,741. When you heard that your proceedings had been discontinued against your positive wish or expressed wish by Mr. Benjamin Lovibond, did not you go to him about it?—I went and waited for him five or six different times at the railway station. He heard I was very much put out about it. He sent Mr. Bate on before him, and Mr. Bate either telegraphed or sent to him by some means or other, and told him he had better not come back, for he could not tell the consequence if he came back, for Jenkins was so enraged at the manner in which he had been treated that he had better stop away.

39,742. That is, that you were so enraged?—Yes.

39,743. That was the effect of the telegraph?—I do not know whether it was letter or telegraph, but that is what I heard that induced him to hide away for a week, and when he did come I was rather warm with him, and he said, "We did it to save our members," and he said, "Mr. Reed consented." Mr. Reed was a party who brought an action as well as myself. He said, "Reed consented, and we thought "you, knowing how deeply you felt interested in the "Tynte family, I took it for granted that you would "raise no objection." I said, "Then who is to defend my character?" He said, "Oh, everyone knows that you were not guilty of the libel in the paper." I said, "No, I do not believe that; I will have it tried if there is any means of having it tried." He said, "Oh, you cannot do it." Therefore up to the present time I have always lain under the scandal of having bribed 60 voters with 25*l.* each in a slaughter house then belonging to Mr. Newton.

39,744. That was the purport of the libel?—That was the libel in the paper.

39, 745. And you took proceedings upon that, and Mr. Lovibond, behind your back and against your will, deprived you of the means of setting yourself right?—Exactly so.

39,746. Well, now you have this public opportunity. Had you been guilty of anything laid to your charge in that libel?—Nothing of the sort. I never bribed a person in the whole course of my life, nor never received a single farthing, direct or indirect, for my own vote. I always voted on the Liberal side, and always from a Liberal principle.

39,747. (*Mr. Coleridge.*) Are you a resident in this place?—I am.

39,748. That would hardly have injured your character, I suppose; this libel?—It injured it so much that hundreds, and I may say thousands, believed it.

39,749. Yes, in believing it they did not think any the worse of you.

39,750. (*Mr. Price.*) What are you?—I am a grazier at the present time.

39,751. Did you ever lose a customer by this?—Well, I should think I lost a great many. I know I had got some of the people at the time on the Conservative side which thoroughly believed that I had been guilty of the charge alleged.

38,752. (*Mr. Coleridge.*) But they did not think anything the worse of you for bribing but only for bribing on the other side, I suppose?—I cannot tell what they thought; I thought a great deal of it myself.

39,753. But I mean you have never been told it was a serious detriment to your character in any shape or way?—I thought it was, because I know a great many intimate friends on the Conservative side showed me the cold shoulder after that.

39,754. That was because you had done it on the other side?—I do not believe on the Liberal side that anybody ever did show me the cold shoulder.

39,755. (*Mr. Anstey.*) I suppose from not having bribed anybody, you, yourself, hold bribery in proper dislike?—I did, most decidedly.

39,756. I presume your feelings were naturally much wounded in being set down with the common herd of bribers here, and I presume you felt exceedingly annoyed that the measures which you had most properly taken for righting your character, not only before Bridgwater, but before the whole world, had been set at nought by this corrupt compromise between Benjamin Lovibond and the other parties?—Just so.

39,757. (*Mr. Price.*) You seem to lose all independence of character in Bridgwater. Notwithstanding this compromise, which was effected behind your back, why did not you denounce and expose the whole of this affair?—I did. I was turned round on directly, and they said, "You have no remedy; you employed "Mr. Lovibond, and he has thought right to go and "sell you."

39,758. Sell you or compromise for you?—"Sell you without your own control."

39,759. Then you did denounce it?—I did. I was almost wild for a week or two. I have something more to tell you when you have done with that.

39,760–1. It is a very great injustice to you I only want to know whether there is no means of a man in your position being able to denounce such a thing and letting it be known?—These are the papers. If it is not taking up too much of your time, I should be truly thankful if you will just read the libel. I sent it for your perusal. Perhaps I had better finish with this matter first.

(*Mr. Coleridge.*) Well, be as quick as you can.

(*The witness.*) Mr. Bragg, the other party against whom I brought the action, came and apologized, and I said, "Most certainly I shall withdraw all further proceedings against you," and I went with him down to Mr. Lovibond's office. You will find a letter from Mr. Bragg.

(*Mr. Price.*) Well, never mind; go on.

(*The witness.*) I should like to have that letter read.

39,762. What has this got to do with corrupt practices?—It has a great deal.

39,763. Well, let us hear. Come to the point?—

THIRTY-EIGHTH DAY.

J. Jenkins.

8 Oct. 1869.

I went down with Bragg to Mr. Lovibond's office, and I said, "Mr. Bragg will apologize in the public "papers, for he has made a mistake, and will pay the "expenses." Mr. Lovibond then charged him 32*l.*

(*Mr. Price.*) Well, what has that got to do with corrupt practices? We will adjourn till to-morrow morning at half-past 10.

Adjourned to to-morrow at half-past 10.

THIRTY-NINTH DAY.

Saturday, 9th October 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
HENRY FRANCIS PURCELL, Esq., Secretary.

THIRTY-NINTH DAY.

Mr. W. Toogood.

9 Oct. 1869.

Mr. WILLIAM TOOGOOD sworn.

39,764. (*Mr. Price.*) You are a solicitor and parliamentary agent in London?—I am.

39,765. Carrying on business in Parliament Street?—In Parliament Street.

39,766. Are you a native of this place?—I am.

39,767. Give us the history of your bringing down and introducing Mr. Gray to this borough at the last election?—I had the pleasure of knowing Mr. Gray as a member of the same club as myself, and consequently I from time to time met him there, and in the course of the early part of last year he said he should be glad to get into Parliament; that possibly, my business being parliamentary, I might hear of some place where he might have a chance of getting returned.

39,768. Did you then mention to him Bridgwater?—No, I did not, but I had occasion to come to Bridgwater in the summer of that year, and while here I met Mr. Lilly, and then it occurred to me to ask Mr. Lilly, thinking of Mr. Gray, what was likely to happen here at the ensuing election. Mr. Lilly said he thought there would be no opening.

39,769. No opening?—That is what he then said, but if there should be any change in the position of matters here he would communicate with me.

39,770. Why did you go to Mr. Lilly?—I met Mr. Lilly accidentally, or perhaps I called on him, he being an old acquaintance of mine, knowing most people as I do in this town. I think it was that I was on my road to Messrs. Poole's office, and either on my going or returning I looked in on Mr. Lilly, or met him, I cannot now recollect which, but it was my habit to look in, knowing him so well, just simply to know what was passing in the town. I said to Mr. Lilly when I saw him I thought I knew of a gentleman who might be disposed to come here. I did not of course give Mr. Gray's name at that time. I said he was a commercial man, and I thought he was likely to suit Bridgwater, it being a commercial town; and Mr. Lilly said, "If there should be any change I will communicate with you." Then I went back to London.

39,771. Did you see anybody else belonging to the Conservative party besides Mr. Lilly at that time?—I daresay I saw many, but I did not touch upon the subject.

39,772. Did you see the Trevors?—No; I saw no one but Mr. Lilly with whom I talked on business at all; my business was of a private nature. Then I heard from Mr. Lilly, and he said, "I think now there "is a change, and if your friend is disposed to think "of Bridgwater you will communicate with him." Thereupon I wrote to Mr. Gray and told him I should be glad to see him. I did not get any immediate answer. Then I was called into Devonshire before I had heard from or seen Mr. Gray, and while I was in Devonshire Mr. Gray came down to Torquay quite unexpectedly by me, and I saw him and told him just that, and thereupon I again communicated with Mr. Lilly, and it resulted in my taking Bridgwater on my way back to town, Mr. Gray having previously gone back to town. The reason I did not hear from Mr. Gray at the time I wrote him was, that he happened to be at Leamington, it was the vacation, and that caused the delay in my not seeing or hearing from him.

39,773. In your first communication with Mr. Gray did you say anything to him about money matters?—Nothing at all. I told him I considered Bridgwater a rather troublesome place, knowing it as well as I did.

39,774. Did you use the word "troublesome," or did you say "expensive"?—No doubt I may have said that.

39,775. Did you tell Mr. Gray that it was an expensive place; "troublesome" is a very vague word?—I might have said it. I cannot tell whether I used that word, but I meant to imply, no doubt, that money was spent here. Mr. Gray immediately said, "If I go down I spend nothing but what I may legally spend."

39,776. (*Mr. Anstey.*) Then he must have understood you perfectly well to mean that it was an expensive place by his making that reply to you immediately?—What I meant was that party spirit ran very high. I never remember an election at which there was not a contest and no doubt money had been spent.

39,777. But I am speaking with reference to your last answer. He immediately said to you, "As far as "I am concerned, if I go down I shall not spend "money," &c., &c.?—I do not mean those were the exact words he said, but in the course of conversation to that effect.

39,778. You say that was the immediate answer he made you, and my question upon that is a natural question, which I wish to have answered. From his having made you immediately that answer had you any doubt in your mind that he understood your words to convey the impression that Bridgwater was an expensive place?—I have no doubt he did; he would have been very foolish if he had not.

39,779. (*Mr. Coleridge.*) Either Mr. Gray or Mr. Westropp has told us that he expected 1,500*l.* at least

to be the expense of a contest at Bridgwater on fair principles?—Mr Gray did.

39,780. Yes, I think it was Mr. Westropp who told us Mr. Gray said so to him, and he was very much surprised to hear that it would be 600*l.* Had you given him a limit of 1,500*l.*?—Certainly not. I mentioned no figure whatever.

39,781. (*Mr. Price.*) Now go on with the history. Whom did you introduce him to here? You met him, you say, when he came to Torquay, and you came to Bridgwater on your way home?—Then I saw Mr. Lilley and told him who Mr. Gray was, told him all I knew about him.

39,782. Did you tell Mr. Lilly he was a rich merchant?—I told him I understood Mr. Gray was a man of fortune, a merchant in a very large way of business in the city of London, a highly respectable man as far as I knew, but I should like to tell you I had not had a lengthy acquaintance with Mr. Gray. I had seen him some six months previously or more, but when he was elected a member of the Conservative Club, I occasionally met him for some time. He dined on the next table, and of course in that way Mr. Gray addressed me in the way I have described.

39,783. (*Mr. Anstey.*) Had you never had any business with him?—No.

39,784. Or ever visited at his house?—I never visited at his house in my life.

39,785. Or he at yours?—No.

39,786. Then in point of fact you had only a casual acquaintance with him, and only knew him as a man of fortune?—Well, I knew him to be a perfectly respectable man, or he would not have been elected a member of that club if proper inquiry had not been made with regard to him. I understood he was a man of position in the city of London as a merchant.

39,787. I am asking, not with reference to his respectability, but with reference to his capacities to represent a borough of this kind?—I formed my own opinion about that from talking to him.

39,788. And from what you observed in your casual acquaintance at that time?—I formed my opinion from communication with him, talking with him, and in that way.

39,789. No more?—No, which I considered to be a fair opportunity of judging. Then I believe I saw Mr. Lilly. I do not know that I saw anybody else here at that time to speak on this subject, and I think Mr. Lilly said, "Very well then, I will talk to the "party here, and you shall hear from me, and it may "be desirable that Mr. Gray should come to Bridg-"water, and you should meet him here," and that state of things came to pass. After a time I heard Mr. Lilly say that Mr. Gray was in communication with the party, and they thought he would be a very acceptable candidate, but he had better come down, and he did. I went again down to Torquay; then I wrote to Mr. Gray; a day was fixed; then I came and talked to him; he came from London. We met at the hotel, and I stayed the night. I am giving you now the best of my recollection. I think that was about it. Then while we were here I introduced him to Mr. Lilly.

39,790. Before you come to that, I may ask you, would you have recommended him to the people here, knowing what you did of the place, and of their expectation, if he had not been a rich man, a man of fortune?—Whether rich or poor has nothing to do at all with the question in my mind, and did not influence me in anyway at all.

39,791. Therefore you can answer my question. Suppose you did not know him to be a man of fortune in the ordinary sense, but a man of small means, would you have recommended him to the people of this borough?—Certainly, I should, if he had been a gentleman, and in my opinion a fit man to represent the borough. It did not matter in my estimation whether he was a man of 500*l.* or 5,000*l.* a year.

39,792. (*Mr. Anstey.*) Now, wait a moment. You are a native of Bridgwater and know thoroughly the history of this place, as well as any man in the kingdom, do you mean to say that if you had had an intimate friend for whom you cared very much, he being a poor man, or one who could not afford to expend anything like 3,000*l.* or 4,000*l.*, or even 2,000*l.* or 3,000*l.*, and he told you he was going to stand for Bridgwater, would not you have thought it right to caution him, he being your friend, and said to him, "My dear fellow, do not go near such a place"?—No.

39,793. Then you would be an extraordinary friend?—If you will allow me, I understood that Mr. Gray was——

39,794. I am not asking about Mr. Gray, but I am putting it in the abstract. If you had a friend who could not afford to spend 2,000*l.* or 3,000*l.* in a place like this, and he said he was thinking of standing for Bridgwater, would you not have thought it fair to give him him a caution, "Take care what you are about in going to Bridgwater"?—That would depend on whether I thought he was going to spend a large sum here.

39,795. What?—If I had a friend, and heard him say, "I want to go to Bridgwater, and if unfair means "are resorted to I shall endeavour to hold my own "there," I should have said, "Do not go to Bridg-water," in that state of the case.

39,796. Then I do not understand you?—I will endeavour to make myself clear if you will put any question to me.

39,797. I ask you whether you would not have thought it right if a friend of yours who was not a rich man was coming to Bridgwater, and he was coming here not knowing the place, whether you would not have thought it right to give him a caution as to the state of the borough?—Yes, if he went down with the intention of spending money to that amount, that it would be unadvisable, and rather a dangerous matter to embark in.

39,798. You knew as well as anybody Bridgwater was an essentially corrupt place?—Yes, but the state of the law had altered.

39,799. (*Mr. Price.*) Would you not have said, if he was not a rich man, "Do not touch such a place as that"?—I do not know that I should have said that. I did not contemplate, and Mr. Gray did not at the time, spending any more money but what was right.

39,800. (*Mr. Anstey.*) Take it so, that is not an answer to my question, which I will put once more. Without reference to his spending money in corrupt practices or not, put it in either way, supposing he said, "I mean to spend money in corrupt practices," or supposing he said, "I mean to take my stand on "purity principles of election, and I intend to fight "the battle to the last on purity principles," you knowing Bridgwater as you did, would you not in either case say to your friend, "Do not do it; you will "have thousands to spend, and if you do not spend "money in corrupt purposes, the money which you "do spend in fighting a purity of election fight will "be money thrown away, for if the other side bribe "you will have no chance"?—Well I might have said that if necessity had arisen, but there was this offering itself to my mind, that Bridgwater was in a totally different state of circumstances under the law as it then stood—the new law—the constituency was enlarged.

39,801. (*Mr. Coleridge.*) Then I will ask you whether you mean as regards the new law relating to bribery, or the increased constituency?—My answer has reference to the new constituency. If coming down on the old plan, I am sure I would not have allowed any friend of mine to come, certainly not. "Do not come Bridgwater," would have been my answer immediately and my advice.

39,802. Do you mean then that the lower you go down in the scale the more pure it is?—I think bribing is much more difficult.

39,803. But did you imagine from your intimate knowledge all these men coming in under 10*l.* would be less likely to be corrupt than those above it?—No, I do not mean that, but I thought it would be a more difficult thing to bribe, because the area would be so enlarged.

THIRTY-NINTH DAY.

Mr. W. Toogood.

9 Oct. 1869.

39,804. Surely you do not mean that the new voters would be more likely to be incorrupt than the old ones?—Certainly not.

39,805. You base your opinion entirely on the increased number?—The enlarged area; but when you say my intimate knowledge of Bridgwater, I was never engaged in elections here in my life. I left Bridgwater 30 years ago, and I do not think I have been at an election here except the last all that time.

39,806. (*Mr. Anstey.*) Thirty years ago would be 1839, call it '38, you would have had the experience of the elections of 1832, 1835, and 1836, and 1837?—I have been 20 years in Parliament Street, and before that was articled in London, and therefore I have been absent from Bridgwater a very long time. When I left Bridgwater I was too young to embark in those matters, or take any part in them in any shape or way.

39,807. (*Mr. Coleridge.*) Do you recollect Leader's election here?—I just remember it. I was a boy.

39,808. Do you recollect anything about it?—I heard that large sums were spent here, but it is so long ago that I cannot tell you.

39,809. You are not in a position to give us information about that election, what we have had has been rather contradictory?—Not any that is worth hearing.

39,810. (*Mr. Price.*) Now go on?—Then Mr. Gray came down in the way I tell you, and when he came he saw Mr. Lilly.

39,811. Did you come with him?—I came up from Torquay and met him here. He saw Mr. Lilly, and I think he saw Mr. Ruddock, and he saw Mr. Brice, and those were the only gentlemen he saw. The next morning we both went away.

39,812. (*Mr. Coleridge.*) Did you know at that time that Mr. Lilly had been one of the conduit pipes for bringing a large sum of money into the borough at a former election?—No, nothing.

39,813. (*Mr. Anstey.*) Did you know that he had charged 60*l.*, and got it under the name of a fee for his services from Mr. Patton?—No, I know nothing at all about it.

39,814. (*Mr. Coleridge.*) Did you look on Mr. Lilly as one of those mysterious persons we have heard described, as the heads of the Conservative party?—No, I looked on Mr. Lilly as an intelligent active man. I thought he was a very fit person to put the question I had to put to.

39,815. We have had the term so frequently used, and when we try to probe it it comes out the lawyers are the heads of the party. Do you call Mr. Lilly one? I should think he would be one of the heads of the party. Then after that introduction, Mr. Gray communicated with the town direct—he communicated with those gentlemen he was introduced to direct, and at a proper time it was suggested by his friends here, and he came down with Mr. Westropp. Before that I should tell you on seeing Mr. Ruddock on the first occasion of Mr. Gray coming here, it was suggested that Mr. Gray should see Mr. Westropp in London; because we understood Mr. Westropp was again going to offer himself for the borough, and we did so. Mr. Ruddock, I believe, wrote to Mr. Westropp, and the Union Club was fixed as the place at which we should call on Mr. Westropp, and we did so, and there we saw Mr. Westropp, and Mr. Gray explained what had passed.

39,816. (*Mr. Coleridge.*) Did you give Mr. Gray any warning as to Mr. Westropp's antecedents, knowing that he had been unseated on the petition before?—I told him all I knew about it. I knew that.

39,817. You told him that?—I told him that, no doubt. I have no actual knowledge myself, but I had been in the House of Commons Committee Room very frequently while the petition was on.

39,818. But you knew all about it?—I had a general knowledge.

39,819. And you told Mr. Gray?—Certainly. Then at this meeting Mr. Gray explained what had passed, and he thought of going to Bridgwater.

39,820. (*Mr. Price*) Did you hear him explain that he had been asked for the 1,500*l.*?—Did I hear Mr. Gray?

39,821. Yes?—No, he did not say so.

39,822. Not in your presence?—Not in my presence, certainly. I do not know what happened whilst I was not there, but I believe I was with him until the meeting broke up. The result of the interview was that Mr. Westropp stated his willingness to come to Bridgwater with Mr. Gray as mutual colleagues at the ensuing election. Then we thought it well to go to Mr. Spofforth's office, which we did, to hear what he had to say. At this interview I should tell you, at the Union Club, Mr. Westropp explained to Mr. Gray the principle on which he was going to Bridgwater—to spend nothing at all beyond what was legal. He said, "That I will do and nothing else." Mr. Gray said, "That is what I mean to do; unless we "go down on that footing, we will not go," and that was the standing agreement. Then we went over to Mr. Spofforth, and had a long talk with him, and told him he had decided on going down, and wanted to know what Mr. Spofforth had to say, and he thought Mr. Gray might be acceptable in every way. Mr. Spofforth knew Mr. Gray before, and he said, "I think he is a very fit man, Mr. Westropp," and Mr. Spofforth said to me, "Toogood; you know Bridgwater well." I said, "I know Bridgwater." "Well, you go down with Mr. Gray." "Well," I said, "Mr. Gray wishes me to do so." Then, he said, "I will leave it to you; you will go down with him"? "Certainly;" and I did come here, Mr. Gray having arranged with me to employ me professionally in the matter.

39,823. (*Mr. Price.*) What were you to do?—I was to introduce him here.

39,824. What did you do?—I did introduce him and gave him all the assistance I could.

39,825. What assistance did you give him?—I endeavoured to get him returned fairly and properly.

39,826. (*Mr. Anstey.*) To what persons did you introduce him?—Everybody I knew on our side of the question.

39,827. Tell us some?—I have already told you some; Mr. Brice whom I saw here, Mr. Lilley, Mr. Ruddock, and Messrs. Poole, Messrs. Trevor. I am sure I cannot remember all. I know nearly all the old inhabitants here.

39,828. Did you introduce him to anybody except lawyers?—Yes; I began by saying Mr. Lilly.

39,829. He is a man who has been stated in evidence to be half a lawyer?—He may be half one; I do not consider he is one.

39,830. Nor I; but he himself so considers. Can you tell me anybody else?—I dare say I did, but I cannot at this moment recollect who.

39,831. Then as far as you recollect?—Yes. I introduced him to Mr. Smith. If I had a list of the inhabitants given me I dare say I could give you 20 names other than lawyers; perhaps 50.

39,832. Did you introduce him to Mr. Joseph Richard Smith?—The gentleman lives in Friarn Street. I do not know his initials, but his name his Smith. He was formerly a pawnbroker, but he was mayor at that time.

39,833. Anyone else?—Everybody I knew.

39,834. Do you recollect anyone by name?—I will try to, but I do not at the moment.

39,835. At present those are all the names you remember?—I introduced him to Mr. Sealy for courtesy sake.

39,836. Mr. Sealy, the banker?—Yes.

39,837. But he is on the other side?—Yes, but I introduced him having known him.

39,838. I am speaking of your side?—Everybody I could think of.

39,839. Do you remember whom?—I cannot at the present moment. Yes, the Axfords. Mr. Axford, the surgeon, down here; but all the leading people on the Conservative side of the question here, I introduced him to, and told them what I knew about Mr. Gray, and in my opinion he would be a fit man to represent this borough in Parliament. I introduced

him to Mr. Greenhill whom I knew, just a little way out of the town, in fact, to everybody. I do not know whether Mr. Strangways, but everybody I knew. I knew a great many people here.

39,840. (*Mr. Coleridge.*) Did you come down here professionally, or merely as a friend?—Certainly professionally. Mr. Gray had no acquaintance with me. It did not suit me to go away, and that was the distinct understanding.

39,841. (*Mr. Price.*) Then are we to understand you never had any discussion with Mr. Gray as to money matters at all?—Discussion?

39,842. You may use any other phrase you like, had you any other conversation with him?—Well, now and then I told Mr. Gray from what I had heard that I thought it quite possible something would be said to him about money. He immediately said, "You know "I shall not agree to that, and in one moment I will "leave the borough if I am pressed or attempted to "be pressed."

39,843. You are the person he had reposed confidence in, and had been asked to come down here to attend him professionally, do you mean that he never mentioned to you that a sum of 1,500*l.* had been mentioned to him? It is a strange thing with regard to the man put in confidential relationship if he did not?—I could not say that.

39,844. (*Mr. Anstey.*) You have said it at all events?—Pardon me.

39,845. (*Mr. Price.*) I wish to draw your attention to it. Whenever you did hear this 1,500*l.* mentioned to come from Mr. Gray, did you not tell him that was an absurd sum for legal expenses. Mr. Westropp says he told him at once it was ridiculous nonsense that 500*l.* was ample, and Mr. Gray, he says, was quite like a child when he came down, and did not know whether it was 500*l.* or 1,500*l.*, and you were his confidential agent and friend. I want to know whether he ever mentioned 1,500*l.* to you as the sum named to him, and whether you did not say it was nonsense to spend such a sum?—He did not at any time name to me that he had been asked to spend 1,500*l.*

39,846. He never mentioned the sum of 1,500*l.* in anyway?—Yes, certainly, because I had myself heard 1,500*l.* mentioned. I heard 1,000*l.* mentioned, but I think 1,500*l.* was the limit of the sum I heard at any time mentioned.

39,847. (*Mr. Anstey.*) Who from?—Frequently.

39,848. Tell me one person?—I do not think I could fix any one person as having said that to me, but I frequently heard people say on our side of the question if unfair means were resorted to certainly 1,000*l.* or 1,500*l.* would be wanted.

39,849. (*Mr. Price.*) Not unfair means?—Or improper means.

39,850. Mr. Gray says he intended to fight on pure principles, and he came down here having been informed that 1,500*l.* was the sum which would be required if he fought on pure principles?—No, I do not think that.

39,851. He told us so?—Did he?

39,852. Certainly?—I assure you I never heard Mr. Gray say that he was asked to spend 1,500*l.*

Henry Westropp recalled.

H. Westropp.

39,853. (*Mr. Coleridge.*) I think it was you who said that he thought 1,500*l.* necessary, and you told him that 500*l.* was enough, and I put it to you that he was both lightened and enlightened by your remark?—Mr. Gray said he would only spend legal expenses at least. I told him I would only spend legal expenses, and he asked how much that would be, and I told him 500*l.* would be ample to cover every legal expense, and he after that when walking across Trafalgar Square said, "I thought there would be much larger expenses." I said, "What did you imagine they would be," and he said, "I imagined they would be 1,500*l.*" That is exactly what I said, "Oh, nonsense!" said I "that is a great deal too much," and he said then I had enlightened him on that head by telling him it was only 500*l.*

Mr. William Toogood recalled.

Mr. W. Toogood.

39,854. (*Mr. Price.*) Assuming what Mr. Westropp says is true, it is quite clear that Mr. Gray must have had some person or other to tell him about 1,500*l.* He could not have imagined it of his own head?—Certainly.

39,855. But at all events, what did he say to you about it when he mentioned the 1,500*l.*?—He never told me that he expected he should be called on to spend a 1,500*l.* Such a sum was not named, but neither he nor I knew exactly what sum might want to be expended. Mr. Westropp seems to have given him some more information on that subject than I, for I really did not know, and if I had heard of his spending 1,500*l.* I should have thought it a very immense sum.

39,856. (*Mr. Anstey.*) Had he any other confidential adviser besides you?—No.

39,857. And he concealed that fact from you?—No, he did not conceal that fact from me.

39,858. But he did not tell it to you?—He may have mentioned to me that he heard 1,500*l.* might be wanted for legitimate purposes, but I do not recollect.

39,859. At all events, you say that you had heard independently of Mr. Gray of 1,000*l.* or 1,500*l.*?—Yes.

39,860. What did you say to him when you heard that?—I said, "If such a sum as that is wanted it is "wanted for purposes other than those for which "money ought to be expended." He said, "You "know my intention?" I said, "I do." He said, "If I am asked to spend any such sum as that I shall retire immediately."

39,861. How long before polling-day was it that you told him that?—I daresay it was when I came down here, the candidates came down and were received.

39,862. After they were received?—Yes, at that time, and again later; frequently I heard this and I was not surprised: "If money is going to be spent on "the other side and if money is spent on our side "1,500*l.* at least will be wanted," and I never heard anything of that kind, but I immediately reported it to Mr. Gray, and I never had but one answer, "I "shall not spend it at any election in this kingdom or "any other."

39,863. (*Mr. Coleridge.*) Did you settle Mr. Gray's legitimate expenses for him after the election?—No.

39,864. Did not it pass through your hands?—Not at all. I never had any money.

39,865. Who settled your account? Was it done personally or through an agent?—It was done in London. Part I got at Christmas last and part at the beginning of this year.

39,866. And not put into the election expenses as returned by the election agent as it ought to have been?—No, not at all. What I understood was a sum of 700*l.* had been paid into Stuckey's bank here, which was contributed in moieties by Mr. Westropp and Mr. Gray, and that was supposed to meet every demand.

39,867. What was the object of keeping your fee for assisting Mr. Gray out of the legitimate expenses?—I do not know. I wrote to him and said, "I shall be glad if you will send me a cheque," and he did.

39,868. (*Mr. Price, reading.*) "What did Mr. "William Toogood say about it?—We discussed the "matter. Did he discuss what it would cost?—No, "he did not; he said it might be 1,000*l.*"?—What might be?

39,869. The expense?—The legitimate expense.

THIRTY-NINTH DAY.

Mr. W. Toogood.

9 Oct. 1869.

39,870. Yes?—I said just now I could not tell exactly.

39,871. (*Mr. Price, reading.*) "Did it not astonish "you that 1,000*l.* should be spent in a small borough "like Bridgwater? *A.* It did not strike me at the "time. If you remember, I was then quite a new "hand. *Q.* But you are not a child? *A.* No. "*Q.* You are a grown up man? *A.* I was not an "expert in these matters. (*Mr. Price.*) What non-"sense to talk of experts! (*Mr. Coleridge.*) Did not "Mr. Toogood tell you what was the character of his "native place? *A.* No; he did not. *Q.* Did he "not tell you it was most impure and he wanted you "to go there and make it pure? (*A.*) No; he did not "I did not hear that until I came down here."?—I think he must be under a misapprehension there. I did tell him. It was very natural that I should tell him.

39,872. You seem to me to have let your friend into a hole blindfold?—Well, sir, I do not quite, if you will allow me to say so, understand your observation.

39,873. He said you never warned him about Bridgwater being an impure place?—I told him just what I said before. I began by saying——

39,874. He does not seem to me to have understood it at all. He really does not seem to have understood it so. He seems to have thought that 1,000*l.* would be the legitimate expenditure; that Mr. Westropp would have to spend 500*l.* and he knew he should have more, and that 1,000*l.* was something like what it would be?—Well, he might conscientiously have been informed so.

39,875. He said that he had discussed it with you and you said it might be 1,000*l.*?

(*Mr. Anstey.*) I understood you to say not 10 minutes ago, before the Chief Commissioner was looking at Mr. Gray's evidence that the moment you had heard that it was a rumour here that 1,000*l.* or so would be wanted, you told Mr. Gray this, "Such a "sum as that cannot be wanted unless for improper "purposes." Now you confirm Mr. Gray's statement that you yourself named to Mr. Gray that sum as the amount of the legal expenses?—No, I beg to say I never did.

39,876. Twice you have said, when the Chief Commissioner was reading, and after he had done reading, that you did name it as he states it?—1,000*l.*, or 1,500*l.*?

39,877. (*Mr. Price.*) 1,000*l.* He says, "We dis-"cussed the matter." Then he said you told him 1,000*l.* This is all on the assumption Mr. Gray puts before us that he thoroughly believed everything was to be legitimate, and therefore this 1,000*l.* was impressed upon his mind, whatever you said to him, as a legitimate expenditure.

39,878. (*Mr. Anstey.*) Did you tell him 1,000*l.*?—I never told him any definite sum at all. I did not know. I could not know myself. But if the expenditure had gone up to 1,500*l.* I should immediately have had my suspicions that money was going for impure purposes. But my conversation with Mr. Gray was of the kind I have explained over and over again. I could not tell him what the legitimate expense would be. It is impossible to say what professional men employed here ought to be paid. I did not know; but if I had heard of his being asked to pay 1,500*l.* I should have had my suspicions immediately; and I should have thought 1,000*l.* a large sum.

39,879. Did it not occur to you, Mr. Toogood, that you were incurring a great moral responsibility in being the means of allowing a comparative stranger to you to come down here under the belief that he was not going to be called upon for more than legal expenditure and yet be pretty sure of his success?—I did not say anything about success. I left him to form his own opinion about that from what he heard in the town. I could not express any opinion about it.

39,880. Did you tell him so; that you could not answer for his success?—Certainly. Is there any reason to make you think that I should not have told him so. How could I answer for the borough?

39,881. I want to know?—I never told him whether he would be successful or not. I said, "Go to Bridgwater and make your own inquiries."

39,882. You say that you told him exactly what you told us to-day?—Certainly.

39,883. What you have told us to-day is this, that you had no knowledge of Bridgwater for 30 years; that it was a troublesome place before that time; that the constituency was largely increased; that you could not answer for his success, and that he must depend solely upon legal expenditure?—He told me himself, "I go upon no other footing." I told him there was a fair chance of being returned on that footing, and he was confirmed in that by Mr. Westropp.

39,884. Then you did tell him about his success?—I told him I had heard of it. I did not live in Bridgwater. I picked it up when I was here.

39,885. You came down with him?—Yes.

39,886. I am referring to what occurred in London before he took the fatal step of coming down here. Did you tell him after that?—He came here himself with me and saw Mr. Lilly, Mr. Ruddock, and Mr. Brice.

39,887. You know you met him where you were dining together; at the Conservative Club?—Then I told him little or nothing about it.

39,888. Then when he spoke to you it was as a Bridgwater man. He spoke to you as a man who had been in Bridgwater, and was a native of Bridgwater?—Yes.

39,889. Well, I ask you whether in London before he had decided upon the fatal step of coming down here you had told him that you thought he had a fair chance?—No, I had not.

39,890. Then I put it to you shortly; is it true that Mr. Gray as far as you know or as far as you are concerned has nobody but himself to blame for coming down here?—Certainly not. Will you just allow me to say a word. You know I brought Mr. Gray here himself that he might see, think, and judge for himself. What more could I do?

39,891. (*Mr. Coleridge.*) Before he had determined to stand?—Of course I did. I brought him here. I took the trouble to come up to meet him here—"Now "judge for yourself; there's Mr. Brice, and Mr. Rud-"dock, and Mr. Lilly: you hear what they say;" and then after that there was a correspondence.

39,892. (*Mr. Price.*) No doubt, Mr. Toogood, you brought him here. Now listen. Is this true, "It "seems to have got abroad, Mr. Gray, that your name "meant money?"—*A.* "I endeavoured by every "means that I could to dissipate any such idea as "that? *Q.* Had you found it was the prevailing "idea?—*A.* No, Mr. Toogood mentioned to me "once or twice that he thought money might be re-"quired."—Certainly.

39,893. What did you mean by that? You could not mean for legitimate expenses?—What I heard.

39,894. (*Mr. Price, reading.*) "And I said imme-"diately 'I will withdraw. I will do anything; but "as to spending money illegally, I will not do so.' "(*Mr. Coleridge.*) When did Mr. Toogood tell you "that money might be required?—*A.* I think Mr. "Toogood mentioned that just before. *Q.* Was it "after you were down here?—*A.* Yes, it was after "I was down here. *Q.* How long before the poll-"ing day?—*A.* I cannot state the date; but I have "it running in my mind that it was sometime before "the canvassing commenced. I think so. He was "here, and he told me something that led me to sup-"pose that money might be required." It could not be for legal expenditure, you know. "*Q.* Did he "say how much?—*A.* No, he did not. *Q.* Did "he ask you in case money should be required whether "you had made any arrangement as to sending it "down?—*A.* No. *Q.* Are you sure of that?—"*A.* I am certain of it."—Well now, sir, once for all, I wish to say that Mr. Gray was brought down here to see and judge for himself as to whether he should come here or not. I did not advise him to

come. I brought him for the purpose that he might form his own opinion and determine for himself.

39,895. (*Mr. Anstey.*) But, Mr. Toogood, surely you see that you are not answering the Chief Commissioner's question?—Well, I am coming on to that. Nothing was said about money before Mr. Gray came down here in a formal way, and was received by the inhabitants; but when he did come, and after he came from time to time I heard what I have already said, "If there is money to be spent on the other side, money will have to be spent on this." Of course I from time to time reported to Mr. Gray what I heard, and Mr. Gray never gave me but one answer, "If any "money, Mr. Toogood, is to be spent illegally, I am "not the man for Bridgwater or for any other place, "and therefore I will go." At no time was any formal request made to me to go to Mr. Gray and say, "so-and-so will be wanted, and so-and-so must be "found" (at no time), by any person. The conversation about money prior to that was just what Mr. Westropp has explained to you, and it may have been that when walking across Trafalgar Square it was said, "Well, I daresay 1,000*l.* will be wanted, if you "are to have a contest, and money is going to be "spent." I shall be happy to answer any other questions upon this subject that you may think right to put to me.

39,896. I am very glad the thing stands in that way. I say again I think you might have given Mr. Gray more caution: that is all?—I do not see what caution. I do not, think with all deference to you——

39,897. (*Mr. Price.*) I won't argue with you. I think Mr. Gray came down here thoroughly green about all these matters, and might have got himself into a very great scrape?—It was his own doing entirely. He came here, and judged for himself. I did not stay here. He stayed by himself a long time.

39,898. You were in a very confidential position?—Well, I had nothing to tell him beyond what I did, and I should like to say also that I am quite satisfied. I know myself, that not one penny was spent improperly through me by Mr. Gray. That is my firm conviction.

39,899. (*Mr. Price.*) It has not been said. There has not been any evidence that it was spent by Mr. Gray?—A more honourable man is not to be found in London or anywhere else.

39,900. (*Mr. Price.*) Well that is another thing?—But I saw Mr. Gray yesterday and he was much hurt by the reports and the evidence given before you. He is placed in an unfair position.

(*Mr. Price.*) There is his evidence. Never mind about the reports. It was unfortunate for Mr. Gray that he could not explain some things.

39,901. (*Mr. Coleridge.*) You have not told us yet; were you employed in the petition at all?—Not at all.

39,902. Not professionally or otherwise?—Not at all. Occasionally Mr. Gray consulted with me and he showed me the draft of the petition, but the 150 guineas that were paid me were for all the services rendered him in London and down here.

39,903. How was it as you had been professional adviser down here, you did not have the conduct of the petition?—Well, at one time I thought I ought to have had it, and I rather complained about it, but I was told, "Very likely you will be wanted as a witness "and the inquiry will be a local one. It is not to be "at the House of Commons, and it will be hardly "worth your while. Before I leave the box I want "to ask the President, if you will allow me, what "more you think I should have said or done to protect "Mr. Gray."

39,904. (*Mr. Price.*) Every man must judge for himself what he should do for a friend. If I had been a confidential friend of Mr. Gray I should have given him every caution to banish Bridgwater from his ideas for ever, and if he could never get into Parliament as long as he lived in any other way never to think of coming here?—Why should I say that? I should not be justified in it?

39,905. We need not argue it?—If you make an observation I must, with all deference, make a reply. I did not feel justified.

39,906. Well, I think you ought to have given him a caution. It does not appear he ever had one from you?—Well, I brought him down here.

39,907. I do not say to what extent the caution should have been, but it is quite clear that Mr. Gray unfortunately came into this place with a ridiculous notion impressed upon his mind somehow or other that he would actually have to spend 1,000*l.* in legitimate expenses, and nobody seems to have disabused his mind except Mr. Westropp who told him that it would be a robbery if they wanted to make 1,000*l.* out of him?—I did not tell him he would have to spend 1,000*l.*, it was merely what I heard.

39,908. (*Mr. Anstey.*) How could a person in your fiduciary relation have mentioned what you heard without telling him "I don't believe it"?—You have not heard me say that I did not tell him that 1,000*l.* would be a very large sum for legitimate expenses.

39,909. You have heard Mr. Gray's evidence read and you confirmed it upon that point, and he says that he objected. He does not say that you did?—If you wish to leave it in this way that I encouraged Mr. Gray to spend 1,000*l.*, it is entirely wrong.

39,910. (*Mr. Coleridge.*) What I understand you to say is this, that you said to him, "If money is spent "1,000*l.* at least would be required"?—Certainly, that is how I put it, and I never put it in any other way, and really I must again state that emphatically. I never told Mr. Gray that he would have to spend 1,000*l.* in legitimate expenses. I could not say it. I should have been beside myself.

39,911. (*Mr. Price.*) Mr. Gray says so?—Then I say he is in mistake, and perhaps the better way would be to have him down again. I say distinctly that I never told him that he would have to spend 1,000*l.* I am sworn, and I say that.

39,912. What I read to you was a series of answers to Mr. Coleridge, and they come in consecutive order, and they are in that form?—Perhaps you will be kind enough to read them again, and I will see if I can answer them.

39,913. He got into his head that he would have to pay double what Mr. Westropp paid because he was to have more of the lawyer's time. This is Mr. Coleridge's question—"What did Mr. William Toogood say about it!—*A.* We discussed the matter"?—Yes.

39,914. Now then, you objected to the word "discussion"?—No, I do not object.

39,915. Yes you did. That is Mr. Gray's own words. "Did he discuss what it would cost?—No, he "did not. He said it might be 1,000*l.*"?—Yes.

39,916. "*Q.* Then he did say something about it? "—*A.* I think I said so. (*Mr. Price.*) Did it not "astonish you that 1,000*l.* should be spent in a small "borough like Bridgwater?—*A.* It did not strike "me at the time. If you remember, I was then "quite a new hand. *Q.* But you are not a child? "—*A.* No. *Q.* You are a grown-up man?—*A.* "I was not an expert in these matters." Nobody made him an expert. Then I said, "What nonsense to talk of experts!" "(*Mr. Coleridge.*) Did not Mr. "Toogood tell you what was the character of his "native borough?—*A.* No, he did not"?—But there is the mistake.

39,917. "*Q.* Did he not tell you it was most "impure, and he wanted you to go there to make it "pure?—*A.* No, he did not. I did not hear that "until I came down here. *Q.* Had you not heard "it before, that it was most impure?—*A.* No, I "had not. When I came down here I heard it was "a place where there was a great deal of money "spent corruptly. *Q.* Had you not heard there had "been a petition filed before, in 1865?—*A.* I had "not. (*Mr. Anstey.*) As I shall not have an

THIRTY-NINTH DAY.

Mr. W. Toogood.

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" opportunity of asking Mr. Westropp about it, I will " ask you. Did not he tell you before this of the " manner in which he had bribed, and his friends had " bribed the voters here, and the demands the voters " had made? — *A.* He did not. He told me of " course that there had been a petition against " him, and that he had been turned out for bribery. " *Q.* And that was all?—*A.* And he added, "But " there is a different state of things now, because I " have determined to come down, and this shall be a " pure election." Then I asked him about Mr. Westropp, and so on. That is what he said about you there, and then further on it goes on, "Tell us any " more you know about that election. It seems to " have got abroad, Mr. Gray, that your name meant " money? — *A.* I endeavoured by every means that " I could to dissipate any such idea as that. *Q.* Had " you found it was the prevailing idea? — *A.* No. " Mr. Toogood mentioned to me once or twice that " he thought money might be required, and I said " immediately I will withdraw; I will do anything, " but as to spending money illegally, I will not do so. " (*Mr. Coleridge.*) When did Mr. Toogood tell you " that money might be required? — *A.* I think Mr. " Toogood mentioned that just before. *Q.* Was it " after you were down here? — *A.* Yes, it was after " I was down here. *Q.* How long before the poll- " ing day? — *A.* I cannot state the date, but I have " it running in my mind that it was sometime before " the canvassing commenced"?—Yes.

39,918. Before it commenced, mind you—"before the canvassing commenced." "I have it running in " my mind that it was some time before the canvass- " ing commenced; I think so. He was here, and he " told me something that led me to suppose that money " might be required. *Q.* Did he tell you how " much? *A.* No, he did not. *Q.* Did he ask " you, in case money should be required, whether you " had made any arrangement as to sending it down? " *A.* No. *Q.* Are you sure of that? — *A.* I am " certain of it."—Well now, I can endorse all that except one thing, that is, with regard to the 1,000*l.*, and I beg you to understand that I at no time told Mr. Gray that he would be called upon to spend 1000*l.* in legitimate expenditure, for really I did not know what he would be called upon to spend. I heard 1,000*l.* mentioned and that led Mr. Gray to say the other day to you what he there said, but I never told him or made any formal proposition to him to spend 1,000*l.* Subsequently to that he informed me that 700*l.* had been paid in to Stuckey's bank, that it had been done after consultation here with his friend Mr. Westropp and the local solicitor, and that that money had been paid in in the belief that it was an ample sum to meet all the expenditure. He did not tell me that in that would be included what he would have to pay me and I do not know what has become of that money, whether it is still there or drawn out, but I do know that subsequently Mr. Gray paid me in town by sending me his own cheque.

39,919. (*Mr. Coleridge.*) Did not it occur to you that he ought to have paid that through the hands of the election agents and that it should appear like other payments?—I supposed it was returned. I have not seen the return.

39,920. That is not down. You would not have received it from him but through the election agent? —I had no knowledge. I did not know what the return was. When I came back to London, I only saw Mr. Gray occasionally; he came to me and said, "Here " is this petition. Here is the draft sent up. Will you " look at it for me." What he was doing at Bridgwater after I went back to London I do not know. He acted quite independently. In my judgment I do not know that I could have done more than bring Mr. Gray to the place. I stayed here with him a night, and allowed him to have his own conversation with the people here, which he did do, and then he himself determined, but not till after he had seen Mr. Westropp.

39,921. (*Mr. Anstey.*) Then on what did you found your expectation of being employed as the agent in the matter of the election petition?—Simply for this reason, that I was brought down here. I knew Mr. Westropp and Mr. Gray, and I knew most of the people in the town who were going to take part in that petition, and because I was a parliamentary agent. I thought it quite likely that I was to be employed, but I did not make it a point.

39,922. Was that in your mind; the contingency of there being a contested return, and an election petition filed when you first came down?—No, certainly not; I did not know it. I am only anxious about these two points, as to the deception of Mr. Gray. If it had been my own brother or father, I could not have done more than I did for him. I may have failed. I might have done more, but I do not see how.

Mr. G. Harris.

Mr. George Harris sworn.

39,923. (*Mr. Price.*) You are a stockbroker carrying on business in London?—Yes.

39,924. Will you please tell us (perhaps I had better put the question to you) when did you first become acquainted with Mrs. Westropp in the way of business—In 1862.

39,925. How was the introduction effected?—Miss Stockwood was brought down by clients of ours from Regent Street and introduced personally.

39,926. That is Mrs. Westropp?—Mrs. Westropp. I did not know till I had heard of the evidence which has been given here that she was married.

39,927. (*Mr. Price.*) How was she introduced to you; just tell us the name?—As a spinster, Marianne Stockwood.

39,928. Introduced by clients of yours?—Yes.

39,929. Who were those clients?—Ravenscroft & Co. If you will allow me to have those books I will just refer to the entry. (*The books were handed to the witness.*)

39,930. Read the entry if you please?—Yes, I have the entry here. " 25th March 1862. Introduced by " Mr. T. R. Ravenscroft, Conduit Street, Regent " Street." Ravenscroft Brothers, they are outfitters. And on that date we made a purchase of stock, and we described her as "Marianne Stockwood, of Connaught Terrace, Hyde Park, spinster, new account."

39,931. (*Mr. Anstey.*) Who were the people who introduced her?—Messrs. Ravenscroft of Conduit Street, tailors and outfitters.

39,932. (*Mr. Price.*) And they were clients of yours?—Yes.

39,933. (*Mr. Anstey.*) Did they tell you for what purpose she sought to be introduced to you?—No, there was no necessity. She merely wished to make an investment, and she asked what we should recommend a spinster lady to invest in, I immediately recommended government funds.

39,934. Then she invested the sum?—Yes, 1,500*l.*

39,935. (*Mr. Coleridge.*) How did she give you that money? In notes, or cash, or what?—The entry in the cash-book does not tell us, I think it was in notes.

39,936. Not by cheque?—I won't be positive. I could tell by referring to the bank. It is my impression it was in bank-notes.

39,937. (*Mr. Price.*) Did it remain there invested till a later period, or was anything done between that period and the time you sold it out for her?—Yes, we made another investment subsequent to that investment before we had made the sale.

39,938. The same money?—We added to that investment.

39,939. I do not know that we need care about that? —It was not a large amount, 70*l.* or 80*l.* It was in 1863.

39,940. Will you turn to your book, if you have got it there, the year 1865, and tell us what you did about money then. Did she receive the dividends from time

to time through you?—I did not, she called at the office.

39,941. I mean she received them through your office?—I identified her at the bank.

39,942. You identified her at the bank?—It is usual with a person opening an account at the bank to identify them, and I went with her, nothing more. I have the entry of the sale, "June 1865, 29th. The "whole amount sold for Marianne Stockwood, Con- "naught Terrace, Hyde Park, spinster."

39,943. (*Mr. Anstey.*) Did she instruct you in person to sell that?—Yes.

39,944. Was she alone?—She was not, another lady was with her, her sister. She introduced me to her sister.

39,945. Nobody else?—No.

39,946. (*Mr. Coleridge.*) Did she sell the whole amount?—1,666*l.* stock. "All," it is put against it.

39,947. (*Mr. Anstey.*) I presume she did not tell you for what purpose she wanted it sold?—No.

39,948. Did she say anything about the mode of payment?—Yes, she said she wished to ask me a favour, would I let her have gold. I said, "Well, I don't think you will be able to carry it." And she said, "I have brought my sister, we have two bags." I said, "If you particularly wish it (it's a curious mode "of payment), you shall have gold, if you like. I will "go with you to the bank and they shall pay you in "gold." When the transfer had been made at the bank and she went back, I wrote an open cheque payable to her order, and I went with her to the bank and she had it in gold.

39,949. Do you remember the clerk objecting? Do you remember anybody objecting that it was unusual?—Not the least.

39,950. (*Mr. Price.*) Making a remark, or anything about ladies wanting so much gold?—Well, the cashier might have made a remark of that kind, but he would not pass any remark to me on the point. He would pay it directly.

39,951. (*Mr. Anstey.*) In two bags?—In two bags.

39,952. (*Mr. Price.*) They went away in a cab?—They did.

39,953. Had you any suspicion who this lady was at the time?—Certainly not. Not the slightest.

39,954. (*Mr. Anstey.*) Nor whether she was married or single?—No. I did not know till Wednesday morning, when she called at our office in London and told us she was a married lady.

39,955. I suppose if you had known you would not have invested the money for a married woman in her maiden name?—No, certainly not. It is not legal.

39,956. (*Mr. Price.*) That is the thing. The reason why we had you here is that it is very important to clear it up and show that it was a regular transaction?—Perfectly regular.

(*Mr. Price.*) We desired you to come down to explain that, and also the circumstances of the case.

39,957. (*Mr. Anstey.*) Did Ravenscroft and Co. introduce her by letter?—No, he came down personally with her.

39,958. Mr. Ravenscroft the elder?—Mr. T. R. Ravenscroft. I do not know which is the elder.

39,959. He gave her name as Miss Stockwood?—Yes. We could not have put the stock into the name without having the name and address.

(*Mr. Price.*) I think that will do, Mr. Harris.

Mr. Henry Westropp recalled.

Mr. H. Westropp.

(*The witness.*) Will you allow me to make one remark. I want you to ask Mr. Harris to try and recollect whether Mr. Ravenscroft went down in person, because I have a distinct recollection as I stated yesterday that it was a note. (*To Mr. Harris.*) I think, Mr. Harris, if you will kindly tax your memory, there was a note and it said "The bearer," She was introduced simply as "the bearer," because I wrote to Mr. Ravenscroft whilst I was in Ireland. The sum of 1,500*l.*, I think, came through a bank in Ireland, a draft. At this moment I am not aware of what bank it was, or whether it was payable to Mr. Harris or not.

(*Mr. Anstey.*) But you see, Mr. Westropp, Mr. Harris was present and you were not present. Therefore he can speak positively as to Mr. Ravenscroft coming down.

Mr. George Harris recalled.

Mr. G. Harris.

39,960. (*Mr. Price.*) Are you quite sure about that, Mr. Harris?—I am almost positive. In fact I may say I am positive that Mr. Ravenscroft brought the lady to our office; and I am almost positive it was bank notes.

Mr. Henry Westropp recalled.

Mr. H. Westropp.

39,961. (*Mr. Coleridge.*) You see, you were in Ireland, Mr. Westropp?—I was in Ireland.

39,962. All you know is that you wrote a letter requesting him to give a letter to "bearer," but you do not know what Mr. Ravenscroft did. You can have no knowledge of that?—I sent the letter to my wife, the introduction. Whether she made use of it or not, I do not know.

(*Mr. Price.*) Probably a letter would hardly have done?

(*Mr. George Harris.*) And if we had seen that letter we should not have bought the stock in her maiden name.

Mr. George Harris recalled.

Mr. G. Harris.

39,963. (*Mr. Coleridge.*) There is one question; we did not know of it before, therefore we could not ask Mrs. Westropp. What became of the balance of the stock. There was 1,666*l.*?—Ah, but you must recollect that is stock, not money. It did not produce fifteen hundred pounds, 1,495*l.* or 1,496*l.*

(*Mr. H. Westropp.*) I was asked about that second investment, and I think you will find that it was something about the amount of the dividend that accrued.

(*Mr. Price.*) The dividend re-invested?

(*Mr. H. Westropp.*) The dividend re-invested.

(*Mr. Anstey.*) That is what struck me when it was mentioned.

(*The witness.*) I can tell you if you will wait one second. I will tell you what it was (*after referring*). Yes, it was; 5*l.* odd to make the amount even, 70*l.* 5*s.* 1*d.* in August 1863.

39,964. (*Mr. Coleridge.*) What amount of stock did Mrs. Westropp get for her 1,500*l.* worth of bank notes?—Oh, I can tell you that. You want the stock?

39,965. I merely want to know what amount of stock she got for her 1,500*l.*?—1,595*l.* 14*s.* 11*d.*

39,966. And when it was sold what did she get?—That is bought at 93⅞ths.

39,967. What did she sell at?—Then I made another purchase.

39,968. Then what was that purchase at?—That was 70*l.* 5*s.* 1*d.* That made the 1,666*l.* stock.

39,969. What was that at?—That was at 93¼.

39,970. What did she sell at?—I apprehend the funds were low. I will refer 89⅞ths.

THIRTY-NINTH DAY.

Mr. G. Harris.

9 Oct. 1869.

39,971. Then there was a considerable loss upon the sale?—Yes, 70*l.* loss.

39,972. (*Mr. Anstey.*) There was a great difference between 1862 and 1865 in the price of the stock. There would be a loss of nearly 100*l.* on it?—Four per cent.; a loss of nearly 70*l.*

Mr. Henry Westropp re-called.

Mr. H. Westropp.

(*The witness.*) Allow me to say that my wife has since informed me that to make up that 1,500*l.* from whatever she received, she added the difference between it and the 1,500*l.*

(*Mr. Coleridge.*) That is the reason I asked the question about it.

(*The witness.*) She added whatever it was.

(*Mr. Harris.*) It would be four or five pounds.

(*Mr. Price.*) It would be out of petty cash. Now Mr. Westropp, I think we may release you.

(*Mr. Harris.*) You do not want to see the cheque with the signature of her maiden name at the back.

(*Mr. Coleridge.*) No, we do not care about it.

(*The witness.*) I know perfectly well that under the circumstances there was a sort of cloud hanging over me in respect of this matter, but I hope it is now cleared away, and I may be held as having done nothing further than having given the money.

(*Mr. Price.*) Well, you must not ask us for an expression of opinion, but I think you have given your evidence in a thoroughly satisfactory way, Mr. Westropp.

(*Mr. Anstey.*) There was one question more I forgot to ask you. I put it in the most general way and the most comprehensive way, and you will please to answer the question particularly if you can. In the course of any one of your contests or elections, or of any contest or any election in which you were concerned either for yourself or another, (here at Bridgwater, of course I mean,) did any person of professional rank, not being a lawyer, solicit of you the sum of 500*l.*, or any other large sum as the condition of giving his vote and influence or his vote or influence. I am not asking you whether you ever gave it, but did you receive an application?

(*The witness.*) Sir, will you excuse me?

39,973. (*Mr. Anstey.*) I must have it?—Of course if you must have it, I am exonerated from any blame.

39,974. Certainly?—There was a gentleman who wrote to me in some year preceding 1865, and asked me for a loan. I certainly never mentioned it. I had not any money then. I had some money just before that time, but I had reinvested it in one of the northern railways, and I wrote word to say that I had none at my disposal at that time. The letter I brought down with me amongst others in the year 1865. I am glad I have an opportunity of speaking of it now, because it might appear that I had spoken of it. I never mentioned it to anybody. The gentleman mentioned that I could have as a security two life policies. I knew of course that those policies were no security, because if anything had occurred to him to prevent him, you know, I should have had to keep up the insurances. Therefore, as far as that goes that was no security. In the year 1865 that letter was taken out of my desk. It was in the "Clarence" rooms, and it was taken out of my desk, and it became published.

39,975. (*Mr. Anstey.*) It became published?—When I say it was published, I mean it had become published abroad.

39,976. Was that letter received by you just before the election of 1865?—Years previously, I believe. I know it was some years previously.

39,977. Did it promise you the vote and influence of the writer either directly or indirectly?—Yes, it did.

39,978. I must ask you the name of the writer?—It is an exceedingly painful thing to me.

39,979. I cannot help it; we must do justice between the great and the small in this borough?—I assure you that.

39,980. Who was it?—Dr. Parsons.

39,981. Did he vote for you at the election of 1865?—No. I think, on the contrary, his influence was against me; certainly he did not vote for me.

J. Jenkins.

James Jenkins recalled.

39,982. (*Mr. Anstey.*) Mr. Jenkins, your examination was to be continued. It will shorten your examination very much if you answer as shortly as you can the questions I put to you about this matter of the libel?—I will.

39,983. Of course you know nothing of these legal matters; you know nothing of legal practice. When you said you had brought an action, what you meant was that you had obtained a rule for criminal information?—Just so.

39,984. And there were two criminal informations: one on the prosecution of Mr. Reed of Burnham, who was libelled also, and one on your prosecution?—Just so.

39,985. And one rule was against the "Bridgwater Times," and the other against a Taunton paper for having copied the article?—Just so.

39,986. And you obtained a very satisfactory apology from the Taunton paper, attributing the insertion of the article to the mistake of subordinates, and expressing deep sorrow that they had ever extracted it from the "Bridgwater Times"?—Just so.

39,987. Then that left the "Bridgwater Times" to be the only paper to be prosecuted. That was Mr. Heard's paper?—Just so.

39,988. Very well, then the rule was applied for, and granted by the Court of Queen's Bench?—It was.

39,989. Lord Campbell, in granting the rule, is reported to have said, "This libel is a very grave "imputation. Great license is generally allowed at "elections, but such great and scandalous charges as "these complained of cannot be endured"?—Yes.

39,990. And the effect of the libel was what you stated yesterday, that you had been party to the bribing of a large body of men at 25*l.* a head?—Quite so.

39,991. And then added, what you did not state yesterday, they called you one Jenkins, and said you were deacon of a Baptist congregation?—Such was not the case.

39,992. I am only asking what the libel was, that you were the deacon of a Baptist congregation, and they made some very scurrilous remarks on that also?—They did.

39,993. Then I understand, therefore, that at the time when Mr. Lovibond without your knowledge, and against your will, compromised the matter in the way you have described by withdrawing from the criminal prosecution in your name, and on your behalf, although against your will, you had incurred considerable expense already in the matter of that prosecution?—Just so.

39,994. Very well; and that expense you were called upon by Benjamin Lovibond to pay to him—make good to him?—No, I refused to pay it.

39,995. Well, you were called upon by him to pay it; he asked you to pay it?—No, he did not.

39,996. Then how did you know it was 37*l.*?—32*l.*

39,997. How did you know it was 32*l.*?—Mr. Bragg paid 32*l.* to him. I went with Mr. Bragg to his office.

39,998. Tell me. Mr. Bragg is the Taunton proprietor or editor of the paper which had made a handsome apology, and which had only copied the libel?—Just so.

39,999. Mr. Bragg paid that?—Mr. Bragg asked

me to go to Mr. Lovibond's with him and to cut down the expenses, or something of that kind in that way.

40,000. And he paid it?—He paid 32*l.*, and then I made a very strong remark to Mr. Lovibond. I said, "I will never pay a shilling. If you press me for it I "would rather go to gaol. After serving me in the "manner you have I will never pay it." Consequently I never had a bill for it.

(*Mr. Coleridge.*) But it had been paid by this man. Why should you pay it?

40,001. (*Mr. Anstey.*) No, the second one. I understand you to say that Mr. Bragg was called upon to pay the costs of the rule and information which had been obtained against him?—Just so.

40,002. But the cost of the rule which had been obtained against Mr. Heard were not paid by Mr. Heard, because Mr. Lovibond thought fit not to make them a part of the undertaking?—Just so.

40,003. Then you said, "As you have behaved in "this shameful manner you shall lose your costs alto-"gether. You shall not have them from me"?—Just so.

40,004. Then you were asked why you did not take proceedings against Mr. Lovibond. Were your circumstances such as would have made it worth your while to go to a large expenditure at that time?—I was told generally, told by many people in Bridgwater, that I had no power. "If you put your case into a solicitor's hands," it was told me, I had not the slightest power to interfere.

40,005. They gave you very bad advice, quite contrary to law?—I never heard of that until your secretary kindly told me that the other day.

40,006. Who told you that you had not the slightest power against Lovibond?—Mr. Lovibond and his clerk, and several others whom I conversed with about it in the town.

40,007. (*Mr. Anstey.*) Do you mean to say that you asked Mr. Lovibond himself?—No.

40,008. Then which Mr. Lovibond was it who told you that you had no power?—Benjamin. I had threatened him, and he said, "You have no power." Foster, I believe, his clerk, told me I had no power whatever.

40,009. Did not you think of asking any other attorney?—Well, there was a case tried in the Court of Queen's Bench some little time before, which he referred me to.

40,010. You went and looked at this case?—He showed me that case wherein some person had compromised a large amount of money which was tried in the Court of Queen's Bench respecting some lady.

40,011. (*Mr. Coleridge.*) Swinfen *v.* Swinfen, I suppose?—I forget the name.

40,012. (*Mr. Anstey.*) Finish your answer. He showed you a case where there had been a compromise, and what?—That it had been compromised by the attorney against the wish of the lady, and he said, "What is the use for you to try it?" Of course I then gave it over, and I have ever since been lying under this scandalous report.

40,013. I think you are quite entitled to make that letter of apology from the other editor part of your evidence. Say whether you received that letter from Mr. Bragg (*passing a letter to the witness*)?—I did. This is Mr. Bragg's letter of apology to me.

40,014. Read it out. Before you read it I will ask you, was it that case Mr. Lovibond let you read which had just been decided a little while before. You will recollect it was a case where Sir Frederick Thesiger was counsel, and had compromised the suit on behalf of Mrs. Swinfen?—I believe that was the name, but I am not quite positive. But that was showed me to show I had no power. (*The following letter was read by the witness*):

"Somerset County Herald Office, Taunton,
"Dear sir, May 13, 1859.

"The announcement in the newspapers yes-"terday & the notice I received to-day that you had "instituted legal proceedings against me took me "quite by surprise. My attention has, consequently, "ben directed to the offensive matter published, & I "beg to say I most deeply regret that the columns of "of the Somerset County Herald should inadvertently "have been made the vehicle for causing you the "slightest possible annoyance. I hasten to make "every explanation & apology. On enquiry I find "that a reader and reporter in my employ noticing in "the 'Bridgwater Times,' a paragraph referring to "the election gave out the one in question (amongst "others), as an article of news for the 'Herald.' In "so doing he only glanced at it casually and there-"fore did not notice that it was so personal, and as "both he and myself are perfect and entire strangers "to you I think that in justice we must be acquitted "of having the slightest purpose or object in wound-"ing your feelings, and I assure you that I had no "such object, and being a stranger I never had the "slightest malice, nor any unkindly feeling whatever "towards you. The publication of the matter referred "to was therefore, so far as you and others are per-"sonally concerned truly accidental, but as I have in "my capacity, as publisher of the Herald, given you "offence, though without intentional malice, I feel "that every apology and reparation which one man "can make to another both publicly and privately is "due to you. Without prejudice, therefore, I write "this note to say that I deeply regret the publication "and I am ready to make such apologies and amends "as may, in reason, be considered necessary. I trust "therefore, under these circumstances, and having in "publishing the paragraph given the source from "whence it came, you will accept my offer and con-"sent to stay further proceedings which I have no "doubt are painful to you as well as to

"Yours very obliged,
"Mr. James Jenkins, William Bragg.
"Bridgwater."

(*Mr. Anstey.*) It should be on the notes. You are perfectly justified in reading the letter.

(*The witness.*) All I wanted the Commissioners to do was to investigate the truth. Since you have been sitting here I have been taunted by many of the Conservative party with being a briber.

40,015. (*Mr. Price.*) Your name has not been mentioned in the proceedings?—But they have taunted me.

(*Mr. Price.*) Your name has not been mentioned as a briber or bribee. If it had been mentioned you would have had the fullest opportunity of denying it. But it has not been stated and you will not be reported to the House of Commons as having been engaged in bribery.

James Trapnell sworn.

J. Trapnell.

40,016. (*Mr. Price.*) What are you, Trapnell?—A messenger and fruit dealer.

40,017. Are you a voter?—Yes.

40,018. Did you vote at the last election?—Yes.

40,019. How did you vote?—Westropp and Gray.

40,020. Did you get anything for it?—No; I had a promise.

40,021. Who promised you?—Mr. Leaker.

40,022. How much did he promise you?—*5l.*

40,023. How much did you get finally?—I had 1*l.* afterwards and run up a bill of 4*l.* which Mr. Leaker agreed to pay.

40,024. (*Mr. Coleridge.*) For a suit of clothes?—Yes.

THIRTY-NINTH DAY.

J. Trapnell.

9 Oct. 1869.

40,025. (*Mr. Price.*) Did you have 5*l.* worth?—Yes.

40,026. Did you vote at any other election before that?—No.

40,027. (*Mr. Anstey.*) Are you one of the new voters?—Yes.

40,028. As a householder paying rates?—Yes.

ISAAC TRAPNELL sworn.

I. Trapnell.

40,029. (*Mr. Price.*) What are you?—A labourer.

40,030. Did you vote at the last election?—Yes.

40,031. How?—Westropp and Gray.

40,032. Did you get anything for it?—Not at the time.

(*Mr. Coleridge.*) But you did get it, you know.

40,033. (*Mr. Price.*) What did you get?—I only got 2*l.* I was promised 5*l.*

40,034. Is that all you got in money?—Yes.

40,035. (*Mr. Anstey.*) Who promised it to you?—Mr. Leaker.

40,036. How much did he promise?—5*l.*

40,037. (*Mr. Price.*) Why did not you get the other 3*l.*?—Because I have not been for it.

40,038. Did you ever vote at any other election?—Yes.

40,039. Did you vote in 1866?—I had not a vote then.

40,040. When had you a vote?—1852, I think.

40,041. How did you vote in 1852?—Follett and Tynte.

40,042. Did you get anything?—10*l.*

40,043. Who from?—Mr. Heal.

40,044. (*Mr. Anstey.*) William Heal?—Yes.

40,045. (*Mr. Price.*) Did you vote before that?—Yes.

40,046. (*Mr. Coleridge.*) Did you vote at any other time?—Yes.

40,047. Well tell us?—1857 I voted for Kinglake and Follett.

40,048. (*Mr. Price.*) What did you get then?—Nothing.

40,049. (*Mr. Coleridge.*) How was that?—I do not know.

40,050. Nothing afterwards?—No, nothing. In 1859 I voted for Padwick and Westropp, and I got 10*l.*

40,051. Who from?—From Mr. Walkem.

40,052. (*Mr. Anstey.*) What, the clerk to Mr. Trevor?—No; Mr. Walkem, the grocer.

40,053. (*Mr. Coleridge.*) Is he alive?—Yes.

40,054. (*Mr. Price.*) Give us his christian name. Where does he live?—Thomas Walkem; he lives in High Street.

40,055. (*Mr. Coleridge.*) Did you vote in 1865?—No.

40,056. Or 1866?—No.

40,057. (*Mr. Anstey.*) How was that?—I had no vote.

40,058. How did you happen to have no vote?—Because I gave up shop-keeping.

S. Lee.

SAMUEL LEE sworn.

40,059. (*Mr. Price.*) What are you?—I was a cabinet maker by trade; but I sell beer at the present time.

40,060. Did you vote at the last election?—For Westropp.

40,061. Did you get anything for it?—Not a farthing.

40,062. Any treating at your house?—No, not at all, not in the least.

40,063. Did you vote in 1866?

(*Mr. Coleridge.*) Vanderbyl?

40,064. (*Mr. Anstey.*) Vanderbyl and Patton?—Yes.

40,065. (*Mr. Price.*) How did you vote then?—I voted for Patton. 10*l.* I had.

40,066. Who from?—Mr. Jarman.

40,067. Did you vote at the other election of Patton?—No.

40,068. Only once?—Only once.

40,069. Only once that year?—In 1865 I voted for Westropp.

40,070. What did you get then?—10*l.*

40,071. (*Mr. Coleridge.*) Who from?—Frederick Jarman.

40,072. In 1859 did you vote?—I voted for Tynte and Kinglake.

40,073. What did you get then?—10*l.*

40,074. Who from?—Mr. Hill.

40,075. Did you ever get paid on both sides.?—No.

40,076. (*Mr. Anstey.*) From Mr. William Heal was it?—Hill, the baker.

40,077. Not Heal, the brewer?—No.

40,078. (*Mr. Coleridge.*) What made you turn Conservative?—I always voted Conservative for a great many years.

40,079. But you voted both. You voted for Tynte and Kinglake in 1859?—Yes.

40,080. What made you turn Tory, 10*l.*?—No.

40,081. (*Mr. Anstey.*) What is the christian name of the man who bribed you in 1859?—I do not know that I ever was bribed in 1859.

40,082. Well, when you voted for Tynte and Kinglake. What is his christian name?—Thomas Hill.

40,083. (*Mr. Price, pointing.*) Is that the man?—Yes.

40,084. Well go on?—That is all that I had.

40,085. (*Mr. Coleridge.*) Did you get anything in 1857?—No.

40,086. Or anything a longer time ago?—No, nothing a longer time ago.

40,087. What have you got altogether in your lifetime?—Three tens. I was in a good business a great many years and I did not want money then.

40,088. (*Mr. Anstey.*) What is your business now?—I was a cabinet maker and carried on trade in this town a great many years.

40,089. A master cabinet maker?—Yes, master cabinet maker.

40,090. Yet you took bribes?—No, not then; but I got an old man and the money did me good.

40,091. You took money in 1859?—No.

40,092. You have told us so. Tynte and Kinglake?—Tynte and Kinglake I did.

40,093. (*Mr. Coleridge.*) You told us you got 10*l.* for it?—Yes.

40,094. (*Mr. Anstey.*) Then you were a cabinet maker at that time?—No, I was not. My labour was done, I went and took to my own house and sold beer.

J. Southard.

JOSEPH SOUTHARD sworn.

40,095. What are you?—A tinplate worker.

40,096. Where do you work?—I am carrying on business on my own account.

40,097. Did you vote at the last election?—I did.

40,098. How?—Mr. Westropp and Gray.

40,099. Did you get anything for it?—Nothing at all.

40,100. Any promise?—No.

40,101. Did you vote in 1866, Vanderbyl's election?—I did.

40,102. How?—For Mr. Patton.

40,103. Did you get anything?—I got 10*l.* at Mr. Patton's first election.

40,104. (*Mr. Coleridge.*) What did you get at the second ?—Ten.

40,105. Ten at each ?—Ten at each.

40,106. Who from ?—I am not aware who it was now.

40,107. (*Mr. Price.*) Was it at the "Bull and Butcher," or one of the inns ? Was it at one of the public houses ?—Well, it was at the "Three Crowns." I am not aware who gave it to me.

40,108. (*Mr. Coleridge.*) Did you vote in 1865 ?—I voted in 1865, Westropp.

40,109. What did you get ?—10*l.*

40,110. Who from ?—Well, it has been stated here, I believe.

(*Mr. Anstey.*) Well, never mind.

40,111. (*Mr. Price.*) Never mind what has been stated here. Who did you get it from ?—I was just going to mention it to you.

40,112. Tell us first who was it from ?—I do not know.

40,113. Where did you get it ?—At Mr. Harden's.

40,114. Now, what were you going to say ? Give your explanation ?—It has been stated here by Truman that I received 20*l.* from him, which I deny.

40,115. Did you get anything from Truman ?—I do not remember.

40,116. Will you undertake to swear ?—I do not know whether it was from Truman or Harden.

40,117. What did you get ?—10*l.*

40,118. (*Mr. Coleridge.*) Will you swear you did not get 20*l.* ?—I will swear I did not get 20*l.*

40,119. Or 15*l.* ?—Or. 15*l.* Never more than 10*l.*

40,120. (*Mr. Anstey.*) Did you vote in 1859 ?—I never had a vote before.

JOHN PITMAN sworn. *J. Pitman.*

40,121. (*Mr. Anstey.*) Where do you live ?—Bridgwater.

40,122. In whose house ?—Mr. Joseph Smith's.

40,123. Do you remember his raising your rent ?—Yes.

40,124. When was that ?—Immediately after Mr. Padwick's election.

40,125. Mr. Padwick's ?—Yes ; the poor gentleman who is dead.

40,126. Mr. Patton ?—Mr. Patton.

40,127. The first election ?—No, the last election.

40,128. How much did he raise your rent ?—Seven pounds a year.

40,129. Had he said anything to you about your tenancy before the election ?—Never a word.

40,130. Had he ever asked you for your vote ?—Never.

40,131. Nor threatened you ?—No.

40,132. You are quite sure that he never said to you, "If you do not vote right you must leave the land" ?—Never ; he never mentioned a word of politics his life to me.

(*Mr. Anstey.*) Then you have entirely refuted the charge against Mr. Smith that was brought against him by, I forget who.

40,133. (*Mr. Coleridge.*) And is the rent you pay now a fair rent for the house ?—Well, the only thing I grumble at, I pay a little more than my neighbour.

40,134. He says it is the cheapest rented house in the street ?—I do not think it is an extravagant rent.

40,135. He told us that it is the cheapest rented house in the street ?—Well, the fellow house is 7*l.* a year less and is quite as good. There is one thing I should like to state, if you please. You have asked other witnesses. I have been for eight and twenty years a voter for Bridgwater and I have never received a farthing or a farthing's worth from all the candidates that have come down.

40,136. Have you ever been offered anything ?—Never.

40,137. (*Mr. Anstey.*) Which side have you voted ?—Liberal.

40,138. Always Liberal ?—Always.

40,139. (*Mr. Price.*) You are quite right to say that. It is a pleasure to hear it.

JOHN WALFORD sworn. *J. Walford.*

40,140. (*Mr. Price.*) You are a clerk to Mr. Trevor ?—I was. I have left there recently

40,141. You have left there ?—Yes.

40,142. About the sea captain Rees ; what do you know about him ?—I paid him 5*l.* for expenses coming over from Milford, and also for the time the vessel was detained through his coming home.

40,143. (*Mr. Coleridge.*) When was that ?—That was after Mr. Westropp's election, I should say some four or five months.

40,144. By whose orders ?—I believe Mr. James Trevor gave me the money ; but Mr. Trevor had refused several times to pay Captain Rees the money and after that he went to Mr. Bealy Smith, and Mr. Bealy Smith came and saw Mr. James Trevor three or four times about it.

40,145. I suppose you and Mr. James Trevor were both aware it was an illegal payment ?—Well, I do not know myself, but I believe Mr. James Trevor did, and he refused it in the first place.

40,146. That was the reason he refused it ?—I believe it was.

40,147. Did Bealy Smith give you the money, or Mr. Trevor ?—I believe it was Mr. James Trevor.

40,148. Are you a voter ?—No.

40,149. Never had a vote ?—No.

WILLIAM CROWDEN sworn. *W. Crowden.*

40,150. (*Mr. Price.*) What are you ?—A labourer.

40,151. Did you vote at the last election ?—No.

40,152. Had you a vote ?—Yes, in 1865.

40,153. But you did not vote at the last election ?—No.

40,154. Did you vote in 1866 at either of the elections then ?—No, in 1865.

40,155. (*Mr. Anstey.*) Did you get anything for not voting at the last election ?—I only had a vote in 1865.

40,156. (*Mr. Price.*) In 1865 how did you vote ?—Westropp.

40,157. Did you get anything ?—Yes.

40,158. How much ?—10*l.*

40,159. Who from ?—I cannot say whether it was Harden or Truman.

40,160. There is put down opposite your name a man of the name of Hamp, but you cannot say which it was ?—No.

40,161. (*Mr. Coleridge.*) You got 10*l.* ?—Yes.

40,162. Did you get anything from the other side ?—No, I never had but that vote.

WILLIAM HUGHES sworn. *W. Hughes.*

40,163. (*Mr. Price.*) What are you ?—A confectioner.

40,164. A master ?—Yes.

40,165. Did you vote at the last election ?—Yes.

40,166. How ?—For Westropp and Gray.

40,167. Did you get anything ?—No.

40,168. Any promise of any kind ?—No.

40,169. Did you vote in 1866 ; Vanderbyl's election ?—Yes.

40,170. How ?—Patton.

THIRTY-NINTH DAY.

9 Oct. 1869.

W. Hughes.

40,171. Did you get anything ?—*5l.*

40,172. Who from ?—Mr. Temblett.

40,173. (*Mr. Coleridge.*) Did you get another *5l.* afterwards ?—No.

40,174. Did you vote at the first election of 1866 ?—Yes.

40,175. How did you vote then ?—Patton.

40,176. Did you get anything then ?—10*l.*

40,177. How was it you only got *5l.* afterwards ? Was any promise made that you would have it made up to 10*l.* ?—No.

40,178. Whom did you get the 10*l.* from ?—Mr. Harden.

(*Mr. Price.*) Did you vote in 1865 ?—Yes.

40,179. How ?—Mr. Westropp.

40,180. Did you get anything ?—10*l.*

40,181. Who from ?—Mr. Harden.

40,182. Did you vote in 1859 ?

(*Mr. Coleridge.*) Padwick's election ?

40,183. (*Mr. Price.*) Padwick and Westropp ?—Yes.

40,184. Did you get anything ?—10*l.*

40,185. Who from ?—Mr. Harden.

40,186. Did you vote in 1857 ; Follett ?—Yes.

40,187. How did you vote ?—Mr. Follett.

40,188. (*Mr. Coleridge.*) And who else ?

(*Mr. Price.*) Follett and Mansell ?—No, Follett by himself.

40,189. Did you get anything ?—No.

40,190. Did you vote in 1852 ?—No.

40,191. Did you get anything at any time from the other side at any of these elections ?—No.

40,192. Nor any promise ?—No.

40,193. Then you have had 45*l.* ?—No.

(*Mr. Coleridge.*) 35*l.*

(*Mr. Price.*) 35*l.*

F. C. Temblett.

FREDERICK CHARLES TEMBLETT recalled.

(*The witness.*) I paid Mr. Hughes the *5l.* after the election. His name was given to me as having been paid *5l.* previously. I did not pay *5l.* previously.

W. Hughes.

WILLIAM HUGHES recalled.

40,194 (*Mr. Coleridge.*) Mr. Temblett paid you *5l.* after the election ?—Yes.

40,195. After Mr. Patton's election ?—Some weeks after.

40,196. Who paid you *5l.* at the election ?—No one.

40,197. Did not you get two *5l.* notes about that time ?—No. I had nothing at all. I met Mr. Temblett some few weeks after the election, and he called me in and he said, "Here is a present for you."

F. C. Temblett.

FREDERICK CHARLES TEMBLETT recalled.

40,198. (*Mr. Coleridge.*) Mr. Temblett, his name was given you by whom ?—Mr. Tromp gave it to me when he came down. If I had known he had not had *5l.* before I should have paid him 10*l.* His name was given to me as having had *5l.*

J. Pearce.

JAMES PEARCE sworn.

40,199. (*Mr. Price.*) What are you ?—A barber.

40,200. Did you vote at the last election ?—Yes.

40,201. How did you vote ?—Westropp and Gray.

40,202. Did you get anything ?—No.

40,203. Any promise of anything ?—No.

40,204. Did you vote at the election of 1866, the second one, Vanderbyl ?

40,205. (*Mr. Coleridge.*) Vanderbyl and Patton ?—Yes, I voted for Patton.

40,206. What did you get ?—Nothing at all.

40,207. Nothing ?—No.

40,208. Any present after the election ?—No.

40,209. Did you vote when Patton stood the first time ?—I suppose I voted both times.

40,210. (*Mr. Coleridge.*) What did you get the first time ?—Nothing at all.

40,211. Do you mean to say you were not bribed at all ?—Not to my knowledge.

40,212. Had you any money left at your house ?—I do not know.

40,213. Did your wife tell you ?—No.

(*Frederick Charles Temblett.*) Harden returned him. Harden gave it to him.

(*The witness.*) Harden gave it to me ?

40,214. (*Mr. Coleridge.*) Did Harden pay you at Patton's election ?—No.

40,215. (*Mr. Price.*) You swear it ?—I do.

40,216. (*Mr. Coleridge.*) At neither one nor the other ?—No.

40,217. At neither ?—At neither.

40,218. Nor made you a present ?—No.

(*Mr. Price.*) Stand down for the present. You must not go away. We will send for Harden.

J. Murlis.

JAMES MURLIS sworn.

40,219. (*Mr. Price.*) You are a gardener. Did you vote at the last election ?—No.

40,220. Did you vote at the elections of 1866 ?—Yes.

40,221. Both of them ?—Yes.

40,222. How did you vote ?—Both elections for Mr. Patton.

40,223. What did you get for each election ?—10*l.* each.

40,224. (*Mr. Coleridge.*) Who from ?—I believe it was Mr. Jarman,—one.

40,225. (*Mr. Anstey.*) Jarvis ?—Jarman,—one.

40,226. (*Mr. Price.*) Yes, and whom was the other from ?—I do not know who the other was. I only see the hand.

40,227. Where did you get it, at the "Bull and Butcher" ?—Not at the "Bull and Butcher."

40,228. At the "Three Crowns" ?—No.

40,229. (*Mr. Anstey.*) Well, tell us where ?—Down at St. John Street ; down at Pinns'.

40,230. (*Mr. Price.*) Did you vote in 1865 ?—Yes.

40,231. How ?—Westropp.

40,232. What did you get ?—10*l.*

40,233. Who from ?—I cannot recollect.

40,234. (*Mr. Coleridge.*) Where did you get it ?—I cannot recollect. Harden's, I think.

40,235. Harden's ?—Yes, but I do not know who gave it to me. My eyesight is bad ; I cannot see.

40,236. (*Mr. Price.*) You are partially blind, are you ?—Yes.

40,237. Did you vote in 1859 ?—Yes.

40,238. How did you vote then, Padwick and Westropp ?—Padwick and Westropp.

40,239. Did you get anything then ?—10*l.*

40,240. Who from ?—Murlis.

40,241. Did you vote in 1857 ?—No, I had not a vote.

ROBERT WHITEFIELD sworn. *R. Whitefield.*

40,242. (*Mr. Price.*) What are you, Mr. Whitefield?—A currier.

40,243. How did you vote at the last election?—Mr. Westropp and Gray.

40,244. Did you get anything?—No.

40,245. Who were your employers?—I work for myself.

40,246. Have you got the curriers yard down on the quay? Is that your place?—John Street.

40,247. Did you vote in 1866 at the last election then?—At Mr. Patton's two elections.

40,248. What did you get each time?—10*l.* each.

40,249. Who from?—Frederick Jarman.

40,250. Did you vote in 1865?—No.

40,251. 1859?—1867.

40,252. No, no; 1857?—1857; yes.

40,253. Did you vote in 1865 when Westropp was returned?—Yes, I did.

40,254. Did you get anything then?—No.

40,255. (*Mr. Coleridge.*) Nothing at all?—No.

40,256. (*Mr. Price.*) How was it?—I did not ask for it.

40,257. Nothing promised and nothing after the election?—No.

40,258. In 1859, did you vote?—No.

40,259. How was that?—I was not here.

40,260. In 1857 did you vote?—Yes.

40,261. Who for?—Kinglake.

40,262. Did you get anything?—Yes, 2*l.*

40,263. Who from?—Henry Hayward.

40,264. Was that all you got?—Yes.

40,265. Why did you sell your vote so cheap?—I do not know.

40,266. (*Mr. Anstey.*) Did you vote in 1852?—No.

40,267. Did you have a vote before 1847?—No.

FREDERICK HARDEN recalled. *F. Harden.*

(*Mr. Coleridge.*) Look at that man behind you, Pearce?

40,268. (*Mr. Price.*) Now, Mr. Harden, did you pay that man?—No; the wife, I believe.

40,269. (*Mr. Anstey.*) You paid his wife?—Yes.

40,270. How often—how many elections?—Only twice.

40,271. He says he does not know that any money was left at his house?—Well, the wife said that he would have nothing to do with it, but it was between me and her.

(*Mr. Coleridge.*) Then we must have Mrs. Pearce here.

JAMES PEARCE recalled. *J. Pearce.*

40,272. (*Mr. Coleridge.*) Do you mean your wife never gave you any of this money that she got from Mr. Harden?—Not that I know of.

40,273. Did not you know that she had got 10*l.* that she could not account for?—No, I went freely to the poll.

40,274. Did she never tell you anything about it, up to the present day?—She did not.

40,275. Do you mean this is the first time you have heard of it?—She has not told me anything.

40,276. Has somebody else told you?—No.

40,277. Is this the first time that you ever heard of it?—It is the first time I heard that Mr. What's-his-name gave me any money. I did not know that he had given any.

40,278. Do you mean that your wife never told you?—No.

40,279. (*Mr. Anstey.*) Wait a moment Mr. Pearce. I presume that you had told your wife, had you not, before this, that if she ever took money for your vote she was to say nothing to you about it?—Yes, I did for this reason—I will give you the reason. Before that I gave my vote, and took a bribe for it.

40,280. (*Mr. Coleridge.*) When was that?—That was at Patton's, I think.

40,281. What did you get?—10*l.*

40,282. (*Mr. Price.*) Why did you cease to take it?—After taking that I was seized very ill, and then I resolved never to take a bribe any more.

40,283. (*Mr. Coleridge.*) But to let your wife take it instead?—And if my wife took it, it was quite against my will.

40,284. (*Mr. Anstey.*) You told her she was never to tell you?—She was never to say anything to me about it.

(*Mr. Price.*) You thought you would make your conscience easy in that way?

40,285. (*Mr. Coleridge.*) How often have you been bribed altogether?—Twice.

40,286. When was it?—1857.

40,287. Whom did you vote for?—I cannot tell who I voted for; I think it was Follett.

40,288. What did you get?—5*l.*

40,289. Who from?—From Mr. Smith's office.

40,290. Bealy Smith's office?—I think it was Bealy Smith's father.

40,291. Then in 1859 you got 10*l.* to vote for Padwick?—Yes.

40,292. Who paid you that?—Murlis.

40,293. (*Mr. Anstey.*) In 1857 did you vote?—I voted. I never took anything else.

40,294. (*Mr. Price.*) Did you vote in 1852?—It is very possible. I cannot tell how long ago I voted.

40,295. (*Mr. Anstey.*) Did you get money at other previous elections?—No, only those two. I was bribed at those two elections, and since that I resolved——

40,296. (*Mr. Price.*) You say you were taken ill?—Yes.

40,297. And then you began to repent?—I did. I was sorry that I had ever done it before.

Mr. JOHN PARSONS recalled. *Mr. J. Parsons.*

40,298. (*Mr. Price.*) Now, Mr. Parsons, you are a medical man practising here. Mr. Westropp has mentioned your name in connexion with a letter which he says he received from you between the years 1859 and 1865. He has not fixed exactly the date; it was somewhere between. Will you explain that?—Yes, I can explain the circumstances very well. I knew Mr. Westropp quite well enough; not politically at all. I was never mixed up with him in any way in that respect, and never voted for him, and I asked him if he could favour me with a loan of 500*l.* on security which Mr. Brice was to approve. It was not convenient to him, and the thing dropped. He has told me since that the letter I wrote to him was abstracted out of his desk and stolen, and that probably people might make unkind remarks about it, and he begged to inform me that he had no knowledge of how that letter got away.

40,299. (*Mr. Anstey.*) In that letter, he says, you promised him your vote and influence?—No, I did not promise him anything in that way. I promised him, I think, generally speaking, that if he could confer such a favour upon me, perhaps I should have an opportunity some day of repaying it. It had nothing to do with an election. I said nothing about electioneering. It was a long way off any election. I did not anticipate any election.

40,300. (*Mr. Anstey.*) He said it did refer to his

THIRTY-NINTH DAY.

Mr. J. Parsons.

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election ?—I am perfectly willing to take any onus you may put upon me.

40,301. (*Mr. Coleridge.*) It was three years before the election ?—It was quite in a business way, and I should have referred him to Mr. Brice, my solicitor.

40,302. You referred him to Mr. Brice?—No, I was about to do it. It was not convenient for Mr. Westropp to do it. It was to have passed through Mr. Brice's hands.

40,303. (*Mr. Anstey.*) Then he said you did not vote for him ?—No.

40,304. He says, on the contrary, you did a great deal to prevent his winning the election ?—I beg your pardon. I never did anything of the kind against him. I never went to any meetings. I never asked a person for a vote.

40,305. I am only telling you what he said?—That is a mistake. If it had been possible to have had a coalition here, and returned two members for the peace and quietness of the town, I should have been very much delighted, and I should have voted for Mr. Westropp.

40,306. (*Mr. Coleridge.*) You have always been a Tynteite, I believe ?—Yes, but I voted for Broadwood once, upon the understanding that the borough was to go on in a peaceable manner.

T. Herbert.

THOMAS HERBERT sworn.

40,307. (*Mr. Price.*) What are you ?—Cabinet-maker.

40,308. Working on your own account ?—Yes.

40,309. Are you a voter ?—Yes.

40,310. Just give us your electioneering history ?—I commenced voting in 1847. I then voted for Tynte and Gazelee.

40,311. (*Mr. Anstey.*) Did you get anything for it ?—No.

(*Mr. Price.*) You must tell us then.

40,312. (*Mr. Coleridge.*) Well, now the next election, in 1852 ?—I was under a Liberal employer before, and I thought it was better to vote according to my employer.

40,313. In 1852 whom did you vote for ?—Follett and Mansell. I was my own employer.

40,314. What did you get ?—Nothing.

40,315. Any promise ?—No.

40,316. (*Mr. Anstey.*) When you say you thought it better, did your employer ask you for your vote ?—Not at all. I thought I would not risk my situation.

40,317. Did he ever ask you for your vote ?—No.

40,318. In 1857 did you vote ?—Yes.

40,319. Who for ?—Follett.

40,320. In 1859 you got something then ?—From Charles Lear ; old Mr. Lear, through Murlis.

40,321. (*Mr. Anstey.*) Was that the present Mr. Lear, or his father ?—The present.

40,322. (*Mr. Coleridge.*) In 1865 how did you vote ?—I voted for Westropp.

40,323. What did you get ?—10*l.*

40,324. Who from ?—Mr. Batten.

40,325. 1866 ?—I voted for Patton.

40,326. What did you get ?—5*l.* from Hayward, and 5*l.* previous to the second election of Patton.

40,327. That was 10*l.* What did you get at the other election ?—Not a farthing.

40,328. The last time what did you get ?—Westropp and Gray ? Not a farthing.

40,329. And that is your experience ?—That is my experience.

J. Bottomley.

JONAS BOTTOMLEY recalled.

40,330. (*Mr. Price.*) Mr. Bottomley, this is Saturday afternoon. I think you came first into the witness box about Wednesday week, and you have been adding something at times since. Are you prepared now to make a clean breast of it, and tell us all about the history of your coming from Tiverton ?—I lived in Charmouth in 1856, and in 1858 or 1859 when a candidate put up for Lyme I worked for him at that election and had 20*l.*

40,331. That was for Lyme ?—Yes.

40,332. We are not asking about Lyme. I want to know the history of your coming from Tiverton that day. You said at first you did not vote. The poll book says you did vote. You said first you got no money. It was proved afterwards that you were offered 2*l.* 10*s.*, and you did not think it enough. You acknowledged you asked for 5*l.* and would not swear you did not ask for 10*l.* Now will you give us the true version of that ?—Yes, I will tell you all that I recollect.

40,333. (*Mr. Coleridge.*) What is it ?—I came over from Tiverton in 1866. I came to Bridgwater. I voted for Vanderbyl at his election, and I got 10*l.*

40,334. Who from ?—Mr. Allan I think it was.

40,335. Was that the time that Dyment fetched you up, or the time that Haviland fetched you up ?—Haviland.

40,336. When Dyment fetched you up what did you get then ?—I should not like to swear that I got the expenses, 2*l.* 10*s.*

40,337. Will you swear you had not ?—To the best of my recollection I had nothing, to the best of my recollection.

40,338. Did not you ask for 10*l.*, and you would not take 2*l.* 10*s.* ?—I did not ask for 10*l.*

40,339. Did not you ask for more than 2*l.* 10*s.* 0*d.* for the trouble of coming from Tiverton ?—I thought the expenses were rather small.

40,340. It is only about 5*s.* the fare ?—Well, it was more than that, for my loss of time, and one thing and another.

40,341. Did you get 10*l.* at that election or not ?—No, I did not.

40,342. How much have you got altogether in your lifetime for voting at Bridgwater ?—10*l.*

40,343. That is all ?—That is all.

40,344. That you swear ?—I will swear.

40,345. And 20*l.* at Lyme ?—Yes.

E. Jarman.

EDWARD JARMAN sworn.

40,346. (*Mr. Price.*) What are you ?—A hatter.

40,347. How did you vote at the last election ?—Westropp and Gray.

40,348. Did you get anything for it ?—No.

40,349. No promise or anything of the kind ?—No.

40,350. Did you vote in Vanderbyl's election in 1866 ?—No.

40,351. Did you vote for Mr. Patton ?—Oh yes, yes.

(*Mr. Coleridge.*) Well, why did you say "No ?"

40,352. (*Mr. Price.*) Did you vote for Mr. Patton both times he stood here ?—Yes.

40,353. How much did you get ?—I had one 10*l.*

40,354. Who was that from ?—Jarman.

40,355. Which time ?—The first time.

40,356. You got something after that ?—No, not a farthing.

40,357. Not a present ?—No.

40,358. (*Mr. Price.*) Did you vote in 1865 ?—Yes.

40,359. How much did you get ;—10*l.*

40,360. Who from ?—Mr. Jarman.

40,361. Did you vote in 1859, Padwick and Westropp ?—Yes.

40,362. How much did you get ?—10*l.*

40,363. Who from ?—Mr. Murlis.

40,364. Did you vote in 1857, Follett and Mansell ?—Yes.

40,365. Did you get anything for it ?—No, I did not.

William Matthews sworn.

W. Matthews.

40,366. (*Mr. Price.*) What are you?—I am a pattern maker.

40,367. How did you vote at the last last election?—I voted for Westropp and Gray.

40,368. Did you get anything?—No.

40,369?—Any promise?—No.

40,370. Did you vote in 1866, when Mr. Patton stood the last time?—1866?

40,371. (*Mr. Coleridge.*) Mr. Patton's election?—I did not vote for Mr. Patton; not that second time.

40,372. Whom did you vote for?—I voted for Vanderbyl.

40,373. What did you get?—I got 20*l.*

40,374. Who from?—From Mr. Roberts's daughter.

40,375. (*Mr. Price.*) Had you been offered anything on the other side?—I believe Mr. Jarman came down and left 10*l.* at my house, but I knew nothing of it.

40,376. (*Mr. Coleridge.*) Did you ever give it back to him?—No. I will tell you the reason. I was up at the "Clarence" hotel. There was 30 of us locked up together, and we stayed there till Mr. Gray had lost his seat. They then told us that we could go were we liked.

40,377. (*Mr. Price.*) "Mr. Gray!" We are talking about Vanderbyl and Patton?—I was up there for Mr. Gray, with the intention of voting for Mr. Gray.

40,378. Will you attend to the question. You got 20*l.* for voting for Mr. Vanderbyl?—Yes.

40,379. And you had 10*l.* also from Jarman. Did you pay it back?—I did not know it at that time. I was up at the "Clarence hotel" till Mr. Gray lost his seat.

40,380. What nonsense you are talking! Vanderbyl and Gray did not stand at that time. Mr. Patton we are talking about?—Mr. Patton I mean to say. I made a mistake. I meant Mr. Patton. I was up at the "Clarence." There was 30 of us locked up there till Mr. Patton lost his seat.

40,381. Locked up?—Yes.

40,382. Where were you locked up?—In a small room.

40,383. What room?—A small room first, and then we went into a large one.

40,384. Who kept the key?—I do not know. In the large room we were not locked in at all, I think.

40,385. You were locked in in the small room?—Yes.

40,386. Go on?—Then when Mr. Patton lost his seat they came and said we could go where we liked. I met Mr. Roberts on the bridge, and he asked me if I had been to poll, and I said "No." He said, "Will you go with us?" I said, "I don't know." He said, "If you will go I will give you 20*l.*" I said, "You have lowered the standard."

40,387. Do not keep on with your "He says," and "I says," Why did not you give the 10*l.* back, that you got from the other side?—I did not know it at the time.

40,388. Why did you not give it back afterwards?—Why, because Mr. Jarman never came and asked me for the money, and I did not know who to give it to.

40,389. You got 10*l.* from one, and 20*l.* from the other?—I did.

40,390. What did you get at the first election of Mr. Patten?—5*l.*

40,391. In 1865; Westropp?—I got 10*l.*

40,392. Who from?—Jarman.

40,393. In 1859 did you vote?—Yes.

40,394. Whom did you vote for?—Padwick and Westropp.

40,395. What did you get?—10*l.*

40,396. Who from?—Murlis.

40,397. In 1857 what did you get?—That is the only money I did get.

40,398. You seem to have got a good deal. You got 60*l.* altogether?—I have been a voter for the last 16 years, and I voted three or four times and never got anything.

40,399. Did you get anything at the old elections?—No.

40,400. You made up for it at the later times?—I was very sorry for it.

Henry Chapman Cook sworn.

H. C. Cook.

40,401. (*Mr. Price.*) What are you?—A storekeeper at Messrs. Hennett and Spinks.

40,402. Did you vote at the last election?—Yes, for Westropp and Gray.

40,403. Did you get anything?—No.

40,404. Did you vote under any influence or promise or anything?—Nothing of the sort.

40,405. Did you vote in 1866?—I did.

40,406. At both elections?—Yes.

40,407. How did you vote both times?—For Mr. Patton.

40,408. How much did you get?—10*l.*

40,409. Each time?—Yes.

40,410. Who from?—Mr. Jarvis.

40,411. Did you vote in 1865?—Yes.

40,412. Who for?—Westropp.

40,413. How much did you get?—5*l.*

40,414. Who from?—Mr. Jarvis.

40,415. Did you vote in 1859?—That was my first vote.

40,416. How was it you only got 5*l.*?—I know no reason for it. I only know that I did not get more.

George Chapel Harden sworn.

G. C. Harden.

40,417. (*Mr. Price.*) Are you the father of the Mr. Harden who figures in these proceedings?—Yes.

40,418. I will ask you one general question. Have you ever received anything for your vote?—Never a farthing. I never had a vote. I have only lived in the town a few years. I have lived in the parish since 1825, and only lived in the town since 1864.

40,419. Were you one of those who subscribed a sum of money when Mr. Patton came forward here the first time?—I do not know that I ever subscribed anything towards it.

40,420. (*Mr. Coleridge.*) You must know if you did?—Well, I lent my purse to Mr. Joseph Richard Smith with a sum of money in it and got it back again.

40,421. How much was there in it?—I cannot tell.

40,422. (*Mr. Price.*) Then a man who stole your purse might "steal trash"?—There might have been 40*l.* or 50*l.*; I do not know.

40,423. (*Mr. Coleridge.*) Who brought it back afterwards?—Mr. Smith, the next day. He brought it back and said, "It's all right."

40,424. How much?—He paid me the same money, I suppose.

40,425. How much was it?—I do not know.

40,426. About 30*l.* you say?—30*l.* or 40*l.* perhaps it may be; I never counted it.

40,427. Did you ever bribe anybody?—Never in my life.

40,428. You left that to your son. Did your son ever give you any money at election times?—No; I never had a vote.

THIRTY-NINTH DAY.

9 Oct. 1869.

GEORGE FINNER sworn.

G. Finner.

40,429. (*Mr. Price.*) What are you?—I am a cabinet maker.

40,430. Do you work on your own account?—Oh, no. I do not do anything to it now.

40,431. Did you vote at the last election?—Yes.

40,432. How?—Westropp and Gray.

40,433. Did you get anything?—No.

40,434. Did you vote in 1866, when Mr. Patton stood, both times?—Yes.

40,435. Both elections?—Both elections.

40,436. Did you vote for Mr. Patton both times?—Both times.

40,437. How much did you get each time?—I got 10*l.* the first time; but I cannot say where from. I should like to know. The first time that Mr. Patton came the money was thrown in as a present; but the second time it was given me in my hands.

40,438. Well, you got 10*l.* each time?—I got 10*l.* each time.

40,439. Do you know who you got it from?—Yes; Frederick Jarman.

40,440. Did you vote in 1865 when Westropp was here?—That is Westropp's election. Yes.

40,441. How much?—Nothing.

40,442. Did you vote in 1859, Padwick and Westropp?—Then I voted. At Padwick and Westropp's election I voted for Colonel Tynte and Kinglake.

40,443. Did you get anything?—Well, not at the time, and no promise.

40,444. (*Mr. Coleridge.*) Well, but did you at all?—There was a present made me about six weeks afterwards.

40,445. (*Mr. Price.*) How much was this present?—10*l.*

40,446. Who brought it?—It was given to me by John Smith.

40,447. (*Mr. Coleridge.*) In 1857 did you vote?—Yes.

40,448. Whom did you vote for?—Then I voted for Kinglake and Follett.

40,449. What did you get?—Nothing.

40,450. Did you vote in 1852?—Yes.

40,451. Whom did you vote for?—If you run the names over perhaps I can tell.

40,452. (*Mr. Price.*) Lord Henley, and Follett, and Mansell, and Tynte—— ?—Kinglake and Tynte.

40,453. (*Mr. Coleridge.*) What did you get?—nothing.

40,454. How much have you got altogether in your lifetime?—Perhaps about 30*l.*

40,455. 1859 was the first time you got bribed, or were you bribed before. That was Padwick's election. Was that the first time you ever got what you call a present?—Oh no, long years before that.

40,456. (*Mr. Price.*) But did you get money given you before?—No, no more. Nothing at all.

S. Price.

STEPHEN PRICE sworn.

40,457. (*Mr. Price.*) What are you?—A lime burner.

40,458. How did you vote at the last election?—Westropp and Gray.

40,459. Did you get anything?—No.

40,460. Did you vote in 1866, Patton's two elections?—I did.

40,461. How did you vote then?—For Westropp and Patton. I got 10*l.* at each.

40,462. Patton stood twice?—Yes, at each election I got 10*l.*

40,463. Who from?—From Frederick Jarman.

40,464. And the election before, you voted for Westropp and got 10*l.* too?—Yes.

40,465. Who gave it to you?—William Heal, at the "Golden Lion."

40,466. Whom did you vote for in 1859?—I never had a vote before.

40,467. Have you ever been paid both sides?—No.

B. Porter.

BARNETT PORTER sworn.

40,468. (*Mr. Price.*) What are you?—A brickmaker.

40,469. Did you vote at the last election?—Yes.

40,470. How?—Kinglake and Vanderbyl.

40,471. What did you get for it?—9*l.*

40,472. Who from?—Mr. Allan.

40,473. What have you got to tell us? You have said you heard Mr. Westropp say something at the "Clarence"?—I heard him make a speech there, and address the members there, and tell them that they should have something after the election, not at the time.

40,474. You heard Mr. Westropp say so?—Yes.

40,475. In the room at the "Clarence"?—Yes.

40,476. (*Mr. Anstey.*) What day was that?—On the day of polling.

40,477. How was it you happened to be at the "Clarence" if you are a Kinglake and Vanderbyl man?—Oh, I was not for anybody.

40,478. (*Mr. Coleridge.*) You were for money?—I attended both the Liberal meetings and the Conservative meetings.

40,479. Did you get paid on both sides?—No.

40,480. (*Mr. Price.*) Tell us the exact words Mr. Westropp used?—He told the men there that Mr. Gray's ships would come here after the brickyard was made, as they were going to have a brickyard down somewhere by the river side; or another of the men. I cannot say whether Mr. Westropp said that, but it was said there.

40,481. Do not tell us such nonsense as that about what somebody said. You said you heard Mr. Westropp say something, what did he say?—I heard he say that what the man, Mr. Hodges, had said before should be done.

40,482. What?—What Mr. Hodges had said.

40,483. What did Mr. Hodges say?—He said something about Mr. Gray's ships coming here after the election.

40,484. And what did Mr. Westropp say?—The ships should come. He said that was right.

40,485. To the brickyard?—Yes.

40,486. Is that all?

40,487. (*Mr. Anstey.*) Will you complete what you were saying about Hodges?—Mr. Hodges addressed the meeting, and he said Mr. Westropp and Gray were going to have some brickyards, or something of that sort, and that Mr. Gray's ships—large ships were coming here after the brickyard was opened—and that if any of the men on the Liberal side were put out of their employment owing to voting they would have employment there.

40,488. Mr. Westropp said, after that, what Mr. Hodges said should be done?—Yes, and so did Mr. Gray.

(*Mr. Hodges.*) I do not know whether there is any need to go into the box to contradict what this witness has said.

(*Mr. Price.*) You can go into the box, if you like, on Tuesday. We are going to adjourn now.

Adjourned to Tuesday the 12th instant at 12 o'clock.

FORTIETH DAY.

Tuesday, 12th October 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
HENRY FRANCIS PURCELL, Esq., Secretary.

Mr. HENRY PADWICK sworn.

40,489. (*Mr. Price.*) You are a solicitor?—No, I am not now.

40,490. You were a solicitor?—I was a solicitor some 12 or 14 years ago, and retired from the profession.

40,491. What we want to have from you is the history of your introduction to this borough as a candidate in the year 1859, who it was mentioned Bridgwater to you, and how it was you were introduced to the place. First, had you any connexion with Bridgwater in any way whatever professionally before?—Not before.

40,492. Or any acquaintance here?—Not a soul.

40,493. Tell us how it was you first heard of Bridgwater and entertained the idea of coming down here as a candidate?—It was at the invitation of Mr. Richard Smith.

40,494. How did you know Mr. Richard Smith?—I met him really by accident at first, having been in a waiting room, when we got in conversation, in Victoria Street, in the Conservative committee room.

40,495. (*Mr. Coleridge.*) Baxter, Rose, and Norton's?—Yes.

40,496. (*Mr. Price.*) You met him by accident?—I met him by accident.

40,497. Did he introduce himself to you?—Yes, he did ultimately.

40,498. What were you there for?—I was very much interested at that time in the election for Horsham on Mr. Fitzgerald's behalf.

40,499. Were you acting on Mr. Fitzgerald's behalf?—No, I was a personal friend of his, but I had gone there for the sake of getting some information about him. I forget what now.

40,500. Was that in 1859?—That was in 1859.

40,501. Previous to the election of course?—Previous to the election.

40,502. And you had gone to Baxter, Rose, and Norton's on Mr. Fitzgerald's behalf?—On Mr. Fitzgerald's behalf, to get some information with reference to somebody or something, and on being shown into a waiting room there were two or three persons there, and amongst those persons was Mr. Smith, and we got into conversation about various matters, and he stated that he was very anxious to go back to Bridgwater, for he had come up to London for the purpose of finding a candidate for this place.

40,503. Did you entertain the proposition then about being a candidate?—We talked casually about the matter, and a short time afterwards Mr. Spofforth came in and the subject was renewed, and I think to the best of my recollection I said, "Well, should I be a fit and proper person for you?" And subsequently it was supposed that I was, and that was the commencement of my knowledge of Mr. Smith.

40,504. When you say "a fit and proper person," what was the subject of discussion, your politics or your money?—Well, politics and money both.

40,505. What was said about money, and who by?—I cannot recollect. I think I mentioned that I had always heard that Bridgwater was rather a dangerous place.

40,506. You had heard so?—I had heard so.

40,507. Did you mention that to Mr. Smith?—I mentioned it to Mr. Smith.

40,508. What did he say?—Well, to the best of my recollection he said it required but very little money, that circumstances had now transpired which had altered the whole complexion of the electioneering of this town, and that the Tynte means were very much limited, and he thought it would be pure election, or words to that effect.

40,509. He thought it would be a pure election?—I cannot remember the exact words.

40,510. (*Mr. Coleridge.*) How long did he keep you in that happy delusion about the purity of it?—Well, it remained until the day after the election.

40,511. Had he given you any notice to be prepared in case of money being wanted in the interval?—No.

40,512. (*Mr. Price.*) Do you mean that all that passed about that was, that it would be conducted on on pure principles?—To the best of my recollection he said he thought the expenses would be something like 1,200*l.*, or 1,400*l.*, or something of that sort.

40,513. Did you understand by that 1,200*l.* or 1,400*l.* would be required for what are called legal expenses?—That is what he gave me to understand.

40,514. You had assisted Mr. Fitzgerald at Horsham, which is not an unnotorious place?—I think it is more sinned against than sinning.

40,515. Mr. Jarvis was unseated for bribery there, was he not?—No, I think for treating.

40,516. I will ask, with your knowledge of elections, did you suppose that 1,400*l.* would be required for what was called legal expenses?—Well, I understood him there were a great number of charities and things of that kind that would have to be contributed to. I did not go into the *minutiæ* of the expense.

40,517. Did he say anything about the legal gentlemen requiring any?—Yes, certainly. There were a great number of agents.

40,518. (*Mr. Anstey.*) Did you believe him when he said it would be a pure election?—I do not know; I do not think I did.

40,519. It must have struck you that if it was not for your money there was nothing to induce him to select you, who were a perfect stranger to Bridgwater, and, I believe, to public life, ?—Well, I did not arrive at that conclusion at all. I am merely repeating what to the best of my recollection passed in conversation between us.

40,520. (*Mr. Price.*) Had you known anything of Colonel Tynte?—No.

40,521. Did you know anything of Colonel Tynte's affairs at that time at all?—No, not at all, only by report or rumour. I really know nothing about it.

40,522. Was it at this first interview that you arranged that you would come down?—Yes.

40,523. Or was there a subsequent interview?—I think I met him a second time; I am not certain, but if I did it was probably the following day I came down.

40,524. How long was it before the election that you actually came down here?—I really forget.

FORTIETH DAY.

Mr. H. Padwick.

12 Oct. 1869.

40,525. How long before the election did you come down?—I cannot remember. I should think a month or two.

40,526. A fortnght, or three weeks, or a month?—A fortnight or three weeks; I really forget.

40,527. When you came down, who was it arranged that Mr. Westropp should come down?—It occurred in this way. It was stated by Mr. Smith that he thought there was a great chance for a second candidate, and that it would be very desirable by way of promoting my election if a second candidate could be found. Mr. Westropp's name was mentioned by some person as an individual who wanted to go into Parliament, and I was asked if I had any objection to being associated with Mr. Westropp. I did not know him, and had never heard of him, but subsequently I think Sir Frederick Slade came to vouch for him in some way or other as to his respectability and so forth, and it was understood that if either candidate was to be returned it was to be myself, and that Mr. Westropp's expenses were to be limited to 200*l.*, as it was to be considered more as an introduction to the borough than anything else.

40,528. Then did you both come down here together?—Yes, I think we both came down.

40,529. Whom did you see when you came here besides Mr. Smith?—We came down with Mr. Smith.

40,530. Did you see besides anybody among those called the heads of the party?—They were represented to me as heads of the party, but I do not know who they were.

40,531. Who were they?—I have not the slightest idea.

40,532. Were there any other but professional men as men of influence here?—Crowds of people, but who they were I have not the slightest idea on earth. I was never here before, and have not been here since.

40,533. Whom did you confide yourself to?—Entirely to Mr. Smith. I placed myself entirely in Mr. Smith's hands.

40,534. How soon after you had been here did he tell you how much money would be wanted?—I think the following morning he asked me for 1,000*l.*

40,535. Did you place yourself unreservedly in Mr. Smith's hands to do what he liked regarding anything?—Certainly not; unquestionably I did not.

40,536. If he had asked you for 10,000*l.*, would you have paid it?—Certainly not.

40,537. (*Mr. Price.*) What limit did you put on his pledging you to?—None, whatever.

40,538. Was any sum named as to the limit you would go?—I should think I named 1,200*l.* or 1,400*l.*, to the best of my recollection.

40,539. You stated that as the basis?—Yes.

40,540. Did you bring that down with you?—I think I brought 1,000*l.*

40,541. In gold?—No, notes. I either did, or gave a cheque on my bankers. I really forget which.

40,542. (*Mr. Price.*) Are you sure you actually did not bring the money in a bag with you?—Yes, I think I could actually swear I brought the money.

40,543. Did you bring it down when you first arrived to canvass the place?—Yes.

40,544. Where did you place it?—I gave it to two persons, to the best of my recollection. Who they were I do not recollect at this moment, but I think the money was placed in the bank; I think it was at the bank I gave it.

40,545. What bank?—I do not know.

40,546. (*Mr. Coleridge.*) Before going any further, are you quite certain that you did not bring that in sovereigns?—Perfectly certain.

40,547. And if Mr. Smith is under the impression that you did, he is mistaken?—Yes.

40,548. Did you bring any portion of it in sovereigns?—Not any of it.

40,549. Do you recollect what the notes were for, were they large or small?—I think large, perhaps 200*l.* or 500*l.*

40,550. (*Mr. Price.*) Was it placed to your credit or Mr. Smith's?—Either to Mr. Smith's credit or some person he named.

40,551. (*Mr. Coleridge.*) Was Murlis the name?—I do not recollect the name.

40,552. (*Mr. Price.*) You do not recollect any such name in connexion with your election?—The truth is I do not remember any name except one or two of my agents.

40,553. Who besides Mr. Smith was an agent?—Mr. Ruddock and, I think, Mr. Trevor.

40,554. Both of them?—I think they both were agents. I do not remember anybody else, but there were so many persons coming in and out.

40,555. How soon was this sum exhausted which you first brought down?—Very early.

40,556. How soon; you came down three weeks before?—Probably at the end of the week.

40,557. When it was gone at the end of the week, did not you ask how it was gone?—Well, I did, and was given to understand that there were some outstanding accounts that had been contracted at former elections, and that a great part of the money had been got rid of in payments for the purpose of keeping the party together, or some excuse of that sort was given to me.

40,558. Did you inquire about it whether there was any truth in it?—I had no possible means of inquiring.

40,559. Did you then get another instalment down?—Yes, there was subsequently 1,000*l.* sent by a friend of mine.

40,560. Who is that?—A friend of mine in London, who sent it down at my request.

40,561. But where did the money come from?—From me.

40,562. (*Mr. Coleridge.*) Who was the person who sent it?—A person of the name of Copham.

40,563. (*Mr. Anstey.*) Where does he live?—He was killed on the railway about four or five years ago.

40,564. Was he a partner?—No, a personal friend.

40,565. (*Mr. Price.*) What was he?—A gentleman.

40,566. (*Mr. Coleridge.*) Was he in business?—No business at all; it was because I was not going to town at that moment.

40,567. (*Mr. Price.*) Did you borrow the sum of money?—No, it was my own money.

40,568. How was he to get at it?—I was not going to London, and I directed him to get 1,000*l.* and send it down.

40,569. How? did you write a cheque?—I wrote a cheque.

40,570. It is important for us to know who found the money on these occasions?—I found the money. I have no wish to keep back anything.

40,571. You drew a cheque, and sent it up to your friend, who cashed it or got it cashed?—I do not know. All I know is this: I found the money, and he told me that he had sent the money down, and Mr. Smith told me afterwards that he had received it, or that it had been received.

40,572. (*Mr. Coleridge.*) Did he tell you that it had come down in gold, labelled samples?—No, he did not tell me that.

40,573. But he did tell you in gold?—Yes, in gold.

40,574. (*Mr. Price.*) And labelled?—I do not know; I never saw it.

40,575. Did you give directions for it to come down in gold?—I think I did.

40,576. That was 1,000*l.*?—1,000*l.*

40,577. How long did that second 1,000*l.* last?—I do not remember any more disbursements. I complained very much of this second application, and Mr. Smith promised to give me an account of the expenditure, but I never got any.

40,578. Is that the whole you had spent on the election?—That is the whole; I have no recollection of spending any more than that, not the slightest recollection, and I have tried to remember.

40,579. (*Mr. Coleridge.*) Did you pay nothing after the election?—Not that I am aware of.

40,580. But you were repaid some time after the election, were not you?—No.

40,581. (*Mr. Price.*) Not after the compromise of the petition?—I had nothing on earth to do with compromising the petition; I never received a shilling from a soul.

40,582. Did you out of this second 1,000*l.* pay what are called the legal expenses?—It was given to Mr. Smith to account for at the end, and I never had any account given me; and I subsequently became so disgusted with the proceedings that I left the town in the middle of the day of the election.

40,583. (*Mr. Coleridge.*) Did you know money was going on the other side at that time?—I did not until just before I left the town. I was told by Mr. Smith on the morning of the election that there had been no bribery whatever.

40,584. He wanted some money just before you left the town?—He never asked me.

40,585. I mean after you found out that money had been going the other side for Colonel Tynte and Mr. Kinglake?—No.

40,586. Did he press you for a third 1,000*l.*?—No.

40,587. And did you refuse it?—No.

40,588. (*Mr. Anstey.*) Did I understand you just now to deny that you had received any money at the time of the compromise of the petition?—Yes, I do.

40,589. Or after?—No, neither before nor after.

40,590. Did you after the petition was compromised become possessed of a sum of money stated to be 1,200*l.*, or any sum of money on which you laid your hands stating that it lawfully belonged to you?—No, I did not.

40,591. I think it right to state the words of a witness who gave that?—On reading the evidence I read that, and I am glad you have given me an opportunity of contradicting it.

40,592. You can give any statement which may explain that, or do you mean to deny it altogether?—I utterly and entirely deny it; it is a perfect fiction.

40,593. (*Mr. Price.*) Were you cognizant of the petition?—I was.

40,594. And of its compromise?—I was subsequently cognizant.

40,595. Who consulted you about it?—The petitioners in this way: On some occasion after the election was over I went and saw Mr. Rose; I felt extremely indignant at the wretched treatment and delusion that had been practised on me, and I heard that bribery had been very common, and some particular instances were mentioned to me, and I in the excitement of the moment said that I certainly would expose the whole thing, and suggested to Mr. Rose that the petition should be presented, which would give us, I supposed an opportunity probably of doing it; and I believe the petition was presented, but I do not think I was petitioner; I am sure I was not.

40,596. (*Mr. Coleridge.*) Did you tell Mr. Rose of your own 2,000*l.* when he presented that petition?—As to what I spent?

40,597. Yes?—No.

40,598. I presume you did not claim the seat?—No, I did not petition; it was not mine.

40,599. (*Mr. Price.*) You advised the petition?—No, I acquiesced in it.

40,600. You say you mentioned it to Mr. Rose, and felt inclined to petition for the purpose of exposing these practices?—Mr. Rose made some inquiry.

40,601. Do you know how it was that the petition did not go on?—Simply because I was told by Mr. Rose that there was no chance of getting any evidence to bring the facts out, and I was so thoroughly sick and disgusted with the whole thing that it came to an end of itself; there was nothing done in it.

40,602. Do you know that it was the result of a compromise?—No, I do not think it was.

40,603. (*Mr. Anstey.*) I thought you said just now that you were cognizant to some extent of the compromise?—No, no compromise at all; I did not hear you say anything about a compromise.

40,604. No, but the learned Chief Commissioner did?—I beg your pardon, there was no compromise whatever.

40,605. He asked you whether you were cognizant of the petition, and you said "Yes;" and whether you were cognizant of the compromise, and you said "To a certain extent," I thought?—I beg your pardon, there was no compromise, not as far as I have heard or read.

40,606. (*Mr. Price.*) Then the first you have heard of it is in the evidence here?—Yes.

40,607. The first you have heard of anything like a compromise about that petition?—The first I have heard about any compromise, and I do not believe there was any compromise; I believe most religiously that the petition fell through precisely as I am attempting to describe.

40,608. (*Mr. Coleridge.*) Did you pay any costs of that petition as far as it went?—There were no costs but the printed form.

40,609. There were some costs, I suppose?—I do not remember. I do not think I paid any, at all events.

40,610. (*Mr. Price.*) Had Mr. Rose, up to a certain point, the conduct of the petition?—As far as I know he had.

40,611. Did he send to you to consult about the petition, it being suggested, or, as I understood you to say, did you go to him?—It was the result of conversation one day. I had been in the habit of seeing Mr. Rose on other matters of business, and it was the result of conversation that it would be a good plan to bring forward the whole thing and expose it, if I could; I thought I had had quite trouble enough in the matter, and I wished to avoid any more.

40,612. Then you utterly deny that you knew of anything like a compromise, or that any money passed?—Most distinctly, either directly or indirectly, or in any possible form you can put it.

40,613. (*Mr. Anstey.*) Did you not hear that Mr. Benjamin Lovibond at that time had the conduct of the prosecution against your friend the petitioner, a Mr. Heard?—No.

40,614. And after putting his client to a great deal of expense and trouble, he, behind his client's back, and against his reputation, swapped the prosecution against the petition, and one being withdrawn, effected the withdrawal of the other?—Never. I never heard of such a thing until you stated it.

40,615. (*Mr. Price.*) The only person, as far as I can see, who could give accurate information on that would be Mr. Rose, who, up to a certain period, discussed the petition, and had the conduct of it?—Certainly. I had nothing on earth to do with it beyond what I have stated.

40,616. (*Mr. Coleridge.*) Had your private solicitor anything to do with it?—No, no one.

40,617. There was only 2,000*l.*, which I understand you to say was every farthing you spent at that election?—I cannot remember that I spent more.

40,618. Does that include your personal expenses here?—No.

40,619. You had to pay that entirely?—Yes.

40,620. What amount? You were here three weeks, and there were a lot of people about you?—Yes, I am sure I do not know; Mr. Westropp and I were living together, and I believe he contributed 1*l.* a day towards the expenses, because he considered in the case of a member being elected I was to have the preference; therefore he thought the justice of the case was met by his paying his own personal expenses.

40,621. Those who deluded Mr. Westropp here seem to have told him that you were second man, and those who deluded you that you were the first man?—It is quite notorious that he was second man to me.

40,622. He does not seem to think so?—No, I do not wish to detract anything from Mr. Westropp's position; but it was Mr. Westropp whom I assented to being associated with me.

40,623. He says it was the other way?—Yes; but I will say that.

40,624. Must not it have been Mr. Smith who misled

FORTIETH DAY.

Mr. H. Padwick.

12 Oct. 1859.

you both like a blind horse?—I am quite ready to admit that he misled me like a blind horse.

40,625. You were both to be first men?—It was known to both agents and myself that I must be first man, and it was equally known to anyone who knew anything about it that Mr. Westropp's position, if I may use the expression without intending any offence, was to be subordinate to mine.

40,626. No doubt the agents knew that; but Mr. Westropp seems to be the only person not cognizant of the fact, because he told us, after coming back a second time, it was "Westropp and Padwick," instead of "Padwick and Westropp"?—Nothing of the sort.

40,627. (*Mr. Price.*) I understand you that Sir Frederick Slade spoke to him long before you were communicated with, that was the impression conveyed to my mind, long before you had any communication with Mr. Rose?—That was not so; at least I do not know what Sir Frederick Slade may have said to him, but I know perfectly well my position in the matter, and I should have thought the fact of Mr. Westropp paying 200*l.* only towards the expenses was *primâ facie* evidence.

40,628. (*Mr. Coleridge.*) He explained, that because he was the first in the field he was to pay less?—That is quite wrong; because I remember perfectly well making the observation, that I wondered any gentleman would come and take up such a doubtful position, but he was looking on the introduction to the borough, and that if he did not succeed on that occasion he would on some future occasion.

40,629. (*Mr. Anstey.*) Your minority was larger than his, was not it?—I forget the numbers at this moment.

40,630. I will read to you his evidence before the Committee of the House of Commons. The question is asked, "You were defeated by about 80?" with reference to this election of 1859?—Yes.

40,631. Mr. Sleigh says, "You were defeated by about 80?"—I was?

40,632. No, Mr. Westropp. He is asked this question, "You polled a large number of votes?—I think 282. You were defeated by about 80?" To which he answers, "I was defeated I think by the same majority "as I defeated Mr. Kinglake now by; but it was "always considered that the majority by which the "gentleman who was running with me was defeated "was mine also, and in fact it was 41." That shows you had a larger number of votes than Mr. Westropp?—I had I believe.

40,633. And Mr. Westropp considered that your votes were his as well as yours?—Oh no; I do not know what he considered.

40,634. That is the answer he makes?—I only state the facts as I remember them very distinctly and clearly with reference to this matter you spoke to me about, that Mr. Westropp joining me was a secondary affair altogether, and that I hesitated at first about accepting as a companion in this matter a gentleman whom I never heard of before, and I do not think I had heard to the best of my recollection of Baxter, Rose, and Norton that they knew anything of it, but Sir Frederick Slade came in; he was appealed to in some way or other. At all events I heard he was an acquaintance of his, and he vouched him to be a respectable person; but I said I do not understand how any person would come down to go through all the annoyance of canvassing yourself, and so on, if put in this second position, without you can return two members.

40,635. The voting appears to bear out your statement, because you had 40 majority?—I know I had a majority.

40,636. At the end of the day, when you were getting so near, because 40 is not a large number to be beaten by, was not about the middle of the day more pressure put upon you?—About the middle of the day I remember some one coming to the committee room and saying that the election was lost, that numbers of persons who had promised to vote for me were going up one after another for our opponents; and the numbers were brought in by some one or other, and I said, "Well, I can very plainly see how this is, it is the old "story over again, and it is perfectly absurd to go on "in this fashion; I shall quit the place immediately," And I did, as fast as I could, get out of the town in the most perfect disgust, satisfied in my own mind that every corrupt practice that could be used was used, but what they were I had no means of judging in my own mind. I was not asked for any money.

40,637. Were you under the impression, from what was said to you, that they had out-bribed you?—No nothing of that sort was said.

40,638. I mean that they had given a higher price to bribees who received money than yourselves?—No, nothing; it was all frightful confusion at the moment.

40,639. (*Mr. Coleridge.*) After it was all over, and the talk of the petition was over, and everything of that sort, did not Mr. Smith press you for money for what he called outstanding accounts?—Not that I remember.

40,640. Do you mean that he never asked you or anyone else after you left the election?—The only thing I remember him asking me for was this, during the election some squibs—of course all sorts and kinds were going about, and everything that could be said to one's prejudice was said—I had an attack made and I wrote to Mr. Edwin James, who was my counsel on the particular occasion, for his version of all that had taken place on that occasion which the mother of Palmer——

40,641. *Apropos* of a caricature?—*Apropos* of a caricature, and Mr. Edwin James. At that time he wrote me a letter. We were political antagonists. He was canvassing for Marylebone, but he wrote me a letter fully absolving me from everthing in connexion with the Palmer affair, and that letter I put in the hands of Mr. Smith, and I am not sure whether it was published or was not, at all events he held the original letter, and some two years after probably I wrote to him saying I presumed the letter was not of any further consequence to him, and I would be much obliged to him if he would send it to me, and he did, and I have it by me at this moment.

40,642. (*Mr. Anstey.*) It had been printed in the meantime in the "Bridgwater Times" at length?—I believe it was; I am not sure about that, but I have the original letter at this time about me, and Mr. Smith, I remember, said that he had expended 50*l.* or 50 guineas in going about and getting candidates for Bridgwater, and he said he thought under the circumstances I ought to hand him a cheque for 50*l.*, and I said I rather thought that was out of the question, and I took no further notice of it.

40,643. (*Mr. Price.*) Going about for a candidate when?—When he unfortunately called upon me, and proposed to charge me 50*l.* for having found me.

40,644. (*Mr. Anstey.*) Were you at that time a Conservative?—Yes.

40,645. When they found you, I mean?—When they found me.

40,646. When you were about leaving the borough defeated, did you intimate your intention to stand on the other side?—Certainly not. I intimated my intention of never coming to the place.

40,647. (*Mr. Price.*) Someone said you added to that, if you ever came again you would take care to be on the other side?—Certainly not.

40,648. Have you any reason to suppose that the circulation of those rumours about you in connexion with Palmer injured your chances of success?—I do not know how that might be. Of course it was very distressing to me at the time, and if you will allow me to show you the letter—

40,649. (*Mr. Anstey.*) It is a very long letter. I read it the other day in the "Bridgwater Times," from Mr. Edwin James?—From Mr. Edwin James.

40,650. I do not know that it is of much value?—He was the counsel on the occasion, and here is the "Times" of the day in which the trial was reported.

40,651. All we have about it is that you mention down here that it came out in evidence on the trial of Palmer for poisoning that you had known him, or

known Cook, that is all, and it is no imputation on any man to say that.—Of course, coming on me suddenly I dare say it had some effect on some persons.

40,652. (*Mr. Coleridge.*) Did Mr. Westropp ever speak to you about it, because from something that dropped from him I imagined he did?—He said he had made inquiries, and was quite satisfied of my conduct in all respects. There was not a word of truth in the whole transaction.

40,653. (*Mr. Anstey.*) Is not the best proof that it did not injure you with the Conservatives, that they put you at the head of the minority and not Mr. Westropp?—If you draw that inference, well and good. Would you allow me to offer you the letter?

40,654. (*Mr. Coleridge.*) If you wish to have it on our notes you must read it out?—If you please, I have no sort of objection, only it is so very personal.

40,655. (*Mr. Price.*) We have no desire to have it on our notes.—I have no desire to press it at all.

40,656. I think you may as well let the thing drop. It was done at a time of electioneering excitement?—Very good.

40,657. (*Mr. Coleriege.*) What was the name of the action? You do not mean the prosecution of Palmer at the Old Bailey?—No, certainly not.

40,658. (*Mr. Price.*) It was an action brought on a bill of exchange?—Against the mother of Palmer.

40,659. And he proved his wife's forgery?—I felt constrained to do this in consequence of the inquiry that was going on against Palmer for murder. I felt very much alarmed at having had anything to do with the family, which was considered a respectable family in those days, but I had had nothing to do with them except in the way of business. I had brought an action against the mother, who brought her son out of Stafford jail, to prove that the signature to the promissory note was the signature of his wife, who had written his mother's name there by his direction, and they were so satisfied with my conduct on that occasion that Mr. Wilkins, who was counsel against me got up and complimented me on the way I had acted, and he said he should not ask for any costs.

40,660. (*Mr. Coleridge.*) Did they get a verdict?—They were obliged to get a verdict.

40,661. They believed the story of Palmer?—They believed it.

40,662. (*Mr. Price.*) That was the only case in which you had to do with Palmer's affairs?—The only case.

40,663. You had nothing to do with the prosecution for murder?—Nothing whatever.

40,664. You did not give evidence?—No, I had no more to do with it than the greatest stranger in the world.

40,665. I suppose the supposition was that the action was brought in consequence of some spite against Palmer?—I suppose it was thought a great card to say anything of that violent character.

40,666. Is there anything you have to tell with regard to that election you know; with regard to corrupt practices either on that side or the other?—Nothing whatever. I never had anything to do with Bridgwater since, and I do not know a single soul in it; and I think I may say, until I came to the town last night, I have not spoken to a single soul since.

40,667. (*Mr. Coleridge.*) At the election of 1865 was any overture made to you to come forward again?—No.

40,668. Then as far as we know 2,000*l.* was brought by you here, and your personal expenses, be what they may, 50*l.* or 60*l.* more?—Well, I should think probably more than that, perhaps 100*l.*

40,669. Did that include the payments of your agents, your attornies, and everybody?—I cannot recollect paying anybody anything.

40,670. The institution of election auditor was going on in those days, did you recollect what was paid through him as election agent in the way of legitimate expenses?—I do not think that was going on at that time.

40,671. In 1859, I think it was; the election agent came in afterwards?—I am quite sure it was, because I am quite certain I never made any return.

GEORGE HAYWARD sworn.

G. Hayward.

40,672. (*Mr. Price.*) What are you?—A carpenter.

40,673. Where do you work?—Sometimes one place and sometimes another; I work for a good many about.

40,674. (*Mr. Anstey.*) Were you employed by Dr. Kinglake?—Sometimes.

40,675. At Taunton?—Yes.

40,676. Did you see him on the day he started for the poll here, for Bridgwater?—At the last election?

40,677. Did you see him at Taunton on the morning that he left for Bridgwater to go to this Bridgwater election?—Yes, I did, I believe.

40,678. What was the last thing he said and did?—He did not speak to me.

40,679. What?—He did not say anything to me; I saw him in his trap coming away, but he never spoke to me.

40,680. Did he show you a purse?—No.

40,681. Are you quite sure?—Quite sure.

40,682. And he said not a word to you?—He did not say a word to me.

40,683. I am not asking whether he said anything to you about the Bridgwater election, but did he say anything to you of any kind?—No, not to the best of my knowledge; he never spoke to me.

40,684. (*Mr. Price.*) You are a voter for Bridgwater?—No.

BENJAMIN STOODLEY sworn.

B. Stoodley.

40,685. (*Mr. Price.*) What are you?—A painter.

40,686. Are you a master, or do you work for anybody?—I work for Mr. Bunter.

40,687. Are you a voter for the borough?—Yes.

40,688. Did you vote at the last election?—Yes.

40,689. How did you vote?—I voted for Mr. Westropp and Mr. Gray.

40,690. Did you get anything for it?—No.

40,691. Did you get any promise?—No.

40,692. Were you at any meeting at the "Clarence" on the morning of the polling day?—No.

40,693. Did you hear anything said by anybody in the way of promising money?—No.

40,694. That you would have it when the time came?—No.

40,695. Nothing of that sort?—No.

40,696. Anything about "M.D."?—No. I was not at the meeting.

40,697. And you did not hear it from others?—No.

40,698. Did you vote at the election before?—Yes.

40,699. For whom?—For Mr. Patton.

40,700. Did you vote at both elections for Mr. Patton?—Yes.

40,701. Did you get anything at those elections?—Yes.

40,702. How much?—10*l.* each election.

40,703. From whom?—At the "Bull and Butcher," from behind the door.

40,704. Both times?—Yes.

40,705. Did you vote in 1865?—No, I had no vote.

40,706. Not before 1866?—No.

40,707. Did you ever receive anything from the other side?—No.

40,708. (*Mr. Anstey.*) What is your christian name?—Benjamin.

FORTIETH DAY.

B. Stoodley.

12 Oct. 1869.

40,709. What are you to Joseph Stoodley?—Brother.

40,710. That was the man who was bribed to vote for Mr. Westropp in 1865?—Yes. I had no vote then. I want to state one thing, if you will allowme.

40,711. (*Mr. Coleridge.*) Go on.—Between Mr. Patton's two elections I had 5*l.* brought to my house, and put on the table for me.

40,712. (*Mr. Price.*) Besides the two tens?—Besides the two tens.

40,713. How was that left, do you know?—In my parlour, on the table.

40,714. Who left it?—Frederick Temblett.

40,715. Did he know you had already had 10*l.*?—I do not know whether he knew it then or not.

40,716. Did you keep the 5*l.*?—Yes.

40,717. Then you had 25*l.* altogether?—Yes.

40,718. (*Mr. Coleridge.*) Did Temblett try to get it back from you, when he did know it?—Yes.

40,719. Tell us what took place then?—It was a day or two after. I told him I considered I had as much right to the money as he had; and I kept it.

40,720. Why did he want to get it back from you?—I do not know his reasons.

40,721. Was it not because he told you you had had 10*l.* from someone else?—I think he said it was a mistake.

40,722. And that you had had 10*l.* from somewhere else?—I got the money from the "Bull and Butcher."

40,723. Did he not want the money back, because he said you had been paid elsewhere?—No, he did not say anything of the sort.

40,724. Did not he say you had been paid at the "Bull and Butcher"?—Yes.

40,725. He simply told you it was a mistake, and he wanted it back again?—Yes.

(*Mr. Price.*) You are quite right in telling us of it.

J. Quick.

JAMES QUICK sworn.

40,726. (*Mr. Price.*) What are you?—A dairyman.

40,727. And a voter?—Yes.

40,728. Did you vote at the last election?—Yes.

40,729. How did you vote?—I voted for Westropp and Gray.

40,730. Did you get anything for it?—No.

40,731. Were you at any of the meetings, where you heard anything about "money down"?—I was never at a meeting in my life.

40,732. Did you hear anything from anybody to the effect that if you voted that way you would have something eventually?—No, I did not.

40,733. Were you promised anything by anybody if you voted for Westropp and Gray?—No.

40,734. Did you expect to get anything?—No.

40,735. Did you vote at the election previous to that, in 1866?—Yes.

40,736. For whom?—Patton and Westropp.

40,737. For Patton only you mean, I suppose. He stood twice that year, once with Mr. Vanderbyl and once with Mr. Bagehot?—Yes.

40,738. Did you vote at both of those elections?—I voted at both of those elections for Mr. Patton.

40,739. Did you get anything at either of those elections?—Yes.

40,740. How much?—Two 10*l.*

40,741. From whom?—Mr. Jarman.

40,742. Did you get anything between the two elections?—Yes.

40,743. Was that all you received for your two votes?—That was all I received for my two votes.

40,744. In 1865 did you vote, when Mr. Westropp was returned?—Yes.

40,745. How did you vote then?—Then Mr. Heal gave me 10*l.*

40,746. Did you vote for Mr. Westropp?—Yes, I did.

40,747. Did you get anything from the other side?—No.

40,748. Did you vote in 1859?—No.

40,749. Had you no vote then?—No.

40,750. Then you have had 30*l.* altogether?—30*l.*

C. Bennett.

CHARLES BENNETT sworn.

40,751. (*Mr. Price.*) What are you?—A labourer on the quay.

40,752. Whom do you work for?—Anybody.

40,753. Are you a voter?—Yes.

40,754. Did you vote at the last election?—Yes.

40,755. How?—I voted for Mr. Westropp.

40,756. For Mr. Westropp only?—For Mr. Westropp only.

40,757. Only Mr. Westropp?—Only Mr. Westropp.

40,758. What did you get?—Nothing.

40,759. Did you have any promise made to you?—No.

40,760. Did you hear that there was to be any money afterwards?—No.

40,761. (*Mr. Coleridge.*) Did your wife get anything?—No.

40,762. Did you vote at the election before that?—Yes.

40,763. How did you vote then?—I voted for Mr. Westropp.

40,764. No; when Patton stood against Vanderbyl?—Yes.

40,765. Did you vote for Mr. Patton then?—Yes.

40,766. Did you get anything for it?—Yes.

40,767. How much?—10*l.*

40,768. From whom?—From the "Bull and Butcher."

40,769. Did you vote at the former election of Mr. Patton's?—Yes.

40,770. Did you vote for him then?—Yes.

40,771. Did you get anything?—Yes.

40,772. How much?—10*l.*

40,773. From whom?—The "Bull and Butcher."

40,774. (*Mr. Coleridge.*) Did you get anything from the other side?—No.

40,775. At neither election?—No.

40,776. (*Mr. Price.*) Or between the elections?—No.

40,777. Did you get anything more?—No.

40,778. Or was anything left at your house?—Yes.

40,779. Did you vote at the election before, in 1865?—Yes.

40,780. For whom?—Mr. Westropp.

40,781. Did you get anything then?—10*l.*

40,782. From whom?—From the "Bull and Butcher."

40,783. In 1859 did you vote?—No.

40,784. Had you no vote?—No.

40,785. Then you have had 10*l.* at each election you have voted at, except the last election?—Yes.

40,786. (*Mr. Coleridge.*) Did you expect to get anything at the last election?—No.

J. Dyer.

JOHN DYER sworn.

40,787. (*Mr. Price.*) What are you?—A dairyman.

40,788. (*Mr. Anstey.*) Are you the son of Ambrose Dyer?—No.

40,789. No relation?—No relation whatever.

40,790. (*Mr. Price.*) Are you a voter?—Yes.

40,791. Did you vote at the last election?—Yes.

40,792. How did you vote?—For Mr. Westropp and Mr. Gray.

40,793. What did you get?—Nothing at all.

40,794. Any promise?—None whatever.

40,795. Were you at any of the meetings, where you heard anything said about money, or M.D.?—Well, I attended meetings occasionally, and I heard the name mentioned of "M.D."

40,796. Whom did you hear mention it?—Well, I cannot say; I have heard it so many times.

40,797. Do you know Mr. Joseph Smith?—Quite well.

40,798. Was he the person who talked about it?—It may be, I cannot say.

40,799. What did you understand him to say?—Well, I merely thought it was a hoax, if so be any of the other side had offered money, to take it. I concluded it as such.

40,800. (*Mr. Anstey.*) Did you say you heard it stated so many times?—Occasionally.

40,801. You said just now, when you were asked who said it, you could not tell who it was, because you heard it so many times?—Well, the chairman referred to it so many times that I cannot say from recollection who it was.

40,802. (*Mr. Price.*) Did you vote in 1866, when Mr. Vanderbyl was elected?—Yes.

40,803. How did you vote?—For Mr. Patton.

40,804. What did you get?—10*l.*

40,805. From whom?—From the "Bull and Butcher."

40,806. Did you vote at the former election?—Yes.

40,807. For whom?—For Mr. Patton.

40,808. How much did you get then?—10*l.*

40,809. Did you get anything between the two elections in 1866?—No.

40,810. Or was anything left at your house?—No.

40,811. Did you get anything from the other side?—Not anything.

40,812. Did you vote in 1865?—Yes.

40,813. For whom?—For Mr. Westropp.

40,814. What did you get?—10*l.*

40,815. From whom?—The "Bull and Butcher."

40,816. Did you vote in 1859?—No.

40,817. You had no vote then?—No vote.

40,818. You say you got the money each time from the "Bull and Butcher"?—Each time from the "Bull and Butcher."

(*Mr. Price.*) You are returned on Temblett's list. I suppose he gave it to you at the "Bull and Butcher."

FREDERICK CHARLES TEMBLETT recalled. *F. C. Temblett.*

(*The witness.*) I paid a good many of them by putting my hand out of the door. They did not see me pay it.

JOHN DYER recalled. *J. Dyer.*

40,819. (*Mr. Anstey.*) The "Bull and Butcher" was Temblett's house?—It was at that time; at least the old gentleman's.

(*F. C. Temblett.*) It was my father's.

THOMAS MARTIN sworn. *T. Martin.*

40,820. (*Mr. Price.*) What are you?—Cellarman to Mr. Head, wine merchant.

40,821. Are you a voter?—Yes.

40,822. Did you vote at the last election?—No, I did not vote.

40,823. (*Mr. Coleridge.*) Had you a vote at the last election?—No, I had not.

40,824. (*Mr. Price.*) Did you vote in 1866, at either of the elections?—Yes, for the Conservatives; twice for Mr. Patton, and once for Mr. Westropp, in 1865.

40,825. Did you get anything from Mr. Patton?—Yes.

40,826. How much?—10*l.* at each election.

40,827. From whom?—10*l.* from Mr. Truman the first election, 5*l.* from the "Bull and Butcher" the second election, and 5*l.* from Mr. Temblett, brought to me at my house, and 10*l.* at the last election from Mr. Grabham.

40,828. At Mr. Westropp's election?—No, Mr. Patton's second election.

40,829. No, no. You say you were paid 10*l.* at Mr. Westropp's first election?—Yes.

40,830. 10*l.* at Mr. Patton's first election?—Yes.

40,831. 5*l.* the second election?—Yes.

40,832. And 5*l.* afterwards?—Yes.

40,833. Is that all you got?—Yes.

40,834. Did you ever get anything from the other side?—No.

40,835. Did you vote in 1859?—No.

40,836. You had no vote?—No.

40,837. How was it you did not vote at the last election?—I was not entitled to vote.

(*F. C. Temblett.*) He has made a mistake. He did not receive the 5*l.* at the second election. He had 5*l.* at the first election.

(*Mr. Price.*) It does not matter if the totals are right.

WILLIAM LOCK sworn. *W. Lock.*

40,838. (*Mr. Price.*) What are you?—A tailor.

40,839. For whom do you work?—Mr. Hodge.

40,840. Are you a voter?—Yes.

40,841. Did you vote at the last election?—Yes.

40,842. How?—For Mr. Westropp.

40,843. For Mr. Westropp alone?—For Mr. Westropp alone.

40,844. Not Mr. Gray?—Mr. Gray and Mr. Westropp.

40,845. Did you get anything for it?—No.

40,846. Any promise?—No.

40,847. Did you hear anything said that you would have money afterwards if you voted all right, or anything of that kind, which made you go and vote?—No.

40,848. Did you vote in 1866?—I did.

40,849. For whom?—I voted for Mr. Patton.

40,850. Twice?—Yes.

40,851. At both elections?—Yes.

40,852. What did you get at each election?—5*l.* at one election, and 10*l.* the other.

40,853. (*Mr. Coleridge.*) And how much between those elections?—Not anything.

40,854. (*Mr. Price.*) Was anything left at your house?—No.

40,855. To make up the first 5*l.* to 10*l.*?—No.

40,856. (*Mr. Coleridge.*) Where did you get it from?—The "Bull and Butcher."

40,857. (*Mr. Price.*) Both times?—Yes.

40,858. Did you vote in 1865 for Mr. Westropp?—No.

40,859. Had you no vote?—No.

40,860. And no vote before that at all?—No.

EDWARD PARSONS sworn. *E. Parsons.*

40,861. (*Mr. Price.*) What are you?—A mariner.

40,862. Are you a voter?—Yes.

40,863. Did you vote at the last election?—Yes.

40,864. For whom?—Westropp and Gray.

40,865. Did you get anything for it?—No.

40,866. Any promise?—No.

40,867. Was anything said to you that if you voted all right it would be made right for you, or anything of that kind?—No, nothing of the kind.

FORTIETH DAY.

E. Parsons.

12 Oct. 1869.

40,868. Did you vote in 1866, when Mr. Patton stood twice ?—Yes.

40,869. How much did you get each time ?—10*l.* the first time, and 15*l.* the second.

40,870. Where did you get the 15*l.* from ?—10*l.* from Henry Hobbs, and 5*l.* from Bryant, the baker.

40,871. (*Mr. Coleridge.*) How came you to get it from both ?—Because they gave it to me.

40,872. Did you not get any money from the other side ?—No.

40,873. At any time ?—No.

40,874. (*Mr. Price.*) Did you tell Bryant that you had 10*l.* from Hobbs ?—No. That 10*l.* was brought to my house.

40,875. After the election ?—No, before the election, and 5*l.* Bryant gave to me in the "Clarence."

40,876. Then you got 10*l.* at the former election ?—Yes; some time after the election.

40,877. From whom ?—From Mr. Jarman, the baker.

40,878. Did you vote in 1865 ?—No.

40,879. You had no vote ?—No vote.

40,880. You had no vote before 1866 ?—No.

40,881. Then you had 25*l.* altogether ?—Yes.

R. Temblett.

ROBERT TEMBLETT sworn.

40,882. (*Mr. Price.*) What are you ?—A smith.

40,883. Are you any relation to any of the other Tembletts, or is your name Tremblett ?—Temblett.

40,884. You are a smith ?—Yes.

40,885. Where do you work ?—For the Bristol and Exeter Railway Company.

40,886. At the Bristol and Exeter Railway Company's works ?—Yes.

40,887. Are you a voter ?—Yes.

40,888. Did you vote at the last election ?—Yes.

40,889. How did you vote ?—For Mr. Vanderbyl and Mr. Kinglake.

40,890. Did you get anything for it ?—No.

40,891. Nothing at all ?—Nothing at all.

40,892. At what time of the day did you poll ?—About one.

40,893. Are you on the particular part of the railway under Mr. Bridges ?—Mr. Bridges.

40,894. Mr. Bridges you are under ?—Yes.

40,895. Did he bring you up to poll ?—No.

40,896. Did you come up alone then ?—Yes.

40,897. Did you vote in 1866 ?—No; I never had a vote before this last election.

40,898. You never got anything for it ?—I never got anything for it.

40,899. Nor have you asked for it ?—No; no promise, nor anything.

40,900. Have you been told by your employers, or the authorities on the railway, or anybody else, how you were to vote ?—To vote which way we liked.

40,901. You saw a handbill stuck up ?—Yes.

40,902. To vote as you liked ?—Just as we liked.

40,903. I do not know why you were summoned here. Is there another man of your name in the town ?—I have two brothers.

40,904. There cannot be another Robert in your family; is there any other Robert ?—Not that I am aware.

40,905. What are your brothers' christian names ?—George and William.

40,906. Are they voters ?—Yes.

40,907. Do you know how they voted ?—They voted for Westropp and Gray.

40,908. Did they get anything ?—I do not know; I never heard that they did.

40,909. (*Mr. Anstey.*) Is there a Temblett without the "r" ?—There is a Temblett here.

40,910. But is there a Robert Temblett ?—I cannot say.

(*Mr. Price.*) There has been some mistake. Your name has been returned on some man's list. We are sorry you have been asked to attend here. However you have shown that you voted independently.

J. Mansfield.

JOHN MANSFIELD sworn.

40,911. (*Mr. Price.*) What are you ?—A labourer.

40,911*a*. Where do you work ?—I work at the carriage shed.

40,912. Are you a voter ?—Yes.

40,913. Did you vote at the last election ?—I voted at the last election.

40,914. How ?—For Kinglake and Vanderbyl.

40,915. Did you get anything ?—No.

40,916. Nothing at all ?—Nothing at all.

40,917. No promise ?—No promise.

40,918. What time in the day did you vote ?—About one o'clock.

40,919. Did you vote at the election before that ?—No.

40,920. (*Mr. Coleridge.*) Are you quite sure you never got anything in the way of a present ?—No; I never had a vote before.

40,921. Was any money given to your wife ?—No.

40,922. Was anything left at your house ?—No.

40,923. (*Mr. Price.*) Had you ever promised Mr. Westropp that you would vote for him ?—No.

40,924. Had you been canvassed by him ?—Yes. He canvassed me in the yard, and I told him I had promised to vote for Kinglake and Vanderbyl.

40,925. You told him so ?—Yes.

40,926. That was all that passed ?—That was all that passed.

40,927. (*Mr. Anstey.*) Were you at the meeting at the "Clarence" ?—No.

40,928. Nor at the "Lamb" ?—No.

(*Mr. Price.*) I am sorry you have had the trouble of coming here. It cannot be helped; there are such great numbers who have been mentioned here. You will have your expenses from the secretary.

H. Harwood.

HENRY HARWOOD sworn.

40,929. (*Mr. Price.*) What are you ?—A baker.

40,930. For whom do you work ?—I am my own master.

40,931. (*Mr. Coleridge.*) Did you vote at the last election ?—Yes.

40,932. How did you vote ?—Westropp and Gray.

40,933. Did you get anything for it ?—No.

40,934. Any promise whatever ?—No.

40,935. Did you vote in 1866, at Mr. Patton's two contests ?—Yes.

40,936. How did you vote then ?—For Mr. Patton.

40,937. Both times ?—Yes.

40,938. What did you get ?—10*l.* the second, and nothing the first.

40,939. Any promise the first time ?—Yes.

40,940. Who did you get the 10*l.* from ?—Temblett.

40,941. Are you sure you got nothing between the two elections ?—No.

40,942. Or anything left at your house ?—No.

40,943. Did you vote in 1865 ?—Yes.

40,944. Whom did you vote for then ?—Mr. Westropp.

40,945. What did you get ?—10*l.*

40,946. From whom ?—I do not know.

40,947. How was it you did not get anything from Mr. Patton on his first election ?—I do not know.

40,948. Were you promised anything?—Yes

40,949. Who by?—I do not know.

40,950. Were you promised by Temblett?—I do not know. I know I was promised. There was a talk of it.

40,951. Did you vote in 1859?—Yes.

40,952. How did you vote then?—Westropp and Padwick.

40,953. What did you get?—10*l.* at Murlis's.

40,954. Did you vote in 1857?—No.

40,955. Have you ever had money from the other side?—Never in my life.

WILLIAM LUXTON sworn.

W. Luxton.

40,956. (*Mr. Price.*) What are you?—A smith.

40,957. Where do you work?—For myself.

40,958. Are you a voter?—Yes.

40,959. Did you vote at the last election?—Yes.

40,960. How?—Westropp and Gray.

40,961. Did you get anything?—No.

40,962. Any promise of any kind?—No.

40,963. Were you at any of the meetings where anything was said that induced you to vote?—Nothing of the kind at any of the meetings I was at.

40,964. Did you vote in 1866?—I voted at Mr. Patton's two elections, and had 10*l.* each time.

40,965. From whom?—Mr. Jarman.

40,966. Had you anything besides that between the two elections?—No, nothing at all.

40,967. Did you vote in 1865?—I had no vote then.

40,968. You had no vote?—No.

JOHN HUMBER sworn.

J. Humber.

40,969. (*Mr. Price.*) What are you?—A carpenter.

40,970. For whom do you work?—I work for myself.

40971. Do you work a great deal for Mr. Joseph Richard Smith?—Yes, occasionally.

40,972. Are you a voter?—Yes.

40,973. Did you vote at the last election?—Yes.

40,974. How?—I voted for Westropp and Gray.

40,975. Did you get anything for it?—No.

40,976. Any promise?—No.

40,977. Were you present when Mr. Joseph Smith talked about "M.D."?—No. No such thing at all.

40,978. Was nothing said to you that it would be all right afterwards?—No.

40,979. Did Joseph Smith canvass you?—No.

40,980. How did you vote in 1866?

40,981. (*Mr. Anstey.*) Wait a moment. You were examined before Mr. Justice Blackburn, were not you?—I will tell you in a moment—1866?

40,982. (*Mr. Price.*) The question asked of you is, were you examined in this court before Mr. Justice Blackburn, in February last? Now attend.—(*The witness referred to a paper.*)

(*Mr. Coleridge.*) Never mind your paper.

40,982*a*. (*Mr. Price.*) Were you examined here before the judge?—Not as I know of.

40,983. Do you remember the judge being down here in February?—Yes.

40,984. Were you examined as a witness?—For a witness? Yes.

40,985. (*Mr. Anstey.*) Were you employed to get voters?—No.

40,986. Is not your name Henry Humber?—I have got a son called Henry.

40,987. What are you to Henry Humber?—Father.

40,988. (*Mr. Price.*) Did you say you voted in 1866? (*A pause.*) Your paper will show you, if you look at it. Mr. Patton stood here twice in 1866. Did you vote then?—Yes.

40,989. How did you vote each time?—For Mr. Patton.

40,990. How much did you get each time?—10*l.* the first election.

40,991. (*Mr. Coleridge.*) From whom?—Mr. Temblett.

40,992. Did you vote for Mr. Patton the other time?—Yes.

40,993. What did you get then?—5*l.*

40,994. And how much from the other side?—I never had anything to do with the other side.

40,995. Did you get another 5*l.* between the two elections? (*A pause.*) Will you answer the question?—How do you mean?

40,996. Did you get another 5*l.* between Mr. Patton's two elections?—Why, I had a share in the hustings.

40,997. Did you get another 5*l.* between the two elections?—No, I did not.

40,998. (*Mr. Price.*) What did you say about a share in the hustings?—(*No answer.*)

40,999. Were you paid any bill?—I was paid 5*l.* of course, or 4*l.* 10*s.*, or something like that.

41,000. What for?—For assisting in putting up the hustings.

41,001. (*Mr. Coleridge.*) How many day's work did you do for that?—I suppose it would take a week putting them up and taking them down.

41,002. (*Mr. Anstey.*) How long did it take you?—(*No answer.*)

40,003. (*Mr. Price.*) How long were you working at the hustings yourself?—About a week, I should say.

(*Mr. Anstey.*) A week putting up hustings?

41,004. (*Mr. Price.*) When was that? There were only two or three hustings?—Every time. Of course every person when they put them up expects to get paid for it.

41,005. (*Mr. Coleridge.*) Did you get paid 4*l.* 10*s.* every time when you assisted in putting them up?—Yes.

41,006. Did you get paid that amount?—Yes.

41,007. From whom?—Mr. Stockham, I believe, paid me.

41,008. How did you vote?—Always Conservative.

41,009. In 1865 how did you vote?—For Mr. Westropp.

41,010. What did you get?—10*l.*

41,011. Who gave it to you?—Mr. Temlett.

41,012. (*Mr. Price.*) Did you get 4*l.* 10*s.* for hustings that time as well?—I believe not.

41,013. (*Mr. Coleridge.*) What did you get for hustings?—Nothing at all that time.

41,014. How did you vote in 1859?—For Padwick and Westropp.

41,015. What did you get then?—10*l.*

41,016. Who gave it to you then?—Mr. Murlis.

41,017. How did you vote in 1857, Follett, Tynte, and Kinglake?—I did not vote in 1857.

41,018. Did you vote in 1852?—No.

41,019. When was the first time you ever voted?—The first time that ever I voted was in Mr. Broadwood's election.

41,020. (*Mr. Price.*) How much did you get then?—10*l.*

41,021. From whom?—Old Mr. Richard Smith.

41,022. Did you get more than one 10*l.* from Mr. Broadwood? Mr. Broadwood sat for some time here as a member. Did you get 10*l.* every time?—No. I only voted once.

41,023. (*Mr. Coleridge.*) How much have you had altogether, besides what you got for the hustings; just tell us?—I can tell you that. I have had two tens, and the 5*l.* from Temblett, and 10*l.* else.

41,024. (*Mr. Anstey.*) Will you let me look at that paper?—Certainly (*handing the paper to the learned Commissioner.*) It is one I made out yesterday.

FORTIETH DAY.

J. Humber.

12 Oct. 1869.

(*Mr. Price.*) Two tens at Mr. Patton's two elections?

(*Mr. Coleridge.*) You have not put down Broadwood on that paper.

(*Mr. Price.*) 10*l.* Broadwood; that is 30*l.*; and 10*l.* Westropp. I think it is 45*l.* besides hustings.

41,025. (*Mr. Coleridge.*) How came you not to vote in 1857, Follett's election?—I did not vote.

41,026. Why did you not vote, if you had a vote?—I do not know, sir, I am sure.

(*Mr. Price.*) No money going?

41,027. (*Mr. Coleridge.*) Did you vote at the election of Mansell and Follett, in 1852?—No.

41,028. Then in 1847 you voted for Mr. Broadwood, and got 10*l.*?—Yes.

C. Browning.

CHRISTOPHER BROWNING sworn.

41,029. (*Mr. Price.*) What are you?—A biscuit baker.

41,030. Are you a voter?—Yes.

41,031. Did you vote at the last election?—I did.

41,032. How did you vote?—Westropp and Gray.

41,033. Did you get anything for it?—No; neither money nor promise.

41,034. Did you vote in 1866?—I did.

41,035. How did you vote?—At Mr. Patton's election?

41,036. Yes, both of them?—Westropp and Padwick.

41,037. No. Westropp and Padwick did not stand then. Did you vote when Mr. Patton was the candidate?—Yes.

41,038. How did you vote then?—Westropp and Padwick.

41,039. Patton's two elections I am talking about?—Yes, I voted for Mr. Patton.

41,040. How much did you get for voting for Mr. Patton?—10*l.* at each election.

41,041. From whom?—10*l.* from Temblett at the "Bull and Butcher."

41,042. Where did you get the other 10*l.*?—I cannot tell where I got the other.

41,043. Did you get it from Truman?—No.

41,044. (*Mr. Coleridge.*) Did you get anything from the other side?—No.

41,045. Did you vote in 1865?—Yes.

41,046. How?—I voted in 1865 for Mr. Westropp, I believe.

41,047. How much did you get?—I got 10*l.* then from Heal. He was my landlord at the time.

41,048. William Heal?—William Heal.

41,049. Did you vote in 1859, when Padwick and Westropp were here?—Yes.

41,050. How did you vote then?—Padwick and Westropp. That was the first time of my voting for the Conservatives.

41,051. What did you get then?—10*l.*

41,052. Did you vote in 1857?—Yes.

41,053. (*Mr. Coleridge.*) Liberal that time?—Liberal that time.

41,054. (*Mr. Price.*) Tynte and Kinglake?—Tynte and Kinglake.

41,055. What did you get?—That was the time I got the 10*l.* from Heal. I voted twice for the Liberals. I lived in a Liberal house.

41,056. (*Mr. Coleridge.*) Who gave you the 10*l.* when you voted the first time Conservative, for Padwick and Westropp, in 1859?—Murlis, at the "Albion."

41,057. Then in 1857 it was that Heal gave you the 10*l.*?—Yes.

41,058. In 1852 what did you get for voting Liberal?—I had no vote then.

41,059. You voted twice for the Liberals you say?—Yes, I did vote twice; I voted in 1852.

41,060. What did you get then?—Nothing.

41,061. How was that?—There was a sort of collation. There was no money going.

41,062. That was when Lord Henley was here?—Yes.

E. T. Lane.

EDWARD THOMAS LANE sworn.

41,063. (*Mr. Price.*) What are you?—A confectioner.

41,064. Are you a voter?—Yes.

41,065. Did you vote at the last election?—Yes.

41,066. How?—Westropp and Gray.

41,067. Did you have anything?—No.

41,068. Any promise?—No.

41,069. Were you at any of these meetings where you heard anything said about "money down"?—I heard what Mr. Smith said.

41,070. Tell us what he said?—What Mr. Smith said was this, respecting our keeping together as we had done ever since the Conservative Working Men's Association had been formed, and when he had drawed his speech to a close, he said, "If any of you choose to "desert your camp, and change your colours, and vote "for the other side of the question, remember," he said, "the American adage, 'money down,' if any of you "choose to desert your camp and change your colours, "remember that," but nothing about sugar and plums.

41,071. In 1866, Patton's elections, how did you vote?—For Mr. Patton.

41,072. Both times?—Yes.

41,073. How much did you get?—10*l.* at the second election from the "Bull and Butcher."

41,074. Did you get anything at the first election?—I had nothing at the election, but about a month afterwards Mr. Temblett brought me up 10*l.*

41,075. Was that all you had at those two elections?—That was all I had at those two elections.

41,076. Did you vote in 1865?—I did.

41,077. For whom?—Mr. Westropp.

41,078. What did you get?—10*l.*

41,079. From whom?—Mr. Boys.

41,080. Did you vote in 1859?—Yes.

41,081. How?—Westropp and Padwick.

41,082. How much?—10*l.*

41,083. From whom?—Charles Lear brought it up

41,084. Did you vote in 1857?—Yes.

41,085. For whom?—I split my vote then for Follett and Tynte.

41,086. Did you get any money then?—No.

41,087. On neither side?—No.

41,088. Did you vote at the election before that?—Yes; for Mansell and Follett.

41,089. Did you get anything?—No; neither money nor promise.

41,090. Did you vote before that?—No; I was not a housekeeper then.

J. Billin.

JAMES BILLIN sworn.

41,091. (*Mr. Price.*) What are you?—A rope maker.

41,092. Are you a voter?—Yes.

41,093. Did you vote at the last election?—Yes.

41,094. How did you vote?—For Westropp and Gray.

41,095. Did you get anything?—No.

41,096. Any promise?—No.

41,097. Did you vote in 1866, the two elections of Mr. Patton?—Yes.

41,098. How did you vote then?—I voted for Mr Patton.

41,099. Both times?—Yes.

41,100. How much did you get each time?—I had

10*l.* one time, and 10*l.* the other time. I had two tens. I had 5*l.* at the time of the election, and 5*l.* again after that.

41,101. That came to 10*l.* each time?—Yes.

41,102. Whom did you get that money from?—I do not know who I got the 10*l.* from.

41,103. From whom did you get the 5*l.* after the election?—Temblett.

41,104. And the 5*l.* at the time of the election?—Mr. Waddon.

41,105. Did you vote in 1865?—Yes.

41,106. How did you vote?—For Mr. Westropp.

41,107. What did you get then?—10*l.*

41,108. From whom?—Mr. Heal.

41,109. Did you vote in 1859?—No.

41,110. Had you no vote?—No.

41,111. No vote before 1865?—No.

41,112. Did you ever have anything from the other side at any time?—No.

THOMAS CROCKER sworn.

41,113. (*Mr. Price.*) What are you?—A bootmaker.

41,114. Did you vote at the last election?—I did.

41,115. How?—For Westropp and Gray.

41,116. Did you get anything?—No.

41,117. Any promise of any kind?—No.

41,118. Were you present at any of those meetings where anything was said that induced you to vote?—Yes, I was present at the meetings, but I heard nothing to induce me to vote.

41,119. You did not vote in consequence of anything you heard there?—No.

41,120. How did you vote at Mr. Patton's two contests in 1866?—For Mr. Patton.

41,121. Both times?—Yes.

41,122. What did you get each time?—10*l.*

41,123. From whom?—I do not know exactly who it was from.

41,124. Did you get it from the "Bull and Butcher"?—No.

41,125. Where did you get it the last time Mr. Patton stood?—From a stranger, I think it was.

41,126. Where would it be at?—From the "Three Crowns," from a stranger.

41,127. At Mr. Patton's first contest, who paid you then?—Mr. Hayward, I believe, 5*l.*

41,128. Did you get another 5*l.* afterwards?—Yes.

41,129. Before the next contest?—Yes.

41,130. Who was that from?—From Temblett, I think.

41,131. Did you vote in 1865?—Yes.

41,132. For whom?—Padwick and Tynte.

41,133. No; they did not stand in 1865?—It was Westropp and Kinglake?

41,134. Yes. Did you vote for Westropp?—I did.

41,135. What did you get?—10*l.*

41,136. From whom?—I believe it was from Hayward, the 10*l.*

41,137. Did you vote in 1859, Padwick and Westropp?—Yes.

41,138. How?—I voted for Padwick and Tynte.

41,139. What did you get?—10*l.*, I think.

41,140. From each?—No.

41,141. How did you come to split your vote?—Well, I scarcely know.

41,142. Which side paid you? Whose money was it you got?—I think it was 5*l.* from Murlis and 5*l.* from Mr. Faun.

41,143. (*Mr. Coleridge.*) He is on the Liberal side?—Yes.

41,144. Then you were paid on both sides?—Yes, I must have been in that case.

(*Mr. Coleridge.*) Of course you were.

41,145. (*Mr. Price.*) Did you vote in 1857?—Yes.

41,146. How did you vote then?—Tynte and Kinglake.

41,147. Did you get anything then?—No, I think not.

41,148. You think not, you say. Do you undertake to say you voted without money at that time?—Well, I am not certain; I have not got it down here.

41,149. (*Mr. Coleridge.*) Try and recollect. Did not you, or somebody on your behalf, get anything on that occasion?—I do not remember.

41,150. What was it, 10*l.*?—I do not know.

41,151. (*Mr. Price.*) Have you ever voted without getting money, except at the last election?—Yes.

41,152. When?—Well, I am not certain which election.

41,153. (*Mr. Coleridge.*) Did you vote in 1852?—Yes.

41,154. How did you vote then?—I voted for Follett and Tynte.

41,155. (*Mr. Price.*) You split your vote again?—Yes.

41,156. What did you get, 5*l.* each side?—No; I do not recollect getting anything.

41,157. Was that the first time you voted?—In 1847 I voted for Tynte and Broadwood.

41,158. (*Mr. Anstey.*) What did you get then?—I really do not know what I had.

41,159. (*Mr. Coleridge.*) Had you some money when you voted for Broadwood?—I cannot say I did.

41,160. Will you swear you did not?—No, I will not.

41,161. Will you swear, except the last election, you ever voted without money?—Yes.

41,162. When?—I cannot say which election.

41,163. Let us understand you. At one out of three of those elections you say you had no money, but at two out of the three you certainly had?—Yes.

41,164. How much?—I cannot say; it must have been 10*l.* I got from one of them.

41,165. From whom?—I do not know.

41,166. From both sides?—No, not that I am aware of.

41,167. Had you money at all those three elections, 1847, 1852, 1857?—No.

41,168. Will you swear you had not?—No.

41,169. Will you swear you had not money at all three?—Yes.

41,170. That you swear?—Yes.

41,171. Two out of the three you got money, and you got 10*l.* at one of them?—I do not know.

41,172. Was it 10*l.* you got at the other?—I cannot say.

41,173. Which side was it to vote on that you had the money? You do not know, and you do not care?—Oh, yes, I care.

41,174. (*Mr. Price.*) Then why do not you tell us?—My memory is rather bad, or I would tell you.

41,175. (*Mr. Coleridge.*) How much have you had altogether for bribery and corruption since you have been an elector of Bridgwater? Assuming you got 10*l.* at those two elections, you have had 60*l.* or more?—No, not so much as that.

(*Mr. Coleridge.*) I cannot make it less.

41,176. (*Mr. Anstey.*) Are you any relation to William Crocker, the mariner?—Yes.

41,177. And who was bribed by Bussell?—Yes.

41,178. And whose case led to the unseating of Kinglake and Vanderbyl?—Yes.

41,179. Are you now a master shoemaker or a working shoemaker?—A master.

41,180. How long have you been a master shoemaker?—About 20 years, I suppose.

41,181. Have you been in good circumstances all that time?—No, not very good circumstances; nothing to boast of.

41,182. You are a householder, of course, or you could not have a vote?—Yes.

FORTIETH DAY.

T. Crocker.

12 Oct. 1869.

41,183. You have been in business all that time?—Yes.

41,184. And at every election but two, the last one, and the one which you cannot recollect the date of, you have sold yourself, now to Whig, now to Tory, at the rate of 10*l.* per vote, and sometimes you were paid on both sides?—(*No answer.*)

(*Mr. Price.*) 5*l.* from each.

J. Hayward.

JAMES HAYWARD sworn.

41,185. (*Mr. Price.*) What are you?—A nurseryman and seedsman.

41,186. Are you a voter?—Yes.

41,187. Did you vote at the last election?—Yes.

41,188. How did you vote?—Conservative.

41,189. Did you get anything for it?—No.

41,190. Any promise?—None whatever.

41,191. Did you vote in 1866?—Yes.

41,192. At both elections?—Yes.

41,193. What did you get each time?—10*l.* each.

41,194. Whom did you vote for each time?—Conservative.

41,195. From whom did you get your money?—The "Bull and Butcher."

41,196. Both times?—Yes.

41,197. (*Mr. Coleridge.*) Did you vote in 1865?—Yes.

41,198. For whom?—Westropp.

41,199. What did you get?—10*l.*

41,200. From whom?—The "Bull and Butcher."

41,201. Did you get anything from the other side?—No.

41,202. In 1859 how did you vote?—For Padwick and Westropp.

41,203. Did you get anything?—Yes.

41,204. How much?—10*l.*

41,205. From whom?—Murlis.

41,206. Anything on the other side?—No.

41,207. In 1857 did you vote?—No.

41,208. (*Mr. Price.*) Did you live in the Taunton Road?—In the Taunton Road.

Mr. P. B. Sharkey.

Mr. PETER BURROWS SHARKEY sworn.

41,209. (*Mr. Price.*) What are you?—I am a solicitor and parliamentary agent.

41,210. (*Mr. Anstey.*) Have you been concerned for Mr. Vanderbyl in late elections?—I have not.

41,211. In any election?—In no election.

41,212. Did you concern yourself in raising money for him for the purposes of his elections?—I never concerned myself in raising money for Mr. Vanderbyl for any purpose whatever, and therefore for no election purpose.

41,213. Has any money passed through your hands destined for Mr. Vanderbyl?—Not to my knowledge.

41,214. Do you know any person of the name of D'Esterre, 35 Piccadilly?—No.

(*Mr. Anstey.*) Then you have been the victim, and the Commissioners have been the victims, of a stupid hoax. A man who has professed to give his name and address at full length has informed us on your behalf, that you are prepared to give very important information about the manner of Mr. Vanderbyl's raising money for his election.

41,215. (*Mr. Coleridge.*) Do you know Mr. Vanderbyl personally?—I do not know him personally. I never saw him to my knowledge. May I ask you, sir, to let me see the communication to which you have referred.

(*Mr. Anstey.*) I will find it if I possibly can.

41,216. (*Mr. Coleridge.*) Do you know anything of the firm of which he is a member, Alexander and Company?—No.

41,217. Or of another firm of which he is a member, Redfern, Fennelly, and Company?—No.

41,218. Have you in any shape or way been mixed up with those firms, either for them or against them, in any way whatever?—I may have been professionally connected with some one of the partners, but I have no recollection at present of any of them; but if you will kindly give me a clue in any way that will refresh my memory, I will state everything I know connected with them.

41,219. (*Mr. Anstey.*) Here is the letter. Do you know that handwriting (*handing the letter to the witness*)?—I will just read it through, sir, if you please. (*After reading the letter to himself, the witness said*) I do not know the handwriting.

41,220. Do you know the person whose name appears to be signed to it?—I do not know Mr. D'Esterre, nor have I ever heard of him. I do not know therefore that he resides at that place in Piccadilly.

(*Mr. Anstey.*) It is a disgraceful trick, that is all.

(*The witness.*) And it is only fair to the Reform Club that I should state this; I think I may take it to be an anonymous communication.

(*Mr. Anstey.*) A synonymous communication.

(*The witness.*) I will adopt your term, if you like. I was never in my life connected with the finding of money for corrupt purposes at any election. Although my sympathies and politics are with the Reform Club, which is mentioned in the letter, I have never been engaged professionally for any such purpose as is here represented.

41,221. (*Mr. Coleridge.*) Have you ever been engaged professionally for legal purposes at all?—My professional avocations have frequently called me into legal activity.

41,222. Are you a partner of Mr. Holmes?—I have been.

(*Mr. Anstey.*) You can make any use you please, either of that letter or of me, in endeavouring to trace out the person who wrote and signed it.

41,223. (*Mr. Price.*) You are quite entitled to do so, because it is a very great shame.—I have travelled the greater part of two days and a night in order to be here; and, I need not say, I am very sorry that I have had my name connected or mixed up with this very painful inquiry.

(*Mr. Price.*) It cannot be helped. We have had numerous letters in which statements have been made with regard to various persons, the truth of which we are bound to find out.

41,224. (*Mr. Coleridge.*) Your political opinions are opposed to your partner's, Mr. Holmes?—Diametrically opposed.

41,225. May he have been mixed up with politics?—Am I to answer that question?

41,226. Yes.—According to my general knowledge I do not think he was.

41,227. As a general rule, in your business, did he act for the Liberal side, or more frequently for both sides?—More frequently for both sides. But if any Liberal business come to our firm, I am more generally entrusted with the management of it. Has the Commission ascertained whether this man resides at 35, Piccadilly or not?

(*Mr. Price.*) We have no means of ascertaining it.

(*Mr. Anstey.*) We are not sitting in London, so we have not been able to ascertain.

(*The witness.*) May I read the letter, so that it may get on the shorthand writer's note?

(*Mr. Anstey.*) Certainly.

(*The witness.*) "35, Piccadilly, London,

"5th October 1869.

Sir,

"If you think proper to summon Mr. P. B. "Sharkey, of No. 16, Piccadilly, he can tell you "a great deal of how money was obtained from

" various quarters (Reform Club, &c.) to secure the " return of Mr. Vanderbyl for Bridgwater, and afterwards to defend the petition against him. Mr. " Sharkey is a parliamentary agent, and has been " much mixed up in the Bridgwater and many other " such elections, which were carried chiefly by the " improper use of money.

" I remain, sir, your obedt. servant,

" HENRY D'ESTERRE.

" The Honble. Mr. Anstey,

" Commissioner, Bridgwater."

41,228. (*Mr. Price.*) So that we may get it formally on the notes, you entirely deny all and every part of that letter?—I deny all and every part of this letter, and I never had anything with Mr. D'Esterre, and I do not know him.

41,229. Have you ever been at Bridgwater before?—Never before I received your summons.

41,230. Or have you been in any way connected with the Bridgwater elections?—Neither directly or indirectly with the Bridgwater elections, or Mr. Vanderbyl or any other persons connected with Bridgwater.

41,231. (*Mr. Anstey.*) That letter seems to be in a lawyer's or lawyer's clerk's handwriting?—I do not know.

41,232. (*Mr. Price.*) Do you know the handwriting?—No.

41,233. (*Mr. Anstey.*) It appears to be a lawyer's clerk's handwriting?—It is a shaky hand. Probably it is the handwriting of some elderly person.

(*Mr. Price.*) It is a libel, there is no doubt, as you know probably, being a solicitor, and you are entitled to have that letter, and use it in any way you think proper.

(*The witness.*) The amount of damage would be for the way in which my name has been connected with this inquiry.

41,234. (*Mr. Coleridge.*) Were you in any way, at any time, connected with Taunton elections?—I think our firm, if I am not very much mistaken, has had the conduct of the election petition.

41,235. This last election?—No, I think not; not this last election.

41,236. In 1865?—I think during my partnership with Mr. Holmes at the end of 1865.

(*Mr. Coleridge.*) That may give some clue to it; it may be Taunton.

Mr. GEORGE UPTON ROBINS sworn.

Mr. G. U. Robins.

41,237. (*Mr. Price.*) You are a member of a firm in London. We do not know the name of the firm?—I have only one partner, Burgess; Robins and Burgess.

41,238. Are you the private solicitors, or were you the private solicitors of Mr. Bagehot, or the London agents?—I have done things for Mr. Bagehot. I have been professionally concerned for him on occasions.

41,239. But was your firm acting at any time as Mr. Bagehot's solicitors?—I was myself.

41,240. You are the gentleman of whom we have heard money was obtained by some of the agents here?—Yes.

41,241. We have heard of you from Mr. Henry Lovibond, or Mr. Barham, or somebody. You are the Mr. Robins?—I am.

41,242. Well, had you the settlement then of any of Mr. Bagehot's accounts in respect of the election contest in 1866?—Nothing beyond this: A few days after the election Mr. Lovibond came up to London and called upon me (I had never seen him before in my life) and he mentioned that certain expenses had been incurred in reference to Mr. Bagehot's candidature, and that he trusted he should not leave him in the lurch. My name was given to him by Mr. Bagehot when he left the town.

41,243. Had Mr. Bagehot told you that he had given up your name as the person to refer to in respect to any of the expenses of the contest?—Yes, he did, when he returned from Bridgwater after his defeat, but not before he had come down here.

41,244. Not before he came down here?—No, but he intended to in case any questions were asked.

41,245. Then you say Mr. Lovibond came to you and said he hoped that you would not throw him over?—Yes. Then it was intimated that about 1,100*l.* had been spent improperly; and I asked by whose authority, and he said that four of them, I suppose gentlemen known to the Commissioners, Mr. Barham and two others, I think (they are all strangers to me), he said that those four gentlemen had made themselves responsible for 1,000*l.*; and I said, "Do you expect " to be paid this 1,000*l.*? And he said, "Certainly " we do, 500*l.* immediately, and the rest as soon as " possible." I said, "I will take time to consider it." I communicated with Mr. Bagehot.

41,246. (*Mr. Anstey.*) What did you tell Mr. Bagehot?—That 1,100*l.* had been spent improperly, the same exactly as Mr. Lovibond told me, and he said he was very sorry to hear of it, but he was almost afraid of it when he came away at the last moment, because they had said to him, "I hope you won't leave us in the lurch." Well, the result of our deliberations were that I advised Mr. Bagehot to pay the money, and he paid it through me.

41,247. (*Mr. Price.*) Well now, besides that sum of money, do you know of any other money spent by Mr. Bagehot at that election?—There was 193*l.* I think of legal expenses in the return.

41,248. In addition?—And the sum of 240*l.* paid not till the February, I think, of the following year. Mr. Lovibond had pressed several times for the fees which he said the professional men here ought to receive. 50*l.* a piece was named; and there was a sum for what he called "sundries." Altogether it amounted to 240*l.*, and that I sent him a cheque for.

41,249. That is all the expenditure that you know of on Mr. Bagehot's behalf. Is that so?—Every shilling.

41,250. Well, would you be the person who would know it?—I think I should; certainly.

41,251. Is it at all likely that anything like 3,000*l.* or 4,000*l.* were spent by Mr. Bagehot at that election?—I feel perfectly confident he did not spend a single shilling beyond his hotel bill except what I have named.

41,252. (*Mr. Anstey.*) Is Mr. Bagehot a man of large property?—I should say not a man of large property.

41,253. (*Mr. Coleridge.*) He is connected with the "Economist"?—Yes.

41,254. He is editor, I think?—Yes.

41,255. (*Mr. Anstey.*) You would not call him a rich country gentleman?—Oh, by no means. I think I ought to mention, Mr. Commissioner, that when Mr. Bagehot first came to me he wanted me, as a friend, to protect him in the matter; he did not know what might happen, and he should refer everybody to me.

41,256. What did you understand protection meant?—He might be led to spend money illegally, and that was his particular objection. Emphatically he said that.

41,257. Do you know how he was introduced to the constituency? I mean, through whom; was it Mr. Travers Smith?—I do not know, but I think Mr. Lovibond and some other solicitor in this town came up and called upon him.

41,258–9. Do not you know whether they had any introduction through Mr. Smith or Sir William Drake?—I do not know. I saw Sir William Drake

FORTIETH DAY.

Mr. G. U. Robins.

12 Oct. 1869.

once on the subject, and he said he knew nothing at all about Bridgwater ; they always managed their own affairs here themselves.

41,260. (*Mr. Price.*) You saw Sir William Drake about Mr. Bagehot's coming down here?—Yes, I did; a month before the election.

41,261. That was what he said?—That was what he said

41,262. They managed their own affairs?—They always managed their own matters down here.

41,263. Mr. Bagehot, I suppose, having some connexion with the neighbourhood, knew something about Bridgwater personally?—He is a Somersetshire man, I believe.

41,264. I mean he probably knew something about the character of Bridgwater?—I presume he did.

41,265. (*Mr. Anstey.*) What did you go to Sir William Drake about?—To inquire as to the probabilities of success of the Liberal candidate, and also what the state of the constituency was, and so on, and also to ask him whether he had any idea about the expenses of a contest at Bridgwater. He said that he knew nothing at all about it.

41,266. They managed their affairs themselves?—They managed their affairs themselves.

41,267. That was in answer to your question about the probable amount of the expenditure?—Yes.

41,268. (*Mr. Price.*) Was Mr. Bagehot the least aware, do you think, before he came down here that these gentlemen had agreed to subscribe or become answerable for a sum of 1,000*l.* to be spent immediately?—I feel certain that he did not know it, from an observation which fell from Mr. Lovibond, because he said to me, at the first interview after the election, "If I had only seen you or some mutual friend soon "after, we should have carried him—he would have "been carried."

41,269. Why?—Because he said he felt embarrassed about the money. He had only 1,000*l.* to spend, and could not go beyond.

41,270. He thought if he had seen you he would have got more out of you, and spent more?—I gathered it from what he said.

41,271. Had anything fallen from you that could possibly lead Mr. Lovibond to say that?—I never saw him in my life before.

41,272. Did you say anything at that interview which led him to say that?—No; on the contrary I resisted and remonstrated, and took several days to consider, and it was only after much consideration and deliberation that we arrived at the painful conclusion that it was necessary. They said Mr. Bagehot's name would stink ; he would be a mean man, and would be always represented as mean wherever he went. Mr. Bagehot, being a generous minded man, did not like to leave them in the lurch by not sending the money.

41,273. Did they put on every kind of screw?—This kind of screw. They called and wrote more than once.

41,274. Using that kind of threatening language ; that he would be considered a mean man, and called a mean man?—Yes.

41,275. And at last his feelings were worked upon, and yours too?—I was quite as bad, I think. I advised him to do it. I was very sorry for it.

41,276. Do you know anything about his declining to stand at the next election?—Yes, I do. Mr. Lovibond came to me at the next election, and wanted him to stand. I said, in the first instance, it was unhandsome to Mr. Bagehot, and I discountenanced it entirely, and, secondly, that Mr. Bagehot would not spend another farthing.

41,277. (*Mr. Anstey.*) When Mr. Lovibond said to you, "If we had seen you we should have won," did you not feel surprised at his taking it for granted that you would have permitted or encouraged a profuse expenditure?—Well, perhaps, I did.

41,278. Did you express your surprise?—Yes, I did.

41,279. What did you say?—I expressed my surprise and astonishment that he should have incurred this expense without consulting Mr. Bagehot or me.

41,280. You see his remark implied that he had such confidence in you, in your being of the same opinion as himself, that if he had seen you that day he would have raised the money necessary to bribe the voters with, and would have got Mr. Bagehot in. Now were you not surprised that he should have formed that opinion of you, you never having seen him before?—Perhaps I was a little, but not very much.

41,281. Did anything occur to explain it?—Nothing whatever.

41,282. Is it a surprising circumstance even now, unless we suppose that Mr. Lovibond was not telling the truth?—That I cannot answer.

41,283. (*Mr. Price.*) I think that is all, unless you have any other information to give us with regard to it. You are quite sure there is only that expenditure. I will put the question again to you. You are quite sure that you would have known if there had been any greater expenditure than that?—I feel certain I should.

41,284. (*Mr. Coleridge.*) Did Mr. Bagehot consult you before he came down here at all?—Yes, a month before.

41,285. (*Mr. Price.*) Did he come down here under the impression that he was going to fight a pure election?—Entirely ; and resolutely determined to do it. If they had mentioned it to him he would have gone back immediately by the next train, I feel confident from the observations he made.

41,286. (*Mr. Coleridge.*) Must he not, being a Somersetshire man, have known the character of the borough too well to imagine the possibility of a pure contest?—Well, I think the Commissioners should examine him, and he can expressly deny it.

41,287. I mean did he ever have any idea——?—I conceive he is an innocent man in that respect. He never stood a contest before and knew very little about it. Perhaps I ought to have known it and ought to have warned him.

41,288. (*Mr. Price.*) Had Mr. Bagehot been living in London the greater part of his life?—Yes.

41,289. Not in Somersetshire?—No.

41,290. Had he never been mixed up in the politics of the county?—Not in the least. I never heard of it.

41,291. He was a politician, I have no doubt?—Yes, he had a newspaper, and he has since offered himself as a candidate for King's College, if you remember.

41,292. At the last election?—At the last election.

Mr. J. Trevor.

Mr. James Trevor recalled.

41,293. (*Mr. Price.*) The first thing I wish to draw your attention to is to this question about the expenses. You see the whole legal expenses of Mr. Westropp returned at 191*l.* 0*s.* 8½*d.* Now, Mr. Westropp has told us that he in the first instance returned a sum of a little under 10*l.* as the personal expenses?—Yes.

41,294. Well, then, it seems by a letter which I hold in my hand from you ; a letter of the 27th of December 1868 : "I think your tavern bill at Bridgwater "must be included in your personal election expenses, "so will you send me amended account, and get Mr. "Gray to send me his account also." Then it seems that the personal expenses were then made out at 72*l.* 2*s.* 3½*d.*?—Yes.

41,295. For Mr. Westropp. And then there is 76*l.* 14*s.* 10*d.* for Mr. Gray. Now, we find that Mr. Leaker's bill, which is a large amount in the whole, 130*l.* odd, is principally made up of expenditure previous to the hearing of the petition, and that the expense of Mr. Westropp whilst he was down here at the hearing of the petition does not amount altogether to 5*l.*?—No.

41,296. Now, when Mr. Leaker's bill was sent in, Mr. Westropp says that he divided the bill pretty evenly between himself and Mr. Gray, and that he added his share, that is to say, half of Mr. Leaker's bill, to the sum which he had previously given to you as under 10*l.*, and that that makes the sum of 72*l.* 2*s.* 3½*d.*, and that the other half added to what Mr. Gray had formerly sent in makes the sum of 76*l.* 14*s.* 10*d.* Mr. Westropp therefore considered, he says, that having lodged in your hands or rather at the bank, 200*l.* for legal expenses, and the account published by you being only 191*l.*, which apparently includes Mr. Leaker's bill under the head of personal expenses, he considers that that bill was discharged, or ought to have been, out of that 200*l.*, and that consequently on application by Mr. Brice, I think, he declined to pay any sum, saying that he considered that you had had ample to pay Leaker's bill. Now, will you be pleased to tell us how it was, that Leaker's bill never was discharged although you returned the personal expenses as money spent? You know you returned it at 72*l.* ?—I consider that I had nothing whatever to do with Leaker's bill in any way. They were personal expenses excepted by the Act of Parliament from the payments that are made by the agent for election expenses.

41,297. (*Mr. Coleridge.*) Mr. Leaker has said that he wrote at your dictation, and he wrote these bills by your dictation; and they were inserted by your dictation in the legal expenses ?—No, that is the other bill, the bill which I paid him.

41,298. (*Mr. Price.*) Look here, here is a letter from you :

"My dear Mr. Westropp,

" Leaker has sent me a bill of 26*l.* 9*s.* 1*d.* and " 96*l.* 10*s.* 11*d.* on you and Mr. Gray, which I enclose, " for your tavern expenses, which should be paid by " yourselves and not by me as agent; and you and " Mr. Gray must send me account of all your personal " expenses without loss of time as to the election. " The charge seemed high for rooms, but Leaker says " his house was so overrun that the ordinary charge " would not pay."

Now, what Mr. Westropp complains of is this, that there was 200*l.* lodged for legal expenses. Personal expenses are a part of that, and you returned them as a part of the legal expenses, and therefore he had a right to assume that that 200*l.* would be partly expended in the tavern bill?—Mr. Westropp has never told me that to this day. I have never heard it from him at all.

41,299. (*Mr. Coleridge.*) You put down the personal expenses ?—I had nothing whatever to do with his personal expenses. The only thing I have got to do is the return to the mayor.

41,300. (*Mr. Price.*) Who had the custody of the 200*l.*?—700*l.* was the sum. It was deposited at the bank.

41,301. (*Mr. Coleridge.*) Is 200*l.* for the legal expenses of the two gentlemen? — No, they were 380*l.*

41,302. That is what he stated? — That is very likely. Perhaps he made that up in his own mind but he never told me. As an indemnity to me 700*l.* was deposited at Stuckey's bank by Mr. Westropp and Mr. Gray in my name.

41,303. And out of that all the agents were to be paid ?—That was the original intention, no doubt.

41,304. (*Mr. Price.*) And the legal expenses ?—Yes, the legal expenses; not the personal expenses.

41,305. We want to know how that has been expended ?—You have got the book, the banker's book; I have got a copy from them.

41,306. (*Mr. Coleridge.*) There is put down personal expenses to Gray, 76*l.* 14*s.* 10*d.*, what does that mean ?—That is the account furnished to me.

41,306*a*. Who furnished it to you ?—Mr. Gray.

41,307. Of his personal expenses?—His personal expenses.

41,308. That included Mr. Leaker's bill ?—No doubt.

41,309. Very well. Then if Mr. Leaker has not had it, what has become of the money ?—If you consider that I have had anything to do with it, I will tell you what has become of the money, but I had nothing to do with their personal expenses. I might as well have paid their railway fare as Leaker's bill.

41,310. (*Mr. Coleridge.*) The two amounts added together make up the whole sum. When you put the 76*l.* 14*s.* 10*d.* and the 72*l.* 2*s.* 3*d.* together, it exactly comes to the whole of Leaker's bill?—Oh, Leaker's bill was never contemplated in the thing at all.

41,311. Tell us what those personal expenses are? —It was never contemplated that they should be paid by me. It was never intended that I should pay the personal expenses.

41,312. (*Mr. Price.*) Let us understand this. You have told us that there was an indemnity, 700*l.*, which is lodged for you, which is to be an indemnity for you against the legal expenses ?—Yes.

41,313. And the agents ?—Yes.

41,314. Very well. In the legal expenses are included the personal ?—Certainly not; they are different. If you look at the Act of Parliament, you will find they are the excepted expenses (the personal expenses), and the election agent has nothing at all to do with them.

41,315. Then how in legal expenses did you expend that 200*l.* ?—You have got the return there; if you will kindly show it to me, I will tell you how it was. (*The return was handed to the witness.*)

41,316. You may have the return by all means. You cannot make the legal expenses out to be 200*l.* without including the personal expenses 76*l.* odd in one case, and 72*l.* odd in the other ?—This is not what I returned to the mayor. This is what the town clerk made out, and got me to sign.

41,317. (*Mr. Coleridge.*) I do not suppose you signed anything which you did not know to be correct? —I have no doubt the figures are right, but he classifies them. The personal expenses are no doubt Leaker's bill, railway fare, anything they gave as subscriptions at church, any fees to servants when the candidate dined out; in fact all the expenses, everything he paid while he was here.

41,318. (*Mr. Price.*) Let us know how you made out 200*l.* of legal expenses without the tavern bill? —I do not make it out; I only make out that, including the personal expenses.

41,319. Where is the balance ?—In the bank.

41,320. (*Mr. Coleridge.*) Why has not Mr. Leaker been paid out of the balance that is in the bank ?—Because I have never been asked.

41,321. Has not Mr. Leaker asked you ?—Yes, he did mention it to me several months ago. I said he had better write to Mr. Westropp about it.

41,322. How much is left in the bank ?—380*l.* 6*s.* 4*d.*

41,323. Unexpended ?—Yes.

41,324. (*Mr. Price.*) That is ample to pay Mr. Leaker ?—Yes. I will pay it if Mr. Westropp asks me to pay it; he never has; I have no authority to pay it; I do not know that he approves of the bill; he wrote and told me some of the charges were high; the money was no use to me in the bank.

41,325. Has Mr. Leaker ever told you that he had asked Mr. Brice to pay it?—Not till the commission came on, the inquiry. I heard him say so the other day.

41,326. (*Mr. Anstey.*) Westropp and Gray are the two petitioners ?—Yes.

41,327. There is nobody joined with them in the petition ?—No.

41,328. And they are the two candidates in the election, and the money came from them to pay or provide for all the expenses of the election petition? —No, I had a further deposit of 700*l.* two days before.

41,329. (*Mr. Price.*) Was there not a subscription got up about the petition ?—I do not recollect whether any money was paid.

41,330. But was there a subscription list ?—There was a subscription list entered into.

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Mr. J. Trevor.

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41,331. Your name was put down?—For 25*l.* I think.

41,332. Have you paid it?—I do not know; I have paid a good deal.

41,333. Did Mr. Westropp subscribe 100*l.*?—Yes.

41,334. And Mr. Gray 100*l.*?—Yes.

41,335. How much of the subscriptions did they pay?—They paid 700*l.* by a cheque from Mr. Gray in London two or three days before the petition came on for hearing.

41,336. Have any other persons who subscribed to the petition found any of the money?—They have not paid me; it is very possible they have paid Mr. Lilly; he had the management of it; I had nothing to do with it.

41,337. How much are the taxed costs?—1,290*l.* odd.

41,338. Have you received that?—Since you have been sitting here.

41,339. What are the extra costs that the 700*l.* will not cover?—I can hardly say; the bill sent in was something between 1,900*l.* and 2,000*l.* My impression was that the 700*l.* which I received two days before the hearing would about cover the expenses of the petition.

41,340. That was a separate thing altogether from the other 700*l.*?—Well, I should consider that I had a lien upon that for the costs of the petition.

41,341. I suppose that is the way you put it?—I do not set that up, because it remained in abeyance till the costs should be paid.

41,342. You returned the legal expenses. Well, in that, to make up the 200*l.* which Mr. Westropp and Mr. Gray both concluded was enough for all legal expenses, you must include this tavern bill?—No, I did not do anything of the kind, I assure you; it is quite your mistake. I knew nothing about the 200*l.* covering the legal expenses.

41,343. Where is the balance of that 200*l.*?—At the bank.

41,344. (*Mr. Coleridge.*) Then there is plenty of money to pay Mr. Leaker?—No doubt. I will pay Mr. Leaker directly if Mr. Westropp tells me to, or if you will do so on behalf of Mr. Westropp, I will pay it this afternoon.

41,345. (*Mr. Price.*) Oh no, certainly not?—I have no reason for keeping the money; it is no use to me in the bank.

41,346. Nobody can doubt that it is an extraordinary thing that Mr. Brice has to go through a very curious transaction with Mr. Leaker; a kind of loan to him which he thinks himself entitled at any time to recover from Mr. Leaker, while in the meantime money is lying at the bank which would amply pay Mr. Leaker?—At any time I would have paid it if they had asked me to do so.

41,347. Mr. Westropp says, "I was called upon for "more money for Mr. Leaker's bill, but when I saw "the published account of the legal expenses, and "that it did not come to 200*l.*, or more than 191*l.*, "including my personal expenses, I refused." It would mislead anybody, for the amount could not be made up except by including the personal expenses?—Well, that is the mayor's doing, if it misleads anybody; it is not my fault.

41,348. Mr. Westropp said, "I will pay no more"?—Then why did not he tell me so? He never told me so. If he had written to me and said, "You have got so much money in hand; pay Mr. Leaker out of it," I should have done so immediately.

41,349. (*Mr. Coleridge.*) Are the professional men's fees all paid?—For the last election?

41,350. Yes?—Not a copper.

41,351. They made altogether 350*l.*?—We gave that up on the day of election. We told them that rather than lose the election we would forego our fees.

41,352. We know that; but still there is that amount for expenses unaccounted for. If the amount of money has been expended which that bit of paper shows to have been expended, how has it been expended?—This paper (*alluding to the return*)? When I returned that I did not know but what Mr. Westropp and Mr. Gray had paid their tavern bill.

41,353. What is represented there? Take and dissect either the 72*l.* of Mr. Westropp or the 76*l.* of Mr. Gray?—Why, that is made up, no doubt of the tavern bill, their railway fare coming to and fro, and every other payment that may have been made by them.

41,354. Well, that tavern bill has not been paid?—So I am told.

41,355. Well, you do not account for it by the professional men having given up their fees? You still have enough in the bank for these professional men's fees, if they have not given them up?—Oh yes, I think I have got more than enough. I have got 380*l.* in the bank, and I have paid out of the 700*l.* nearly 100*l.* for the election petition; I have paid about 80*l.*

41,356. That has been applied to the expenses of the petition out of the money which you represented in that account as personal expenses?—It is not what I represented; it is what they represented themselves. You will find it signed by themselves.

41,357. Mr. Leaker said that he made his account out at your dictation?—That is the account which I have included here.

41,358. The 19*l.*?—He sent in a heavier claim. He said that the risk of his house being torn to pieces was so great that he could not take what was proposed; it would be insufficient. I said I could not pay so much; it would look like bribery. Nobody could suppose it was a legitimate charge for the rooms. Then he modified his bill in accordance with my dictation.

41,359. He alleges that at your dictation he made out those two sums of 72*l.* and 76*l.*, as a sort of division of Mr. Gray's and Mr. Westropp's expenses?—Yes, I told him he must do so.

41,360. Then that, on the face of it, is false?—No, no, it is not. It is perfectly true.

41,361. (*Mr. Price.*) Does not that represent to the public that it has been paid?—I do not know whether it does or not; I have nothing to do with it. It does not represent it to me.

41,362. The object of the Act of Parliament is if possible to let the public know how much a candidate has expended?—That is quite in his own bosom. I have nothing to do with it. He may have bilked the railway. He may have come down without a ticket.

41,363. (*Mr. Coleridge.*) You told Mr. Leaker to put it down in that way?—No. He sent in a joint bill, and I said, "Each candidate will have to make a "return of his own personal expenses, and therefore "you must divide your bill between Mr. Westropp "and Mr. Gray, and say how much is Mr. Westropp's "share and how much is Mr. Gray's."

41,364. Then you put it into the legal expenses and never paid it?—No, I have done nothing of the kind. It is put into "personal expenses."

41,365. But the personal expenses are included in the legal expenses?—No, it is not so. If you will allow me to say so, they are not included at all.

41,366. (*Mr. Price.*) Read the heading?—This is an "Abstract of statement of election expenses incurred by and on behalf of Henry Westropp, Esq." I did not mean the lawyers. I meant legal election expenses.

41,367. I thought you meant legal expenses. "Ab- "stract of statement of election expenses incurred by "and on behalf of——." Two classes, you see,—one by, and the other on behalf of?—That is all of them, exeept the personal expenses.

41,368. It is represented to be paid; therefore it is false?—I cannot help that. It is Mr. Westropp and Mr. Gray's fault. You should get the mayor to let you see the paper which I sent in.

41,369. You told Mr. Leaker to make it out in that way?—I told him to divide it, and the two dividend bills were sent in.

41,370. If Mr. Leaker had divided the 19*l.* I could have understood it, but he divided the whole account, and you sent it in as part of the legal expenses?—No, sir, pardon me; I sent it in as the personal expenses.

41,371. Legitimate expenses?—There is the document signed by Mr. Westropp and Mr. Gray, stating

what their own personal expenses were, under their own handwriting.

41,372. Where is it?—Well, the mayor has got it, I suppose, or I suppose you have got it there. You must have it there somewhere.

41,373. If you had not called upon Mr. Westropp, very properly, to put his tavern bill into the legal election expenses, so that you might include it in your account, it would have stood in this way: Mr. Westropp would have had a claim sent in by Mr. Leaker for his tavern bill, and would probably have written him a cheque for it at once, but you having told him that he must put it into the account of his own personal expenses, that you might return it, he took it for granted that the payment of that would come out of the 200*l.*?—No, he did not do anything of the kind. He had gone through the ordeal——

41,374. If I had been Mr. Westropp I should—I really should?—I feel quite clear that he could not have thought so. He never asked me about it when he was applied to.

41,375. Mr. Gray seems to have thought the same. Mr. Gray expressed his great astonishment when he was down here the other day to find this bill included, as they were applied to by Mr. Leaker?—Why did they not ask me to pay it?

41,376. Because they thought you had paid it out of the 200*l.*, which they knew by the accounts was ample to cover it?—I would have paid it if they had told me.

41,377. (*Mr. Coleridge.*) The 76*l.* and the 72*l.* are still unaccounted for, except that you say you have paid it towards the expenses of the petition, which you had no business to do?—If you will kindly refer to the Act of Parliament you will find there are two classes of payments, one to be made by the agent for election expenses, and the other to be paid by the candidate, for his own personal expenses; and I conceive I had nothing whatever to do with Mr. Leaker's bill, so far as dinners and breakfasts, and so on.

41,378. How did it get into the paper?—Because I was bound to return it to the mayor. You will find it, if you will kindly look. I think that will explain it.

41,379. (*Mr. Price.*) You said, "Send it to me, "and get Mr. Gray to send me his amended account "also, because we wish to include the personal ex- "penses in the legal expenses;" and then having put it down in that way they are applied to for Leaker's bill, and they say, Nonsense, here is 200*l.* lodged to pay our legal expenses, and that must cover Leaker's bill, or otherwise where is the 200*l.*?—No, it could not pay Leaker's bill more than their railway fare. Why should I pay for their breakfasts, and beds, and dinners, more than for their railway fare?

41,380. Then you must account for the balance?—Oh, certainly.

41,381. (*Mr. Coleridge.*) You say about 100*l.* went to the petition?—About 80*l.*

41,382. Then money which ought to have gone to Mr. Leaker, and which is put down as personal expenses, was applied to the petition?—Oh no. If you look to the statement sent in you will find there is an account sent by Westropp and Gray, showing how their personal expenses are made up.

41,383. (*Mr. Price.*) Are there vouchers?—I do not think they are bound to send in vouchers.

41,384. I mean there would have been no difficulty about it, because Mr. Westropp says the only other expense he had here was under 10*l.*?—I daresay such expenses as railway fare, going to and fro, and perhaps something in the plate at church, or something of the kind would be included.

41,385. Well, as to Leaker's bill, he said, "When I "was applied to for Leaker's bill I said, 'No;'" and "Mr. Gray said, "'No,'" "because they have already "got 200*l.*, and they cannot have expended that upon "legal expenses," and they will have nothing to do with it?—All I can say is, I was agent for Captain Hood, for West Somerset, and I should never have thought of returning tavern bills and personal expenses. He kept an account.

(*Mr. Coleridge.*) No; but they are here put in the account.

41,386. (*Mr. Anstey.*) Do you know how it happened that Mr. Westropp and Mr. Gray thought of paying this bill through their lawyers here instead of paying it on going away?—Well, I was surprised at it. I had no idea but what they had paid it for many months afterwards.

41,387. I should have thought Mr. Leaker would have had a cheque?—I supposed so. It is the usual thing for a gentleman to pay his tavern bill before he leaves, and when Mr. Brice told me many months afterwards that Mr. Leaker had asked him for the money I was surprised. If they had asked me I would have paid it with a very great deal of pleasure.

41,388. It seems there has been a great deal of money to liquidate this bill, which has been applied to another purpose?—No, sir, it has not been applied. There it is at the bank now, unproductive.

41,389. (*Mr. Coleridge.*) That 80*l.*, applied to the petition would have been very nearly enough?—There is plenty of money left now.

41,390. You won't look this in the face?—I will look anything in the face if I understand it.

41,391. Supposing the agents had taken their fees which amounted to 350*l.*?—No, 300*l.* we have reckoned for their fees.

41,392. 350*l.* Mr. Westropp says?—Then he made a mistake. I believe 300*l.* was put down at the outset.

41,393. Then there would not have been enough left to pay Leaker's bill?—Because it was never contemplated to pay Leaker's bill. It had nothing to do with Leaker's bill.

41,394. (*Mr. Price.*) If a gentleman lodges 200*l.* for what are called legitimate expenses, and if at the end of the election that is not expended, he has a right to the balance?—Clearly.

41,395. Mr. Westropp says, "I am in this position: "I have neither had the balance nor had the bill "paid as I expected out of it?"—Then why did not he come to me and say so? He never mentioned it to me. He never asked me once. I have heard from him. I saw him in London so lately as last August, and he never mentioned it to me at all. I dined with him, met him at dinner.

41,396. (*Mr. Coleridge.*) Mr. Westropp and Mr. Gray are both as much puzzled as we are about this?—I cannot see that there is anything to puzzle anybody; I am sorry I cannot make myself more explicit.

41,397. You say a portion of the 150*l.*, the amount of the bill between Mr, Westropp and Mr. Gray, was applied to the petition?—Yes, 80*l.* That was applied in March last. You see it was many months afterwards. I gave Mr. Brice a cheque for 100*l.* on the 24th March last. He was going to London, and I gave it to him to pay Gurney and Cox, the law stationers in Chancery Lane. I did not know the exact amount. I gave him a cheque for 100*l.*, and afterwards when he came back he said he had not spent the whole of it, and he gave me back 18*l.* 16*s.* 2*d.*, which I restored to the account, put it back again.

(*Mr. Coleridge.*) No doubt the account in the whole is correct. The only question is whether those sums of 72*l.* and 76*l.* ought to have found their way in the form they have in the return without Mr. Leaker having been paid.

(*The witness.*) Well, I am very glad the Act of Parliament is not a very clear one as to the payment of the expenses, because I am sorry to say that I made another mistake which tells against myself at the previous election. It was done entirely through innocence, but it is right that I should explain it.

41,398. What election was that?—My late clerk, Walford, says that I gave him 5*l.* to pay the travelling expenses of a man of the name of Rees, in 1865, at the election of 1865.

41,399. He brought a ship round from Swansea?—I had forgotten it, entirely forgotten all about it. If I had been called immediately after Walford, I should

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have sworn positively, I believe, that it was a fiction of his entirely. I had not the remotest recollection of it; but when I came into town this morning I made it my business to send for Walford and ask him if he could throw any light upon it. He told me that if I looked in the strong-box I should find the receipt. I had no recollection of its being there, but I searched the box, and I found this receipt there, "July, 1865. "Received of James Trevor, Esq., electioneering "agent for Mr. Westropp, the sum of five pounds to "pay my travelling expenses from Milford to Bridg- "water and back."

41,400. (*Mr. Anstey.*) Milford Haven?—Milford Haven. From Milford Haven to Bridgwater and back would be something like 480 miles, so that the amount given nobody can object to as being 5*l.* I paid that sum by a cheque upon Stuckey's bank, signed "James Trevor, borough election agent." It was paid in that way, so that there was no disguise about it. The thing was done openly, and in the face of day. It was paid openly in my office the same as any other payment would be made. After I made the payment I got this little book on the law of elections, "Lewis's Law of Elections." I should say this was the first payment I had made, and it was something like a fortnight or three weeks before I made any other payment. In the meantime I got Lewis's book on the law of elections, and I found on looking into that that travelling expenses were a legitimate payment, but that you could not pay them to the voter himself. You might take his ticket, or hire a conveyance for him, but you could not pay him himself. Upon reading that I found I had got into a scrape, and made a payment which was not strictly correct. I consulted my brother about it, and he said, "We must not let Mr. Westropp suffer for your "mistake, and I will take the payment upon myself." My brother on the 10th of August paid that 5*l.* out of his own money.

(*Mr. Coleridge.*) Not from the firm's money?—No; out of his own money. He said, I will take it upon myself; Mr. Westropp shall not get into a scrape through your having paid it in ignorance of the subject. He went and paid the 5*l.* to Stuckey's bank in discharge of that cheque which I had drawn. That was before any other cheques were drawn, before I began to settle up the accounts. I may say it was the first time I had been an election agent. I had never done so before. It was done entirely through ignorance.

41,401. I suppose your brother paid it in preference to your paying it because you were election agent?—No doubt. He said Mr. Westropp must not be prejudiced by your mistake. I will take the responsibility upon myself, and I will pay it. He did pay it; he paid it out of his own pocket, and it was a loss to him of 5*l.*

41,402. (*Mr. Price.*) Here are the returns you made to the town clerk, and I see the personal expenses are in the handwriting of the two candidates, signed by them?—I did not know for six months afterwards but what Mr. Leaker had been actually paid, and I have never been asked to this day to pay it.

41,403. (*Mr. Anstey.*) Is not it an extraordinary thing, Mr. Trevor, that when Mr. Brice wrote to Mr. Gray, wrote the second time to Mr. Gray, and Mr. Gray referred to Mr. Westropp, thereby showing that they were fully informed that Mr. Leaker was not paid, you did not get an order at once to pay Mr. Leaker, and that Mr. Brice should have written twice?—It does seem extraordinary. If I had had an order, I should certainly have paid it. I never did get any written or verbal order, although I have seen both those gentlemen frequently. They never mentioned the subject to me at all.

41,404. That is why I asked the question of Mr. Brice, and I think of yourself also—of two witnesses (Oh, one was Mr. Leaker himself)—whether there might not be peradventure some one or two items which it might be thought not desirable to pay till after the election was settled?—I recollect very well at the time Mr. Westropp said, "I don't know what to say "about this; they charge here for entertaining some "of you fellows at dinner." I said, If you come out "and dine with me, there is no reason why I should "not dine with you in return." It cannot be said to influence my vote, and I do not think there can be the slightest objection to anything of the kind.

41,405. (*Mr. Coleridge.*) The only thing is there has been a sort of shuffling from one pocket into another, and it has got into an awkward position in the account?—Not as far as I am concerned at all.

41,406. But it has?—I do not know how or why. I cannot see it myself at all. They told me they paid these sums. I merely adopt their own figures.

41,407. (*Mr. Price.*) If Mr. Westropp had put himself in direct communication with you, I have no doubt it would have been cleared up, but I suppose he had communication with Mr. Leaker, and he said, "I "will pay no more, because there is plenty of money "at the bank to pay it?—Why did not he tell me so. I cannot understand it. I should have paid it at once, and I should have been very glad indeed for Mr. Leaker to have been paid.

41,408. (*Mr. Anstey.*) Mr. Gray says that he thought there was some hesitation on the part of Mr. Westropp when speaking to him. As well as I can recollect Mr. Gray's evidence, he said, "I myself thought the "thing ought to be paid, and as soon as I heard from "Mr. Brice, I spoke to Mr. Westropp about it, and "something he said made me not pay it"?—It is a curious thing that they kept their thoughts to themselves and did not mention them to me, who had the control of the money. I should have thought I should be the first person.

41,409. Was there any other solicitor—I do not say in Bridgwater, but anywhere—who was more in the relation of a confidential adviser to Mr. Westropp and Mr. Gray, than yourself or Mr. Brice were?—My impression is that Mr. Westropp had not got perfect confidence in either of us. I think he had more confidence a great deal in Mr. Ruddock than he had in either of us. I think he would have been better pleased if he had found that the party here had selected Mr. Ruddock in preference to us. I should say in justice to Mr. Ruddock that he declined to act. If he would have accepted my post I should have been very glad, and I should have been only too thankful to have resigned it. Will you allow me to ask whether you have any other question to put about this 5*l.* It was suggested the other day that I let my clerk pay it because I knew it to be illegal.

(*Mr. Price.*) Oh no, not at all.

(*The witness.*) It was in the papers.

41,410. (*Mr. Anstey.*) There was nobody here said that?—It was so reported in the papers.

(*Mr. Anstey.*) I did not think so myself.

41,411. (*Mr. Price.*) I do not recollect anything of the kind being said. We investigated it because your clerk was named as the person who paid it. We investigated it first to test the truthfulness of this man?—I considered that 5*l.* would be a fair sum.

41,412. The man said he was paid this 5*l.* Therefore you or your clerk, whoever paid it, it is immaterial. There was no suggestion from anybody as to the legality or illegality?—Then the paper has got the thing wrong.

41,413. It is unfortunate. That is the only thing we can say. There has been a mistake about the other matter altogether which we hope may be rectified for Mr. Leaker's sake?—I will pay it at once if Mr. Westropp and Mr. Gray will authorize me, will write and tell me so.

41,414. Perhaps when they see your evidence in print they will do so. Do you or do you not know as a fact that immense pressure, I use the word advisedly, immense pressure was put upon Mr. Gray at the last election to spend money?—I do not know it.

41,415. You never heard that?—I think that many of our friends in Bridgwater were under the impression that Mr. Gray intended to spend money in corrupt

practices from the fact of his having expressed his willingness to spend so large a sum. They arrived at the conclusion, I have no doubt that it would be impossible to spend so large a sum except in corrupt practices.

41,416. That would no doubt naturally strike then, because 1,000*l.* seems to have been put into his mind somehow or other?—I am under the impression that it was 1,500*l.*

41,417. Well, 1,500*l.* Can you tell us how that could have been conveyed to him as representing anything like a legitimate expenditure?—My idea is that it was his own notion of the thing, that he thought we were to reap a golden harvest out of him legally. I fancy he thought so. He was quite new to electioneering.

41,418. Have you any reason to believe that when the thing went on up to the last moment there was extreme pressure put upon him to spend money.

41,419. I do not think there was extreme pressure put upon him, but I have no doubt that everybody expected money would be spent.

41,420. Did it go so far as this, that he had actually made up his mind to leave the town, and that it was all that could be done to keep him here?—Oh, no.

41,421. You never heard that?—I think we were rather under the idea that he was getting funky, and that he would not go to the poll. I think that was because Mr. Westropp was so much more popular than he was. He did not like the idea of being so much behind. He said, "I tell you what it is; Mr. Westropp will get a large majority, but I shall be nowhere." I assured him that I did not believe that there would be at the most more than 30 who would vote for Mr. Westropp, and not for him.

41,422. You have no reason to believe that there was extreme pressure put upon him at the last moment to spend money?—Not direct extreme pressure. It was the mere idea that everybody had that there must be money spent in Bridgwater.

41,423. No, something more than an idea; that the thing was spoken of and pressed and requested distinctly by people on his side to spend money?—All I can say is that it was not in my presence. I did not make it, and it was not made in my presence. If he ever had pressure put upon him of that kind it must have been by somebody quite independent of me.

41,424. Mr. Lilly seems to have been his confidential friend?—Well, then, Mr. Lilly could tell you more about it. I never said anything to Mr. Gray at all on the subject. From first to last I never mentioned the subject of expenditure to him.

41,425. That we understood before, but still I thought it right to give you an opportunity of saying so again?—I think the impression on my mind certainly was that he intended to spend money in corrupt practices, from the fact of his saying at the outset that he was prepared to spend a much larger sum than Mr. Westropp.

41,426. Did he state that publicly?—No. I heard that from Mr. Toogood. When Mr. Toogood first came to Bridgwater I met him at luncheon at my brother's house, and he said he thought Mr. Gray would come, and he was prepared probably to spend a handsome sum; not expend it in corrupt practices, but spend a handsome sum. Anyone who has experience of the world knows pretty well what that means, that if a man is spending a large sum, and says he will do it legally, he does not intend his legal agents to know anything about it. That is what I arrived at. It was a mistaken conclusion, but I did not know it.

41,427. Well, I should have arrived at the same conclusion myself?—I thought his 1,500*l.* and Mr. Westropp's 500*l.* meant nothing but bribery.

(*Mr. Anstey.*) This is what the shorthand writer has about that 5*l.*: "*Q.* Did you get 5*l.* from Heal "for expenses?—*A.* No, I got 5*l.* when I came "from Milford to vote for Westropp. *Q.* What year "was that in?—*A.* That is when Westropp got in "and was unseated again. *Q.* Then you got 10*l.* "and 5*l.*?—*A.* Yes, all the expenses I had, 15*l.* "*Q.* You got 15*l.*?"

(*The witness.*) It would be in my clerk, Walford's evidence of Saturday, in which the paper said that he swore that I must have let him pay the money because I knew it was illegal. It startled me on Sunday morning.

(*Mr. Anstey.*) Then Rees goes on again: "*A.* That "was 1865. *Q.* Very well?—Then I had 15*l.* "*Q.* Who from?—*A.* 10*l.* from Heal, and 5*l.* from "Mr. Trevor's office. *Q.* Mr. Trevor's office?— "*A.* Yes. *Q.* Who gave it to you?—A. One of the "clerks. (*Mr. Anstey.*) What is his name?—*A.* "Walford. (*Mr. Price.*) Did you get paid at Mr. "Trevor's office?—*A.* I got the 5*l.* from Mr. "Trevor's office. *Q.* What was that for?—*A.* "Because I left a vessel at Milford—expenses here "and back. That was 15*l.* at that election." That is all that was said.

41,428. (*Mr. Price.*) Just let us turn to Walford's evidence, because certainly the newspaper report, as you say, would give this complexion to it. It was not that we said so, but that your clerk said so?—That is in part of my clerk's evidence.

41,429. Not our expression?—The clerk said it.

41,430. If your clerk said that you knew, no doubt, that it was an illegal expenditure, and got him to pay it, and that therefore he paid it; we could not check that?—No, but that is what made me anxious to come here and state exactly what the fact is.

41,431. Your clerk seemed to have thought that?—He does not think so now.

41,432. That will be corrected. That is the way your clerk represented it, and how he explained it?—Yes.

41,433. Is there anything else you have got to tell us?—I hardly know what you want to know. There is a great deal that you have not heard.

41,434. Can you throw any light upon the last election in any way whatever, beyond what you have already told us?—No, I think not. My impression was that Mr. Westropp and Mr. Gray were going to do the same thing as had been done before, but they thought it right that I and their other legal agents should not know anything about it, and I certainly up to the last moment thought that would be done.

41,435. Have you heard anything after the election, showing that money was spent in getting up that large majority?—I feel convinced that no money was spent except the small sum that Mr. Leaker spoke of. It was certainly a marvel to me how the men did come up. I did not know of any expenditure, and I did not hear there was any.

41,436. (*Mr. Anstey.*) Mr. Trevor, one moment, if you please. Mr. Lilly's name came out when Mr. Bealy Smith's accounts were produced by a clerk who was examined. Before that he told me, as I understood him, that he had no papers at all of that gentleman's. When those accounts came out Mr. Lilly's name figured in them for the large sum of 40*l.* at one election, described as fee?—Described as what?

41,437. As fee; 40*l.* as fee at one election. The clerk was further asked, "Was not that bribery in "another form?" and he said, "Yes, it was," with great candour. Now can you throw any light upon that?—I think Mr. Lilly was worth the money.

41,438. Well, but what is the meaning of a fee to a man who is not allowed to take fees?—Well, he is a *quasi* lawyer; he began life as a lawyer's clerk.

41,439. (*Mr. Price.*) It is no use mincing matters. A man who is acting as attorney to the election is known well enough to require his fee for that as for any other business, but I never heard of any such position being assigned to anybody else?—I did not know he was paid till I read the evidence given in this court. It was the first thing I heard.

41,440. It would be an excuse for anybody to take money?—I do not think it justifies the payment.

(*Mr. Anstey.*) If Mr. Lilly really meant to claim a fee as a lawyer, I think that gentlemen of your pro-

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Mr. J. Trevor.

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fession in Bridgwater ought to take immediate steps to punish him for a very serious violation of the penal clauses of various Acts of Parliament.

41,441. (*Mr. Price.*) It is quite as penal for a man to practice as an attorney in an election as in a county court. One is as much an intrusion as the other?—Well, there is a great deal of trespass in the county court.

41,442. (*Mr. Price.*) There would be no end of it at elections as a cloak for bribery?—No doubt of it. But in this particular instance, although the payment may not have been a strictly regular one, Mr. Lilly was worth a great deal more than his vote. He is a very good man of business; a capital man of business.

41,443. That is nothing. If a man has political feelings he must consult them. He has been made a justice of the peace?—Yes.

(*Mr. Price.*) He ought to have thought that he had been sufficiently paid.

41,444. (*Mr. Coleridge.*) I think that where the encroachment is most strongly marked is in the registration courts?—Yes; the Liberal agent for East Somerset was a man at Bath, who was not a lawyer, for many years, I recollect.

41,445. (*Mr. Price.*) They have allowed that for many years, but I do not know any registration court in which there are not legal gentlemen on both sides. These men are only doing work under them?—I do not think he used to act in court.

(*Mr. Anstey.*) This is the case which has been mentioned as it stands here. We have a person who pretends to be a patriot of the Conservative colour in politics. His patriotism carries him to do certain things for the good of the cause, and then, as soon as he has done them, he not only in the most sordid manner in the world proceeds to make money out of them, but the course he takes in order to get money is precisely that course which he cannot properly take, which he is forbidden to take, and which he is heavily punishable for taking; that is to say, he puts on the garb of a lawyer and asks for 40*l.* by way of a fee. I must say that such a proceeding appears to me to admit of no excuse.

(*Mr. Price.*) It is a direct bribe, call it what you will.

(*The witness.*) I do not mean to justify it in any way whatever, but if there were any extenuating circumstances, I should say Mr. Lilly was a man of ability, and that his services were valuable.

(*Mr. Price.*) In reference to what was said by Mr. Walford, it is fair to put the saddle on the right horse. I see it is a suggestion in a question which was put by one of my colleagues, in answer to which your clerk said that, it is quite fair that you should have it corrected.

(*The witness.*) I inferred that it was so.

(*Mr. Price.*) The question is, "I suppose you and "Mr. Trevor were both aware it was an illegal pay-"ment?—*A.* Well, I was not myself, but I believe "Mr. James Trevor was, and he refused it in the first "place. *Q.* That was the reason he refused it?—*A.* "I believe it was."

41,446. Well, you wish to have that corrected. You did not refuse it on that account?—Oh no, certainly not. I paid it because I thought it was a proper payment.

(*Mr. Price.*) The shorthand writer will take notice of your correction.

(*The witness.*) I paid it in the open face of day, by a cheque signed by me as election agent.

W. Parker.

WILLIAM PARKER sworn.

41,447. (*Mr. Price.*) What are you, Parker?—A porter.

41,448. Where?—Mr. William Poole's, cheese and bacon factor.

41,449. (*Mr. Anstey.*) Were you at the "Clarence" either on the polling day of the last election, or before that?—I was.

41,450. Did you hear Mr. Gray say anything?—Yes, I heard him speak.

41,451. What did he say?—Oh, I cannot tell you exactly what he did say now. I cannot remember at this time.

41,452. Did you hear anything about rewards?—He might have said so.

41,453. Well, did he say so?—I cannot tell you; not exactly. I could not swear that.

41,454. You cannot swear to what?—I cannot swear that he did say that.

41,455. Say what?—Not rewarding.

41,456. I do not ask you whether he used that precise word?—It might have been said.

41,457. Did you hear him say anything on the subject of rewarding the voters at the last election?—He said he would not pay one penny. He said, "You "can go and vote for me if you like; if not you can "go and vote for the other party."

41,458. My question to you is, did he say anything about rewarding people after the election?—He never said anything about "after the election" at all.

41,459. Quite sure?—Yes; not "after the election." He never promised any money at all.

41,460. (*Mr. Price.*) Did he use the word "reward"? Did he say anything about rewarding anybody?—Well, he might have said it, I could not say.

41,461. How could he have said it if you did not know it?—He might have said they would be rewarded after, or something like that.

41,462. (*Mr. Anstey.*) That who would be rewarded after?—He did not tell who would be.

41,463. Somebody would be rewarded after. Did he mean the electors, or what?—I do not know who he meant.

41,464. (*Mr. Price.*) What did you understand by it?—Well, I did not understand that as any promise whatever.

41,465. What did you understand by it?—Oh, nothing at all.

41,466. (*Mr. Anstey.*) It is evident that you did not. You did understand nothing at all?—No, I did understand nothing at all.

41,467. Neither then nor now?

41,468. (*Mr. Coleridge.*) Did you vote at the last election?—I did.

41,469. Who for?—Westropp and Gray.

41,470. What did you get for it?—Nothing at all.

41,471. Did you vote the time before?—No, I had no vote.

B. Porter.

BARNET PORTER recalled.

41,472. (*Mr. Price.*) Now, what do you want to add to what you said on Saturday? What did Mr. Hodges say?—He said he would promise the men 15*l.* a piece after the election, if they would go and vote for the Conservatives.

41,473. He said he had promised?—He said he would do it.

41,474. Where did he say this?—At the "Clarence Hotel."

41,475. What day?—On the polling day, before eight o'clock in the morning.

41,476. Out loud to everybody?—Yes.

41,477. Everybody in the room could hear it?—Yes.

41,478. That he would promise 15*l.* to every man who would vote for Westropp and Gray?—Yes.

(*A voice.*) It's a lie!

(*Mr. Coleridge.*) Who said that?

(*Betty.*) I said it. I beg your pardon, sir.

(*Mr. Price.*) Don't you know that the other day, because a man broke out in the court and said a thing was a lie, he was committed to gaol for the offence. Persons shall have an opportunity of coming forward if they want to contradict anything, but you have no business to interfere with the witness.

41,479. (*Mr Price to the witness.*) You say he said that ?—Yes.

41,480. That they should have 15*l.* after the election ?—Yes.

41,481. Anything more ?—To the best of my belief, that is how it was that the men went to poll. That is how they got such a majority a head.

41,482. That is how they got such a majority ?—Yes, but I would not take the promise.

41,483. You would not take the promise ?—No.

41,484. You voted on the other side ?

41,485. How much did you get ?—9*l.*

41,486. (*Mr. Coleridge.*) You preferred 9*l.* to the promise of 15*l.* ?—Yes, I would not take it.

41,487. How many were present when Hodges spoke ?—About 400, I think.

41,488. Where was it ?—In the large Assembly Room.

41,489. (*Mr. Price.*) He said it loud for everybody to hear ?—I could, and I should think everybody else.

41,490. Was Mr. Westropp present ?—Yes.

41,491. And he could hear it ?—Yes.

41,492. And Mr. Gray ?—Mr. Westropp and Mr. Gray were both at the meeting.

41,493. And both could hear it ?—I should think so, I heard it and I should think everybody there could.

41,494. And no doubt Mr. Westropp and Mr. Gray could ?—I should think so.

41,495. They were standing close to Mr. Hodges ?—Yes, they were on the platform.

41,496. And Mr. Hodges was ?—Yes.

41,497. Therefore, much nearer to him than you were ?—Yes, I was further back in the room.

41,498. (*Mr. Anstey.*) Mr. Hodges was in the chair ?—He was in the chair, but I do not know whether he was in the chair at the time; he was supposed to be a ringleader, and he said himself he was, and if he could spend any money then he should have to be walking up like this (*describing*) for two years. What was done after the election he said that would not be any difference. We could do that all right.

41,499. (*Mr. Price.*) They could have 15*l.* a piece ?—Yes.

41,500. Are you quite sure he mentioned the sum of 15*l.* ?—Yes.

41,501. Is that all you have to state ?—I was at the "Lamb" meeting as well, and there I heard Mr. Smith say about M for money, and D for down. That is the reason I did not go to the poll, I understood we were all to have money if we went to the poll.

41,502. But you did not stick out ?—Yes, I stuck out, I did have it before I did go to the poll.

41,503. Was it because Mr. Smith told you ?—That is what I stuck out for.

41,504. Because he told you to have money down ?—Yes.

41,505. And therefore you decided to have money down before voting on the other side ?—I did not care which side. I never had a vote before, and was not more one side than the other, but for the side which used me best.

41,506. (*Mr. Coleridge.*) Which side are you now ?—I do not know exactly.

41,507. (*Mr. Price.*) You meant to have money down ?—I meant to have money down.

41,508. (*Mr. Anstey.*) What did you hear Smith say ?—To be sure and get money down before they went to poll. I never heard him say anything about American.

41,509. Did you hear him say, "If you go to the other side you must get money down ?"—I never heard him say any such thing.

41,510. Did you hear him say anything about sugaring plums ?—No. He said, "There are two "letters in the alphabet, that is M and D, and I will "explain to you the meaning."

41,511. Did he say anything about the American phrase ?—No; "M for money, and D for down." And I understood we were all to have money down, and that is why I waited about and got the money.

41,512. Is that all you have to state ?—I was at the "Clarence," and heard Mr. Gray say he agreed with Mr. Hodges, and the rest of the gentlemen said that they should be all right afterwards.

41,513. That they should all have 15*l.* ?—He did not say anything about 15*l.*

41,514. But he heard what Hodges said ?—Yes.

41,515. And then they agreed to it ?—Yes.

41,516. Mr. Gray did ?—Yes, Mr. Gray and Mr. Westropp agreed to what the gentlemen said.

41,517. (*Mr. Anstey.*) Is that all ?—On the polling day I was walking down the town of Bridgwater, and was coming by the "Clarence" hotel, and there I saw two men by the name of William and James Ford. They carried me into the "Clarence;" they held up their finger and said, "Come inside;" and Mr. Hodges would give me 15 sovereigns. When I came inside there was no such thing. Mr. Hodges said I was a traitor because I would not go to the poll, because I had been to their meetings, and he thought there was something going on. I looked at him a bit, and he talked rather chuff to me, and asked me if I would join the Conservative Association, and I did not feel inclined, and he talked more chuff at me again, and he said, "Will you join the Conservative Association ?" and I considered if I did not consent to what he put to me, I should be put inside there; so I consented, and went off to the poll with James Ford, and as soon as I got outside the "Clarence" stable door I said I should not go any further, and I had a card of membership.

41,518. (*Mr. Price.*) And you went to Allan's and got 9*l.* ?—Yes.

41,519. For voting ?—Yes.

41,520. (*Mr. Coleridge.*) How came you to get 9*l.* ?—I do not know. When I got upstairs to put it in the box, I counted it and found only 9*l.*

41,521. Did Allan tell you it was 10*l.* ?—Allan never said anything to me about it was 10*l.*, and neither I to him, for he gave me the money, and off I went, and put it in my pocket directly.

41,522. (*Mr. Price.*) Is that all ?—Yes, that is all I know.

CHARLES OATEN sworn.

C. Oaten.

41,523. (*Mr. Price.*) What are you ?—A sawyer.

41,524. Are you a voter ?—Yes.

41,525. Did you vote at the last election ?—Yes.

41,526. How did you vote ?—For Westropp and Gray.

41,527. Did you attend any of these meetings ?—Some of them.

41,528. Where you at the "Clarence" meeting ?—Yes.

41,529. The one which the last witness has spoken about ?—Yes.

41,530. And did you hear Mr. Hodges say you should all have 15*l.* after the election ?—No, I never heard any such thing.

41,531. Were you there all the time ?—Yes, I went away with him.

41,532. Are you sure you never heard that ?—No such thing, and I could hear as well as the rest.

41,533. Did you hear Mr. Gray say it was all right what Mr. Hodges said, and he would stick to it ?—No.

41,534. Did you vote early in the day ?—Yes, between 9 and 10 I suppose.

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C. Oaten.

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41,535. Did you vote under any expectation or promise of money in any way?—No, no promise or paid any money at that election.

41,536. Did you vote at the election of 1866?—Patton's I voted.

41,537. At both?—At both elections.

41,538. How much did you get?—20*l.* at both, 10*l.* each time.

41,539. Who from?—Temblett gave me 5*l.* and Waddon 5*l.* at his house, and 5*l.* at the "Golden Lion." I saw a hand; I do not know whose it was gave it to me. I had 10*l.* there; two fives.

41,540. Did you vote in 1865 for Mr. Westropp?—Yes, I had no vote before. That was the first I voted.

41,541. (*Mr. Anstey.*) Did you hear Mr. Gray say anything about giving employment?—No.

41,542. (*Mr. Price.*) Or reward?—No.

41,543. (*Mr. Anstey.*) Anything of this kind. "If Mr. Westropp or I returned, there will be such "and such things started for the good of the town "and you will get employment"?—No, I never heard anything of the sort. I heard Mr. Westropp say, "Go to the poll as early as possible. I cannot "give you anything, because traps are laid for me, "and I do not want to get myself into prison," or something of that sort, and we all went away to the poll——about 500 as near as I can judge.

41,544. "I cannot give you anything because there "is a trap laid for me and I do not want to go to "prison?"—Yes, and we all went to the poll as early as possible.

Mr. R. Hodges.

Mr. Richard Hodges recalled.

41,545. (*Mr. Price.*) You have heard what this man has stated, what have you to say?—In the first place I should like to make some remarks on the words of the last witness with respect to the words used by Mr. Gray.

41,546. By Mr. Westropp?—By Mr. Gray, that traps were laid.

41,547. That is by Mr. Westropp?—I used those words previous to Westropp and Gray coming into the room; in fact, they did not come into the room until after I had been speaking. And in using those words, I used them in this sense, that I had been by a private source informed that the Liberal party had intended to spend money, that they had anticipated that we should do the same, that they had laid every kind of trap to catch us, but that we did not intend to be entrapped and caught, and we should not spend any money, and I begged them as men belonging to the Conservative association to poll for us. With respect to what the witness Porter has said, it is an entire fabrication from beginning to end; in fact, I may go so for as to say, "I believe it to be a conspi-"racy between him and one or two others who have "egged him on to come and tell falsehoods, out of "mere spite to myself or the party, I do not know "which."

41,548. (*Mr. Price.*) We must get it categorically denied. Did you say that morning in either Mr. Westropp or Mr. Gray's presence, or when they were not there, that they should have 15*l.* after the election?—I did not.

41,549. Did either Mr. Westropp or Mr. Gray say that they would abide by what you said, or stand to it, or anything to that effect?—They did not. I should like to say further here that Mr. Westropp or Gray could not have heard what I said because they were not in the room.

41,550. At all events whether in the room or not, did they at all when they did come into the room say in reference to anything that you had said, whether they heard it or not, that they would stand by what you said?—They did not most certainly.

41,551. Was anything said by Mr. Gray about rewarding, or what would happen afterwards, or anything of that kind?—Certainly not, not a single word of the kind; in fact there were at least 350 men present, and I think nearly all those persons who have been called have sworn to the contrary.

41,552. (*Mr. Anstey.*) That young witness, it being the first time that he ever had a vote, said he did not know what he was to understand by it, but he heard Mr. Gray say something about rewarding after; who were to be rewarded, or by whom he could not say?—I have no recollection of any word "reward" or "promise" or anything of the kind or description, or "employment," or anything of the kind.

41,553. Nothing about employment?—In fact I am confident no words of promise of employment or reward were used that morning.

41,554. Were those persons present who had been to your shop a week or a fortnight before?—I cannot say.

41,555. How many persons were down at your shop a week a week or a fortnight before to give in their names to support Westropp and Gray?—None had given in their names to support Westropp and Gray. I was honorary secretary of the Working Men's Association, and also a vice-president of that association, and the men came to me to join that association.

41,556. On any of those occasions were they told they should have money if they joined?—Certainly not. So far from that I was never in a position to know from first to last whether there was money to be or not to be until the night previous to the election, when I discovered there was not, and I took the first step I possibly could by calling a meeting in the morning on my own responsibility to tell them there would not be any money, but to go to the poll with us and promise to join the association.

41,557. (*Mr. Price.*) How about this man coming to the "Clarence," he says you kept him at the "Clarence" and made him join the association?—It is perfectly ridiculous. The fact is this; when the men about 2 in the day came, I had been running about the town and went into the "Clarence," believing we were beaten, and I had given up, and whilst in the lobby several men came up and amongst them Porter, and said, I cannot say exactly the words, but the sense of it was he would go to poll for us if I would only give him a little money, and I said, "Give you what"? And he said, "If you will only give me a little money, "I will go to the poll for you, if it is only a few "shillings." I said, "It is perfectly absurd, and the "best thing you can do is to go out of this house." And I turned round to I do not know who it was, and said, "I believe the fellow is a traitor;" but I may say as well that this man had attended our meetings, and I believed he would poll for us. I had seen him at least at three or four of our meetings previous to that morning.

41,558. (*Mr. Anstey.*) Do you know William Herbert and James Phelps?—Yes, certainly.

41,559. They were both canvassing for Westropp and Gray before daylight that morning, were not they?—I do not know. I was not with them. I cannot say.

41,560. Were they under your instructions?—No, certainly not, one is a vice-president of the Working Men's Association, and as such he would be sure to act.

41,561. Before daylight?—The election was in winter, and it would not be quite daylight until 7 o'clock or past.

41,562. But as a matter of fact, was the canvassing before daylight?—I do not really know.

41,563. What streets had he to canvass?—I really cannot say. I do not know anything of it.

41,564. As vice-president, what streets would he have?—None in particular.

41,565. You know James Creedy of Polden Street?—I know there is a man of the name of Creedy. I do not really know him.

41,566. Did you speak to him about his vote ?—I may have done ; I do not know.

41,567. Did he tell you he had had a misfortune in losing fat pigs and was not going to vote for nothing ?—I do not know at all.

41,568. What do you see to laugh at that ?—The mere fact of the man coming to me and telling that statement.

41,569. Your statement is, that you might possibly have gone to him to ask him for his vote ?—No, I never went to him. Your question was, whether he came to me.

41,570. What do you see ridiculous in his coming to you about his vote, when you told me the other day that bribery or no bribery your intention was to do your best ?—Yes, but where was I to get money from for his fat pigs ?

41,571. Do you know John Attwell ?—I know one Attwell ; he works at Baker's, I think.

41,572. In the Bristol road ?—No, I do not know him. This Porter also says, that of the rest of the gentlemen who were there that morning, there was no one addressed the meeting but myself, Mr. Westropp, and Mr. Gray, and I certainly must, after the evidence he has given, and I hope the Commissioners will support me in causing the man to be indicted for perjury.

(*Mr. Price.*) You may if you like; we cannot assist you in that. We have caused one class of men to be, because they made a gross imputation on two other persons which might have got them into serious trouble, but between you and this man it is a question of conflict of testimony. We should have to order indictments over and over again if we did it in such a case as this.

41,573. (*Mr Coleridge.*) You may take out an indictment ?—I certainly shall.

41,574. (*Mr. Anstey.*) You see the difficulty your zealous friends get you into and zealous friends of your opponents get them into. One of the witnesses on your side, in all other respects a creditable witness he appeared to me, notwithstanding all the questionings to which I put him, persisted in this story which contradicts yours you see from beginning to end, that Mr. Westropp was not at the meeting at the "Clarence" that morning at all ; that you were in the chair ; that nobody spoke but you ; that he, the witness, was there before the meeting began, and went away after it was over, and during the whole of that time Mr. Westropp and Mr. Gray not only did not speak there, but were not present there, and that you were the only speaker at that meeting. So you see the difficulty into which you get one another by over zeal in colouring or over-colouring a particular state of the case ?—No, I can easily account for that. The fact is this ; I went on the platform by myself, and after I had been speaking, Mr. Westropp and Mr. Gray came into the room. It is just possible that the witness—I do not know who it was—may have directly I finished my speech left the room and gone out to poll.

41,575. I asked him the question, and suggested it was possible, and he said, No, it was impossible, so anxious was he to screen Mr. Westropp and Mr. Gray ; it was utterly impossible he could have gone, because he did not go until the meeting was entirely broken up and gone ?—Well, he may have thought so.

41,576. That this man swore deliberately that you promised 300 or 400, and said 15*l.* was to be paid ; that you promised it ?—Most decidedly I did not.

CHARLES OATEN recalled.

C. Oaten.

(*The witness.*) Mr. Parker was a gentleman who addressed the meeting. I can mind the words he said then.

41,577. Who was he ?—A gentleman of Bridgwater. He said he had seen two Conservative gentlemen carried for Bridgwater, and he should never die happy until he saw it again, and those are the words he used there, and I can recollect other words he said.

JAMES SULLY sworn.

J. Sully.

41,578. (*Mr. Price.*) What are you ?—A gardener.

41,579. Are you a voter ?—Yes.

41,580. How did you vote at the last election ?—For Westropp and Gray.

41,581. Did you get anything for it ?—No, I did not.

41,582. Did you get any promise ?—No, nothing at all promised.

41,583. Who do you work for ?—For Mr. Dyer now, I did not at that time, I worked for Mr. Balsen at that time.

41,584. Are you a jobbing gardener ?—Yes.

41,585. Did you vote at either of the elections in 1866 ?—I did.

41,586. At both of them ?—Yes.

41,587. How did you vote each time ?—I always voted for the Conservatives.

41,588. For Patton ?—Yes.

41,589. (*Mr. Coleridge.*) Did you ever get paid by the Liberals ?—No.

41,590. (*Mr. Price.*) How much did you get from Mr. Patton for voting at each election ?—Ten pound.

41,591. Who from ?—Jarvis.

41,592. Both times ?—I voted for Patton, and 10*l.* I got from Jarvis twice.

41,593. What did you get the other time ?—I believe nothing the other time.

41,594. Are you sure ?—I think not.

41,595. Did you get nothing after the election ?—Nothing after the election.

41,596. Did you vote in 1865 for Westropp ?—I did.

41,597. What did you get then ?—Five pound.

41,598. Who from ?—Jarvis.

41,599. The same Jarvis ?—Yes.

41,600. Did you vote in 1859 for Padwick and Westropp ?—I did.

41,601. How much did you get ?—Nothing.

41,602. Nothing from the other side ?—No, from neither side.

41,603. In 1859 did you vote for Follett and Tynte ? I must because I voted for all.

41,604. All round ?—All round.

41,605. Tynte and Kinglake ?—No, I always voted for the Conservatives.

41,606. You voted for Mr. Follett I think ?—I did.

41,607. Did you get anything for it ?—Ten pound.

41,608. Who from, Murlis ?—I think it was Jarvis.

41,609. Did you vote in 1852 ; that would be Follett and Mansell ?—Well, I believe I did.

41,610. Did you get anything then ?—No, not then.

41,611. Did you voted in 1847 when Broadwood was here ?—Yes, I did.

41,612. Did you get anything then ?—No, I was promised then 20*l.*, and never got anything, that was from the old Mr. Murlis.

41,613. He promised you 20*l.*, and did not give it ?—Yes, there were 26 of us, I can reckon up ever so many, and I do not know that any are now alive. My brother-in-law was one, and there were 20 of us, we never got anything.

41,614. Did you vote before 1847 ?—No, that was the first time I voted.

FORTIETH DAY.

12 Oct. 1869.

George Attwell sworn.

G. Attwell.

41,615. (*Mr. Price.*) Do you work at Mr. Batten's, the baker?—Yes.
41,616. Did you vote at the last election?—Yes.
41,617. How did you vote?—For the Conservatives.
41,618. Did you get anything then?—No, not the least.
41,619. Any promise?—No.
41,620. Did you vote in 1866, when Mr. Vanderbyl was elected from Mr. Patton?—Yes.
41,621. What did you get then?—10*l.*
41,622. Who from?—Jarman.
41,623. Did you vote at Mr. Patton's first election?—Yes.
41,624. How did you vote?—For Padwick.
41,625. How much did you get?—10*l.*
41,626. Who from?—Jarman.
41,627. Did you vote in 1865 for Westropp?—Yes.
41,628. How much did you get?—10*l.*
41,629. Who did you get it from?—Jarman.
41,630. Did you vote in 1859?—Yes.
41,631. For Padwick and Westropp?—Yes.
41,632. How much did you get?—10*l.*
41,633. Who from?—Murlis.
41,634. Did you vote in 1857 for Follett?—Yes.
41,635. How much did you get?—None at all.
41,636. Did you vote in 1852 for Follett and Mansell?—Yes.
41,637. How much did you get?—None.
41,638. Did you vote in 1847 for Broadwood?—No.
41,639. Have you ever had anything from the other side?—No, never.

Samuel Hurford sworn.

S. Hurford.

41,640. (*Mr. Price.*) What are you?—A marble mason.
41,641. Who do you work for?—I carry on trade on my own account.
41,642. Are you a voter?—Not at present.
41,643. Did you vote at the last election?—I did not.
41,644. Did you vote at the election of 1866, the second one?—No, the last election I think at which I voted was 1859.
41,645. Who for?—Westropp and Padwick.
41,646. What did you get?—10*l.*
41,647. Who from?—John Murlis.
41,648. Did you vote in 1857?—I do not know the dates, but I voted for Tynte and Follett.
41,649. Did you get anything?—No, nothing at all, I never had more than that 10*l.*
41,650. (*Mr. Anstey.*) You are a vice-president of this association?—I have nothing to do with it.
41,651. Anything to do with the William Herbert who has?—No.

James Watts sworn.

J. Watts.

41,652. (*Mr. Price.*) What are you?—An innkeeper.
41,653. What inn do you keep?—The "Tynte Arms."
41,654. Did you vote at the last election?—I did.
41,655. How did you vote?—For the Conservatives.
41,656. Did you get anything?—No.
41,657. Was there any treating bill?—No; I did not take on until last Christmas.
41,658. You were not then a publican?—Yes.
41,659. Did you vote in 1866?—Yes, both for Patton.
41,660. What did you get?—10*l.* at the last election, 5*l.* on the morning of the poll, and 5*l.* was left at my house two or three weeks afterwards.
41,661. That was the first election?—Yes.
41,662. So you got 20*l.* in all in 1866?—Yes.
41,663. Did you vote in 1865?—Yes.
41,664. Who for?—Westropp.
41,665. Did you get anything?—Yes.
41,666. How much?—10*l.*
41,667. Who from?—Temblett.
41,668. Did you vote before that?—No, this was my first election.

William Temblett sworn.

W. Temblett.

41,669. (*Mr. Price.*) What are you?—A butcher,
41,670. Did you vote at the last election?—Yes.
41,671. How did you vote?—Westropp and Gray.
41,672. Did you get anything then?—I did not get anything.
41,673. Any promise?—No.
41,674. Did you vote at the second election in 1866?—Both elections.
41,675. Both for Patton?—Yes.
41,676. What did you get?—10*l.* each time.
41,677. Who from?—At the "Bull and Butcher."
41,678. Did you vote in 1865?—Yes.
41,679. Who for?—Westropp.
41,680. How much did you get?—10*l.*
41,681. Who from?—At the "Bull and Butcher."
41,682. Did you vote in 1859?—No.
41,683. You had no vote then?—No.

John Rogers sworn.

J. Rogers.

41,684. (*Mr. Price.*) What are you?—A painter.
41,685. Do you work on your own account?—Yes.
41,686. Are you a voter?—Yes.
41,687. Did you vote at the last election?—Yes.
41,688. How did you vote?—For the Conservatives both.
41,689. Did you get anything?—No.
41,690. Any bill?—No.
41,691. Did you vote at the election of 1866?—I did on behalf of Patton.
41,692. How much did you get each time?—I had 10*l.* at each election.
41,693. Who did you get if from?—One from a stranger at the "Three Crowns," and one 5*l.* from Mr. Pitman, and the other from Mr. Temblett for the other election.
41,694. Did you vote in 1865?—Yes.
41,695. For Westropp?—Yes.
41,696. How much did you get?—10*l.*
41,697. Who from?—That was from Harden.
41,698. Did you vote in 1859?—Yes.
41,699. For Padwick and Westropp?—Yes.
41,700. How much did you get?—10*l.*
41,701. Who from?—Murlis, through William Jarman.
41,702. Did you vote in 1857?—No, I had no vote.
41,703. Did you ever get anything from the other side?—No, I never voted.

Henry Score sworn.

H. Score.

41,704. (*Mr. Price.*) What are you?—A mariner.
41,705. Are you a voter?—Yes.
41,706. How did you vote at the last election?—Westropp and Gray.
41,707. Did you get anything for it?—No.
41,708. Any expenses?—No.
41,709. Did you vote at the two elections in 1866?—Yes.

41,710. At both ?—At both.
41,711. How did you vote ?—For Mr. Patton.
41,712. How much did you get ?—10*l.*
41,713. Who from ?—One at the "Three Crowns," and one at the "Bull and Butcher."
41,714. Did you vote in 1865 for Westropp ?—Yes.
41,715. How much did you get ?—10*l.*
41,716. Who from ?—At the "Bull and Butcher."
41,717. Did you vote in 1859 for Padwick and Westropp ?—No.
41,718. How did you vote ?—Tynte and Kinglake.
41,719. How much did you get ?—Nothing.
41,720. How was that ?—I cannot say.
41,721. Were you promised anything ?—Yes.
41,722. Who promised it ?—Henry Bussell.
41,723. Did you ever claim it ?—They promised.
41,724. Did you ever claim it ?—Yes, I asked him several times, and he promised it.
41,725. He never would pay you ?—He never would pay me. I came home from Cornwall at that election.
41,726. Did they pay your expenses for coming ?—No. they promised to pay it.
41,727. Who were you working your ship for then ?—One Captain Guy at Gloucester.
41,728. Whose ship was it ?—Captain Guy's.
41,729. His own ship ?—Yes, I was the master of it.
41,730. You got nothing, that made you turn on the other side ?—Yes, decidedly so.
41,731. In 1857 did you vote ?—No.

PEREGRINE BETTY sworn.

P. Betty.

41,732. (*Mr. Coleridge.*) What are you ?—An ostler, at Rick's.
41,733. Do you know some people of the name of Dare ?—I know two or three.
41,734. Do you know anything about the Dare's connected with the last election ?—I do not know at all who they voted for.
41,735. But do you know anything about them ?—I know them from seeing them, but have never had any particular conversation with any of them.
41,736. Do you recollect driving a fly with Mrs. Dare, and waiting to take her husband up to the poll on the polling day ?—I never drove her during the day.
41,737. Do you recollect ever having her in your fly ?—No.
41,738. Do you ever recollect taking her to her husband, and waiting to take him to the poll ?—No, I never took him to the poll.
41,739. (*Mr. Price.*) Is there any other man of your name a fly driver ?—No.
41,740. Who do you work for ?—Mr. Ricks.
41,741. (*Mr. Coleridge.*) Have you ever driven Mrs. Dare in your life ?—No.
41,742. Ever Mr. Dare ?—No.
41,743. What is he ?—The basket maker, I suppose you are alluding to.
41,744. Keeps the Turkish baths ?—A basket maker as well.
41,745. You do not recollect driving him on the polling day ?—No.

CHARLES DARE sworn.

C. Dare.

41,746. (*Mr. Price.*) What are you ?—A basket maker.
41,747. Do you keep the Turkish baths ?—Yes.
41,748. What have you to say about this ?—On the polling afternoon——
41,749. Which ?—At the last election, about half-past 3 o'clock, my missus came to look for me, and said Betty was going to do a day's work for me, and she came and found me at the "Masons' Arms," and I met him on the Cornhill, and he said if I would come to the "Clarence," I was to have 30*l.*
41,750. Who ?—This last man. I heard all he said, and I said it was no use to humbug him, for I had been to poll; and he said, "I hope you do better on "the other side than what ours do;" and I said, "I "have not done better at all, because I never had "anything." My wife can give you more information than I can, because he waited while she got on her things.
41,751. Did Mrs. Dare come to you in a fly, waiting to take you to the poll ?—No, they came to our house.
41,752. Who ?—This man and Mr. Hodges.
41,753. Was this man, Betty, driving ?—No, Mr. Hodges, I believe. I never saw him.
(*Mr. Hodges.*) It is quite a mistake. I was never near the man's house.
41,754. (*Mr. Price to the witness.*) Did you see the fly ?—I did not. I was not home.
(*Mr. Hodges.*) He has made a mistake, I assure you.
41,755. (*Mr. Price to the witness.*) Did you vote ?—I did.
41,756. Who for ?—Kinglake and Vanderbyl.
41,757. What did you get for it ?—Not a half-penny.
41,758. Were you promised 30*l.* to vote for the Conservatives ?—Yes, I was, if I would vote for them. I was to go to the "Clarence" and have the 30*l.* if I would vote for Westropp and Gray; those were the words he said to me.
41,759. That man Betty ?—Yes, that man Betty.
41,760. Did you vote at any other election ?—No.
41,761. We had better have your wife here ?—She is dangerously ill, and cannot attend.
41,762. Who told you that Hodges was driving the fly ?—My wife.
41,763. Did she see him ?—No.
41,764. (*Mr. Coleridge.*) Did they take her out for a drive ?—Not that I know of.
41,765. (*Mr. Price.*) It was not true that they waited to take you to the poll ?—No, I do not believe she got into the fly.
41,766. (*Mr. Anstey.*) What is the matter with your wife ?—I do not know. Mr. Haviland attends her.
41,767. I should like to see Mr. Haviland, because this is an important matter ?—She is willing to come.
41,768. (*Mr. Price.*) Is she fit to be examined at home ?—I cannot tell you. Mr. Haviland said she would not be able to come to-day nor to-morrow. We told Mr. Haviland of it, and he said he would make that all right.
(*Mr. Price.*) Tell Mr. Haviland to come the first thing in the morning.

HENRY HAYWARD sworn.

H. Hayward.

41,769. (*Mr. Price.*) What are you ?—A boot and shoemaker.
41,770. Do you work on your own account ?—Yes.
41,771. How did you vote at the last election ?—Westropp and Gray.
41,772. Did you get anything for it ?—Nothing at all.
41,773. No inducement of any kind ?—None whatever.
41,774. Did you vote at the two elections of 1866 ?—Both of them, and I had 10*l.* each.
41,775. Did you vote for Mr. Patton ?—Yes.
41,776. Who gave you the 10*l.* each time ?—Temblett.

FORTIETH DAY.

H. Hayward.

12 Oct. 1869.

41,777. Did you vote in 1865 for Westropp ?—I did.

41,778. How much did you get ?—10*l.*

41,779. Who from ?—Temblett.

41,780. Did you vote in 1859 ?—I did.

41,781. How much did you get ?—10*l.*

41,782. Who from ?—John Murlis.

41,783. Did you vote in 1857 ?—I did.

41,784. How much did you get ?—Nothing.

41,785. I 1852 did you vote ?—Yes.

41,786. (*Mr. Price.*) That would be Follett and Mansell ?—Yes.

41,787. Did you get anything then ?—Nothing at all.

41,788. Did you vote in 1847 for Broadwood ?—Yes ; I think that was my first election.

R. Washer.

ROBERT WASHER sworn.

41,789. (*Mr. Price.*) Are you a voter ?—Yes.

41,790. Did you vote at the last election ?—Yes.

41,791. How did you vote ?—For Kinglake and Vanderbyl.

41,792. Did you get anything for it ?—No.

41,793. Nothing at all ?—Nothing at all.

41,794. Any promise ?—Nor any promise.

41,795. Did you vote at the election of 1866 ?—That is the first vote I had.

41,796. What have you to say ?—I was present with Dare when his wife fetched him. I was in company with him.

41,797. Where did your wife fetch him from ?—The "Mason's Arms."

41,798. We are going to postpone that part of the case till to-morrow. Is that all you are going to tell us now ?—Yes.

W. Dibble.

WILLIAM DIBBLE sworn.

41,799. (*Mr. Price.*) What are you ?—a labourer.

41,800. Did you vote at the last election ?—Yes.

41,801. How did you vote ?—For Westropp and Gray.

41,802. Did you get anything for it ?—No.

41,803. Whom are you working for at this time ?—Mr. Joseph Richard Smith.

41,804. Did you vote at the elections in 1866 ?—I did.

41,805. How did you vote ?—For Patton.

41,806. Both times ?—No, only one.

41,807. Which of them ?—The first.

41,808. Why did you not vote at the last ?—I do not know why it was.

41,809. Did you get anything for the first ?—10*l.*

41,810. Who from ?—Temblett.

41,811. Did you vote in 1865 ?—Yes.

41,812. For Westropp ?—Yes.

41,813. How much did you get ?—10*l.*

41,814. Who from ?—Mr. Moore. at the "Bull and Butcher."

41,815. Did you vote in 1859 for Padwick and Westropp ?—No.

41,816. You did not vote at all ?—Yes, I voted for Tynte and Kinglake.

41,817. How much did you get ?—10*l.*

41,818. Who from ?—Some child ; I do not know who it was.

41,819. Some child ?—Yes.

41,820. Brought you the money ?—Yes.

41,821. At your house ?—No.

41,822. Where ?—At Mr. Morris's the sadler's at the back of the "Clarence."

41,823. Was it a boy or a girl ?—I cannot tell ; a child from 15 months old to 18 months.

41,824. What are you talking about ; a child 18 months old ?—Yes ; some person must have led the child to have done it with its left hand, and it brought the 10*l.* note in the right. I took it and went to poll.

41,825. Did you vote before at any election ?—In 1859, I think.

41,826. That was 1859 ?—In 1839 for Broadwood.

41,827. Did you vote in 1857 ?—Who was that.

41,828. Follett ?—No.

41,829. Did you vote in 1852, when Follett and Mansell were here ?—Yes.

41,830. Did you vote in 1847, when Broadwood was here ?—Yes.

41,831. How did you vote then ?—For Broadwood.

41,832. How much did you get ?—20*l.* all but eight shillings.

41,833. Who gave it to you ?—Murlis.

41,834. (*Mr. Coleridge.*) What became of the 8*s.* ?—I paid that for interest. He gave me 10*l.*, and said he would pay me the other if I would pay him the interest.

41,835. Did you owe him anything ?—No.

41,836. Commission he took ?—Yes.

41,837. Did you vote in 1847 ?—Never before that for Broadwood.

41,838. In 1839 you said you voted ?—Yes, for Kinglake.

41,839. Do you mean in 1859 ?

(*Mr. Coleridge.*) In 1839 there was no election. In 1837 Broadwood, Courtenay and Lethbridge stood.

41,840. (*Mr. Price.*) What was the first election you voted at ?—Broadwood's.

41,841. Did you get anything then ?—Yes, 30*l.*

41,842. That is your first election then, 1847 ?—Yes.

41,843. In 1847 and 1852 you say you did not get anything ?—No.

41,844. In 1857 you did not vote ?—No.

41,845. In 1859 you voted for Tynte, and got this 10*l.* from a child ?—Yes.

41,845. In 1865 you voted for Westropp ?—Yes.

41,847. And got 10*l.* from Patton ?—Yes.

41,848. (*Mr. Anstey.*) Is your name James Dibble ?—No.

41,849. What are you to James Dibble ?—I do not know any such person.

41,850. Were you examined before Mr. Justice Blackburn ?—Not me. I know William Dibble, a baker, who used to be in the town.

W. Dyment, jun.

WILLIAM DYMENT, jun., sworn.

41,851. (*Mr. Price.*) What are you ?—A brick and tile maker.

41,852. Son of William Dyment, the gardener ?—I am.

41,853. He is a voter ?—Yes.

41,854. Do you know why he is not in attendance ?—Because he is not in a right state of mind to come and give evidence.

41,855. He is out of his mind ?—Not exactly.

41,856. Is he childish or what ?—Childish; old age has come on him, I suppose.

41,857. What age is he ?—77 ; the last two years he has been going on.

41,858. He voted at the last election, did not he ?—He did.

41,859. (*Mr. Coleridge.*) Are you a voter ?—No.

41,860. Do you know anything about what money your father had for his vote at different times ?—No.

41,861. (*Mr. Price.*) How did he vote at the last election ?—Westropp and Gray; he always voted that way all the days of his life.

41,862. You do not know what he had at each election ?—No.

41,863. (*Mr. Coleridge.*) I suppose he did not vote at the last election without being paid ?—I cannot say.

41,864. (*Mr. Price.*) Do you mean to say he is so childish that he would not understand ?—Yes, you would not get anything out of him.

Mrs. Mary Ann Francis sworn.

41,865. (*Mr. Coleridge.*) What have you got to say?—I have only come to say that my husband is ill and not able to attend.

41,866. What is his name?—William Francis.

41,867. Was he on the list for to-day?—Yes.

41,868. Did he get any money at the last election?—No.

41,869. The one before he did?—Yes.

41,870. How much?—10*l.*

41,871. Who from?—I think Bulpin.

41,872. The election just before, what then?—10*l.*

41,873. Who from?—Bussell.

41,874. In 1865, what did he get then?—He got three 10*l.* together, one for Westropp from Waddon.

P. Betty.

Peregrine Betty recalled.

41,875. (*Mr. Coleridge.*) Did you ever go to Dare and say that he could have 30*l.* if he went to the "Clarence"?—Never made use of the words in my life, because I had no power.

41,876. Did you say anything of the sort?—No, I am quite certain.

41,877. Did you say anything to Mrs. Dare?—I recollect walking with Mrs. Dare.

41,878. What did you say?—I asked whether her husband had been to poll, and she did not know whether he had or not. I said, "He always said he would vote for Mr. Westropp or Mr. Gray," and I did not know whether he had or not, and I accompanied her up to Jonas Silke's.

41,879. Did you say anything about 30*l.* if he would go to the "Clarence"?—Not a word, because I had no authority.

41,880. Did you chaffingly or otherwise say you may as well vote because 30*l.* is going at the "Clarence"?—Nothing of the kind.

41,881. (*Mr. Anstey.*) Did he say anything about money?—No, nothing of the kind.

41,882. About money?—No, because I had nothing myself.

41,883. (*Mr. Price.*) You are working for Mr. Rick's?—Yes.

41,884. Now?—Yes.

41,885. If you had a fly out that day you would have to make a return of what you did?—Yes.

41,886. The jobs you did?—There was no charge that day.

41,887. (*Mr. Coleridge.*) You were going about offering to convey people to the poll?—Yes.

41,888. Did you see this man?—No.

41,889. His wife?—No.

41,890. Did you vote yourself?—Yes.

41,891. Did you get anything?—Nothing.

41,892. Who did you vote for?—Westropp and Gray. I never had a vote before.

41,893. What did you get for your fly driving?—Nothing. I thought I ought to have something, but I never had.

R. Washer.

Robert Washer recalled.

41,894. (*Mr. Price.*) Tell us what you know about this?—I was in company with Dare at the "Mason's Arms," and this man and Dare's wife fetched Dare out of my company.

41, 895. You say Betty came with Mrs. Dare?—Betty did not come to the house. Mrs. Dare came in with her husband and he went away with his wife and he came back again to me and I said, "Where have you been?" He said, "They fetched me away to the poll." "Who?" I said, "Mr. Hodges and "Betty drove down to our house to look for me and "I was not there, and I have been to see Betty, and "he offered me 30*l.* if I would go to the poll."

41,896. This is all what Dare told you?—Yes.

41,897. You did not see any part of it?—No.

41,898. (*Mr. Coleridge.*) When did he tell you?—The same day.

41,899. (*Mr. Price.*) He told that there and then?—Yes.

J. Silke.

Jonas Silke sworn.

41,900. (*Mr. Price.*) Are you a voter?—Yes.

41,901. What are you?—An innkeeper.

41,902. What inn do you keep?—The "Masons' Arms."

41,903. Did you vote at the last election?—Yes.

41,904. How did you vote?—Kinglake and Vanderbyl.

41,905. How much did you get?—Nothing at all.

41,906. No promises?—None whatever.

41,907. Was there any bill at your house for treating?—None. There was a little treating, but not in the shape of the election; there was no word mentioned.

41,908. But there was drinking?—Yes.

41,909. Who paid you your bill?—No one.

41,910. It has not been paid?—No.

41,911. Who did you send it to?—Bulpin.

41,912. How much is it?—20*l.* 17*s.*

41,913. (*Mr. Anstey.*) You call that "a little treating." You cannot deny that you said there was a "little treating"?—Yes.

41,914. (*Mr. Price.*) Did that all occur on the day of the election?—No.

41,915. How long before?—Some days before and some days after.

41,916. Did you ever make 20*l.* in any way in so short a time before?—I never made that.

41,917. What did you get for voting besides?—Not a farthing.

41,918. Not any promises of anything?—No.

41,919. Any present to your wife?—No.

41,920. Did you vote at either election in 1866?—No, that was the first.

41,921. Had you treating in 1866?—No.

41,922. What have you to tell about this matter?—Mrs. Dare fetched him from my door, and there was a gentleman waiting at her house, while she put her clothes on to fetch him.

41,923. Did you see the gentleman?—No.

41,924. How did you know it?—Only what Mrs. Dare came and asked us.

41,925. What did she say to you?—"Is Dare here?" I says, "Yes." "Tell him I want him directly." As he kept the Turkish bath, I did not know but what a gentleman was there who wanted a bath.

41,926. Did Dare go out?—Yes.

41,927. Did you see him?—Yes.

41,928. Was that man Betty there?—No; I did not see him, he may have been outside.

41,929. You went to the door with Dare?—No, I did not. I saw Dare go out with his wife. I was in the passage.

41,930. You did not see who was in the street?—No, I did not.

41,931. Is that all?—That is all.

C. Dare.

Charles Dare recalled.

41,932. (*Mr. Price.*) Do you think there is any chance of your wife coming in a day or two?—She might be able in a few days, I cannot say exactly. Mr. Haviland can tell you she was attacked last evening.

FORTIETH DAY.

Mr. R. Hodges.

12 Oct. 1869.

Mr. Richard Hodges recalled.

41,933. (*Mr. Price.*) What have you to say further about this?—I am strongly impressed that it is a mistake altogether, that it is Hodges on the Liberal side who went in the fly. I certainly did not go in the fly.

C. Dare.

Charles Dare recalled.

41,934. (*Mr. Price.*) What Hodges do you understand?—I never saw Hodges, I was not at home; he came where my wife was; my wife knows Hodges very well.

41,935. This Hodges?—Yes.

41,936. Did she indentify this Hodges?—She identified him here on Saturday; when he contradicted Porter she said, "That's the man."

41,937. Then we must wait till we see Mrs. Dare.

(*Hodges.*) I am quite confident that I have not been to the house at all.

(*The witness.*) I don't believe she did so. She said you went to the house, and Betty came in; so she told me. I never saw it.

(*Hodges.*) There is a great mistake somewhere; I cannot say where. I did not drive a fly for the day.

Adjourned to to-morrow morning at half past 10.

FORTY-FIRST DAY.

Wednesday, 13th October 1869.

Present:

Edwin Plumer Price, Esq., Q.C.
Thomas Chisholm Anstey, Esq.
Charles Edward Coleridge, Esq.

Henry Francis Purcell, Esq., Secretary.

FORTY-FIRST DAY.

Mr. J. Haviland.

13 Oct. 1869.

Mr. James Haviland sworn.

41,938. (*Mr. Price.*) You are a medical man practising in Bridgwater?—I am.

41,939. Are you in attendance on Mrs. Dare, the wife of Dare who keeps the Turkish baths?—I am attending her at the present time, and have been for the last three days.

41,940. What is her state of health?—Very bad.

41,941. Is she fit to come to court?—Not at all.

41,942. Do you expect that she will be in the course of this week any day?—I am fearful not.

41,943. What is she suffering from?—From obstruction of the bowels with threatened inflammation.

41,944. Would she be able to answer any questions if we went to her, or is she in such pain that she could not attend?—Decidedly yes.

41,945. She would?—Yes.

41,946. Do you think we had better see her to-day or to-morrow?—Well, I think the sooner it is over the better for her. To-morrow if the most convenient for yourselves.

41,947. What do you say if we went about one to-day?—That will do.

41,948. Will you be in attendance there at one o'clock?—If it is your wish.

O. Bridges.

Oliver Bridges recalled.

41,949. (*Mr. Price.*) Were you a voter?—No.

41,950. At the last election?—No.

41,951. Has your name been given in as a person who received a bribe for voting?—No.

41,952. (*Mr. Coleridge.*) Have you received money for anybody else?—No, my father is a voter.

41,953. Is he the same name?—No; Henry Bridges, Silver Street. At his request I have attended here this morning. My mother is lying dead.

41,954. Had he a vote the last time?—Yes.

41,955. Did he get anything for his vote?—No, he voted Conservative. He had a vote in 1841 he tells me, and voted for Broadwood and Forman.

41,956. What did he get?—10*l.*

41,957. Is that all he ever got?—No, 10*l.* in 1859, when he voted for Padwick and Westropp.

41,958. In 1865?—He had no qualification.

41,959. How no qualification?—He did not live in a house.

Mr. W. Bagehot.

Mr. Walter Bagehot sworn.

41,960. (*Mr. Price.*) We understand you are now the editor of the "Economist"?—Yes.

41,961. And son-in-law of the late Mr. James Wilson, who is very well known?—Yes.

41,962. You have some connexion with this borough?—I am director of Stuckey's bank, and am connected with this borough in this way, that my family have been traders for a very considerable period; 70 years or somewhere about that I should think. They are not largely interested in the trade now, but still they have some connexion with it, and my father lives near. I am connected with the neighbourhood.

41,963. Previous to your coming here as a candidate had you ever intimated to anybody your willingness to be a candidate for Bridgwater in any way?—I think the thing had been talked about for a considerable period.

41,964. Before you came down here?—Before I came down here I should think for a very considerable period. Mr. Brand had my name down in his list, and I think Bridgwater was one of the places mentioned.

41,965. You knew Bridgwater by repute?—Yes; but I never consented to come here until lately.

41,966. You never elected to come of your own choice?—No, by no means. It was merely conversation as about other places.

41,967. When was the first intimation, and from

whom that there was an idea of bringing you forward here in 1866?—The first definite information was when three gentlemen called on me in London. Mr. Lovibond, Mr. Barham, and Mr. Paul Reed. They came to my house. I think I had a letter from them telling me to expect them, or something of that kind.

41,968. When they came did they tell you that they had seen any of the active members of the party, Sir William Drake or Mr. Brand?—No, it was three years ago.

41,969. (*Mr. Coleridge.*) You say your name was down in Mr. Brand's list; was it down for the general election of 1865?—I think it has been down longer than that.

41,970. How was it when they were in a difficulty about a second member in 1865 you were not brought forward?—I rather think my name was mentioned.

41,971. At that time?—Yes, I think so.

41,972. (*Mr. Price.*) It would be so if it is a true document or anything like a true document which was produced before us amongst Mr. Benjamin Lovibond's papers. Mr. Travers Smith does not recognize some of the names, but along with Sir John Shelley your name is mentioned, and that would be previous to Sir John Shelley coming?—Yes, I have heard, I do not know it quite, that Mr. Benjamin Lovibond objected to me.

41,973. On what ground?

41,974. (*Mr. Coleridge.*) That you knew too much about Bridgwater?—No, I think there was an old feud between him and Stuckey's bank, and he thought perhaps that I was not quite the class of man. I do not know.

41,975. (*Mr. Price.*) You say you received a letter?—I think I did. They all three came to me there.

41,976. Did they say when they came that they had had a communication with Sir William Drake or Mr. Travers Smith when your name was mentioned; do you remember?—No, I do not think they did.

41,977. Now we will leave you to tell us succinctly and as clearly as you can what took place at your interview with these three gentlemen?—Of course I soon became aware of what the nature of their position was; they stated that they wished me to become a candidate. Immediate reference was made either by myself or some of them to the circumstances under which we then stood. It was just after Mr. Westropp had been unseated for bribery, and that was naturally a prominent topic, and I remember saying that I understood the Liberals had been pure at the previous election in 1865, and of course I understood that they were come to me on those terms again. They said "Oh yes," and that was the distinct understanding that the party had determined on their election being pure, and I was asked by one of them, I think by Mr. Barham, whether I would subscribe to the petition in case there should be one, because we considered if I came down on pure principles, it was not likely I should win. We did not wish to slander the other side, but still the idea was that money would be used, and therefore I should be in a minority, and so they at once asked whether I would subscribe to the petition. I think some sum was mentioned, but I cannot remember at this distance of time what it was.

41,978. (*Mr. Anstey.*) Was it a large or small sum?—Something like 600*l.* or 700*l.*

41,979. (*Mr. Coleridge.*) Not your subscription to that amount?—My subscription. I understood I was to subscribe about 600*l.* to the petition. That is the sort of sum which is in my mind.

41,980. (*Mr. Price.*) What did you say to the proposition?—I agreed to that. I gave him to understand that I would be quite Liberal in everything that was legal as far as I was concerned. I wanted to get into Parliament, and everything that could be honourably and righteously done I was ready to do.

41,981. Was anything said about that time about those gentlemen, the agents, expecting fees?—No, not at that time, but I had taken the precaution some days before, knowing that this was likely to come, to talk to Mr. Robins, whom you had here yesterday, and I agreed, if anything had been said, I I would consult him on the subject. I was very inexperienced in these things, and did not feel equal to coping with professional gentlemen on a subject of this description.

41,982. Is that all that took place at that interview?—I think almost the whole.

41,983. Was there any intimation given you that these gentlemen had put down their names, guaranteeing a sum to be spent at the election?—Nothing of the kind whatever.

41,984. (*Mr. Anstey.*) Was anything said to you or by you that Bridgwater was a place where money had been spent in corruption?—There was a discussion as to the petition on which Mr. Westropp had been turned out for bribery—a good deal of discussion, of which I do not remember the particulars.

41,985. Did they or any of them give you the pledge that no money on your part should be spent in corrupt purposes at that election?—I considered there was a distinct understanding of a pledge from all three.

41,986. Each of them?—Yes, they all spoke *en masse*, but I considered it amounted to that.

41,987. (*Mr. Price.*) And on that footing only you consented to become a candidate?—On that footing only.

41,988. How soon after that did you come down to Bridgwater?—I do not quite remember when that interview was with precision.

41,989. The seat had been declared vacant and a writ moved?—No, the writ had not been moved for, it was before the writ was moved for, because there was a discussion as to whether it should be moved for or not, a very considerable discussion. There was a great doubt at that interview whether it would be moved for, and that was one of the subjects we discussed, whether it would be moved or not.

41,990. Was anything said to you at all, not only with reference to your spending money, but to lead you to suppose you would be called on to pay outstanding bills incurred in Sir John Shelley's or Mr. Kinglake's former election?—Nothing whatever.

41,991. Nothing suggestive?—Nothing suggestive of that kind or description.

41,992. I need hardly ask you, would you have repudiated that as much as any other form of bribery?—I should have repudiated it.

41,993. (*Mr. Coleridge.*) Was this your maiden essay to get into parliament?—Yes, I had inquired about places, but I had not stood for any before.

41,994. (*Mr. Price.*) Then go on with the history of your candidature on that occasion. You probably did not come down until after the writ was issued?—I came down the day after the writ was issued. I went down to the House to see whether it would be moved for and the next day in the evening, the Friday evening, I came down and was received here, of course, in the usual tumultuous manner, according to the habit of this place.

41,995. (*Mr. Anstey.*) With reference to that, will you just read a part of your address to the electors at the meeting when Mr. Sealy, the banker, was in the chair?—Yes, I think that was Saturday eveniag.

41,996. Yes, and a report of your address has been forwarded to us by you?—Yes, I sent it down.

48,997. Will you read out that passage which is marked?

41,998. (*Mr. Price.*) That is part of your address?—Part of my speech, not address. "I need say no "more to you on the state of the nation, but I want "to say one word as to the state of the borough. We "know that for a long time the Liberal party has "been triumphant here, and we know that at the "last election that party suffered a temporary but "disastrous eclipse, and we know by what foul means "that eclipse was produced (Hear, hear.) I do not "mean to touch the details, but I have a practical

FORTY-FIRST DAY.

Mr. W. Bagehot.

13 Oct. 1869.

" remark to make about it. There is a remarkable " class of people whose position in the matter I do " not understand. I understand Mr. Westropp's, and " I do not want to be hard upon him ; after all, he " has suffered a great penalty in being excluded from " Parliament. He was very ambitious of his seat, and " therefore, had great temptation. I can, too, make " allowance for the poor voter ; he is, most likely, ill- " educated, certainly ill off, and a little money is a " nice bait to him. What he does is wrong, but it is " intelligible. What I do not understand is the " position of the rich, respectable, virtuous members of " a party which countenances these things. (Cheers.) " They are like the man who stole stinking fish, they " commit a crime, and they get no benefit. (Laughter,) " Bribery cannot be carried on without their con- " nivance. It is their crime as well as that of others, " and they are more inexcusable, for they are hardly " tempted at all, and others are tempted much. Now " that it has been exposed to the light of day, I " cannot believe that the respectable men of the Con- " servative party will commit what at the election " ascertained to have happened. (Hear, hear.) I " have nothing else to say to you except that I shall " be happy to answer any questions which may be " put to me, and to ask you to form yourselves into " one great vigilance committee for the success of our " party, the purity of the borough, and the triumph " of Liberal principles."

41,999. (*Mr. Anstey.*) Did you intend during the the whole of your contest to act on the purity principles there set forth ?—Entirely.

42,000. (*Mr. Price.*) Was that address of yours, and that passage amongst others, received with tumultuous applause ?—I see "loud cheers" at the end of it. Oh yes, it was very well received.

42,001. (*Mr. Anstey.*) I see immediately afterwards that a motion was made and carried unanimously, you can read what it was ?—" On the proposition of " Henry Lovibond, Esq., seconded by G. B. Sully, Esq. " it was unanimously resolved, ' That this meeting " ' having heard a declaration of Mr. Bagehot's poli- " ' tical principles, approve of the same and considers " ' him a fit and proper person to represent this " ' borough in Parliament, and further pledges it- " ' self to use every legitimate effort to secure his " ' return.' "

42,002. It appears therefore that they wish to have it go forth that their intention was equally pure with your own ?—That is what I understood to be their intention.

42,001. (*Mr. Coleridge.*) You say you understood, did you believe ?—Oh, I believed. I believed it on this ground, that though I perfectly well knew in former times the Liberal party had been quite as bad as the other, yet having turned out Mr. Westropp for bribery, and the election having been pure in 1865, I considered I might rely on that pledge.

42,004. But you are assuming a great deal in saying that they had been pure in 1865 ?—Well, that is what was stated to me.

42,005. (*Mr. Price.*) Did not they tell you there had been a counter petition against Mr. Kinglake which no doubt was dismissed by the committee, or fell through from want of proof, but which did allege corrupt practices ?—I was well acquainted with that, not so much from their telling me as my own knowledge, but it was generally understood at that time that that was wholly unfounded, and that the Liberals were pure. It may have turned out different from your investigation, but that is how it appeared to me at that time, and I also considered that I might rely on it. I did not think they would come to me living in the neighbourhood, and not being quite the class of person who is generally sought for.

42,006. If that account is true which was given by Mr. Travers Smith, you were put down as one of the rich men, "All the above are rich and good men" ? —I do not know anything about that, but the people here, do not want to go to Mr. Travers Smith about me and my family.

(*Mr. Anstey.*) Mr. Benjamin Lovibond and his experienced clerk, Fletcher, set you down in a list of five, side by side with gentlemen called very moderate, with a gentleman of advanced principles, who went in for abolition of church rates, and vote for ballot, and other gentlemen of moderate principles, and a nobleman who is said to have no experience, but very intelligent, and there comes this last sentence——

42,007. (*Mr. Price.*) I will give you your description, "Walter Bagehot, an able man, editor or part " proprietor of the 'Economist,' son-in-law of James " Wilson, M.P., a good candidate." You are followed by Lord Milton, "an intelligent young candidate, but not " experienced ; the highest social and family position." Then at the bottom, "All the above are men of wealth " and position, who would do credit to almost any " constituency" ?—What I meant in the remark I made just now, is that I thought at that time, and remember thinking that the persons who generally commit the bribery, and come down to corrupt boroughs, are either very rich men to whom money is no object, or what I may call sham millionaires who come down because it is thought that they have got it, and I do not suppose that anybody thought I was either one or the other. I may have certain moderate means, but I cannot afford to throw away these enormous sums, and I did not intend to do it, and I certainly do not think I am a sham millionaire.

42,008. (*Mr. Coleridge.*) No one came to you as they did to Mr. Vanderbyl ?—No.

42,009. From their own local knowledge ?—No one ever came to me.

42,010. From their own local knowledge you mean, they would not think of doing so ?—From their own local knowledge.

42,011. (*Mr. Anstey.*) That is the meaning of my question, a little while ago. You are in the paper which the learned Chief Commissioner has read, set down side by side with one with whom you are made to agree in the important consideration that you are said to be a man of wealth and position, and the man who set you down is not a stranger, but a Bridgwater man ?—I am not anxious to make myself out a pauper, that is not my case.

42,012. (*Mr. Price.*) The question is that the impression intended to be conveyed to people here, if Mr. Lovibond allowed this to be circulated, which was prepared after careful analysis, was that each one of these gentlemen was a man of wealth ?—Well, wealth is a comparative term. I am not anxious to make myself out a pauper, but at the same time I want to put myself right before the Commissioners, I do not think it is likely that persons intending to commit bribery would come to me being so well known, and I believe myself that Mr. Benjamin Lovibond rather objected to me on that ground. I do not wish to slander his memory, but I know that he did, I believe that he did object.

42,013. During the whole course of the time you were here while the contest was going on, did anything of the kind occur to raise your suspicions that anything like corrupt practices were going on on your side ?—On the contrary I circulated this speech in the borough, and it was generally well received, and I had various conversations with my agent Mr. Lovibond particularly.

42,014. Were you in constant communication with Mr. Barham, Mr. Lovibond, and Mr. Reed ?—Yes, in constant communication with them, but nothing ever passed ; on the contrary we had a good many conversations of the same kind as far as conversation went.

42,015. Had you a canvass ?—I went all over the canvass with Mr. Reed and Mr. Lovibond.

42,016. What was the result ?—We did not put down the canvass very much, because I was told a good many I could fairly not rely on.

42,017. When you were told it could not be relied on, was anything said to explain that ?—If the Tories offered money, although they pledged themselves to me, I was not to rely on them. There are certain

streets in Bridgwater, I should not like to name them, and I am not sure that I know them now, which nobody can go down and not see that they knew nothing about politics, and care nothing about it, and taking down the names there would be a perfect farce.

42,018. (*Mr. Anstey.*) Speaking from your experience of those streets when you went down them canvassing, did any of the people say anything to you, or in your hearing, about money?—Yes, one I recollect standing at the door, who said, "I won't vote for "gentlefolks unless they do something for I. Gentlefolks do not come to I unless they want something "of I, and I won't do nothing for gentlefolks, unless "they do something for me." Of course I immediately retired out of that house.

42,019. That man did not give you his promise?—I retired immediately; he stood in the doorway sideways, as these rustics do.

42,020. Were there many such instances?—One or two I remember. One suggested that I might have a place. I immediately retired from him.

42,021. Did anybody of a better class than those voters, privately of course, expostulate with you you against your resolution to be pure?—No, nobody ever came to me at all.

42,022. But those about you, did any of them say anything of this kind, "Mr. Bagehot, you are quite "wrong in putting purity of principles forward. It "will not do if the other side bribes"?—I might have been told that I should be unsuccessful in the stream of conversation; many people may have told me that; that is how I gathered if the other side was impure and we were pure, I should be beaten.

42,023. Can you remember the names of any who told you that?—No I cannot, but I daresay I was told by as many as 20 people, and we went upon that entire consideration.

42,024. That continued up to the day of the poll?—That continued up to the day of the poll.

42,025. In the early part of the day you were in a majority?—Yes for a considerable time.

42,026. Tell us whether anything occurred on that day communicated to you by any of your important friends?—Nothing occurred at all.

42,027. Which led you to suppose that money was about?—Nothing was ever said to me, but at the same time I did not go through the day without suspecting that some one was doing something wrong on my behalf.

42,028. What was it that gave rise to your suspicions?—I was getting too many votes. I got many more than I could believe honestly got.

42,029. (*Mr. Coleridge.*) Had you given up all hope?—I did not think I could win, I do not say I had given up all hope. I thought I should be beaten.

42,030. (*Mr. Price.*) You thought you were fighting a losing battle?—That I was fighting a losing battle. I came down to fight one, and when I found that I was winning I began to suspect that something was wrong. It did not come on me early in the day, and I cannot specify the time that it did, but I certainly did begin to think that some one on my behalf was doing what they ought not to do.

42,031. Did you say anything at all to anybody connected with you?—No, I did not. I did not feel confident myself; it was mere suspicion.

42,032. Were you accompanied by any friends from London, as many candidates had been?—No, I had nobody here on my behalf. I should say that what has really happened since did not occur to my mind then. What I thought was that some purse had been made up in the place, and I think this passed through my mind, "Well, shall I say anything about it to these people; I shall certainly be told it is not so." That was really it.

42,033. In the result you were beaten by a small majority?—Yes. I heard some people say, "How "well he bears it; after a triumphant majority early "in the day, he is beaten." The fact was that I was very glad to be in the minority, because I thought the majority would not have been honestly procured. It was a very mingled feeling, at any rate, in my mind.

42,034. You think you would not have felt any great sense of triumph if you had been returned, from what your feelings were?—I did not much care at all.

42,035. (*Mr. Coleridge.*) How early in the day were you pretty well convinced that the opposite party had spent money?—I was told early in the morning by Mr. Lovibond that the money had not come down they had heard, and therefore he thought that he should be able to congratulate me. I remember his coming into the room, and saying that, and for a long time I was in a considerable majority, but not more than I had a right to be probably. I do not know how long I was looking for the money of the other side to come and counteract this. That is what I was expecting, but it did not come. I seemed to be getting ahead, and getting ahead, and then at last I saw what I had expected had come, but I cannot say exactly the precise time.

42,036. We have heard that as much as 4,000*l.* was spent at that election on that side?—

42,037. (*Mr. Price.*) 1,900*l.* in direct bribes of 10*l.* then, besides large sums afterwards. 1,900*l.* was spent beyond all question, very much on that day, and the election finally won by collecting a tally of 30 or 40 men, which just turned the scale at the last moment?—Yes, I may have heard all day that they were spending money.

42,037. Did you wait after the declaration of the poll, or did you go away?—I stayed till the declaration of the poll, and made a little speech before I went, which nobody heard but on the platform.

42,038. (*Mr. Coleridge.*) You lost by seven?—I lost by seven.

42,039. (*Mr. Anstey.*) During the vicissitudes of that day did you observe or not observe that your friends about you began to be more importunate with you on the question of purity?—Not a single word was said to me.

42,040. No word of regret that you had taken that course?—No one said a word to me. When the thing became quite hopeless, when all the voters had polled, I think it was something after an hour before the declaration of the poll, a great many of my friends came into the room, but nothing was said to me about the petition. I felt from that moment, I put it down as quite certain, that something had been done on my behalf.

42,041. They never suggested any particulars?—No, no one suggested a single word.

42,042. Although you came down with a full promise to spend 600*l.* towards the petition, fighting for purity after you had lost, not a word was said?—Not a single word. From that hour I was convinced that someone had been doing something.

42,044. (*Mr. Coleridge.*) Had you advanced that 600*l.*?—No.

42,045. What did you pay before the election?—Not a single farthing to anyone.

42,046. (*Mr. Price.*) I suppose then you went away?—As soon as the poll was declared, I went home.

42,047. Now tell us how soon after you left the town did you become aware that there had been an improper expenditure of money?—I cannot remember quite whether it was the next morning that I came down here, or the morning after, but it was the first morning that I came into the place.

42,048. Were you in the neighbourhood?—I went to Langport, about 30 miles off, at night, and came down here the next morning, or the one after, to take away my things which were left at lodgings.

42,049. Were you lodging at the celebrated Andrew Allan's?—I was; and if anything passed on the polling day, in thinking over what was likely I should not have thought that he was a likely man to be concerned in it.

42,050. You had no idea he was?—On the contrary, I should have thought he was the last man.

FORTY-FIRST DAY.

Mr. W. Bagehot.

13 Oct. 1869.

42,051. (*Mr. Anstey.*) Why so?—The whole place is so respectable.

42,052. And his conversation also?—I had not much conversation with him, but that was the impression. I was some time in the house, and would never have thought him concerned in so rascally an affair, but they were lodgings which I should have recommended to a candidate who was coming down.

42,053. Was there a crowd there?—No, nothing of the kind; it was as quiet as possible.

42,054. (*Mr. Coleridge.*) What were your legitimate expenses returned to you as?—193*l.* 10*s.* 2*d.*

42,055. How long after the election did you pay that?—About two months, I think. I paid through Mr. Robins, who was here yesterday.

42,056. (*Mr. Price.*) 193*l.*, I think he said, besides 1,100*l.*?—193*l.* 10*s.* 2*d.*

42,057. (*Mr. Anstey.*) Did you pay your personal expenses bill before you left?—I paid Allan, and I also paid the hotel bill where my servant slept.

42,058. Before you left on the polling day?—No, when I came down here on the morning I was mentioning.

42,059. How long after?—I do not remember whether it was the next day, or the day after that.

42,060. (*Mr. Price.*) 196*l.* is about the average, but then included in that sum, with regard to the last election, are both Mr. Westropp's and Mr. Gray's personal expenses to make up that sum. Do you remember how the 196*l.* was made up against you?—I do not distinctly.

42,061. Because there were fewer polling places and less hustings expenses in 1866?—The accounts will show; I do not know it.

42,062. Had you any conveyances?—No, I had no conveyances at all.

42,063. (*Mr. Coleridge.*) Do you mean that all the voters walked to the poll? It was before the Act, you know?—I think there was nothing of the kind. At the same time I do not remember.

42,064. (*Mr. Price.*) With reference to the last election the bills against two of the candidates for personal expenses came to 72*l.* each, and then there were many more polling places, and the hustings expenses divided between four candidates were 31*l.* for hustings and so on?—The hustings expenses would be divided only between two.

42,065. There was only one polling place, less clerks, and all that would be legitimate expenses?—I have no recollection.

42,066. Do you think there was anything for agency in that 196*l.*?—I do not think there was. I paid 50*l.* to each of the lawyers afterwards.

42,067. Then you came here in two or three days?—I came here on this morning which I mentioned, which I do not quite remember, and before I had been here some time—I do not suppose a quarter of an hour in my room—Mr. Barham and Mr. Lovibond came in and intimated to me——

42,068. (*Mr. Coleridge.*) Which Mr. Lovibond?—Mr. Henry Lovibond.

42,069. (*Mr. Anstey.*) You had nothing to do with Mr. Benjamin Lovibond at all?—No, he was suffering from paralysis. I never saw him in my life.

42,070. When you have spoken of Mr. Lovibond throughout your examination, you mean Mr. Henry Lovibond?—I had no transaction with Mr. Benjamin Lovibond; he was passed away; and when I heard of him I did not think that was an unfavourable thing, because, having been concerned so many years in the bad work here, I knew it was a good opportunity for beginning a new regime, and he was incapable of taking a part. Then these gentlemen came to my room, and told me in fact that money had been spent.

42,071. Who told you?—Mr. Barham, I think it was, who spoke. I am pretty sure.

42,072. Did they explain to you how the money had been found?—No, I did not know at that time. I was disgusted.

42,073. (*Mr. Coleridge.*) Did they tell you how much?—They, I think, said 800*l.*, that is my recollection now. I cut the matter rather short. I did not consider about it.

42,074. (*Mr. Anstey.*) Did they appear embarrassed when they opened the communication?—Yes; I see Mr. Barham's face now—certainly there was a look of that sort. I was exceedingly disgusted with it; it did not come on me by surprise, because I was convinced there had been bad work, and I should make it my business to inquire into it, because I knew as well as possible about it.

42,075. Did you express your disgust?—I think I did. I looked it I know.

42,076. Did you remind Mr. Lovibond, or Mr. Barham, or any of them, of the distinct promise you had from them in London?—I had not much discussion. I do not remember whether I did or not, it was a very short discussion. I know I was disgusted then, and would not have much to say to them.

42,077. (*Mr. Price.*) Did you then leave Bridgwater?—I then left Bridgwater.

42,078. (*Mr. Anstey.*) Did you undertake to pay the money?—No, I did not undertake to pay it. I do not know whether they might have gathered that.

42,079. Did not it occur to you that it was retrospective bribery they were asking you to commit?—No, I never heard there was such a thing. I never knew it until reading the Beverley Commission the other day. I am not alleging this as an excuse, but I never knew there was any such crime. I never knew the paying money under such circumstances when bribery had taken place was a criminal offence at all, till the other day.

42,080. Did it not strike you to be, whatever the law was, as complete an offence against the moral code as if you had previously authorized it?—I do not say it was right; that is quite another thing, but I thought you were asking me as to the law.

42,081. Did you not think it a violation of that pledge which you gave so admirably in the words you have read in your speech?—I do not think I did. I know I did not want to pay the money then. It was very reluctantly I ever consented to it.

42,082. (*Mr. Price.*) Was great pressure put upon you to pay this money?—The determinate circumstance in my mind was this, that it would be said I did not pay it because I was beaten, but I should not have paid it otherwise. If I had come in, that would have been the general impression down here, I know, that I did not like to pay this money because I had failed, and, so far from making a good moral impression, I should only have made the impression that I was a mean person. A successful candidate, at any rate, can clear himself of that by giving up his seat, but a defeated candidate is left to be virtuous at other people's expense. That was the feeling in my mind. I am not by any means defending it.

42,083. (*Mr. Price.*) Was anything paid besides that; a sum of 1,100*l.* I think Mr. Robins told us in all?—Yes, that is all I spent.

42,084. Was anything said to you by way of pressure to pay any of Sir John Shelley's outstanding bills?—No, I never did.

42,085. Were you asked?—No.

42,086. Did they never mention that subject to you?—No; I paid everything through Mr. Robins, and all communications as to money took place through him, with the exception of one conversation on the morning I named.

42,087. Then you did eventually, as we have heard from Mr. Robins, yield?—I had many conversations with him after that, and he advised me to do it, I, not knowing that it was illegal, but knowing it was a very questionable thing, the purpose to which the money would be put, but still feeling that there was a very great difference between that and coming down to corrupt the borough.

42,088. (*Mr. Coleridge.*) Supposing you had come a second time; having done that, and the same thing had taken place, your agents here would have known

that you would adopt their corrupt acts hereafter?—Yes.

42,089. (*Mr. Price.*) That brings us to the question of your being asked to come a second time?—I was asked, and declined on that ground.

42,090. Tell us what you said about that?—I said to Mr. Paul Reed, who was the only one I saw myself—he came to me at the "Economist" office—"Well," I said, "knowing what I know, you cannot expect me," or something of that kind; and he then said something about of course I was not to come down empty handed, or something like that, and then the conversation ceased; but I never persuaded them then not to have a contest, but I did not say I would not come here at the general election, because I had some sort of hope that purity might possibly prevail.

42,091. You hoped against hope?—I hoped against hope, but still I did not like to abandon the idea at once.

42,092. However, you distinctly refused to come down?—I distinctly refused to come down.

42,093. Partly objecting that Mr. Patton ought not to be opposed on the re-election?—Well, the real thing on my mind was this, that if I came down it would be impossible to prevent these things occurring again, and I did not choose to.

42,094. What were your arrangements with Mr. Robins, as to how the money should be then paid?—I do not know. I paid him certain sums amounting altogether to 1,532*l.* 10*s.* 2*d.*

42,095. That was money found by yourself?—Yes, entirely my own money.

42,096. Not any party subscription?—No, I found my own money.

42,097. (*Mr. Coleridge.*) Not any assistance from the Reform Club?—No.

42,098. Or Sir William Drake?—No, I never asked for it.

42,099. (*Mr. Price.*) You found that money yourself, and left to Mr. Robins the mode in which it was to be expended?—Yes, and each of these gentlemen had 50*l.* in addition; I include that.

42,100. (*Mr. Coleridge.*) The whole cost, legal and illegal?—The whole cost, legal and illegal, was 1,532*l.* 10*s.* 2*d.*

42,101. (*Mr. Price.*) You have no reason to suppose we have no evidence to that effect, but it has been said there was a great deal more spent at your election?—I have no knowledge, but I am quite sure it was not so.

42,102. (*Mr. Coleridge.*) I believe you consulted Mr. Robins as to whether you should pay these illegal payments?—Just so. I entirely acted under his advice throughout.

42,103. And he advised you to pay them?—Yes; he thought that was the best course.

42,104. Was that with a view to keeping up an influence in the borough in the future?—That did not operate in my mind at the time. I was thoroughly disgusted with the whole affair.

42,105. (*Mr. Price.*) You did not abandon all hope of success?—I did not abandon all hope of success; I had some sort of hope that purity might still be possible.

42,106. (*Mr. Coleridge.*) It was not till after Mr. Vanderbyl's election that the money was paid?—Oh yes, before that.

42,107. There was only a month or two between the two elections?—The money, with the exception of the fees of the lawyers, was paid.

42,108. Before Mr. Vanderbyl's election?—Before Mr. Vanderbyl's election, oh yes.

42,109. Then it must have been paid within a fortnight or three weeks of the election?—Oh yes; they were paid; I told Mr. Robins what was to be done with it.

42,110. (*Mr. Anstey.*) Had the postponement of the payment (if there was any postponement) any reference at all to Mr. Vanderbyl's election?—No. I am inclined to think, I was more inclined to think at the time, that they were more urgent for it, thinking that perhaps Mr. Patton might come back for re-election, and they might like to have the money first, so as to be free. If I had not paid them I should have had the staff in my hands, and I should have been able to say whether there should be a contest or not. Now I certainly did think afterwards that they got the money as quickly as they could in order to do what they did do.

42,111. Did it not occur to you on the other hand, that the giving of the money then was an encouragement to them to go and do likewise at Mr. Vanderbyl's contest?—It was not till afterwards that they got that. Oh no, they got that a month or so afterwards, when I come to recollect.

42,112. (*Mr. Price.*) When you saw they had got another candidate down here, who would be ready to spend a great deal of money?—Oh yes. I wrote to the Commissioners to ask that I might be allowed to give evidence. I only did it in order that this speech might be in evidence. Something has been said in one of the newspapers about Mr. Bagehot's family having advanced money; I would just say that that is all nonsense.

42,113. I have not heard anything of that sort said here?—It was Mr. Sully who said that.

42,114. (*Mr. Anstey.*) I have not heard that said by anybody here?—Something has been said in a report in one of the papers to that effect, and I wish to negative that.

42,115. (*Mr. Price.*) Yes; that is negatived. I do not remember any such thing as that having been said at all. So far as I am concerned, you have been entirely separate in my mind from other persons. I have not thought of you in connexion with others, as I should have done if it had been said here?—It was stated in a report in one of the papers. It may be a slight error.

RICHARD CASELY sworn.

R. Casely.

42,116. (*Mr. Price.*) What are you?—A porter at the station.

42,117. At the station here?—Yes.

42,118. Are you a voter?—Yes.

42,119. Did you vote at the last election?—I did.

42,120. How?—I voted for Mr. Westropp.

42,121. And Mr. Gray?—And Gray; Westropp and Gray.

42,122. Did you get anything for it?—I did not.

42,123. Any promise?—No; no promise of any kind.

42,124. Was there any influence brought to bear upon you?—There was no influence brought to bear upon me whatever.

42,125. Did you vote at either of the elections in 1866?—I did.

42,126. At both of them, when Mr. Patton stood twice?—Yes; I voted for him twice.

42,127. How much did you get?—10*l.* each time.

42,128. From whom?—Well, I cannot tell you.

42,129. At the "Bull and Butcher," or the "Three Crowns"?—No; it was in John Street.

42,130. At the "Golden Lion"?—At the "Golden Lion."

42,131. From a stranger?—I never saw anyone.

42,132. Did you vote in 1865, when Mr. Westropp was returned?—I did.

42,133. How did you vote?—I voted for Mr. Westropp.

42,134. How much did you get?—10*l.*

42,135. From whom?—Some time after the election I got it.

42,136. From whom?—I got it from the pump, and I cannot swear who put it there.

42,137. You took it from the pump?—Yes.

42,138. At the station?—No.

FORTY-FIRST DAY.

R. Casely.

13 Oct. 1869.

42,139. (*Mr. Coleridge.*) How did you know it was in the pump?—There was a gentleman out in the yard, and I went out for something; it was down at Jarman's, in John Street, and I suppose Jarman put it there; I cannot swear.

42,140. Did anybody tell you it was there?—No; he only threw his arm out like that (*describing*), and I went and looked into the pump, and there I found the money. That is the truth, sir.

42,141. (*Mr. Price.*) In 1859 did you vote, when Mr. Padwick and Mr. Westropp were here?—I did not.

42,142. Had you a vote then?—No, I had not.

42,143. Was 1865 the first time you voted for Mr. Westropp?—The first time I voted for Mr. Westropp, at the time you speak of.

42,144. Have you ever had anything from the other side?—No. I have always been a Conservative all the days of my life, and always should vote Conservative.

J. Creedy.

JAMES CREEDY sworn.

42,145. (*Mr. Anstey.*) Did you vote at the last election for Westropp and Gray?—I did.

42,146. (*Mr. Price.*) What are you?—A labourer.

42,147. Where do you work?—On the quay.

42,148. For any particular master?—No; not one more than another.

42,149. You voted for Westropp and Gray last time?—Yes.

42,150. Did you get anything?—No.

42,151. Any promise?—No.

42,152. Were you present at any meetings at the "Clarence?"—Well, I was there in the morning of the poll, about five minutes.

42,153. Did you hear anybody make a speech?—No, I did not. It was just at the close when I got there.

42,154. (*Mr. Anstey.*) Do you mean to say you never had money after the election?—I never received a farthing. I have never had a promise, nor have I ever had any money.

42,155. Did you ever ask for any?—I never asked for any. I went to the poll free and independent of anything of the sort.

42,156. Just attend to me. Just before the election did you suffer some loss in your business?—I suffered the loss of a pig about five or six weeks before the election.

42,157. Do you remember saying you had had a misfortune in losing some fat pigs, and that you were not going to vote for nothing?—I never said that in my life; on oath, never.

42,158. Nothing like it?—Nothing like it.

42,159. (*Mr. Price.*) About one pig?—Yes.

42,160. It was about one store pig?—About one pig; about one store pig.

42,161. Did you say anything about losing one store pig?—I did. A gentleman, a clerk, made out a brief for me to get something to make up the loss.

42,162. A memorial, I suppose, you mean?—Yes; to get something towards that loss.

42,163. Who was that gentleman?—Mr. Chapman.

42,164. Chapman the clerk to Mr. Boyle?—To Mr. Boyle, I suppose he is.

42,165. Did he get up a subscription for you?—No. I did it myself.

42,167. How much did you get?—I got about 14*s.*

42,168. Was that before you voted or after?—Well, it was nearly a month before I voted.

42,169. Whom did you get the 14*s.* from?—Some from one party and some from another.

42,170. People of different politics?—Some from the Liberals, and some from the Conservatives.

42,171. Was anything said by you to them about your voting when you asked them to subscribe?—Not the slightest.

42,172. Nor by them to you?—Not the slightest.

42,173. (*Mr. Anstey.*) Did Chapman say anything to you?—No, Chapman was a stranger to me. I do not know that I ever spoke to him in my life before.

42,174. (*Mr. Price.*) How did you know Chapman?—My daughter used to work for him. Last week she was taken ill, and obliged to go to the infirmary. I asked him to make out the memorial for me, and I have never spoken to him since.

42,175. Did you vote in 1866?—I never had a vote before this last election. I voted for Westropp and Gray, and went to the poll free and independent.

42,176. You have been called about this transaction of the pig?—I just voted as much for one party as the other.

G. Dunn.

GEORGE DUNN sworn.

42,176*a*. (*Mr. Price.*) What are you?—I am a shopkeeper, residing at Bridgwater.

42,177. What kind of shop do you keep?—A toy shop.

42,178. Have you a large stock?—Well, a few hundred pounds, I suppose so. I became a voter in 1852.

42,179. We will begin at the last election; did you vote at the last election?—I did.

42,180. How?—Westropp and Gray.

42,181. Did you get anything?—Nothing at all.

42,182. No promise?—No promise.

42,183. Did you attend at a meeting held at the "Clarence"?—Never in my life at Bridgwater, neither Conservative nor Liberal.

42,184. Did you vote in 1866?—Yes.

42,185. At both elections?—Yes.

42,186. For whom?—For Patton both times.

42,187. Did you get anything?—Yes.

42,188. How much?—10*l.* was brought to my house by Harden without asking for it.

42,189. Did you vote in 1865?—Yes, for Westropp.

42,190. What did you get?—10*l.*, without asking for it.

42,191. Did you vote in 1859?—I did; for Westropp and Padwick.

42,192. Did you get anything?—Yes, also 10*l.*

42,193. From whom?—Murlis. I will tell you why I had it. Murlis came to my house on the evening of the nomination day and asked to look at a lady's bag, a good one. I showed him several. He selected one which I believe to the best of my knowledge was 10*s.*; I will not be positive to a shilling. I believe it was 10*s.*, and then he put down 10 sovereigns on my glass case, one by one. I had the 10 sovereigns, and he had the lady's bag.

42,194. (*Mr. Anstey.*) What was your condition of life at that time?—Staff-sergeant of pensioners.

42,195. (*Mr. Price.*) You kept a shop?—I kept a shop, the same as I do now.

42,196. You are a pensioner?—Yes.

42,197. (*Mr. Anstey.*) What rent did you pay at that time for your shop?—26*l.* a year.

42,198. And what was your pension?—26*l.* 4*s.* a year at that time.

42,199. (*Mr. Coleridge.*) You were not disqualified by being a pensioner?—No, not for being a pensioner. When I was serving I was disqualified. I was not in the town then.

42,200. When you were discharged you were pensioned, and got your vote again.

42,201. (*Mr. Price.*) Was that the first time you voted in 1859?—No, I voted in 1852.

42,202. Did you vote in 1857?—Yes; in 1857 for Follett, and Tynte and in 1852 for Follett and Tynte.

42,203. Did you get anything?—I got 5*l.* between

those elections, sent in a letter. I do not know who it came from; between 1852 and 1857.

42,204. How did you vote?—For Follett and Tynte.

42,205. Did you get anything at the time?—No.

42,206. Did you vote before that?—No.

42,207. (*Mr. Coleridge.*) Did you get anything between 1857 and 1859?—No. 35*l.* I have been paid altogether, taking 10*s.* off for the bag it would be 34*l.* 10*s.*

42,208. Then you have been paid at every election, except Tynte and Follett's election and Westropp and Gray's election, the last election?—Westropp and Gray and Tynte and Follett's alone. There was 5*l.* came in a letter between 1852 and 1857, but I do not know who from.

42,209. (*Mr. Anstey.*) On those occasions when you received money, which you say you did not know whom it came from, had you previously to voting been promised anything?—No; I never was at a meeting since I was at Bridgwater, either Liberal or Conservative.

42,110. Will you kindly attend to my question. You say there were occasions when you received money without knowing where it came from?—Only on one occasion.

42,211. On that one occasion when you received money without knowing who it came from, had you promised your vote to anybody?—No, I had not.

42,212. Had you been canvassed by anybody?—I promised my vote when the candidates came, and I voted as I promised.

42,213. Was that before or after you had received the money from them?—After.

42,214. And you presume it came from somebody connected with them?—I judged as much.

CHARLES SPRANKLIN sworn. *C. Spranklin.*

42,215. (*Mr. Price.*) What are you?—A labourer.

42,216. For whom do you work?—In the town.

42,217. For anybody?—Scavenging.

42,218. Are you a voter?—Yes.

42,219. Did you vote at the last election?—Yes, I did; that was the only time.

42,220. For whom?—Westropp and Gray.

42,221. Did you get anything?—No.

42,222. Any employment of any kind?—No.

42,223. Did you attend any meeting?—No.

42,224. (*Mr. Coleridge.*) Did you get anything after the election?—No.

42,225. Was that the only election at which you voted?—It was.

HENRY HOBBS sworn. *H. Hobbs.*

42,226. (*Mr. Price.*) What are you?—A shoemaker.

42,227. A master?—Yes.

42,228. Are you a voter?—Yes.

42,229. How did you vote at the last election?—Westropp and Gray.

42,230. Did you get anything?—No.

42,231. Did you get any promise?—No.

42,232. Did you attend any of those meetings which have been spoken of at the "Clarence"?—I attended part of the time.

42,233. At the "Clarence"?—Yes.

42,234. Were you there when anybody was making a speech?—I heard Mr. Gray make a part of his speech.

42,235. Tell us what you heard him say?—I heard him tell the working men to go to poll early. That is all I heard him say.

42,236. Did you hear him say that he would do good to the town, or advance the trade, or anything of that sort?—I never heard it.

42,237. Did you vote under any promise, or were you influenced in any way to vote?—At the last election?

42,238. Yes?—No.

42,239. Did you vote at the two elections in 1866?—Yes, I did.

42,240. Both of them?—I did.

42,241. How did you vote?—For Mr. Patton.

42,242. Both times?—Yes.

42,243. How much did you get?—You wish me to state the correct thing?

42,244. (*Mr. Coleridge.*) Of course we do, and it will be the worse for you if you do not.—I mean whether I went to them to be bribed, or they sent money to me?

42,245. (*Mr. Price.*) Tell us all about it?—I voted for Mr. Patton the first election, and there was nobody ever offered me anything on either side, or promised me anything, and I never went in for anything that way; but about three days before the election, I will not be certain about the day, there was 10*l.* sent to my house, and as I was passing up the street to go to Mr. Temblett's, I think it was Mr. Waddon who asked me if I had had it. I said "Yes," and I asked him what it was for, and he said it was for my services.

42,246. (*Mr. Coleridge.*) What did you do?—I got the voters up. I was away a day and a night.

42,247. You got 10*l.*?—Yes.

42,248. (*Mr. Price.*) Were you what is called a watcher?—Yes.

42,249. (*Mr. Coleridge.*) At the next election, Mr. Patton's, did you get anything then?—Just the same way. I had 40*l.* from Mr. Waddon.

42,250. What for?—To carry 10*l.* to Parsons, I think it was stated here yesterday; 10*l.* I gave to Charles Hobbs, and I think he voted the other side afterwards; 7*l.* I returned to Mr. Waddon, and 13*l.* he said I was to have for myself, for money I had spent, and for my services.

42,251. (*Mr. Price.*) Did you vote in 1865?—I did.

42,252. For whom?—Westropp and Kinglake.

42,253. What did you get?—Nothing, and never a promise.

42,254. (*Mr. Coleridge.*) Did you pay any money to anybody?—Not then.

42,255. Did you get anything for your services?—No, I never had anything at all.

(*Mr. Anstey.*) How came you to vote for Kinglake?

42,256. (*Mr. Price.*) How came you to split your vote?—I think I voted for him twice.

42,257. (*Mr. Anstey.*) How came you to vote for Kinglake in 1865, and not plump for Westropp?—I never voted but once before, and that was for Mr. Kinglake.

42,258. Why did you vote for him then, and not vote for him afterwards?—I have a perfect right to alter my views, have not I?

42,259. (*Mr. Coleridge.*) But the curious thing is that the money followed the alteration of your views?—Never. I never received anything in the way of money.

42,260. (*Mr. Anstey.*) I do not see what you mean by altering your views. You must have altered your views when you split your vote, because your views must have been Liberal when you gave one half of your vote to the Liberals, and Conservative when you gave the other half to the Conservatives?—I made a mistake.

42,261. (*Mr. Price.*) Attend to the question. I ask you again for the third or fourth time, what made you vote for Mr. Kinglake then, seeing that your opinions were Conservative?—I was never an out and out Liberal. I was always Conservative. I voted for Kinglake and Westropp. I cannot answer more than that.

42,262. Was it not to keep well with both parties?—No.

FORTY-FIRST DAY.

H. Hobbs.

13 Oct. 1869.

42,263. Was it not with the hope of getting money?—No; I never got any money for my vote.

42,264. Do you mean to say you never got any money for your vote when you sold yourself like a pig?—No.

42,265. You said just now that you had sold yourself in the market twice?—That was not that year.

42,266. The immorality does not depend on the year of the election. I am talking of your views; your views are as corrupt as that of any other bribee; and I want to know whether you did not look for money at the election of 1865 as you did in the election of 1866?—No, I did not. I went to vote free and independent.

(*Mr. Anstey.*) Do not talk about free and independent.

42,267. (*Mr. Coleridge.*) Did you vote in 1859?—Yes.

42,268. How did you vote then?—For Mr. Kinglake.

42,269. (*Mr. Price.*) Did you plump for Kinglake?—Yes.

42,270. (*Mr. Coleridge.*) What did you get then?—Nothing at all on either side.

42,271. (*Mr. Price.*) How did you vote?—If I voted then, I voted for Mr. Kinglake. I never in my life received anything.

42,272. (*Mr. Anstey.*) What do you mean by saying "never in my life;" you have given two instances already?—I mean at this time.

42,273. (*Mr. Price.*) Did you vote in 1852, when Mr. Kinglake first came here?—I think not.

42,274. Did you vote before 1852 at any election?—No.

42,275. (*Mr. Coleridge.*) Did you ever have any money to pay men for their votes, except the three you have told us of?—No.

42,276. No other?—No.

42,277. Are you sure?—I am quite sure.

42,278. (*Mr. Anstey.*) The men you took trouble about at Mr. Patton's first or second election (I really forget which you said), you were away a day and a night getting them up; did you promise them any money?—I did not. I had not any money to promise them with.

42,279. Did you tell them you would take them somewhere where they would get money?—I do not think that was the first election.

42,280. Will you answer my question? When you got them up (to use your language) did you tell them where they could get money?—I told them I was going to the "Bull and Butcher."

42,281. Did you tell them what you were going to take them there for?—Yes.

42,282. That was to get money?—I have not the least doubt of it.

42,283. That was the work you were paid the 10*l.* for?—Yes, and the money that was sent to me.

42,284. Your work and your vote were the things you got 10*l.* for?—No.

42,285. Have you anything more to say?—I heard my name brought up the other day.

42,286. (*Mr. Price.*) Of course it was brought up?—Mr. Lilly said I could answer something about the "Foresters."

42,287. (*Mr. Coleridge.*) What is that?—I am sure I do not know.

42,288. (*Mr. Price.*) What about the "Foresters;" let us hear what it is?—It was respecting spending the money at the "Albion," I think, but we had no politics brought up in our society; that is what I was going to state. That is all.

J. Bryant.

JOHN BRYANT sworn.

42,289. (*Mr. Coleridge.*) What are you?—A master mariner.

42,290. Did you vote at the last election?—Yes.

42,291. How did you vote?—For Kinglake and Westropp.

42,292. What did you get?—Nothing.

42,293. Nothing at all?—No.

42,294. Nothing in the way of expenses for coming home?—No.

42,295. No payment afterwards?—No.

42,296. Nothing at all?—No.

42,297. (*Mr. Anstey.*) Were you promised anything?—No.

42,298. (*Mr. Coleridge.*) Did you vote at the election before?—Yes.

42,299. For whom?—For Vanderbyl and Kinglake.

42,300. No, no; when only Vanderbyl and Patton stood, in 1866?—Yes.

42,301. What did you get then?—10*l.*

42,302. From whom?—From Bussell.

42,303. And at the election before that, when Patton and Bagehot stood, did you vote then?—Yes.

42,304. For whom?—Mr. Bagehot.

42,305. What did you get then?—*5l.*, five or six weeks after the election was over.

42,306. From Bussell?—Yes.

42,307. In 1865 did you vote?—I had no vote at all.

42,308. You said you voted for Vanderbyl and Kinglake at the last election?—Yes. I voted three times.

42,309. And you got 15*l.* altogether?—Yes.

J. Sanders.

JAMES SANDERS sworn.

42,310. (*Mr. Coleridge.*) What are you?—A cabinet-maker.

42,311. Did you vote at the last election?—Yes.

42,312. How did you vote?—For Vanderbyl and Kinglake.

42,313. What did you get?—Nothing.

42,314. Any promise?—No.

42,315. Was there any bill at your house?—No.

42,316. Nothing at all?—Nothing at all.

42,317. Did you vote at the election before, Vanderbyl and Patton's?—No.

42,318. How was that?—I was not in the town.

42,319. Did you vote at Patton and Bagehot's election?—No.

42,320. Did you vote in 1865?—No.

42,321. When did you vote before? Did you vote at Padwick's election?—Yes.

42,322. How did you vote then—that was in 1859?—That was Mansell and Follett.

42,323. No, no; Kinglake and Tynte in 1859. Did you vote then?—I was in the town.

42,324. Did you vote?—I must have voted.

42,325. How much did you get?—Nothing.

42,326. Nothing at all?—No.

42,327. When were you paid for voting?—In 1859 I voted. Who were the candidates in 1859?

42,328. Padwick and Westropp, Conservatives, and Tynte and Kinglake, Liberals?—Padwick and Westropp I voted for.

42,329. And I suppose you got paid?—No, I got paid in this way when: I was not at home I was told by my wife that 10*l.* had been left with her. That was after I had voted.

42,330. Then you were paid?—I did not know of it till I voted.

42,331. You did not return it?—I thought it was very kind of them.

42,332. Did you vote in 1857?—Yes.

42,333. How did you vote?—For Follett and Mansell.

42,334. What did you get?—Nothing.

42,335. Did you vote in 1852?—I did.

42,336. What did you get then?—Nothing at all.

42,337. Have you ever received anything before or after the election mysteriously, excepting that one 10*l.* ?—I had not.

42,338. That one 10*l.* is all you have had ?—That one 10*l.* is all I have had, and I did not know that I had that at the time.

GEORGE JARMAN sworn.

42,339. (*Mr. Price.*) What are you ?—A stonemason.

42,340. How did you vote at the last election ?—For Westropp and Gray.

42,341. What did you get ?—Nothing.

42,342. Any promise ?—No.

42,343. Did you vote the time before ?—No; I never had any vote before.

42,344. Did any of your family get anything before ?—No.

42,345. Did your wife get anything left with her ?—No.

(*Mr. Anstey.*) Is there any other George Jarman ?

(*A voice.*) Yes.

Mr. GEORGE HENNING PAIN sworn.

42,346. (*Mr. Price.*) Were you a practising solicitor here ?—I was.

42,347. For how many years ?—I have not refreshed my memory—from 1822 up to five years since.

42,348. Were you connected with any of the elections here in former days ?—Yes.

42,349. When did you first begin electioneering ?—In the year 1823.

42,350. Were you an agent of either party at that time ?—I went to town upon a requisition from the voters to get a candidate. I was a very young man at the time, just turned 21, and I brought down Sir Colin Campbell, and there was a coalition formed between Tynte and Astell, who were returned; Sir Colin Campbell, finding them against him, resigned.

42,351. How many signed the requisition ?—About 110.

42,352. How many did he poll ?—He polled about 90.

42,353. Did he pay any money in bribery ?—Nothing whatever. I had 15*l.* for my expenses out of pocket, and that was all I had.

42,354. (*Mr. Anstey.*) Did any of those who signed the requisition to him vote against him ?—Yes.

42,355. How many ?—I cannot say. It is so many years ago; about eight or ten. A gentleman, who was one of the committee, was so annoyed that he took and published all their names in a handbill immediately afterwards.

42,356. (*Mr. Coleridge.*) Did the other side spend money in bribery in that election ?—No, I do not think they did. Both parties formed a coalition, so there was no occasion.

42,357. (*Mr. Anstey.*) At that time, do you recollect what the strength of the electoral constituency was ?—About 300 I think.

42,358. Therefore, nearly half of the constituency signed a requisition to Sir Colin Campbell ?—No.

42,359. (*Mr. Price.*) About how many voted for him; 100 ?—No, not so many.

42,360. About 90 ?—About 90 I think.

42,366. Tell us about the next election, if you please ?—I cannot recollect.

42,362. (*Mr. Coleridge.*) Will that help you at all (*handing a list of candidates to the witness*) ?—The next election was a Mr. Shirley's.

42,363. (*Mr. Price.*) The election of 1826; that is the one you are speaking of ?—No.

42,364. The one you are speaking of is Astell, Tynte, and Campbell ?—That is the first one I have just given the details of. The next one was Shirley's.

42,365. There was an intermediate election, Astell and Tynte; no contest ?—I do not think there was.

42,366. Yes, 1831.

42,367. (*Mr. Anstey.*) On George the Fourth's death ?—Well, I do not recollect anything about that.

42,368. (*Mr. Price.*) There seems to have been no contest ?—I had nothing to do with it.

42,369. 1831, Astell, Tynte, and Shirley; tell us about that ?—I acted for Mr. Shirley at that election. I had no retainer, and I never received anything for my services; but I was annoyed about the requisition, and I refused a retainer for Mr. Shirley, and took him up, and did what I could for his return. He was a poor man, and had nothing to pay his expenses with. For 500*l.* he might have won his election, but he had not got it, and I never received anything.

42,370. (*Mr. Coleridge.*) Did the other side spend any money at that time ?—Oh yes; that was when there was a two days' poll, and the people hung back. We were ahead the first day's poll, and we might have won the election; we gave him the preference, but he had no money.

42,371. (*Mr. Price.*) Then there seems to have been an election in 1832, when Tynte and Tayleur were returned without a contest ?—Yes.

42,372. Then in 1835 the candidates were Broadwood, Martyn, Tynte, and Leader ?—Yes.

42,373. Had you anything to do with that ?—Yes.

42,374. Tell us what you did ?—I was agent for Mr. Tayleur at that election.

42,375. (*Mr. Anstey.*) And Twiss and Chatteris were here ?—Twiss and Chatteris were here, and I entertained a very poor opinion of Mr. Twiss. We did not consider that he had any money, therefore the mode we adopted was to lend the poorer voters money upon notes of hand.

42,376. (*Mr. Price.*) Had Mr. Tayleur money ?—Yes.

42,377. Who was he ?—He was a friend of Mr. Kinglake's.

42,378. Was he a Liverpool merchant ?—I do not know.

42,379. (*Mr. Anstey.*) Was he a relation of the Marquis of Headford ?—I do not know.

42,380. But he was a Liberal ?—Yes.

42,381. How came you to be a Liberal, and act for him ?—Because I had gone over from annoyance at having been split upon by my party. When they set me the example, I followed it.

42,382. What did he give you in the way of agency fee on going over to him ?—I had nothing at Shirley's nor at Tayleur's election; no consideration whatever.

42,383. (*Mr. Price.*) Was Mr. Shirley a Tory ?—No, Shirley was a friend of the celebrated Joseph Hume. However, he had not got the money to pay the common expenses of the day.

42,384. He got them of you ?—Yes, he got them of me.

42,385. What money was spent Tayleur's time ?—I should say one way and the other, perhaps it might be 800*l.*

42,386. Not more ?—No. The money that was lent to the voters then on notes of hand was 20*l.* apiece, or something of that sort. Why I tell you that is to show you that in the ensuing election, in which Mr. Leader came down, there was never the money spent which you have been told of here, 12,000*l.*; it is absurd altogether.

42,387. We will come to that ?—These notes of hand were handed to the people, and so we were able, by giving them 25*l.* more, to get them up to the poll.

42,388. (*Mr. Anstey.*) That was bribing them with their own money ?—Yes.

42,389. Mr. Bussell, the old man, said that at Tayleur's election that he, Bussell, was the distributor of something like, I think he said, thousands of pounds ?—I went up with a professional man, Mr. Lovibond, to get a candidate, and we got Mr. Leader.

42,390. At Tayleur's election, I am talking of

FORTY-FIRST DAY.

Mr. G. H. Pain.

13 Oct. 1869.

Bussell's statement, that thousands were spent through him?—No, it was not so at all; it was through nobody. It was Twiss and Chatteris.

42,391. (*Mr. Price.*) Had they no money?—None whatever.

42,392. (*Mr. Anstey.*) At what election was Bussell employed to spend thousands of pounds?—That next election you are coming to.

42,393. (*Mr. Price.*) We will come to that election, Broadwood, Martyn, Tynte, and Leader?—Yes.

42,394. Just tell us about your bringing Leader down?—We wanted a candidate, and we wanted 3,000*l.* brought down; and Mr. Leader, being disappointed down in Scotland, came up just in the nick of time, and was quite agreeable, and brought down 3,000*l.*

42,395. (*Mr. Coleridge.*) He is connected with the neighbourhood, is not he?—Yes.

42,396. And with the Luttrells?—Yes.

42,397. (*Mr. Price.*) How far did that 3,000*l.* go?—There was a good deal spent in this way: Colonel Tynte said he would not stand unless he had a requisition signed by a majority of the electors. We were able to get that requisition signed by a majority of the electors, after spending money; and we therefore laid out a good deal of the 3,000*l.* in getting that requisition signed.

42,398. How much?—I cannot tell you.

42,399. Did you give 5*l.* for each signature?—No; we returned them their notes of hand.

42,400. But besides that?—The 3,000*l.* was spent, and Mr. Leader sent up his servant to London for 1,000*l.*, which was all the money I know was spent at that election. Colonel Tynte came forward very generously and paid what he considered were legitimate expenses.

42,401. But nothing for bribery?—But nothing for bribery.

42,402. Were you sufficiently acquainted with the proceedings of that election to say that 4,000*l.* was all that was spent in bribery?—No, I am not. I cannot say that, as I do not know what the other side spent.

42,403. No, but on Mr. Leader's side?—That is all I know of.

42,404. That would be the election when old Mr. Bussell would be entrusted with the large sums of money that have been spoken of?—I do not know. I do not agree at all with what has been said by the different persons that Mr. Leader would spend 8,000*l.* or 12,000*l.*, and Mr. Broadwood would spend nothing.

42,405. No, it has never been said that Mr. Broadwood spent nothing, but it has been said that Mr. Leader spent 8,000*l.*, or 10,000*l.*, or 12,000*l.*, and that the money was given away openly in the street without any disguise?—No such thing. There was never an election managed better in the world; everything was done before the day of the poll.

42,406. Then old Mr. Bussell has boasted of more than he ever did?—I never remember Bussell being entrusted with even a shilling.

42,407. (*Mr. Coleridge.*) Would you trust him?—I would not trust him.

42,408. (*Mr. Price.*) How did he get made gaoler?—I do not know; I dropped politics afterwards.

42,409. (*Mr. Anstey.*) Surely you have taken part in subsequent elections?—No, I never did.

42,410. Did you not go about with Mr. Westropp canvassing?—No. I never went about canvassing for him or any other person.

(*Mr. Anstey.*) It was your son.

42,411. (*Mr. Price.*) How much do you think Broadwood spent, or Martyn, or both of them?—I cannot tell; I think he spent quite as much as Mr. Leader.

42,412. (*Mr. Anstey.*) Have you anything more to tell us?—No, not that I know of; not that I can recollect. I would tell you with pleasure if I recollected anything further. I have only just heard I was wanted. I was going up to town to-morrow morning.

C. Thomas.

CHARLES THOMAS sworn.

42,413. (*Mr. Price.*) What are you?—A fitter.

42,414. Where do you work?—At the foundry.

42,415. Hennett and Spink's foundry?—Yes.

42,416. Did you vote at the last election?—Yes.

42,417. How?—For Westropp and Gray.

42,418. Did you get anything for it?—No.

42,419. Were you influenced in any way by your employers to vote in any way?—No, sir, not in the least.

42,420. Did you vote at either of the elections of 1866?—No.

42,421. Had you any vote before the last election?—Yes.

42,422. When did you vote before?—In 1859.

42,423. Then you did not vote in 1865?—No.

42,424. In 1859 how did you vote?—For Padwick and Westropp.

42,425. Did you get anything?—Yes.

42,426. How much?—10*l.*

42,427. From whom?—Murlis sent for me to give me a present, to his house.

42,428. Did you vote in 1857?—No.

42,429. Did you vote at the election before, in 1859?—That was the only vote I had, 1859, and last time.

42,430. (*Mr. Anstey.*) Did you get any money from Mr. Westropp at any time between 1859 and the last election?—No.

42,431. That is during nine years?—No.

42,432. Nor your family?—No.

42,433. No charities?—No.

42,434. No money lent you?—No.

W. Bell.

WILLIAM BELL sworn.

42,435. (*Mr. Price.*) What are you?—A turner.

42,436. Do you work for anybody?—I work for anyone.

42,437. Did you vote at the last election?—I did.

42,438. How?—For Kinglake and Vanderbyl.

42,439. Did you get any money for it?—No.

42,440. Any promise of any kind?—No.

42,441. Did you vote at either of the elections of 1866?—No.

42,442. At neither?—No.

42,443. Had you a vote then?—No.

42,444. Did you vote at any election before that?—In 1859.

42,445. You did not vote in 1865, then?—No.

42,446. In 1859 how did you vote?—For Padwick and Westropp.

42,447. What did you get?—10*l.*

42,448. From whom?—From Murlis; it was sent me by Murlis.

42,449. How was it you voted last time just the opposite way?—Because in 1859 I voted for the money and not for the men.

42,450. (*Mr. Anstey.*) Did you get any money at any time after 1859 from Mr. Westropp?—No.

42,451. Did you ask for anything?—No.

42,452. I do not mean at the time of the election?—No, not at any time.

42,453. (*Mr. Price.*) Did you at any election before 1859?—Yes.

42,454. Did you vote in 1857, when Tynte and Kinglake and Follett were here?—I voted when Lord Henley was here.

42,455. That is earlier, in 1852?—That is earlier; yes, I voted for Mr. Gaselee.

42,456. (*Mr. Coleridge.*) That is earlier?—Yes; I voted for Tynte and Follett.

42,457. (*Mr. Price.*) Did you get anything then?—No.

42,458. You split your vote?—Yes.

42,459. (*Mr. Anstey.*) Why?—Because Mr. Follett was an acquaintance of mine at Exeter; I did claim a distant relationship with him.

42,460. With Mr. Follett?—Yes.

42,461. Did he accompany his recognition of your relationship with him by some act of kindness towards his relative?—It was merely mentioned, that was all.

42,462. Did he say that he would provide for his relation in any way?—Oh no, not at all.

42,463. (*Mr. Coleridge.*) In 1852 did you vote, Lord Henley's election?—Yes.

42,464. For whom?—For Lord Henley I voted.

42,465. Did you get anything?—No, nothing.

42,466. In 1847 did you vote?—Yes; I voted for Gaselee.

42,467. Did you get anything then?—No.

42,468. How much have you got altogether in your life?—Only that 10*l.* I voted for Drewe and Robinson.

42,469. (*Mr. Price.*) What did you get then?—Nothing at all; that was my first vote.

(*Mr. Price.*) That was in 1841.

42,470. (*Mr. Coleridge.*) You do not seem to have done as much with your vote as most of them have?—No.

WILLIAM HELLARD sworn.

W. Hellard.

42,471. (*Mr. Coleridge.*) Are you the grave digger?—Yes.

42,472. (*Mr. Price.*) You are a gardener at the cemetery?—Yes.

42,473. And the sexton there?—Yes.

42,474. Did you vote at the last election?—No.

42,475. Had you a vote?—No, no vote at all.

42,476. Do you live on the premises at the cemetery?—No, I have shifted out of them.

42,477. Did you vote in 1866?—Yes, at all three of them.

42,478. There were only two of them, and there was one in 1865. Did you vote at the two elections in 1866, when Mr. Patton was here?—Yes.

42,479. How did you vote when Mr. Patton was here?—For Mr. Patton.

42,480. How much did you get?—10*l.* each time.

42,481. From whom?—Temblett.

42,482. Did you vote in 1865?—Yes.

42,483. For Mr. Westropp?—Yes.

42,484. How much did you get?—10*l.*

42,485. From whom?—Thomas Boys.

42,486. Did you vote in 1859, when Padwick and Westropp were here?—Yes.

42,487. Did you before 1859 at any election?—No.

42,488. (*Mr. Coleridge.*) What did you get in Padwick and Westropp's time?—10*l.*

42,489. (*Mr. Price.*) From whom?—Murlis.

42,490. (*Mr. Coleridge.*) Then you got 40*l.* in all for your vote?—Yes.

42,491. (*Mr. Anstey.*) What is the cemetery you speak of? Does it belong to a joint stock company or to the church?—To the churchwardens.

42,492. Do they know that you have received money in bribes?—No, I do not think that they do.

EDWARD WALFORD sworn.

E. Walford

42,493. (*Mr. Price.*) What are you?—A saddle and harness maker.

42,494. Are you a master?—No; a journeyman.

42,495. How did you vote at the last election?—For Westropp and Gray.

42,496. Did you get anything?—No.

42,497. Any promise?—Not the least.

42,498. Were you at any of these meetings where anything was said to you to induce you to vote?—Yes, at some of them. I belong to the Conservative Working Men's Association.

42,499. Was Mr. Joseph Smith there?—Yes.

42,500. Did you hear him speak?—Yes.

42,501. Tell us what you heard him say about "M. D."?—I heard him say if any of them deserted their colours he should advise them to have M. D., the American adage, as he said; he did not know whether they knew anything about the meaning of that; he would tell them it meant "money down."

42,502. Did you hear anything about sugaring your plums?—No.

42,503. Were you at the "Clarence" at any meeting there?—Yes. Hodges and Westropp and Gray were there.

42,504. What did Hodges say?—He advised them to go to the poll; there would be no money spent.

42,505. Did he, when Westropp and Gray were not there, promise them 15*l.* apiece if they would go and vote?—No; he never said a word of that sort.

42,506. Must you have heard it if he had said so?—Yes, I was as close to him as I am to you.

42,507. (*Mr. Anstey.*) Did he say anything about waiting till after the election, and then they would see?—No, not a word.

42,508. Or about Mr. Westropp not wishing to go to prison?—Well, he said he did not suppose they wished Mr. Westropp to go to prison for a couple of years; he advised them to go to poll like men; there would be no money spent.

42,509. (*Mr. Price.*) Did you hear Mr. Westropp and Mr. Gray, or either of them, speak?—Yes.

42,510. Did they say anything?—Mr. Westropp said they had determined to come down to fight the election purely, and they had determined not to spend any money; they had come to that determination.

42,511. Did Mr. Gray say anything about doing good to the town, or about ships coming up the river?—No, I do not remember his saying anything about ships coming up the river.

42,512. Did he say he would do the best he could for the trade of the town?—No, I did not hear him say so.

42,513. (*Mr. Anstey.*) Did you not hear him say, if Mr. Westropp and he were returned, there would be a large employment of labour?—I never heard anything of the kind while I was there.

42,514. Did you vote in 1866?—I have not lived here, till the extension of the borough, for the last 20 years.

42,515. Have you ever voted at any election before the last here?—Yes.

42,516. Twenty years ago?—I was not on the register seven years before that.

42,517. Tell us the first election you voted at?—I cannot tell you the date.

42,518. Did you vote in 1847?—I cannot tell who the candidates were then.

42,519. Can you remember whether you voted when Mr. Serjeant Gaselee was here?—I cannot tell you.

42,520. (*Mr. Coleridge.*) Did you always vote Liberal, or Conservative?—Conservative.

42,521. Did you ever get anything?—I never got anything.

42,522. Did you poll early in the morning of the last election?—Early in the morning. I have been returned by Mr. Murlis as one Edward Walford who has received 10*l.*

42,523. (*Mr. Price.*) You are quite sure you were at the meeting when Mr. Hodges spoke?—Yes, I was there at that time, and when the meeting broke up, I was recommended to go to the poll, and the other men too.

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13 Oct. 1869.

Edwin Bryant sworn.

E. Bryant.

42,524. (*Mr. Price.*) What are you ?—A baker and corn factor.

42,525. Did you vote at the last election ?—I did.

42,526. How did you vote?—For Westropp and Gray.

42,527. Did you get anything for it ?—No.

42,528. Any promise of any kind ?—No.

42,529. Were you present at either of the meetings which have been spoken of?—I have been at the Gloucester Place meetings on one or two occasions.

42,530. But were you at the "Clarence" ?—Oh no, I was not.

42,531. Did you vote at either of the elections of 1866, when Mr. Patton was here ? —Patton and Vanderbyl's election.

42,532. How did you vote?—I voted for Mr. Patton.

42,533. How much did you get ?—I had 50*l.* from John Waddon; not for my vote.

42,534. What did you do with it ?—I returned 5*l.*, and 10*l.* I paid William Jones at the "New Inn." I paid it to Mrs. Jones ; William Jones was dead, Mrs. Jones was living ; 10*l.* to John Lee at the "Star;" 10*l.* to John Lee, the gardener. Then about half-past 10 I met Luckes and a man of the name of Parsons, of Cornhill. Luckes came to me and said he had had 10*l.* in the morning, and I think he said he had it at Pimms'; somewhere down that way. He went "through the mill," as they term it, and that he had been offered 25*l.* or 20*l.*, I am not certain which, by George Harwood, to vote for Mr. Vanderbyl, but he said, "I have had 10*l.* to vote your side and if they will "give me 100*l.* the other side I will not vote for "them; but I will not go to poll for you unless I get "20*l.*" I said, "Well, I am not authorized to do it." I then saw John Waddon, I think it was John Waddon, and he said, "Well, you have the money and you had better get the man to poll;" and I gave him the 10*l.* more to poll. When I found he would not go under 10*l.* I gave him 10*l.* I gave Parsons 5*l.*, and I gave him 10*l.*

42,535. Did you get nothing yourself ?—No.

42,536. (*Mr. Coleridge.*) Nothing afterwards, for your trouble ?—No.

42,537. (*Mr. Price.*) Did you vote at the first of Patton's ?—I did.

42,538. For whom ?—Mr. Patton.

42,539. Did you get anything then ?—Yes, about a fortnight afterwards I got 5*l.*, through a suggestion of Mr. Bealy Smith's. I sent in a bill for expenses.

42,540. What expenses ?—I had been travelling about, and so on, and he said, "Have you incurred any expenses ?" "I said, I have been travelling about for one and the other, and treating one and the other."

42,541. And you had it paid ?—Yes. That is how I came to have it, through the suggestion of Mr. Bealy Smith. At Mr. Westropp's election, when he was returned, there was a deficiency of about 20 at half-past 10 ; there were 20 men who had had no money, and Sellar and Luckes were together, and they asked me if I could get them money ; I said, "No." I happened to see Henry Batten about it, and he said, "Will they take your word ?" I said, "I think they will." I said, "Who shall I get this money from if they are reasonable ?" He said, "I will see you are all right." I found Sellar would take my word, but Luckess would not ; and Sellar went to the poll. I paid him some money on that day, and the remainder about a fortnight afterwards. I paid him 10*l.* altogether. That was William Sellar, and I was not paid that until Mr. Patton's second election; and I met Mr. Bealy Smith, and I said I thought I ought to have the money. He said, "My dear fellow, you have had the money." I said, "It has never been paid to me." He said, "I am sorry for that ; are there any expenses you have incurred ?" I said, "Never trouble about that." He said, "You have "had nothing ; send in a bill for the expenses you "incurred, and the 10*l.* you paid at Mr. Westropp's "election ;" and I did.

42,542. How did you vote in 1865?—For Mr. Westropp.

42,543. Did you vote in 1859 ?—No. I never had a vote before.

42,544. (*Mr. Anstey.*) You were at the meeting at Gloucester Place ?—I was not at Gloucester Place for about a fortnight before the election. I never attended those meetings, although my name was down on the committee.

John Thomas sworn.

J. Thomas.

42,545. (*Mr. Price.*) What are you ?—A mariner.

42,546. Are you a voter ?—Yes.

42,547. Did you vote at the last election ?—Yes.

42,548. How did you vote ?—Kinglake and Vanderbyl.

42,549. Did you get anything ?—No.

42,550. Any promise ?—No.

42,551. Whom do you work for generally; whose ships do you work ?—I have not a ship at the present time. The last time I was in a ship was one that belonged to Gloucester.

42,552. Were you brought here to vote at the last election ?—No, I happened to be at home.

42,553. Did you vote at either of the elctions in 1866 ?—Yes, in 1866.

42,554. How did you vote at Patton and Vanderbyl's election ?—Vanderbyl.

42,555. What did you get ?—Nothing at all, not one time. I voted for him twice.

42,556. Which time did you get anything then ? (*No answer.*) You said just now that you got nothing at the last election. Mr. Vanderbyl was returned then. Mr. Vanderbyl stood in 1866 ?—Yes.

42,557. Did you get anything then ?—Yes.

42,558. How much ?—10*l.*

42,559. From whom ?—From Henry Chapman Bussell.

42,560. Did you vote at the first election in 1866, when Mr. Bagehot was here ?—Yes.

42,561. How did you vote ?—For Mr. Bagehot.

42,562. How much did you get ?—Nothing.

42,563. Did you get anything between the two elections ?—No, nothing.

42,564. Did you vote in 1865 ?—Yes.

42,565. How did you vote then ?—For Westropp.

42,566. How much did you get ?—10*l.*

42,567. From whom ?—I cannot tell the parties who gave it to me. I had it at the "Bull and Butcher."

42,568. Did you vote in 1859 ?—No.

42,569. Did you vote at any election before 1859 ?—No.

Moses Squibbs sworn.

M. Squibbs.

42,570. (*Mr. Price.*) What are you ?—A tailor.

42,571. A master tailor ?—Yes.

42,572. How did you vote at the last election ?—For Westropp and Gray.

42,573. Did you get anything ?—No.

42,574. No promise ?—No.

42,575. Did you attend the meetings at the "Clarence" ?—No.

42,576. Or at the other place, where Mr. Smith spoke ?—No.

42,577. Did you vote at the elections in 1866 ; the two elections ?—Padwick's, sir ?

42,578. No. Mr. Patton stood here twice in 1866; Mr. Vanderbyl opposed him one time, and Mr. Bagehot another ?—No. I had no vote then.

42,579. Did you vote in 1865, when Mr. Westropp came in?—What, Padwick and Westropp?

42,580. No, Westropp alone?—No.

42,581. Did you vote in 1859, when Padwick and Westropp were here?—Yes.

42,582. How did you vote then?—For Padwick and Westropp.

42,583. Did you get anything?—Yes.

42,584. How much?—10*l.*

42,585. From whom?—Mr. Murlis.

42,586. Did you vote in 1857?—No.

42,587. Or the election before 1857?—Not that I can recollect.

42,588. 1852, Tynte, Kinglake, and Lord Henley?—Somewhere about 28 years ago.

42,589. (*Mr. Coleridge.*) What did you get then?—Nothing.

42,590. (*Mr. Price.*) For whom did you vote then?—I forget the candidates then.

42,591. What year was it in? 1841, was it not; Broadwood, Forman, Drewe, and Robinson?—I cannot recollect the candidates.

(*Mr. Anstey.*) Why did you not vote at any election between 1859 and 1868?

42,592. (*Mr. Price.*) You voted at one election of Mr. Patton's?—Yes.

42,593. (*Mr. Anstey.*) Why did you not vote in 1865?—My vote was not good.

42,594. Why did you not vote at the other election, in 1866?

42,595. (*Mr. Price.*) The first one, when Mr. Bagehot was here?—My vote was not good. I was not on the book.

42,596. I do not know how that was, because you voted at the second election for Mr. Patton, you say?—I voted for Padwick and Westropp.

42,597. Then you never voted for Mr. Patton?—No.

42,598. (*Mr. Anstey.*) That is just what I thought; that you had not voted between 1859 and 1868. You had not a vote all that time?—(*No answer.*)

EDWARD CHARLES JONES sworn. *E. C. Jones.*

42,599. (*Mr. Price.*) What are you?—A tilt maker at the railway carriage works.

42,600. Did you vote at the last election?—Yes.

42,601. For whom?—Westropp and Gray.

42,602. Did you get anything for it?—No.

42,603. Any promise?—No.

42,604. Were you influenced by anybody at the railway to go and vote that way?—No.

42,605. Had you a vote the election before that?—No.

42,606. Did you get any promise?—No.

42,606*a.* Is your name Edward C. Jones?—Yes.

42,607. Of the Bath Road?—Yes.

42,608. You never got anything?—No.

42,609. Nor any promise of any kind?—No.

42,610. (*Mr. Coleridge.*) Did you ever get any money from anybody else?—No.

42,611. (*Mr. Price.*) Have you a father who is a voter?—He is dead.

42,612. Do you remember whether your father had a vote when alive?—Well, I do not know whether he had or not. If he did he never voted.

42,613. Did he live in the Bath Road?—No, Dampiett Street.

HENRY GUY sworn. *H. Guy.*

42,614. (*Mr. Price.*) What are you?—A master mariner.

42,615. For whom do you generally work?—For my father.

42,616. Did you vote at the last election?—Yes.

42,617. How did you vote?—For Vanderbyl and Kinglake.

42,618. Did you get anything?—Yes.

42,619. How much did you get?—10*l.*

42,620. From whom?—Henry Chapman Bussell.

42,621. Did you vote at the elections in 1866?—I had no vote before the last election.

42,622. Never?—No.

WILLIAM ADDICOTT was then called, and went into the box.

HENRY CHAPMAN BUSSELL recalled. *H. C. Bussell.*

42,623. (*Mr. Price.*) What have you to say?—There is a mistake here. I returned the name of this man as being bribed at the last election. Instead of that, it should be James Cording. He has been subpœnaed. There were two men.

42,624. A mistake about this man in the witness-box, William Addicott?—Yes.

WILLIAM ADDICOTT sworn. *W. Addicott.*

42,625. (*Mr. Price.*) What are you?—A mariner.

42,626. Whom do you work for generally?—Wherever I can get it.

42,627. Did you vote at the last election?—Yes.

42,628. How?—For Vanderbyl.

42,629. And Kinglake?—No.

42,630. Only Vanderbyl?—Yes.

42,631. (*Mr. Coleridge.*) What did you get?—Nothing.

42,632. Any expenses?—No.

42,633. Nothing for expenses coming home?—No, I was home.

42,634. (*Mr. Anstey.*) Why did you not vote for Mr. Kinglake?—I do not know.

42,635. Had you any reason for it?—I had no reason for it.

42,636. Was it not because you had been promised or expected to get more from Mr. Vanderbyl?—No.

42,637. (*Mr. Price.*) Did you vote at any election before that?—No.

42,638. (*Mr. Anstey.*) Were you in Mr. Vanderbyl's employment?—No.

42,639. Or Mr. Brogden's employment?—No.

42,640. (*Mr. Price.*) Had you ever voted before?—No.

(*Mr. Price, addressing H. C. Bussell.*) You made a mistake about this man?

(*H. C. Bussell.*) Yes. It was James Cording, instead of this man.

JOHN HEAL sworn. *J. Heal.*

42,641. (*Mr. Price.*) What are you?—A potter.

42,642. For whom do you work?—For Mr. Symmons.

42,643. How did you vote at the last election?—For Kinglake and Vanderbyl.

42,644. Did you get anything for it?—Yes, 10*l.*

42,645. From whom?—Mr. Allan.

42,646. Did you vote at either of the elections in 1866?—No. I never had any vote before that.

FORTY-FIRST DAY.

J. Heal.

13 Oct. 1869.

42,647. (*Mr. Anstey.*) Are you a householder who pays his rates; is that your qualification?—A potter I am.

42,648. Is your qualification a qualification under the new Reform Act?—(*The witness hesitated.*)

42,649. (*Mr. Coleridge.*) Are you a voter under the new Reform Act?—Yes.

42,650. You pay your own rates, but do not occupy a house of 10*l.* value?—Yes, I do.

42,651. Do you occupy a house of 10*l.* and upwards?—Yes.

(*Mr. Coleridge.*) Then you would be a voter under the old Act.

Mr. W. Herbert.

Mr. William Herbert recalled.

42,652. (*Mr. Anstey.*) I want you just to tell me this. Did you take care of the polling of certain streets on the polling morning?—No. I was not out of my bed before half-past 7, and I never left my door until I went to the poll.

42,653. And you never had anything to do with the taking care of the voters in certain streets before daylight that morning?—I was not out of my bed before half-past 7.

42,654. Will you answer my question. Had you anything to do with taking care of the voters in certain streets in the town on the polling morning?—No.

42,655. Had James Phelps anything to do with it?—Not that I am aware of on the polling morning.

42,656. Was he employed during the day?—No, not as I am aware of.

52,657. Do you know anything of John Atwood and James Creedy?—I know them very well.

42,658. Did they get money from anybody on that day, or after that day?—Not as I am aware of.

42,659. You have not heard of it?—I have not heard of it.

B. B. Burton.

Benjamin Brewster Burton sworn.

42,660. (*Mr. Price.*) You seem to be a railway porter?—A railway porter.

42,661. Did you vote at the last election?—Yes.

42,662. How?—I voted for Kinglake and Vanderbyl.

42,663. Did you get anything?—10*l.*

42,664. From whom?—I do not know.

42,655. Where did you get it at?—At the "New Inn."

42,666. Did you vote at either of the elections of 1866?—No.

42,667. Had you no vote before the last election?—No.

42,668. (*Mr. Anstey.*) What is your qualification; a householder paying rates?—I come in under the new Act.

42,669. (*Mr. Coleridge.*) You occupy a house under 10*l.*?—Under 10*l.*

J. Fryer.

James Fryer sworn.

42,670. (*Mr. Price.*) What are you?—An innkeeper.

42,671. What inn do you keep?—The "King's Arms."

42,672. Did you vote at the last election?—Yes.

42,673. How?—For Westropp and Gray.

42,674. Did you get anything?—Nothing.

42,675. Had you a bill for treating at your house?—No.

42,676. Was there any treating going on there, at the expense of the candidates?—No.

42, 677. Nothing of the kind?—Nothing of the kind.

42,678. Did you vote at either of the elections in 1866?—Mr. Patton's?

42,679. Yes.—At both of them.

42,680. Both elections?—Yes.

42,681. For Mr. Patton?—At both for Mr. Patton.

42,682. Did you get anything?—10*l.* each time.

42,683. From whom?—Mr. Harden and Mr. Temblett.

42,684. Did you have any treating bills at either of those elections?—No.

42,685. No bills of any kind?—No bills of any kind.

42,686. Did you vote in 1865?—Yes.

42,687. For whom?—Mr. Westropp.

42,688. How much did you get?—10*l.*

42,689. From whom?—Mr. Boys.

42,690. Had you any treating bill then?—No, not at all.

42,691. Did you vote in 1859, when Padwick and Westropp were here?—I did.

42,692. How did you vote?—Padwick and Westropp.

42,693. Did you get anything?—10*l.*

42,694. From whom?—Murlis.

42,695. Did you vote in 1857?—I never voted before then at all.

42,696. You have had money every time but the last time?—Yes.

W. Dyke.

William Dyke sworn.

42,697. (*Mr. Price.*) What are you?—A labourer.

42,698. Where do you work; for any particular master?—Browne and Company.

42,699. Did you vote at the last election?—Yes.

42,700. How did you vote?—For Kinglake and Vanderbyl.

42,701. How much did you get?—10*l.*

42,702. From whom?—Allan.

42,703. Did you vote at either of the elections in 1866?—No. I had no vote before the last election. I wish to state concerning Ford's evidence. He stated when I and John Richards were with him when he went into the "Clarence," I and Richards were with him and waited for him till he came out. That is all.

42,704. You do not know what passed inside?—No.

(*Mr. Price.*) You do quite right to tell us.

J. Matthews.

John Matthews sworn.

42,705. (*Mr. Price.*) What are you?—A herbalist.

42,706. Did you vote at the last election?—Yes.

42,707. How did you vote?—For Westropp and Gray.

42,708. What did you get?—Nothing.

42,709. Any promise?—No.

42,710. Did you vote at either of the elections in 1866?—Yes.

42,711. How did you vote then?—I voted for Mr. Patton.

42,712. Both times?—Yes.

42,713. How much did you get?—10*l.* each time.

42,714. From whom?—From John Waddon and Temblett.

42,715. Did you vote in 1865 for Westropp?—Yes.

42,716. How much did you get?—10*l.* I got.

42,717. From whom?—I do not know who the person was. It was down at the "Three Crowns;" down at Mr. Newton's.

FORTY-FIRST DAY

J. Matthews.

13 Oct. 1869.

42,718. Did you vote in 1859, Padwick and Westropp's election?—Yes.

42,719. How did you vote?—For Westropp and Padwick.

42,720. How much did you get?—10*l.*

42,721. From whom?—Murlis.

42,722. In 1857 did you vote?—Yes.

42,723. For Mr. Follett?—For Mr. Follett.

42,724. How much did you get?—Nothing.

42,725. In 1852, did you vote?—No. I was not here.

42,726. (*Mr. Coleridge.*) What are you?—A medical herbalist.

42,727. You keep a shop of your own?—Yes, I keep a chemist's shop in Castle Street. I am a registered chemist.

42,728. (*Mr. Coleridge.*) You must have paid for all your stock-in-trade by bribery?—No; I work for my livelihood.

JOHN BAKER sworn. *J. Baker.*

42,729. What are you?—A cheese dealer.

42,730. Do you keep a shop?—No, I do not.

42,731. Where are you; in whose shop are you?—My own.

42,732. Well, you do keep a shop?—No, I do not keep a shop at all.

42,733. Where do you sell your cheeses?—Well, I keep the market.

42,734. Did you vote at the last election?—Yes.

42,735. How did you vote?—For Kinglake and Vanderbyl.

42,736. How much did you get?—Nothing at all.

42,737. Any promise?—No.

42,738. Did you vote at either of the elections in 1866?—I voted three times. That is what I voted.

42,739. Did you vote for Mr. Vanderbyl the first time he was here?—Not the first time; Mr. Westropp.

42,740. No, no. Did you ever vote for Mr. Patton?—No, sir. I believe I did not vote for him at all.

42,741. (*Mr. Coleridge.*) Did you vote for Mr. Westropp?—Yes.

42,742. In 1865?—Yes.

42,743. Did you get anything?—Nothing at all.

42,744. (*Mr. Price.*) Why did you not vote in 1866, when two elections were going?—Because I changed my mind.

42,745. Why did you not vote either side?—Well, I did vote one side.

42,746. Which side did you vote, for Mr. Bagehot?—I believe it was for Mr. Bagehot.

42,747. Did you get anything then?—Mr. Lott, he is dead now, gave me 15*l.*

(*Mr. Coleridge.*) And that changed your mind, I suppose?

42,748. (*Mr. Price.*) When Mr. Vanderbyl came the same year, did you not vote then?—The same year?

42,749. Yes; the end of 1866.

42,750. (*Mr. Coleridge.*) About six weeks after Mr. Bagehot's election, when you changed your mind for 15*l.*, you changed it back again for more money I suppose?—No, I had 5*l.* and 15*l.* That is all the money I had.

42,751. You had 5*l.* at the election of Mr. Vanderbyl's. It was about six weeks after you had had the 15*l.*?—Well, that must be so.

42,752. Whom did you have the 15*l.* from?—Mr Lott, down to the shop.

42,753. Whom did you have the 5*l.* from?—The baker, Mr. Jarman.

42,754. (*Mr. Price.*) Did you not vote for Mr. Vanderbyl?—Yes.

42,755. When he stood alone against Mr. Patton?—Yes. I believe that was the time I got 15*l.*

42,756. You said it was at Mr. Bagehot's election just now?—I cannot recollect.

42,757. Did you get more than 15*l.*?—No, I did not.

42,758. In the year 1866?—No.

42,759. Did you vote at more than one election in that year?—Well, now, that I cannot say, sir. I have not lived in the town for about five or six years.

42,760. (*Mr. Coleridge.*) How much money have you had for your vote since you have lived here?—20*l.*

42,761. (*Mr. Price.*) When did you get the other money?—The other 15*l.*?

42,762. The 5*l.*?—A long time after Mr. Westropp's election.

42,763. Did you vote for Mr. Westropp in 1865?—I voted, the first time I had a vote at all, for Mr. Westropp.

42,764. And then you got 5*l.* some time afterwards?—Well, it was a long time afterwards; I did not expect it.

42,765. (*Mr. Coleridge.*) Whom did you get it from?—Jarman.

42,766. You did not refuse it when you got it?—No. It was brought to my house.

42,767. You did not send it away?—No.

42,768. (*Mr. Price.*) Did you vote at any election before 1865?—No, I did not.

RICHARD BURRIDGE sworn. *R. Burridge.*

42,769. (*Mr. Price.*) What are you?—A carpenter.

42,770. Where do you work?—At the Bristol and Exeter carriage works.

42,771. How did you vote at the last election?—For Kinglake and Vanderbyl.

42,772. Did you get anything?—10*l.*

42,773. From whom?—Well, I believe from Allan's.

42,774. Did you vote at either of the elections of 1866?—Never.

42,775. You had no vote before the last time?—Never.

An adjournment of half anhour here took place, to take the evidence of Mrs. Dare, at her house.

The Commissioners adjourned to the witness Charles Dare's house.

MRS. EMMA DARE sworn. *Mrs. E. Dare.*

42,776. (*Mr. Price.*) What we want to ask you about is, do you remember anybody coming to you and asking you about your husband's vote at the last election?—A man of the name of Betty came about four o'clock.

42,777. Peregrine Betty?—Yes.

42,778. Did you know him well?—No—by sight. He has come here for baskets of my husband.

42,779. You know him, then?—Yes.

42,780. And his name?—I knew his name as Betty, but nothing more.

42,781. But you knew him by sight?—Yes, I knew him by sight.

42,782. (*Mr. Anstey.*) What is he?—An ostler.

42,783. (*Mr. Price.*) Did he come with any conveyance?—No.

42,784. What passed when he came?—He came here in the afternoon, and asked, "Where is your husband?" I said, "I do not know, I am sure." He was out. Did I know where to send and look for him? I said, "No, I cannot." I heard my little boy say he saw him at the "White Horse" when he

FORTY-FIRST DAY.

Mrs. E. Dare.

13 Oct. 1869.

came to his dinner, and I said, "I daresay he is at Jonas's; you had better go and look for him." I felt unwilling to leave the place. "It will take only a few minutes," he said. "I can do a damned good day's work for him"—just those words.

42,785. Was anybody with him?—No. Then I came afterwards to this room to change my dress, and he said, "Never mind changing, we have only a few "minutes; we only want eight more before we shall "win the election." I came to change my dress, and whilst changing I heard a conveyance stop at the door, and I went and looked out of the front window, and my impression is it was Hodges on the fly.

42,786. Which Hodges do you mean?—The woollen-draper.

42,787. Describe him?—A tall man.

42,788. His hair?—I could not see that. I could not swear it was Hodges; he had a blue fall round his hat.

42,789. Can you tell us anything about his face?—No, his back was towards me.

42,790. (*Mr. Coleridge.*) Has the Hodges you speak of hair on his face?—Yes.

42,791. The one you speak of?—The one I speak of is the one who has the moustache; I do not think any whiskers.

42,792. (*Mr. Price.*) You think no beard?—I do not know.

42,793. A black moustache?—I could not see that.

42,794. (*Mr. Anstey.*) But the woollendraper?—Yes. I could not swear to the man, but I had seen him with a blue fall round his hat at the hustings; that is why.

42,795. (*Mr. Coleridge.*) Did you know the man who had been speaking at the "Clarence" that morning?—No.

42,796. (*Mr. Anstey.*) The man who was active for the blue party, I mean?—Yes.

42,797. (*Mr. Price.*) Your impression is that it was Hodges?—Yes.

42,798. But you will not undertake to swear positively?—Yes. Whilst I looked out I saw Betty go out and speak to him, and he drove back round the square, and Betty came and said, "For God's sake, missus, make haste." I put my shawl on downstairs, and he said, "For God's sake, what have you been so long about?" and he said, "Come on, come on!" And I saw it was 20 minutes to 4, and I said it was not worth while to go. He said, "Come on, it is but eight more we have to get to win the election."

42,799. Did he say anything about money?—He said, "I can do a damned good day's work for your husband."

42,800. Did he say anything about money?—No.

42,801. Nothing more than "a damned good day's work"?—No.

42,802. (*Mr. Anstey.*) Anything about the "Clarence"?—Yes; he said, "If you can find him, send him to the 'Clarence;' I shall be there."

42,803. Did he get into his fly?—No, the fly drove to the back of the square.

42,804. (*Mr. Price.*) Then what did you do?—We went out, and he wanted me to come the front way, and I said, "No." There was such a mob of people, and I went round the back way, by Pig Cross and the bullock market; and he said, "You go into Jonas'" (that is the "Mason's Arms"), "and I will go into the 'White Horse.'" I went into the "Mason's Arms," and found him there, and by the time I came out and called him out into the street, Betty came out from the "White Horse.'

42,805. Did you ever see that man you thought was Hodges again at all?—No.

42,806. Except when he was driving off with the fly?—No.

42,807. (*Mr. Anstey.*) Betty was coming towards you?—Betty was coming towards me, and my husband was coming straight towards him, and I said, "That is who it is wants you." I went on towards the Pig Cross. I did not hear their conversation.

42,808. (*Mr. Price.*) You are quite sure it was Betty?—Yes.

42,809. You say he is an ostler?—Yes.

42,810. Do you know his employer?—Mr. Ricks.

42,811. A fly driver and ostler?—Yes.

42,812. Was he a fresh-coloured man?—I do not know that.

42,813. Young, and with a fresh colour?—A light complexion.

42,814. (*Mr. Coleridge.*) You have no doubt it was Betty?—No.

42,815. (*Mr. Anstey.*) What did you call him when you spoke to him—"Betty"?—I do not know that I did then.

42,816. (*Mr. Price.*) You have no doubt about him?—No.

42,817. The other your impression is was Hodges?—Yes, I should think it was Hodges. I had seen him before with this fall round his hat, and that is why I considered who it was.

42,818. You cannot tell whether the man had dark hair or light?—No.

42,819. Did he speak to you at all?—No.

(The Commissioners then adjourned to the Town Hall.)

Mr. J. Phelps.

Mr. James Phelps sworn.

42,820. (*Mr. Price.*) What are you?—A corn merchant.

42,821. Did you vote at the last election?—I did.

42,822. How did you vote?—Westropp and Gray.

42,823. How much did you get?—Nothing.

42,824. No promise of any kind?—No promise of any kind.

42,825. Did you vote at either of the elections in 1866?—I did.

42,826. How did you vote then, when Mr. Patton stood twice?—For Mr. Patton.

42,827. Both times?—Both times.

42,828. What did you get?—Nothing.

42,829. Neither time?—Neither time.

42,830. Did you vote in 1865 for Mr. Westropp?—I did.

42,831. Did you get anything then?—Certainly not.

42,832. Did you vote in 1859?—No.

42,833. (*Mr. Coleridge.*) Have you ever got anything for your vote?—Never in my life.

42,834. Have you ever had the distribution of money to others?—No.

42,835. (*Mr. Price.*) Has your name been mentioned in connexion with any of those meetings?—No.

42,836. (*Mr. Anstey.*) Had you anything to do with getting up and looking after voters in some of the streets of the borough about daylight on the polling morning?—No.

42,837. Is there a man of your name who has?—No, mine is the only name in the town James Phelps.

42,838. And if it is said you had, that is not true?—Not true.

42,839. Were you looking after men before daylight on the polling morning?—No, certainly not.

42,840. Do you know a man named Attwell?—I do.

42,841. Is he in court now?—I do not know.

42,842. Do you know Creedy?—No.

42,843. Do you know whether either of those men got any money on or after the election?—I do not know whether they did or not.

42,844. You have not heard of it?—I have not heard of it.

WILLIAM STUCKEY sworn. *W. Stuckey.*

42,845. (*Mr. Price.*) What are you?—A tailor.

42,846. Did you vote at the last election?—I did.

42,847. How did you vote?—Kinglake and Vanderbyl.

42,848. What did you get?—Nothing.

42,849. No promise?—No promise.

42,850. Nothing of the kind?—Nothing of the kind. I voted at about 10 minutes past eight in the morning.

42,851. Did you vote at either of the elections in 1866?—No.

42,852. Neither of them?—No; this is my first vote.

42,853. When were you summoned?—15th September.

42,854. Have you been returned that you know of as a person that had been bribed?—I do not know; there is another of the name of me in the town.

42,855. William Stuckey?—Yes.

42,856. Where does the other man of your name live?—I believe it is St. John Street. I do not know the person.

FREDERICK CHARLES TEMBLETT recalled. *F. C. Temblett.*

42,857. (*Mr. Price.*) Do you know anything of these men who have been called this morning; were they returned by you?—They have not been returned by me.

42,858. None of those called this morning?—No.

42,859. Do you know anything of William Stuckey?—I never heard of the name as a voter.

ANDREW ALLAN recalled. *A. Allan.*

42,860. (*Mr. Coleridge.*) Do you know anything about Hooper?—He was paid by me last time; he is a tailor.

42,861. Then it is just as well for him to know that if an attachment is moved against him he may go to prison for an indefinite time. Where does he live?—In Eastover. I have seen him in this court.

(*Mr. Anstey.*) I do not think they are entitled to any grace after disregarding notice. If they do not choose to come when they have received the notice they must simply go to gaol.

42,862. (*Mr. Price.*) Do you know anything about any of the men that have been called this morning?—I was not in court this morning. I have given the Secretary a list of every name I paid during the last election.

GEORGE LOCKYER sworn. *G. Lockyer.*

42,863. (*Mr. Price.*) What are you?—A postman and carpenter.

42,864. Where do you work?—I work for myself. I am a postman.

42,865. Did you vote at the last election?—I did.

42,866. How did you vote?—Westropp and Gray.

42,867. Did you get anything for it?—I did not.

42,868. Any promise of any kind?—No promise of any kind.

42,869. Did you vote at either of the elections in 1866?—No. I could not vote until the law was altered. I have been a ratepayer.

42,870. When were you summoned?—I was summoned on the 23rd August.

42,871. Is there any other man of your name?—No, none whatever. I have a brother, Edwin.

42,872. Have you been returned, do you know, as a person bribed?—I have not seen my name mentioned.

42,873. (*Mr. Anstey.*) Were you present at either of the meetings?—I was present at one meeting, that is at Gloucester Place.

42,874. (*Mr. Price.*) That was before the election?—That was before the election.

42,875. Is that the place where Mr. Joseph Richard Smith spoke?—He spoke after he declined the mayorship.

42,876. Did he say anything about the election?—No, I believe not. I do not believe he said anything about the election.

42,877. (*Mr. Anstey.*) I think I know why you are summoned. The first intimation we had about "M. D." and "sugaring plums" fixed Gloucester Place as the scene of the meeting, and then we were told that one or two persons were present at that meeting, and then I think you were summoned, and then afterwards it was found that it was not Gloucester Place, but the "Lamb" inn?—I believe there were words to that effect mentioned at the Gloucester Place room.

42,878. (*Mr. Price.*) Who by?—By Mr. Smith.

42,879. Tell us exactly what you heard?—It was about the bribery bill that was posted round the town, "100*l.* reward." He was saying there were a good many voters here belonging to the association, and he said, "Remember the American adage, M. D." I heard the people round say, "That means 'money down;'" but there was nothing alluded to that I knew of about the ones present would have to look out for "M. D."

42,880. Did you understand it to be in any way conveying to your mind that you were to have money at the election?—No, not the slightest.

42,881. (*Mr. Anstey.*) Did you understand that to mean if they voted the other side they were to insist on having the money down?—It was spoken in that way.

42,882. Tell us how?—I understood it in this way, if any man should take money from the other side he would have to look out for the 100*l.*, that is "M. D." before he said anything about it.

42,883. It was an advice to him to look out?—I did not take it as such.

42,884. Then what did you take it as?—I took it as I stated about the 100*l.*

42,885. (*Mr. Coleridge.*) You mean the 100*l.* penalty?—The 100*l.* reward.

42,886. You thought the "M. D." alluded to the reward?—Yes.

42,887. (*Mr. Anstey.*) It is not a reward; it is a penalty, is not it?—100*l.* reward I think it is.

42,888. What do I understand you to say if your side was bribing or the other side was bribing?—I took it myself the other side.

42,889. If the other side was bribing no one was to say anything against them unless he got the reward, "M. D.," money down?—I suppose that would be it.

Mr. JOHN LOVELL SEALY recalled. *Mr. J. L. Sealy.*

42,890. (*Mr. Price.*) You have been examined here on one or two occasions, but we observe that you have taken advantage of the public prints to controvert and animadvert on some of the evidence given here, and therefore we have sent for you. The remark made on ourselves we care very little indeed about, only with regard to myself I may say the expression which I used was misquoted. Tell us, now, while you are in the proper place to say anything, the witness-box, what you have to say?—The other day

FORTY-FIRST DAY.

Mr. J. L. Sealy.

13 Oct. 1869.

I came here I wished to say that Dr. Kinglake did not come into the bank between 1 and 2 o'clock; that I heard it was Davis's son drove up in a fly. He stopped somewhere near to the bank, and went not into the bank, but into a house.

42,891. (*Mr. Coleridge.*) Has Davis's son any remarkable likeness to Dr. Kinglake?—I do not know that he has; he is about the same height. I also wish to state that Mr. Bate came to the office about half-past eight that day, on his return from the station, and that I read in the office at that time Mr. Kinglake's farewell address.

42,892. Did you see Mr. Kinglake at any time in the bank on the polling day?—I did not.

42,893. At no time?—No, at no time at all. I was only in the bank between 1 and 2 o'clock, and he did not come in between those hours.

42,894. Did you see him in the bank?—Not during the nomination day; I have no recollection of doing so, and I do not believe I did.

42,895. (*Mr. Anstey.*) That is precisely what I understood you to say before, you had not seen Dr. Kinglake in the bank that day, consequently I do not see by what right you presented yourself here the other day. You seemed to have founded the claim of right, on being sworn, to give information on a matter which you could know nothing of. You were not in the bank when Dr. Kinglake called, consequently you could not state the hour at which he did, which was the only point at issue; and I took on myself, as I shall certainly do again, to prevent your volunteering worthless evidence, or appearing as an advocate for another person?—I did not come to advocate another person at all. The chairman the day before invited us to come here and give evidence on anything with which we were acquainted. You had examined my clerk, Henry Beale; I was there between one and two with him alone, and Dr. Kinglake did not come into the bank between those hours.

42,896. I took that liberty, and I shall with all your clerks?—I do not quarrel with you, but it was a point on which I could speak.

42,897. You could not speak; you said yourself you did not see him in the bank all that day; if that is a true story, it is a point which you cannot speak on?—I can speak that he was not in the bank between 1 and 2 o'clock.

42,898. (*Mr. Coleridge.*) You do not speak, I understand, of your own authority about Davis's son driving up; it is only what you have heard?—I think Davis's son spoke to me about it.

42,899. I mean you did not see him drive up?—No, it was from some information.

42,900. (*Mr. Price.*) You took the trouble to write three letters to the "Bridgwater Mercury"?—Two letters and an extract.

42,901. Have you any wish to say on oath in the box anything about the matters you stated there?—It was stated the other day by Mr. Anstey, he supposed I went to London to that meeting at the "Tavistock Hotel," to look after my 500*l.*

42,902. (*Mr. Anstey.*) Did you hear me make that statement, as you respectfully call it?—I thought I heard you.

42,903. Please to quote me correctly. My statement was a question put to Mr. Westropp, "Was it for the purpose of looking after the 500*l.*?" If you call that a statement you may, but shall not do so in my presence.—I thought I heard you make this remark, "I suppose he went there to look after his 500*l.*" That is not so.

42,904. If I did, that is not a statement; therefore your last observation is incorrect, and you will please to recollect that you are on oath and I am not?—I hope I have due regard for the truth.

42,905. You had better be accurate when you put words into the mouths of other persons, and then bind the representation of those words by an oath?—I believe I have as much respect for the solemnity of an oath as any man in this hall.

42,906. (*Mr. Coleridge.*) Who did your information come from about this son of Davis's driving up?—It was mentioned in the bank. I forget exactly who it came from; from Davis's father, who mentioned it I think to someone in the bank.

42,907. Is Davis's son here?—He was the other day, I believe, when I was here.

42,908. (*Mr. Price.*) Is that all you wish to say with regard to that communication to the newspapers, because there never has been any desire to shut out any person whatever from giving the fullest explanation. It was only on the supposition that you were going to speak on behalf of someone else that I declined to hear you the other day. There has been no indisposition, I take on myself to say, to hear you, and I take on myself to say that it is exceedingly unbecoming to talk of persons being clothed with brief authority domineering?—You saw the way I was treated in this hall.

42,909. I talked to you courteously; I did not want to draw any distinction. If I remember right I said we sent for you, and then on reconsideration we did not think it was necessary to examine you, and we did not trouble you; and then you commenced a statement which one of my colleagues thought to be the commencement of advocacy of some-one else, and we have not allowed the humblest man in this hall, who have once or twice attempted it, for instance Bussell and others, to get up and say things, and therefore we thought it not right to hear you; and I may say for myself that I do not care about your personalities, but at the same time it is not becoming language for a man in your position to use "men clothed with brief authority domineering like tyrants"?—Allow me to remark that I did not come here with the slightest intent of advocating any man's claim, but because you sent for me.

42,910. That was the impression made?—It was a wrong impression.

42,911. Then that is corrected. The impression was, and give us credit for acting on some impression other than that there was any desire to shut out, which we do not desire, the fullest investigation of everything on either side; and whatever quarter it came from we have listened most patiently to, and a great number of stories, which turned out to be things quite untrue, have involved the necessity of putting very disagreeable questions to witnesses, because we thought it our bounden duty to do so if we had not been under the fullest impression, or unfounded impression, that you were about to advocate someone your mouth would not have been shut, nor would it have been if you had come and asked to be allowed to explain a portion of the evidence given against you. There is no disposition to shut out anybody, the lowest or the highest, from giving the fullest explanation.

42,912. (*Mr. Coleridge.*) You see the observation the learned Chief Commissioner has made is as to your language in the public prints, and you must see that it is not decent or becoming writing with regard to a commission while it is sitting. The commission itself is of a nature sufficiently unpopular without men of your position in the town making it more so, and this expression in print seems to be the telling part of the whole case?—You saw the impetuous way I was treated the other day. I did not come to advocate anyone, but to give some information on a point which I was acquainted with. It is a perfectly gratuitous supposition to say that I came to advocate anyone.

42,913. (*Mr. Anstey.*) You are using the term "gratuitous supposition" as applying to some language that fell from this bench, and I will not submit to such language, and I will proceed to show you out of your own mouth that it was no gratuitous supposition, but you have confirmed it yourself by what you have said to-day. The words you uttered were these: "I "wish to tell the Commissioners there is a man called "the son of Davis, who can state——" Was not it that which you said when I stopped you?—Will you explain to me? I forget. It is merely to give information on a point, that is all I came for. I came because I was sent for, and being here I wished to

give information on that point, and you would not hear me.

42,914. Then you were told distinctly by the learned Chief Commissioner that you were not wanted?—Clearly.

42,915. Then you got up to say something about this man, Davis?—I wanted to give you information.

42,916. Which information you have only second hand?—I beg your pardon; I had some of the information first hand, of my own knowledge.

42,917. From Davis himself?—No.

42,918. Then it is second hand?—It was not second hand; I beg pardon.

42,919. (*Mr. Coleridge.*) But you did not see the fly?—I was going to speak of Dr. Kinglake being at the bank, for that was the point, between one and two.

42,920. (*Mr. Anstey.*) I am not talking of what you were going to say?—You would not hear me.

42,921. You said, "I have just heard the son of Davis had said so and so." As I knew perfectly well what Davis was going to say, that he had gone to visit someone of the name of Jones, for that we have had from one of the anonymous letters we are deluged with; it was no news to me, and I did not approve of the person who resolutely withheld information, and could come here and volunteer information for another; and I therefore stopped you, as I shall again, if you volunteer under like circumstances?—I can only say that I have told everyone with whom I have been in communication to come here and tell everything they knew about it before this Commission came here; everyone, whenever I had an opportunity of saying anything at all about it—"Go, and tell all you know; you had better conceal nothing." That has been my language.

42,922. Then I cannot understand what earthly objection you can have to our examining your clerk?—I have not any objection to it.

42,923. (*Mr. Coleridge.*) I did not understand you to express any objection to it; you only said we had examined your clerk?—No, it would be absurd doing so.

42,924. (*Mr. Price.*) Is there anything you wish now to tell us which will throw light on this matter?—I know nothing which would throw the slightest light on it. I believe you have had the whole story weeks ago.

42,925. You know nothing with regard to that advance from your bank in any way?—Nothing whatever; you have had that story weeks and weeks ago, and I have not the slightest doubt it happened so. With regard to my being at the "Tavistock" hotel, I wish to mention that, because it seemed to me I was misrepresented very much; it was quite an accident my being there.

42,926. At the conference?—At the conference. I merely walked down with my friend; I was not actually at the conference, or present when Mr. Westropp had any communication.

42,927. You had not gone to town on that business?—I had nothing whatever to do with it. I went to see the Islington cattle show, and an agent of mine, who had come from Australia.

42,928. (*Mr. Anstey.*) Then you have also in these letters contradicted Mr. Westropp. Are you prepared to do that on oath also?—Clearly; and I showed that letter to Mr. Lilly, and he confirmed every word. I do not know any reason for my commanding persons, down here; they are not the sort of people to be commanded or ruled by any person. It is the most ridiculous assertion that was ever made; no one who knows me can say that I desired to rule them.

42,929. (*Mr. Coleridge.*) But surely every bank can command a good deal where there is money owing to them?—One may strain a thing so that you can put any construction you like.

42,930. (*Mr. Price.*) Is there any influence in a small borough at all, compared with the influence of the two sections, the lawyers and the banks?—I do not think I can command three votes in this place. I would only say that my own man-servant did not vote with me.

42,931. Was Mr. Westropp under a false impression as to your determination to keep him out?—So he was; I state what took place.

42,932. (*Mr. Coleridge.*) Have you any personal dislike of Mr. Westropp, which he seemed to infer?—It is all imaginary. He says some one told him so, but he does not tell me who.

42,933. (*Mr. Anstey.*) You and he had not been on speaking terms for some time?—He cut me in the streets for some cause; I do not know what.

42,934. You and he, I believe, have not been on speaking terms for a considerable time before the last election; is that so?—Two or three years, about three years before, I believe, he cut me in the street for some reason or other, I do not know what it was, and at the last election, when he was canvassing, that took place which I communicated to the papers.

42,935. Then you had been on bad terms down to the election?—I do not say bad terms; not on any terms at all.

42,936. (*Mr. Price.*) The impression conveyed to Mr. Westropp's mind seemed to be that he was not responsible for the person who conveyed it. The impression conveyed to his mind was clearly that so long as you could do anything he should not sit, and under that impression Mr. Westropp seemed to have remained. Your explanation may or may not be satisfactory to him, but if you had said anything as arrogant as that you can hardly be surprised that in a moment one would say Mr. Sealy seems to think he is a very great man?—As arrogant as what?

42,937. As long as you were here he should not have a seat for Bridgwater?—It is quite absurd. I have no more power.—I could not control three votes in this place.

42,938. Mr. Westropp was under the impression that you said it, and he said he understood you said it, and assumed you said it. You must concede yourself that if you said so it was an arrogant thing to say?—Undoubtedly it was; but Mr. Westropp is a very credulous man to believe such nonsense as that.

42,939. There is an end of it. I still remain of the same opinion, you having had the fullest opportunity to explain, although there is some impression in your mind that you were shut out that it would be more becoming of you to have done so than to write a letter to the paper in terms which I hope you regret.

GEORGE JONES sworn.

G. Jones.

42,940. (*Mr. Price.*) What are you?—A foreman at Mr. Barham's cement works.

42,941. Did you vote at the last election?—I did.

42,942. Which way?—For Kinglake and Vanderbyl.

42,943. Did you get anything?—Not a farthing.

42,944. Did you vote at the elections of 1866?—No; in 1859 I voted.

42,945. Did you vote at any election between 1859 and the last?—No.

42,946. In 1859 how did you vote?—Westropp and Padwick.

42,947. What did you get?—10*l.*

42,948. Who from?—John Murlis.

42,949. Did you vote before that at all?—No.

42,950. (*Mr. Coleridge.*) Or after?—Nor after.

42,951. (*Mr. Price.*) You had no vote then between 1859 and the last?—No, I had not.

FORTY-FIRST DAY.

13 Oct. 1869.

GEORGE PHELPS sworn.

G. Phelps.

42,952. (*Mr. Price.*) What are you ?—A machine proprietor.

42,953. Are you a voter ?—I am.

42,954. Did you vote at the last election ?—No.

42,955. Did you vote at the election of 1866 ?—I did.

42,956. How ?—For Kinglake and Vanderbyl.

42,957. No, when Mr. Vanderbyl stood last, and Mr. Patton?—For Mr. Vanderbyl.

42,958. Did you get anything ?—No.

42,959. (*Mr. Coleridge.*) Did you have any money to distribute to others ?—No.

42,960. Did you have anything to do with the election ?—No.

42,961. Did you vote at Mr. Bagehot's ?—I voted for Mr. Bagehot.

42,962. Did you get anything then ?—No.

42,963. Did you get anything between the two elections ?—No.

42,964. (*Mr. Coleridge.*) Did you have anything to distribute at that election ?—No.

42,965. (*Mr. Price.*) Did you vote in 1865 ?—Whose was it ?

42,966. When Westropp, Kinglake, and Tynte stood ?—No ; I was not in the town at the time.

42,967. (*Mr. Coleridge.*) Have you had anything at any election ?—No.

42,968. Or to distribute ?—No.

42,969. Did you ever get anybody ?—No.

42,970. Or intimidate anybody ?—No.

42,971. Or promise anybody ?—No.

42,972. You keep an inn ?—Yes, I kept the "Commercial" hotel at the time.

42,973. Had you any bills ?—I had a bill which was never paid.

42,974. Which election ?—Bagehot's.

42,975. How much was it ?—19*l.* something.

42,976. That was treating on the polling and nomination day, I suppose ?—Yes.

42,977. Who ordered it ?—I really cannot tell you ; various, different people.

42,978. Who came and told you that you might trust people ? Whom did you look to to get paid ? Whom did you send your bill in to ?—Allan came for the bill, and it was made out to Mr. Bagehot, and he paid the money.

42,979. Had you another bill at Vanderbyl's election ?—I think not.

42,980. Which was the bill you did not get paid ?—Sir John Shelley's and Kinglake's.

42,981. You never got paid that?—I got 30*l.*, something about the amount I paid for posting and feeding the horses, and for the turnpikes, out of pocket.

42,982. How much was your bill at that time ?—55*l.*

42,983. And you got 30*l.* paid ?—About 30*l.*

42,984. Was that the first time you had a bill at your house ?—That was the first time.

42,985. (*Mr. Price.*) Had you no bill before that ?—No, not in the town before.

42,986. Do you mean to say you have 25*l.* owing you now ?—I have more than 100*l.* owing me now. I never got a penny paid me except what was drunk and spent out of the house. I only got near about the amount I paid out of my own pocket for the drivers and turnpikes, and the horses at various different places.

42,987. (*Mr. Coleridge.*) What election do you put it you are owing upwards of 100*l.* for ?—Sir John Shelley's.

42,988. That is 25*l.* ?—No.

42,989. You got paid 30*l.* out of 55*l.* ?—Yes, but that was only posting.

42,990. What was the whole bill ?—The treating to the amount of 70*l.* odd in three weeks ; the houses were open for three weeks.

42,991. That is Shelley's ?—Sir John Shelley's and Mr. Kinglake's chiefly, by Mr. Benjamin Lovibond, which he had the book with every particular in it for.

42,992. (*Mr. Anstey.*) What was the name of the house at that time ?—The "Commercial" hotel, at Eastover.

42,993. And the amount was 70*l.* ?—75*l.*, I believe.

42,994. (*Mr. Price.*) And 55*l.* for posting ?—Yes, that was another.

42,995. How many horses did you keep ?—Seven at that time.

42,996. Is that all you had owing you—70*l.* for treating, and the remainder of the 55*l.* ?—Yes.

42,997. (*Mr. Coleridge.*) Had you a bill at Mr. Vanderbyl's election ?—No, I believe not ; I have no recollection.

42,998. Have you tried to get paid that 100*l.* ?—I have, and told Mr. Kinglake that I should send a writ for him ; but I was informed by my solicitor that I could not recover it, because my bill was not sent in in good time for election matters, and I had to lose it, I am sorry to say.

42,999. Had you anything to do at the last election ?—Nothing at all.

43,000. No treating ?—No.

P. Betty.

PEREGRINE BETTY recalled.

(*Mr. Dare's evidence was read over to the witness.*)

43,001. (*Mr. Price.*) What have you to say about that ?—I never made use of the word "damn" in any way at all.

43,002. But you were there ?—I went to her house ; I walked.

43,003. (*Mr. Coleridge.*) You swore yesterday so far as that you were not there ?—No ; I told you I walked with Mrs. Dare round the corner.

43,004. (*Mr. Price.*) Did you go there, in the first instance, and ask for her husband ?—Yes, I went there.

43,005. Did you say you wanted eight men to win the election ?—I never said the words.

43,006. Nothing of the kind ?—If it was the last speech I made——

(*Mr. Price.*) Do not talk in that way.

43,007. (*Mr. Anstey.*) You were going to say something about the words ?—I did not use the word "damn."

43,008. Did you all the rest ?—Certainly not.

43,009. What did you mean by singling out the word "damn" there then, if you did not mean the rest. Did you say anything to her like this : "I can put a good day's work in your way" ?—I never said the words.

43,010. What did you mean by denying the word "damn" just now, and not the rest of the sentence ?—What I was going to speak upon was the conversation that took place from she to me when we were going from her house up to her husband.

43,011. (*Mr. Price.*) Long before that, before the fly came, before she had gone upstairs to change her dress, did you say anything about a good job for her husband, or you could do a good day's work ?—(*No answer.*)

(*Mr. Anstey.*) You shall have your first answer read to you. (*The shorthand writer read the witness his evidence*) : "What did you say about that ?—I "never made use of the word 'damn' in any way at "all. But you were there ?—I went to her house ; "I walked."

43,012. (*Mr. Price.*) Now what do you mean by saying that you did not use the word "damn" ?—I never made use of that word. The reason I went to him was——

43,013. (*Mr. Anstey.*) Keep to the point. Did you say anything to him about a day's work ?—No, I did not.

43,014. Or a good job ?—No.

43,015. Or money?—No.

43,016. (*Mr. Price.*) What did you go for? Who sent you?—No one sent me.

43,017. What made you go to look Dare up?—Because we had been in conversation days before, and we said he should go to Mr. Westropp.

43,018. (*Mr. Coleridge.*) Now you see what a gross lie you told yesterday: "What are you?—An ostler "at Ricks's. Do you know some people of the name "of Dare?—I know two or three. Do you know "anything about the Dares connected with the last "election?—I do not know at all who they voted for. "But do you know anything about them?—I know "them from seeing them, but have never had any "particular conversation with any of them." Is that true or false?—Not since the election.

43,019. That you are not asked. I am reading from the shorthand note. You are in a very awkward position, and may be indicted for perjury. Now make a clean breast of it. You have committed the grossest perjury to-day in denying what you said yesterday: "I know them from seeing them, but never had any "particular conversation with any of them." Which is true, that you had a conversation or not any?—I had a conversation with the missus.

43,020. "With them" your answer is: "I know "them from seeing them, but have never had any "conversation with any of them." Is that true or false?—Well, I had a conversation.

43,021. Then that is false?—I have spoken.

43,022. Is it true or false?—It must be false, because I had a conversation.

43,023. "Do you recollect driving a fly with Mrs. "Dare, and waiting to take her husband up to the "poll on the polling day?—I never drove her during "the day. Do you recollect ever having her in your "fly?—No. Do you ever recollect taking her to her "husband, and waiting to take him to the poll?—"No, I never took him to the poll." You see you do not answer the question; did you take her to her husband?—I said I did yesterday.

43,024. You swore you did not yesterday?—I beg your pardon; I said she went up with me yesterday.

43,025. Listen to the question and answer: "Do you "ever recollect taking her to her husband and waiting "to take him to the poll." And then you do not choose to answer the first part of the question, but say, "I never took them to the poll." Did you ever walk with her?—I did.

43,026. Then that is untrue yesterday. "Is there "any other man of your name, a fly driver?—No. "Who do you work for?—Mr. Ricks. (*Mr. Cole-"ridge.*) Have you ever driven Mrs. Dare in your "life?—No. Ever Mr. Dare?—No. What is he? "—The basket maker, I suppose you are alluding "to; keeps the Turkish baths; a basket maker as "well. You do not recollect driving him on the "polling day?—No." You have already contradicted two most material answers you gave yesterday?—I never drove Mrs. Dare; I walked with Mrs. Dare from her house to the corner up to her husband, as I said yesterday.

43,026. You did not?—I beg your pardon, I did.

43,028. (*Mr. Coleridge.*) Did not you say you would do him—leaving out the damn—a blessed day's work?—I did not, because I had no power to do so.

43,029. Did you say anything about doing a good day's work?—No, I did not make use of any such expression at all.

43,030. (*Mr. Price.*) Why were you so urgent to get Dare to the poll?—Because he told me days and days before that he should vote for Mr. Westropp. That was the only reason, no more than that.

43,031. (*Mr. Anstey.*) Did you get anybody else up to the poll?—My brother.

43,032. Anybody else?—No.

43,033. Why were you so anxious to get Dare up?—Because he said he was going to vote for Mr. Westropp.

43,034. I suppose many others were?—Yes.

43,035. (*Mr. Coleridge.*) How did Dare vote?—He voted the other side.

43,036, You swore yesterday you did not know how?—Of course I heard since his evidence yesterday.

43,037. Did you know when you came here?—I did not know but he voted for Westropp.

43,038. Did not you know he did not, but voted on the other side?—I must have known it.

43,039. You swore yesterday that you did not. Three separate assignments of perjury in your evidence yesterday.

43,040. (*Mr. Price.*) Who was on the fly?—Mr. Collett I drove on the fly.

43,041. Who is Collett?—He used to keep the "Commercial."

43,042. Is he here?—I do not know. I drove several gentlemen that day.

43,043. But the fly that went into the square Mrs. Dare speaks of, at the time you were there?—Collett was one of the gentlemen.

43,044. Was he on the fly at that time?—I believe he was; I cannot say; I was driving about an hour or two with no one in the fly.

43,045. (*Mr. Coleridge.*) Had he a blue fall on?—No.

43,046. Who were you driving about with a blue fall?—I drove several people that day to different places.

43,047. Who did you drive with a blue fall is the question?—(*No answer.*)

43,048. (*Mr. Price.*) If you do not answer straightforwardly you will have to go to prison?—I drove Mr. Hodges.

43,049. (*Mr. Coleridge.*) Were you driving him at the time you went into the square?—I cannot answer that, I had so many.

43,050. Had he a blue fall on?—I cannot say.

43,051. Will you swear he had not?—I cannot because I do not recollect.

43,052. Did you see Hodges that day with a blue fall?—I cannot say.

43,053. Have you ever seen him with a blue fall on?—I have seen him with a blue band.

43,054. (*Mr. Price.*) Did he drive your fly that day?—He never drove the fly. It was my place to drive.

43,055. Was he on the box of the fly with you that day? If you do not answer you will have to go to prison. Was Hodges on the box that day?—If I was to say yes I should tell a lie. If he was not on the box he might be in the carriage.

43,056. On your oath, was he on the box that day?—I do not believe he was.

43,057. Will you swear he was not?—I will not swear; but he might be in the carriage.

43,058. "Box," is my question?—He was not.

43,059. Who was?—Collett.

43,060. At the time you went to Mrs. Dare?—As far as I can recollect that is the man.

43,061. (*Mr. Coleridge.*) Had he a blue fall on?—I cannot remember whether he had or not.

43,062. (*Mr. Anstey.*) As one of my colleagues has told you, you have brought yourself in imminent danger of an indictment for perjury?—I do not know what for.

43,063. Do not make matters worse than they are by returning a false answer to the next question I am going to put to you, because I am anxious to know who are the more potent rogues. Who was the man who employed you or asked you to try and get up Dare to vote, give me his name?—No man whatever alive.

43,064. (*Mr. Price.*) Did Mr. Hodges say anything to you that day about getting Mr. Dare to vote?—He did not speak to me more of Dare than any other man.

43,065. Did he speak to you about getting Dare to vote, now yes or no?—I cannot recollect.

FORTY-FIRST DAY.

P. Betty.

13 Oct. 1869.

43,066. (*Mr. Anstey.*) Just now you said nobody employed you?—Nobody employed me.

43,067. (*Mr. Price.*) Or asked you to get Dare to vote?—I do not know which of the gentleman it was; there was a lot there.

43,068. (*Mr. Price.*) Did Mr. Hodges speak to you about getting up people to vote?—I do not recollect that he did.

43,069. (*Mr. Anstey.*) Did anybody speak to you about getting up people to vote?—I think it was Mr. Collett said something about Dare.

43,070. (*Mr. Price.*) I will give you one more chance, and if you do not answer intelligibly you will go to prison for the night and see whether your memory will be refreshed. Did Mr. Hodges ride with you on your fly that day?—He did, inside or out; I cannot say which.

43,071. One or the other?—One or the other. That is what I was going to state.

43,072. When you went off the box of your fly, which you must have done when talking to Mrs. Dare, who was it you left on the box of the fly. Who drove into the square with the fly?—I do not know who it was. I drove several gentleman.

43,073. (*Mr. Coleridge.*) Must it have been Collett or Hodges?—Well, I think it must have been those two, and might have been others.

42,074. Will you swear one of those two?—I will swear it was one, I think it might have been both of them, either inside or out.

42,075. You are asked when you left the fly to go to Mrs. Dare who was in charge of it. Must it have been Collett or Hodges, one or the other?—I must see the gentlemen I drove. I cannot say. I drove so many that day.

43,076. You have already sworn Collett or Hodges; now which was it?—I should think it was both of them.

43,077. Both were on the box you mean?—Inside or out.

43,078. (*Mr. Price.*) Were both on the box?—No, they could not be.

43,079. You are asked, which did you leave on the box when you went to Mrs. Dare, and who drove that fly into the square, for Mrs. Dare saw it go?—I believe it was Mr. Collett, as far as I can recollect, for I know Mr. Hodges was there with him, and another gentleman I believe was there as well.

43,080. Had you told Hodges that you could get Dare to vote?—I might have said something to that effect to him, try and get another voter for him.

43,081. (*Mr. Coleridge.*) Are you a friend or relation of Dare's?—No relation at all.

43,082. Are you a friend of his?—Not a very great friend.

43,083. (*Mr. Anstey.*) You told me just now that someone had spoken to you about getting up people to vote, but not Dare more than others. Were you asked that day to busy yourself to get people to vote?—Well, you know——

43,084. Yes or no?—Well, yes.

43,085. Who asked you?—It was either Mr. Hodges or Mr. Collett.

43,086. Both of them, I suppose?—Well, perhaps it might be, to try and get voters.

43,087. (*Mr. Price.*) There is another question we come back to, and depend on it if we believe Mrs. Dare's story in preference to yours you are liable to be tried for perjury. Upon your oath did not you say anything to Mrs. Dare about the good it might do her husband without mentioning money?—I did not.

43,088. Nothing of the kind?—I did not.

43,089. Nothing of the sort?—Nothing of the sort I did not say to her at all.

43,090. What did you say to her about her husband coming to vote?—I spoke to her about her husband, asked whether he had been to poll, and she said she did not know, and I asked where he was, and she said up at Jonas's, and she walked up with me and called me out, and I asked him whether he was going to vote for Westropp.

12,021. Did she go up stairs and change her dress, and did you say, "For God's sake make haste, we have "not a minute to spare, and there is only eight wanted "to win"?—No, I did not use the words.

43,092. (*Mr. Coleridge.*) Did you say anything like it?—No, I have no recollection.

43,093. (*Mr. Price.*) It is not a question of recollection?—I never said the words.

43,094. Never told her not to wait to dress herself?—I never said the words.

43,095. You never said you only wanted eight to win?—No, I never made use of the words. My busin ess was——

43,096. Never mind your business. Did you ever say anything of that kind to her?—I never said the words.

43,097. (*Mr. Anstey.*) Nobody asks you about the words; but the question is, did not you press her to see her husband, because 4 o'clock was coming on, and you were within a little of winning? Did you ever press her in that way?—I never pressed her at all, no more than what took place previous to that; he said he was going to vote for Mr. Westropp.

43,098. That is not her. Did not you press her to make haste for the purpose I have mentioned, to get her husband to vote?—I never pressed her at all.

43,099. (*Mr. Price.*) What did you stay there for?—I do not believe I was there three minutes.

43,100. (*Mr. Anstey.*) To use one of your own phrases, did you keep speaking to her about it whilst you were there?—I might have said a word or two, of course I did when I went in.

43,101. What had you said?—About going up for her husband, nothing more than that.

43,102. You said that more than once?—What, going up for her husband?

43,103. Yes?—Well, those are the words I did say.

43,104. Did not you say it more that once?—I might have said it twice, perhaps; I cannot say.

43,105. And very often say it when she was not fast enough?—No, I never said the words.

43,106. (*Mr. Price.*) He is no great friend of yours?—No.

43,107. And he is under no great obligation to you?—No.

43,108. What influence had you to bring on Dare having not voted up to 20 minutes to 4?—I will tell you how it was. I was going to get some baskets, which Mr. Dare stated quite correctly, and I was in conversation with him about who he should vote for, and he said his man was on the other side, but that he should vote for Mr. Westropp, and he said all along he should vote for Mr. Westropp, and that was my reason for calling on him, to see whether he was going to vote for Mr. Westropp; that is all.

43,109. (*Mr. Coleridge.*) Who paid you for your trouble?—I never had a farthing in my life.

43,110. (*Mr. Anstey.*) But he voted the other side?—Yes.

43,111. (*Mr. Price.*) Did you take him to poll?—No.

43,112. What became of him when he came out into the street?—He had been to poll, he said, and had been to poll before his wife and me went up.

43,113. When did he tell you that?—When he came out, directly; he said he had been to poll.

43,114. For Kinglake and Vanderbyl?—On the other side, he said.

43,115. And yet you told us you did not know he had voted, and did not know for whom, and to-day you say you did not know whom he voted for, and now you tell us he told you as soon as he had voted?—I tell you as far as I can.

43,116–7. (*Mr. Price.*) It only shows that certain persons ought to have good memories. Now you tell us that he told you himself he voted on the other side. Yesterday you told us you did not know how he had voted, or whether he had voted at all?—Well, 12

months ago was a long time to recollect. I cannot recollect things at once.

43,118. (*Mr. Price.*) Now, what more have you to say ?—Well, I cannot say more than I have said. I cannot tell whether Hodges was on the box nor Collett.

43,119. What did you say to Mrs. Dare to induce her to go out with you in a great hurry at that time to look for her husband ?—I never made use of the words she has said.

43,120. Words like it ?—I never said anything about money, or anything at all of the sort.

43,121. Not about money, but a good day's work for her husband if he would come and vote ?—No, I did not make use of the words in any way. The only thing I went there for was on account of going there after things, and he always said he should vote for Mr. Westropp, and that is the only reason I went there to him.

Mr. Richard Hodges recalled.

43,122. (*Mr. Price.*) Were you on the box of this fly on this day ?—I do not believe I was.

43,123. When it went into the square ?—I do not believe I was.

43,124. Will you swear you were not ?—I will not swear I was not on the box.

43,125. Did you wear a blue fall ?—I did not wear a blue fall from 9 in the morning for the day.

43,126. Did Collett ?—I do not know. I cannot say.

43,127. (*Mr. Price.*) But you will not swear you were not on the box of the fly while he was indoors ?—No, but I will explain to you how I came on the fly. I did not go on any fly but that one on that day, and about 3 o'clock I should think I found a man of the name of Hole out of Crowpill who had not polled. I had some conversation with him, I think, the election before, and he told me it was only for the sake of fetching him that he did not vote for the Conservative party. I found the man had not polled, and thought, "It shall not be an excuse at this election ; I will go down for him." I went down to the door ; the fly was there, and I told Betty to drive me to Crowpill, and I found a man named Ankle who went with me. I am not sure about it, but I think he did.

43,128. Had he a blue fall on ?—I do not know. I went to Crowpill and found the house shut up, and I came back through Angel Crescent, which is just at the back of the "Clarence," and we stopped, as several parties hailed me at the door of the house and said, "Here is Harwood has not polled," and Harwood came up and got into the fly. I got out of it, and I did not get into the fly any more for the day, but it is right to state I do not know whether or not we went through the square, as it is the route if the gate is opened. Betty perhaps can say whether we went through the square to go to Crowpill or through the crescent. I know we went round there. I know it was the only day I got into the fly, but as far as Mrs. Dare is concerned I do not think that I have ever spoken to the woman or her husband, but as far as bringing me in any shape or form into it it is absurd.

43,129. (*Mr. Price.*) Had Betty mentioned to you that he knew this man Dare had promised to vote for Westropp, and would look him up ?—Certainly not, and I had no idea that he had been looking Dare up. I had no idea I should be in any way connected with Dare, or anything of that kind. In fact, at this time I told one of our party that I would split if any money was going on our side.

43,130. (*Mr. Anstey.*) We cannot go into that ?—But it is evidence.

43,131. (*Mr. Price.*) At all events, you say it is quite possible that Mrs. Dare's account is true. She does not swear to you. It appeared a very truthful account. She has a strong impression that you were the man on the fly, and you say it is possible you may have been there ?—I may have been, but I am strongly impressed that I was not in the fly.

43,132. That is not the question. The question is how far Mrs. Dare is a truthful witness, because she did not pretend to swear to you. She was very cautious, and expressed herself she had a strong impression that you were the man, and you will not undertake to swear you were not the man ?—I bel ve it is a conspiracy against me.

43,133. You will not undertake to swear you were not the man on the fly ?—No, I will not.

43,134. (*Mr. Anstey.*) As to your horror of bribery, you recollect what you told me the other day ?—Yes.

43,135. And you repeated it two or three times ?—Yes.

43,136. Namely, that you were anxious to know, merely for information, whether there was to be bribery or not to be bribery ?—Yes.

43,137. But you were equally prepared to be anxious and active to the same extent, whether your side was going to bribe, or whether they were not going to bribe ?—Yes, certainly.

43,138. And you have also said in your speeches at the "Clarence" and elsewhere, that you so worded your phrases, I think "diplomatic" was the word you used, so as to convey to the delicate mind of the Conservative working man that he would very likely get money for his vote, without at the same time promising for yourself or your masters, Mr. Westropp and Mr. Gray, do you remember that little statement ?—I do not remember it in that form. You put it in so roundabout a form.

43,139. It is not for men like you to waste the time of the public and the money of the borough, or I would desire the shorthand notes to be referred to. You did not deny it when I last asked you about it, and the word diplomatic was referred to in questions put to the other witnesses ?—You will allow me to explain that, perhaps——

43,140. I will not indeed, until I have put my question. Now the question which I have put to you is, you have heard this man's statement, his reluctant and tardy statement, to the effect that you asked him, or as you are diplomatic in your language, spoke to him about getting people to come up to vote ; is that true or false ?—Certainly not. I did not ask him anything of the kind, not Betty.

43,141. Nor speak to him ?—Certainly not.

43,142. To get a man to vote, nor anything of the kind ?—Not a word to him.

43,143. About looking up the people who were backward in polling, to get them to vote ?—Well, I do, if he said so, *in toto*.

43,144. You have heard what he said ?—He is the last man I would employ. I would rather do it myself.

43,145. Why so ?—Because I would rather do the work I have to do than trust Betty, a working man.

43,146. I am not insinuating that you asked him to go to bribe voters, but that you asked him to get them to come up and vote, that is all, in the most innocent way in the world ?—I would rather do it myself.

43,147. Did you ask him to do it ?—No.

43,148. Not in any case ?—I did not. I should have done it myself, being so near the "Clarence" as it is. It is only 15 or 20 yards from the "Clarence."

43,149. You would have asked Dare ?—Yes.

43,150. You have said just now that you did not know him ?—I did not, but I would ask any man who had a vote.

43,151. Then I do not understand you. You say at one moment "I do not know him," and then you say, if you wanted his vote, as he was so near the "Clarence," you would have gone yourself ?—If I wanted him.

43,152. If he lived so near the "Clarence" ?—I

FORTY-FIRST DAY.

Mr. R. Hodges.

13 Oct. 1869.

have heard in this court, I thought he lived in North Street.

43,153. Do you mean to tell me to-day, a year ago you were prepared to get Dare to come up to vote?—I beg your pardon, I was prepared to go and ask him.

43,154. And yet you have told me that Dare was not known to you?—Dare was not known to me. Dare will tell you that.

43,155. Then you have contradicted yourself in the box?—But allow me to say that with regard to the language I have used on the morning of the election there has been so much talk about, Allan has put a wrong complexion altogether on me. When Allan spoke to me about it on his return from America, he told me I had used language that induced the men to believe that they were going to be paid, and I contradicted it there and then *in toto*.

43,156. I am not talking about what Allan said?—Yes you are.

43,157. I am taking your own sworn language in this court?—You are talking of my diplomatic language.

43,158. I am taking your own sworn language in this court, where you said you used diplomatic language which, while not compromising you, would convey to him there was to be bribery?—Excuse me.

43,159. It was never doubted nor denied till now?—Then I deny it now.

43,160. You distinctly swore it in my presence?—I deny it.

J. Hunt.

JAMES HUNT sworn.

43,161. (*Mr. Price.*) What are you?—A fireman.

43,162. At the railway?—No, Cole's foundry.

43,163. Did you vote at the last election?—I did.

43,164. How?—Vanderbyl.

43,165. Vanderbyl and Kinglake?—Yes.

43,166. Did you get anything?—No.

43,167. Any promise?—No.

43,168. Did you vote at the election before that?—No.

43,169. Have you ever voted before that?—Never.

R. Hodges.

RICHARD HODGES recalled.

(*Mr. Anstey.*) Now, you know you said to me just now, "I deny it," in a most contemptuous manner. Now hear for yourself.

(*The witness.*) I deny that.

(*Mr. Anstey.*) Now be quiet. Listen.

(*Mr. Price, referring to the notes of the 30th day's sitting.*) Mr. Allan wished you to be asked a question. He says, "I should wish you to ask Mr. "Hodges this question, Whether he did not tell me "in his own shop since the election that the meeting "of the Conservative men at the 'Clarence' the "morning of the poll was called, and the idea all the "men had when they came to that meeting was "beyond all doubt that they would be paid; that at "that meeting Mr. Westropp addressed them, and "Mr. Hodges also, who spoke most, and he so "arranged his language that it was completely diplo-"matic; that he did not make a promise; did not "commit himself to a promise, but caused every man "there to to believe that they would be paid, and "they went to poll under that impression." Now that is what Mr. Allan wished you to be asked.

(*The witness.*) Yes.

(*Mr. Price.*) Then Mr. Allan in answer said to me, "I say Mr. Hodges told me so." Then you are recalled. "(*Mr. Price.*) What do you say to that?—*A.* It is a long question, but I will answer it." Then the question is, "Did you tell Allan the idea the men had when you called that meeting was that they would be paid?"—"*A.* I did not, but I did say this, it was "the idea of the men afterwards from the language "used at the meeting in the morning at the 'Clarence' "they would be paid money."

(*The witness.*) Yes, quite right.

(*Mr. Price, reading.*) "But that idea was put into their heads by the Liberals of Bridgwater."

(*The witness.*) Afterwards.

(*Mr. Price.*) Now, do not attempt to correct, this was taken down word for word, you may be quite "sure. (*Reading*) "(*Mr. Anstey.*) Did you tell "Allan that the language from which those men "inferred that they were going to be paid some time "or other was the diplomatic or clever language used "by Mr. Westropp and yourself? *A.*—I did not. "I am not capable of using such clever language, "as I did not think it was possible. *Q.* By "whom was the language used then? *A.*—There "was no language used. *Q.* Have not you one "minute ago said that you confessed to have told "Allan that after the meeting was over the men "understood from the language used at that meeting "that they were to expect money?—*A.* A week "after."

(*The witness.*) Yes, after the election.

(*Mr. Price, reading.*) "*Q.* Whether a week or not "after does not signify. I ask you whose language "you are referring to; yours or Mr. Westropp's?—"*A.* I am not referring to anyone's language. "*Q.* You say the men inferred from language used "at that meeting addressed to them that there was "going to be money?—*A.* From the language used "that morning. *Q.* By whom?—(*A.* I cannot "say. (*Mr. Price.*) You were the chief speaker. "(*Mr. Anstey.*) You wanted to inflict on us some "speech of your own, and you have told us something "about a speech by Mr. Westropp. Were there any "other speakers there?—*A.* There was Mr. West-"ropp, Mr. Gray, and myself. *Q.* Then it would "have been either My. Westropp, Mr. Gray, or your-"self, or all three, or two of the three, from whose "language the men understood that.—*A.* I did not "consider so. *Q.* But there was no other speaker?—"*A.* The Liberals spoke a good deal two days "afterwards.

(*The witness.*) Yes; will you allow me to explain that?

(*Mr. Price.*) No, no, certainly not. "*Q.* You "said at that meeting, the language used. Do not "equivocate and palter with the truth.—*A.* They "inferred it from the language of the Liberals. (*Mr.* "*Anstey.*) That is not your language?—*A.* From "the language the Liberals pretended to say had been "used at the meeting. *Q.* You said nothing of the "sort; the object of your being recalled is to answer "the questions put to you as to what you told Allan, "and you deny a portion of what he says you told "him, but you admit the rest. You say you told "Allan from the language (not saying whose at that "meeting however) the people inferred so and so, "and had been persuaded so to think by the interpre-"tation put on that language by the Liberals. My "question was to you immediately, 'By whom was "it used, by Mr. Westropp?' 'Certainly not.' 'By "yourself?' 'Certainly not; I am not capable of it.' "I ask you whether you; and if not there was but "one other speaker, and that a very poor speaker ac-"cording to Mr. Trevor—Mr. Gray; and now you say "you do not know by whom the language was used, "or to whom you referred when you made mention "of it. You are paltering with the truth.—*A.* I "should like to make one other remark, and that "bearing out what I say. After the election was "over we had determined to petition, and Mr. John "Smith sent for a man who had been paid, who had "polled for the Conservative party, who had an IOU. "Q. Were you present?—*A.* I have his evidence "down. (Q.) Were you present at the conversation?

" —*A.* I was not, but I can produce the witnesses. " *Q.* We must call him. We cannot take it second-" hand.—*A.* It merely amounts to this ; if I call " him you will hear him, I suppose ? (*Mr. Anstey.*) " If you will state to our secretary what he will say ? " —*A.* I shall be very pleased, because I should like " to clear my character." That has nothing on earth to do with the matter.

(*Mr. Anstey.*) Nothing to do with it.

(*The witness.*) Well, now, I will explain the whole of that, if you will allow me. The fact of the matter was simply this——

43,170. (*Mr. Price.*) Before you explain we will just understand. You made a speech at that meeting ?—I did.

43,171. Did you use language which you afterwards represented to Allan had been misinterpreted ?—I did not, and further than that——

43,172. What misinterpretation, then, do you allude to when you say that the Liberals misinterpreted your language ?—The simple fact I wished to explain, and Mr. Anstey would not allow me to do, was that two days after the election the Liberals were at work to try and stop the petition.

(*Mr. Anstey.*) That has nothing whatever to do with it.

43,173. (*Mr. Price.*) What was the language you used which you say the Liberals misinterpreted ?—None at all; but the Liberals did say that Mr. Gray had used language that morning to the effect that men were to look for benefits or rewards that they might get hereafter. The language was never used there.

43,174. You admitted that you said to Allan that your own language that morning had been misinterpreted ?—It was not my language.

43,175. You said so to Allan. You admitted it ?—No; I told Allan that he had misconstrued it.

(*Mr. Price.*) Now listen. You said, "I did say " this ; it was the idea of the men afterwards, from " the language used at the meeting in the morning at " the 'Clarence' they would be paid money, but that " idea was put into their heads by the Liberals of " Bridgwater."

(*The witness.*) Yes, it was.

43,176. Whose language were you alluding to ?—Mr. Gray's.

43,177. Why did not you say so ?—I should have said so, only Mr. Anstey would not allow me.

(*Mr. Anstey.*) I did nothing but ask you the questions again and again.

(*The witness.*) You would not allow me.

(*Mr. Anstey.*) If you do not drop that tone and manner I shall move to have you committed.

Andrew Allan recalled.

A. Allan.

43,178. (*Mr. Price.*) Are you prepared still to stick by that language ?—Yes, word by word. That is exactly what Hodges told me.

43,179. Did he use the word "diplomatic" ?—He said he had so couched his language that he would not commit himself to a promise, but lead the men to believe that they would be paid.

(*Richard Hodges.*) I contradict it *in toto;* and further than that, allow me to say, when Allan accused me of that I went direct to Allan, and said, " I did " not say anything of the kind, and I will tell you " what I did say ;" and if Allan misconstrued it I can not help it. I have got a witness to prove it.

43,180. (*Mr. Coleridge to Allan.*) Did he say what he says now ? He says he told you it was not what he said, and that he told you what he did say ?—He said exactly what I have said.

43,181. (*Mr. Price.*) You said so in the first instance ?—I do not understand what he does say.

(*Mr. Price.*) No more do I.

(*Richard Hodges.*) When Mr. Allan——

43,182. (*Mr. Coleridge to Allan.*) If I understand it, it is this : that you told him that you had heard him say this before, and then he said, " I never did " say anything of the sort, and I will tell you what I " did say." Do you recollect that occurring ?—I do not recollect anything of the sort.

(*Richard Hodges.*) Well, it did occur.

Richard Hodges recalled.

R. Hodges.

43,183. (*Mr. Price.*) We know what your letter is, Mr. Hodges ; that it is couched in what you call diplomatic language, because you speak of future advantage ?—What letter ?

43,184. (*Mr. Anstey.*) Your circular letter. You cannot plead ignorance of that ?—I explained that.

43,185. You did not explain it ?—I did entirely

43,186. If you mean to my satisfaction, I can only say that that letter was a distinct invitation to men to come and to be bribed for their votes ?—I did not write the six letters.

43,187. (*Mr. Price.*) It is quite enough if you wrote one in equivocal language ; and the probability is that when you spoke you used language just as equivocal ?—I had been told plain and plump that there was to be no money, and I fought the election on that principle.

43,188. Have you not told us that Mr. George Pain to your own knowledge held out expectations of money for voting ?—I did. No doubt about it.

43,189. After a great deal of pressing we got that ?—I think I gave it directly.

43,190. You gave us nothing directly ?—I have tried to give you everything correctly from my own heart and from my own mind, as an Englishman.

43,191. (*Mr. Coleridge.*) You say you have got a witness about the contradiction of Allan. Allan says that such a conversation never took place ?—I say it did take place.

43,192. If you have got a witness, what is his name ?—The name of the person ? It is my wife. I should not like to bring her into this hall. I would not bring her for any amount of money scarcely. There are many here perhaps know the circumstances under which I would not like to bring her here ; but at the same time I will say I did use that language, and I will defy Mr. Allan or anybody else to say I did not.

43,193. (*Mr. Price.*) If you do not bring your wife (it is entirely for your own sake) it rests on Mr. Allan's word, and we must form our own conclusion ?—You must form your conclusion, but I have given a correct statement.

43,194. If you could bring witnesses——?—Mere appearances will carry me out ; I think facts as well.

(*Mr. Anstey.*) I should advise you not to depend upon that.

(*The witness.*) I beg your pardon. I think they will.

Thomas Collett sworn.

T. Collett.

43,195. (*Mr. Price.*) What are you ?—I am an auctioneer and hotel keeper.

43,196. What hotel do you keep ?—The Commercial Hotel.

43,197. First, I will ask you, were you out on a fly of Ricks's on the day of the poll of the last election ?—I was out on one fly ; whether it was Ricks's fly or not I am not prepared to swear.

FORTY-FIRST DAY.

T. Collett.

13 Oct. 1869.

43,198. Driven by Betty. Do you know Betty?—No, I do not by name.

43,199. Do you know him by sight?

(*Mr. Coleridge.*) Where is Betty?

(*The witness, after looking at Betty.*) I do not remember being on a fly driven by him.

43,200. (*Mr. Price.*) Do you remember being in any fly at any time between half-past 3 and 4 o'clock in the afternoon, near where the Turkish baths are, and driving in that fly up as far as the square?—No.

43,201. Were you there?—Certainly not.

43,202. In no such fly?—No.

43,203. You are quite sure about that?—Decidedly.

43,204. (*Mr. Anstey.*) If Betty says that it was either you or Hodges on the box, it could not have been you?—It was not me.

(*Mr. Anstey.*) Therefore it was Hodges.

43,205. *Mr. Coleridge.*) Did you wear a blue fall round your hat on that day?—No.

43,206. Have you ever worn such a thing?—No.

43,207. By a blue "fall" do they mean a neckcloth or a thing round your hat?—Well, I did not wear a fall at all. It might have been a piece of ribbon in the morning.

43,208. Round your hat?—Or a handkerchief, I think; a pocket handkerchief.

43,209. Tied round your hat?—Yes.

43,210. (*Mr. Price.*) Had you anything to do with the last election? Did you vote?—I had no vote. I had only been in the borough five months.

43,211. Did you canvass that day?—Yes.

43,212. Did you go by the doors of the Turkish baths at all that day?—No.

43,213. (*Mr. Anstey.*) Did you ask Betty to get votes?—No.

43,214. You are quite sure that you never spoke to that man about getting up voters?—No.

43,215. Or a single voter?—Certainly not.

43,216. He has distinctly sworn that you did, and that Hodges did too?—I have never had any conversation with him at all about it.

43,217. (*Mr. Coleridge.*) How did you vote yourself?—I had no vote, and never had a vote.

P. Betty.

PEREGRINE BETTY recalled.

43,218. (*Mr. Anstey.*) Is this the gentleman you spoke of (*referring to the last witness*)?—This is the gentleman.

43,219. Is this the Mr. Collett you mean?—Yes.

43,220. There can be no mistake about it?—Oh, no; this is the gentleman, and Mr. Hodges will tell you, and many other gentlemen I drove that day as well.

T. Collett.

THOMAS COLLETT recalled.

(*Witness.*) The only fly, if you wish to know, that I was on during the day, in case there may be any misapprehension, was when I had taken a man of the name of Day to the poll in Polden Street, in a line with Barclay Street, to the polling booth there. The fly drove up with a party of the name of Jarman on the box, and a man of the name of Bennett, a butcher, inside; I do not know the man who drove it.

43,221. (*Mr. Coleridge.*) Had it a white horse?—That I could not say. The only fly I was on was a fly with Jarman on the box; he, living in the country, perhaps may know what fly it was; it came quite promiscuously to me. I wanted to go up to the "Clarence," to the committee room, to report how the poll was, he said, "This is not the right place, I am going up straight." I said, "Perhaps you will give me a lift," but as to who drove that fly I do not know. But I was not at the Turkish baths that day.

43,222. (*Mr. Price.*) You never asked that man to get up voters?—Certainly not.

43,223. (*Mr. Anstey.*) What time was it?—About three o'clock in the afternoon.

43,224. Which way did you drive?—Nowhere near the Turkish baths, the other side of the bridge altogether.

43,225. In Eastover?—In Eastover. I never rode in a fly by the Turkish baths all the day.

43,226. Where did he come from?—He is a man living at the other side of the town; he is Bennett, a butcher; he can tell you exactly. I am satisfied it was not me at the Turkish baths.

(*Mr. Price.*) Very well, that will do. It was only to see which way the truth lies.

P. Betty.

PEREGRINE BETTY recalled.

43,227. (*Mr. Price.*) What do you say about Mr. Collett?—I drove Mr. Collett to several places in the town that day, and Mr. Hodges and other gentlemen as well. I drove Mr. Collett from the "Clarence" round there down into the Bristol Road somewhere to get a voter. This man was a foreman of Lott's at the time, with sandy whiskers; and I drove him up to poll, and Mr. Collett, and Mr. Hodges, and there may be another (I won't say), in the carriage at the time. They were entering into conversation about voters, and I said, "There is Dare that will vote for Westropp for certain." And Mr. Collett said, "You go and try to get him," and I think (I won't say, but I think,) that Mr. Collett or someone else that was on the box, whilst I went to Dare's wife, I think they drove to some place else after another voter.

43,228. Do you mean to swear positively that Mr. Collett was in your fly when you went to talk to Mrs. Dare?—He was there decidedly, because Mr. Collett's words were, "Would you go and try to get him?" And Mr. Collett and Mr. Hodges went after another voter. I think he said just now he went down to Crowpill.

43,229. Which of them drove?—I do not know.

43,230. (*Mr. Anstey.*) If this is all true, why did not you tell us so yesterday and to-day? You have been twice under examination, and very sharp examination. Why did you not tell us all this?—Yesterday I was not asked that question.

(*Mr. Price.*) You were asked enough to lead you up to that if you wished to tell the truth.

T. Collett.

THOMAS COLLETT recalled.

43,231. (*Mr. Anstey.*) Now, Mr. Collett, do you hear that?—Yes.

43,232. (*Mr. Coleridge.*) What do you say to this statement?—All I can say is this, that the only time I was in a fly at Bridgwater on that day is the time when I went to Monmouth Street from Polden Street, against where the polling booth was.

43,233. Do you recollect this man going to get a voter while you were in the fly?—No.

43,234. (*Mr. Anstey.*) Is any part of what he has just stated, as far as you are concerned, true or false?—I should say it is false.

43,235. The whole of it?—Yes.

43,236. The first is the most important part, that he was driving you about, not once but several times that day, along with Hodges?—No, certainly I was not along with Mr. Hodges. I was working on foot all the day near the Bristol Road, and the only fly I was

in that day was the time I went to Monmouth Street, near the polling booth.

43,237. (*Mr. Coleridge.*) Were you in any other carriage?—Yes, an open carriage. Mr. Leaker's carriage, which was lent for the day.

43,238. Was the carriage that Betty was driving an open or close one?—I do not remember his driving.

43,239. But if he was?—The only fly that I was in at all was a close one.

43,240. (*Mr. Anstey.*) You were not in any conveyance on that day with Mr. Hodges?—No, Mr. Hodges and me were not working together, we were in different parts of the town.

(*Peregrine Betty.*) Will you allow me to call a man forward that saw Mr. Collett in the fly?

RICHARD HODGES recalled.

(*The witness.*) I should just like to say that the man Ankle Mr. Collett speaks of, and he is the very man who went with me down to Crowpill, and it was an open carriage and not a fly. I was never in a close carriage all that day.

43,241. (*Mr. Anstey.*) Was it driven by Betty?—I cannot say; but I am under the impression that it was.

PEREGRINE BETTY recalled.

43,242. (*Mr. Coleridge.*) Betty, were you driving a close fly or an open one?—It was open that day. It may be closed up.

43,243. But it was open that day?—Yes.

STEPHEN COLIN JONES recalled.

(*The witness.*) I saw Mr. Collett in the fly with Betty at the time that he polled Bennett; about 12 o'clock. The words Mr. Collett said to me were these, "What will Parson Duck think of that?"

43,244. (*Mr. Coleridge.*) What did that mean?—I am in the habit of going to a place of worship. I do not know whether he alluded to that, I am sure; and when he came off the fly he said, "What will Parson Duck think of that?" That was about 12 o'clock.

43,245. (*Mr. Price.*) That is all you know?—Yes, I saw him about——

43,246. (*Mr. Anstey.*) Do you, or do you not, come here to support the statement that this man Betty has made?—I say here, I know I saw Collett on the fly.

43,247. (*Mr. Coleridge.*) That was 12 o'clock in the day. We are talking of three in the afternoon?—I never saw him about that time.

(*Thomas Collett.*) I should like you to ask that witness whether it was a close fly or an open one he saw me on.

43,248. (*Mr. Coleridge to witness.*) Was it a close fly or an open one you saw Mr. Collett in?—I almost think it was a close fly.

THOMAS COLLETT recalled.

(*The witness.*) It was a close fly that I took the temporary ride on. Betty was not driving a close one.

(*Mr. Coleridge.*) Yes, he was, in one sense.

(*Mr. Price.*) It could be closed up. Perhaps part of the time that day it might have been closed, and perhaps part of the time it might have been open, which would account for the discrepancy in the statements as to what kind of fly it was.

(*The witness.*) It may be; but the fly I was on never was open at all. It was an ordinary old-fashioned fly with a swing door in it; the one I went from the polling booth in.

43,349. (*Mr. Anstey.*) I understand you to say that between three and four you were not either on the box seat or any other seat of any fly by the side of the Turkish baths?—Certainly not.

43,250. Mr. Hodges admits that he was or might have been thereabouts at that time?—I was not there certainly about that time.

JOHN BIDGOOD sworn.

43,251. (*Mr. Price.*) What are you?—A carpenter.

43,252. Where do you work?—Not for anybody particular.

43,253. Did you vote at the last election?—Yes.

43,254. How did you vote?—Vanderbyl and Kinglake.

43,255. What did you get for it?—Nothing at all.

43,256. Nothing at all?—No.

43,257. Did you vote at either of the elections of 1866?—No.

43,258. Did you ever vote before last time?—Yes.

43,259. When did you vote before last time?—I voted for Broadwood the last time he was here.

43,260. How was it you had no vote between that time and the last election?—Because I have not been living in a house of 10*l.* a year.

43,261. When you voted for Broadwood did you get anything?—Well, there was a promise of 20*l.*, and I got 6*l.* about three months after.

43,262. Who from?—Mr. Smith; he is dead. Old Mr. Smith.

43,263. Richard Smith?—Yes.

43,264. Did you ever vote before that?—No, not at the borough election.

43,265. (*Mr. Anstey.*) Whom do you mean by old Richard Smith?—The old gentleman that has been dead a good many years.

43,266. You mean the father——?—The father of Mr. Richard Smith.

ISAAC LOVELL sworn.

43,267. (*Mr. Price.*) What are you?—A labourer.

43,268. Where do you work?—At the iron foundry, Hennett and Spink's.

43,269. Did you vote at the last election?—Yes.

43,270. How?—Kinglake and Vanderbyl.

43,271. What did you get?—Nothing.

43,272. Did you get any promise?—No, nothing whatever.

43,273. Did you ever vote before last time?—No, never.

(*Mr. Anstey.*) Has anybody returned this man?

43,274. (*Mr. Coleridge.*) Is there anybody else of your name?—No, not that I am aware of.

43,275. Did not you know money was going in the afternoon last time?—Oh, I had been to poll then.

FORTY-FIRST DAY.

13 Oct. 1869.

JOHN LEE sworn.

J. Lee.

43,276. What are you?—An innkeeper.

43,277. (*Mr. Coleridge.*) Of what inn?—The "Star" inn.

43,278. Where is that?—Eastover.

43,279. (*Mr. Price.*) Did you vote at the last election?—Yes.

43,280. How?—Mr. Westropp.

43,281. Westropp and Gray?—Westropp.

43,282. Westropp alone?—Yes.

43,283. What did you get?—Nothing.

43,284. Any promise?—No.

43,285. Had you any bill for treating?—No.

43,286. Did you vote at the elections of 1866?—Yes.

43,287. Both of them?—Yes.

43,288. Both times for Mr. Patton?—Mr. Patton and Mr. Westropp.

(*Mr. Coleridge.*) No, no.

43,289. (*Mr. Price.*) Did you vote for Mr. Patton twice over, both times when he stood here?—Yes.

43,290. What did you get?—10*l.*

43,291. Each time?—Yes.

43,292. Who from?—I cannot say.

43,293. Where did you get it?—I got 10*l.* from——.

43,294. The "Golden Ball"?—No, not the "Golden Ball;" in John Street, the "Golden Lion."

43,295. Did you vote in 1865 for Westropp?—I voted four times altogether.

43,296. Well, did you vote for Mr. Westropp?—Yes, I always voted for Mr. Westropp.

43,297. (*Mr. Coleridge.*) What did you get then?—I got 10*l.*

43,298. (*Mr. Price.*) Who from?—I cannot say.

43,299. Where?—A man brought it to my house: some person brought it into the house.

43,300. Did you vote in 1859, when Padwick and Westropp stood?—No.

43,301. Well, that is four times. That is all you voted?—Yes.

H. Fisher.

HENRY FISHER sworn.

43,302. What are you?—Foreman at Spiller and Company's foundry.

43,303. Did you vote at the last election?—Yes.

43,304. How?—Kinglake and Vanderbyl.

43,305. Did you get anything?—No.

43,306. Any promise?—No.

43,307. (*Mr. Coleridge.*) Did you give anybody anything?—I let two men have the money, 10*l.* each.

43,308. Who?—John Hole and Abraham Hawkins.

43,309. At the last election?—Yes.

43,310. Where did you get that money?—From Mr. Bussell. The men were there, and I told him they would not go without money, and he gave it to me.

43,311. What time of the day?—About half-past 3, or from that to 4 o'clock.

43,312. (*Mr. Price.*) Did you vote in 1866?—No, I had no vote before.

43,313. (*Mr. Coleridge.*) Did you pay any men in 1866?—No, I had 30*l.* from Allan for the purpose, but I returned it to him.

43,314. How was that?—The men I was going to give it to did not come.

43,315. Was that at Vanderbyl's election?—Yes.

43,316. Did you get anything for your trouble?—Yes, 2*l.*

43,317. Did you get anything for your trouble last time?—Nothing.

43,318. At Bagehot's election, did you get any money then?—No.

43,319. And the election before?—I was not there then.

H. Morrish.

HENRY MORRISH sworn.

43,320. (*Mr. Price.*) What are you?—A smith.

43,321. Where do you work?—In the carriage department.

43,322. How did you vote at the last election?—For Kinglake and Vanderbyl.

43,323. Did you get anything?—No.

43,324. Any promise?—No no promise; and no money.

43,325. Did you vote at the election of 1866?—No, I never had a vote before.

43,326. Had you any money to spend upon other people?—No.

43,327. Do you know a man called Philip Gilbert?—Yes.

43,328. Did you get any money from him?—No.

43,329. (*Mr. Coleridge.*) Did you get any money for him?—No.

43,330. (*Mr. Price.*) Philip Gilbert, junior?—I know him well.

43,331. (*Mr. Coleridge.*) Did he offer you any money?—No, no one never offered me any money.

43,332. Did you ask him to get you something if it was going?—No, I did not.

43,333. (*Mr. Price.*) Did he ever speak to you about it?—No, I have never had any conversation with him about money.

43,334. (*Mr. Anstey.*) What is your name?—Henry Morrish.

(*Mr. Anstey.*) Is there another of that name here?

(*Superintendent Lear.*) No.

(*Mr. Price.*) He has been returned on a list, it seems, of Philip Gilbert, somehow or other.

43,335. (*To the witness.*) You have been returned upon a list by Philip Gilbert who had money to pay away in bribing. Your name seems to have been returned by him?—I can only account for it by my being in the district or near the neighbourhood where he has been living. He came and said to me something about voting, or how I was going to vote, and I told him, of course, I did not know how I was going to vote, because I was rather curiously situated.

43,336. (*Mr. Anstey.*) How do you mean?—In working at the carriage works. Of course I did not know how we should vote; still we had an option, every man to use his own mind.

43,337. (*Mr. Price.*) Still you thought it was very doubtful?—I voted according to my own principles. No one said I should not.

(*Mr. Price.*) That will do. That is the reason you are called here, Mr. Morrish, because you happen to be on Philip Gilbert's list.

T. Dyer.

THOMAS DYER sworn.

43,338. (*Mr. Price.*) What are you?—A carpenter.

43,339. Where do you work?—I am working at the canal now.

43,340. Did you vote at the last election?—Yes.

43,341. How did you vote?—For Mr. Kinglake and Mr. Vanderbyl.

43,342. Did you get anything for it?—Yes.

43,343. How much?—10*l.*

43,344. Who from?—Robert Garrett.

43,345. Did you vote in the elections of 1866?—No.

43,346. You had no vote?—No.

43,347. The first time you voted was the last election?—Yes.

43,348. (*Mr. Anstey.*) What are you; a householder?—Not now; I was at the time.

JAMES PODGER sworn. *J. Podger.*

43,349. (*Mr. Price.*) What are you, Mr. Podger?—A carpenter.

43,350. Where do you work?—Mr. Roberts's.

43,351. The carriage factory?—Yes.

43,352. How did you vote at the last election?—Kinglake and Vanderbyl.

43,353. Did you get anything?—Yes.

43,354. How much?—10*l.*

43,355. Who from?—Robert Garrett.

43,356. Was that the first time you ever voted?—Yes. Mr. Allan stated that he gave me 10*l.*; that was false.

ANDREW ALLAN recalled. *A. Allan.*

43,357. (*Mr. Price.*) Now, Mr. Allan, what do you say to that?—He is returned in my list by the men who kept check at the "New Inn."

43,358. Did you pay him 10*l.*?—I do not know. I cannot swear.

JAMES PODGER recalled. *J. Podger.*

43,359. (*Mr. Price.*) Who do you say paid you?—Robert Garrett.

43,360. Where?—At the "Queen's Head."

43,361. You were one of those paid at the "Queen's Head"?—Yes.

ANDREW ALLAN recalled. *A. Allan*

43,362. (*Mr. Anstey.*) Is that one of your houses?—No; I had nothing to do with the "Queen's Head."

JAMES PODGER recalled. *J. Podger.*

43,363. (*Mr. Price.*) You say Allan returned you, and did not pay you?—Yes.

ANDREW ALLAN recalled. *A. Allan.*

43,364. (*Mr. Price.*) Where were you sitting, Allan?—I was upstairs in the bedroom of the "New Inn."

JAMES PODGER recalled. *J. Podger.*

43,365. (*Mr. Price.*) Did you go to the "New Inn" at all?—During the day I was there.

43,366. (*Mr. Coleridge.*) Did not you get paid twice?—No.

43,367. (*Mr. Price.*) Were you shown up into a room?—No.

43,368. Where Allan was?—No, I never spoke to Mr. Allan until the morning when he had given his evidence, and I then went to his house and told him that he had given wrong evidence.

ANDREW ALLAN recalled. *A. Allan.*

(*The witness.*) This list would show that he had it.

(*Mr. Coleridge.*) Somebody might have taken his name, and got the money.

43,369. (*Mr. Price.*) Probably somebody might have personated him?—That is a matter for Stacey and Culliford. They can explain that.

(*Mr. Price.*) Are either of them here?

(*Superintendent Lear.*) No.

WILLIAM KING sworn. *W. King.*

43,370. (*Mr. Price.*) Now, Mr. King, what are you?—Cordwainer.

43,371. How did you vote at the last election?—For the Liberal party, Kinglake and Vanderbyl.

43,372. Did you get anything?—Nothing at all.

43,373. Of any kind?—Nothing at all.

43,374. Neither promise nor money?—Neither promise nor money.

43,375. Did you vote before at any election?—No, the last was the first.

43,376. Has your name been returned, do you know, as having been bribed? Were you on Philip Gilbert's list?—Not as I am aware of.

43,377. Are there several of your name in the place?—Yes.

(*Mr. Price.*) We have got hold of the wrong man.

GEORGE LUCKES sworn. *G. Luckes.*

43,378. (*Mr. Price.*) What are you you?—A mariner.

43,379. Did you vote at the last election?—No, I was not in the town.

43,380. Did you vote at the elections of 1866?—I did.

43,381. Both of them?—Mr. Vanderbyl's.

43,382. What did you get then?—10*l.*

43,383. Who from?—Captain Bussell.

43,384. Did you vote when Mr. Bagehot was here?—I did.

43,385. Did you vote for Mr. Bagehot?—Yes.

43,386. What did you get?—Nothing.

43,387. Did you get anything between the two elections?—Nothing whatever.

43,388. (*Mr. Coleridge.*) Did you get anything afterwards?—No.

43,389. How was that?—I do not know.

43,390. Did not you ask for it?—No.

43,391. (*Mr. Price.*) Did you vote in 1865?—Bagehot?

43,392. No, Westropp?—No.

43,393. Kinglake and Shelley?—No, Vanderbyl.

43,394. (*Mr. Price.*) Did you vote when Kinglake and Shelley were candidates?—No.

43,395. Did you vote before 1866?—No, I voted for Mr. Bagehot. That was the first election.

43,396. Before that did you vote?—No.

JOHN HILL sworn. *J. Hill.*

43,397. (*Mr. Price.*) What are you? What is your trade or calling?—I voted for Kinglake and Vanderbyl.

43,398. (*Mr. Coleridge.*) What are you?—A cordwainer.

43,399. Did you vote at the last election?—Yes.

FORTY-FIRST DAY.

13 Oct. 1869.

J. Hill.

43,400. Who for ?—Kinglake and Vanderbyl.
43,401. What did you get ?—No money at all.
43,402. Did you vote at the election before Vanderbyl's ?—Not before the last election.
43,403. Is there anybody else of your name ?—John Hill of Polden Street.
(*Mr. Coleridge.*) Then we have got the wrong man.

W. Baker.

WILLIAM BAKER sworn.

43,404. (*Mr. Price.*) What are you, Baker ?—A labourer.
43,405. Did you vote at the last election ?—Yes.
43,406. How did you vote ?—Kinglake and Vanderbyl.
43,407. Did you get anything ?—No.
43,408. No promise ?—No.
43,409. Had you ever voted before ?—That is the first time.
43,410. (*Mr. Anstey.*) What are you by trade ?—A labourer.

W. Tremlett.

WILLIAM TREMLETT sworn.

43,411. (*Mr. Price.*) What are you, Mr. Tremlett ?—A smith, sir, of the carriage department.
43,412. Did you vote at the last election ?—Yes, Westropp and Gray.
43,413. Did you get anything ?—No.
43,414. Any promise ?—No.
43,415. Did you vote at either of the elections of 1866 ?—I voted twice for Mr. Patton.
43,416. Did you get anything ?—10*l.* from each.
43,417. Who from ?—One was at the "Golden Lion." I cannot say who it was from; it was upstairs.
43,418. Yes, one was at the "Golden Lion ;" where was the other ?—The other was from Mr. Henry Batten, at the carriage department, five, and five in an adjoining apartment of the "Golden Lion."
43,419. Did you vote in 1865, Westropp's ?—Yes, I did.
43,420. How much did you get then ?—I had 5*l.* then.
43,421. Who from ?—Mr. Henry Batten.
43,422. Did you vote in 1859 for Padwick and Westropp ?—I had no vote.

J. Hawkes.

JOHN HAWKES the younger sworn.

43,423. (*Mr. Price.*) What are you; Mr. Hawkes ?—A fitter.
43,424. Where at ?—At the carriage department.
43,425. Did you vote at the last election ?—I did.
43,426. How ?—Westropp and Gray.
43,427. Did you get anything ?—Nothing.
43,428. Did you vote at either of the elections of 1866 ?—In 1865 I voted.
43,429. In 1866 you did not vote ?—In 1865 I voted.
43,430. Did you vote in 1866 ?—No.
43,431. How was that ?—I was in a different house.
43,432. Did you vote for Westropp in 1865 ?—Yes.
43,433. What did get ?—10*l.*
43,434. Who from ?—Henry Batten.
43,435. Did you vote in 1859 ?—No.
43,436. (*Mr. Coleridge.*) Did you get anything in 1866 although you did not vote ?—No.

T. Lee.

THOMAS LEE sworn.

43,437. (*Mr. Price.*) What are you, Mr. Lee ?—A carpenter.
43,438. Where do you work ?—At the Bristol and Exeter carriage department.
43,439. Did you vote at the last election ?—No.
43,440. Had you no vote ?—No.
43,441. Did you vote in 1866 ?—Yes.
43,442. Both times, both elections ?—No.
43,443. Which did you vote at ?—For Mr. Westropp.
43,444. No, no, 1866. Mr. Patton was here and stood twice. Did you vote then ?—1866 ; I voted for Patton.
43,445. Both times or only once ?—Once.
43,446. Which was that ?—The first time.
43,447. What did you get ?—5*l.*
43,448. Who from ?—From Mr. Henry Batten.
43,449. Did you get anything after that ?—No.
43,450. How was it that you did not vote at the next election ?—I was not in the town.
43,451. Did you vote in 1865 ?—Mr. Westropp ?
43,452. Yes ?—Yes.
43,453. What did you get ?—10*l.*
43,454. Who from ?—From Mr. Batten.
43,455. Did you vote in 1859, Padwick's election ?—No. 1865 was my first vote.

J. Spencer.

JOHN SPENCER sworn.

43,456. (*Mr. Price.*) What are you ?—A labourer.
43,457. Where do you work ?—At the carriage department.
43,458. Did you vote at the last election ?—No.
43,459. Had you no vote ?—No.
43,460. Did you vote in 1866 at all ?—For Mr. Westropp.
43,461. No, no, did you vote for Mr. Patton ?—Yes, once.
43,462. What did you get ?—10*l.*
43,463. Who did you get it from ?—Mr. Batten.
43,464. Then you only voted once in that year ?—No.
43,465. How was that ?—I had no vote.
43,466. Did you vote in 1865 for Mr. Westropp ?—Yes.
43,467. What did you get ?—10*l.*
43,468. Who from ?—From Mr. Batten.
43,469. Did you vote in 1859 ?—No.

R. Webber.

ROBERT WEBBER sworn.

43,470. (*Mr. Price.*) What are you, Mr. Webber ?—A labourer, a fitter.
43,471. Where do you work ?—Carriage department.
43,472. Did you vote at the last election ?—Yes.
43,473. Who did you vote for ?—I voted for Mr. Westropp.
43,474. Did you get anything ?—No.
43,475. Any promise ?—No.
43,476. Did you vote at the time of Patton's election ?—Not for Mr. Patton, but for Mr. Westropp, in 1865.
43,477. Did you vote at all in 1866 ?—No.
43,478. How was that ?—I had no house.
43,479. In 1865 did you vote for Mr. Westropp ?—Yes.

43,480. What did you get?—10*l.*
43,481. Who from?—From Mr. Batten.
43,482. Did you vote in 1859?—No.
43,483. You had no vote? That was the only election?—I voted for Follett a long time back.
43,484. 1852 was that?—Yes. I voted for him twice, I think.
43,485. What did you get then?—No money at all. I had a little money for refreshment.
43,486. How much?—21*l.*, and I waited 12 months before I got the money.
43,487. You kept an inn?—Yes.
43,488. What inn?—The "Bull and Butcher."
43,489. You kept the "Bull and Butcher" in those days?—Yes.
43,490. How long after was it that you were paid?—Oh, 12 months. Then I voted for Follett again and had only 3*l.* 10*s.* for refreshments.
43,491. Besides that, have you ever had any money at other elections?—No.
(*Mr. Coleridge.*) Did you ever have anything to do with giving money?
43,492. (*Mr. Price.*) With bribing?—Oh no; nothing.

JOHN SPENCER recalled.

(*The witness.*) I misunderstood, sir, in your talking. I voted for Mr. Vanderbyl once.
43,493. (*Mr. Coleridge.*) What did you get then?—I never got anything for my my vote. I went and voted independent. There was something brought to my wife afterwards.
43,494. How much?—I do not know. I cannot tell.
43,495. Was it 10*l.*?—Perhaps it was. I never asked.
43,496. (*Mr. Coleridge.*) Then you must send her here to tell us?—She is dead.

HENRY WILLIAM BATTEN recalled.

(*The witness.*) This is the witness of whom I spoke about giving 10*l.* to vote for Mr. Patton; and it was returned to me afterwards because he voted on the other side.

JOHN SPENCER recalled.

43,497. (*Mr. Coleridge.*) Then it was more than 10*l.* you got; 15*l.* was not it?—No, I do not know exactly what it was. I never asked her.

CHARLES CAVILL sworn.

43,498. (*Mr. Price.*) What are you?—A wheelwright.
43,499. Where do you work?—Bristol and Exeter carriage department.
43,500. Did you vote at the last election?—I did.
43,501. How?—For Mr. Westropp and Gray.
43,502. Did you get anything?—No.
43,503. Did you vote at either of the elections of 1866?—I did.
43,504. Both of them?—Yes.
43,505. How did you vote each time?—I voted for Mr. Patton.
43,506. How much did you get?—10*l.* each.
43,507. Each time?—Yes.
43,508. Who from?—From Mr. William Henry Batten.
43,509. Did you vote in 1865 for Mr. Westropp?—I did.
43,510. Did you get anything then?—10*l.*
43,511. Who from?—Mr. William Henry Batten.
43,512. Did you vote in 1859?—No, I had no vote.

ANDREW ALLAN recalled.

(*The witness.*) Spencer, the witness before last, was paid 10*l.* at the first election by a Mr. Morrish.
43,513. (*Mr. Price.*) That might be to his wife?—It was had on the day of election.
43,514. (*Mr. Price.*) Yes; it may have been given to his wife?—Yes, it may have been.

JOHN SPENCER recalled.

43,515. (*Mr. Price.*) Did you get any 10*l.* on the day of Vanderbyl's election from Mr. Morrish?—No.
43,516. Did your wife ever tell you that Mr. Morrish had left something for her?—No.
43,517. Did you ever hear of the name of Morrish?—No. I never received any 10*l.* from Mr. Morrish.
(*Mr. Price.*) This man returned his 10*l.* he had from the other side, so I think we may trust him so far.

DAVID BROCK sworn.

43,518. (*Mr. Price.*) What are you, Brock?—Storekeeper in the carriage department.
43,519. Did you vote at the last election?—I did.
43,520. How?—Westropp and Gray.
43,521. Did you get anything?—No, nor no promise of anything.
43,522. Did you vote in 1866?—Yes.
43,523. Mr. Patton?—Mr. Patton.
43,524. Each time?—Each time.
43,525. What did you get?—I got 10*l.* from Mr. Batten.
43,526. Both times?—Both times.
43,527. Did you vote in 1865?—Yes, for Mr. Westropp.
43,528. How much did you get?—10*l.* from Mr. Batten.
43,529. Did you vote in 1859?—I had no vote in 1859.
43,530. (*Mr. Coleridge.*) You had not any vote before that?—No.

WILLIAM STOCKER sworn.

43,531. (*Mr. Price.*) Now, Mr. Stocker, what are you?—Clerk.
43,532. Where?—At the carriage department.
43,533. Did you vote at the last election?—Yes.
43,534. How did you vote?—For Westropp and Gray.
43,535. All you men from the carriage department appear to have voted one way?—No.
43,536. Nearly?—No, a great number voted on the other side.
43,537. Did you get anything?—No.

FORTY-FIRST DAY.

W. Stocker.

13 Oct. 1869.

43,538. Did you vote at either of the elections of 1866 ?—Yes, both.

43,539. What did you get ?—10*l.* each.

43,540. Who from ?—Mr. Batten.

43,541. Did you vote in 1865 for Westropp ?—I had not a vote.

43,542. Did you have a vote before ?—No, not since I have been in Bridgwater.

43,543. (*Mr. Coleridge.*) Batten is your foreman ?—No.

43,544. What is he ?—A clerk, the same as myself.

43,545. Head clerk, is not he ?—No, Mr. Jarman is the head clerk.

T. Williams.

THOMAS WILLIAMS sworn.

43,546. (*Mr. Price.*) What are you ?—I work in the trimming department of the carriage works.

43,547. Did you vote last time ?—I did.

43,548. Did you get anything ?—Nothing.

43,549. Who did you vote for ?—Westropp and Gray.

43,550. And you got nothing ?—No.

43,551. Did you vote in 1866 ?—Yes.

43,552. Who did you vote for ?—Westropp ; oh no, Patton.

43,553. What did you get then ?—10*l.* each.

43,554. Who from ?—From Mr. Batten.

43,555. Both times ?—Yes.

63,556. Did you vote in 1865 ?—Yes.

43,557. Who for ?—Westropp.

43,558. What did you get then ?—10*l.*

33,559. Batten paid you then ?—Yes.

43,560. You must have looked upon Batten as the regular almsgiver. Did you vote before that, in 1859 ?—No, I had no vote.

W. Bird.

WILLIAM BIRD sworn.

43,561. (*Mr. Price.*) You voted at the last election ?—Yes.

43,562. Did you get anything ?—Nothing.

43,563. Did you vote for Vanderbyl and Kinglake ?—Yes.

43,564. Do you know your name was returned on Philip Gilbert's list as a man who received a bribe ?—I am sure I never had anything.

43,565. Did your wife get anything ?—Nothing at all.

43,566. Did you get a present afterwards ?—Nothing at all ; not a farthing.

43,567. (*Mr. Anstey.*) Did any of your family get anything ?—Nothing at all ; not a farthing.

A. Allan.

ANDREW ALLAN recalled.

43,568. (*Mr. Price.*) Mr. Allan, can you tell us about this : Mr. Philip Gilbert, junior, seems to have had a list. Our chief clerk has got down here opposite a number of names, of which the last witness's is one, "Moneys received to bribe with but not bribed." Do you know anything about it ?—No, he had no money from us in the last election ; he must have referred to the election of 1866.

(*Mr. Price.*) You see this man had not a vote then.

(*The witness.*) Mr. Philip Gilbert had not a shilling of our money that I know anything about at the last election.

43,569. Was he employed at all at the last election ?—Not at all at either of them.

(*Mr. Price.*) Just look at this list, Mr. Allan, and see if you can recognize it.

H. Baker.

HENRY BAKER sworn.

43,570. (*Mr. Price.*) What are you ?—A rope-maker, only I work in a brickyard now.

43,571. Who for ?—Mr. Symmons.

43,572. Did you vote at the last election ?—Yes. Kinglake and Vanderbyl.

43,573. Did you get anything ?—No.

43,574. Were you promised anything ?—No.

43,575. Did you vote at any election before ?—No, never.

43,576. (*Mr. Coleridge.*) You mean to say you never got anything for your vote in your life ?—No.

43,577. (*Mr. Price.*) Perhaps there is some other person of your name here ?—I do not know.

G. Murray.

GOING MURRAY sworn.

43,578. (*Mr. Price.*) What are you ?—A tailor.

43,579. A master tailor, or a journeyman ?—I work for Mr. Buffett.

43,580. Did you vote at the last election ?—Yes, for Kinglake and Vanderbyl.

43,581. Did you get anything ?—10*l.*

43,582. Who from ?—I believe it was from Mr. Allan who was in the room. I could not swear it was he who gave it to me.

43,583. You were one of the persons shown up by Culliford and Stacey ?—Stacey was in the room at the time.

43,584. (*Mr. Coleridge.*) You were one of those who held back until the afternoon, and would not poll ?—I stopped back.

43,585. (*Mr. Price.*) Did you vote in 1866 ?—I did.

43,586. Who for ?—Vanderbyl.

43,587. Did you get anything then ?—20*l.*

43,588. Who from ?—10*l.* from Culliford, and 10*l.* from Bulpin.

43,589. Who paid the first 10*l.* ?—Culliford.

43,590. Did the next man know that you had 10*l.* ?—Yes.

43,591. And he gave you another 10*l.* ?—He gave me another 10*l.*

43,592. (*Mr. Anstey.*) How was that ?—I was told to stay in a house till what's-his-name, the baker, should see me.

43,593. Mr. Jarman ?—No, he lives just here.

43,594. Harden ?—No, Temblett. He passed by the door in the morning, and said, "Don't you go till you see me again." And during that time I happened to go out for a bit of a stroll, and I heard the market had rose, so I did not go to poll, and Culliford, he came in and wanted me to go to the poll, and I told him, no, I should not. "Well," he said, "if you will go, I will try to get you 5*l.* more." So of course I did not go on them conditions, and I went out and fell in with Bulpin, and he gave me 10*l.* and I went to poll.

43,595. At the election before, Bagehot's election, what did you get ?—10*l.* It was after the election ; from Mr. Smith.

43,596. What Mr. Smith ?—York House.

43,597. 1865 ?—I was away then.

43,598. Did you vote at any election before 1865 ?—No.

FORTY-FIRST DAY.

13 Oct. 1869.

GEORGE HART sworn. *G. Hart.*

43,599. (*Mr. Price.*) What are you?—A mariner.

43,600. Did you vote at the last election?—I did.

43,601. Who for?—Westropp and Gray.

43,602. Did you get anything?—No.

43,603. No promise?—No.

43,604. Did you have any expenses for coming here to vote?—No.

43,605. Did you vote in 1866?—No, I never had a vote before.

43,606. Is there any other man of your name here, "George Hart"?—Not that I am aware of.

PHILIP GILBERT recalled. *P. Gilbert.*

43,607. (*Mr. Price.*) What have you got to say to this? Here are a number of men put down as if bribed. What do you mean by it?—I have not done anything of the kind.

43,608. You gave in a list, you know?—No, I have not.

43,609. (*Mr. Anstey.*) Did not you give in a list to Allan?—No, I did not.

43,610. (*Mr. Price.*) Did you give any money away to anybody?—No.

43,611. (*Mr. Coleridge.*) You told us what you did in 1866?—Yes.

JOHN ROBERTS sworn. *J. Roberts.*

43,612. (*Mr. Coleridge.*) What do you know about your daughter bribing some one?—I sent her with the money in the evening.

43,613. Who to?—To four.

43,614. Who are they?—Stoodley, Spencer, Matthews, and Hook.

43,615. What election?—1866. The second election of Patton and Vanderbyl.

43,616. Where did you get that money from?—Allan.

43,617. How much was it?—Ten and two twenties, I think. I am not quite certain about one of them, whether it was not 25*l.*, but two twenties and thirty.

43,618. And a ten?—A ten first.

43,619. 80*l.*?—Yes.

43,620. How much did you get for yourself?—None.

43,621. Have you done any bribing at other elections?—Never; not before or since.

43,622. Did you never get any money yourself for voting?—Never bribed.

43,623. What is your daughter's christian name?—Mary Anne.

43,624. (*Mr. Anstey.*) Is she unmarried?—She is married now, and she is living 150 miles from here.

43,625. (*Mr. Anstey.*) What is her surname?—Gibbon. Mr. Hook mentioned her name in giving his evidence.

CHARLES STONE sworn. *C. Stone.*

43,626. (*Mr. Price.*) What are you, Mr. Stone?—An innkeeper.

43,627. What do you keep?—The "New Inn."

43,628. Did you vote at the last election?—Yes.

43,629. How did you vote?—Kinglake and Vanderbyl.

43,630. Did you get anything for it?—10*l.*

43,631. Who from?—From Mr. Allan.

43,632. Had you a bill for treating besides?—Yes.

43,633. How much?—5*l.*

43,634. Did you have that paid?—Yes.

43,635. Who paid you?—George Finner.

43,636. Did you vote at either election of 1866?—No; that is the first I had.

43,637. Any treating in 1866?—No; I did not keep the inn then.

RICHARD HENRY HOBBS sworn. *R. H. Hobbs.*

43,638. (*Mr. Price.*) What are you, Mr. Hobbs?—A tailor.

43,639. Where do you work?—Mr. Nicholls's.

43,640. Did you vote at the last election?—I did.

43,641. How?—Kinglake and Vanderbyl.

43,642. Did you get anything?—No.

43,643. Did you vote at the election before that?—Yes.

43,644. How?—For Vanderbyl.

43,645. How much did you get?—10*l.*

43,646. Who from?—Mr. Searle.

40,647. Did you vote at Bagehot's election?—Yes.

43,648. For Bagehot?—For Bagehot.

43,649. How much?—10*l.*

43,650. Who from?—Mr. Searle, through Mr. Gold.

43,651. Did you vote in 1865?—I did.

43,652. Kinglake and Shelley?—Kinglake and Shelley.

43,653. Did you get anything?—No. That was my first vote.

Adjourned to to-morrow at half-past 10.

FORTY-SECOND DAY.

Thursday, 14th October 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
HENRY FRANCIS PURCELL, Esq., Secretary.

FORTY-SECOND DAY.

Mr. C. Dare.

14 Oct. 1869.

MR. CHARLES DARE recalled.

43,654. (*Mr. Price.*) What do you want to say?—Betty said that I would vote for Mr. Westropp. I never said such words at all, and he said why I turned to the Liberal side was because my master was Liberal. I had no master at the time. I had nothing at all to do with any master.

43,655. (*Mr. Anstey.*) Was your last master a Conservative?—I believe he was a Liberal, but he named to me nothing at all about it.

43,656. (*Mr. Price.*) What were you before you took the Turkish baths?—A basket maker.

43,657. Under the employment of a person here?—No, my own self.

43,658. You talk of a master, were you ever in the employment of anybody?—When I came I was under Mr. Hurman at the Turkish baths, and I took it of him.

43,659. (*Mr. Anstey.*) He is a Liberal?—I suppose so, he never said anything to me about it.

43,660. What did Betty mean, when he said your master had been a Tory, and your present master a Liberal?—I never had any master at all. I never heard of it until he said so.

43,661. You never had a master?—I have had many, but he never said to me——

43,662. (*Mr. Price.*) Did you vote before the last election?—Never.

43,663. (*Mr. Anstey.*) Have you ever had a vote before the last election?—No.

43,664. What did you vote for, as a householder paying rates?—Yes.

43,665. Not as a ten-pounder?—No.

43,666. I do not mean as a person who receives 10*l.*, but rated at 10*l.*?—No; I vote for the house under the new franchise.

43,667. Household-rate franchise?—Yes.

43,668. (*Mr. Price.*) Are you on friendly terms with Betty?—Yes.

43,669. He had been in the habit of coming to you to buy baskets?—He might have been there two or three times.

43,670. Did you and he ever talk about voting?—Not to the best of my knowledge, he might have named it, but I never took any notice of it, not any conversation whatever.

43,671. You are Liberal in politics?—Yes.

43,672. What time had you voted?—Some time after dinner; about two o'clock I think, some time about that; but Mr. Westropp I told when he came to canvass me I should not vote for him, I had promised Mr. Kinglake.

43,673. I understood him to mean that some time before the election you had a discussion with him, and said you expressed your willingness to vote for Mr. Westropp?—Never in my life. I never heard of it until he said so here.

43,674. You still stick to it that he said you would have 30*l.*?—He did.

43,675. (*Mr. Anstey.*) I think you did not see the person with the blue fall?—No, I did not.

43,676. (*Mr. Price.*) You still say positively that he said you should have 30*l.* to vote for Mr. Westropp?—He did.

43,677. Did you believe that a man like Betty, a fly driver, had any authority?—Well, I do not know.

43,678. Did he tell you who had sent him?—No, he did not. He said if I would come to the "Clarence" with him I should have 30*l.* I heard what he said, and I said, "It is no use to humbug you. I have been to poll." And he said, "I hope you have done better on the other side."

43,679. (*Mr. Coleridge.*) Did anybody hear this?—No.

43,680. (*Mr. Price.*) That is the awkward part of the matter, because it is oath against oath, and as I said before it is no use talking anything about indicting a person for perjury when it would be likely to break down, the law properly requiring something more than a single oath against a single oath?—I do not wish to be hard upon the man.

(*Mr. Price.*) You are perfectly right to state it. There still remains the question we shall have to consider, how far Betty has sworn falsely with regard to what took place with your wife, because that may be a different matter, and there may be ground for having a prosecution instituted in respect of that.

F. Rose.

FRANCIS ROSE sworn.

43,681. (*Mr. Price.*) What are you?—A gas-fitter.

43,682. Do you work under the corporation?—I am in the employment of Mr. Cornish, the manager of the Bridgwater Gasworks.

43,683. How did you vote at the last election?—Kinglake and Vanderbyl.

43,684. Did you get anything for it?—Yes.

43,685. What did you get?—10*l.* from Allan.

43,686. (*Mr. Coleridge.*) What time did you vote?—I should say about 10 minutes to 3.

43,687. How came you to keep back till so late?—I can hardly say why.

43,688. You waited back for the chance of money?—No, I did not.

43,689. Then what for?—I can scarcely say what I did it for.

43,690. You thought there might be money going?—I heard so in the day.

43,691. (*Mr. Price.*) How soon in the day did you hear that money was going?—Well, there was a general rumour all over the town that there would be money.

43,692. How soon?—I heard it as early as six in the morning.

43,693. (*Mr. Anstey.*) Whom did you hear it from?—I cannot give you the names, but it was a general rumour through the town that there would be money going on both sides.

43,694. (*Mr. Coleridge.*) Then you were disap-

pointed till three o'clock, and then you got the money and voted?—No, I was not disappointed.

43,695. (*Mr. Price.*) Did you get it before voting?—Yes, I did.

43,696. Did you vote in 1866?—No; I had no vote.

43,697. The last time was the first election at which you had a vote?—Yes; but not under the new franchise.

43,698. Under the old?—Yes.

43,699. You had got a house of your own?—Yes; but no vote.

43,700. How was that?—Because I had not paid rates long enough.

ALEXANDER WILLIAM KINGLAKE sworn. *A. W. Kinglake.*

43,701. (*Mr. Price.*) Before we begin to examine you, I may state that it is only after very grave and serious consideration that we have determined to examine you, and so give you an opportunity of giving an explanation, and having your certificate given you if your statements are satisfactory; otherwise we should have thought, and had for some time during the inquiry, it was our duty to treat you as we have treated Mr. Vanderbyl, namely, not to examine him at all, but leave the Attorney-General to deal with him. However, we have thought under all the circumstances of the case that we should not take that extreme course with you, and therefore we have determined on examining you. Now, before going into the merits of the election, there are one or two things which we wish to have explained. When we arrived here on the 23rd August last, we received a letter through our secretary, which was in your handwriting I presume—I hold it in my hand—which was dated August 21st, 1869, but without any address; and having read that we directed our secretary—he received it on the 23rd, the day we arrived, therefore we did not take any notice of it till after we had been here and opened the court—to write to you to the address which he had then in this neighbourhood, and that letter you got I suppose some time or other, informing you that we thought it our duty to rescind or revoke the permission we had given you in London to go to the Crimea, which you had made a special request for. We were therefore considerably surprised to get no answer whatever to that letter, and we were still more surprised when we heard, more perhaps from rumour than anything else, that you had actually left the country. You might perhaps have acted under the impression that having received our permission to go to the Crimea, and it not having been at that time revoked, you were at full liberty to go. Still we were very much surprised that you, having received from the secretary this letter, in which we rescinded the permission to you, you took no notice whatever of it, supposing that it reached you. We shall be glad to know whether it did, and why it is you had not the courtesy, to say the least of it, to write to explain you had left the country before you received our letter?—I shall be most happy to explain all the facts most fully. The letter in question, the statement, was written at Timberscombe, but when I was on the eve of going to London with the view of going abroad, taking advantage of the permission the Commissioners had kindly given me, I caused that letter to be put in the post. On the Sunday I believe, the 22nd or the 23rd, I went off to London, having requested my sister-in-law not to forward me any more letters, because I was only going to be, as I expected, a few hours in London, and I thought it would be only an embarrassment, I should not have time to answer them. Of course I had not any notion of any letter coming from the Commissioners, and accordingly the letter was kept here. When after I had executed my intention of going to the Crimea, and came, so to speak, back to Constantinople, on Monday the 4th of this month, I received a copy of that letter. I had not the smallest conception that there existed such a letter till that moment.

43,702. (*Mr. Price.*) A copy?—Yes; my sister-in-law had made it. She thought she might copy it, seing that it was on Her Majesty's service, and inferring who it was from.

43,703. The Bridgwater postmark would be on it?—No doubt; and instead of sending the original, which would be inconvenient on account of the post, it was copied on thin paper, no doubt an accurate copy of it.

43,704. (*Mr. Anstey.*) When did you receive that; what day?—On the Monday the 4th of this month, at Constantinople. The instant I received it I addressed a letter to the Commissioners, which I think they would receive to-day, because a letter which I posted at the same time has come into the neighbourhood to-day. I addressed a respectful letter to the Commissioners, saying that having received this communication——

(*Mr. Price.*) We have received a letter this morning, apparently with a postmark of the 6th of October, at Constantinople.

(*Mr. Anstey.*) You had better look at it. There is the Constantinople postmark on it.

43,705. (*Mr. Price.*) Two days later than you think?—It was written on the 4th; I can speak to that.

43,706. (*Mr. Anstey.*) But you will see Constantinople, October the 6th; first of all the stamp of the Hotel d'Angleterre, and in the next place, "Constantinople, October the 6th." That is two days afterwards?—Yes, it is the 6th, but it was posted on the 5th; that is, posted at the hotel, as is the custom there. Probably they had the custom of detaining the letters at the hotel until they know that the post is going, but the letter was written by me on the 4th, posted on the 5th, and seems to have arrived here to-day. In that letter I stated, as the Commissioners know, that I should immediately start for England; and if my health and strength should not give way——

43,707. (*Mr. Price.*) That is an explanation; the only thing is that it is an unlucky thing that we should not have had it before, because it would have removed any misapprehension from our minds, which you cannot be surprised at our being under?—Certainly.

43,708. That studied silence was preserved up to the present moment on your part as far as we know?—I quite see it.

43,709. Therefore that is an explanation, that it was not forwarded; but we wish we had known that, and it is an unfortunate thing that we did not. If your sister-in-law had taken the trouble to inform us, it would have removed any misapprehension on our part as to the cause of your silence?—I beg your pardon. I may be allowed to say that I have journeyed to England with most extraordinary haste.

43,710. Your relatives are very diligent in writing public comments in the newspapers; and if they knew that your letters were not forwarded, they might have done a good deal more for you by informing us than abusing us—if they had explained what was certainly very unintelligible to us, your apparently studied silence with regard to that letter, while it was utterly unexplained. It really went forth to the public as if we had let you go out of the country under the original permission; and then in your absence remarks were made which were very naturally called forth now and then with respect to parts of the evidence; of course we all the while were under the belief that having written a letter revoking our permission to you you had taken no notice of it, but in a certain sense set us at defiance?—I can quite understand that.

43,711. If proper permission had been given, your relatives, one of them at all events, must have known. Your statement was so very important that we wished to have you examined as early as we could, and there-

fore we revoked the permission. Anything like the notion should not have gone abroad that we were dealing in any way unfairly with you in your absence, because it ought to have been made known that we considered it our duty at that particular juncture, under the circumstances, to revoke the permission to go abroad. If the public had known we had done that, I do not think they would have been led away by statements which I think are calculated to create the idea that we let you go, and having let you go taken advantage of your absence to animadvert upon you. That disposes of that.—I hope that I may be allowed to say that I was particularly diligent in making my journey from Constantinople. I believe I made one of the most rapid journeys that ever was made—in six days.

43,712. (*Mr. Anstey.*) In one of those communications to which the learned Chief Commissioner has alluded, stress is laid most distinctly, I am bound to say, on the fact which I do not deny that you obtained permission to go to the Crimea, but the fact, which is as much a fact, as the other, that that permission was revoked, or intended to be revoked, and was revoked in fact, though the revocation does not seem to have been seen by you, is studiously suppressed, these communications thereby leaving the public under a false impression as to our good faith and fairness. It was very wrong of your relations to have done anything of the sort?—I was not aware of it.

43,713. (*Mr. Price.*) Now we propose to commence with your earliest introduction to this borough, and to examine you with regard to your contest in 1852. It is known that you are connected with the neighbourhood, and have been more or less all your life, and we understand that you were introduced here by an independent party in the borough; is that so?—Yes. Might I be permitted, before we go into what may be called the electioneering history, to deal with the portion of the case relating to the evidence which I gave before Mr. Justice Blackburn?

43,714. (*Mr. Price.*) You shall have the earliest opportunity afforded you of saying anything you like about it. As a matter of convenience we think it better to keep chronological order as much as possible, and think the better course would be to begin with your earliest introduction to the borough. Who was the first person who communicated with you, or with whom you first communicated as to your intention to come forward in 1852?—Mr. Bate.

43,715. You are a barrister, and were once a practising barrister?—I practised at the chancery bar for many years.

43,716. Did you also go the circuit?—I went once, as was the custom of chancery men to do in those days.

43,717. You practised at the chancery bar for some time, I believe?—Yes.

43,718. And had been practising when you were first introdnced here in 1852 as a candidate?—Yes.

43,719. You were then a practising barrister?—Yes.

43,720. The late Mr. Bate you say was the first you communicated with?—Yes.

43,721. Had he been an intimate friend of your family?—He was very well known to them.

43,722. He filled here the position of what is called a certificated conveyancer?—Yes.

43,723. Not a solicitor, but a certificated conveyancer?—Yes, and I think it would be an error to name him as what is called an agent. He no doubt was an agent for me, but he never in his life deigned to receive any sort of remuneration from me.

43,724. In that time when he introduced you did you know anything more than common of the politics of the borough, of the way in which elections were managed here, and had been for some series of years?—I knew somewhat rudely; I certainly always thought former elections here were very corrupt. Then I understood there had been a rally in that respect, and a very strong feeling prevailed on the part of those who wished to terminate what they considered a kind of intrigue, resulting in what is popularly called a return of one and one, and Mr. Bate desired to put an end to that state of things.

43,725. Who was the leading man you knew of on your side in politics who had been a party to this one and one arrangement up to that time?—Well, Mr. Benjamin Lovibond, on behalf of Colonel Tynte, I have always understood rather favoured that view.

43,726. On the other side who was a leading man?—Mr. Richard Smith on the other side.

43,727. Is that the old Mr. Richard Smith?—Yes.

43,728. There are two Richard Smiths and Mr. Bealy Smith, was it the old Mr. Smith, or the one now alive?—I believe the one who is now alive.

43,729. (*Mr. Anstey.*) The lawyer?—The lawyer.

43,730. (*Mr. Price.*) That is what you knew as you say rudely. Did Mr. Bate go any further into the history of the thing with you before you came down here?—I had abundance of conversation on the subject. It was supposed that my election would be pretty easily secured if the rivalry between the Liberal candidates could be got rid of, but at that election there was a thorough Liberal candidate, Lord Henley, and the consequence was that it came to a real contest. Lord Henley and I clashed; we each unfortunately rather committed ourselves in promising to undertake to go to the poll, and that state of things could not be got rid of.

43,731. (*Mr. Price.*) Who was the means of introducing Lord Henley here?—Well, there had been formed a Liberal association here with a view, no doubt, to improve the conduct of elections for the borough.

43,732. Who was the moving person in that matter?—Well, there was Mr. Nicholls, Mr. Sully, and a great many of those who are now here.

43,733. Mr. James Wood Sully?—Yes.

43,734. (*Mr. Coleridge.*) Lord Henley at that time was more a Peelite than a Liberal, was not he?—No, I think he put forward rather strong Liberal opinions. He was in favour of the ballot at that time; I was not, and that gave him a great advantage over me.

43,735. (*Mr. Price.*) Was Mr. Benjamin Lovibond interested in any way in that matter?—Yes, and Colonel Tynte coalesced so to speak with Lord Henley.

43,736. Then he threw over the one and one arrangement which you understood to have existed?—Yes.

43,737. And he did that to favour Lord Henley in preference to yourself?—Yes, so that there was the strongest antagonism at that time.

43,738. Who was the earliest in the field, you or Lord Henley?—I was first in the field.

43,739. When you came into the field did you put yourself in communication in any way with Mr. Benjamin Lovibond?—No, I was most strongly opposed to him at that time.

43,740. (*Mr. Anstey.*) Then who was your lawyer in the matter?—Mr. Bate.

43,741. He was a conveyancer, but who was your solicitor?—Mr. Henry Lovibond and Mr. Paul Reed, and Mr. Brice at that time was Liberal.

43,742. (*Mr. Priee.*) Did you put yourself in communication with those gentlemen as soon as you came here?—Yes.

43,743. With a view to contesting the election?—Yes.

43,744. Was anything said by them at that time about money at all?—No, nothing.

43,745. I will ask what arrangement did you make about money, first as to legal expenses, and whether you made any other arrangements?—None whatever, because it never came to a real contest.

43,746. Did not you go to the poll?—I did go to the poll, but it was not a real contest, because we quite knew that unless one of the three Liberals could be got out, there never could be a real election.

43,747. Then you made no arragements as to any expenditure whatever?—None at all.

43,748. Were you pressed by anyone to spend

money with a view to secure your success over Lord Henley?—No, nothing of the kind was thought of then.

43,749. (*Mr. Coleridge.*) But Colonel Tynte was returned, was not he?—Yes, Colonel Tynte and Mr. Follett.

43,750. The one and one held together although there were other candidates in the field?—Yes.

43,751. (*Mr. Price.*) Who polled most, you or Lord Henley?—Lord Henley.

43,752. (*Mr. Anstey.*) When you said Mr. Brice was one of your lawyers, did you mean Mr. Brice or his firm?—No, Mr. Brice. I never knew but one Mr. Brice here.

43,753. Was not there a firm in which he was a member? I ask the question because Mr. Brice was very clear in his evidence that though he took part in one or two elections it was in his capacity as member of a firm.

(*Mr. Brice.*) No, I did not come till 1857. I was in the office, and succeeded to the office of Mr. Gooding in his business.

(*Mr. Price.*) Mr. Brice says he did not come till 1857, and then he succeeded to the office of Mr. Gooding, whose business he succeeded to. When he was on his own account and had gained a vote in the place, then he declined to be agent on the Liberal side any further, saying his politics were Conservative; but during the first six months of his being here not having a vote he consented to act as agent, but that is not till 1857.

43,754. (*Mr. Coleridge.*) You must have been thinking of 1857, not 1852, when Mr. Brice acted for you?—Yes.

43,755. (*Mr. Price.*) Then is it quite certain that during that time you were never brought in communication with Mr. Benjamin Lovibond?—Not into friendly communication with him.

43,756. If not friendly communication, in what way were you brought into communication with him?—Well, he was at arm's length, as hostile as possible. I was more hostile to him at that time than to the Conservatives.

43,757. Why was that?—Because I suppose rivalry was more bitter than antagonism.

43,758. But one would suppose that Lord Henley was the man you would be more disposed to be against, because he was dividing what you call the independent party, was not he?—Well, we thought he was, and he thought I was.

43,759. And neither would give way?—Neither would give way.

43,760. (*Mr. Coleridge.*) Colonel Tynte was the old member?—He was the old member.

43,761. (*Mr. Price.*) Was any negotiation at all entered into for the purpose of inducing you to resign?—No.

43,762. Made by Mr. Lovibond or anybody on behalf of what you call the old managers of the party?—No, never, excepting canvassing. We were very often met with this, "Why do so and so, and let the Liberal party be divided? One of you ought to retire." We were naturally very often met with that.

43,763. (*Mr. Anstey.*) In your personal canvass did you canvass for yourself only, or for yourself and one of the two others, and if so, which of them?—Only for myself. I had a separate flag, a separate organization in every respect.

43,764. (*Mr. Price.*) We must ask you as a matter of form what did your election cost you? There is no supposition that there was any bribery at all proved to us, in any way, on the part of yourself, that is to say?—I think it cost me some 300*l.* or 400*l.* 300*l.* I should say, speaking from memory.

43,765. A great part of that would go to the lawyers, I suppose?—No; none of the lawyers received anything, because I was defeated then, and no lawyer received anything to my recollection.

43,766. The whole 300*l.* was expended in what were then legal expenses. Is that so?—Yes; the legal expenses were rather larger in those days.

43,767. Flags were allowed and banners, and so on?—Yes, and conveyances.

43,768. Did you pay up the whole of that before you left the place?—I paid the whole of that immediately I received the bill.

43,769. Therefore it was cleared off before you became candidate at the next election?—Yes.

43,770. Between that time and 1857 did you spend anything in the borough in the way of charities at all?—No.

43,771. When you left in 1852 did you express your intention in any way of coming forward to contest the place again?—I daresay I did.

43,772. And you intended to do so?—I intended to do so if anything should occur; but when the election of 1857 was approaching the members of the Liberal party here very wisely determined to prevent the confusion that had occurred at the first election, and to say that neither Lord Henley or myself should be candidates, in order to put an end to that ancient rivalry, and that state of things went on some week or more. I think they were looking out for a candidate.

43,773. When you say "they" tell us who the persons were who were looking out for a candidate?—The leading men of the two sections.

43,774. Mr. Benjamin Lovibond?—Mr. Benjamin Lovibond on the one side, and Mr. Bate and Mr. Henry Lovibond on the other.

43,775. Do you mean to say that Mr. Bate and Mr. Lovibond had agreed previous to that that neither you nor Lord Henley should be candidates in 1857?—Exactly. Then he found a difficulty in obtaining a candidate.

43,776. I am asking you before, you come to that, had you said anything in 1852 when you were candidate or afterwards to Mr. Bate or Mr. Lovibond to the effect that you would not spend money in corrupt purposes whenever you came to the borough, and whether that operated at all?—No, I think not.

43,777. Had that anything to do with their saying they would not have you?—No, I do not recollect they ever said so.

43,778. What do you mean to attribute it to, their determination about that?—The ancient rivalry.

43,779. They thought Lord Henley would come again as well as yourself?—Yes; they thought if both were declined it would be impossible, and the ancient rivalry would be got rid of, and as the election approached they found that they could get no candidate in time, and some one I understood said, "Why "should we be in this difficulty about a candidate "when we have two men, either of whom would suit "us, Lord Henley and Mr. Kinglake." And there was a discussion as I understood between a body of men who met for the purpose. They divided as to the choice of those two, and it was determined by a small majority that I should be the candidate. Then all Lord Henley's friends acted with the greatest loyalty in the performance of the engagement which had been entered into before that.

43,780. Who is the leading man who was Lord Henley's friend except Mr. Benjamin Lovibond?—Well, there were some of the most important men in the place, Mr. Nicholls and Mr. Sully.

43,781. Any of the lawyers?—No, I think not any lawyers.

43,782. Had Lord Henley always professed purity principles?—No, I am not aware that he had, putting it in that form.

43,783. Now as the election was approaching you say they elected you by a small majority as their candidate?—Yes. Then Lord Henley's friends became as loyal and as much attached to me as ever they had been, every man from the beginning, so that there was perfect unanimity between the party.

43,784. When you first met the united party on the footing of being a candidate, was anything said to you then about the necessity of being a candidate if there were a contest?—No, all this was after the writ had been sent down; I came down in a hurry.

FORTY-SECOND DAY.

A. W. Kinglake.

14 Oct, 1869.

43,785. (*Mr. Coleridge.*) When you and Lord Henley's party got into accord together, what was the position between you and Colonel Tynte's party? Was it perfectly hearty sympathetic terms or not?—Entirely separate agents; a certain amount of distrust perhaps remaining, but still acting amicably together.

43,786. And when you canvassed did you ask also for Colonel Tynte?—No.

43,787. You canvassed separately?—Entirely.

43,788. Mr. Follett was the other candidate?—Yes.

43,789. Were your agents the same as before?—Yes.

43,790. Mr. Henry Lovibond?—Yes.

43,791. Mr. Paul Reed?—Yes, and it now appears Mr. Brice.

43,792. Who was then in partnership with Mr. Gooding, do you remember; Mr. Gooding was his partner?—No.

43,793. At that election you were returned?—Yes.

43,794. Mr. Follett was turned out?—Yes.

43,795. By what majority were you elected; do you remember?—I do not recollect. It was a strong majority, considering the size of the constituency at that time.

43,796. The constituency was about 500 at that time, I suppose?—Yes, between 500 and 600, according to my impression; and I think, speaking from memory, I was returned by something like a majority of 60.

43,797. (*Mr. Anstey.*) Eighty over the one, and 40 over the other?—I do not recollect the numbers.

43,798. (*Mr. Price.*) What did you spend at the election? I will come to the after expenditure presently. What did you pay yourself at the time of the election?—The sums I have mentioned in that statement.

43,799. You have mentioned a large sum; was it all one lump sum? We must have it on the notes; what were the published expenses?—I have not the figures before me.

43,800. 158*l.* 16*s.* 1*d.* were the expenses paid to the election auditor?—Yes.

43,801. That was paid, of course, within a specified time, to meet the statute?—Yes.

43,802. Within a month, I suppose?—Yes.

43,803. (*Mr. Anstey.*) That it may appear on the notes, it may be as well to inform you that the Chief Commissioner is reading from the statement which you sent to the Commissioners?—Yes.

43,804. (*Mr. Price.*) I am reading the figures. We find that that was paid on June 15th, 1857, which would be a short time after the election, would not it?—Yes.

43,805. Then you put down June 19th, 1857, to Mr. Bate, that is the late Mr. Bate, this expense, "Bringing up absent voters," and various expenses which for some reason were not included in the auditor's accouni, 200*l.*?—Yes.

43,806. Now "expenses in bringing up voters;" were they brought any great distance?—That is a very considerable item in this place, because a great many of the voters are what are called captains.

43,807. Mariners?—Yes; and they are very often in a distant port, and they could not possibly afford to come to an election, and would not come unless the expense of bringing them up was defrayed.

43,808. (*Mr. Coleridge.*) And something over the expenses also?—I believe so; yes. I do not at all undertake to say——

43,809. (*Mr. Price.*) Therefore that 200*l.* may, in point of fact, not only have covered travelling expenses, but money paid besides in bribing, in fact, some of these men?—No bribes, I think.

43,810. If a man has his bare expenses, that is no bribe at that time, because it was legal; now it is illegal. But if he had anything beyond his expenses, according to Cooper *v.* Slade and other cases, it would be direct bribery at that time; anything beyond expenses?—I daresay in the 200*l.* there was included many little things which would not bear the light.

43,811. In that 200*l.* were there any treating bills?—No, I think not. Mr. Bate always set himself strongly against it.

43,812. Are you able to say whether there were any treating bills sent in to you at any time after that election?—No.

43,813. Or when you stood again, was any demand made against you for outstanding treating bills?—Never.

43,814. (*Mr. Coleridge.*) We have in the course of these proceedings heard that there was considerable bribery at that election on behalf of the Liberals; do you know anything of the way in which money was spent on behalf of Colonel Tynte; do you know he was bribing?—I have not any idea. I always understood that on his part, as well as mine, it was a perfectly pure election.

43,815. (*Mr. Anstey.*) You were about the town on the polling day of that election, I suppose?—Yes.

43,816. You must therefore have seen a good deal of the drunkenness or treating to which the witnesses who have been before us have deposed on that day?—I do not recollect anything of the kind.

43,817. If you did not pay the treating bills—and when I say "you," I mean your friends on the Liberal side—who did?—I had no idea that there was any treating.

43,818. It is sworn to to a considerable extent. The question is, if you did not pay them, who did?—Well, at all events, all I can say is that I never paid, or was asked to pay, anything beyond that 200*l.*

43,819. (*Mr. Price.*) Was any arrangement made in any way between Colonel Tynte and you, who you say were acting in perfect accord, though through separate agents, as to the proportion of the expenditure by each?—No.

43,820. Nothing of the kind?—Nothing of the kind that I know of.

43,821. (*Mr. Coleridge.*) Colonel Tynte was in solvent circumtances at that time?—I believe he was very much embarrassed, but his father was alive.

43,822. And was in a position to help him?—Yes, he was a man of very large estates.

43,823. We have also heard that he had a sister who assisted him at his election?—Yes, there was always money forthcoming.

43,824. (*Mr. Price.*) I find the next item was April 13th, 1857, which must be a wrong date; it seems to have been paid long before the election, as the election was in June; "Present to Mr. Henry Lovibond for services at the election, 100*l.*" ?—Yes.

43,825. (*Mr. Colerdge.*) Was that paid before the election or after?—After the election.

43,826. (*Mr. Price.*) Then that is a mistake in the date?—Yes.

43,827. And the total expenditure is 458*l.* 16*s.* 10*d.* Is that the whole sum you paid either at or after the election in respect of that contest?—Yes.

43,828. (*Mr. Coleridge.*) Were any demands made on you which you declined to pay afterwards?—No.

43,829. (*Mr. Anstey.*) Were there any demands made on you which you did not decline to pay?—No.

43,830. (*Mr. Price.*) Between that and the first election, a period of two years, did you pay any money, whether in respect of charities or gratuities of any sort in the borough?—As soon as I was returned I became a subscriber to several charities, but the subscription was on a moderate scale. There was a subscription which I still maintain, because it is so good an institution—the infirmary. Then there were several small subscriptions for *quasi* religious purposes.

43,831. (*Mr. Coleridge.*) And also one for racing purposes, I suppose?—Yes, there was the racing.

43,832. (*Mr. Anstey.*) Had you any application for loans of money upon personal or doubtful security?—Not after the election of 1857.

43,833. But before it at any time?—No.

43,834. (*Mr. Price.*) Or any notes of hand, or anything of that kind?—No.

43,835. Were you applied to at any time by men who said they would support you who were distressed

for money, and asked for it?—Not as the result of the election of 1857.

43,836. No; but between 1857 and 1859 did you have any application made in that form, or anything like that form, by men who said they were distressed, and were in want of money, and who said they were voters or your friends?—No, not within those dates.

43,837. (*Mr. Coleridge.*) Before you go to 1859 what did you put down as the cost of this borough annually in those two years you represented, between 1857 and 1859?—Well, I really never had a list, which one ought to have had, showing the amount.

43,838. I mean about. Mr. Westropp spent about 380*l.* a year on it?—My impression is that mine is between 90*l.* and 110*l.*

43,839. (*Mr. Anstey.*) Not one farthing of which you would have subscribed if you had not been a member for the borough, I suppose?—Yes; I was saying that the infirmary is an institution which I still support.

43,840. But you did not subscribe to it as a matter of fact until you became member for the borough. When I say that, you would not probably have paid any of those subscriptions if you had not become member for the borough?—No.

43,841. (*Mr. Price.*) Mr. Follett did not spend any money?—I believe not.

43,842. Not to any extent to corrupt the constituency?—No.

43,843. Now we come to 1859. Between 1857 and 1859 was there any greater cordiality between you and Colonel Tynte and his party, any greater unanimity?—Yes, I think it rather increased.

43,844. Was any arrangement made that in case of a future election you should be one of the accepted candidates of the Liberal party?—Yes, that was the case in 1857, and that continued to 1859, with, I should say, increased cordiality.

43,845. (*Mr. Coleridge.*) During those two years what was the arrangement between you and Colonel Tynte as to the Government patronage that was to be got for the borough. Did he, as senior member, arrange it, or how was it?—There never was any sort of arrangement. I think the practice was this, that the voter wrote to which of us he chose, and the one who received the application dealt with it.

43,846. (*Mr. Anstey.*) But during the greater portion of those two years, 1857 to 1859, neither you nor Colonel Tynte had anything to do with Government patronage. Lord Derby was a second time prime minister?—Lord Derby became prime minister in 1858.

43,847. The beginning of 1858?—Was it the beginning?

43,848. The very beginning of 1858. Then the election of 1859 was in July. That comes to a year and a half out of the two years.

43,849. (*Mr. Coleridge.*) There were only a few months that you could have exercised any Government patronage?—Yes.

43,850. (*Mr. Price.*) Now we come to the election of 1859. At that election yourself and Colonel Tynte were candidates on the Liberal side, and Mr. Padwick and Mr. Westropp were candidates on the other side?—Yes.

43,851. When it was known there would be a contest, Mr. Padwick and Mr. Westropp were coming down, and it was pretty sure there would be a contest, was there any arrangement made between you and Colonel Tynte, or those who acted for Colonel Tynte, as to what money should be spent?—No.

43,852. Nothing of the kind?—No.

43,853. Was not the question discussed as to the probability of money being spent by the Conservatives?—I daresay the discussion took place, but not to my knowledge.

43,854. I mean with you or in your presence?—I have no doubt, surmising as to whether there would or not be money.

43,855. Was there any request or intimation made to you that if money was spent on the other side, because that seems always the course pursued here, it would be necessary for you to spend money?—No.

43,856. Nothing of the sort?—No.

43,857. Did you enter into that contest then with a full belief that you were not to be called on to spend any money illegally?—Yes.

43,858. Fully impressed with that idea were you?—Yes, I went into that election as I did all others, with the hope that money would not be spent on the Conservative side.

43,859. Did not you, when you heard the name of Padwick, for instance—they say that Mr. Gray's name sounded like money—did not you think that Mr. Padwick, a complete stranger to the borough, utterly unknown to anybody in the borough, coming down here, meant it also?—I ought to have done, no doubt.

43,860. (*Mr. Coleridge.*) It was an ugly sounding name, that of Padwick, in the contest, I should think?—Yes.

43,861. (*Mr. Price.*) Now Mr. Bate was your manager, as it is called?—Yes.

43,862. Was Mr. Henry Lovibond acting for you again?—Yes.

43,863. And Mr. Paul Reed?—Yes.

43,864. Mr. Brice has told us at that time he did not take any fee on the Liberal side, he was acting himself for the Conservatives. Now the election resulted in your return with Colonel Tynte?—Yes.

43,865. And you were in a large majority?—Yes.

43,866. And tolerably early in the day, were not you? Mr. Padwick told us that he left in disgust about the middle of the day, as it appeared a hopeless thing?—Yes.

43,867. You and Colonel Tynte had a very large majority?—Yes.

43,868. Now I will take your figures which you have given us. The published expenses are 248*l.* 8*s.* 6*d.*; that is very nearly double, 90*l.* more than your election expenses in 1857, when you say they were large. How do you account for that 248*l.* 8*s.* 6*d.* as against 158*l.* 16*s.* 10*d.* Does that include anything besides what you call the legal expenses?—That does not include any agents fees, that 248*l.*

43,869. Are you sure of that?—I am sure.

43,870. Because I see afterwards Mr. Lovibond had his usual present of 100*l.* as well?—Yes, but I think it included payment of some other agents; I am not sure.

43,871. You seem to have paid in September 1859, which was, I suppose, pretty much about the same time after the election, as usual about a month?—The election was in the summer.

(*Mr. Anstey.*) On the 18th July was the polling day.

43,872. (*Mr. Price.*) How soon after that were you called upon to pay any more money?—Pretty nearly at the same time. In that same month of September 1859, about three months after the election, my brother became aware that Bate had expended a sum of money at the election.

43,873. (*Mr. Coleridge.*) Did your brother always act as go-between at the elections?—I do not know about that.

43,874. Did he assist you?—He was on the spot.

43,875. (*Mr. Price.*) The doctor?—Yes.

43,876. (*Mr. Coleridge.*) He was generally present with you here?—No, we were attached as brothers; he was rarely present here.

43,877. Did you pay your accounts through him in any way; did he settle your accounts?—Yes, very often.

43,878. Did he settle them and you afterwards with him?—Sometimes one and sometimes the other.

43,879. (*Mr. Price.*) You say he was the medium of communication between you and Bate?—Yes.

43,880. He informed you of how much had been spent. I will assist your memory with the figures here if you like. You put down here the sum you found afterwards Mr. Bate had expended, or whether you shield him from the expenditure. You say you do not believe he had expended it, but had Mr. Bate

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or other persons who had dealt with it on your behalf expended the sum of 1,125*l.* 15*s.* ?—Yes.

43,881. That is what your brother told you ?—Yes, there is a slight over-statement. That is taken from the banker's book, but it included a small sum for interest. The actual sum expended by Bate in that way appears to be 1,070*l.*

43,882. What was the interest for ?—The sum I paid was in the following year.

43,883. Quite right ?—And I think it included a sum for interest ?

43,884. The 3d October 1860 ?—The sum I made good was the sum which the Commissioner has before him.

43,885. That is the sum ; the interest irrespective of this item, or the interest on that sum ?—The item itself, with a small sum for interest on it.

43,886. That you were informed of by your brother, how soon after the election ; you paid it about a year after the other payment. Did your brother inform you of that ?—Well, sir, what passed was this: I think the early part of 1860 Mr. Bate was seriously ill. My brother thought that it was not desirable that he should have a thing of that kind on his mind, and it would be better that it should be paid, and therefore it was paid the date you have there.

43,887. (*Mr. Price.*) Then did you understand from that, before the time you speak of, Bate being ill, he had communicated to your brother the engagements he had on your behalf ?—Yes.

43,888. How soon after the election did you understand that Bate had made the revelations to your brother ?—Well, sir, I have made the explanation in my statements, which corresponds to the expression I have used about it, that I gradually came to know about it, but I do not think I ever knew the actual sum until it was settled.

43,889. Then your brother may have been informed much earlier than he chose to tell you ?—Yes.

43,890. (*Mr. Anstey.*) What fact was it then that made that impression on your mind, that the communication between Mr. Bate and your brother had passed ?—The conversation with my brother, no doubt.

43,891. (*Mr. Price.*) Then equally, Mr. Bate being ill, your brother, I suppose, pressed on you that it was time to pay this ?—He paid it himself, and I settled with him.

43,892. There is no doubt whatever that you had no doubt in your mind that the 1,070*l.* of the money was spent illegally ?—No doubt the larger portion of it was.

43,893. It must, because your published expenses were 248*l.* and 100*l.* for Mr. Lovibond. It could not be anything else ?—No.

43,894. (*Mr. Coleridge.*) Have you any knowledge what amount Colonel Tynte spent at that election ?—No.

43,895. You never heard from Mr. Bate that he had paid a corresponding sum ?—No.

43,896. You were at this time on good terms with Mr. Benjamin Lovibond ?—Yes, not on confidential terms.

43,897. You never heard from him that Colonel Tynte's expenses were about the same as your own ?—No.

43,898. Then comes November 14th, 1859, the present to Mr. Henry Lovibond of 100*l.*, making the total expenditure by you at that election a total of 1444*l.* 3*s.* 6*d.* ; was that the whole sum you were called on at that time, or any time afterwards, to pay at that election ?—Yes.

43,899. Now I come to the time of the petition. There was a petition threatened, was not there, or actually presented and referred to the election committee against your return ?—Yes, but abandoned.

43,900. I am going to that. How soon did you become aware, or was any communication made to you through the ordinary channel of the House of Commons, that any petition was going to be presented against you ?—My impression is that I actually heard it in the House of Commons.

43,901. The House of Commons ?—That is my impression. I would not say it with confidence.

43,902. Therefore Mr. Bate or none of your friends down here had informed you of the fact ?—No.

43,903. Or your brother ?—No.

(*Mr. Anstey.*) It was presented to the House of Commons, according to the Journals, volume 114, folio 123a, on the 21st of June 1859, and referred to an election committee on the 2nd of August 1859, and withdrawn on the same day by letter signed Baxter, Rose, and Norton, as agents for the petitioners.

43,904. (*Mr. Price.*) Now having become aware, you say your impression is merely in the House of Commons of the matter, what further communication was made to you about it. I suppose you took some steps to inquire into this petition ?—The only step I took was to instruct a parliamentary agent to inquire as to the solvency of the sureties.

43,905. Who was that ?—Mr. Wyatt.

43,906. As to the sureties for the petition ?—Yes.

43,907. Did you not also communicate with your friends down here ?—Most probably it was made the subject of correspondence.

43,908. There would be a petition, I presume, charging you with bribing, they generally did it ; at all events it charged your election to have been obtained by corrupt practices ?—Yes.

43,909. Did you take no steps to inquire here of any of your friends what truth there was in the matter, whether there was any ground for imputing corrupt practices to you ?—I have no doubt there must have been conversations on the subject, but I recollect nothing.

43,910. You were under the impression, when you left the town, that it was a thoroughly pure election on your part ?—No.

43,911. What ?—No, I did not think that, when I say I became gradually aware that expenditure had taken place.

43,912. You mean as soon after the election as could be. Tell us when you first became aware of anything which led you to suspect that there had been improper practices ?—I should find it difficult to say.

43,913. Was it before the petition was presented ?—Oh yes.

43,914. (*Mr. Coleridge.*) Was it on the polling day ?—Yes, on the polling day ; I should say that was my first intelligence that there may have been something wrong. I heard it in the congratulations of one's supporters that there was a something in the tone of congratulations of good manœuvring ; that sort of thing.

43,915. Who used such expressions, Mr. Henry Lovibond ?—No, I am not speaking of agents, of people who came up to shake hands with one, and so on.

43,916. (*Mr. Price.*) That being so, did not you, when the petition was presented, take any other steps besides inquiring about sureties, about resisting the petition ?—No, that is the only step I took.

43,917. (*Mr. Coleridge.*) When did you first really know what had been the money spent. Did you know that before you got Mr. Bate's letter, telling you that he wanted this extra sum of money. When did you absolutely know ?—I do not think I ever got a letter from Mr. Bate.

43,918. Or from your brother ; I mean, when did you really know that there had been some money expended in excess of the legal expenses ?—All I can say is, that I became very gradually aware of it, and I suppose it culminated to actual knowledge three months after the election.

43,919. Did your brother tell you of it very shortly after ; when was it floating in your mind first, that there had been really corrupt practices on your part ?—No, I do not recollect that.

43,920. (*Mr. Price.*) But were you sufficiently

aware of corrupt practices on your part to such an extent that if the petition had gone on you would have thought it not wise to resist it, from the knowledge you then had?—I had no knowledge of any single corrupt act, I had only the general notion.

43,921. Do not let us dispute about the word "knowledge," it may mean actually seeing the thing done; however, knowledge may be conveyed to you by good information which to you would be as valuable as your own; but had you that kind of knowledge which at the time you heard of the petition would have deterred you from fighting the seat if it had gone on?—No.

43,922. Therefore if it had gone on with the knowledge you then had you would have thought it right to support your seat?—No.

43,923. (*Mr. Anstey.*) Were you or not aware that the petition charged not only personal bribery, but bribery by your agents?—I think it was in the usual form, they always charge everything.

43,924. I am drawing your attention to the last answer. You say you were prepared if not to have defended your seat to have resisted the petition; if you were so prepared you must have made yourself acquainted with the allegations of the petition, which were that not only you were charged personally, but your agents, and the question therefore is, did you inquire, knowing how far you were guilty or innocent, did you inquire how far those who were your agents were guilty or innocent?—No, the petition conveys no knowledge.

43,925. (*Mr. Price.*) But you can have no doubt from your after acquired knowledge that if the thing had gone on your fate in all probability would have been what Mr. Westropp's was at the subsequent election?—Still it would have been a matter of proof, I had no idea.

43,926. A matter of proof, but there was sufficient intimation given to you even on the polling day to make you suspect, and on the sifting which would probably have taken place between the petition and actual hearing, can you have the least doubt that the corrupt expenditure of a large sum of money would have been proved; Mr. Bate for instance, could Mr. Bate, which is the best test in the world, have got into the box, he in all probability must have been called?—That I do not know, but perhaps I may meet the import of the Commissioners' questions by saying frankly this, that if the petition had gone on and had ended in unseating us, I should have thought it was a just decision.

43,927. (*Mr. Coleridge.*) Did you at that time know that Mr. Padwick had spent money on the other side?—Yes.

43,928. They did not claim the seat, I suppose?—No.

43,929. (*Mr. Price.*) I only want to know this, the thing was suddenly abandoned and no reason given, there was no necessity for any reason, but it was abandoned, and as far as we know there was a very strong case against you; but there could not be a doubt in the world that Mr. Bate must have gone into the box, and if he had I should think your seat would have been lost; I want to know therefore whether before the abandonment you had taken steps to write down or inquire of Mr. Bate, "What position am I in before going any further"?—There never was any compromise.

43,930. I used the word "abandoned" directly after. The reason I use the word compromise is this, that there has been a suggestion made to us that it was the result of a compromise. I will ask you about that presently. Will you say whether you took any steps to inform yourself whether there was any ground for the alleged bribery against your agents?—No.

43,931. (*Mr. Anstey.*) None whatever?—No.

43,932. Knowing the borough as you did, and the proverbial imprudence of agents, you took no steps to ascertain whether the agents had compromised you?—The time had not arrived.

43,933. (*Mr. Price.*) The committee were struck, and the committee used to come to the House directly after to be sworn?—The petition itself is a formal act, and they are always now in the same form, it conveys no sort of knowledge.

43,934. (*Mr. Coleridge.*) But here the committee were struck and sworn?—Yes.

41,935. (*Mr. Price.*) Committee struck apparently and sworn probably, and therefore would be about to appoint their sittings; had you taken no steps whatever to defend your seat up to that time?—No, none whatever.

43,936. Who did you trust to defend it, Colonel Tynte?—No, Mr. Wyatt.

43,937. Mr. Wyatt could not instruct himself. Who did you entrust to give the necessary instructions to defend the seat, and investigate the case made against you?—The petition never came to anything.

43,938. (*Mr. Price.*) It came to this point, a very salient point. I grant you that the new presentation of a petition, and before the committee is struck, the speaker saying he had a letter saying the petition was abandoned, well and good; but here the committee is struck and probably sworn, and they must meet directly after they are sworn; the practice was to meet directly after, and go on *de die in diem*, with the exception of Sundays?—I think it was probably, though I cannot charge my memory with the fact, that the fact of the petition being one to be abandoned was known before the actual abandonment.

43,939. Then were you informed at any time before the actual abandonment by the letter of the agents of the petitioners, whether there was a chance of its abandonment, and if so, by whom?—A Mr. Slade, of this circuit, was counsel, and he was on friendly terms with me, and I gathered either from something he said, or from his manner, some time before the actual abandonment of the petition, that I need not trouble myself much about it.

43,940. (*Mr. Anstey.*) Do you know whether he was also retained as counsel for the defendant in either of the two prosecutions for libel which were then pending, one against the Conservative editor or proprietor of the "Bridgwater Times," and the other against the Conservative editor or proprietor of some Taunton newspaper?—No, I was not aware of it.

43,941. Both of them at the suit of Jenkins, and Heard, the petitioner against your return, being the editor or proprietor of a Bridgwater paper?—No.

43,942. The defendant, therefore, in one of the two prosecutions.

43,943. (*Mr. Price.*) And for which plaintiff Jenkins, Mr. Benjamin Lovibond was acting as attorney?—I have no knowledge.

43,944. (*Mr. Anstey.*) Had you any knowledge whatever, in any shape or way, beyond what Sir Frederick Slade intimated to you, that the abandonment of the petition was the result of setting off the petition against those two prosecutions for libel, or either of them?—I never knew it.

43,945. (*Mr. Price.*) You are quite clear about that; you never heard that in any way, but that your indifference, if I may call it by that term, to the progress of the petition was created by this private communication from Sir Frederick Slade?—I think that may have had something to do with it; my impression is that the petition was never carried so far as to make it a subject of compromise.

43,946. (*Mr. Coleridge.*) Who was your attorney in the matter?—I had none. Mr. Bate always represented me.

43,947. (*Mr. Price.*) I can hardly understand that those who had your interest at heart, who knew of the position, who knew and who could see by the public prints that the committee were struck, or even knew that the petition was presented, did not communicate with you, or say anything about "Do not be alarmed"?—I have no doubt there were abundant communications of that sort. I have no recollection.

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43,948. Would that come from Mr. Bate? do you keep correspondence of that kind?—Yes.

43,949. Have you any letters about that time with respect to this matter?—Not to my knowledge; they exist.

43,950. One would like to see them on this point.

43,951. (*Mr. Anstey.*) Were not you required by the first summons which it was our duty to address to you to produce all papers, if not actually in your possession but in your power, though not actually in your possession, relating either to the last election or to any election before for this borough, or to any petition against the return for the borough, whether tried or not?—Yes, that is the language of the *subpœna duces tecum*.

43,952. Therefore why have not you brought them or forwarded them to this Commission?—I came direct from Constantinople without going through London. The papers are in London. If there is any paper the Commissioners desire to see, or any paper at all, it shall be obtained.

43,953. (*Mr. Price.*) Then, Mr. Kinglake, we shall be glad to have any information which you can give us, which any of your letters will disclose. We quite admit your excuse for not bringing them here, in consequence of your not having come here through London; but as no doubt we shall have to adjourn to London, you will have an opportunity of producing them there. I suppose you will be in or near London, so that we may communicate with you?—Yes.

43,954. (*Mr. Anstey.*) In the meantime this part of the examination will not be pressed, but I want to draw your attention to the words of the subpœna *in extenso*, which convey to you what we require you to produce before us:—"The Commissioners do further "require you, in particular, to bring with you, and "produce before them, all accounts, letters, vouchers, "and instructions in writing, received by you from "anyone with whom you were engaged, or whom "you employed, or from any other person, connected "with the last or any previous election at Bridgwater, "or connected with any petition against the return of "any person or persons at any election for Bridgwater, "whether prosecuted or not, and any instructions "given by you to counsel, connected with any such "petition or petitions, and all memoranda in your "possession or control, whether made by you or any "other person, in any matter connected, directly or "indirectly, with the last or any other election at "Bridgwater, or any such petition or petitions as "aforesaid, together with all your bankers' pass books "from and since the 1st day of January 1865, up to "this time; and all accounts, vouchers, and cancelled "drafts returned to you by or received by you from "any banker or bankers during the same period, "whether such books, accounts, and vouchers be in "your own name, or that of any other person, and "whether relating to a joint or a separate account"?—Yes. I read that.

43,955. I have a strong wish, and so I am sure have the other Commissioners, to have all those papers that are now in your power to produce, whether they are in your possession or not?—Yes. Do I understand that the Commissioners would desire to have them in mass, or do they desire me to make a selection?

(*Mr. Price.*) No. You had better do this, as has been done in the other cases, you had better intrust the whole mass of documents to our secretary, who will then have an opportunity of looking through them with reference to the elections.

(*Mr. Coleridge.*) We do not mean all your correspondence.

43,956. (*Mr. Price.*) We do not want all your private correspondence?—That is what I mean.

(*Mr. Coleridge.*) No. All your correspondence with Mr. Bate or Mr. Lovibond, or anybody here.

43,957. (*Mr. Price.*) Or elsewhere, in connexion with the election petition?—Very well.

43,958. Whether private or not. We must have all those letters, whether private or not; we must have an opportunity of looking at those. If there may be some that are even private among those, we must have an opportunity of looking at them?—I must mention to the Commissioners what my habits have been with respect to the letters relating to the borough. Not at my first election, but after my first election, I became rather methodical with regard to them, and they were tied up in bundles for each year. I cannot undertake to say when that began.

(*Mr. Price.*) That will make it more easy for you to give us what we want. And supposing that was not the case with regard to the election of 1859, you will be good enough to hand us all your papers with regard to the election of 1859, and any other election.

43,959. (*Mr. Anstey.*) And with regard to those papers, or any part of them, which relate to private matters, I need not say you may depend on the honour and secrecy of the Commissioners not to make use of them?—Quite so. With reference to the banker's pass books, and so on, I suppose the Commissioners would desire to have some indication of the items?

43,960. (*Mr. Price.*) With regard to the banker's pass books, I rather gather from what appears here, that that applies more especially to 1865 and 1866; and therefore we must adhere to our determination to have your pass books of 1865 and 1866?—I do not wish to keep them back. I did not know whether you would rather like me to give you an indication of the items.

(*Mr. Price.*) We do not wish this to pass without giving you a full opportunity of explaining it.

43,961. (*Mr. Anstey.*) You are not bound to do more than to bring them with you; but it would very much facilitate your views, and I am sure those of the Commission, if you would do what other witnesses have done, and that is, to hand over your documents to our secretary, a few days or a week before appearing to give your evidence, and then we shall be able to point out what we wish to have specified, and you can point out what you wish to have specified?—That shall be done. I am much obliged to you for the suggestion.

(*Mr. Price.*) When we return to town, and require those documents, we will take care that ample notice shall be given to you.

43,962. (*Mr. Coleridge.*) As far as that petition went, what was the cost of it to you?—20*l.*

43,963. That was all?—20*l.* or 25*l.*

43,964. Did you pay anything to the other side for the compromise?—No.

43,965. Because we have had some evidence of 1,200*l.* being paid to the other side. Mr. Padwick denied it, but it has been stated two or three times.

43,966. (*Mr. Price.*) Did you hear that there had been a sum paid on behalf of yourself or Colonel Tynte?—Oh no, sir.

43,967. (*Mr. Coleridge.*) Had you no conversation with Colonel Tynte as to what you were to do as to defending your seats, when you were threatened with this petition?—No.

43,968. Do you mean to say you never met Colonel Tynte and discussed with him what measures you were to adopt in order to defend your seats?—I do not remember anything. I daresay when we met in the lobby of the House we would refer to it. I do not think——

43,969. (*Mr. Price.*) Were you and Colonel Tynte on friendly terms?—Oh yes, quite so.

43,970. (*Mr. Coleridge.*) You did not finish your sentence?—I do not think we had any personal knowledge of matters of that sort.

43,971. (*Mr. Anstey.*) Were you in the lobby of the House on the day when the petition was withdrawn, the 2d of August?—I cannot charge my memory with that.

43,972. To refresh your memory, you know that according to the forms of the House, the striking of the committee, or rather, the Speaker's announcement of the names of the committee, the striking, and so on, takes place early in the afternoon, about 4 o'clock, or soon after?—Yes.

43,973. Then, immediately after that, at least not immediately, say an hour or so after that, he rises from his chair and informs the House, according to folios 328 and 330 of the same volume of the Journals, that he has received the letter from Messrs. Baxter, Rose, and Norton, withdrawing that petition which had been already referred to the committee. Well, it is stated in Hansard, volume 105, page 862, that thereupon Colonel Tynte, your colleague, rose in his place and delivered himself of a speech on the question that the order be discharged; and in that speech he is reported to have said that everybody in Bridgwater knew from the first that it was *brutum fulmen*, or something to that effect, that it was frivolous and vexatious, and he was only sorry that he and his colleague had not had an opportunity of showing the utter groundlessness of the petition at a trial, and in fact spoke throughout in that high and lofty tone. Did you hear that speech?—No, I did not hear that speech; but now that you mention it, sir, it comes back to my memory, not as having heard it, but as having, I suppose, seen it in the newspapers the next day.

43,974. (*Mr. Price.*) Knowing what you do now, and what your suspicions were then, and knowing what Colonel Tynte's far superior knowledge was, connected with Bridgwater, do you think that is, as I ventured to describe it the other day, a specimen rather of parliamentary impudence?—Well, I should not like to make such a statement myself.

(*Mr. Price.*) So much, therefore, with respect to that election of 1859.

43,975. (*Mr. Coleridge.*) What did the borough cost you annually between 1859 and 1865?—Nothing but subscriptions.

43,976. About the same amount as you told us before?—About the same amount as those I suggested before. Of course, now and then, there would be some applications from some poor men who had fallen into trouble, but all in a small way.

43,977. (*Mr. Anstey.* Did you, in the interval between 1859 and 1865, receive any applications for loans on personal or doubtful security?—I received one.

43,978. To what amount?—100*l.*

43,979. From whom?—Well, sir, I should be sorry—— (*the witness hesitated.*) I do not know whether the Commissioners think it is a duty upon me to mention the name?

43,980. It is my duty to press for the name?—Because I am bound to give it?

43,981. Yes?—What occurred was this——

43,982. What was the name, sir, please?—The name was Mr. Haviland.

43,983. A lawyer or a doctor?—A doctor.

43,984. Go on. What were the circumstances?—Well, Mr. Bate mentioned to me the circumstances that made it—— that he was very embarrassed.

43,985. (*Mr. Price.*) Mr. Kinglake, you are bound to tell; therefore do not suppose it is any breach of confidence to tell us, because, under the circumstances, you are bound to tell the thing; and therefore there cannot be the slightest reason why (however unpleasant it may be) you should refrain from disclosing it?—Well, sir, it was simply that he was in need, and he had been the gentleman who proposed me at one election. Mr. Bate was very much pained at his state, and put it to me whether I would lend him this money, and I said, "Certainly."

43,986. (*Mr. Anstey.*) You did lend it?—I did.

43,987. On personal security?—Yes.

43,988. You said that he had opposed you at a former election?—No, proposed me.

43,989. Then that was stated by Mr. Bate?—Yes, it was.

43,990. Was that money ever repaid to you?—No.

43,991. It has never been repaid to this hour?—No.

43,992. Was there interest charged upon it, or paid upon it?—No, sir.

43,993. What was the date of the application to you for the money, about what time?—My impression is, soon after the election of 1859.

43,994. A day or two?—No, months I should think.

43,995. A month?—Probably months, but I am not certain.

43,996. How many months do you suppose, one or more?—I do not recollect, but my impression is that it may be from one to six months after.

43,997. And was it at that election that he had proposed you?—No, I think not.

43,998. Which election was it?—I think it was in 1857.

43,999. But he had voted for you in 1859?—Yes.

44,000. Was that the only application for a loan made to you between 1859 and 1865?—Yes, the only one that I recollect. There were, I daresay, applications from poor men who were in distress, asking if they were not to have something, but they were rarely complied with. I think I rarely complied with applications of that sort.

44,001. (*Mr. Price.*) I will just ask you with regard to that election, Mr. Kinglake. When you did become fully aware, when you had the fullest knowledge of the sums which had been expended, did you in any way remonstrate with Mr. Bate for having put you in a very embarrassing position, to say the least of it, considering there had been a petition at one time threatened, as to what had been done?—No.

44,002. As well as rendering you ineligible, if there had been another election that year, if all that had come out?—No, I am bound to say, candidly, I never did.

(*Mr. Price.*) Now we come to the election of 1865.

44,003. (*Mr. Anstey.*) What was the average amount; or if you cannot state the average, what was the highest amount you were called upon to pay between 1859 and 1865, in the borough, in the way of gratuities, of loans, of subscriptions to institutions, and so forth, altogether?—My impression is that it went upon the scale I mentioned before, and I put it something like 90*l.* or 100*l.*

44,004. With the exception, of course, of this one sum?—Yes; I was not including in that 90*l.* or 110*l.* the many little acts of individual charity.

44,005. But I particularly refer to them; how much did they come to in the course of a year, individual charities?—Well, I should think there may have been——

44,006. (*Mr. Price.*) Another 100*l.*?—Oh no; I was going to say 10*l.* or 20*l.* a year; something of that sort. I could not be sure that it was so much.

44,007. Then between 1859 and 1865 I suppose you had then full opportunity, of course, of disposing of the government patronage? With reference to the question put by my learned colleague, Mr. Coleridge, to you, how was that arranged in that interval between you and Colonel Tynte?—We never had any arrangement. When I received an application from a voter——

44,008. Did you receive applications at all from your political opponents?—No, I do not recollect receiving any.

44,009. Only from your political friends?—I was able generally to comply with all the applications for what is called nominations, because the competitive system of examination had come on, and that cleared the lists so much that the Secretary of the Treasury was generally able to give one a nomination.

44,010. (*Mr. Price.*) That is to say, any person you nominated would have to go through a competitive examination before he could secure the object of his wishes?—Yes. So that although I obtained a considerable number of nominations, my impression is that there were not more than two or three Bridgwater men——

44,011. Who got through the sieve?—Holding office.

44,012. Before 1865 Colonel Tynte, I suppose, had

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announced his determination not to come forward again ?—Yes.

44,013. How long before the election, do you know ?—Very late.

44,014. When did you first become aware that the gentlemen were in London, looking for a second candidate with yourself ? Did they come to you to inform you ?—Oh yes ; they were in communication with me.

44,015. And you consented that you should have a colleague, if possible, of your own politics ?—Yes.

44,016. Then do you know how they arrived at the name of Sir John Shelley ? We have heard it was mentioned to them by Mr. Travers Smith ; are you aware of that ?—I think I originated the idea of Sir John Shelley. I was sitting one day near him in the House of Commons——

44,017. We have had an extraordinary document produced before us, which was found amongst Mr. Benjamin Lovibond's papers, which appears to have been in the handwriting of his clerk ; and, according to the statement made in that paper, when they were on this search for a candidate in London, Mr. Travers Smith was applied to, and several names were given, including Sir John Shelley and Mr. Bagehot, who became a candidate at a subsequent time.

(*Mr. Anstey.*) Also including one or two names of persons who would certainly sit on the opposite side of the House of Commons to where such advanced reformers as Sir John Shelley and Mr. Bagehot would sit ; they were advanced reformers, and equally eligible, because they were rich, and in a good position.

(*Mr. Price.*) " Sir F. Halliday, Palmerstonian and rich."

44,018. (*Mr. Anstey.*) And not only Palmerstonian, but moderate Palmerstonian. Had you mentioned Sir John Shelley ?—I think I originated it. One day I was sitting near him in the House of Commons, and I knew he was not going to sit for Westminster, and I said I thought there might be an opening or there was an opening at Bridgwater, and he rather welcomed it. I suggested to him that there was or likely to be an opening for him, and he might be an acceptable candidate, and he rather welcomed the suggestion.

44,019. (*Mr. Price.*) Did you tell him at that time, or any other time, before he came down here, that you yourself had reason to know that bribery had been practised on your behalf at the preceding elections ?—Yes. I spoke quite candidly to him about former elections.

44,020. Just tell us what you said ?—But I conveyed to him what was then my hope or belief that there would be a pure election.

44,021. I want to know upon what that belief was grounded and that hope was grounded, assuming there was a contest again ?—Well, it was a hope that was always springing up.

44,022. But you had not remonstrated with Mr. Bate, you know, for his expenditure ?—No. But I am speaking of the hope that there was that no money would be spent by the Conservatives. We always considered that if no money should be spent by the Conservatives, that the return of the Liberal candidates by a large majority was absolutely certain.

44,023. Now we go back to the ground of your hope. You had Mr. Padwick and Mr. Westropp against you before, and you knew that they had spent largely ?—Yes.

44,024. Well, what guarantee had you that they would not do the same thing again ?—Well, the reports that Mr. Padwick gave, that he considered he had been involved in the most preposterous undertaking, that he had spent a very large sum of money without any result whatever.

44,025. Two thousand pounds. Only 1,000*l.* more than you had spent. It was not so very much more preposterous than yours ?—We always believed it had been much larger.

44,026. So we were given to understand ; but Mr. Padwick distinctly and positively assures us that it was the only sum he spent, and Mr. Westropp said he only paid 200*l.*, and that was the only sum he agreed to pay ?—Our people made calculations which went to show that the Conservatives, in order to carry an election, must corrupt a very large number, a much greater number than the number of voters we had over them.

44,027. A much greater number than your party need corrupt ?—Oh yes, much larger than that ; but I mean much larger than would seem to be required by the difference between their strength and ours ; because it was always considered, that if they once entered upon an undertaking of that kind, that their own most attached supporters would go from them unless they were paid.

44,028. The result of our inquiry is, that that applied equally to both sides, there is really not a pin to choose between them. I want to know this. You say you were under that impression ; had you never heard at that time of what are here denominated " balance-men ;" there are always a certain lot who are called balance-men " ?—Oh yes.

44,029. And a certain other lot which are put down by the bribe agents as " doubtful f 's " which meant " doubtful for " a particular candidate, and there were others who were put down as " doubtful against " a particular candidate ?—Oh yes.

44,030. You knew that ?—Yes. But the term " balance-men " had become rather obsolete in my elections.

44,031. At all events, there were parties here of that sort on both sides, that is to say, " doubtful for " on one side, and " doubtful against " on the other side ?—Yes.

44,032. That being so, I fail still to see what possible hope you could have had. However, you told that to Sir John Shelley. Did Sir John Shelley say anything about his determination to spend no money when he came down here, but to stand on purity principles ?—Yes.

44,033. He told you that ?—Yes.

44,034. Did you communicate that to the gentlemen who came to London to look for a candidate ?—Yes, as did Sir John Shelley himself. He was very resolute on that subject.

44,035. (*Mr. Anstey.*) Did you point out to Sir John Shelley the difficulties, or probable difficulties, in which the knowledge of that intention would place him when he came down to Bridgwater, namely, that a great many people would withhold their support, even if they did not go over to the other side ?— I do not recollect cautioning him in that way."

44,036. (*Mr. Price.*) These " doubtful fors," and " doubtful againsts," were men who generally turned the election, there is no doubt about it ?—Yes.

44,037. Then any gentleman coming down here as a stranger, and not informed of that, would certainly be fighting at a great disadvantage.

44,038. (*Mr. Anstey.*) We have had it in evidence that one of your supporters, Henry Chapman Bussell, felt that so strongly, that as soon as he learned that it was Sir John Shelley's intention to conduct his contest upon purity principles, he thought it unsafe to let that intention be known for a few days ; and he not only concealed it from the voters, but even went so far (although quite unauthorized) as to say he would see it all right, or something of that kind. That was the impression made on the mind of the man who knew the borough well ; and with reference to Sir John Shelley's supporters and your supporters, did you not point out to Sir John Shelley that he must make up his mind to lose some of those votes, or at least to lose them in this way, that they would not be given for him, if they were not given against him, unless he was prepared to do as had been done before, to buy them in the market ?—No sir. I think that my communications to Sir John Shelley were exactly of the kind that I had received myself.

44,039. (*Mr. Price.*) Did he come down here, then,

as far as you know, under the impression that he had a fair chance of fighting the borough upon purity principles, even if there were a contest?—Provided that the Conservatives should enter upon the contest without spending money.

44,040. I say provided there were a contest; because you could never trust to the Conservatives not spending money, because from your experience you would know the contrary?—Yes. After the election of 1857 we were always in hopes of having something like that election again.

44,041. (*Mr. Anstey.*) You were in hopes in the election of 1865 that the precedent of 1857 was going to be followed?—Oh yes.

44,042. (*Mr. Price.*) That is the state of knowledge, so far as you know, of Sir John Shelley; but were you present at any time—because this was a very serious matter with regard to Sir John Shelley—were you present at any time when these gentlemen distinctly gave him the pledge which he exacted from them, as men of honour, that is to say, Mr. Lovibond and Mr. Barham, I think, I do not want to do any of them injustice, but I think I am right, and Mr. Reed in all probability, that they would not have recourse to corrupt practices?—I do not recollect being present at any interview of that kind, but I have no doubt that that was the fact.

44,043. Did Sir John Shelley ever communicate to you that he had said to them, "Consider my position "in the House, and the manner in which I have "expressed myself as to corrupt practices; I will not "go down there" (that is about the substance of it) "unless I have your distinct understanding that you will not involve me in anything of the kind," and that they were pledged as men of honour to him?—I think what I gathered from him was that he was determined not to sanction anything of the kind. I do not remember about his obtaining a pledge from them. It was probably something of that kind, but I do not recollect that it was exactly in the same form.

44,044. I do not wish to put it in the exact words; but that was the understanding, as has been put to us, beyond all question?—Yes.

44,045. (*Mr. Anstey.*) The evidence in question goes to this in particular; but there is also general evidence of what has been stated by the Chief Commissioner, but there was evidence in particular that a conversation between Sir John Shelley and Mr. Henry Lovibond, or Mr. Benjamin Lovibond, I think it was Mr. Henry Lovibond, was had, immediately on the arrival of the baronet in this borough, and that he had distinctly laid down this as the basis and the only basis of the operation; and that Mr. Lovibond undertook to carry out that intention of Sir John Shelley, and gave a solemn pledge that it should be done, and that it was on that understanding only that he went on to canvass; and I recollect repeatedly asking witnesses, and amongst others Henry Chapman Bussell, whether the general expectation of the voters was at all qualified by the knowledge which they must have had of that declaration and pledge, and Bussell's answer was that he had heard of it himself, but he thought it expedient to conceal it from the voters?—Yes.

44,046. (*Mr. Price.*) There can be no mistake about it at all, I think, on the part of anybody who has heard the evidence, that Sir John Shelley made, as clearly as any man can conceive, a most honourable compact with these men, as men of honour, not to involve him in corrupt practices. Now we go on to the elections. We will take the result, you and Mr. Westropp were returned, and Sir John Shelley turned out?—Yes.

44,047. I will take first your return of the expenses, and go into the other matters afterwards. You returned your published expenses, September 9th 1865, 207*l.* 16*s.* 9*d.* Then you returned on October 23rd, 1866, a sum of 110*l.*, which you paid to Mr. Bate. There was a sum of 110*l.* which you learnt was for getting up absent voters, which Sir John Shelley would have been asked to pay, but he had died in the meantime, and therefore you had to pay the whole of that 110*l.* That is in 1866. Well, then on May 18th, 1867, Mr. Lovibond again has his 100*l.*, only that he has made it guineas; he gets 105*l.*, making the total 422*l.* 16*s.* 9*d.* Now, do you know how much Sir John Shelley spent at the election?—I think almost exactly the same as my published expenses.

44,048. He would not give 100 guineas to Mr. Lovibond, but to some other agent probably?—No. Of course he was not returned.

44,049. I know. Still the lawyers would have their fees, I suppose. There is no evidence that they did not exact their fees. You did not pay them the first time, but still on other occasions they have been paid. Those three sums you seem to have paid at different times. The first sum you seem to have paid within a very short time after the election, September 9th. Those are the published expenses. Mr. Bate seems to have paid 110*l.* more than a year after; can you explain how that was? We know that there was a petition in the interval; we will come to that presently. Had the fact of the petition being presented anything to do with your postponement of that payment to the voters, because there was a counter petition against you?—No; I do not think that had anything to do with it, except in this way. Yes; I think that pending the petitions all claims were put aside for the moment, I think so; that might have made it come in later than it otherwise would.

44,050. In 1865, if I mistake not, or in 1866, when the petition was heard, I think you would have found these expenses had been illegal. Cooper v. Slade had been decided, and I think you would have found, or your agents would have known, that such an expenditure as 110*l.* would have brought you under the decision of Cooper v. Slade?—Yes.

44,051. Who acted for you besides Mr. Lovibond?—Mr. Bate at that election in 1865.

44,052. What, old Mr. Bate?—Yes.

44,053. I thought he had died?—He died in 1867.

44,054. Old Mr. Bate, Mr. Henry Lovibond, Mr. Barham?—Yes.

44,055. (*Mr. Anstey.*) And Messrs. Reed and Cook?—And Messrs. Reed and Cook.

44,056. (*Mr. Price.*) Did you pay them anything?—Yes.

44,057. That is not put down here. What did you pay those other gentlemen?—It must be in the published expenses, I think.

44,058. It is 207*l.* 16*s.* 9*d.*?—They were very small sums.

44,059. 25*l.* each to Mr. Reed and Mr. Cook, I think?—Sir John Shelley and I went over them together——

44,060. Probably he paid part?—We paid each exactly the same, except in the instance, I think, of Mr. Edgar Haviland, a young man who had lately come into practice, and I think he was put down as an agent for Sir John Shelley, and not for me; but, with that small exception, I think we divided the amount, exactly the same sum for each. They were not in very considerable sums at all. They were small sums.

44,061. (*Mr. Anstey.*) Was not Mr. Benjamin Lovibond also acting for you at that election?—No, I did not consider that he was. He was very friendly, but I never considered that he was.

44,062. (*Mr. Price.*) He had not then retired from public life, had he?—No.

44,063. (*Mr. Anstey.*) I do not ask you whether you considered him in the eye of the law what the law calls an "agent," but, as a matter of fact, was he not acting, busying himself on your behalf at that election?—I think that could hardly be said.

44,064. (*Mr. Price.*) Wait a moment, Mr. Kinglake. Let me just remind you that your own statement contains this phrase, "At this election Sir John Shelley had the services of my agents?"—Yes.

44,065. I will read the sentence to you and you will hear, "And also the special support of Mr. Benjamin

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Lovibond." Do you mean Sir John Shelley had the special support, as distinct from your having the special support?—Yes.

44,066. (*Mr. Anstey.*) Did Mr. Benjamin Lovibond withhold from you an equal share in that zeal of his?—No; I think he acted quite loyally. It was considered that we were canvassing together, and that I was the first candidate.

44,067. That is to say, that if either of you were to be returned, your return at all events was to be certain?—Yes.

44,068. You having introduced Sir John Shelley to the borough?—Just so.

44,069. I ask you, were you not accompanied by Mr. Benjamin Lovibond upon occasions when you canvassed the electors?—Yes, several times.

44,070. Amongst others, there is a very notable case, is there not, of your having done so when that episode of the notorious William Heal occurred, about which there was much controversy in 1866, at the trial before the House of Commons; Mr. Benjamin Lovibond was with you then, was not he, when you saw William Heal?—Yes; I recollect our canvassing with him.

44,071. And also was he present when Temblett the baker's case occurred? Do you remember that case?—No, I do not.

44,072. Well, the case is this, and we have taken evidence upon it, that Mr. Paul Reed is stated to have said to Temblett in your presence, when he was asked and refused to vote for you, that is, when Temblett was asked and refused to vote for you, Mr. Paul Reed then said words to this effect, "If the franchise went "up, and the ballot went up, what do you say to a little "sugar?" were you present on that occasion?—No.

44,073. How many times was Mr. Benjamin Lovibond present when you were canvassing voters?—Not often; he was lame; he could not walk.

44,074. Was he as often with you canvassing as he was canvassing with Sir John Shelley?—Yes.

44,075. Therefore there was no outward and visible distinction between you?—No.

44,076. (*Mr. Price.*) And you have no doubt, have you, that if there had been ground for going on with the petition against you, which you believed there was not, if there had been good ground for going on, anything which had been traced to Mr. Benjamin Lovibond would have endangered your seat, according to the law of Parliament?—I think it would have been so.

44,077. As we all know, the law of agency, according to parliamentary law, is very different from the common law of principal and agent; but have you any doubt, according to election law, that anything which had been done by Mr. Benjamin Lovibond of a corrupt nature would have endangered your seat?—No doubt it would have done so. It was a joint canvass.

44,078. (*Mr. Anstey.*) But it was in point of fact, was it not, to rebut the legal presumption of agency that you were asked those questions, both with regard to Mr. Benjamin Lovibond and with regard to Henry Chapman Bussell, namely, in each case, "Was he your agent?" and then you, taking a legal view of it, said he was not. I am speaking of the trial before the election committee?—Of 1865?

44,079. 1866. I will read you the questions first, and ask you whether you were not called for the very purpose of breaking or rather preventing the formation of that chain of evidence, the first link of which at one end would be the proof of agency on the part of Mr. Lovibond and on the part of Mr. Bussell; and first, with regard to Mr. Lovibond, you are asked, "Was Mr. Benjamin Lovibond your agent at all "during that election?—A. Never." And then again, "Your evidence is, that at the last election he did "not act as your agent?—A. Certainly not, and never "at any election." Then secondly, with regard to Mr. Bussell, "Do you know Mr. Henry Chapman "Bussell?—Oh yes. Did he frequently accompany "you on your canvass?—Never. He was a man, I "recollect, that was always at his door; he kept the "'Anchor' Inn, and when we came canvassing in "that part of the town he used to stop us, and come "out with something to tell us, as to who was at home, "and that sort of thing, and he would walk on, according to my recollection, for some yards without "his hat. I have no recollection whatever of his "going with his hat on and forming part of the canvassing expedition. Did you ever meet him in the "committee room?—I never saw him there to my "knowledge; but I think it is probable he should "have been there amongst one's general supporters, "because it was crowded." And then the next question is, "Do you know John Smith?—Oh yes; he "is a great friend of mine. Did he accompany you "occasionally and canvass with you?—Never to my "knowledge; I cannot recollect a single instance; he "was always in his shop with his apron on. Did you "see him in the evening at the committee room?—I "do not recollect it, but, as I said before, I should "imagine he would be there, because he was a great "partisan." Now that I have read the questions and answers to you, which all go, you know, not to the fact charged of corrupt practices on the part of these men, but as to the character in which they mixed themselves up in them, namely, the legal character of agent to you, I must ask you whether the questions I have read to you were not put to you with a view solely of bringing out the facts as they were with regard to that issue of agency or no agency?—Yes.

44,080. And you are aware that the committee found that you were duly elected a burgess the day after you gave this evidence?—Yes.

44,081. So that, in point of fact, your seat was maintained not upon disproof of the corrupt practices in question, or any corrupt practices, but upon disproof, or, which is the same thing, non-proof of agency on their part, agency to you?—I am not aware of that. I understood that the committee considered that as the canvass was joint, that Mr. Benjamin Lovibond would be regarded as the agent of each.

44,082. (*Mr. Price.*) Your examination rather tends to throw over that theory, Mr. Kinglake?—Yes. My examination went to the matter of fact. What I say is, as matter of fact, I never considered Mr. Benjamin Lovibond as my agent; but I could not shut my eyes to the fact that constructively he could be held to be an agent.

44,083. (*Mr. Anstey.*) I do not think your recollection is right as to that, considering that you admitted that Mr. Lovibond was canvassing in your joint interest, for these were the questions which were asked you, and these are your answers with reference to that: "Used you to call on Sir John Shelley at Ben- "jamin Lovibond's office?—I used to go with Sir "John Shelley there from time to time. Frequently? "—I should hardly say frequently. I was there "several times. Used Mr. Lovibond to accompany "you often on the canvass?—No, hardly ever, because "he was, as I think the committee has learnt already, "lame, and it was physically impossible for him to go "about from house to house canvassing. He used to "come out on horseback occasionally, but he never got "off his horse." Then comes this, "He went out "canvassing occasionally on horseback with you?—I "should rather say that he would meet us at a portion "of the canvass, and he would ride on from door to "door?"—Yes.

44,084. You see that was not in the condition of a joint canvass, or anything like it. Have you any doubt that the case against you failed for want of proof of agency on the part of John Smith the grocer, Mr. Benjamin Lovibond, and Henry Chapman Bussell all three who have been proved to our satisfaction, I think, to have been guilty of the grossest acts of bribery and corruption at that election which have ever been committed in Bridgwater?—I have no idea that the decision of that committee depended on that. The decision of the committee I imagine——

44,085. (*Mr. Price.*) You see they seldom give their reasons, and very wisely, as I heard one of the judges say in a late election inquiry, that the judges

would be very glad to escape in the same way as the committees in the House of Commons formerly escaped; but one cannot shut one's eyes to the fact that there was a strong effort to disprove agency, and the member was declared seated, though there had been evidence given of corrupt practices. One cannot very much doubt that that is the point, the point of agency?—The Commissioners will remember, and that is what I think the decision of the committee turned on very much, that I was not engaged in a contest.

44,086. Well, it shows that, I think?—There were only two seats to the borough, and only one Conservative candidate. My seat was secure, as Sir John Shelley would not be in my way.

(*Mr. Coleridge.*) Supposing Sir John Shelley had spent a large sum of money, as Mr. Westropp did, he might have endangered your seat?

44,087. (*Mr. Price.*) Such a thing might have happened?—Such a thing might have happened.

44,088. (*Mr. Coleridge.*) I mean, if Sir John Shelley had spent 2,000*l.* or 3,000*l.*, Sir John Shelley might have come in, unless you had spent money also?—Yes. But I assume that Sir John Shelley as a man of honour, as he was, would not have done anything to interfere with my seat. Therefore I did not consider I was engaged in a contest.

44,089. Take it in this way. Supposing Sir John Shelley, thinking you were safe, had spent 2,000*l.* or 3,000*l.* to try and oust Mr. Westropp, you might have fallen to the ground without his wishing to oust you?—Just so; but he would not have done such a thing.

44,090. (*Mr. Price.*) And seeing it was a joint canvass, and he was standing jointly with you, if any acts of bribery had been proved against him you would have been unseated; as in the case of Nottingham, where Mr. Morley was the sitting member, and stood jointly with Mr. Paget, and acts of bribery being found against Mr. Paget, Mr. Morley was unseated?—Yes; I understand you.

(*Mr. Anstey.*) And supposing Sir John Shelley had been returned through such means as those, you could not have petitioned with any effect against his colleague, Mr. Westropp; because the cases of bribery against Sir John Shelley, would have been used against you, and which bribery would, in point of fact, have been taken to have been used for you, you having stood jointly with Sir John Shelley.

(*Mr. Price.*) The committees of the House of Commons have always held, in a joint canvass, that when one has bribed and the other has not, and if the votes were split, that the bribery of the one candidate would enure to the benefit of the other candidate who did not bribe, and he would be unseated.

(*Mr. Coleridge.*) At Windsor they unseated Sir Henry Hall for acts done by Mr. Labouchere.

(*Mr. Price.*) I think the evidence must have failed as to agency.

(*Mr. Anstey.*) I have gone through the case against you, and your case, and I think it is perfectly clear that they could not have stopped the case where it was except on that ground, because there was no rebutting evidence, and Bussell himself was not called.

(*Mr. Price.*) They were afraid to put Bussell in the box.

44,091. (*Mr. Anstey.*) You were examined on the 24th of April, and then there is some medical evidence given by Mr. Winterbotham as to the state of health of Mr. Benjamin Lovibond. That is all that day. And then Mr. Benjamin Lovibond is examined on the following day, notwithstanding his illness. On the 25th April he is examined to contradict something stated as to one case, the case of Hayward the hairdresser, and that is the last witness examined on the 25th of April; and on the same day, as I stated just now, the House was informed that the committee had determined that you were "duly elected as a burgess to serve in this present Parliament." You see it was on the question of agency. It must have been, I think?—I think if you look through the evidence, you would find that there was no proof of any corrupt practice. That is how my memory informs me on the subject. There was a great deal of proof of corrupt conversation, but no single corrupt act was proved; I think so.

(*Mr. Anstey.*) Yes; they proved this one case of Hayward.

44,092. (*Mr. Price.*) They proved the case of Hayward, but there was no *primâ facie* proof of agency?—There was proof of conversation, but no direct act of bribery proved.

(*Mr. Price.*) Quite enough to satisfy the House of Commons, if only agency had been proved, I think.

44,093. (*Mr. Anstey.*) Fenner says in his evidence before the committee that Mr. John Smith came down to his warehouse, and the first word he said to him (Fenner) when he came into the wareroom was, "Fenner (*pointing to a sugar cask*), that is going to win our election," and he said, "If you choose to vote "for Shelley and Kinglake, you may have some of it if you like"?—If it had been followed by action of any kind no doubt that would have been sufficient.

44,094. (*Mr. Price.*) In the Northallerton case, which was one of the cases tried the same year, and in which I happened to be counsel, the only proof at all on which Mr. Mills was unseated, was the proof of the fact that the man who had been his agent, and whose agency he could not dispute, had offered a man to use his influence with his landlord to lower his rent; the man was a tenant renting under Lord Harwood, Mr. Lindsay's brother-in-law; and another case was in which a man asked him to get him some land. It was said that he had promised that he would use his influence with the landlord to get the rent of the one lowered, and he would do his best to get the land for the other, and that was said to be quite sufficient. The only question is, whether the thing is done corruptly to influence the man's vote. The words of the Act are, "to promise or give corruptly"?—It is very difficult to prove a promise unless it is followed up.

44,095. I do not know. We have had it proved before us; when I say proved, I mean we have had it in evidence before us, and I was going to ask you about that presently, whether you recollect such a circumstance as this; I cannot charge my memory with the name of the witness who said it, but he told us distinctly that actually Sir John Shelley himself, in your presence, whether you heard it or not I do not know, but when you were canvassing, that he gave a most distinct promise of money, in distinct terms. I do not say that we believe that, but, at all events, there is the evidence. Sir John Shelley is dead, and he cannot contradict it. Now, have you any recollection of anything of that sort?—Oh, no.

44,096. I do not say anything about the probabilities of the story, but I only mention it to show that evidence has been given?—Oh, no; I was not aware of it.

44,097. Now we come to another very important matter with regard to that election. We have had the most conclusive testimony that treating to a very great extent went on, and was paid by a subsequent candidate, by Mr. Vanderbyl. Bills for banners and a number of other things to a considerable amount were run up in your name and Sir John Shelley's, and that those were all paid.

(*Mr. Coleridge.*) And one bill was by Mr. Nicholls actually entered to you.

44,098. (*Mr. Price.*) And Mr. Nicholls actually offers to return you a cheque for the amount. Perhaps you would like to know that. You may not have seen that in the public prints, having been abroad. Mr. Nicholls' conscience seems to have been aroused, when the thing was put to him in plain terms that he had 12*l.* of Mr. Kinglake's money, in respect of ribbons and colours, and other such like paraphernalia, and he offered to return it to you. Now, that evidence was conclusive, and my learned colleague, Mr. Anstey, put it pointedly how on earth all this, which would have unseated any member in the kingdom, was never touched upon before the committee. Were you aware of such a thing going on?—Not in the least.

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44,099. (*Mr. Anstey.*) How did your lawyers obtain their instructions, admitting, as they have done, in their briefs to counsel, upon the trial of this petition in 1866, that there had been treating at some of the public-houses, as there always had been treating. Who instructed them to that effect?—I do not know at all. It is quite new to me that there was any treating at that election.

(*Mr. Price.*) There is no doubt about it at all.

(*Mr. Anstey.*) As you are a member of the bar, of course you know the meaning of the term, but did you ever see the particulars furnished according to the practice of election petition trials, of cases on which the petitioners meant to rely, after the day of their trial had been fixed.

44,100. (*Mr. Price.*) After the first day of the sitting of the committee had been fixed?—No; I do not think I ever saw that.

44,101. (*Mr. Anstey.*) You know what I mean?—Yes.

44,102. The petition generally alleges bribery and corrupt practices, and particulars are furnished?—Yes.

44,103. Are you not aware that there were no less than four cases of corrupt treating of this kind, houses kept open during the election for the purpose of treating the voters, and that one of them was this very man, Henry Chapman Bussell, who is the landlord of the "Anchor," whose name and house were mentioned before you, and about which you were examined before the committee, and whose name was mentioned to you as a canvasser and a warm supporter of yours, although you never allowed him to canvass. Were you not aware that his name was put before you? I have read it from a brief, furnished long before the trial, and you must have read the particulars?—I do not think I ever saw it.

(*Mr. Price.*) Then Bussell was very anxious to be called, and was not called, and it is quite evident why he was not called, from the evidence we have had here before us.

(*Mr. Anstey.*) He could not have rebutted the case of treating, but he said if he had been called he would have been obliged to confess to a case of bribing which he had been privy to.

(*Mr. Price.*) I have done Mr. Nicholls a certain amount of injustice. He did not offer to refund the cheque to you, but to Mr. Vanderbyl.

44,104. (*Mr. Anstey.*) It was to Mr. Vanderbyl. You have stated to-day, the same as you stated before the committee of the House of Commons, in answer to a question of mine, that supposing only *one* Liberal had got in, as the case happened to be, that you knew from the first that you were safe, that you would be that one. Well, I need not tell you that we have had it stated very positively, and almost angrily, by one of the bribers—the managers I must call them—on the Liberal side who took a part in that election, that it was utterly untrue; that you had no such reason to flatter yourself, and that he thought, and so did many more, that Sir John Shelley had a better chance than you, and that your election and not Sir John Shelley's took many by surprise. Have you ever heard of that?—No.

44,105. That has been stated here positively, I forget by whom, but it was one of the active men?—Sir John Shelley spoke in such strong terms to me of the baseness of which anyone would be guilty in going down with another by whom he was introduced to the borough——

(*Mr. Price.*) He does not impute anything to Sir John Shelley. It was the opinion of this man that you did not stand in any more favourable position in this town—whether that is to your credit or not I do not know—that you did not stand in any more favourable position than Sir John Shelley.

(*Mr. Anstey.*) It happened thus. I asked him the question, "Why should it be Mr. Kinglake, Mr. "Kinglake was sure of getting the election in any case; "the contest was between Mr. Westropp and Sir John "Shelley." "Not at all," he said, and he made that answer almost angrily.

44,106. (*Mr. Price.*) There are one or two other sums you have given here, and which you must give an explanation of. I have read to you the 422*l.* 16*s.* 9*d.* Now you say you paid, and this would be the matter about which you will have, if you please, to give us your banking book, besides the sums you mentioned there, you paid 300*l.*, 250*l.*, and 110*l.* 4*s.* 0*d.* Well, with regard to the two first of those sums, that is, the 300*l.* and the 250*l.*, you have stated here that your impression is that they were paid in respect of the petition. Is that your present opinion?—Yes.

44,107. Probably that may or may not be corrected by anything you may find in your book; but that is your impression?—That is my impression.

44,108. That they were paid in respect of the petition?—Yes.

44,109. There was a subscription got up to defray the expenses of the petition, was there not?—Yes.

44,110. The whole burthen of the expenses was not thrown upon you or Sir John Shelley?—There was nothing got up to defray the expenses of my petition. There was a large subscription got up to defray Mr. Westropp's petition, but no subscription got up with regard to mine.

44,111. Then nothing was done with regard to you as was done with Mr. Patton, that he was called upon, when he sat in 1866, to pay the expenses of the petition that was against you?—No.

44,112. Mr. Bagehot was not called upon to pay any part of the expenses?—No; I paid all.

44,113. Then with regard to the 300*l.* and the 250*l.*, you paid more than that, or did that include the expenses of defending your own seat?—I think that would include all.

44,114. That would exclude nothing but the expenses of the petition against Mr. Westropp?—No.

44,115. 550*l.* it cost you to defend your own seat?—Yes, I think so.

44,116. (*Mr. Anstey.*) Did you not get the costs?—No.

44,117. Were not the costs awarded to you?—No.

44,118. Did you not ask the committee?—Well, I remember a friend of mine in the House of Commons asking the committee.

44,119. (*Mr. Price.*) It was not dismissed as frivolous and vexatious?—No. He said, "I hope you will find that the petition is frivolous and vexatious," and the chairman's answer was, "There was nothing frivolous about Bridgwater."

44,120. That was a very pregnant answer. I think therefore, that adding that to what we have already said, there could be little doubt that you saved your seat by want of proof of agency. Well, now, as to the 110*l.*, you say here that you think the 110*l.* must have been for subscriptions which Mr. Bate had paid for you?—Do I say that of the 110*l.*?

44,121. Yes?—I thought it was as to another sum I said that.

44,122. You say here you think the two sums of 300*l.* and 250*l.* were to defray the expenses of your petition, and then you say, as to the 110*l.* 4*s.* 0*d.*, that it "must have been for subscriptions which he had "paid for me. I made many payments to Mr. Bate "for that purpose, and in one or two instances for "little matters connected with landed property of "which I am the owner." 550*l.* for defending the petition, and 110*l.*, that would make 660*l.*, which added to the 422*l.*, would that represent the whole of what you paid in respect of that election?—Yes.

44,123. Everything you paid?—Yes.

(*Mr. Price.*) We have got you to the end of 1866, and we will proceed to the election of 1868 after the adjournment.

(A short adjournment then took place.)

(*Mr. Anstey.*) Before you go on to the next election I wish to ask you a question or two about the election of 1865.

44,124. (*Mr. Price.*) Mr. Kinglake, I understand

your sister-in-law, Mrs. Kinglake, is under the impression, from the remarks which I made to you at the commencement of your examination, that we attributed blame to her for keeping back from you the letter which we sent to you. It was not my desire to convey any such notion at all. She was anxious to be examined about it. I said only that it was unfortunate that she had not forwarded it to you; but we understand that she did not really know your address. I do not know how that is. You can probably tell us?—Yes; I can tell you exactly how that was. The only address that I was able to give from the uncertainty of the direction which I should have to take—the only address that I was able to give at all for certain was Constantinople. I intimated that they might address a letter to Saltzburg, but that the only place to which I could have letters sent of any importance was Constantinople.

(*Mr. Price.*) Very well, then that explains it; but there was no desire on my part or on the part of my colleagues, I am sure, to hint that Mrs. Kinglake had wilfully kept the letter from you. All I said was that it was unlucky, or that it was unfortunate, that letters had been written attributing to us what really amounted to bad faith, and that the letter which had been written had not reached you; but I never intended in any way to say or to insinuate that Mrs. Kinglake could purposely have kept it from you, because there could be no object in doing so.

(*The witness.*) I assure you I did not gather that to be the purport of what you said.

(*Mr. Price.*) It was her impression, and therefore I wanted to clear the matter up.

44,125. (*Mr. Anstey.*) Nobody supposed, I am sure, that we thought that any lady had written those dishonest letters with regard to you. I was going to ask you about the election of 1865, and the proceedings of Benjamin Lovibond, John Smith, and Henry Chapman Bussell. You will recollect the passages I read to you just now?—Yes.

44,126. From that it clearly appears that for some reason or other Henry Chapman Bussell, who was a great friend of your side, and of you in particular, then and afterwards, nevertheless abstained carefully during the whole of that contest from accompanying you or being seen with you, except when you happened casually to pass his door, and then he spoke to you, but always took the precaution of not having his hat on, so that nobody could say he was with you even in the street. Now, was that by arrangement between you and him?—No. I always understood that he was a man engaged in his business, that he could not afford the time for canvassing with us. Whenever he came near he would come out and tell us about the neighbours, and so on; but according to my recollection he never undertook the expedition of coming out to canvass; and in such a busy place as Bridgwater it was very difficult to find people who would canvass.

44,127. But you knew, did you not, that he was a most active man on the Liberal side, both he and his father before him, at that and at former elections?—Yes, I did not doubt that he was a strong partisan.

44,128. Then did it not strike you, unless you knew the reason why, that it was very odd that so active a man, and so zealous a Liberal, should be precisely the one who of all others abstained from being with you, and giving you the benefit of his countenance and advice whilst you were engaged in the arduous canvass?—No, it did not strike me as at all strange, because I imagined him always engaged in his business. I did not know that he could.

44,129. But did you not imagine also that he was engaged in electioneering business?—I imagined him to be a busy partisan. I did not know more than that.

44,130. Then being a busy partisan, though nothing more than that, and not being with you when you were seeing the voters, and not even putting on his hat so as to seem to be with you in his own street, was there not some reason for that; was it not arranged between yourself or your committee and him that he should not too much appear on your side?—Not to my knowledge.

44,131. To your belief?—No.

44,132. Is it not your belief that that is so? I will put it to you more plainly. Is it not a fact that for some reason or other (I won't ask now what reason it was) it was considered too dangerous for you to appear in the same group or circle with Henry Chapman Bussell?—No; it can hardly have been so, because, upon the inquiry before Mr. Justice Blackburn, it was proved that he was canvassing with us.

44,133. I am talking of the election of 1865, Mr. Kinglake, when you laid great stress in your evidence, which rebutted the evidence of agency, on the fact which you considered and your counsel considered, went far to negative all proof of agency, that, so far from accompanying you on your canvass even, he never appeared in the street with you except when you passed his door, and then he had always his hat off, as if he had just come out of his public-house and meant to go back again?—Yes, as was the fact.

44,134. Well, now, I ask you again, was not that by management that that was done?—No, I think not.

44,135. You think not?—I have no reason for supposing that it was.

44,136. Do you not know, Mr. Kinglake, that that Henry Chapman Bussell was grand briber, grand master of bribery for the Liberal party, as Murlis was for the Conservative party, for many many years past, and was notoriously such throughout Bridgwater?—I had an impression that that is so.

44,137. (*Mr. Coleridge.*) When did you first know that?—Well, I really could not say.

44,138. I mean, did you know that at this time that my friend is asking about?—In 1865?

44,139. Yes?—I can hardly trust my memory to say when it was that I began to have that impression. Probably I did.

44,140. (*Mr. Anstey.*) You say you had that impression. Now, have you the slightest doubt, that being your impression, that it was the impression of other people too?—Oh, I have no doubt.

44,141. Well, that being a common impression of yours and those who were most concerned in securing your return, and defending your seat if impeached afterwards by a petition, have you any doubt that, acting on that impression, they so contrived matters, if you did not, as to prevent Henry Chapman Bussell from appearing publicly with you or in your company, so as thereby not to furnish to the enemy the means of connecting you together in the relation of principal and agent?—I quite agree that it would have been a prudent act on the part of my advisers to do so.

44,142. Well, have you any doubt that that was done? We have had his evidence on the point?—You are speaking now only of the election of 1865?

44,143. No doubt. Have you any doubt about it?—I have no knowledge upon it.

44,144. Have you any doubt that was the object? It was a very extraordinary state of things. I will read it to you again: "*Q.* Do you know Henry "Chapman Bussell?—*A.* Oh yes. *Q.* Did he fre- "quently accompany you on your canvass?—*A.* "Never. He was a man, I recollect, that was always "at his door. He kept the 'Anchor' inn." (That is one of the four houses that were kept open for treating, he said himself.) "And when we came "canvassing in that part of the town he used to stop "us and come out with something to tell us, as to who "was at home, and that sort of thing; and he would "walk on, according to my recollection, for some "yards without his hat. I have no recollection what- "ever of his going with his hat on and forming part "of the canvassing expedition. *Q.* Did you ever "meet him in the committee room?—*A.* I never saw "him there to my knowledge, but I think it probable "he would have been amongst one's general supporters, "because it was crowded." Well, now, having read that again to you, and recollecting what you do of

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your impression and the general impression as to him, which impression has been proved to demonstration by his own evidence and the evidence of others before us, have you the slightest doubt that this was prudentially managed, so as to disconnect if possible you and him, and to deprive the opposite side of the opportunity of connecting you together as principal and agent?—I quite see that it would have been extremely prudent to prevent his canvassing with us, and I might infer, if he were an idle man, that his not canvassing with us was an abstention artificially obtained; but certainly my impression was that he was a man always serving out the drink in his own public-house.

44,145. But you knew whose son he was, did not you?—No.

44,146. The son of the man who got made governor of the gaol, bailiff of the county court, weight-master, and I know not what else, for no services at all but for taking part in a riot, defending the riot in articles in a Bath paper, and performing a most blasphemous and indecent parody of the Church of England burial service in the year 1832. And this man's mantle descends upon his son, who becomes in his stead the chief bribe master of the Liberal party, and that function he continued to fulfil down to 1868, when his services in that capacity deprived you of his seat. You are aware of all that?—No, I never heard that in my life.

44,147. You have heard something of that, of course, because you are aware, for instance, that you lost your seat through him?—But with regard to his father I never knew it.

44,148. At all events you heard that his father had left the service 30 years before, and therefore he was himself in 1865 the briber on the part of the Liberal party, the man to whom Benjamin Lovibond, as Henry Lovibond after Benjamin Lovibond (your supporters), looked; and you yourself have an impression that you knew all about Henry Chapman Bussell's character. Well, then, you do not say that you are ignorant of these things as far as regards Henry Chapman Bussell in 1865?—I have an impression that he took part in the illegal transactions that occurred in former elections.

44,149. Then he is precisely the man whom you would rather not see at all in your canvass; or if you saw him you would rather see him with his hat off than his hat on in your presence?—Yes.

44,150. Well, just so. Then have you the slightest doubt that John Smith's being always in his shop with his apron on when you saw him was also part of that arrangement?—No, I have no idea that it was.

44,151. Why you say of John Smith yet more than you say of Chapman Bussell. This is what you say of John Smith: "*Q.* Do you know John Smith?—"*A.* Oh yes. He is a great friend of mine." That follows immediately after the evidence about Bussell. Bussell you only know, but of John Smith you say, "He is a great friend of mine." Well, then you are asked in cross-examination, "Did he accompany you "occasionally and canvass with you?" to which you answer, "Never to my knowledge. I cannot recol-"lect a single instance." Then you add this yourself, because you are not asked it, "He was always in his "shop with his apron on." Then you are asked, "Did you see him in the evening at the committee "room?—*A.* I do not recollect it." Well, now, if John Smith, who was always very active at all the elections in bribing and promising bribes, was a great friend of yours, and yet never accompanied you in your canvass, nor saw you without the outward and visible signs of his being engaged in his own private business of grocer, that is to say, wearing his apron, and so forth, and being in his shop; do you at this time of day say that that also was not by arrangement, by management, and this for the purpose of disconnecting you and him if possible in the public eye, and preventing people establishing a case of agency against you on his account?—No, I am not aware of it. My answer in respect to Smith must be very similar to the one I gave with regard to Bussell. A tradesman engaged in carrying on his business cannot spare the time for canvassing. It is difficult to get any busy men at that time, but I quite agree that prudence might have made it quite right if he had been otherwise; if he had been an idle man it would have been quite prudent to prevent his canvassing with us. But it seems he being a busy man that the exigency never occurred.

44,152. (*Mr. Price.*) It so happens that the three most active men on the Liberal side, and also on the Conservative side, are men who are in business. There is Mr. Allan, who was in a certain business of his own, and besides that kept through his wife a shop in the town. That did not require his own personal supervision; still he had an employment of his own. John Smith had an employment of his own. Mr. Bussell had also an employment of his own, and yet they were three men who could devote and did devote all their time, all their energies, not so much in canvassing, but in doing what was more important?—Yes; but I did not think they could spare the time for canvassing.

44,153. (*Mr. Anstey.*) I ask you simply, were you not quite conscious that John Smith was a great briber at the time that you stood in 1865—John Smith the grocer?—No, I was not.

44,154. Were you not aware that "sugar," an article in which he is supposed to deal as grocer, was the term by which bribery money was denoted in this corrupt place?—I have heard the term used in a humorous way.

44,155. Well, to denote bribery money, humorously or not?—I never knew any instance of its being used as the phrase for conducting an actual engagement.

44,156. An actual what?—An actual engagement of a bribing kind.

44,157. You never heard of such a case?—No.

44,158. Why there was evidence given before the committee in 1866, which I will read to you: "Now, "in your experience in Bridgwater had you acquired "a knowledge of what sugar means politically?—"Yes. What does it mean politically?—It means "money." This is with reference to a conversation with that same corrupt person, Mr. John Smith, whom you describe as being a very great friend of yours. Well, now, have you the least doubt that you knew in 1865 that "sugar" meant bribery money?—Oh, surely, I knew it was the phrase.

44,159. Well, I am asking you, have you the least doubt that in 1865 you knew that the allusion to "sugar," or rather that the allusion in the use of the word "sugar" for bribery money consisted in the fact that the principal briber, the principal treasurer of bribery money I would rather say, at that time known to the Bridgwater people was a grocer of the name of Smith?—No, I did not know that was the object of the term.

44,160. Well, at all events you knew enough to satisfy you, I suppose, that John Smith was a very dangerous person to be seen canvassing with?—Well, I think he was.

44,161. Well, did not your abstention, or rather his abstention from your canvass, originate in that feeltng of danger, that sense of danger that it was thought better he should not go with you, and should not appear with you at the committee room?—No; my impression really is that it originated from the cause I have mentioned, his being too busy a man for canvassing.

44,162. He was not, surely, nor was Bussell, too busy a man to spend hours and days in bribery—bribery on behalf of the Liberal cause—not bribery on his own behalf. You are aware of those facts. You were aware, were you not, that their zeal induced them to forego considerations of private interest, and to spend hours, and if necessary, days on behalf of the Liberal cause, and expose themselves to bribery penalties, which are very heavy, and were heavy even then?—I have no doubt of it.

44,163. Well, then, that being so, do you still persist in saying that you thought that the only reason why they were not by your side, openly and honestly canvassing along with you, was that they were attending to their private business?—That may have been the reason.

44,164. I cannot reconcile the two answers?—I did not know that to have been the reason. I said from first to last, that I think it would have been quite prudent, if these men had had their time at their disposal, to take care that they should not canvass with the candidates; but my impression is, that a reason other than that—a more cogent reason, namely, the necessity that they had for attending to their business—was the actual cause which prevented them from thinking of canvassing.

44,165. But everybody that went with you had affairs of his own, I suppose?—No, not always.

44,166. (*Mr. Price.*) But Mr. Nicholls canvassed with you?—Mr. Nicholls?

44,167. Yes, the large draper.—No, he never set out regularly canvassing.

44,168. (*Mr. Anstey.*) Did Mr. James Wood Sully canvass with you?—Yes.

44,169. Did not the Sealys canvass with you; Sealy the banker?—No, never went out in a regular canvass with us. He might have joined us on an occasion in the street, but I do not think he ever canvassed with us.

44,170. But they were at your committee rooms, I suppose?—No. They would attend a public meeting if there was one held. We had no committee room, properly speaking, because there was no committee.

44,171. Mr. Hurman the draper canvassed with you, did not he, or went to your meetings?—Went to the meetings.

44,172. Yes. And yet from all these occasions these two persons who were precisely most zealous on your side, namely, John Smith the grocer and Henry Chapman Bussell the publican, were invariably absent. Do you mean to say that it was because of their affairs that they were absent, and not rather because of the prudential consideration you have before spoken of?—I have not said that they were absent from the meetings. I said that I did not recollect seeing them there.

Well, then, it is the same thing. As far as you know they were absent.

44,173. (*Mr. Coleridge.*) Do you agree with what Mr. Allan and Mr. Bussell said on the one side, and Mr. Westropp said on the other, that the canvass is here all a humbug?

(*Mr. Price.*) It was Mr. Bagehot.

44,174. (*Mr. Coleridge.*) With Mr. Bagehot; that the canvass means nothing?—Well, I have heard it questioned. It was very much questioned at the last election.

44,175. Whether it was worth while to canvass at all?—Whether the canvasss was really an advantage or not; and we determined at one time that we would not canvass, and there was a sort of understanding with the other side that they would also abstain. When that was announced numbers of the busy active men who would take part in the elections came and protested most strongly against that.

44,176. When you say the active busy men, what class of men do you mean? Not the Bussells, and the Allans, and that class?—No.

44,177. Who? Lovibond, and that class?—No, I am not speaking of them.

44,178. Whom do you mean by the busy active class? Mr. Nicholls?—No, I should not speak of him as one. One man occurs to me. I recollect one who remonstrated against not canvassing—Jarman.

44,179. Jarman?—Yes.

44,180. (*Mr. Price.*) You see there are only or almost only two classes in this borough. Naturally there are the lawyers; and there are the tradesmen who (without being uncomplimentary to anybody) graduate from Mr. Nicholls downwards; that is to say, he has got a very large establishment here, and seems to be in a very large way of business. Therefore I hardly see who you could have. Then there would be the bankers. A banker would be a most important person to go round on a canvass in a town like Bridgwater, doubtless—almost the most important person you could have. I do not see who you could have to canvass for you in Bridgwater except the lawyers—that would be natural—if you did not have the leading tradesmen?—As a matter of fact we had hardly any canvass.

44,181. (*Mr. Coleridge.*) I suppose you all agreed that really the canvass was humbug. Bussell has said distinctly that he never believed in a canvass in his life?—As I have said, there was a division of opinion about that. When we came to the resolution to abstain from the canvass, some men came and remonstrated against the decision in the strongest way.

44,182. Then you gave way?—Yes.

44,183. When did you first know that Bussell was a man who was connected with corrupt practices? Did you know it in 1859?—I think I knew it soon after the election of 1859.

44,184. Did you know the same thing of John Smith soon after the election of 1859?—No.

44,185. When did you first know that he was mixed up in corrupt practices?—I could not say.

44,186. Did you know it at the time you gave that answer in the House of Commons that he was a special friend of yours?—I cannot say when I first knew it.

44,187. You see, there would be no election between 1859 and 1865, so unless you knew it from what occurred at the election of 1865, you must have known it from something that occurred in 1859?

44,188. (*Mr. Price.*) It was a dangerous answer to give if you knew it?—I cannot call to my mind the time.

44,189. (*Mr. Coleridge.*) Did you know it during the election of 1865?—No; I cannot recollect.

44,190. Before the petition?—No; I cannot recall to my mind, in fact.

44,191. I mean at the time, because it is rather a striking thing to say that he was a friend of yours?

(*Mr. Anstey.*) A very great friend.

44,192. (*Mr. Coleridge.*) At the time you gave that answer did you know that he had been mixed up in the same way as Bussell and Allan, and these other men, in corrupt practices?—No.

44,193. You did not?—No.

(*Mr. Price.*) Allan was not concerned in them till 1866.

(*Andrew Allan.*) 1866.

44,194. (*Mr. Price, to the witness.*) You lodged at what is now Allan's?—Yes.

44,195. Whose house was it then? Was it Allan's in 1865?—I think so.

44,196. It was the hereditary lodgings, was not it?—Well, it was a very convenient place.

(*Mr. Price.*) I mean you had always lodged there. Before Allan came you went there. Allan rather attributes his fall to the fact that the bribery seems to have descended with the habitation; that having been the person that had taken the house that was always occupied by the Liberal candidate, he can only attribute his being asked to engage in these matters to the fact that he had succeeded to the house of somebody else who had done similar things to these—the house where the Liberal candidate lodged.

(*Mr. Coleridge.*) And that the bribery came *ratione tenuris*, you know.

44,197. (*Mr. Price.*) What do you say to that?—When I first occupied that lodging, I think it must have been in 1859, and my impression is that Mr. William Knight was then the proprietor. I never knew that he was a man actively engaged in the business of the election.

(*Mr. Price.*) I think he was.

FORTY-SECOND DAY.

A. Allan.

14 Oct. 1869.

ANDREW ALLAN recalled.

44,198. (*Mr. Price.*) Mr. Allan, can you tell us about that? Did not you say so? Was not that your evidence, that you thought that the fact of your having taken the house induced Mr. Lovibond, or whoever it was, to put himself into communication with you?—Yes, but I did not implicate Mr. William Knight. I did not say it was so with my predecessor.

44,199. Merely the fact that you were the landlord?—I bought the house. That was my first introduction to the Liberal party in the borough.

Mr. A. W. Kinglake.

Mr. ALEXANDER WILLIAM KINGLAKE recalled.

44,200. (*Mr. Anstey.*) I think you said that before the the election of 1865 you knew enough of Benjamin Lovibond to make you distrust him. You said from the first you had heard that which you did not like of Benjamin Lovibond. Had you the least doubt in 1865, when he was interesting himself on your behalf, as well as on behalf of Shelley, that he was a man quite capable, according to his uniform antecedents, of using corrupt practices of any kind to carry his object?—My belief is that he, in former times, had done so; but he was an extremely cautious man, and his caution increased; and I should very much doubt whether in any late election he had ever done any act——

44,201. (*Mr. Price.*) What do you mean by any late election, Mr. Kinglake? Even at the time when he was incapacitated by paralysis, do not you believe, from all you have heard, and all that has been disclosed here, that he was the head and front of the whole thing?—Yes, but I do not think that he would be taking any part himself. He was an extremely cautious man.

44,202. Not himself. We know, of course, these things are done very differently by very skilful men. Himself he never would give a bribe certainly. Himself he never promised anything, certainly. But that he pulled the strings up to the last moment, and had his agents scattered through the place, there can be no doubt?—I think your expression of pulling the strings exactly strikes the truth.

(*Mr. Price.*) Then he is responsible.

44,203. (*Mr. Anstey.*) You, with your eyes open, neither in 1859 nor 1865 declined this corrupt man's co-operation and assistance, did you? — I did not consider him as my agent at all. It was perfectly friendly.

44,204. I did not use the word "agent." But you never declined his co-operation and assistance?—No, I could not have done it.

44,205. (*Mr. Coleridge.*) I suppose any Liberal candidate who did decline his co-operation and assistance might just as well go away?—No one could decline the assistance of the head agent of Colonel Tynte, with whom he was standing.

44,206. What I mean is this: had he not that sort of influence in this place that nobody could have got on without him?—Yes, I think there was a great deal of that.

44,207. (*Mr. Price.*) No candidate would dare to decline Mr. Lovibond's services?—No one standing with Colonel Tynte could possibly decline to receive the assistance of Mr. Lovibond.

(*Mr. Anstey.*) Then if that is so, what becomes of the purity professions of such men, who have not the moral courage to do their duty? I should like to know what you think of that. You say nobody would dare to do it. I say, then, if so, what becomes of their purity professions, such being the state of their moral cowardice?

44,208. (*Mr. Price.*) You see, if Mr. Lovibond, as you state, pulled the strings at every election, and that was known to every candidate, during the time that Mr. Lovibond was in working order, would it have been possible for any candidate to come forward on purity principles with any chance of success?—Yes, if he had determined to conduct the election upon such principles.

44,209. Then he must have thrown over Benjamin Lovibond?—No; but I say if Mr. Lovibond had determined to conduct the election as he did in the case of Shelley, the election of 1865. He no doubt determined, whether rightly or not——

44,210. (*Mr. Coleridge.*) Do you know that he spent very large sums, or ordered them to be spent, in treating in 1865?—I was not aware of that.

44,211. And all those things when you read the evidence you will find were afterwards paid by Mr. Vanderbyl.

(*Mr. Anstey.*) And Henry Chapman Bussell allowed the voters to remain until the last moment with the impression that money was going to be spent, and also at a later time, after the petition time was past.

44,212. (*Mr. Price.*) Perhaps you are of opinion, Mr. Kinglake, that if the canvass, the day of nomination, and public-houses were closed on the polling day, there might be some chance in small boroughs of a great deal of impurity being done away with?—It would be a great advantage.

44,213. It would be a great saving of expense to the candidates, and there would be a possible chance that they might be relieved of a great deal of the importunity which results in bribery?—Yes.

(*Mr. Coleridge.*) Well, I think the strongest confirmation of that was what you said yourself, that it was a question whether you would canvass at all.

44,214. (*Mr. Price.*) Now, I think in the election of 1866 we have had Mr. Bagehot's account; you had nothing to do with Mr. Bagehot coming here?—No.

44,215. Well, now, in the subsequent election of 1866, before we come to 1868, I want to ask you this: it has been said, Mr. Bagehot tells us that he had two reasons for not coming forward. One was that he thought on the whole that Mr. Patton ought not to be opposed, and the other was that he was very much disgusted with the state of things, and would rather defer coming forward till a future time. He had not given up all hope of coming forward again, but he did not wish to come forward so soon again. But it has been stated that you on several occasions urged on the contest against Mr. Patton. I think it right to give you an opportunity of speaking of that?—No, sir, I did not.

44,216. But it has been said again, or somebody has said, that you were urgent for it. How was that?—I can tell you the exact thing. I have a very clear recollection upon that subject. Mr. Henry Lovibond, and I think Mr. Barham, came up to London to find a candidate, and they met, I think, with some rebuffs. They had gone to one or two.

44,217. They had been to Mr. Bagehot we know?—Yes, and I think they got a rebuff, according to my recollection, from Mr. Travers Smith.

44,218. Mr. Travers Smith tells us this, that although he acknowledged that there was a kind of understanding that a gentleman should not be opposed upon taking office, yet he considered that always applied only in cases where they were quite certain that the former election had not been gained corruptly, and that is his excuse for urging them to contest the seat, because he knew that Mr. Patton had gained his election by corruption. There is no doubt he spent a large sum of money, and therefore Mr. Travers Smith thought there was no mercy to be dealt out to him. That is what he says. Now tell us what you did about it. It is only with a view to that. If you say that you were not the person who urged on the contest, that is really all that is necessary?—I did not urge it; I did not desire it in the least. I considered it my duty as the sitting member for the borough to put any facility in their way for finding a candidate that I could, and I introduced them to Sir William Drake.

44,219. Yes?—That is the only step that I took. He, I think, gave them an introduction to someone else

who did not stand, but ultimately Mr. Vanderbyl stood.

44,220. That was the part you took in it?—That was the whole part that I took.

44,221. The only reason why I asked you that——? —And really as a matter of duty——

44,222. (*Mr. Coleridge.*) Had you known anything of Mr. Vanderbyl before?—No, I had not.

44,223. (*Mr. Price.*) Mr. Brogden was the gentleman Sir William Drake first mentioned?—Yes.

44,224. The only remark that passes through one's mind as to anyone who is ancillary to getting up a contest at all unnecessarily here, if there can be such a thing, is that he is ancillary to bribery taking place, and to continuing the corrupt practices and corrupt state of the borough. It seems to me that every time there is a contest it is a dead certainty that there will be bribery?—Personally, I should have much preferred that there should not have been any contest.

44,225. Now we will pass on to 1868?—Whilst the Commissioners are upon that last election——

44,226. The second election of 1866, Vanderbyl's election?—Yes, the second election of 1866. It may be worth while to observe that it had one important result upon me, one of a very painful kind—that I lost the exclusive advantage of my agents. They, with my assent, and with perfect propriety on their part, became at that election in 1866 the agents of Mr. Vanderbyl, and then when the election of 1868 came on I could not ask them, of course, to say they would not act for him and to come back as agents for me alone.

44,227. (*Mr. Coleridge.*) Then as a counterpoise to that you had the advantage of Mr. Vanderbyl paying the expenses that were outstanding, that were incurred at your election in 1865?—I never heard of that.

44,228. (*Mr. Price.*) When did you first hear of it? —To-day.

44,229. (*Mr. Anstey.*) But had you no communication with Mr. Henry Lovibond, or with Reed and Cook, about their joining themselves to Mr. Vanderbyl at the second election of 1866?—No.

44,230. Do you not remember that they said anything to you about having paid off part or any of the demands?—No.

44,231. They concealed it from you? — Yes, effectually. I never heard it until to-day.

44,232. Therefore I need not ask you my next question. Were you any party, or were you party or privy to the alteration that has been spoken of in the books of some tradesmen, of Mr. Nicholls and others, by which the debit (which of course became a credit) was altered from the name of Shelley and Kinglake, or the name of Kinglake and Shelley, as the case may be, was altered to Lovibond or Vanderbyl, or some more recent name?—No.

44,233. Therefore if that was done it was done by the parties paying and receiving the money, and not by you?—Not by me.

44,234. (*Mr. Price.*) Had you any personal communication with Mr. Vanderbyl before he came down the first time in reference to Bridgwater?—No, he left a card for me at the club before he went down, and then I think I saw him after the election.

44,235. You did not come down here?—I do not think I saw him—no, I did not come down, and I do not think I saw him before the election, though I certainly think he left a card.

44,236. Did he ever inform you after that election, and before the election of 1868, that he had been called upon to pay these bills?—No.

44,237. These outstanding bills?—No.

44,238. Did he ever complain to you of the money that he had had to spend before he stood again in 1868? Did Mr. Vanderbyl ever complain to you of the large sum of money that he had had to spend in 1866, or were you at all aware of it?—Yes, I did hear him make a complaint.

44,239. Well, now tell us, if you please, what he said about it. He was returned, you know, and then he would take his seat, and you would be brought into communication with him?—The conversation occurred when he was going back to London, in the midst of the canvass, to be examined; and he came down. I was staying at the "Railway" hotel, and he came down there. It wanted some minutes, a quarter of an hour or more, to the time when the train would go, and he sat with me in my room.

44,240. Tell us exactly what took place. I did not hear you at all; when was it?—It would be in that way, when he was going back to be examined upon that case.

44,241. Oh, the National Bank business. He was subpœnaed?—Yes; where he was subpœnaed. He then seemed a little out of humour at something that had occurred (I did not know what), and he said, "I am quite determined that I will not be humbugged." That was his expression. I really did not know at first what he meant by the expression. I asked him, and then he told me that he had had to pay a very large sum of money at the former election, and he was quite determined not to do anything of the kind again.

44,242. He did not then hint to you that he had had to pay these outstanding accounts?—No, I did not hear a word of it.

44,243–4. Did he say how much he spent?—I have heard how much he spent, but whether the knowledge came from him or from others I could not undertake to say, but I think I have heard of 4,000*l.*?

44,245. (*Mr. Anstey.*) At that time you had heard of it—when he spoke to you?—I could not charge my memory with saying that.

44,246. About that time. You had heard of it about that time?—Yes, not far from that time. I heard that he had spent a large sum, and he said that he was quite determined that there should be nothing of the kind.

44,247. (*Mr. Price.*) And he used the expression that he would not be humbugged?—Yes; and he interpreted that in that way to say that he would not pay any illegitimate expenses. He said, "I am quite "ready to pay everybody all that is due to them for "their services on the most liberal scale, but I will "not consent to pay anything else."

44,248. Did you know at that time that Mr. Brogden, his friend, had actually gone to Bristol and brought a thousand sovereigns in a carpet bag back from Bristol the very day after he had arrived?—No.

44,249. You did not know that?—No.

44,250. (*Mr. Anstey.*) You therefore, like poor Mr. Bagehot, did not know that Mr. Vanderbyl and his friend, Mr. Brogden, took the initiative in corruption; got the money, and brought it down here? —No.

44,251. (*Mr. Price.*) And that Mr. Brogden drew several cheques himself to a large amount. You did not know that at that time?—No.

44,252. Then that being so, did any further conversation take place between you and Mr. Vanderbyl before you stood together in 1868 about money matters; before you came down?—No, I think that was the last. I strongly applauded his determination in that respect, and then the conversation dropped.

44,253. (*Mr. Coleridge.*) Before the election of 1868 was any arrangement made between you and Mr. Vanderbyl about Mr. Vanderbyl's expenses?—None.

44,254. No arrangement?—No.

44,255. (*Mr. Price.*) You know the dissolution was pending, we may say, from the time of the passing of the Reform Bill. It was only a question of time, and of course from that time people, candidates, and members would be talking of their chances, and so on. Had you any conversation with Mr. Vanderbyl as to what should be done in the case of a contest down here?—No.

44,256. (*Mr. Anstey.*) Did you, on the other hand, direct communication to be opened on your behalf with Mr. Westropp, or with Mr. Westropp's friends, some months before, some time before the dissolution

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Mr. A. W. Kinglake.

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of Parliament, to the effect that you and he were to coalesce in order to squeeze out Mr. Vanderbyl, and be returned one and one without a contest ?—Never; never.

44,257. If Mr. Lovibond made any such proposal as that on your behalf—"a long time," says one witness, "some months," says another witness—before the general election of 1868, it was behind your back, without your knowledge, and against your consent ?—Certainly.

44,258. (*Mr. Price.*) Would you have condescended, Mr. Kinglake—I put it in those terms—would you have condescended to any such thing ?—Surely not. It would have been an act——

44,259. I put the word "condescended." As a gentleman would you have condescended, for the sake of a seat in Parliament, to any such arrangement ?—It would have been most treacherous.

44,260. That is the reason I put the word "condescended."

44,261 (*Mr. Anstey.*) Have you not heard it has been stated here, first by a witness of Conservative opinions, and secondly by a witness of Liberal opinions, both of whom have been examined at length before this Commission ?—No, I am not aware.

44,262. And that it has not been contradicted by anybody, for you only repudiate your part in it ?

44,263. (*Mr. Price.*) No such suggestion was ever made to you before you entered the town, Mr. Kinglake ?—Never.

44,264. In any way whatever ?—No.

44,265. (*Mr. Anstey.*) Did you, in canvassing at that election, ask Mr. Lear, one of the electors of this borough, on his declining to promise his vote, did you fall behind the rest and say to him, "Will you "give me one vote ? you may give the other to Mr. "Westropp if you like," and obtain his promise, "With pleasure, Mr. Kinglake" ?—Never, sir. I am very glad that the Commissioner has asked that question, because it enables me to state the exact truth with respect to Lear and several other Conservative voters whom I canvassed. Both in the case of Lear and several Conservative voters it was my custom to ask all, whether they were known to be Conservatives or not, and we would go in together, and the voter would say, "Well, sir, I have promised Mr. Westropp and Mr. Gray," and then I have said (I remember saying that at Plowman's), I said, "Sup-"posing Mr. Gray should not go to the poll, may I "have the honour of one of your votes in that case ?" and in several instances the men said, "Certainly, sir." I did that in instances where the statement of the man's promise to Mr. Westropp and Mr. Gray was accompanied with an expression of civility and good will towards myself. I then naturally said, "Well, if Mr. Gray does not stand, will you give me a vote ?" and in every instance where I did say that, the promise came; that contingent promise.

44,266. (*Mr. Price.*) Was that the case with Lear ?—That was the case with Lear.

44,267. What he says is substantially true, only he kept back—at all events he did not tell us, I won't say kept back—that you put it in that way, supposing Mr. Gray did not stand ?—Yes.

44,268. Are you quite sure that in every instance where you heard they were pledged to vote you put it in that way ?—Yes.

44,269. (*Mr. Coleridge.*) Then were there reports about that Mr. Gray was not likely to go to the poll ?—Oh yes, we believed in the early stage that he was not at all likely.

44,270. That bears out what Mr. Toogood said to us. Mr. Toogood (who was Mr. Gray's agent) told us that they had great difficulty in preventing his going away two or three times in the midst of the election ?—Yes, immediately after his coming down.

44,271. (*Mr. Price.*) Well, you having heard that, I will ask you this. It has been also stated that several of your agents said that Mr. Gray's being here meant money. Had you ever heard that ?—No; I never had the least idea that the candidature of Mr. Gray meant the spending of money.

44,272. That has been told us over and over again, that there were several consultations held by your party, and that they all hinged upon this question, that Mr. Gray being here meant money. The evidence is as strong as it can possibly be, and your impression seems to have been very much in accordance with the evidence, that there was great difficulty in persuading Mr. Gray to stand ?—Yes, I have always understood that. Another candidate was expected at one time.

44,273. (*Mr. Coleridge.*) Who was that ?—A person of a very different description; a gentleman who had maintained very expensive contests in another borough.

44,274. Who was that ?—I do not know whether the Commissioners would desire me to mention the name.

44,275. Oh yes ?—It might give pain unnecessarily.

44,276. No, there is no reason why it should ?—Mr. Treby, who had contested Lyme, it was said confidently was going to stand with Mr. Westropp, and when that had been announced it was followed two days afterwards by a positive statement from Bridgwater that that was going to be the case. I then determined that I would not stand.

44,277. (*Mr. Price.*) If Mr. Treby came forward; because you really did think that that meant money ?—Yes, because I believed that that meant money, and I then came to the determination that I would not stand. I came and consulted my cousin on that occasion, and he quite agreed in the view that if Mr. Treby and Mr. Westropp stood together there would be every——

44,278. (*Mr. Price.*) Of course, Mr. Westropp we know ?—Yes.

44,279. (*Mr. Anstey.*) There would be every what ?—There would be every reason to believe that money would be spent on a large scale by the Conservatives.

44,280. (*Mr. Coleridge.*) You have just said that you did not at all understand that Mr. Gray's name meant money. Did not you think that Mr. Westropp's name meant money ?—No; I was inclined to think not, if he stood with a man who was not going to spend money, because I fancied that he relied very much upon the favourable impression which he had produced by his former election.

44,281. (*Mr. Coleridge.*) One of his agents had told him that his popularity was not worth ten votes against money ?—I did not know that. I believe there was a strong feeling in favour of Mr. Westropp on account of his being unseated.

44,282. (*Mr. Price.*) Yes, that is so; an unseated candidate is often very popular. There is a feeling that some wrong has been done him ?—Yes; that was very strongly the feeling here, and therefore I thought that he might be relying upon it.

44,283. After what you have told us now, had you any reason to suppose but what Mr. Westropp would endeavour to sail in upon his popularity ?—That was exactly my impression; but if he had stood with Mr. Treby I should then have expected a very different result.

44,284. Well, that being the state of things, it has been stated to us, as I have told you, Mr. Lovibond and Mr. Barham and Mr. Reed and Mr. Cook had laid their heads together, and, choosing to assume that Mr. Gray meant money, had begun themselves to consider what your position was, and Mr. Vanderbyl's, and what should be done. Now will you tell us, if you please, whether they had put themselves into communication with you with respect to the expenditure of money in the event of money being spent on the other side ?—Never.

44,285. Never ?—No.

44,286. Was your brother here present with you during the contest ?—No; he from time to time——

44,287. Did he come over constantly from Taunton, and was he in frequent communication with your agents ?—Yes, with one of them, Mr. Henry Lovibond.

44,288. Did you consider Mr. Henry Lovibond as

more especially your agent at that election ?—I think I did; I considered him my head agent; he was the only one with whom I communicated as a rule.

44,289. Personally ?—Personally.

44,290. And with whom your brother therefore would be brought into personal contact most naturally? —Yes.

44,291. Well, now you say that nothing of the kind was ever hinted at to you. Now the evidence is distinct that they began to consider then the absolute necessity of being prepared to spend money. The evidence is as clear as possible. Did they never intimate that to you at any stage whatever before the polling day ?—No. On the contrary I was led to believe, even up to the morning of the polling day, that no money would be spent by the Conservatives, and we always assumed that if no money was spent by the Conservatives we were sure of being returned by a large majority.

44,292. Do you mean to say that the impression conveyed to you by your agent, Mr. Lovibond, was that he was under the impression that no money was going to be spent by the Conservatives up to the polling day ?—Yes.

44,293. The evidence, you know, is directly to the contrary, that they felt convinced that Gray meant money. Was that never said to you in any way? —Oh no; the impression on my mind was exactly the other way, and I understood that the people who were out watching at night (it is the custom, I believe, to watch at night, to see what is done in that way) reported that nothing was done by the Conservatives.

44,294. Was that report conveyed to you officially, as it were ?—No, not officially; but some busy man, I forget who it was, met me in the street, and said, "They have done nothing." It is the phrase for that.

44,295. Well, did you remain under that impression then, as you say, up to the morning of the polling day? —Yes.

44,296. That no money was spent or announced or promised to be spent, or likely to be spent, on the part of the Conservatives ?—Yes.

44,297. And that therefore no money was requisite on your part ?—Yes.

44,298. (*Mr. Anstey.*) Before you came to Bridgwater at all, Mr. Kinglake, had you not conversations with your brother, Dr. Kinglake, about the expediency of being prepared with a fund of money against such a contingency as that ?—No.

(*Mr. Price.*) None ?

44,299. (*Mr. Anstey.*) Recollect, as to raising money in Taunton ?—No, never.

44,300. As to raising money out of Taunton ?— No, never; nothing of the kind.

44,301. Did he tell you that he had endeavoured to raise the sum of 1,500*l.*, or the sum of 1,000*l.*, in Taunton, and had failed to do so ?—No.

44,302. It was before you met the attorneys, before the polling day. Did anything of this sort occur after you had communications with the attorneys ?—No.

44,303. Will you positively say, Mr. Kinglake, that none of the attorneys told you, what appears probable they must have been told by the clients who instructed them about your seats, that from the moment Mr. Gray was announced and the contest was certain, it was fully expected that the Conservatives meant to bribe ?—No, I always believed the contrary.

44,304. Did you believe that upon their statement, or did they make you no statement one way or the other ?—Chiefly upon the absence of any statement, I think. I was continually saying, "Does anyone know "anything of Mr. Gray? Does anyone know any- "thing of the antecedents of Mr. Gray?" and the answers always were very imperfect, but that he was a very respectable merchant, and not at all a person who would be likely to enter upon bribery.

44,305. (*Mr. Price.*) From what you say now, do you wish to represent to us that it therefore must have been a well-planned reticence on their part towards you with regard to money? Knowing what you do now, that there had been preparations made for what was done, which resulted in your being unseated, do you wish to represent to us that there was evidently a determined reticence on the part of Mr. Lovibond and others ?—I suppose so.

44,306. (*Mr. Anstey.*) When did you first speak to your brother on the subject of your approaching contest ?—I could not say at all. I was constantly speaking on the subject when I saw him.

44,307. At Taunton ?—Before he came home.

44,308. Where ?—At Timberscombe.

44,309. I mean out of Bridgwater. Do you mean to say, that in none of those conversations nothing was said about raising money for the election ?—Never I assure you.

44,310. Was anything said as to how much the election would probably cost you? — Never anything.

44,311. Or your friends ?—Never.

44,312. Were you provided at that time with money yourself sufficient to answer the exigencies of the election ?—The legitimate expenses.

44,313. Well, how much money were you prepared yourself then to expend; I will put it in that way, how much money had you made up your mind to expend if necessary ?—I do not think I had asked myself a question upon the subject as to what sum would be necessary, but I was perfectly ready to pay them on the most liberal footing for all legitimate expenses; the same sum as in the other elections.

44,314. Were you perfectly ready under the name of legitimate expenses, supposing they had been so named to you, to have paid 1,500*l.* for instance ?— No.

44,315. I ask you again, what limit did you, as a prudent man, propose to yourself; I mean one not to be exceeded ?—I proposed to myself no limit other than such as is found in the sums that are before the Commissioners.

44,316. What ?—Sums similar to those that are before the Commissioners.

44,317. (*Mr. Price.*) Which you had paid at the other elections ?—At the election of 1857.

44,318. Four or five hundred; to that extent you would have gone ?—Oh yes.

44,319. Well, if any person had proposed to go to the extent of 1,500*l.* what should you have said ?—I should have utterly refused.

44,320. Suppose that person had been your own brother, and that he told you he had actually raised the money, or taken measures to raise it, what should you have said ?—I should have advised him to do no such thing, and to retract any movement that he had made in that direction. I should have thought it the most absurd thing in the world.

44,321. (*Mr. Price.*) When did you first become acquainted with the fact that he had made an arrangement at Sealy's bank for a credit to the amount of 1,500*l.* ?—On the 4th of October, this month, at Constantinople.

44,322. You never knew it till you then read it in a letter or in a newspaper ?—A newspaper was sent to me.

44,323. Then you were not aware until that time that your brother had been in communication with Mr. Prior, one of the partners of Sealy's bank, and had arranged with him the night before the polling day that there should be a credit by his giving his cheque, I think, upon Stuckey's bank, and that it should be drawn upon by Mr. Henry Lovibond the next day, if necessary ?—No, I did not.

44,324, (*Mr. Coleridge.*) Where did you suppose the money upon which you were unseated in the last election had come from ?—The money upon which I was unseated ?

44,325. Unseated at the last election; the 500*l.* that Mr. Lovibond got from the bank ?—Well, I really never knew. I thought it may have been supplied to Mr. Vanderbyl, but I never knew.

44,326. Has there been any application made to you from Sealy's bank to you for any money that was advanced to you ?—Never.

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44,327. (*Mr. Anstey.*) Has any application been made to your brother, or to any of your family that you have heard of, upon the subject ?—I never heard of it.

44,328. I wish now to ask the question publicly, is it your intention that if applied to by Sealy and Prior, or anybody else on their behalf, for the repayment of that sum of 500*l.*, to repay to them one farthing of the money so applied ?—I cannot conceive that any manner of claim could be made upon me for that.

44,329. But if they do make a claim, how shall you meet it ? If they appeal to you and say, "You are in honour bound to pay back this sum," shall you in that case honour that custom, or shall you honour it rather in the breach than in the performance, by refusing to pay these men a farthing of the money so improperly applied ?—Well, I think I should be disposed to exercise my judgment in that respect vicariously, as is usual where questions of honour are concerned. I should like the question to be submitted to some friend of mine who would take the fairest and broadest view as to what are called debts of honour.

44,330. (*Mr. Price.*) The position in which it stands is this, the evidence before us is that your brother had made that arrangement the night before the polling day. There is evidence that on the polling day he went to the bank again, that he then had a conversation with Mr. Prior, which may bear two interpretations ; but whatever took place between him and Mr. Prior was not communicated to Mr. Lovibond, and that Mr. Lovibond having been aware of the arrangement he had made the night before drew to the extent of 500*l.* on the supposition that your brother's credit was pledged to that amount proved by word of mouth. That is the sort of position in which the matter stands without going further into detail. Assuming that is the correct version of the way in which the matter stands, then you see your question of honourable liability may arise ?—What I understand by that is, that my brother went into the bank and asked whether anything had been advanced on this sum, was told no, and then he said that determined it, and tore up the cheque.

(*Mr. Anstey.*) That we have our own opinion about.

44,331. (*Mr. Price.*) That we shall exercise our own judgment upon ; but assuming that matter nevertheless not to have been communicated to your special agent, Mr. Henry Lovibond, he, in ignorance of that, but knowing the previous arrangement, drew 500*l.* of the money by word of mouth at that time, of course ; supposing your brother's authority, that would be the position in which you would stand, assuming your brother had concealed it ?—Yes ; but I do not think I should be placed exactly in that position, because Mr. Henry Lovibond had informed my brother that the election was gone, that there would be a revocation.

(*Mr. Coleridge.*) He does not seem to have thought so, because he afterwards sent for 500*l.*, and had it.

(*Mr. Price.*) He draws on that, and justifies his drawing on that by saying that he never became aware of his supposed revocation.

(*Mr. Anstey.*) Even assuming that revocation to have taken place.

(*Mr. Coleridge.*) And has added he would defend any action brought against him for the money.

(*Mr. Anstey.*) Do you mean to say, as a public man, that you would have the least hesitation as to the course you would take with regard to recouping these bribemongers ; I mean by "these bribemongers" Messrs. Sealy and Prior, who advanced the money originally ; would you have the least hesitation in coming to the conclusion that it is your bounden duty, as a public man, not to recoup them a farthing of it, but let them bear the loss of their ill-conceived and ill-contrived expenditure ?

44,332. (*Mr. Coleridge.*) And to avow it openly ? —I should like to place it, if the question ever occurred, as I said, in the hands of a man of honour.

(*Mr. Price.*) The danger of course, in this sort of thing, which cannot escape a man of your observation, is, that in any case whatever the bank of the place becomes actually the bribe fund, if the candidate afterwards sanctions such a grossly irregular proceeding as that which took place with regard to this 500*l.* ; the bank then becomes the fund. You must see that.

(*Mr. Coleridge.*) And every single bank here at one time or the other has done it.

(*Mr. Anstey.*) Unfortunately it is the money of the depositors, who perhaps in their hearts abhor and detest the infamous purposes to which their money is applied, and never find out the business perhaps until the bank, from its prodigality, has come to grief.

44,333. (*Mr. Price.*) All this matter has come to you by surprise I understand. Since the 4th of October you have heard of the whole of this ?—Yes.

44,334. (*Mr. Anstey.*) We may state to you the fact. I do not state openly in court what this will be, but you will see what the whole bearing will be ? —I think I have answered it.

44,335. (*Mr. Price.*) You wish to put it in the hands of some third party ?—Yes, a man of honour.

44,336. Before we get to the polling day there is one important thing I wish to ask you about, and that is the negociations which are said to have taken place. You have already been asked by one of my colleagues whether, before you came down, two months before, any negociation was opened to you as to a compromise and coalition between you and Mr. Westropp. Now, coming down to the election itself, two days before, the two important days of Saturday and Sunday, were you aware at all of negociations going on, conducted on the one side by your agent, and by Mr. Vanderbyl's agent also, and on the other by Mr. Westropp's agent, and by Mr. Westropp personally, as to a compromise, either by way of throwing Mr. Vanderbyl over or throwing you over ?—I never heard anything of any sort of negociation, having the object of throwing Mr. Vanderbyl over. I have the other, the opposite negociation, for throwing me over. That I heard of.

44,337. When ?—I heard it from Mr. Westropp.

44,338. When ?—When a meeting took place after the election.

44,339. Did not Mr. Henry Lovibond inform you, before you came down here, that he had received from Mr. Vanderbyl himself a letter to the effect, "I am "sick of my agents, Reed and Cook. I will throw "them over and make you my agent, provided you "become my agent and promote my interest instead "of Mr. Kinglake's ;" did he tell you that ?—Yes.

44,340. Before the election ?—Yes.

44,341. How long before ?—I could not say how long before, but I think it may have been a fortnight before. I think his language was that Mr. Vanderbyl proposed to retain him.

44,342. Did you take any action at all, or do anything at all, in consequence of that very important communication from Mr. Lovibond ?—Yes, I became very uneasy altogether about the election. I found it a most embarrassing thing to conduct an election.

44,343. My question is, what did you do beyond being embarrassed by this communication ; what step did you take in consequence ?—Well, for several weeks I continued to put great pressure upon Mr. Henry Lovibond to bring about separate action, and to put an end to the idea of a joint candidature.

44,344. (*Mr. Price.*) Between you and Mr. Vanderbyl ?—Yes ; what I desired was to have Mr. Henry Lovibond as my agent, and Messrs. Reed and Cook, or whoever Mr. Vanderbyl might choose, should be his agents, but, however, that there should be an entire separation. However, that was found impracticable. I was urging that, and desiring it for a long time.

44,345. What reason did you give for that when you were urging it ; did you tell him that you thought it incompatible, under all the circumstances, that you could fight cordially together ?—Yes.

44,346. That you found would not answer. How

did you find that would not answer—would not answer the views of the lawyers?—The agents consulted about it, and determined that that would be impossible, and that if any separation took place they would not act at all.

44,347. You mean that they would give up the whole thing on both sides, both you and Mr. Vanderbyl?—Yes.

44,348. (*Mr. Anstey.*) Who said so?—Mr. Henry Lovibond told me that was his decision.

44,349. Who else?—It met with the approval of Mr. Barham; he said he had consulted Mr. Barham, and they had determined, if I press the separation, that they would not act.

44,350. Then you authorized them, I suppose, to consult again with Messrs. Reed and Cook on behalf of Mr. Vanderbyl?—Yes, went on with the joint action.

44,351. Did not you at any time during the contest, during the poll, that is, any time before the election, hear that there had been any overture made on the part of some people, whether they wished well to you or wished ill to Mr. Vanderbyl, to squeeze out Mr. Vanderbyl altogether, and promote your election and that of Mr. Westropp without any contest, as one and one?—No.

44,352. I will specify on the Sunday night before the election?—No.

44,353. On the Monday, then, the nomination day, had you heard of it?—No.

44,354. (*Mr. Price.*) Did you know of those interviews with Mr. Vanderbyl, where discussions had taken place, in reference to these disclosures about the National Bank and the Lundy Granite Company; did you know that a deputation had waited on Mr. Vanderbyl with a view of getting him to retire?—No.

44,355. (*Mr. Anstey.*) That there had been a meeting held just before to consider whether he was a fit person to stand?—No.

44,356. Did not you hear there were other persons who thought that the man who would stand on purity principles, as Mr. Vanderbyl was determined to do, was for that reason alone, independent of Lundy Island Granite and National Bank, quite unsuited to the borough?—No.

44,357. You did not hear that?—No.

44,358. (*Mr. Price.*) Where were you staying on the Saturday and Sunday?—I was living at the "Railway" hotel, which is very much, as the Commissioners know, out of the town, out of the focus.

44,359. (*Mr. Anstey.*) It is within the borough?—It is within the borough, but at a distance from the centre of the town.

44,360. But you retained your sitting room at Allan's, we have heard?—Yes, as a place to go in the day; but I never used it, I think, until the polling day.

44,361. Did not anybody tell you that there was this awful discord even as late as one on Monday morning. You understand the position is said to be this: first of all there were people who honestly objected to Mr. Vanderbyl because of his letter about rigging the market in the Lundy Island case; then there were those who objected to him because he was not going to spend money, and because they were afraid that you would not, because they thought if neither of you spent money the other side would easily return Mr. Westropp and Mr. Gray, and those persons are said to have laid hold, as a pretext, the objection which was *bonâ fide* urged by the other class of persons, namely, Mr. Vanderbyl's alleged dishonourable conduct in the Lundy Island affair, and having whitewashed him at one meeting, when they did not know he was not going to bribe, brought on the question at another meeting after they knew he was not going to bribe, and sent up a deputation composed of their leaders, to Mr. Vanderbyl, who saw him late on Sunday night, they having occupied themselves on Sunday in these proceedings, some of them deacons of chapels, and others who nevertheless used the Lord's day for that purpose, when they appeared before him with this pretext about the Lundy Island Granite, and so forth, and had to submit to the reproach, "Gentlemen, it is money you want; it is all hypocrisy and humbug." That is the story. Do you mean to say you never heard of that at the time, or afterwards, until now?—I did not hear of it at the time; I have heard vaguely of it before to-day, I think.

44,362. When did you first hear of it?—I could not say at all.

44,363. Before the trial of the election petition?—I could not say.

44,364. (*Mr. Price.*) Did you know of Mr. Fennelly being down here with Mr. Vanderbyl?—Yes.

44,365. (*Mr. Anstey.*) Then that may account for your language. I am quoting from Mr. Vanderbyl's address which is put in evidence before Mr. Justice Blackburn. It is his, though it is called Mr. Kinglake's: "Our Tory friends wished to make it appear "that my honourable friend, Mr. Kinglake, and "myself are not working together. I am glad that "Mr. Kinglake has expressed himself so clearly on "this subject, and I take this opportunity of also "assuring you that we both put our shoulders to the "wheel, and that we work together most cordially. "There has never been one word of discord between "us, and I may tell you that I feel proud to have as "my colleague a man of such ability, and with a "European reputation." That was put in evidence by Mr. Serjeant Parry along with a report, which I have not got, of your address, and to which this report refers. Did you believe at the time that you published your address, and this address of Mr. Vanderbyl apppeared, that there was this hearty co-operation going on between you?—That is after the canvass, is not it?

44,366. I do not know when.—We canvassed very heartily together; nothing could have been better than the spirit with which we canvassed together. I began it, and came down certainly greatly distressed and very repugnant altogether to a joint canvass, but it went on very well. He was perfectly fair in all he did during the canvass, and I was fair towards him as I considered. It clearly went on very well, the canvassing part.

44,367. After the canvassing was over there were speeches made at meetings, were not there?—Yes, sir.

44,368. By you and Mr. Vanderbyl?—Yes, sir.

44,369. Mr. Vanderbyl's brief, prepared from his own instructions, as Mr. Cook tells us, contains this passage: "On Saturday the 14th of November, that "is Saturday immediately before the nomination, "of course all parties had a full knowledge of the "examination"—he means the examination which discloses Mr. Vanderbyl's supposed guilt in that affair of the Lundy Island Company—"yet proceedings go "on the same, and no division is caused between Mr. "Kinglake and Mr. Vanderbyl on the subject, as in "the course of their speeches each refer to the other "in pleasant and friendly terms." Is that true as far as you were concerned?—Our public speeches were always perfectly friendly.

44,370. I mean, is the whole of that true, that you were of course aware of the examination, and that it caused no division between you, and that you continued to refer to him not only in pleasant but in friendly terms?—Certainly. I think I rather, perhaps, considering that he was somewhat run upon on account of that examination, made it a duty to be more friendly in my manner towards him than I was before.

44,371. (*Mr. Price.*) Did you think at that time that Mr. Vanderbyl had not had an opportunity of explaining then the circumstances which were alleged against him?—I do not think he had.

44,372. (*Mr. Anstey.*) I will read to you his own account of it, if you like, deliberately written afterwards, and incorporated with the brief by Messrs. Reed and Cook?—The fact was that the examination

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was a hostile one, and he was examined about matters extending over five years, upon which his memory at the time was an entire blank, as, for instance, he denied having written a certain letter which was afterwards produced to him, when he of course immediately admitted that it was his letter, in which—and this is the point I want to ask your attention to—in which (that is in the letter), there are expressions about dealing with some of the shares of the Lundy Island Granite Company and rigging the market. Now that is an unequivocal and unqualified admission on the part of Mr. Vanderbyl two months afterwards that he had written this letter, and that this letter did contain the imputed words about rigging the market in the shares of the Lundy Island Granite Company.

44,373. (*Mr. Price.*) Were you aware of that, that he really had confessed, in fact there is no other words for it, that he rigged the market?—I think I kept myself in a state of intentional ignorance on the subject. According to my recollection I received an anonymous communication, apparently with a view of exposing him, and I intentionally and deliberately avoided meeting him. I thought that that was the becoming thing for me to do.

44,374. Had you made up your mind to act loyally to him whatever he did to you?—Yes, I certainly was determined to.

44,375. Did it come upon you by surprise that he entertained propositions which would have had the effect no doubt, if they could have been carried out; for instance such as this,—if you, Mr. Westropp, will agree to thow over Mr. Gray, Mr. Vanderbyl will meet you half way and throw over Mr. Kinglake. That is the effect of it?—Yes.

44,376. Does that come upon you by surprise?—Yes, very much to my surprise.

44,377. Were you aware that there was any ill-feeling between Mr. Lovibond, your agent, and Messrs. Reed and Cook?—Yes, I had always understood it.

44,378. No friendly feeling between them?—Yes.

44,379. (*Mr. Anstey.*) Were you present at any conversation between Mr. Lovibond and Messrs. Reed and Cook, or any attornies, at which Bridgwater elections were spoken of or discussed in language such as "Taunton" instead of "Bridgwater," "Berkeley and James" instead of "Kinglake and Vanderbyl," and so on?—No, I never heard any conversation carried on like that.

44,380. Did you ever see any letters containing any such disguises?—No.

44,381. Did you hear at the time that there had been, that that was the way in which the professional men on your side discussed certain matters connected with the election?—I think I did once, there having been that expedient used.

44,382. (*Mr. Price.*) When did you hear that?—I could not say at all, not with reference to anything particular.

44,383. But during the pending contest?—No, it was afterwards. It was I think at the time there were negociations about the petitions, the first time.

44,384. Before the election inquiry?—Yes.

44,385. (*Mr. Anstey.*) Are you sure it was after the polling day that you heard first that this sort of cypher spoken or written was used?—I never heard of the fact.

44,386. Did you hear of the fact that there was a a cypher or disguise of that kind used, or any kind used, in speaking of election affairs; did you during the election hear that any form of speech was used to disguise the conversation on the subject?—No, certainly not.

44,387. (*Mr. Price.*) To disguise the realities?—No.

44,388. Then, we understand, up to the polling day you were utterly ignorant in the first place of your brother having had transactions in the place, and utterly ignorant of any negociations that had taken place with a view of inducing Mr. Vanderbyl and Mr. Westropp to coalesce together and put you out?—Yes.

44,389. Up to the poll day you remained entirely ignorant?—Yes.

44,390. Did you know at all that there had been a great difficulty, even up to the last moment on the hustings, to get anybody to propose and second Mr. Vanderbyl?—I did not know there was a difficulty.

—44,391. Actually on the hustings the gentlemen were pressing for the service?—I did not hear it.

44,392. (*Mr. Anstey.*) On your canvassing on that occasion were you frequently applied to by persons, when you asked for their vote, or told by them that they wanted money?—No.

44,393. Or that they would not vote without money?—No.

44,394. Or that they would vote for the person who paid most?—No. I heard of those phrases, but I did not hear them used myself.

44,395. Not used to you?—Not used to me.

44,396. Now we come to the polling day. The voting as we know in the morning was very adverse, indeed up to half-past 12 in the day the majority was 240, or something of that kind, over you, and a larger majority over Mr. Vanderbyl?—Very much.

44,397. With reference to your last answer nothing of the sort was said to you, I want to know, between 1865 and the election in 1868, had you gone on paying to institutions and charities, and to individuals, and so forth, as you had done before?—Yes.

44,398. On what scale?—The same scale as before.

44,399. Had you during that time received any applications for loans on personal or doubtful security?—No.

44,400. You had made none?—No.

44,401. Did you continue to make those payments to institutions, charities, and individuals down to that time?—Yes.

44,402. (*Mr. Price.*) That was the state of things about half-past 12?—At 12, I think.

44,403. The return was given about those intervals; at a quarter past 12 it appeared that that was the majority, which certainly looked a very formidable one?—Yes.

44,404. It is also stated that you left the town by the 1.37 up train to London?—The 1.32 train.

44,405. And you stopped at the "Railway" hotel some time; but it also appears by the return that before you could have left the station, I do not say before you actually left the streets of Bridgwater, the majority had very considerably dwindled away at a quarter to two, which would be after you left probably, although the train is always late according to my experience, it was reduced down to 70; but even before half-past one, at a quarter past one, it had dwindled away certainly by 100 or more.

(*Mr. Anstey.*) At one o'clock it had dwindled away by more than 100; it was only 143.

44,406. (*Mr. Price.*) Were you aware of that?—No, in entire ignorance of it.

44,407. Did not you take the trouble between a quarter past 12, to consult the returns of the poll, up to before you left the town?—Now, sir, on this part of the case I must really ask, if I may venture to do so, an almost exceptional amount of attention from the Commissioners.

44,408. (*Mr. Anstey.*) Will you answer the question first which the learned Chief Commissioner asks you; did not you, before you formed such an extreme resolution as that to leave the town, consult the latest returns of the poll?—Oh, surely, I heard the latest returns.

44,409. Did not you on seeing the latest returns observe that the majority in one hour had been decreased by 100, that instead of being 250 or something, it was only 143 at one o'clock?—No; because when I got to the railway station I was entirely separated from Bridgwater.

44,410. (*Mr. Price.*) We will concede that. I am giving you the time, a quarter past 12 I think is the return of a majority of 240. Now, assuming that you left the town, that is the streets of Bridgwater, as I

put it before, and I must tell you that we have it in evidence that before one, and after half-past 12, you, Mr. Lovibond, Mr. Mogg, and your brother and Mr. Reed were all in the street somewhere near the "Globe," and that Mr. Lovibond was left behind, and had some conversation with your brother; and I also think it fair to tell you that the expression which Mr. Lovibond used when he rejoined Mr. Reed was, "Do you know Mr. Kinglake's family are tremendously anxious," or words to that effect, "excessively anxious about the return of Mr. Kinglake?" Now up to that time we have it in evidence that you were in or about the town, and assuming that it would not take very long to get to the railway, nor to go to the hotel and write out your farewell address, I think we are not extravagant in supposing that you did not leave the streets before one o'clock?—I place it about a quarter or 20 minutes before one.

44,411. I think it is hardly that, because I think we have got it now; there was a question whether a certain fly had gone back again to the bank with your brother after one o'clock.

(*Mr. Anstey.*) The only question is between one and half-past one. But all agree, even Hodge of the "Railway" hotel agrees that it was after one that you came up to his hotel, 10 minutes past one he thinks, and some say nearer half-past.

44,412. (*Mr. Price.*) I only tell you that is the state of things. You say you pray for exceptional attention; there is no occasion to use the word "exceptional," because we have given the most undivided attention. You may say whatever you like about that?—Well, I have gathered that the Commissioners had a doubt as to the good faith of my departure from the town, and I certainly could not complain of them if they are sceptical on that subject, because I am bound to say when I have mentioned the matter even to my personal friends there has been an inclination to smile, as if it were some election manœuvre; and when I have asserted to them on my honour that I went away from the borough absolutely despairing as to the election, they then thought that some trick had been played on me by my agents.

44,413. (*Mr. Coleridge.*) Your agents have told us you took a point of law afterwards. Your absence from the town as a point of law created, or rather did away with any sort of authority which you had given them, so that any corrupt practices by your agents after you had gone away would not affect your seat?—Yes, I had a strong opinion certainly on that.

44,414. (*Mr. Price.*) And that naturally gave rise in our minds to a suspicion I do not want to use at all an offensive expression; you say your friends said an electioneering manœuvre, that is polite language for what I should say, vulgarly speaking, looked like a dodge?—Now what I respectfully undertake to do, as a man of truth, is to convince you that my departure from the town was in perfect good faith, and in absolute despair of the election.

44,415. (*Mr. Anstey.*) I must tell you that my difficulty comes much earlier in the day. It is stated in evidence to us that for some reason yet unexplained, you in your quarters, and Mr. Vanderbyl in his quarters, took the very unusual course of shutting himself up, each of you sealing yourself, as it were, from the eyes of the electors at the very time that Mr. Westropp and Mr. Gray were walking abroad and showing themselves to all men, and that this sort of concealment lasted in the case of Mr. Vanderbyl until he was told that you and he were at the head of the poll, and in your case until you went forth and had the conversation in the street already spoken of, and then proceeded to the railway station. I should like you to give an explanation of that, a very minute history of all you did with reference to the election, with reference to committees during that day, from the time you awoke until the time of your departure?—I am very much obliged to the Commissioners for that question, because it reminds me of an important effect which on Mr. Vanderbyl's account it would be right for me to state, if not on my own account. When the numbers were rapidly going against us, I think at the time when Mr. Westropp and Mr. Gray came out and were thanking the electors, Mr. Vanderbyl came to me and said, "Do not you think we ought to "go out and show ourselves and try to restore con- "fidence?" and I said, "Well, I think this is a very bad "moment for it." I take on myself the responsibility of that; I said, "I suppose the next return of the poll will show some great change in our favour," because I was assuming all the time we had a great majority, "and "when that change occurs then we can go out with a "better grace, with much more advantage to our- "selves;" and I do not know whether he thought right to accede to that, but nevertheless he adopted that view, and went back to the inn where Mrs. Vanderbyl was then. I should think about half-past 11 my brother came in very pale, and told me that Mr. Henry Lovibond said that the election was lost, and not long afterwards Mr. Lovibond came in and confirmed that statement, and said the election was gone. I of course was very much shocked at this, and it was not without a good deal of resistance on my part that I at all accepted it, but the more I pressed him the more firm he was on the subject, and he said the election was absolutely and irretrievably lost.

44,416. (*Mr. Anstey.*) Who said?—Mr. Henry Lovibond. It was in answer to something he had heard suggested by someone else, that any attempt to retrieve it by illegal means would be absolute madness.

44,417. Who made the suggestion?—I do not know at all.

44,418. You say in answer to someone's suggestion?—I think from the language which he held it was originated by something he had heard.

44,419. You do not mean that it was said by anybody present?—Not by anybody present; no, merely saying that those who would suggest such a course would be quite mad. I said, "There is not a possibility of both seats being gone;" and he said, "Yes, one the same as the other; they are hopelessly gone." Then I said, "According to this I have nothing to do but to make my bow." "Well," he said, "let it be so;" and the next thing was this. I said, "Supposing the "election was lost, do you think it would be becoming "in me to remain to the end as I did when defeated "in 1852, to face the thing out as well as I could, to "meet the electors in the hall and make my bow, "however disagreeable the thing might be, and in "what I might consider a becoming way." He said all the circumstances were against it, that the people were all very angry, that the Conservatives were in, and were in a very triumphant humour, and amongst the Liberals the collapse of the election had naturally produced great indignation and disgust. Everybody was angry with everybody else. It seemed to me that I should be made the medium of crimination and recrimination amongst the Liberals. Everybody would be coming to me and saying, "It is more so-and-so's fault;" and altogether my remaining there would be objectionable. And I found there was a train which would start at 1.32, and I said I was disposed to go off by that train. Mr. Lovibond said he could not see any reason why I should not. Then some friends came into the room.

44,420. Who was that?—I think Mr. Bate and Mrs. Bate, and they, seeing Mr. Lovibond with me, said, "We will not interfere; here is business." I said, "No, there is no more business, the election is is lost." And I now in the presence of this court declare solemnly that I firmly believed the election was hopelessly lost; and I declare that if at Highbridge, for instance, I had seen a score of voters who had told me that at any considerable inconvenience to themselves they were going to vote for me at the election, I should have said, "For heaven's sake do no such thing; the election is hopelessly lost;" so that my real conviction was—I am not trying to gain

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any legal advantage from it now, of course—that substantially and actually I had ceased to be a candidate. I was not a candidate. I was no longer seeking the voices of the electors. Well, that I state in the most positive manner.

44,421. (*Mr. Price.*) There is only one thing a candidate can do that shows that conclusively he can communicate with the returning officer to save any further trouble?—Yes; but I was not in a state of mind for doing anything so wise as that.

44,422. (*Mr. Anstey.*) I thought you said you went to the "Railway" hotel on your way to the station?—Yes; but I have not come to that.

44,423. Could not you on your way to the railway station have written one line to that effect?—I did.

44,424. You wrote your parting address?—I wrote my parting address there.

44,425. (*Mr. Price.*) But that would have to be printed, and would not appear probably until the evening after the poll was over; but the question of my learned colleague following upon me is this: whether there was a mode then of really doing it?

44,426. (*Mr. Anstey.*) Why did not you publish your parting address in manuscript at once; it would soon have been printed by the "Bridgwater Mercury" press?—That did not occur to me.

44,427. (*Mr. Price.*) There would be another thing you might have done, I do not say it was imperative, you might have said, "I am going by the train; let it "be freely known in the town that I am going to no "further expense"?—Yes, that is the substance of what I wrote.

44,428. (*Mr. Anstey.*) But then that was not to appear until you were advised of the true state of the poll at four o'clock?—Yes, because Mr. Bate was showing this to everyone as he went up.

44,429. What?—I gave this farewell address of mine to my friend, Mr. Charles Bate.

44,430. But it was not to be used until after the final state of the poll was declared?—Yes, immediately, and it was, because he showed it to everyone.

44,431. (*Mr. Price.*) Did you communicate to Mr. Vanderbyl your going away?—I did not.

44,432. Before going to the railway station, will you explain anything of that part of the transaction in which it is said you were in the street near the "Globe," your brother, Mr. Henry Lovibond, and Mr. Reed or Mr. Cook, and what was the purport of that conversation, because it seems there was this conversation. Mr. Reed represents that he walked on and left Mr. Lovibond to talk to you privately, and afterwards Mr. Lovibond says, "You have no idea how anxious Mr. Kinglake's family are about his return;" and then after that suddenly there was a very great change in the poll?—I believe I was never out of the room.

44,433. You do not remember being in the street?—No, certainly. I was not, according to my recollection, out of Allan's house from the time I first came into the house; it may have been nine or half-past nine until I stepped into the fly which took me to the station.

44,434. (*Mr. Anstey.*) Now I want to ask you on that, were you aware that your brother had paid a visit to the bank, according to Mr. Prior's evidence, just about the time you are now speaking of? Other persons who have been called put it later, but were struck with seeing your brother going to the bank, and made the natural observation, "Depend on it there is "something up and we shall soon see a change in the "poll;" and accordingly there was about a quarter to two a very visible change. Now, were you aware that your brother was going to the bank?—Yes.

44,435. What time do you fix it?—I put it half-past 12 to a quarter to one.

44,436. (*Mr. Price.*) Did you know he was going to the bank?—I will tell the Commissioner, what occurred. As soon as I had determined to go off by the express train, I put my hand into my waistcoat pocket to see whether I had my journey money, and I found I had not enough, and I asked my brother to go across to the bank and bring me some money. He went across, and in two minutes he came back with 10*l.*

44,437. (*Mr. Price.*) That was one occasion, at all events, on which he visited the bank on that day. Are you aware of any other business he had there except that, apparently you asked him to go?—Yes, I asked him, but he was back in two minutes.

44,438. You were at Allans at that time?—Yes.

44,439. (*Mr. Anstey.*) Are you quite sure that that was the only occasion on which to your knowledge your brother Dr. Kinglake, went that day to Sealy's bank?—No, I know on the contrary now; because I know now I did not know it at the time, that at a time which he fixes at 10 o'clock he went there and asked for that cheque which is spoken of as cancelled.

44,440. You are mistaken as to your facts as to what he stated, but that is not my question; my question is, putting apart what you have learnt since from the evidence taken here, and speaking of your knowledge as it was on that day, was the occasion of which you speak, when he went across and got you 10*l.* for your personal expenses, the only occasion that day when according to your knowledge at that time he went into the bank?—That was, according to my knowledge.

44,441. Therefore it was perfectly plain from your evidence that your brother went into Sealy and Prior's bank after you had made up your mind to proceed immediately to town?—For that purpose.

44,442. Because the fact that you wanted the money for your personal expenses fixes it. Then was it immediately after you got the 10*l.* that you proceeded from Allan's to the "Railway" hotel on your way to the station?—Yes, almost immediately after; certainly after that, and my brother with me.

(*Mr. Price.*) I think you are under a misapprehension as to the time at which your brother went, if anything took place about the cheque, because Mr. Prior is as distinct as possible that it was half-past 12 that took place, but he may be wrong.

44,443. (*Mr. Anstey.*) Did your brother tell you, besides getting the money for your personal expenses, he had said anything to him about another transaction?—No.

44,444. About a money transaction?—No.

44,445. (*Mr. Price.*) Was he there long enough, to your recollection, to have gone into the parlour and had a conversation to the extent which we have heard, and had the cheque given up, and that sort of thing?—No; my impression is, that he was back immediately.

44,446. (*Mr. Anstey.*) You will understand that I am giving no opinion about the matter whether you are right, though I have my own opinion about that, or whether deliberate concealment has been practised on us by those who came before us and should have known better; but I only want to fix your statement at present, so that we may be able to come to about what is the latest moment you give your brother for the return from the bank with the money as near as you can tell?—I think I have already informed the Commissioners that my impression is, that we must have driven up to the "Railway" hotel at a quarter before one; that is my impression, and then fetching the journey money; I do not know how many minutes, but some time before that. I cannot fix an hour.

44,447. If you find we have correctly stated to you (and we have done so) the effect of all the evidence as to the real time of your arrival at the hotel, namely, that it was past one, will you be positive in thinking it was before one in the face of so much evidence?—Well, my estimate as to the time by my recollection of the quantity of things said and done, first at the "Railway" hotel where several people came, and there were it seemed to me very long conversations and painful lamentings, and then there was the composition of this farewell address, and then some moved down and other people came up. The scene was of such a kind that I am afraid I should hardly convey it to the Commis-

sioners; big stalwart men sobbing like children at the collapse of the election.

44,448. Still you had nearly half an hour for all that, even if the train kept its time for a wonder?—Well, I estimated it rather more than that, and if I estimated six or seven minutes for the time the fly would take in getting to the railway station, I do not know whether that would be accurate.

44,449. (*Mr. Coleridge.*) Then someone has told us that you went out of the room and gave orders to the servant to pack up your things?—At the "Railway" hotel I ordered the servant to pack up what things he could. I think there was some at the wash, and he was to bring on the others by a later train. Now, I wish very much to convey to you the strong conviction which I had myself as to the perfect good faith of this renunciation of the election, not only on my part, I hope the Commissioners will not hesitate to believe, but also on the part of everyone present. I venture to say everyone at that scene would give the clearest and strongest evidence as to the faith of the whole thing. There was nobody present who could have doubted that my despair of the election, and Mr. Lovibond's despair of the election were perfectly genuine. It is not within the power of actors to play such a comedy as was performed, if there had been any pretence in it; for I assure the Commissioners there was absolute despair and final renunciation of the election on my part, and also, as I firmly believe, on the part of Mr. Henry Lovibond.

44,450. (*Mr. Anstey.*) I understand you to say, nevertheless, you did not go through the form of revoking Mr. Henry Lovibond's authority to act for you in your absence?—No, I did not go through any form of that sort.

44,451-2. You left him behind you in this place with a knowledge, I presume, of the part he had acted in corrupting voters at Mr. Bagehot's unsuccessful contest, and again, which is more important, at Mr. Vanderbyl's your colleague's triumphant return, if I may profane the expression?—But also with a knowledge that he considered it would be absolute madness, for he said so, to attempt it.

(*Mr. Price.*) A very temporary hallucination passed over his brain; he very soon recovered sanity.

44,453. (*Mr. Anstey.*) Then before any period of this, I know not what to call it, I do not mean the election strictly so called, but any period of this long transaction commencing with the first anticipation of a contest, and then going down to the close when you left and went to London, was there any understanding, tacit or expressed, between you and him that he was to be, or Mr. Barham, or your brother, or young Mr. Bate, or someone in fact was to be the person to whom communications about money, about the delicate politics of the election, as someone calls them, were to be addressed, who was to answer, whether by refusal or concession does not signify, but who was to answer all such applications and not expose you to the difficulty and embarrassment of having to answer?—No, there was no arrangement of that sort.

44,454. No understanding?—No.

44,455. As a matter of fact you were never applied to for money?—No.

44,456. By anybody in the contest?—No.

44,457. And we have it literally by everybody *usque ad nauseam*, that the claims for money were so great, especially on the Sunday the demand was so great that they had to go open-mouthed first to your representative, Mr. Lovibond, and then to Mr. Vanberbyl, or the person representing Mr. Vanderbyl, and you it appears were kept perfectly in the dark as to the demands on Mr. Lovibond and the demands on Mr. Vanderbyl, I understand you to say?—Yes.

44,458. Then that being so I ask you again, was there nothing from which Mr. Lovibond and the others may have inferred, and reasonably inferred, though the fact may have been false, that all you wished was not to be troubled with any person, that you preferred to appear by deputy in the matter, the deputy being Mr. Henry Lovibond, and perhaps Mr. Barham, or one of the two; was there nothing from which anybody could have surmised that?—No.

44,459. Was not your shutting yourself up that morning a pregnant fact from which sanguine or suspicious minds might have formed such an opinion?—Not justly I think at all. I had no reason whatever for shutting myself up except the state of the poll.

44,460. I do not say whether it was reasonable or unreasonable, that the fact was so or not, but it is the curious fact that you alone, it appears, were not told about this universal expectation that money was wanted to gain the victory; for if money was not forthcoming Mr. Vanderbyl must go, and there would be a disgraceful compromise, or if there was not that compromise there must be a disgraceful defeat, thanks to the superior liberality of the Tories, that this was concealed from you?—Yes.

44,461. Nothing of it known to you?—No.

44,462. It was all known to Mr. Vanderbyl and his friends Mr. Fennelly and others; it was all known to your representative, Mr. Henry Lovibond, for he was the prime actor in this corruption. Again I ask you, can you account for it that there was not a single person in Bridgwater who enlightened your mind in the matter?—I think they understood electioneering too well for that. I think the Bridgwater people have always understood they ought not to approach a candidate with——

(*Mr. Price.*) But they approached Mr. Vanderbyl very strongly.

44,463. (*Mr. Anstey.*) Finish your answer; they always understood that they should not approach a candidate with what?—With any appeals for money.

44,464. That is what I say; therefore there was a kind of understanding that that should not be done with you?—There was a general understanding.

44,465. Very well. Who was the buffer that was to keep off disagreeable applicants, or the man with the white staff to do the Lord Treasurer's duty and drive them away, Mr. Lovibond or Mr. Barham?—Nobody was appointed for the purpose, because the intention was to contest the election legitimately, but I suppose the people who had negociations of that sort to make would go to any of the agents they thought of.

44,466. Just so. Then there is this fact, your two agents were Mr. Lovibond and Mr. Barham, just as Messrs. Reed and Cook were agents of Mr. Vanderbyl, and we have this fact, that Mr. Henry Lovibond, who knew what he concealed from you as you say, and I daresay may be the truth of the transaction about the 1,500*l.* at Stuckey's, Taunton, and elsewhere, was left behind with his powers unrevoked; in fact powers enhanced by the simple fact of your absence, because you were not there to check or control him, and the moment you had gone, and he on the one side was emulating the zeal which Messrs. Reed and Cook even before you had gone had begun on the other side to show with great success, that is to say, bribing and debauching voters, of whom we have it in evidence no less than 34 consented to be debauched, and to commit a fresh kind of offence, violating a solemn promise given in accordance with their own political principles for Westropp and Gray. Those are the facts to which I wish to direct your attention, and ask you whether you can throw any light upon them, no matter whether the evidence you are going to give on the subject will bring Mr. Henry Lovibond to ruin, or Mr. Anybody to ruin, and bring disgrace upon every person but yourself who has been examined here, from Messrs. Sealey and Prior downwards, no matter; I press for an answer. I wish to know can you throw any light whatever on these most suspicious facts?—I gather from the earlier part of the learned Commissioner's question, that he desired to know whether it was not the fact that Mr. Henry Lovibond remained at Bridgwater with power to act, and so on. Well, what I respectfully submit to the Commissioners is this, that the contrary of that is the fact, that after Mr. Henry Lovibond had deliberately told me the election was lost, and had as it were sent me away, or assented to

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my going away, it amounted to a determination of any authority which he had.

44,467. (*Mr. Coleridge.*) That is the point of law again?—Yes, but it is a question of fact also, because it answered the question of the learned Commissioners as to whether Mr. Henry Lovibond was not left with his whole authority here.

44,468. And his plenipotentiary powers in fact?—Yes, I test it by liability to perfectly legitimate expenses. Supposing when Mr. Henry Lovibond saw the state of the poll was changed he had ordered the printer to print a quantity of cards so as to bring the men to poll, and that the printer had sued me for the money, I should respectfully submit to the Commissioners he would fail, because there would be a determination of the authority.

44,469. (*Mr. Price.*) That authority you had never revoked, and therefore it is just like husband and wife in one sense. Mr. Lovibond might have gone forth to any shop in this town, clothed with your authority, to order any legitimate expenses, cards or addresses, and clearly any judge in the world would have told the jury that you had not revoked that authority, and consequently you would be liable?—I will bow to the decision of the Commissioners on that matter.

(*Mr. Coleridge.*) We have already considered this point before when we heard of it.

44,470. (*Mr. Anstey.*) Do you want to add anything in answer to my question? It was a pretty comprehensive one. I asked you to throw light on the point which appeared to me to be a most salient one, and as to which I am perfectly satisfied a most wicked concealment and perversion of the truth has been practised upon us by persons who ought to have known better, who have been examined before us. The other point, as to the remarkable coincidence of time between your departure and the opening—not to go over what I said just now—the opening of the fire from two distinct points, first of all half an hour before your departure by your colleague, Mr. Vanderbyl, or copartner, as the phrase is down here, and secondly by yourself, represented by the notorious briber, Mr. Henry Lovibond, a few minutes after your departure from another point, with the effect of converting an overwhelming majority into a miserable majority on your side within a short space of time. I want to know what light you can throw on that, the *post* and the *propter* which will relieve my mind of its present conviction that it was not accidental but designed?—My belief has always been—I may have been imperfectly informed on the matter—that the rally which took place about half-past one, or whatever the time was——

44,471. Between 12 and 1?—Whatever the time was, the rally was not brought about by corrupt means.

44,472. (*Mr. Coleridge.*) You see we have now got in evidence that there was a sum of 1,200*l.* in hard gold of Mr. Vanderbyl's in the town at this time; do you not really believe that that was brought about by some portion of the money being expended which we have not been told about, knowing Bridgwater as you do now?—I have not learnt anything to change the impression which has been on my mind, that was certainly that the rally had been won by other means; that is, despair of getting anything on the part of a great number of men, they came and voted as represented to me by hundreds and hundreds.

44,473. But, knowing Bridgwater as you know it, do you believe anything in the world but money would rally those men?—Yes, I do.

44,474. (*Mr. Price.*) What else?—I think that the moment they knew that money was not to be got they would come.

44,475. But at 12 in the day they did not know it, and the evidence has been that in those cases where bribery has been resorted to in the extreme there are a certain number of men who hang back. You must have heard this to-day from one or two witnesses who have been called?—Yes.

44,476. They hang back to the last moment almost that they have a chance of going to the poll. Now, the earlier they realize the gold, of course the earlier they go to the poll, and coupling this fact established before us with a very pregnant remark made by Mr. Reed that it was not fair to bleed from one lung only, meaning Mr. Vanderbyl——

(*Mr. Coleridge.*) We are strongly of opinion that Mr. Vanderbyl's lung was exhausted in the way which showed the change of the poll at 1 o'clock.

(*Mr. Anstey.*) And Mr. Cooke says, "Where the devil is Lovibond?" That was at the time you were thinking of going away, and when that majority was considerably being reduced, and he plainly implied their money had succeeded so far, but that your 1,500*l.*, which your sponsor had promised and vowed in your name should be forthcoming, was not forthcoming.

44,477. (*Mr. Price.*) It is quite clear that you had prepared. Your agent, Mr. Lovibond, distinctly said that you were prepared on your side. I do not know whether you are aware of that?—I think I saw it.

44,478. (*Mr. Anstey.*) I want to know whether you can throw any light on the remarkable coincidence that when the majority began to decline you began to meditate on your departure; Mr. Vanderbyl had begun to bribe, and you, that is your representative, was about to begin to bribe, and of course all tending to one and the final result at 4 o'clock, which cannot at all coincide with the perfect innocence of yourself and Mr. Henry Lovibond—I do not put it in the alternative—the perfect innocence of yourself or Mr. Henry Lovibond, but I want to know what is it you mean to convey, that Mr. Lovibond was guilty of gross violation of the trust reposed in him by you when he began to bribe, or is it simply he performed his miserable duty, as the man conceived it to be, that is, to keep a wicked promise to debauch the voters according to it; which is it we are to believe? Did he violate the solemn promise to you when he began to bribe?—I can only say that his assurances to me, and assurances made voluntarily long before the election, were that no consideration should induce him to engage in any illegal transaction.

(*Mr. Coleridge.*) But you see he and your brother had arranged it all the night before.

44,479. (*Mr. Price.*) When were the assurances given to you; not since the election, surely?—No, before he came up to London.

44,480. To revert back really to the question, do you or not consider that he having assured you, which makes all the more pertinent the question that nothing would induce him, I think that is your expression, to have recourse to the illegal practices, knowing what you do now, in what he did that afternoon, betrayed the trust reposed in him?

44,481. (*Mr. Anstey.*) Yes or no; do answer the question?—Yes.

(*Mr. Price.*) In the same way as he did Mr. Bagehot, because nothing could be more complete than the promise which Mr. Bagehot says was given him beyond all question and doubt as to purity.

44,482. (*Mr. Anstey.*) Is not there this great distinction between your case and Mr. Bagehot's, that Mr. Bagehot had had no previous trial or experience of that notorious man, Mr. Henry Lovibond, but at the time he came to be your plenipotentiary in 1868, he was notorious not only to you but everbody here, as being one who was not to be trusted even after having made a solemn promise not to bribe, and yet you took him to your heart of hearts, and made him your representative, by virtue of which he became for a season your sole representative in your absence, and used—will not say abused—but used the opportunity thus created in the way we all know. Is not there that immense distinction between your case and that of Mr. Bagehot?—No doubt I have had more experience of Bridgwater elections.

(*Mr. Price.*) And of Mr. Lovibond.

(*Mr. Coleridge.*) It seems to me there is another distinction. Mr. Bagehot did go and pay all this money, and you prefer leaving it to a third person to say whether you shall or not.

(*Mr. Anstey.*) Mr. Bagehot also said if peradventure he had been returned—that is another distinction, is not it—and if the expenditure made without his knowledge had resulted in his return, he should have applied for the Chiltern Hundreds on discovery of the foul means which had been used, and refused the election, whereas it needed a petition in your case to put you out. That is his own statement to us yesterday. I asked him how he could reconcile himself to the payment of money, and he said if he had been returned he would not have paid the money, because he would have applied for the Chiltern Hundreds.

44,483. (*Mr. Price.*) You have told us that, and then you went away to London, and you had a telegram and came down. I do not know that we need go into that part of the thing, but what we want to know is, that when you came down and left the place, assured over and over again by Mr. Henry Lovibond that the thing was hopelessly—your expression very emphatically repeated to-day in your parole testimony—was hopelessly and irretrievably gone, and to your immense surprise therefore you found yourself elected when you came down here, how is it it did not occur to you to inquire as to how this marvellous defeat had been turned into a victory?—I can inform the Commissioners very clearly on that subject. When I came down I was received with great ovation; an enormous concourse of people came to meet me at the station, and there was a sort of chairing, a carriage with four horses, and so on. The gentleman who took the greatest part in this ovation was Mr. James Sully. He sat by my side in the carriage, and the first thing he told me was to say that he could congratulate me on the perfect freedom from all corruption with which the election had been carried on. I am sure he believed it himself, because he is a truthful man. What he stated was that the working men after their dinner, in the middle of the day, spontaneously rallied, and that they were the men who had carried the election, and that no thanks to the lawyers were due. That is the statement with which I was met when I had to make my speech, accepting the congratulations of the people at the end of every sentence. "Oh, it "is the working men who have done it, no thanks to "the lawyers."

44,484. (*Mr. Anstey.*) Who said this?—The crowd.

44,485. (*Mr. Price.*) Mr. Sully told you?—Mr. James Sully informed me of this.

44,486. (*Mr. Anstey.*) Then he did not tell you that Mr. Vanderbyl had taken the Sunday night for counsel, and on the Monday morning it was found unnecessary to trouble Mr. Vanderbyl, for he had acceded to the understood but not expressed wishes of the deputation?—I am sure that Mr. Sully did not know, because if he did I am quite convinced he had not made the statement to me he did as to the purity of the election.

(*Mr. Anstey.*) That is to say, he made to you a statement entirely inconsistent with that hypothesis.

44,487. (*Mr. Price.*) He was a man very much in the confidence of the party, and I suppose a prominent man?—Exceedingly popular.

44,488. A very prominent man?—Yes. I observed the agents did not take part at first in this sort of ovation; they appeared later. I understood that to be because the people were out of humour with them; that they had mismanaged matters.

44,489. (*Mr. Price.*) That brings back my question, did you have any communication with your agent? You know Mr. James Wood Sully's representations were all very well in their way, but he does not pull the strings except on other occasions, but I want to know what your agents, the legal gentlemen, said?—I do not recollect what they said.

44,490. Mr. Lovibond left you with the fullest impression that you were irretrievably defeated. Did you discuss with him and say, "Now, Mr. Lovibond, how about this?"—I gathered rather, I think, from his manner than anything he said on that day the election had not been so entirely free from objectionable circumstances as I had supposed during the early part.

44,491. (*Mr. Anstey.*) Will you state what he did say, and then we shall gather. Did he say, "There "has been wholesale bribery committed on our side, "and I am in for it"?—No, nothing of the sort.

44,492. (*Mr. Price.*) What did he say really. "Do "not lay the flattering unction to your soul which "Mr. Sully has endeavoured to administer, because "we, the lawyers, have done the thing for you," or anything of that kind?—No, it did not go that length. I do not know at all what the words were, but they were enough to tend to disenchant me with the impression which Mr. James Sully's statement had produced.

44,493. Did not you think it worth while to probe the thing a little further?—No, I did not that day.

44,494. Did you afterwards?—Afterwards the necessity for probing it further——

44,495. Did certainly arise, did it not, when the petition came?—Unfortunately.

44,496. That was superseded by graver matter?—A day or two after the election I learnt that a man named James Palmer had denounced an attempt to bribe him by Henry Bussell, and when Mr. Lovibond spoke to me about this I observed that he did not speak of this as being an exceptional thing altogether, and I then began to fear there had been organized corruption, because I could not understand how a man in the position of Henry Bussell should be offering 10*l.* to anybody, unless there had been more.

44,497. More than one 10*l.*?—No, that was my inference.

44,498. (*Mr. Anstey.*) Did Mr. Lovibond tell you that the case of Palmer was more the case of an offer of 10*l.*? Did he tell you that hundreds of your money had been actually paid by Bussell into the hands of men like Palmer; not offered, but actually paid?—He did not tell me it was my money, of course.

44,499. (*Mr. Price.*) But did he tell you that the money had been paid him?—Well, I quite understood.

44,500. (*Mr. Anstey.*) It was not an offer?—It was spoken of as a trap.

44,501. The difference was this: Palmer took the money, but you did not take the vote, for he broke the promise, and went and voted on the other side.

44,502. (*Mr. Price.*) You judged from that, not unnaturally, that when 10*l.* was given it would not be solitary?—I began to fear so.

44,503. Then very soon after that a still graver matter arose; there came the petition?—The petition began to be threatened, and then soon after that Mr. Lovibond began to speak of the ruin and misery that would be inflicted on professional men if the petition went on.

44,504. Did he say why?—Because I gathered that they had been engaged in illegal practices; he did not say that, but of course I gathered it. I did not understand that he included himself.

44,505. (*Mr. Anstey.*) Did not he also tell you that Mr. Prior, the junior partner in the bank of Sealy and Prior, had been and asked him to pay back the 500*l.* which the bank had given to Allan by the hands of Mr. Mogg?—No, he did not state that.

44,506. He never told you that?—No.

44,507. (*Mr. Anstey.*) Is the period of which you are speaking, when Mr. Lovibond came to you and told you the professional men here, not including himself, would be ruined by the revelations which would take place, after the petition was filed?—No, I think before the petition had been filed.

(*Mr. Price.*) With a view to what, then?

44,508. (*Mr. Anstey.*) What did he want you to do in order to avert that?—When he made this statement to me about the misery it would inflict, I said that was too harmful to think of, and I should wish to avert it by all sacrifices. He said he was quite sure that was what my answer would be, and in the result I became willing that both seats should go rather than that the petition should be presented.

FORTY-SECOND DAY.

Mr. A. W. Kinglake.

14 Oct. 1869.

44,509. (*Mr. Price.*) Did you authorize Mr. Lovibond to negociate with that view ?—Yes.

44,510. (*Mr. Anstey.*) Was that down here, or did he come to you in London ?—No, that was in Somersetshire.

44,511. (*Mr. Price.*) This is in Somersetshire. Where ?—Not in this place.

44,512. Where then ?—At Taunton.

44,513. (*Mr. Anstey.*) Was any member of your family present when this was being discussed ?—No.

44,514. I mean of your blood ?—No.

44,515. (*Mr. Price.*) Did Mr. Lovibond tell you at that time that it was possible that your brother, Dr. Kinglake, would be dragged into it ?—No.

44,516. Never informed you of what had taken place at the bank at all ?—No.

44,517. (*Mr. Anstey.*) Did anybody inform you that your brother, Dr. Kinglake, had been concerning himself about you and your election down to the time you are speaking of ?—No.

44,518. Down to that time you had no idea of what he had done ?—No.

44,519. When did you first hear he had been so concerning himself, or that he had been concerning himself at all ?

44,520. (*Mr. Price.*) Beyond canvassing with you ?—Beyond canvassing with me and communicating with the agents, and so on ?

44,521. Beyond that, when did you learn ?—As I have stated some hours ago, the 4th October.

44,522. (*Mr. Anstey.*) But as I understood you to say at the beginning of this day's examination, not only in 1859, but always, he has been in the habit of managing money matters for you, and accounts had passed between you from time to time at elections ?—Frequently, not always.

44,523. Had you any money account with him at this election ?—No.

44,524. Or before the election with reference to it ?—No, none whatever.

44,525. Or after it ?—None whatever.

44,526. Is he a man of great wealth ?—No, he is a man very well off; he is richer than I am, I think.

44,527. Is he a man who on his credit in Taunton could raise the sum of 1,500*l.*, merely on his personal credit ?—I do not know what the bankers may be willing to do on personal credit of men, but he certainly is a man of considerable property; bankers might advance a much larger sum to him.

45,528. On his personal credit ?—On his personal credit, certainly.

44,529. You have never heard he is considered in Taunton, I do not say embarrassed, but in not very flourishing circumstances ?—I never heard a statement or insinuation of the kind until it came from Her Majesty's Commissioners; never in my life.

44,530. Did you never hear that Dr. Kinglake himself had stated to one who repeated the statement on oath before us, that person being Mr. Henry Lovibond, I think also Mr. Prior, but it was one or both of them who said it, that his reason for coming here to endeavour to raise the money which was needed for the purpose of bribery at your election, was that he had tried to raise that money, or a smaller sum, I think he said 1,000*l.*, in Taunton and had failed, he could not obtain it there ?—I never heard it until I saw a report of the evidence.

(*Mr. Price.*) It is apparently an invidious topic, but that is a justification for any remark that may have fallen from the Commissioners with regard to your brother, that here it was deposed on oath by persons supposed to be in very confidential relation with the family, if not Mr. Lovibond, certainly Mr. Prior, that your brother had said he had failed to raise money at Taunton; therefore it would be very invidious, seen by the first light, to make any observation on your brother's pecuniary circumstances. You can now see that your brother had so expressed himself.

44,531. (*Mr. Anstey.*) My next question, therefore, to you is, supposing your brother unable to raise the money in Taunton on his credit, to what quarter could he possibly look to recoup him the money, supposing he borrowed the money here, but to you ?—His own property.

44,532. Supposing he has to borrow it for others, not for his own purposes but for your supposed interests; supposing your political interests purchased by such means, and then the quarter who lends him the money applies to him to have it back, I ask can you name any person to whom he can look to make that money good but yourself ?—I know of no one else.

44,533. That is the meaning of my question about embarrassed circumstances.

Adjourned to to-morrow at half-past 10.

FORTY-THIRD DAY.

Friday, 15th October 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.

HENRY FRANCIS PURCELL, Esq., Secretary.

GEORGE HARWOOD sworn.

FORTY-THIRD DAY.

G. Harwood.

15 Oct. 1869.

44,534. (*Mr. Price.*) What are you?—A master mariner.

44,535. Did you vote at the last election ?—Yes.

44,536. Who does your vessel belong to ?—It is the "Victor;" it belongs to Mr. Jowell.

44,537. Is thatthe steam-tug ?—Yes.

44,538. Are you going away to-day ?—Yes.

44,539. How did you vote at the last election ?—For Westropp and Gray.

44,540. Did you get anything for it ?—No.

44,541. Any promise of any kind ?—No.

44,542. Did you get any expenses for your coming here ?—No, I was here.

44,543. Did you vote at either of the elections in 1866 ?—Yes.

44,544. How did you vote each time ?—I voted for Bagehot.

44,545. That was the first election in 1866 you voted for Bagehot?—Yes.

44,546. Did you get anything then?—Yes.

44,547. How much?—10*l.*

44,548. Who from?—Bussell.

44,549. Did you vote when Mr. Vanderbyl came forward?—Yes.

44,550. Did you vote for him?—Yes.

44,551. What did you get then?—20*l.*

44,552. Who did you get it from?—Smith.

44,553. Did you vote in 1865?—Yes.

44,554. How did you vote then?—For Mr. Westropp.

44,555. What did you get then?—Nothing.

44,556. Did you get any promise?—Yes.

44,557. Who promised you?—Waddon.

44,558. How much?—15*l.*

44,559. Did you never get it?—No.

44,560. Did you ever claim it of him afterwards?—I got 10*l.* when Mr. Patton put up. I reckon that in part payment.

44,561. (*Mr. Coleridge.*) You were paid on both sides?—I had 10*l.*

44,562. What made you vote in 1865 for the Tories, and then for the Whigs in 1866, and then again for the Tories in 1868?—I had a right to use my own mind; any person may if they like.

44,563. Did you vote in 1859 for Padwick and Westropp?—No.

44,564. (*Mr. Price.*) Did you ever vote before 1865?—No.

44,565. You got altogether how much?—40*l.*

44,566. (*Mr. Coleridge.*) That is what you call using your opinion?—Yes.

CHARLES WILLS sworn.

C. Wills.

44,567. (*Mr. Price.*) What are you?—A master mariner.

44,568. What vessel do you work?—My own.

44,569. Did you vote at the last election?—Yes.

44,570. How did you vote?—Kinglake.

44,571. Did you get anything?—No.

44,572. You did not vote for Mr. Vanderbyl?—No.

44,573. Did you get any promise of any kind?—No promise of any kind whatever.

44,574. Did you vote in 1866?—Yes.

44,575. How did you vote at the second election of 1866?—For Vanderbyl.

44,576. What did you get?—20*l.*

44,577. Who from?—Captain Bussell, and 10*l.* from Charles Bulpin.

44,578. Which did you get first?—From Bussell.

44,579. Did Bulpin know that you had had 10*l.* from Bussell?—No.

44,580. You never told him that?—No.

44,581. Did you vote at the first election in 1866, when Mr. Bagehot was here?—Yes, for Mr. Bagehot.

44,582. What did you get then?—5*l.*, some time after the election; five or six weeks after the election.

44,583. (*Mr. Coleridge.*) Is that all?—Yes, that is all.

44,584. (*Mr. Price.*) Did you vote in 1865?—Yes, that is the first vote.

44,585. (*Mr. Anstey.*) Did you get your 5*l.* after the second election?—After Bagehot's election.

44,586. Was it also after Mr. Vanderbyl's election?—No, before.

44,587. Then it was not five or six weeks. Had you any row with the Liberal party about your succeeding in getting two bribes instead of one?—No.

44,588. Then if that is so, what is the reason you did not vote for Mr. Vanderbyl when he had given you as much as 20*l.* at the last election, but preferred to plump for Mr. Kinglake?—Well, I had no particular reason for it.

44,589. (*Mr. Coleridge.*) Who asked you to do it?—No one.

44,590. Did they know before you told us to-day that you had had 10*l.* of each of those men?—No.

PHILIP POWELL sworn.

P. Powell.

44,591. (*Mr. Price.*) What are you?—An engineer.

44,592. On board a vessel?—Yes, the "Petrel."

44,593. Are you a Jew or a Christian, which?—No, I be not.

44,594. Did you vote at the last election?—Yes.

44,595. How did you vote?—Kinglake and Vanderbyl.

44,596. Are you a foreigner?—No, a Welshman; that is what I am.

44,597. How did you vote last time?—For Kinglake and Vanderbyl.

44,598. What did you get for it?—Nothing the last time.

44,599. Were you paid any expenses for coming?—No.

44,600. Did you vote in 1866 for Mr. Vanderbyl?—Yes, I did.

44,601. What did you get?—My daughter got 30*l.* from some person; I do not know who.

44,602. I suppose you got it?—She got it; I have not seen it.

44,603. (*Mr. Price.*) Did you vote for Mr. Bagehot?—Yes.

44,604. What did you get then?—My wife had it from Captain Allan.

44,605. Does your daughter know who she got the 30*l.* from?—No, she says she don't.

44,606. Did you vote in 1865?—No, I think not.

44,607. Had you a vote then?—Yes; I did not vote.

44,608. Did you vote in 1859?—No, I did not.

44,609. (*Mr. Anstey.*) Did you get anything in 1865 for not voting?—No, I did not.

44,610. (*Mr. Price.*) Were you here?—Yes.

44,611. How was it you did not vote?—Well, I do not know; I did not care much for it.

44,612. You say in 1859 you did not vote?—Which is that?

44,613. Padwick and Westropp on one side, and Tynte and Kinglake on the other?—No, I did not. I only voted for Vanderbyl, that is all.

44,614. Did you vote in 1857?—No, I did not; that is the last one.

44,615. No, 1857, when Mr. Follett was here?—No, I did not.

44,616. In 1852?—No, I did not.

44,617. Did you ever vote besides?—For Mr. Follett the first time he was here.

44,618. (*Mr. Coleridge.*) Did you get anything?—No.

44,619. How much did you get altogether for your vote?—Altogether 40*l.*

Mr. EDWIN PHILLIPS sworn.

Mr. E. Phillips.

44,620. (*Mr. Price.*) What are you?—I am a linendraper.

44,621. Carrying on business on your own account in this town?—Yes.

44,622. Have you a shop?—Yes.

44,623. And people under you?—Yes.

44,624. How many do you keep in your employment?—I have about 16 in the shop, and about 16 workmen out of the shop.

44,625. Did you vote at the last election?—I did.

44,626. How did you vote?—I always voted for the Conservative party.

44,627. Did you get anything?—Certainly not.

44,628. Did you have any bill?—I had.

44,629. What was your bill for?—My bill was a large amount; the last election nothing.

44,630. You had no bill then?—No, none.

44,631. In 1866 did you vote for Patton?—I did.

FORTY-THIRD DAY.

Mr. E. Phillips.

15 Oct. 1869.

44,632. Both times ?—Yes.

44,633. What did you get each time; did you get anything ?—Certainly not.

44,634. Had you a bill at either of those elections ?—Yes.

44,635. Which ?—That election; both.

44,636. (*Mr. Coleridge.*) What did it amount to ?—70*l.* 11*s.* 1*d.*

44,637. (*Mr. Price.*) What was it for ?—Ribbons, colours, flags, decorations, payment of banner men, painting the flags, lettering them, poles, painting poles, and other particulars.

44,638. Have you your bill ?—Yes.

44,639. Has it been paid ?—Yes, it has.

44,640. Who paid it ?—It was paid by Mr. Lilley, on February 29th, 1868.

44,641. Do you mean to say you supplied 70*l.* of goods ?—Yes.

44,642. And that you would have charged 70*l.* at any other time than the election for what you did ?—Most emphatically; every charge was just and righteous.

44,643. In 1865 did you vote for Westropp ?—Yes, I did.

44,644. Did you get anything yourself ?—Certainly not.

44,645. Did you have a bill then ?—Yes.

44,646. How much did it amount to ?—You have it.

44,647. (*Mr. Coleridge.*) 56*l.* 11*s.* 1*d.* ?—Yes.

44,648. (*Mr. Price.*) Was that paid ?—It was paid.

44,649. When was it paid ?—It was paid on June 1st, through Stuckey's, in the name of Belphegor.

44,650. June 1st of what year ?—1866, through Stuckey's bank, by cheque. It was an order in the name of Belphegor, saying that such a cheque lay at Stuckey's bank to my credit.

44,651. (*Mr. Anstey.*) That was after Mr. Westropp's election had been set aside, and you knew that another candidate was coming down ?—I did not know.

44,652. You concealed the year just now, stating June 1st, and any person would have understood by that 1865, but it was 1866 ?—Oh no, it did not occur to me.

44,653. Another election was then on; will you swear positively that you had no communication with anybody about the bill between the time it had been incurred and the time it was paid ?—I swear it positively.

44,654. Then why did you abstain from communication with the person lawfully bound to pay it, namely, Mr. Westropp, all that time ?—I had no communication whatever. I had sent in the bill according to the instructions of Mr. Bealy Smith.

44,655. (*Mr. Coleridge.*) Did you pay anybody else's bills ?—I did. You have them there.

44,656. What is this: "Hayward, Crocker, and Badger wanted 31*l.*" What does that mean ?—It is not 31*l.*

44,657. Explain what those memoranda on the back mean ?—Those are in 1865. Charles Hayward, I promised him 20*l.*

44,658. What for ?—If he would vote on the Conservative side.

44,659. You mean you bribed him ?—No, I did not.

44,660. But you did if you offered him money ?—Very well.

44,661. What did you offer the next man, Hook ?—Hayward's was not for himself, Hayward's was for a man next door to him called Crocker, and he was to endeavour to get a man called Badger.

44,662. Where were you to get the 20*l.* from ?—I gave his name to Mr. Bealy Smith.

44,663. The next ?—Hook.

44,664. (*Mr. Price.*) That is the famous Hook, the provision dealer ?—Yes.

44,665. (*Mr. Coleridge.*) What did you promise him ?—20*l.*

44,666. What for ?—To get a man named Sutcliffe, and a man called Roberts. I never saw them.

44,667. The next ?—Hensley, at the "Sloop."

44,668. What did you promise him ?—10*l.*

44,669. The next ?—Isaac Hooper, Polden Street.

44,670. How much ?—10*l.* Poole, senior, and Poole, junior living in St. John Street; one keeps an inn, and the other is a tailor.

44,671. What did you promise ?—10*l.* each.

44,672. Did you send their names to Mr. Smith ?—I took them to Mr. Smith myself.

44,673. Did they get the money ?—I believe they did, or I should have heard of it.

44,674. Did you give it to them ?—I did not, certainly; I never gave anyone.

44,675. (*Mr. Price.*) Did you put any pressure at all on the party to pay the bill which was incurred in 1865 before you voted in 1866 ?—Not in the slightest degree. I never asked for it.

44,676. (*Mr. Anstey.*) Why did you not speak to Mr. Bealy Smith, or the person you looked to for payment, during the whole time the petition was pending, or threatened against Mr. Westropp; why wait until it was decided, and a new election on ?—Because I did not want the money, nor did I apply. You say "until." I did not apply before or afterwards.

44,677. I say "until." If you have a better word in the English language I will use it. You got the money on June 1st, 1866, and if your story is true, you supplied goods *bonâ fide* and lawfully, and yet before that, and during the whole of that time, although Mr. Westropp might have died and a new candidate have come, you abstained, you say on your oath, from asking anything about it, and I want to know why ?—Most distinctly and emphatically I had abstained, and if I had lost the whole amount I should have been glad to give it up for the good of the cause.

44,678. For the good of what cause ?—The Conservative cause.

44,679, That is what I say; you would have been glad to have given it up for the Conservative cause ?—I never thought of applying.

44,680. You have just convicted yourself out of your own mouth, that you abstained for the good of the cause, and would have lost that money willingly, and therefore it is for political purposes you abstained ?—I bow to the decision.

44,681. (*Mr. Coleridge.*) Look at the other names.—They are merely a memoranda of different drapers' bills who supplied the other side.

44,682. How came you to give those ?—You will see in the evidence.

44,683. (*Mr. Price.*) In 1859 did you vote for Padwick and Westropp ?—Yes.

44,684. How did you vote then ?—Always for the Conservatives.

44,685. Did you get anything then ?—Certainly not.

44,686. Had you any bill ?—None.

44,687. (*Mr. Coleridge.*) Did you promise any people money ?—No, I did not; I never promised before 1865.

44,688. In 1857 did you ?—I had not a vote then.

44,689. Did you promise anyone in 1866 ?—No.

44,690. Either election ?—Nor 1868.

W. Bond.

WILLIAM BOND sworn.

44,691. What are you ?—A labourer.

44,692. How did you vote at the last election ?—I had a vote at the last election.

44,693. How did you vote ?—For Kinglake and Vanderbyl.

44,694. What did you get for it ?—Nothing.

44,695. Any promise ?—No.

44,696. Whose employment are you in ?—Messrs. Brown and Company.

44,697. Did you vote in 1866 ?—I never had no vote before the last election.

44,698. (*Mr. Anstey.*) Did you vote at the last election at the request of any person connected with your masters, Brown and Company, or did any of them request you to vote?—I cannot hear.

44,699. (*Mr. Coleridge.*) Who told you how to vote the last time?—I voted of my own accord, to please my own fancy.

44,700. (*Mr. Anstey.*) Who asked you?—No one did not ask me.

Mr. A. W. KINGLAKE recalled.

44,701. (*Mr. Anstey.*) Before you proceed with your narrative I wish to ask you a few questions arising out of your evidence which you have already given. First, with respect to the distribution of patronage, I wish particularly to ask you can you give me the names of persons, if any, whom you have at any time recommended to the notice of the Government for the purpose of receiving the commission of the peace for the borough?—I could by reference to papers give you the names.

44,702. If I read the names of the existing commission and of the last commission to you, would you be able to recognize them?—Yes, sir, I believe I should.

44,703. I will proceed to that immediately, but, in the meantime, the next thing I want to ask you about is this. In 1866 you were aware, I presume, that both Allan and Bussell had distinguished themselves in a most deplorable manner as principal agents in the bribing of voters at the election of Patton and Vanderbyl. Now I want to know, that being so, why did you in 1868 resume your old quarters at the house of one of those notorious persons, if you had held bribery in the horror which you in your representations to Mr. Lovibond would have him believe?—I had no notion of the fact of Allan having been engaged in transactions of that kind in the election of 1866. I am very much surprised; I cannot understand how my agents could have allowed me to go to Allan's if they knew that he had been engaged so; I had no knowledge at all.

44,704. Then I may take it so, that until the polling day at the last election you had never heard that Allan had been in any way employing himself in bribing voters at any previous election?—I cannot recollect that I ever heard such a thing. I feel very confident of this, that if I had known and had it present to my mind that Allan was a person employed in transactions of that kind I should have said, "That is "one house, at all events, where on no account should "a candidate go."

44,705. Just so; and that being so, if you had no suspicion at all of Allan, why did you remove your sleeping quarters to the "Railway Hotel," at the same time that you kept up your head-quarters at Allan's house; why had you two residences?—Well, sir, there were several reasons that operated with me for having quarters at the "Railway Hotel;" one was that I thought it very desirable at an election to have a place where I could be a little retired for a time, to have more command of my time than if I were in the focus of the election business; and a principal reason, and I think the principal reason which governed me, was the necessity of being at a place where I could have nutritious food, for I was in rather a delicate state of health. Allan's was only a lodging; and I was told, "Whilst you are undergoing all this work of the election you must take care to live well;" and I was very well suited in that respect at the "Railway Hotel." Then it was very inconvenient to me to have only quarters there, and to have no place where I could sit down and see people, if necessary, in the town; therefore I proposed to keep the room for the purpose of a sitting-room.

44,706. (*Mr. Price.*) To keep a room at Allan's?—To keep a room at Allan's. My impression is that, although I wished to have it, I never used it until the polling day. On the polling day I used it; I was reading Shakespeare, I recollect, while the election was going on.

44,707. (*Mr. Anstey.*) I do not think the point of my question has precisely occurred to you. Having a room at the "Railway Hotel" you required no residence or any room in the town; therefore I want to know was not the room, or rooms, which you took at Allan's intended for the business purposes of the election?—No.

44,708. Then for what could they be intended?—For my own use, when it was convenient for me to be in the centre of the town.

44,709. I say for the purpose of your contest and poll, and so on?—For my personal convenience.

44,710. In the conduct of the election?—I can give one instance, I think, or two instances, in which I used the rooms during the canvass, which were of this kind. We had worked a canvass for hours, and then I said we would go in and have a cup of coffee at my lodgings, and accordingly we went in there and had coffee, and then proceeded again with our canvass. That was the use I made of the room during the latter part of the canvass.

44,711. (*Mr. Coleridge.*) That is, for your own personal convenience you had a room at Allan's?—Yes.

44,712. (*Mr. Anstey.*) It was for your personal convenience; however, you used the term in the conduct of your own canvass, not for other purposes?—No.

44,713. When you were not engaged in canvassing, or on committees, you did not use those rooms at all?—No.

44,714. Then you say you particularly meant them for the poll day?—I particularly used it on the polling day.

44,715. More particularly?—More particularly, yes. I practically made much less use of it than I expected to make.

44,716. Was not it particularly and especially because Allan was one of your active partisans, agents I call them, but active partisans you call them, that you took those rooms?—No, indeed, the reverse of that is true; because if I had had it present to my mind that he was a man engaged in the mysteries of the election I should have said, "That is the very last person to whose house I can go."

44,717. Why?—Because it would have been obviously not prudent.

44,718. If he was an active partisan his house would have been the last to which you should go, do you say?—That if he were a person engaged in the transactions to which the Commissioner was referring.

44,719. You are going ahead of my question. I am not asking that, but was not it because you knew him to be an active partisan of yours that you took these rooms?—Certainly not; I took them because they suited me.

44,720. But you would not have taken them if you knew he was an active partisan on the other side?—No; but I should have taken them if neutral, as I had at the former election.

44,721. (*Mr. Price.*) Would you have taken them if he had not been a voter?—Yes; at the first election I did exactly that. I wanted rooms as nearly as possible at that spot, and there was a man named West, whom I believe took no part, but who certainly was not on my side, and notwithstanding that I took the rooms for my use at my election.

44,722. (*Mr. Anstey.*) You were aware, I presume, that he was active in getting voters for you up to the poll, or was going to do so?—No, I was not at all aware of that.

44,723. Did he never tell you that he was your supporter?—I knew he was friendly to me, but he was a man I had very seldom seen; he was a man engaged in business away from Bridgwater; I saw him very rarely.

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44,724. Then with regard to Bussell, you were aware, I presume, that Bussell was acting with zeal for you during the contest, and on the polling day?—I should assume it. I knew he was a partisan.

44,725. And were not you then aware, I am speaking of 1868, of the discredit under which he had fallen at the two elections in 1866 as a briber?—Yes.

44,726. Then how came you, having a horror of bribery, to sanction the employment of such a man, or not to protest against him?—I never sanctioned the employment.

44,727. You did not protest against him, did you?—I do not know that circumstances occurred to induce me to make a protest. I know nothing about it.

44,728. I thought you said you assumed he was going to, or was being employed on your behalf at that contest?—I assumed that he would be busying himself in what I supposed was to be a pure election.

44,729. That is not my question. How came it that you did not protest against any person being employed in what you wished to be a pure election, whose antecedents showed that he could not be trusted to make it a pure election?—My answer is, that I did not know he was being employed.

44,730. I thought you said you assumed it?—That he would be an active partisan of his own motion, but not employed by anybody.

44,731. Did you speak to him?—No.

44,732. You did not say anything to caution him not to resort to impure practices?—No.

44,733. Nothing of the kind?—No.

44,734. (*Mr. Coleridge.*) Then, if I understand, when you first of all went to Allan it was before Allan was engaged in the election of 1865?—Yes, I had no notion.

44,735. And you had not heard anything up to the time that you stayed there?—No.

44,736. And if you had known that he was a partisan, or, as you say, engaged in the mysteries of the election, I understand it would have been the last place that you would have gone to?—Just so.

44,737. (*Mr. Anstey.*) Are these the justices in 1852; Thomas Ford, esq., did you recommend him?—No, I was not in Parliament at that time.

44,738. Then in 1864, James Haviland, did you recommend him?—Yes, I think so.

44,739. Is that the gentleman who shortly before obtained, without security for the repayment of the principal, except his own, and without interest, a loan of 100*l.*, which you spoke of yesterday?—It is the same gentleman; but I am not sure that the Commissioner has the dates before him.

44,740. Yes, 1864; Carey Bailey Mogg, did you recommend him in the same year?—I think so.

44,741. William John Ford, that is another Mr. Ford, in the same year?—I do not recollect that; but I may say I think those who were nominated as magistrates at that time were nominated under my recommendation.

44,742. Then the other is Henry Frederick Nicholls, that is the draper?—Yes.

44,743. Did you recommend him?—Yes; you may take it all those nominated at that time were nominated under my recommendation.

44,744. Then, coming down to 1868, there is but one I will ask you to—John Baptiste Hammill; did you recommend him last year?—No, I did not recommend him. Let me see, his name was one of those suggested at the time of the first batch, but I did not recommend him separately.

44,745. He stood alone in 1868; there were two Conservatives with him?—What part of the year?

44,746. It does not say; but the three are Dr. Farmer, Conservative, Mr. Lilley the auctioneer, we know who appointed him, and then John Baptiste Hammill, merchant?—No, that must have been during the period when the Whigs were out of office.

44,747. (*Mr. Price.*) Mr. Hammill was appointed by the late Government?—Appointed by the late Government.

44,748. (*Mr. Anstey.*) That is the borough. Now I will only ask you as to one justice of the peace for the county; did you in 1861 recommend John Brown, merchant, as a county magistrate?—Yes.

44,749. Going back to your evidence of yesterday there was one thing which I entirely forgot to ask you about, and that is, first of all, the petition of 80, signed amongst others by this Dr. Haviland, and Mr. Sealy, the same whose name has been before us with regard to the 500*l.*, and a number of other persons in 1866. It is said that it was prepared at your suggestion, or that such a petition was recommended by you when the question was should a parliamentary writ issue, or should a Commission go on Mr. Westropp's being unseated, in the spring of 1866; do you recollect that?—I very much regretted the presentation of the petition. The petition was presented by those who were my friends and supporters; I did nothing to prevent the presentation of the petition, but it was a subject of regret to me personally.

44,750. You were opposed to its being presented?—I regretted it; it would not be quite accurate to say that I was opposed to it, because I felt it my duty not to oppose it in any way. I was perfectly neutral; but my wish would have been that no such petition should have been presented.

44,751. Then do I understand that you refused to present it yourself?—I did not present it myself. I do not recollect that I refused; I do not recollect that I was asked to do so, and I did not subscribe to it.

44,752. Without troubling you for your reasons at present as to why you objected to it, I will ask you, did you when the parliamentary writ was moved for, and Sir Harry Verney moved as an amendment that an address should go under the 16th of the Queen, praying for a commission, did you on that occasion vote for the original question, for the amendment, or did you abstain from voting altogether?—My impression is that I abstained from voting altogether; I certainly did not vote for the Commission, and I do not think that it went to a vote myself.

44,753. Oh, yes, it went to the vote; I can give you the numbers?—The division lists would show, of course, but my strong impression is that I did not vote either way.

44,754. The motion is made, according to the Commons' Journal, volume 121, folio 355 B, on the 4th of June 1866, and this amendment is moved to leave out all the words, &c. for the purpose of inserting the words of the address, which is in strict conformity with the tenor of the Act of Parliament, and then by a large majority the amendment is rejected, and the original motion carried, and the writ goes. However, you say that if you were there you certainly did not vote for the amendment?—Certainly.

44,755. And you are not quite clear that you did not vote against the amendment, and for the writ?—My strong impression is that I abstained from voting.

44,756. May I ask you why did you take that course; I will premise my question by reminding you that the committee had found "there is reason to believe "corrupt practices have extensively prevailed at the "last election for the borough of Bridgwater"?—Yes.

44,757. That being so, may I ask why you did not support the proposal that a commission should go when the issue was distinctly asked, aye or no, on that question?—My opinion was rather the same as that of the chairman of the committee, who did not wish that a committee should go.

44,758. How did you know that was his opinion?—He stated it himself.

44,759. To you?—In the House of Commons.

44,760. No; I have looked in vain for any speech. He was asked a question on the subject by Sir Harry Verney, and it appears by volume 183 of Hansard, in 1866–7, that the Speaker ruled that the question could not be put, and ought not to be answered; therefore, if you heard that it must have been from him personally?—I know, as a matter of fact, that he was a man who disapproved of the issuing of commissions, rightly or wrongly I cannot say; but he

disapproved it. The terms of the Act made it incumbent upon the committee to report one way or the other as to whether corrupt practices had extensively prevailed, and in simple obedience to that exigency of the statute he reported that there was reason to believe that corrupt practices had extensively prevailed, but it was not his opinion, from what he had seen of the evidence, that a commission should issue, or that a commission was desirable. That is what made it differ from all other cases; the person who moves the commission under ordinary circumstances is the chairman of the committee, but he said he would not move the commission.

44,761. Were not you told distinctly by the petition of 80 that it was made a subject of discussion of the House that the chairman was in no position at all to pronounce on the general effect of the evidence, inasmuch as the case of the petitioners had been stopped when a few cases only had been heard. There were altogether 110 cases of bribery specified in the particulars of corrupt practices, and only a few, about half a dozen, of those were heard; and, with that fact before him, Sir Harry Verney made his motion in the House, and complained that it was a great hardship that the committee had neglected their duty in not inquiring further, and not reporting corrupt practices. Were you not aware of that?—I do not recollect it.

44,762. (*Mr. Price.*) It could not have been on his view of the evidence that the chairman's objection to a commission was founded, for he refused to take the evidence?—I think the chairman had made a speech in the House of Commons against the issue of the commission, and was acting rather in pursuance of that view in declining to move.

44,763. (*Mr. Coleridge.*) Are you aware that is the only instance in which the committee of the House of Commons has, since the Corrupt Practices Act, reported that corrupt practices extensively prevailed, in which a commission has not issued?—I think it is the only one.

44,764. (*Mr. Anstey.*) Did you express yourself to Mr. Baxter privately or otherwise, or make known your opinion adverse to the commission going?—No.

44,765. (*Mr. Coleridge.*) And, as you know, the fact of your being seated made no difference whatever as to the propriety of a commission going, because at Berwick-on-Tweed both members were seated, and at Totnes one member was seated, and yet commissions went; therefore the fact of your being seated made no difference?—No.

44,766. (*Mr. Price.*) Up to that time Mr. Baxter seems to have been under the impression that no practical good resulted from petitions. There had been a suspension of the writ for Gloucester for a certain time, and nothing done by the House of Commons or by the Attorney-General to vindicate their sincerity?—No.

44,767. There had been several commissions out, which had resulted in nothing; that was so?—Yes.

44,768. There were some prosecutions at Wakefield, which I was engaged in, against Mr. Leatham and Mr. Charlesworth and others, where there were convictions, but never any punishment passed.

44,769. (*Mr. Anstey.*) But in that year, 1866, when Mr. Baxter neglected what some people thought was his formal and ordinary duty, to move, namely, an address to go and so forth, in that same year four commissions were issued under similar circumstances respecting the same general election, and the result of those four was that early in the following year four corrupt boroughs—not nearly so corrupt as Bridgwater perhaps—were disfranchised. Is not that a commentary upon the soundness of Mr. Baxter's opinion as to the intention of the House of Commons?—(*No answer.*)

44,770. However, with regard to the next point arising out of your evidence, I wish to ask you whether Mr. Vanderbyl, having told you that he had spent a lot of money in 1866, more than he looked to have spent, did you never inform him and expostulate with him about what was going to happen in the event of your coalescing or joining with him at the general election for Bridgwater, which we all know from history was expected, and to which the government had pledged themselves for about two years before it took place. Did you never say to him, "Mr. Vanderbyl, if "I am to go down with you to that borough, where "you have spent so much, I must have some under-"standing with you that you will not be guilty of like "practices again"?—I do not recollect having any conversation with him on that subject until the one I referred to yesterday, when he originated the undertaking, not under any circumstances to submit to any illegal expenditure. I detailed that conversation to the Commissioners yesterday, and I warmly assented to the propriety of the decision which he had come to.

44,771. That being so, I should like you to tell me what was the nature, precisely and minutely, what was the tenor of the papers and instructions which you gave to Mr. Henry Lovibond in contemplation of the contest, as far as you were concerned?—The instructions I gave to Mr. Henry Lovibond were those we arranged from his statement to me in Westminster Hall, which I think I referred to yesterday. He came up to London when the election was drawing near, and came to see me. I was coming out of the House of Commons, and he met me in Westminster Hall, and said that the election was drawing near, and it was time for people to consider what they would do, and so on; and he said he had come to the firm determination that under no circumstances would he engage in any kind of illegal expenditure, and he also told me that he believed that to be the decision of the other professional men.

44,772. (*Mr. Price.*) How long before the election was that conversation?—I should think that must have been—may I ask when the election took place?

44,773. The election took place in November?—Then this was whilst Parliament was sitting, before the prorogation of Parliament. I said to him, "That "is a most wise decision. In the present state of the "law and public feeling on this subject, it will be "madness to engage in acts which have been done in "former times;" and I applauded his decision; and it was in that form of approval of what he had determined to do that I gave my instructions to him.

44,774. (*Mr. Anstey.*) My question rather refers to powers. I do not mean to ask you about your own intention and his, or the mode of exercising powers, but did you give him the fullest powers to act on your behalf at the election, or did you control or restrain those powers in any and what way?—No, I never used any language either extending or controlling his powers. He had been my agent at former elections, and I did not say anything to control him further than by expressing to him my warm approval of the decision to which he had come.

44,775. Now particularly with reference to providing or raising money, observe I am not saying for what, for legal purposes if you like; had he any authority on your behalf to provide or take measures towards the providing of money?—Oh no.

44,776. If, therefore, he went to your brother, and entered into any arrangement about money with him, even for legal purposes, was that a violation of your instructions, or in excess of your authority, or what?—Certainly in excess of the authority derived from me.

44,777. Then who was to provide the money that would really be wanted for the election, irrespective of legal or illegal, who was to do that?—I think no money was wanted. Bills came in, and the moment I received a bill and was told to pay the account I was always ready to pay it. My impression is that no money was required for the election.

44,778. You knew it was a new constituency, and even under the old constituency sums varying from 200*l.* to 600*l.* had been considered necessary by you to be expended in election expenses. I want to know, either 200*l.* or 600*l.* is a large sum, who was to provide the money?—I was to provide the money.

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44,779. That is what I want to know?—Yes, decidedly.

44,780. Then do I understand that Mr. Lovibond, not even to the extent of 200*l.*, had anything to do with providing money?—Quite so.

44,781. Therefore, when he came and told the other attorneys, "We are provided with money on our side," referring to him and your brother having so provided the money, referring as we are told to that, it was clearly a statement which he had no right, as far as you are concerned, to make?—Quite so.

44,782. Did you therefore at any subsequent time, down to this very minute at which I am speaking to you, have any conversation with Dr. Kinglake, whether in the way of expostulation or otherwise, on the subject of what he had done?—No.

44,783. Have you never spoken to your brother on the subject?—I never was aware what he had done until the 4th October last.

44,784. Did you write to him on hearing of it first of all?—Not until I wrote to say that I was returning with all speed to England. I made no comment.

44,785. Did he write to you?—No, his wife, Mrs. Kinglake wrote to me, my sister-in-law.

44,786. Have you had any communication, oral or written, with him since your arrival in England?—I am staying at his house.

44,787. Then have you had any oral communication with him on the subject of this money, what he has done?—Yes, generally.

44,788. Then tell me what account he gave you in conversation about this money, or what he did with regard to this money?—Well, I should think it a hearsay statement.

44,789. No, it is a personal question, it is not hearsay; he is the person himself, and I should like to hear it.

(The Commissioners conferred).

44,790. Can you make any statement about what your brother said to you, any conversation that you can separate in your own mind from so much of the statement that may possibly criminate your brother? My want refers to Mr. Henry Lovibond's part, and if you can separate that part from the part that criminates your brother, I should like to hear; if not, I do not wish to press my question?—Very good.

Can you do so? My idea is to get at the *fons et origo mali;* how it was that Mr. Henry Lovibond and your brother were put in communication together? If you can tell me that without criminating your brother, I should like to know; if not, I do not press the question.

44,791. (*Mr. Coleridge.*) Or without criminating Mr. Lovibond, who is in the same position?—I hardly know how I could get through any sentence which might not by possibility be used against Mr. Henry Lovibond; but as to my brother I think it would hardly be; but I am in the hands of the Commissioners, if they will ask me any question I ought to answer.

(*Mr. Price.*) I think you are entitled, considering the position in which your brother stands, you know that we decline to examine him, to say that you wish to take the opinion of the Commissioners whether you ought to say anything which might be used against your brother, and I think under those circumstances we should not be inclined to press it.

44,792. (*Mr. Coleridge.*) Being an *ex post facto* matter, if this had been before the course we have taken with regard to your brother, I should have thought differently; but then the other conversation is one of the *res gestæ*, and therefore not *ex post facto*. The conversation in the street deposed to by Mr. Reed, and confirmed by Mr. Cook, when in your presence, I think, if not in your hearing, it was said, "Even now the election may be saved if we had 1,500*l.* or some other sum of money"?—No sir, there is no foundation whatever for that impression.

44,793. Do you recollect four or five person who had been interlocutors with you on that occasion, moving on or falling back, so as to leave you in uninterrupted conversation with Mr. Lovibond?—No. What period is the said transaction said to have occurred?

44,794. (*Mr. Price.*) At 12 o'clock near the "Globe"?—About 9 I think——

44,795. You were not in the street about that time at all?—I was never in the street at all; the fly drove up quite close to the door.

44,796. I think it fair that you should know that, you may not have seen that part of it, and therefore it is fair you should have an opportunity of explaining it. The expression said to be used, I think, was this, by Mr. Lovibond, who joined Mr. Reed or Mr. Cook afterwards, or some one at all events said, "You have "no idea how exceedingly anxious the Kinglake "family are for the return of Mr. Kinglake?"

(*Mr. Anstey.*) Mr. Barham said so.

44,797. (*Mr. Price.*) When Mr. Barham said they were exceedingly anxious, the question was, "What "did you understand by that, that they were so "particularly anxious for Mr. Kinglake's return?" And the answer was, "I suppose with a view to "office." I think it fair that you should have an opportunity of saying whether any suggestion was possibly made by your relations that you had a view to office?—It is quite impossible, certainly, that any such suggestion should be made. Everyone who has known me in the House of Commons knows that the line I took there was exactly that which was intended to exclude me from office.

44,798. But sometimes troublesome members are dealt with?—Yes, but I do not think my troublesomeness was quite of the kind.

44,799. However, there is no truth whatever in that?—None.

44,800. That you ever expressed to anybody your desire for office, or that you looked to office?—Quite so. I am very much obliged to the Commissioners to give me an opportunity of saying that.

44,801. (*Mr. Anstey.*) I did not understand Mr. Barham to say that you looked to office, but that your family were very anxious that you should get in, that they looked to you getting office?—He was equally mistaken.

44,802. Now pursuing this, what happened that day in the street? Do you remember being told amongst those several things you were told as the causes of failure, that Brown and Company's men were hanging back from the poll?—No, I do not recollect being told that Brown's people were hanging back, but I recollect being told that one of the causes of despair was that people were hanging back generally, not Brown and Company's. I did not hear them distinguished.

44,803. This was between twelve and one?—Earlier than that, I think.

44,804. My question is binding immediately to that hour, between twelve and one; were you told either in particular, or that voters in general were hanging back?—I was told it at the time. I was surprised at the loss of the election. It was stated as a circumstance that accounted for the collapse of the election.

44,805. Were you also told, or not told, that any of them were hanging back because they wanted to be paid?—I gathered that.

44,806. Who told you that?—Mr. Henry Lovibond.

44,807. What did he say? What were the words from which you gathered that meaning?—Well, he spoke of them in terms of abuse, as scoundrels hanging back and refusing to vote without money.

44,808. What did you say to him; did you say anything?—Well, I think what I asserted yesterday. "Do you mean to say the election is possibly gone? Are both sides gone?"

44,809. But you said nothing about payment or nonpayment?—No, because that was anticipated, that any attempt to retrieve the election in that way would be absolute madness.

44,810. You had said that?—No, Mr. Henry Lovibond.

44,811. He himself had said that, and therefore you said nothing about it?—No.

44,812. Then soon afterwards you went to the Railway Hotel, and you prepared something you call your farewell address. Have you a copy of that farewell address?—I have it in London, and I think Mr. Charles Bate is here.

(*Mr. Price.*) Have you it, Mr. Bate?

(*Mr. Bate.*) I have the original at my house.

44,813. (*Mr. Anstey to the witness.*) With reference to that, I wish to ask you what instructions did you give as to what was to be done with the draft when you drew up the address and settled it, and then handed it to some one—with what instructions?—With the instructions to get it printed at once, and with these additional instructions, to send a copy, not to all the electors, but to every elector who had voted for me. I recollect drawing that distinction, being in anger at the time with the constituency generally, and in a great state of disgust. I said, "Do not send "it to the others, but send it to those who have sup-"ported me."

44,814. Therefore when giving those instructions you contemplated the certainty, not the possibility, but the certainty, of its not being out of the printer's hands until after the election?—I did not make any calculation as to that. In Bridgwater they are pretty quick. This was half-past one, and I should have thought——

44,815. It was only two hours and a half then to take it from the railway station until its going forth?—Printers here would answer that question better than I could; but I should imagine, knowing how quick they are sometimes in producing those things, not a number, but producing one and showing it in the window, that about a quarter or half-past two there might have been a copy in the window, but I would rather that question was asked of a printer.

44,816. Is a printer here?

(*A person in court.*) Certainly by that time.

(*Mr. Price.*) Are you a printer?

(*The person.*) Yes, I am.

44,817. If you like to come and give evidence——?—I merely confirm the statement of Mr. Kinglake, that it could have got in time enough.

44,818. (*Mr. Anstey to the witness.*) As a matter of fact, I want to know whether it circulated before the close of the poll?—You will hear the fact from Mr. Charles Bate, if he is examined on the subject, that he had shown it to no one on his way up; and then he heard of the rallying, and of course suppressed the circulation then.

44,819. Was it circulated in the sense of being printed?—It was never printed at all.

44,820. Then it was not circulated?—No.

44,821. (*Mr. Coleridge.*) Did the state of things appear that you would come in, and so there was no need of circulation?—Yes.

44,822. (*Mr. Anstey.*) That is my question. You assent to the question of my colleague, that there was no need for the circulation, because you would come in. Now I ask you the same question, whether it was an understood thing that it was not to be circulated until the fate of the election was decided?—No, I again say positively my despair of the election was absolute and unreserved. I had no notion of the possibility of my return.

44,823. I only ask you this, because you assented, by nodding your head, to what the Commissioner said, and I thought it was not consistent with what you had said before; therefore it does appear that the circulation of the document did not depend at all on the fate of the election?—Certainly.

44,824. I want to know on that, can you account for this fact, that it is a fact we have on the sworn testimony of persons who appear as witnesses, that Mr. Reed and Mr. Cook, and above all Mr. Barham—I do not think Mr. Lovibond was asked any questions about that, because we broke off his examination for reasons which we had,—but those three being asked, positively said, each in his turn, he was perfectly astonished to hear that you repudiated all knowledge of the fact that corrupt practices had existed, without saying on whose part, whether on Mr. Vanderbyl's or your own. How do you account for that, that those three, who were your zealous agents and supporters, were not only under that impression, but continued in it before us?—The Commissioner is no doubt referring to my evidence before Mr. Justice Blackburn.

44,825. Not at all; I am referring to their evidence before us. Each of them was asked the question, and each said that they were very much astonished that you said you were ignorant; others, not of the same mark as themselves, but of inferior position, said in like manner that you must have known what was going on in the borough with reference to the meeting of that Sunday; and some qualified that statement by saying that "if Mr. Kinglake denies it, of course it cannot be true." Having taken the course you state was taken, how do you account for the universality, or at least the general prevalence, of that impression, not among your enemies or friends, but amongst your own immediate supporters?—I suppose it all turns on the question of the time when I became aware that corrupt practices had prevailed. I had hoped that in my statement yesterday I had conveyed pretty fully a narrative of the process by which the knowledge was brought to me. I came down as I said, and was received by Mr. James Sully with a statement which I firmly believed at the time, that all had been perfectly pure. I then informed the Commissioners that I found there was a difference between the congratulations of the lawyers and of the men who had first received me, and I gradually began to see that the election had not been conducted so satisfactorily as Mr. James Sully believed; then the first knowledge I had of any corrupt practices having been had recourse to was the knowledge of the attempt to bribe James Palmer. That transpired a day or two after the election; and then, as I informed the Commissioners, no explanation having been given to me of the circumstance under which Henry Bussell became possessed of this 10*l.*, I began to draw very painful inferences, and to imagine the thing to have been——

44,826. (*Mr. Price.*) That there were other tens?—Yes, that there were other tens.

44,827. (*Mr. Anstey.*) I will come to those cases presently, but my question is intended to bring out from you if you know any fact which will explain the error, not of the world at large, but of your own immediate supporters, who thought you must have been aware, generally at least, that this sort of thing was going on?—I cannot account for it. I think if any of them were asked here, you will find that they were speaking of some period other than the one you imagine them to refer to.

44,828. (*Mr. Price.*) With regard to your address I find Mr. Bate's evidence is this—you will be able to say whether it accords with your recollection. He says, "There was very little conversation, for this "reason, that I was entirely broken down by the idea "of my old friend being turned out, that I could "hardly speak; and Mr. Kinglake was standing at "the chimney piece writing his farewell address while "I spoke to him, and I went away feeling that I "could hardly speak to him at the time. I said to "him, 'Allow me, as the last thing that I can do "for you, to have that address published.'" That accords with your recollection?—That is in minute accord, even to the fact of the place where I was writing.

44,829. (*Mr. Anstey.*) Then you gave it to him?—Yes, I gave it to him with the request which the honourable Commissioner read.

44,830. Now with reference to that, you sent a telegram, or rather a telegram was sent to you?—I also sent a telegram, certainly.

44,831. The telegram I speak of was the one sent to you to inform you that the luck was changing or had changed?—Yes.

44,832. How many telegrams did you receive that day after your departure?—I only received one. I

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heard others were sent to me, attempting to catch me on the road.

44,833. That is what I wished to know?—But I never received any one of those.

44,834. You were told the telegrams were sent to you on the road, addressed to you how—sent to you in the railway carriage or to some station?—I think I heard that one was addressed to Paddington station, and one to some intermediate station, I think.

44,835. (*Mr. Price.*) Very probably Swindon?—Very possibly, but I never received one.

(*A person in court.*) One was sent to Reading.

44,836. Where did you receive the telegram, if you did receive it?—At my lodgings in London. I had telegraphed to the lady of the house in these words: "I am defeated; I shall be in London at six or half-past six." I came up about that time, and I was condoled with at the loss of my election; and then I was told, "There is a telegram for you;" and I opened it and found it was from Mr. Charles Bate, or purported to be from Mr. Charles Bate, and contained these words: "Come back; you are at the head of the poll."

44,837. (*Mr. Price.*) You thought it a hoax, I believe?—My first idea was that it was a hoax; then I was a little driven from that impression by the christian name of Mr. Charles Bate; he calls himself C. Robert Bate, and everyone calls him Charles Bate; and I observed that this telegram was from C. Robert Bate, which gave me the idea it was likely to be authentic, and not a hoax.

44,838. At that time had the point about your having ceased to be a candidate occurred to you, that legal point?—When?

44,839. At the time you were informed you were at the head of the poll by this telegram, were you already impressed with that legal opinion which you have expressed, that you were no longer a candidate from the moment you had withdrawn from the borough?—All that was long after, when the troubles began, and a petition was threatened, that I began to consider the legal effect of my position.

44,840. That is what I want in justice to yourself to ascertain. Did that idea occur to you at any time on the polling day, that you were no longer a candidate?—No, I never thought of that at all; but I think I have said that to the Commissioners, and perhaps I need not repeat it; but certainly I had the opinion of the election being gone so strong in my mind that if I had seen voters going to poll at any inconvenience to themselves, I would have told them not to go.

44,841. Then did anybody ever tell you, with regard to that, that a candidate has been defined by the barons of the Court of Exchequer to be one who goes to the poll, that that is the only true definition there can be?—Yes, I think I have observed that, and I think I also observed that in the Act of Parliament which constituted the election tribunal there was a statutory definition of the word candidate which would interfere with my theory I observed that, so that I was a candidate, even if my theory was quite sound, I was still a candidate within the terms of that statute.

44,842. Then you are quite clear that no such view as that had suggested itself to you before the election?—Oh, quite so.

44,843. About the time when this point occurred to you, I think you said that to save your professional friends from utter ruin you were prepared to agree to a compromise, even though it should involve your giving up both the seats. That is what you said?—Yes, there was no limit to the sacrifices that were to be made.

44,844. Had you Mr. Vanderbyl's authority for that?—Oh, no; I was merely stating my own opinion.

44,845. Not that you were prepared to agree to the compromise?—No, not at that time.

44,846. Then I must ask you, had Mr. Vanderbyl been consulted to your knowledge at that time by anybody as to the compromise being made or the petition being allowed to go on?—I believe that communications with him similar to those made to me had taken place, and that he was as willing to make the sacrifice as I was.

44,847. You were told so?—I was told so.

44,848. By whom?—Mr. Henry Lovibond.

44,849. By Mr. Vanderbyl himself you have never been told so?—No.

44,850. Have you ever had any communication, friendly or hostile or otherwise, with Mr. Vanderbyl about this matter?—I have scarcely seen him since. I cannot charge my memory with any conversation on the subject. I have seen him once since, I think.

44,851. Was it one of the terms of the compromise which, for the reasons given you, you say you were prepared to accede to, that the cost of the election petition, or any cost involved in the compromise, should be borne by the sitting member, whoever that was, who was to be allowed to retain the one seat, if either seat was to be retained?—That was so. That was thrown out as what would be the fair arrangement, but no such arrangement was ever made, because the compromise failed.

44,852. Did you ever know that Mr. Vanderbyl or his agent and friend, Mr. Fennelly, agreed to that part of the compromise?—I understood that they would be willing to.

44,853. Were you ever told that Mr. Fennelly had informed Mr. Westropp about the time, or informed anyone, that Mr. Vanderbyl's reason for agreeing to that was that he knew you had no money, and that therefore they would have to bear the expense, and consequently according to the terms of that part of the compromise it would be you and not Mr. Vanderbyl who would have to go out?—No, sir, I never heard that view of the matter. I always rather believed and understood that he expected the contrary; that I as the senior member would keep the seat, if there was one to be kept.

44,854. (*Mr. Price.*) We have heard of the disloyalty before the election; was there the same system of disloyalty to you pursued, from what you have learnt since, on the part of Mr. Vanderbyl in the matter of his compromise?—No, I am not entitled to say that I know of any disloyalty.

44,855. Supposing Mr. Fennelly said, as he is reported to have said by Mr. Westropp, "We know "perfectly well what it means, the payment of money "in respect of costs to the petitioners; we know that "Mr. Kinglake has no money; we know therefore "that is made a condition that Mr. Vanderbyl would "pay the money, and of course retain his seat." What would you say to that?

(*Mr. Coleridge.*) So Mr. Fennelly has told Mr. Westropp.

44,856. (*Mr. Price.*) Does that look like a little disloyalty?—I should be obliged to consider that disloyal.

44,857. (*Mr. Anstey.*) There is only one thing more on your evidence already given that I have to ask you about, and that is with regard to the question of honour. I wish, for my own satisfaction, to know this: Do you really mean to say, Mr. Kinglake, that if any one person to whom you may think fit to refer it, is of opinion that you are honourably bound to recoup this sum of 500*l.* to those who have advanced it for purposes admitted to have been illegal, and admitted to have been forbidden by you, that you will be prepared to consummate the act of bribery by becoming a party to it after the fact, and not to set the example to other persons in like cases of cutting off this, the most dangerous and the most fruitful branch of bribery, by repudiating all part in it, and leaving the loss where it has already, by the hands of Providence, been cast?—Yes. I am bound to say, that if I had placed the question in the hands of a man of honour, and he had told me that, as a man of honour, that I was bound to make this payment, that, even after all that the Commissioners have enumerated, I would make the payment.

44,858. (*Mr. Price.*) I do not know that there is very much more to ask you about, but I should like to ask you this question: at the time this compromise

was being effected, or rather not effected, but was being discussed, you say you were willing to accede to it in consequence of Mr. Lovibond's appeals to your merciful consideration to prevent the odium and ruin that might be brought upon him in his professional career? Was it urged upon you also, as a reason to induce you to enter into the compromise, that if the thing went against you that such a result might take place as has taken place, that is, the issuing of a commission?—I do not think I carried my anticipations of evil down to the event of a commission, but I wish distinctly to have it understood that I do not claim the merit of any special generosity in desiring the compromise, because I quite understood that the ruin of these professional men—personal friends of mine, for whom I had a great regard—carried with it a certain loss of the seat to me, and therefore I do not consider there was any generosity in what I did.

44,859. (*Mr. Coleridge.*) All chance of being tried before a committee was at an end, and you were going to be tried before a judge. Did it not occur to you that things must come out at Bridgwater, if inquired into, that would cause what has taken place?—I do not think it did. I considered the loss of the seat so deep a misfortune that it was quite enough for my contemplation at the time. I do not think it had entered into my mind to look at the subsequent dealings.

44,860. Not after the very narrow squeak Bridgwater had had of a commission on the last occasion?—No, I do not think it entered into my mind.

44,861. (*Mr. Price.*) You say you do not think you carried your anticipations of evil so far as that?—I think I have often, in conversations on the subject, referred to the event of a commission as a blowing up of the ship, and a thing that would bring pain upon everybody.

44,862. Were you more inclined or not to entertain the question of compromise by being impressed with the idea, as you say you were, that you felt yourself free in every sense whatever, directly or indirectly, from any complicity with the corrupt practices?—I felt myself personally quite free.

44,863. Therefore there was a certain sense of hardship, I suppose, pressing upon your mind at your having to pay the penalty of being unseated, when, as you say, you had done everything to prevent, as we understand, the result being brought about by corrupt practices?—Quite so; and I am bound to say that the Chief Commissioner has quite appreciated my feeling upon the subject. The Chief Commissioner spoke of the fact of my entering into a compromise of that kind—one that would be of a humiliating sort in a sense—and I quite appreciated and agreed in the view thrown out by the learned Commissioner on that subject. The truth is that I was a man in a scrape which had been brought about, I considered, by the imprudence of others; and for their sake, and my own sake, there was nothing better for me to do than to endeavour to get out of it, if I could, by negotiation.

(*Mr. Coleridge.*) Did you take counsel with Mr. Glynn?

44,864. (*Mr. Price.*) I was just going to ask you that. Mr. Westropp has said it is all nonsense, your discussing the question with the whip of your party, Mr. Glynn?—Yes. I spoke to Mr. Glynn, and he said, "We will do all we can do for you." He was very civil.

44,865. And Mr. Westropp said he saw you afterwards, and you gave him no great amount of information, and I made a remark as to whether you had made a very long-winded story about the thing before you came to the point, and he said you never did come to the point about it?

(*Mr. Anstey.*) He said you began to state what Mr. Glynn said, and then you broke off, and then you began to say what you said, and then you broke off again, and you told him nothing of what was said on either side.

44,866. What is your account of that conversation?—I have not a very clear impression about it. My impression was, that the time of the meeting was principally occupied by Mr. Westropp.

(*Mr. Coleridge.*) Mr. Westropp's account is, that you made confusion more confounded.

44,867. (*Mr. Price.*) You say you really had nothing to communicate to him from Mr. Glynn?—No, I had nothing.

44,868. Then in taking counsel with Mr. Glynn, was it with a view to stave off an inquiry in case the petition went on? I want to know whether you consulted him upon it as a party matter, so as to stave off an inquiry into Bridgwater practices if the thing was compromised, or whether it was a right thing for you to do otherwise; do you recollect how that was? What I mean is this: was your object in consulting Mr. Glynn, as one of the chief men of your party, to ask him, "Well, shall I get into any trouble if I go into this matter?" and that you might take his advice upon that, or Sir William Drake, or any person in his position, or might you have said to Mr. Glynn, "Well "now, there are very awkward things that have come "out, and it may be very awkward for Bridgwater"? Was anything of that kind said to Mr. Glynn?—No. I do not think I consulted Mr. Glynn as to the prudence of anything of that kind, but it was with the view chiefly of satisfying myself that no difficulty would be thrown in my way by the Government.

44,869. (*Mr. Coleridge.*) In the way of accepting the Chiltern Hundreds?—Yes.

44,870. (*Mr. Price.*) That is what I mean; as to whether it would be improper for you to accept the Chiltern Hundreds?—It was not contemplated I should be the member to move for the Chiltern Hundreds, but it was the other way.

44,871. (*Mr. Coleridge.*) Had you any conversation with Mr. Glynn as to the possibility of drawing the wires in the old-fashioned way, and setting off one petition against the other?—No.

(*Mr. Coleridge.*) Because that has been done in a great many instances in spite of the present state of things.

44,872. (*Mr. Price.*) There is only one other matter I wish to ask you about. This was broken off, it came to nothing in the end?—Yes.

44,873. Did you from the beginning to the end remain under the impression that, although you were willing that both seats were to go, yet, that if only one was to go, you were to be the person to retain the seat?—Exactly.

44,874. You went to the conference with Mr. Westropp on that footing?—Yes.

44,875. And you remained under that impression up to the time that the whole thing went off?—Yes.

44,876. (*Mr. Anstey.*) Had you more than one conference or conversation with Mr. Westropp upon the subject?—No, sir, only one, according to my recollection. I was invited to it, according to my impression, by Mr. Westropp.

44,877. Do you remember this difficulty being started; though they might and probably would rely upon your word to ask for the Chiltern Hundreds, supposing you were the person to go out, that if it were decided that Mr. Vanderbyl was the person to go out, and he was to break his promise, and refuse to ask for the Chiltern Hundreds, what then? Do you remember that difficulty being started?—Yes, I do, very well.

44,878. And how did you meet it?—That was in the negotiation which nearly came to an agreement before the one with which I personally had to do. It seems that an agreement was all but come to, which was to the effect that Mr. Vanderbyl was to give up the seat, but that then an objection was taken by Mr. Westropp, founded on his want of knowledge of Mr. Vanderbyl, and want of confidence in the execution of the agreement, and in that stage I was asked to say, as Mr. Westropp did me the honour of stating, that he placed confidence in me, whether I would, as it were, guarantee the execution of the agreement by

FORTY-THIRD DAY.

Mr. A. W. Kinglake.

15 Oct. 1869.

Mr. Vanderbyl, by saying that if he did not act upon the engagement I would.

44,879. I see. You said just now that very soon after the election day you heard of what you persist in calling the "attempt" to bribe Palmer, which was not an attempt, but a consummate fact, and so found by Mr. Justice Blackburn. When did you first hear of any other acts of the same bribery, on which the petitioner relied equally with the case of Palmer, and which were also proved to Mr. Justice Blackburn's satisfaction, and found by him in these words: "That Henry Chapman "Bussell was proved to have been guilty of bribery "in paying 10*l.* each to James Palmer, William "Crocker, and James Hayward, to induce them to "vote for Messrs. Kinglake and Vanderbyl, and by "offering a similar sum to William Luckes." When did you first hear of those cases?—In this hall, when the inquiry was going on. I never heard a word of any of those cases until they were disclosed in my presence before the learned judge.

44,880. Palmer's case you had heard of?—Yes, and the reason. I have no doubt that my expression may be wrong, as the learned Commissioner disapproves it, but the reason I call it an "attempt" instead of an act of bribery is, that James Palmer did not vote in that direction.

(*Mr. Price.*) Bribery does not consist in the way in which the vote is given, but bribery consists in the promise or passing of the money.

44,881. (*Mr. Anstey.*) I will tell you what Mr. Justice Blackburn said, he having taken precisely the distinction which the learned Chief Commissioner has very properly taken. He says, in giving his judgment, "Upon the evidence as it stands, Henry Chapman "Bussell was shown to have been guilty of bribery. "With respect to the case of the man Palmer, though "he received the money, I do not think he can pro-"perly said to have been guilty of bribery, because "he never took the money with the intention to "influence his vote"?—Yes.

44,882. You see he finds the briber guilty of bribery, but the bribee not guilty, although probably, if he had had the evidence before him which we have had given before us, he would have thought differently?—I think, with the exception of Palmer's case, that everything that passed before the judge was entirely new to me.

44,883. (*Mr. Price.*) I was going to ask you about that, because it is only fair that you should have the fullest opportunity of explaining it. You see we could only judge from the knowledge we had, and the evidence we have had given here before us, evidence given by your own supporters, which left the strong impression on my mind (speaking for myself), as coming from your own supporters, that you had a much greater knowledge of what actually has taken place than you disclosed or admitted before the learned judge. But I think it is due to you now to say, that you are at liberty to add anything you like about that. You have now stated that with the exception of Palmer's case, you were absolutely ignorant of any other kind of taint with respect to the election?—Yes.

44,884. Whatever your suspicions may have been as to the majority, as a fact you did know of nothing except Palmer's case when you gave your evidence?—Yes, quite so.

44,885. Now, as you assent to that, I want to know whether you were in consultation at all with your counsel, Mr. James?—Scarcely at all.

44,886. We are aware that he came here under the impression that it was a good fighting case. He was not here at the opening of the trial, but he came in the course of that evening. The case had been opened by Mr. Serjeant Parry, and he had opened a strong case no doubt; and, at the consultation, you were not present then?—No.

44,887. Mr. James stated that he thought he had come down to a good fighting case, but he had quite altered his opinion, and the sooner he got out of it the better. That is the effect very much of the conversation. Was that all communicated to you by Mr. James, or by the attorneys, the next day, or as the inquiry proceeded?—I gathered that the result of the consultations was, that on account of the impossibility of the agents going into the box, that the case was up—was lost.

44,888. Then, as to your going into the box yourself, was that by desire of Mr. James, or did you desire to be called?—It was by the desire of Mr. James; and, according to my recollection, I was not even apprised of his intention of calling me before; and I gave him no instructions whatever.

44,889. As to any speech that he made?—As to any speech that he made.

44,890. That was left to his own discretion as counsel?—Quite so; and I gave him no instructions whatever with respect to any anxiety on my part to let the inquiry go on. It was quite opposed, I may own, to the whole of my feelings that there should be any such inquiry.

44,891. Is there anything you wish to add in any way?—Yes. I should like, as my evidence before Mr. Justice Blackburn was questioned, to have an opportunity of repeating the words which I used, and of submitting to the learned Commissioners that the words were minutely accurate.

44,892. We have them before us on the shorthand writer's notes; and I thought I would intimate to you that, until your statement here before us to-day, that your own statement before the learned judge was inconsistent with what your own friends have stated—was inconsistent with their knowledge. But after what you have stated to-day I may say for myself I do not wish to have any further explanation from you.

44,893. (*Mr. Coleridge.*) Have you the printed words?—Yes. I should like to read them, if you will allow me.

44,894. (*Mr. Price.*) Yes. If you like to read them, do so by all means?—Yes, I should like to do so, because very much turns on the exact words; and, fortunately, they are very accurately reported.

44,895. What are you referring to?—This is a printed copy of the shorthand writer's notes, as I understand. Probably the Commissioners have a copy before them.

44,896. (*Mr. Price.*) Yes. You can have a copy to read from if you like?—Yes; I would rather read it from the authorized printed copy.

44,897. There is an authorized copy—the Queen's printer's copy (*handing it to the witness*).—Yes, this is minutely accurate. There was an important letter rather that I missed in the printed copy that I had; I am glad to find that it is in the original. "You "have represented this borough in parliament since "the year 1857, I believe?—Yes. As we are aware, "you were a candidate at the last election, in con-"junction with Mr. Vanderbyl, in the Liberal in-"terest?—I was. From the state of the poll, and "other things, I believe you left the town by the mid-"day train?—Yes." Now, the Commissioner observes, that that fixes the time to which they are referring. The time I left the town was by the mid-day train. "Had you the slightest knowledge, directly or indirectly, "of any corrupt practices existing, or being about to "exist, at this election?—I believed that I knew the "reverse at the time of my departure." That is with reference to the statement which I made to the Commissioner, which I firmly believed to be true, that not one shilling, at the time that I went away, had been spent. "Had you taken every step, by directions to "everyone about you, to secure a pure election here, "whatever might be the result?" I answer, "I "think I must do the justice to Mr. Lovibond." Then I am checked by counsel, and he says, "Just take it "generally, please." Then I answer thus, "The "determination to conduct the election within the "strict bounds of legality originated, I must say, with "Mr. Henry Lovibond, my head agent." Then Mr. James says, "If you will pardon me, we will take "you very shortly through this. Had you any know-"ledge whatever, from instructions given, or from "communications, that there was the probability or

" the possibility of Bussell, or any one, resorting to any " corrupt practices ?—None whatever. Did you strive, " by direction and by personal interference in every " way you could, to secure a pure election in the " borough ?—I did. This evidence has brought facts " to your knowledge of which you were perfectly " ignorant ?—Entirely."

(*Mr. Price.*) Yes. There is no doubt that that, at first, looked inconsistent with the statement of your friends. They gave us to understand, that you must have been aware of facts which were not consistent with your statement.

(*The witness.*) The Commissioners are now satisfied, I understand ?

(*Mr. Price.*) Yes. I may take the liberty of saying, you have cleared up everything most satisfactorily,

44,898. (*Mr. Anstey.*) I should like you to explain the last answer that you gave in the inquiry before the learned judge, " This evidence has brought facts to " to your knowledge of which you were perfectly igno- " rant ?—Entirely." And I wish to draw your attention to that, that it was upon that answer, and that answer alone, that I founded the disagreeable impression that I formed ; because, whilst the words will literally convey this meaning, that you received in the course of the trial further evidence, or evidence as to further facts, new facts besides those which you knew already, these words also seem to convey the meaning that until the evidence was given in court that day before Mr. Justice Blackburn you had been perfectly ignorant of every one of the facts, which, of course, would include Palmer's case ?—No, sir.

44,899. And that, of course, is not so ?—No, sir. The words are, not all the facts, but, " This evidence " has brought facts to your knowledge of which you you were perfectly ignorant ? " And my answer is, " Entirely." And I wish to say, that the evidence I there gave is minutely and literally accurate in every respect.

44,900. Then, you know, Mr. Vanderbyl is examined, and his counsel thinks it politic to link him with you in one question : " Did you, as well as Mr. " Kinglake, give to your agents instructions to avoid " all such irregularities as might place the election in " jeopardy, if you succeeded ?—I did. Had you any " personal knowledge of these matters at that time ; " these transactions by Bussell and other parties ?—I " had not. Did you give any instructions or autho- " rity to any person in the world who could have " sanctioned them ?—I never did." And upon that point we have it in evidence that his own attorney called out to the attorney who was conducting the petition, " For God's sake do not cross-examine " Vanderbyl."

44,901. (*Mr. Price.*) Did you hear that said ?—No, I did not hear that said.

(*Mr. Anstey.*) The misfortune for you has been that Mr. Serjeant Sargood took the course of coupling you in that question with Mr. Vanderbyl. As to Mr. Vanderbyl, there was never any doubt, and there never could be a doubt ; and, so far as you are concerned, I am happy to say you have removed from my mind any doubt that I had with regard to you.

(*Mr. Coleridge.*) I quite agree with the expression which has fallen from the other Commissioners. I had that opinion myself, that it was almost impossible to reconcile what you said before Mr. Justice Blackburn with the state of facts ; and I am happy to say that what you have said here to-day has entirely removed that feeling. Any feeling I had against you is entirely removed.

44,902. (*Mr. Anstey.*) There is only one thing I desire to ask you. It is the same question I put with regard to the same period between the last election and the present. You stated that you continue to be a subscriber to the infirmary to this day. I wish to ask, have you since the election of 1868 continued your subscriptions to institutions, to charities, or your individual bounties on the scale with which they were before ?—No. I had intended to stop the other subscriptions, but I retained my subscription to the infirmary because the large proportion of the very little property that I possess is land near Bridgwater ; and it is considered a sort of duty for landed proprietors to subscribe, according to their means, to the infirmary, one of the best of all charities.

44,903. You have stopped your other contributions ?—The others I shall or have stopped.

44,904. There is only one thing I omitted to ask you at the proper time, and that was, what was the object of having Mr. Sealy at one of your conferences, at one of which, I believe Mr. Westropp was present ; why was Mr. Sealy there at all ?—Well, he is a very attached personal friend of mine, and I imagine that it must have been very much out of regard for me that he came. He knew what my feelings were on the subject.

44,905. Had he no concern of his own ? Did he suggest that he was personally interested, or otherwise interested in that ?—No.

44,906. (*Mr. Coleridge.*) I think, amongst those charities, the races have stopped altogether, have not they ?—Yes. The races were so dependent——

44,907. On the members ?—On the franchise of the borough.

44,908. (*Mr. Anstey.*) Have you had any application for loans on personal security, or doutful security, since the last election ?—No sir. I should be anxious to do exactly what the Commissioners desire with regard to papers, and perhaps the Commissioners would direct their secretary to communicate with me in writing.

(*Mr. Price.*) Certainly. We have leave from the Secretary of State to adjourn (when we adjourn here) to the 2nd of November, at Westminster Hall. When we do adjourn from here we intend to adjourn, in all probability to Westminster Hall, on the first day of term, and then when we have arranged for a room, probably one of the committee rooms of the House of Commons, for the purpose of continuing our sittings, we shall then examine Sir William Drake and one or two other persons. We will communicate with you before then, and in the meantime you can look out the papers we spoke to you about yesterday, and have them sent under cover to our secretary, at his chambers in the Temple, which of course will be confidentially treated, and then we will give you notice of the day on which we shall ask you to attend.

Mr. John Frederick Norman sworn.

Mr. J. F. Norman.

44,909. (*Mr. Price.*) What are you ?—The manager of the branch of Stuckey's Bank at Taunton.

44,910. Were you the manager of Stuckey's Bank in the year 1868 ?—I was.

44,911. We understand that a cheque was paid in by Dr. Kinglake, drawn upon Stuckey's Bank at Taunton, to the amount of 1,000*l.*, and handed in to Mr. Prior, Mr. Sealy's partner here, as security to be drawn against, if necessary, by Mr. Lovibond, in November last, just before the election, the day before the polling. Have you got your book here showing whether at that time, or not, Dr. Kinglake had credit at your bank to that extent, 1,000*l.* ?—I have an abstract of Dr. Kinglake's account.

44,912. Will you produce it ? If it has been made under your supervision it is true ?—It has been so made.

44,913. Then will you produce it ?—It is not to be read in court, is it ?

44,914. Oh, it is indeed. There is no delicacy in the matter. There is no privilege for a banker.

44,915. (*Mr. Anstey.*) You have no privilege in any court, and if you had, you would have no privilege here ?—I can tell you.

(*Mr. Price.*) You must tell us.

(*Mr. Coleridge.*) All we want to know is, what was the amount of his balance there on the 17th November, or the 16th November ?

FORTY-THIRD DAY.

Mr. J. F. Norman.

15 Oct. 1869.

(*The witness.*) I have to inform the Commissioners that we have three accounts in the name of Dr. Kinglake, kept in three separate books, for his own particular purposes.

44,916. (*Mr. Coleridge.*) What are these three accounts? How are they divided?—One is called his general account, and the other his private account, and the other is an executor account.

44,917. (*Mr. Price.*) An executor account, a private account, and a general account. What is the distinction between the general account and the private account?—Well, I do not know what is the distinction in Dr. Kinglake's mind. The distinction he gave was, to keep the accounts separate; with no other object, I fancy.

44,918. It is very unusual, is it not? An executor account I could quite understand?—Oh, no. Many gentlemen keep a private account, or a business account; two or three accounts.

44,919. (*Mr. Coleridge.*) How long had he kept those three accounts?—Oh, many years.

44,920. What was the state of the balance of his private account; that is the most material one to start with?—Then, at that time, it was 2,400*l.* against him on his private account.

44,921. Now take the general account?—There was 1,060*l.* in his favour.

44,922. On the general account?—On the general account.

(*Mr. Price.*) We need not trouble you about the executor account.

44,923. (*Mr. Coleridge.*) Had he, shortly before the 17th November, tried to raise a sum of money from your bank at Taunton?—Certainly not.

44,924. Had he tried to cash a cheque at your bank for that amount?—Certainly not.

44,925. (*Mr. Price.*) Had he given you notice, before he came to Bridgwater, that he would draw a cheque upon you?—Yes.

44,926. Supposing that cheque had been presented to you, what would you have done?—Honoured it, without the least hesitation.

44,927. (*Mr. Coleridge.*) Although you knew he was 2,400*l.* in your debt on his private account?—We knew he was a gentleman of honour, and that he had real and personal property, and there was no need of his being under an obligation to the bank for one moment.

44,928. (*Mr. Price.*) Would you have let him have the money without requiring collateral security?—Yes.

44,929. Without the lodging of deeds?—Certainly.

44,930. Upon his mere word?—Yes. He is a considerable shareholder in the bank, as well as being a man of large property, and we should have the law in our own hands.

(*Mr. Price.*) I do not know that that entitles him to be trusted by the bank without security more than any other customer of the bank.

44,931. (*Mr. Anstey.*) What is the value of his shares?—I can hardly tell you, but many thousand pounds.

44,932. That would account, therefore, for your giving him such credit?—No, it does not. His other means were quite sufficient to meet it.

44,933. I am only quoting what you yourself said, that you would have the law in your own hand?—That was in answer to the question of one of the Commissioners, if we did it without security.

44,934. (*Mr. Price.*) I see what you mean.—My answer is, we had ample security, even as a shareholder.

44,935. (*Mr. Anstey.*) Then it is a joint stock company, limited?—A joint stock company, not limited.

44,936. (*Mr. Price.*) Under the old Act?—Yes.

F. Best.

FREDERICK BEST sworn.

44,937. (*Mr. Price.*) What are you?—A pawnbroker.

44,938. Carrying on business in this town?—I am.

44,939. Are you a voter?—I am.

44,940. Did you vote at the last election?—I did.

44,941. How?—Conservative.

44,942. What did you get for it?—Nothing at all.

44,943. Any promise?—Certainly not.

44,944. (*Mr. Coleridge.*) Did you pay anybody, or promise anybody?—No, I did not pay anybody.

44,945. (*Mr. Price.*) In 1866 did you vote?—I did.

44,946. At both elections?—I did.

44,947. How did you vote?—I voted on the 7th of June 1866, when Mr. Patton and Mr. Bagehot put up (*referring to a paper*); I believe that is right.

44,948. (*Mr. Coleridge.*) Yes?—For Mr. Westropp.

(*Mr. Coleridge.*) No.

44,949. (*Mr. Price.*) You bring out your document, and you say when Mr. Bagehot stood you voted for Mr. Westropp?—I did.

44,950. For Mr. Westropp?—When they put up.

44,951. (*Mr. Coleridge.*) No. Patton and Bagehot and Westropp never stood at the same election?—Then it is my mistake. I voted on the 7th June 1866 for Mr. Westropp.

44,952. Mr. Westropp did not stand then?

(*Mr. Anstey.*) You may have done it by mistake.

44,953. (*Mr. Coleridge.*) You must have voted for Mr. Patton. It was Mr. Patton who was down here in 1866?—Yes, I beg your pardon, it was.

44,954. (*Mr. Price.*) You voted for Mr. Patton?—I did.

44,955. Did you get anything for it?—Certainly not.

44,956. Did you vote at the second election of Mr. Patton's?—Yes.

44,957. Did you vote for him then?—I did. There was money brought by Bussell when I was away from the shop.

44,958. How much?—I believe there was 20*l.* brought by Bussell to the shop, but to whom it was given I do not know.

44,959. By Robert Bussell?—By Robert Bussell.

44,960. You have kept the 20*l.*?—I have not.

44,961. Your wife has?—She has not.

44,962. What has become of it?—I have disposed of it by giving it for suppers, and so on, to the members of——

(*Mr. Anstey.*) Do not talk such nonsense.

44,963. (*Mr. Price.*) How much did you spend in suppers?—Those suppers? Well, it has cost me 50*l.* altogether.

44,964. ((*Mr. Coleridge.*) You got 20*l.*?—I did not get 20*l.*

44,965. (*Mr. Price.*) You say you got 20*l.* from Robert Bussell?—My wife did not get any money at all. The money was brought to my shop when I was away to the county court. My partner will be able to tell you about it.

44,966. What is your partner's name?—Robert Gibbs.

44,967. In 1865 did you vote?—Yes.

44,968. What did you get?—Robert Bussell brought me in 20*l.*, and I said, "What have you got there?" He said, "It is money." I said I would not have anything to do with it; and he took and threw it into my drawer, and there it remained for two months.

44,969. (*Mr. Anstey.*). In your own drawer?—Yes.

44,970. (*Mr. Coleridge.*) Did you ever send that 20*l.* back again?—Certainly not.

44,971 (*Mr. Price.*) What has become of that 20*l.*?—Spent for Mr. Westropp's party.

44,972. How?—How? why, by spending it in suppers, and so on.

44,973. Do not be insolent in your manner.—I beg your pardon. I am not aware that I am.

44,974. But you are. Do you mean to say you

spent the whole of that 20*l.* in treating?—I mean to say——

44,975. Listen to me, will you? Do you mean to represent that you spent the whole of that 20*l.* in treating?—I mean to say I spent 50*l.* altogether.

44,976. Will you answer the question? Do you mean to say you spent the whole of it?—Certainly.

44,977. You mean that?—Yes; I spent the whole of it for Mr. Westropp, in going to London.

44,978. (*Mr. Coleridge.*) Were you a voter in 1859?—No.

44,979. (*Mr. Price.*) How much do you think you are out of pocket?—I should think I am 40*l.* out of pocket.

44,980. And 40*l.* in?—How do you make that out?

44,981. (*Mr. Coleridge.*) Do not be insolent?—I have a partner who can speak to this.

44,982. Whose house was this money brought to?—To our house.

44,983. Whose house was it?—At the shop.

44,984. (*Mr. Anstey.*) What is the business carried on there?—There are two businesses.

44,985. What is the business?—A pawnbroker's Gibbs and Best.

44,986. (*Mr. Price.*) Is your partner a pawnbroker?—He is the same as me.

44,987. Is he here to-day?—He will be here in a few minutes, if you will send for him.

44,988. (*Mr. Coleridge.*) Those were the only elections at which you voted?—Yes.

44,989. And you, or you and your partner, got 40*l.* between you?—Decidedly.

44,990. (*Mr. Anstey.*) Have you applied to anybody for the money which you say you are out of pocket?—I have not; and I can prove it.

44,991. If you have not applied to those who ought to pay it, why did you come and tell us of it?—You asked me about it.

44,992. You say you have spent 40*l.*, besides that which you have received?—Yes. I did not require any money to be given to me.

44,993. And you never asked anybody for it?—Certainly not.

HENRY CHAPMAN BUSSELL recalled.

C. H. Bussell.

44,994. (*Mr. Price.*) What do you wish to say?—This man promised to vote for Sir John Shelley and Mr. Kinglake before he got the money from Mr. Westropp. The first time he voted he was a stranger in the town, carrying on a respectable trade, or he professed to do so, as a pawnbroker.

44,995. When, in 1865?—Yes.

44,996. He promised to vote for Mr. Kinglake and Sir John Shelley?—Yes; he was a strong supporter of Mr. Kinglake and Sir John Shelley.

44,997. Then he got the money to vote for Mr. Westropp?—Yes, and he voted for him.

44,998. Do you know of any other money he got?—No; except that he went up to London to get the petition forced on.

44,999. (*Mr. Anstey.*) Did he get any money for it?—No. He was one of the men who went up to London to force Mr. Westropp on with the petition.

FREDERICK BEST recalled.

F. Best.

45,000. (*Mr. Coleridge.*) Were you canvassed by Mr. Kinglake and Sir John Shelley?—Yes.

45,001. Did you promise either one of them your vote?—Certainly not. I promised no living person on the face of the earth.

45,002. Then you left yourself open?—I beg your pardon.

45,003. You left yourself open?—I am a Conservative, and my father was a Conservative; that is no reason why I should be.

45,004. Answer my question. According to your statement you left yourself open?—I did not.

45,005. Then you promised Mr. Westropp?—I did not. I and my partners intended to vote for Mr. Westropp.

45,006. (*Mr. Price.*) And you got 20*l.*?—You are perfectly right; and I spent 60*l.*, understand that.

45,007. We have no proof of that?—I can bring proof of it.

45,008. We are not inclined to believe that a pawnbroker here would spend 40*l.* out of his own pocket for Mr. Westropp, and never ask Mr. Westropp, who is a notoriously liberal and open-handed man, to refund it to him?—Yes, that is so; I have never asked him.

45,009. (*Mr. Price.*) Did you do any treating at the last election?—I believe so.

45,010. Surely you must know?—I believe I did at the "Lamb." When I was at the "Lamb" I was very liberal, more liberal than a good many Liberals I know of in this town.

(*Mr. Anstey.*) More shame for you.

(*Mr. Price.*) You require a certificate to protect you from further proceedings by the Attorney-General, and that certificate is only given to you if you answer the questions truthfully; and yours is a case that deserves to be taken up by the Attorney-General, for there is a case against you.

45,011. (*Mr. Coleridge.*) Tell us what you did in the way of treating at the "Lamb"?—When I did the treating I belonged to the association, as I do now——

45,012. What amount did you spend, I want to know?—I cannot say.

45,013. Was it 10*l.* or 20*l.*?—I cannot say it was neither of those sums.

45,014. Was it 5*l.*?—No.

45,015. How much?—It might have been 30*s.* or 2*l.*

45,016. (*Mr. Anstey.*) Is that the Conservative Working Men's Association you just now alluded to?—Yes. I am the president of it. If you wish to read our rules——

45,017. (*Mr. Price.*) We do not want to see them. You had better send your partner here. He is the next man on the list?—He will be here in a few minutes.

EDWARD GIBBS sworn.

E. Gibbs.

45,018. (*Mr. Price.*) You are a pawnbroker here?—Yes.

45,019. And a voter?—Yes.

45,020. And you are in partnership with Mr. Best?—Yes.

45,021. How did you vote at the last election?—That would be 1868?

45,022. Yes?—I voted purely.

45,023. (*Mr. Coleridge.*) For whom did you vote?—For Mr. Westropp.

45,024. (*Mr. Price.*) Alone?—Yes, I voted alone.

45,025. Did you vote for Mr. Westropp alone?—Yes.

45,026. (*Mr. Coleridge.*) Or Westropp and Gray?—Yes, Westropp and Gray.

45,027. (*Mr. Price.*) Did you vote at the elections of 1866, when Mr. Patton was a candidate twice over?—Yes, I did.

45,028. How did you vote then?—For Mr. Patton.

45,029. At both elections?—At both elections.

45,030. Did you get anything for it?—Bussell came and gave me 10*l.* in 1866.

FORTY-THIRD DAY.

E. Gibbs.

15 Oct. 1869.

45,031. At which of the elections?—In 1866.

45,032. (*Mr. Coleridge.*) There was 20*l.* brought by Mr. Bussell, who was that for?—That was for my partner.

45,033. (*Mr. Price.*) For his vote?—Yes.

45,034. And 10*l.* for your vote?—Yes.

(*Mr. Price.*) Then your partner has told a distinct lie, and the question is, whether he will get a certificate.

(*Mr. Anstey.*) It is also a question whether his certificate will prevent an indictment for perjury.

(*The witness.*) In this case I will mention this. Mr. Bussell came in, and asked if I had voted, and I said, "No;" and he went out, and came in a few minutes afterwards, and he said, "Here is 20*l.*" He knew, in fact, that we were going to vote for the Conservatives.

45,035. Did you give 10*l.* of that to your partner and keep 10*l.* yourself?—It was placed by Bussell in a drawer.

45,036. (*Mr. Price.*) Did you divide it between you?—Yes.

45,037. (*Mr. Coleridge.*) At the former election Bussell also came and threw 20*l.* down into a drawer?—Yes, he did.

45,038. And did you divide that between you?—Yes.

45,039. (*Mr. Price.*) Did you vote in 1865?—Yes.

45,040. For Mr. Westropp?—Yes.

45,041. Did you get anything?—Yes, 20*l.* That was the first 20*l.*

45,042. (*Mr. Coleridge.*) How many 20*l.* did you have?—Two.

45,043. Had you any other money at other elections?—No.

45,044. That was the first election at which you had any money?—Yes.

45,045. (*Mr. Price.*) Did you vote in 1859?—No; I was not here. 1865 was the first election I voted at.

W. Johnson.

WILLIAM JOHNSON sworn.

45,046. (*Mr. Price.*) What are you?—I am a cutter to Mr. Phillips.

45,047. Did you vote at the last election?—Yes.

45,048. How?—For Westropp and Gray.

45,049. Did you get anything?—No.

45,050. Any promise of any kind whatever?—Nothing whatever.

45,051. Did you vote at the elections in 1866?—Yes.

45,052. At both of them?—Yes.

45,053. How did you vote each time?—For Mr. Patton.

45,054. Did you get anything each time?—10*l.*

45,055. Each time?—No; only once.

45,056. Which one?—Vanderbyl's election.

45,057. (*Mr. Coleridge.*) Did you get anything afterwards?—No.

45,058. (*Mr. Price.*) From whom did you get the 10*l.*?—From Mr. John Waddon.

45,059. Did you vote in 1865 for Mr. Westropp?—Yes.

45,060. Did you get anything then?—Nothing at all.

45,061. Anything after the election?—No.

45,062. Did you vote in 1859, for Padwick and Westropp?—No; I was not here then.

45,063. (*Mr. Coleridge.*) How much have you had altogether?—10*l.* It was given to me in two little bits of paper.

G. Dowden.

GEORGE DOWDEN sworn.

45,064. What are you?—A bricklayer.

45,065. Where do you work?—I work for myself.

45,066. Did you vote at the last election?—Yes.

45,067. How?—For Mr. Westropp.

45,068. Westropp and Gray?—Not Gray; Westropp.

45,069. Westropp alone?—Yes.

45,070. Did you get anything?—Nothing.

45,071. Any promise of any kind?—Nothing.

45,072. Did you vote in 1866?—Yes.

45,073. How did you vote then?—For Mr. Patton.

45,074. Both times?—Both times.

45,075. Did you get anything?—10*l.* each time.

45,076. From whom?—Mr. Jarman 10*l.*; and the other gentleman, I do not know who he was.

(*Mr. Coleridge.*) From the "Bull and Butcher"?

45,077. (*Mr. Price.*) Or the "Three Crowns"?—No; John Street.

45,078. Did you vote in 1865?—Never before that, sir.

B. Stokes.

BENJAMIN STOKES sworn.

45,079. (*Mr. Price.*) What are you?—A hawler.

45,080. Whom do you work for generally?—Different people.

45,081. Did you vote at the last election?—Yes.

45,082. How?—Westropp and Gray.

45,083. Did you get anything?—No.

45,084. Any promise?—No.

45,085. Did you vote in 1866?—Yes.

45,086. How, for Mr. Patton?—At both elections.

45,087. For Mr. Patton?—Yes.

45,088. How much did you get?—10*l.* each time.

45,089. From whom?—One from the "Golden Lion," I do not know who from; and the other from Jarman.

45,090. Did you vote in 1865?—No; that was all I voted at.

H. Starkham.

HUMPHREY STARKHAM sworn.

45,091. (*Mr. Price.*) What are you?—A labourer.

45,092. Do you work for anybody?—I have worked for different parties. I worked for Mr. Coombes last, the builder.

45,093. Did you vote at the last election?—I did.

45,094. How?—For Westropp and Gray.

45,095. Did you get anything?—No.

45,096. Any promise?—No promise.

45,097. Or employment?—No.

45,098. Or any treating?—No, not whatsoever.

45,099. Did you vote at the elections of 1866?—

45,100. When did you vote before?—I voted before at the time when Padwick and Westropp stood.

45,101. In 1859?—Yes.

45,102. Did you get anything?—Yes; 10*l.* from John Murlis.

45,103. How did you vote between whiles?—I had no vote.

45,104. (*Mr. Coleridge.*) Did you vote before 1859?—No.

H. C. Bussell.

HENRY CHAPMAN BUSSELL recalled.

45,105. Can you tell us whether William Crossman got anything at the last election?—He got 10*l.*

45,106. And he requires a certificate?—Yes. He was here the other day.

45,107. You are sure that he had 10*l.*?—Yes.

45,108. Is there more than one William Crossman in Bridgwater?—There is a man called William Walkem; he is likewise away.

45,109. Is there more than one William Crossman?—There is only one.

(*Mr. Price.*) When he comes home he is to be informed that there is a certificate for him.

(*The witness.*) There is Walkem, who is likewise away, and a man of the name of Pearce.

45,110. (*Mr. Price.*) Walkem and Pearce were called on other days, and they are both at sea?—Yes.

45,111. Did they get anything at the last election?—Yes.

45,112. What did they get?—10*l.* each.

(*Mr. Price.*) They will be entitled to a certificate if they present themselves and do not deny it.

RICHARD HOOPER sworn. *R. Hooper.*

45,113. (*Mr. Price.*) What are you?—A tailor.

45,114. Whom do you work for?—I work for myself. I work for Mr. Babbage as well.

45,115. Are you a voter?—Yes.

45,116. Did you vote at the last election?—Yes.

45,117. How?—Only for Mr. Vanderbyl.

45,118. Did you get anything?—Yes.

45,119. From whom?—The "New Inn."

45,120. Did you vote in 1866 at all?—Yes.

45,121. For Vanderbyl?—I voted for Vanderbyl.

45,122. Did you get anything then?—Yes.

45,123. How much?—10*l.* on the polling day, and 2*l.* after.

45,124. From whom?—From Mr. Temblett.

45,125. Did you vote for Mr. Bagehot in the previous election?—No, I did not. I voted for Mr. Patton.

45,126. What did you get?—10*l.* from Bussell, and I gave it up at the "Clarence."

45,127. (*Mr. Coleridge.*) Then you got some money in the place of it?—13*s.* 6*d.*

(*Mr. Anstey.*) When was that?

45,128. (*Mr. Price.*) The first election in 1866, when Mr. Patton stood?—Yes.

45,129. (*Mr. Coleridge.*) How came you to vote for Mr. Patton?—I cannot tell you.

45,130. Did you vote in 1865?—No, sir; I had no vote then.

FREDERICK CHARLES TEMBLETT recalled. *F. C. Temblett.*

45,131. (*Mr. Price.*) What have you to say?—He had his 10*l.* again after.

RICHARD HOOPER recalled. *R. Hooper.*

45,132. (*Mr. Price.*) You did not tell us the truth about that. Temblett says you got the 10*l.* again after that?—Yes, after the election.

(*Mr. Anstey.*) You left that out.

(*Mr. Coleridge.*) That is just the thing to prevent you getting a certificate.

(*The witness.*) I did not intend to leave it out. You did not ask me about it.

(*Mr. Anstey.*) You are sworn to tell the whole truth, and you ought to tell the whole truth.

JOHN DAVIS sworn. *J. Davis.*

45,133. (*Mr. Price.*) What are you?—A dyer.

45,134. Did you vote at the last election?—Yes.

45,135. How did you vote?—For Westropp and Kinglake.

45,136. Did you get anything?—No.

45,137. No promise?—No.

45,138. Did you vote in 1866, at Patton and Vanderbyl's election?—Yes.

45,139. For Vanderbyl or Patton?—Vanderbyl.

45,140. Did you get anything?—Yes.

45,141. How much?—10*l.*

45,142. From whom?—From the Liberal party.

45,143. (*Mr. Coleridge.*) Who gave it you?—Gilbert. No, I beg your pardon, you mean the election before that.

45,144. Vanderbyl's election?—That was Charles Bulpin.

45,145. (*Mr. Price.*) Why did you not vote for Mr. Vanderbyl the second time he stood? You had had had 10*l.* of his money once?—That was on a previous election.

45,146. (*Mr. Coleridge.*) Why did you not vote for him last time?—Because I thought I should please all parties, I voted one and one.

45,147. Did you get money from both parties?—No.

45,148. (*Mr. Price.*) Did you vote at Patton and Bagehot's election?—Yes; for Bagehot.

45,149. Did you get anything then?—Yes.

45,150. How much?—10*l.*

45,151. From whom?—Mr. Gilbert.

45,152. Did you vote in 1865?—Yes.

45,153. How?—For the Liberals.

45,154. Kinglake and Shelley?—Kinglake and Shelley.

45,155. Did you get anything?—No.

45,156. No promise?—No.

45,157. Nothing after the election?—No.

45,158. Did you vote in 1859?—No.

45,159. (*Mr. Coleridge.*) Did you ever vote before?—No.

JOHN SUTCLIFFE sworn. *J. Sutcliffe.*

45,160. (*Mr. Price.*) What are you?—A dairyman.

45,161. How did you vote at the last election?—I voted for Kinglake and Vanderbyl.

45,162. Did you get anything for it?—No.

45,163. No promise?—No promise.

45,164. Did you vote in 1866?—Yes.

45,165. Did you vote for Mr. Vanderbyl then?—Yes. I have always voted for the Liberal party.

45,166. Did you get anything then?—In 1866?

45,167. Yes; when Vanderbyl came the first time?—Yes. I had 10*l.*

45,168. From whom?—5*l.* Mr. Boucher gave me, and 5*l.* Mr. White—after the election—12 weeks after or two months after I might get this.

45,169. (*Mr. Coleridge.*) Did you vote for Mr. Bagehot at the election before?—Yes.

45,170. What did you get?—Nothing.

45,171. Nothing afterwards?—No.

45,172. Did you vote in 1865 for Kinglake and Shelley?—Yes.

45,173. What did you get then?—Nothing.

45,174. Did you vote in 1859?—No.

ANDREW ALLAN recalled. *A. Allan.*

45,175. (*Mr. Price.*) What do you wish to state?—James Parker, whose name was last called out, was paid at the last election.

45,176. Is he in the town?—Yes.

45,177. If he does not choose to come he will not get a certificate. He is returned by you?—Yes.

(*Mr. Price.*) Then if he does not choose to come he must take the consequences.

FORTY-THIRD DAY.

Dr. J. Haviland.

15 Oct. 1869.

Dr. James Haviland recalled.

45,178. (*Mr. Anstey.*) You have been an elector in this borough, how many years ?—For the last 50 years.

45,179. Were you a voter at the election of 1859 ?—No question about it.

45,180. Then you voted for Tynte and Kinglake, I think ?—Yes.

45,181. In 1865 did you vote for Kinglake and Shelley ?—Yes.

45,182. In the interval between 1859 and 1865 did you obtain 100*l.* from Mr. Alexander Kinglake ?—Yes.

45,183. Through Mr. Bate ?—Through Mr. Bate.

45,184. Without security, except your own personal security ?—My own personal security.

45,185. And without being required to pay interest for the advance ?—No. I had to pay interest. It was not so worded, but it was payable with interest.

45,186. But Mr. Kinglake said you were not to pay interest, that you have not paid interest, and that the principal is not paid ?—Truly.

45,187. (*Mr. Coleridge.*) Have you ever paid any interest ?—No.

45,188. (*Mr. Anstey.*) What year was this ?—In the year 1859 ; I expect so ; about 1859.

45,189. Had you any other claim upon Mr. Kinglake, except being his political friend and supporter ?—None whatever. I will explain this little matter, if you will allow me.

(*Mr. Coleridge.*) Yes, certainly.

(*The witness.*) In the year 1858 my son, Mr. Alfred Haviland, and partner, got into difficulties, so much so that he had to compromise with his creditors. At that time, as a partner, I became liable for a certain amount of his debts. My liabilities were 1,100*l.* I paid 900*l.* out of it, and I consulted my friend Mr. Bate to raise me the other 200*l.*, which he did. I consider it quite a mercantile transaction ; 100*l.* that he raised was from a departed friend, which I have paid to his executors, and the other 100*l.* he told me that Mr. Kinglake had advanced for me. I had no request to make to Mr. Kinglake about it. I was perfectly indifferent where he got the money. It was quite what I call a mercantile transaction between me and my lawyer.

45,190. (*Mr. Coleridge.*) You said it was worded in a peculiar way, to be paid off with interest, that is what you mean ? Is the interest to be added as compound interest, and to be paid off with the principal at a given date ?—No ; I had no idea of that. I suppose it was a note of hand in the usual way, with interest.

45,191. You say you have paid no interest ?—I have paid no interest.

45,192. And seven, eight, or nine years have elapsed ?—Yes.

45,193. (*Mr. Anstey.*) And it is barred by the statute ?—I will explain, if you will allow me.

45,194. Yes ?—About two years after that occurrence Mr. Bate intimated to me that I need not trouble myself at all about that 100*l.* I drew the inference, however right or however wrong, that my friend Mr. Kinglake had generously forgiven me the debt.

45,195. (*Mr. Coleridge.*) Did you ever thank him for it ?—I have thanked him.

45,196. And he acceded to the idea that he had forgiven the debt ?—Well, he shook me kindly by the hand.

45,197. (*Mr. Anstey.*) When did you thank him, what year ?—Very shortly after I had that intimation from Mr. Bate.

45,198. How long after the election of 1865 ?—I know nothing about elections. I had nothing to do with elections. All I can say about elections is this——

45,199. How long before 1865 was it that you thanked him for foregoing the claim which you had incurred in 1859 ? You say you incurred this liability in 1859 ?—About two years afterwards I think it was.

45,200. And you say it was a mercantile transaction. Let me ask you how could that be, seeing that you were not to be called upon to pay interest ?—I considered so.

45,201. Mr. Kinglake said you were not ?—What ?

45,202. To be called upon to pay interest. I was not called upon. I was never asked for it.

45,203. And I suppose you knew that Mr. Bate was the leading agent or representative of Mr. Kinglake in this borough, and had been so for electioneering purposes ?—Yes.

45,204. Did you go to him with that knowledge ?—Not a bit of it.

45,205. You knew he was on your side ?—I went to him as I would to any other lawyer.

45,206. But you were aware of that ?—Yes.

45,207. Do you know whether you could have obtained the advance from the Conservative lawyers on the same terms that you got them from Mr. Bate ?—I have no doubt I should. I have no reason to suppose I should not. My credit was very good at that time, until my son broke it down for the time being.

45,208. I understood you to say that your son had broken you down a year before this, in the year 1858 ?—In the year 1858.

45,209. Then it could not have been very good at that time. Were you one of those who signed the petition in 1866 to the House of Commons, praying for a commission of inquiry into corrupt practices at the election of 1865 and previous elections ?—I forgot all about that circumstance.

45,210. Here is "James Haviland, surgeon, &c." ?—Yes, I forgot all about that circumstance until the second day of the commission I heard my name called over by our worship the mayor. He was reading over several of the names, and my name was included in the list, and I have no doubt it was the correct one.

45,211. (*Mr. Price.*) You wanted to say something about the elections just now ?—I never interfered in my life about elections. I have simply done this : I have simply recorded my vote early in the morning at every election during the last 50 years ; and I had the honour, I may say, of seconding the nomination of my friend Mr. Kinglake twice during that time.

45,212. (*Mr. Anstey.*) You also signed the petition in 1852 ?—I dare say I did.

45,213. (*Mr. Price.*) You had always voted in one way ?—Oh, yes.

45,214. (*Mr. Coleridge.*) Always Liberal ?—Always Liberal.

45,215. What was your first election ?—I think Astell's was the first.

A short adjournment here took place.

P. Headford.

Philip Headford sworn.

45,216. (*Mr. Price.*) What are you ?—Foreman.

45,217. Foreman where ?—At a brickyard.

45,218. Whose ?—Browne and Co.'s.

45,219. Did you vote at the last election ?—Yes. The first election I voted at was for Kinglake and Shelley.

45,220. We will go to that afterwards ; we will begin at the last. How did you vote at the last election ?—Kinglake and Vanderbyl.

45,221. Did you get anything ?—No.

45,222. Any promise ?—No.

45,223. Were you taken up with anybody else to vote ?—No.

45,224. Did you go up under Dudderidge's care ?—Whose care ?

45,225. Dudderidge's ?—No, nor no one else's.

45,226. What time in the day did you vote ?—

About 10, I think. As soon as I found that they were going a little behind I went to poll.

45,227. Did you vote at the elections of 1866 ?—I did.

45,228. How did you vote when Mr. Vanderbyl was here first?—I voted for Vanderbyl.

45,229. Did you get anything then ?—At the first of Mr. Vanderbyl's elections Mr. White came to me in the morning——

45,230. Henry Cornelius White ?—Yes ; and he asked me whether I knew any person that I could get. I said I thought I could get Kerle, and he gave me 10*l.* to get him, and he asked me whether I wanted any for myself, and I said I had been twice before without any, and I intended to go again. I would not have any. About a month afterwards Mr. Bulpin met me, and said he had got 10*l.* I said I had refused to take any at the election, and he said, "It is a present ;" and I took the 10*l.*

45,231. Did you pay the other 10*l.* to Kerle ?—I did.

245,32. Then you are both briber and bribee. Did you vote when Mr. Bagehot was here ?—I did.

45,233. How did you vote then ?—For Bagehot.

45,234. What did you get ?—Nothing.

45,235. Did you vote in 1865 ?—I did.

45,236. For Kinglake and Shelley ?—I did.

45,237. Did you get anything then ?—Nothing.

45,238. Did you vote in 1859 ?—No, 1865 was the first time I had a vote.

HENRY PEARCE sworn. *H. Pearce.*

45,239. (*Mr. Price.*) What are you ?—A labourer.

45,240. A jobbing labourer, or do you work for anybody ?—Browne and Co.

45,241. How did you vote at the last election ?—I had not any vote.

45,242. Not last time ?—Not last time.

45,243. Did you vote in 1866 ?—Yes.

45,244. Did you vote for Vanderbyl ?—Vanderbyl.

45,245. Did you get anything ?—10*l.*

45,246. Who from ?—Mr. Bulpin.

45,247. (*Mr. Coleridge.*) Anything from the other side ?—No.

45,248. (*Mr. Price.*) Did you vote for Bagehot ?—Yes.

45,249. How much ?—10*l.*

45,250. Who from ?—Bulpin.

45,251. Did you vote in 1865 ?—Yes.

45,252. For Kinglake and Shelley ?—Yes.

45,253. Did you get anything ?—No.

45,254. Did you vote in 1859 ; Padwick and Westropp, Kinglake and Tynte ?—No, I never had no vote then.

JAMES BAINES sworn. *J. Baines.*

45,255. (*Mr. Price.*) What are you ?—A carpenter.

45,256. Whom do you work for ?—Browne and Co.

45,257. Did you vote at the last election ?—I had no vote.

45,258. How did you vote in 1866 ?—Vanderbyl.

45,259. What did you get ?—10*l.*

45,260. Who from ?—Mr. Bulpin.

45,261. Did you vote for Mr. Bagehot ?—Not at that election.

45,262. (*Mr. Coleridge.*) No, no ; the election before ?—Yes.

(*Mr. Price.*) Did you get anything ?—5*l.*

45,263. Who from ?—Mr. Bulpin.

45,264. (*Mr. Coleridge.*) Nothing more afterwards ?—No.

45,265. (*Mr. Price.*) Did you vote in 1865, Kinglake and Shelley ?—Yes.

45,266. Did you get anything ?—No.

45,267. Did you vote in 1859 ?—I did ; Kinglake and Tynte.

45,268. Did you get anything ?—Nothing.

45,269. Did you vote in 1857, Kinglake and Tynte ?—Yes.

45,270. Did you get anything ?—No. All the money I have received was 15*l.*

45,271. (*Mr. Coleridge.*) Have you ever got anything the other side ?—No, I have never looked for it.

(*Mr. Coleridge.*) Sometimes it comes without looking for it.

JOHN MITCHELL CLAVEY sworn. *J. M. Clavey.*

45,272. What are you ?—A potter.

45,273. Where do you work ?—For Browne and Co.

45,274. How did you vote at the last election ?—For the Liberals.

45,275. Did you get anything ?—No.

45,276. Nothing at all ?

45,277. (*Mr. Coleridge.*) No present ?—No present.

45,278. Nor promise ?—No.

45,279. (*Mr. Price.*) Did you vote in 1866, when Mr. Vanderbyl first came ?—I did.

45,280. Did you vote for him ?—Yes.

45,281. How much ?—10*l.*

45,282. Who from ?—Bulpin.

45,283. Did you vote for Bagehot ?—Yes.

45,284. How much ?—5*l.*

45,285. Who from ?—Bulpin.

45,286. Did you get anything afterwards ?—Whatever I got was after the election.

45,287. Never more than 5*l.* ?—No. On each occasion it was after the election.

45,288. Did you vote for Kinglake and Shelley in 1865 ?—I did.

45,289. Did you get anything then ?—No.

45,290. Anything afterwards ?—No.

45,291. Any treating ?—No.

45,292. Did you vote at any election before that ?—No, I had no vote before.

WILLIAM HEX sworn. *W. Hex.*

45,293. (*Mr. Price.*) What are you ?—A farrier.

45,294. How did you vote at the last election ?—For Kinglake and Vanderbyl.

45,295. Did you get anything ?—No, nothing at all.

45,296. No promise ?—No promise.

45,297. Did you vote when Mr. Vanderbyl first came here in 1866 ?—Yes.

45,298. For him ?—Yes.

45,299. How much ?—I had two 10*l.* then.

45,300. 20*l.* ? Who from ?—10*l.* from Searle, and 10*l.* from Bulpin.

45,301. Which paid you the first ?—Searle.

45,302. Did you tell the other man that you had 10*l.* ?—No, there was no question asked ; neither side ; nothing said at all.

45,303. (*Mr. Coleridge.*) Were you bribed on both sides ?—No, I never voted the other side in my life.

(*Mr. Coleridge.*) But you might have been bribed on that side without voting ?

45,304. (*Mr. Price.*) Did you vote for Mr. Bagehot ?—Yes.

45,305. Did you get anything then ?—No, nothing at all.

45,306. In 1865, Kinglake and Shelley ?—Yes.

45,307. Did you get anything ?—No.

45,308. Nothing at all ?—No.

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W. Hex.

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45,309. In 1859, Kinglake and Tynte?—Yes.
45,310. Did you get anything then?—No, nothing then.
45,311. Did you get anything in 1857?—No.
45,312. Nothing then?—No.
45,313. (*Mr. Coleridge.*) When was the first time you got paid?—1866.
45,314. That was the first and last time?—Yes.

W. Hill.

William Hill sworn.

45,315. (*Mr. Price.*) What are you?—A carpenter.
45,316. Did you vote at the last election?—Yes.
45,317. How?—For Vanderbyl and Kinglake.
45,318. Did you get anything?—No, nothing.
45,319. No promise?—No promise at all.
45,320. Did you vote in 1866, when Mr. Vanderbyl first came?—Yes.
45,321. How?—I voted for Vanderbyl.
45,322. Did you get anything?—Yes.
45,323. How much?—10*l.*
45,324. Who from?—Bulpin.
45,325. Did you vote for Bagehot?—Yes.
45,326. How much?—5*l.*
45,327. Who from?—Mr. Allan.
45,328. (*Mr. Coleridge.*) Anything more after the election?—Nothing.
45,329. (*Mr. Price.*) Did you vote in 1865?—Yes.
45,330. Kinglake and Shelley?—Yes.
45,331. How much?—Nothing.
45,332. Any treating?—Nothing.
45,333. Did you vote in 1859?—Yes.
45,334. Tynte and Kinglake?—Yes; I had nothing.
45,335. Did you vote in 1857?—Yes.
45,336. Tynte and Kinglake?—Tynte and Kinglake.
45,337. Did you get anything?—Nothing.
45,338. Did you vote in 1852?—Yes.
45,339. Who for?—For Tynte and Lord Henley.
45,340. Did you get anything?—Nothing. Yes, I beg your pardon, I had 5*l.* then.
45,341. (*Mr. Coleridge.*) When you voted for Lord Henley?—Yes.
45,342. Who gave you that?—Foster.
45,343. Did you ever get anything from any of the Tynte family?—Nothing.
45,344. Nothing for your vote from the old gentleman?—No; 20*l.* was all I had for voting, and I voted seven times.

C. Collings.

Charles Collings sworn.

45,345. (*Mr. Price.*) What are you?—An engine fitter.
45,346. Where do you work?—I do not work anywhere; I am out of work; I don't work now.
45,347. (*Mr. Anstey.*) What is your house?—Why what I voted for was the "Queen's Head." I was keeping the "Queen's Head."
45,348. (*Mr. Price.*) How did you vote at the last election?—I did not have a vote at the last election.
45,349. Did you vote in 1866?—Yes.
45,350. How did you vote?—For Vanderbyl.
45,351. What did you get?—Nothing for myself. I had 30*l.* from John Smith for three parties.
45,352. Did you pay them?—Yes.
45,353. What were their names?—Ten I paid of my own money, which he paid me afterwards. They were Richard Hooper, Henry Harris, William Sendall, and, I believe, the other was William King.
45,354. Were you keeping the inn then?—Yes.
45,355. Did you have a treating bill?—No.
45,356. (*Mr. Coleridge.*) What did you get for your trouble?—12*l.*, afterwards.
45,357. (*Mr. Price.*) Did you vote for Bagehot?—Yes.
45,358. How much?—Nothing.
45,359. Did you give any money away that time?—No.
45,360. (*Mr. Coleridge.*) Did you get anything after the election?—No.
45,361. (*Mr. Price.*) Had you a treating bill?—Nothing at all.
45,362. Did you vote in 1865?—No; I was not here then.
45,363. (*Mr. Coleridge.*) In 1859?—No; I was not here.

F. Hodge.

Frederick Hodge sworn.

45,364. (*Mr. Price.*) What are you?—A baker.
45,365. How did you vote at the last election?—Kinglake and Vanderbyl.
45,366. Did you get anything?—No.
45,367. Did you vote in 1866 for Vanderbyl, when Vanderbyl first came?—Yes.
45,368. Did you vote for him?—Yes.
45,369. What did you get then?—10*l.*
45,370. Who from?—John Smith.
45,371. Did you vote for Bagehot?—Yes.
45,372. How much?—10*l.* from John Smith.
45,373. Did you vote in 1865, Kinglake and Shelley?—Yes; I voted for Westropp.
45,374. How much did you get?—Nothing.
45,375. No promise?—Yes; I was promised 10*l.* by Harden.
45,376. Was that the reason you went and voted for Bagehot?—I voted for Westropp.
(*Mr. Coleridge.*) What made you turn round?
45,377. (*Mr. Price.*) You voted on a promise for Westropp and you did not get your money, and then you voted on the other side?—I previously used to vote for the Liberals, but I was working for a Conservative firm at that time, and I rather wished to vote that way to please my employers.
45,378. Who were they?—Hennett and Spink.
45,379. (*Mr. Coleridge.*) Did they ask you?—They did not press me.
45,380. Did they ask me?—They did not ask me.
45,381. (*Mr. Price.*) You understood it would be better for you?—I thought it would be better for me.
45,382. Was that the feeling amongst the men?—That was the feeling I had myself.
45,383. Did you vote in 1859?—Yes.
45,384. How did you vote then, Padwick and Westropp?—No; Kinglake and Tynte.
45,385. Did you get anything?—10*l.*
45,386. Who from?—I think it was from Faun.
45,387. Did you vote in 1857?—No; I voted in 1847, I believe.
45,388. 1847; how did you vote then?—I voted for Gaselee.
45,389. Did you get anything?—No.
45,390. Was that the first time you voted?—The first time I voted.
45,391. You did not vote between 1847 and 1857?—I did not.

J. Hodge.

John Hodge sworn.

45,392. (*Mr. Price.*) What are you?—A railway carrier.
45,393. At the railway works?—Yes.
45,394. How did you vote at the last election?—For Kinglake and Vanderbyl.
45,395. Did you get anything?—No.
45,396. Did you vote in 1866 for Vanderbyl?—Yes.
45,397. How much?—10*l.*
45,398. Who from?—John Smith.

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J. Hodge.

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45,399. Did you vote for Bagehot ?—Yes.
45,400. How much ?—10*l.*
45,401. (*Mr. Coleridge.*) Who from ?—John Smith.
45,402. (*Mr. Price.*) Did you vote in 1865, Kinglake and Shelley ?—Westropp.
45,403. How much ?—Nothing; only a promise.
45,404. Who promised you ?—Frederick Harden.
45,405. And did not pay you ?—No.
45,406. (*Mr. Anstey.*) How much did he promise you ?—He did not promise me anything, only the same as the rest.
45,407. (*Mr. Price.*) Was that the reason you voted for Bagehot afterwards ?—Well no, not particular.
45,408. (*Mr. Anstey.*) Was that the first time you ever voted ?—Yes.

R. Wilkins.

ROBERT WILKINS sworn.

45,409. (*Mr. Price.*) What are you ?—A shipwright.
45,410. How did you vote at the last election ?—Kinglake and Vanderbyl.
45,411. How much ?—Nothing.
45,412. No promise ?—No.
45,413. Whom were you working for at that time ?—Watson and Co.
45,414. Did you vote in 1866, when Mr. Vanderbyl came first ?—Yes.
45,415. Did you vote for him ?—Yes.
45,416. How much ?—10*l.* was paid to Mrs. Wilkins for me.
45,417. Do you know where it came from ?—Yes.
45,418. Whom ?—John Smith.
45,419. Did you vote for Bagehot ?—I did.
45,420. How much ?—10*l.* paid to my wife.
45,421. By the same man ?—By the same man.
45,422. Did you vote in 1865 ?—Yes.
45,423. For Westropp ?—No.
45,424. For Kinglake and Shelley ?—Yes.
45,425. Did you get anything ?—No.
45,426. Did you get anything after the election ?—No.
45,427. (*Mr. Anstey.*) Was anything promised ?—No.
45,428. (*Mr. Price.*) Did you vote in 1859 ?—That is the first time I had a vote; Kinglake and Shelley.

Mrs. M. A. Wilkins.

Mrs. MARY ANN WILKINS sworn.

45,429. (*Mr. Price.*) You are the wife of Nathaniel Wilkins ?—I am.
45,430. What is your husband ?—A master mariner.
45,431. Is he at sea ?—Yes.
45,432. Did he vote at the last election ?—Yes.
45,433. How did he vote ?—On the Liberal side. He always did for 16 years.
45,434. Did you get anything ?—No.
45,435. Nothing ?—Not last time.
45,436. No ribbons ?—No, not last time. I bought a bit, what I had.
45,437. Did he vote in 1866 for Vanderbyl ?—Yes.
45,438. How much ?—I received 20*l.* from Mr. Smith; 10*l.* for Robert Wilkins and 10*l.* for myself.
45,439. (*Mr. Coleridge.*) That is for your husband ?—My husband knew nothing of it till after Mr. Bussell came into this court.
45,440. (*Mr. Price.*) He went and voted ?—He did always before.
45,441. Did he vote for Bagehot ?—Yes.
45,442. How much ?—Mrs. Wilkins, three weeks after, she had 20*l.*; that was 10*l.* for her husband and 10*l.* for us.
45,443. (*Mr. Price.*) Who is Mrs. Wilkins ?—Robert's wife.
(*Mr. Coleridge.*) You had a sort of partnership ?
45,444. (*Mr. Price.*) Did she pass 10*l.* to you ?—She did. I was at sea at the time. My husband had voted for Tynte and Kinglake before.
45,445. (*Mr. Coleridge.*) You were at sea ?—Yes, with my husband.
45,446. (*Mr. Price.*) In 1865 did he come home and vote ?—Yes.
45,447. For Kinglake and Shelley ?—Yes.
45,448. Did you get anything ?—No; no promise or anything.
45,449. (*Mr. Coleridge.*) Any expenses ?—No. I said rogues and honest men are so much alike in Bridgwater; that is the reason I took the money the other time.
45,450. Did you get any ribbons at either of these elections ?—I got a flag from Mr. Burrage.
45,451. What is that for, to hang up in the ship ?—Yes, to hang up in the ship and in the house.
45,452. (*Mr. Price.*) No ribbons ?—No.
45,453. Did your husband vote in 1859 ?—Yes.
45,454. How much ?—Nothing.
45,455. No ribbons ?—I might have had a pocket handkerchief. He never wore a colour in his life, and never had more than a glass of beer.
45,456. (*Mr. Anstey.*) How many pocket-handkerchiefs did you have ?—I had, perhaps, one or two at different times.
45,457. (*Mr. Coleridge.*) With devices on them ?—No, plain handkerchiefs. My husband never wore a colour in his life. I was the Radical.
45,458. (*Mr. Price.*) Have you always made him vote your way ?—Yes.
45,459. You made him ?—He had his own mind.
45,460. But you never let him exercise it.
45,461. (*Mr. Coleridge.*) Did he vote in 1857 ?—Yes.
45,462. Your way ?—Yes.
45,463. How much did he get then ?—Nothing.
45,464. A handkerchief or a flag ?—I had a flag. Not at all times.
45,465. (*Mr. Price.*) Have you made them into a patchwork quilt ?—No; I was told to by my neighbours. A woman in this court now told another woman (she is sitting here) that my husband had had 10*l.* at all the elections. It is only two. I dare her to——
(*Mr. Coleridge.*) Well, don't get out of temper about it. You say it is only two elections.
45,466. (*Mr. Price.*) It was your tongue made him vote, not the money ?—Perhaps so. I won't be insulted by her.
45,467. In 1852, how did he vote then ?—The same.
45,468. (*Mr. Coleridge.*) Did he get anything ?—No.
45,469. In 1847 did he vote ?—Yes.
45,470. Your way ?—Yes.
45,471. (*Mr. Price.*) When were you married ?—I have been married 32 years.
45,472. (*Mr. Coleridge.*) You have kept your husband pretty straight ever since ?—What do you mean ?
45,473. Politically straight.
45,474. (*Mr. Price.*) You have made him always vote your own way ?—Yes. I was brought up in the neighbourhood of the Tyntes; and though I never had anything from them ever since I was a child, I have always hung out and wore the ribbons.
45,475. (*Mr. Coleridge.*) You have always been a Tynteite ?—I have.

D. Heron.

DENNIS HERON sworn.

45,476. (*Mr. Price.*) What are you ?—An innkeeper.
45,477. What inn ?—The "Queen's Head."
45,478. Did you vote at the last election ?—I did.
45,479. How ?—Kinglake and Vanderbyl.
45,480. Did you get anything ?—Nothing.
45,481. Had you any treating bill ?—Yes, at my house.

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D. Heron.

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45,482. How much ?—33*l.*

45,483. Is it paid?—It has not been paid at all.

45,484. (*Mr. Coleridge.*) Whom did you send it in to?—I sent it in to Mr. Boyles's office, to Mr. John Smith.

45,485. (*Mr. Price.*) Did you vote in 1866, when Mr. Vanderbyl first came?—Yes.

45,486. How ?—For Vanderbyl.

45,487. Did you get anything yourself?—Nothing.

45,488. Had you a bill then?—No.

45,489. Any treating ?—Nothing whatever.

45,490. Did you vote for Bagehot ?—Yes.

45,491. Had you any treating bill then ?—Nothing.

45,492. Nor anything for yourself? — Nothing whatever.

45,493. Did you vote in 1865 ;—Yes; Mr. Westropp and Sir John Shelley.

45,494. How much did you get ?—Nothing.

44,495. Did you have a treating bill ?—Nothing.

45,496. How did you come to split your vote ?—Because Mr. Westropp—I supported him when he got into the House of Commons, but he voted on two measures there that I did not approve.

45,497. Who did?—Mr. Westropp.

45,498. I say why did you split?—When Mr. Westropp came I promised him ; for some previous time before.

45,499. (*Mr. Anstey.*) Why did you vote for Sir John Shelley ?—I voted for Sir John Shelley simply because my political creed is Liberal.

45,500. Why did you vote for Mr. Westropp ?—Because I made a promise.

45,501. Why did you make a promise?—It was in the course of conversation with a friend of mine. He was asking about some officers in the Crimea, gentlemen who belonged to the same regiment that I was in ; and in course of conversation this friend of mine asked him if he would stand in the borough again on another occasion, and he said he would ; and this friend of mine, Serjeant-major Fisher, who is now dead, said he would support him, and I said, " I will give you one vote."

45,502. (*Mr. Price.*) Afterwards, you say, he voted in the House in the way you did not like?—Yes.

45,503. What was that, for flogging in the army ?—I was nine years in the army.

45,504. I say what did he vote about?—The Roman Catholic Oaths Bill was one, and I think the Roman Catholic Relief Bill was brought into the House then, and he voted right against them.

45,505. Did you vote in 1859 ?—No.

45,506. Had you anything then ?—No.

45,507. You had one treating bill at the last election ?—Yes.

45,508. (*Mr. Coleridge.*) And that you have not been paid?—I have not been paid.

W. Marels.

WILLIAM MARELS sworn.

45,509. (*Mr. Price.*) What inn do you keep ?—Neither one.

45,510. Did you keep one at the last election ?—No.

45,511. What are you, then ?—A blacksmith.

45,512. Did you manage any inn?—I did.

45,513. What inn ?—The " Bath Bridge" inn.

45,514. How did you vote at the last election?—I never had a vote.

45,515. Did you have any treating going on at the house you managed ?—There was.

45,516. Who for ?—For Philip Gilbert.

45,517. On whose side ?—Mr. Kinglake and Mr. Vanderbyl's.

45,518. How much was the bill?—I think after all it made up about 18*l.*

45,519. Have you sent it in ?—The landlady has.

45,520. Has it been paid ?—It has never been paid.

45,521-2. (*Mr. Anstey.*) Is that the landlady who has been married since?—Yes.

45,523. What was her name then ?—Cave.

45,524. (*Mr. Price.*) Have you ever had a vote ?—Never.

45,525. (*Mr. Coleridge.*) The only thing you have ever done at any election is, that you were managing this place when the treating went on ?—Yes.

J. Sharman.

JAMES SHARMAN sworn.

45,526. (*Mr. Price.*) What are you ?—A master mariner.

45,527. Did you vote at the last election ?—I was not at home ; I was at sea.

45,528. Did you vote in 1866, when Mr. Vanderbyl first stood ?—Yes.

45,529. How did you vote then ?—For Vanderbyl, the Liberal side.

45,530. Did you get anything?—10*l.*

45,531. Who from ?—Henry Chapman Bussell.

45,532. Did you vote for Bagehot?—Yes.

45,533. How much ?—5*l.*

45,534. Who from ?—Henry Chapman Bussell.

45,535. Did you get anything afterwards ?—Not the slightest.

45,536. Did you vote in 1865 ?—Yes.

45,537. For Mr. Westropp ?—No.

45,538. Kinglake and Shelley ?—Yes.

45,539. Did you get anything ?—10*l.*

45,540. Who from ?—William Heal.

(*Mr. Anstey.*) Then you must have voted for Westropp on that occasion.

(*Mr. Price.*) Are you sure it was Kinglake and Shelley?

45,541. (*Mr. Anstey.*) William Heal on that occasion was gone to Westropp, and was his principal witness at the petition against him?—Perhaps I may be wrong. Tynte and Henley were up.

(*Mr. Coleridge.*) No, no, that was a long time before.

45,542. (*Mr. Price.*) Whom did you get the 10*l.* from ?—I got it from William Heal.

45,543. (*Mr. Anstey.*) Was it Hill or Heal?—Heal.

45,544. Heal the brewer?—At that time he was foreman of the pottery of Mr. Browne.

45,545. That is William Heal, and he was bribing on Westropp's side in 1865, and before on the Liberal side.

45,546. (*Mr. Coleridge.*) Are you sure you did not vote for Mr. Westropp on that occasion ?—No, indeed I am not.

45,547. You did vote for Westropp, did not you ?—I cannot say. It was Heal who paid me the money.

45,548. (*Mr. Price.*) In 1865 you got 10*l.* from William Heal for your vote ?—Yes.

(*Mr. Anstey.*) You voted which way Heal wished you to vote?

H. C. Bussell.

HENRY CHAPMAN BUSSELL recalled.

45,549. (*Mr. Price.*) Bussell, do you know anything about this?—I do not know anything about it.

J. Sharman.

JAMES SHARMAN recalled.

(*The witness.*) I voted on Westropp's side, and had 10*l.* from Robert Ford, but I am not certain whether it was Tynte and Henley, or how it might stand; whether it was before or after.

45,550. (*Mr. Price.*) When you voted for Westropp, did you get 10*l.*?—Yes.

45,551. Very well ; that would be from Ford?—That was from Ford.

45,552. Did you vote in 1859 for Tynte and Kinglake?—No, I do not think I did.

45,553. (*Mr. Coleridge.*) Or for Padwick and Westropp?—I think that must be so.

45,554. (*Mr. Price.*) That would be the time you got the 10*l.* from Ford?—Yes.

45,555. (*Mr. Coleridge.*) No, no; from Heal. It is Heal who gave it to you in 1859?—That is it.

45,556. And you voted for Padwick and Westropp?—No, no.

45,557. Tynte and Kinglake?—On the Conservative side. Ford gave me the money, but I am not quite certain of the date when Heal's was; but, however, that was the amount.

45,558. For Tynte and Henley?—I fancy it was.

(*Mr. Price.*) Did you vote in 1857?

45,559. (*Mr. Coleridge.*) Kinglake, Tynte, and Follett?—Yes, I think I did.

45,560. Which way did you vote then?—For Follett.

45,561. Did you get anything?—No.

45,562. Were you a Conservative then?—I was a Conservative then.

45,563. Then you have been backwards and forwards several times?—No; I only changed once.

45,564. (*Mr. Price.*) In 1852, did you vote for Tynte and Henley?—No.

45,565. How did you vote then?—Lord Henley. I voted for the Liberals since 1859.

FREDERICK CHARLES TEMBLETT recalled. *F. C. Temblett.*

(*The witness.*) In Lord Henley's election, I think he had money from Heal.

JAMES SHARMAN recalled. *J. Sharman.*

45,566. (*Mr. Coleridge.*) Did you get 10*l.* at that election of 1852?—Yes.

45,567. Who from?—Heal, I think.

45,568. You say you have only changed once. You voted for Follett in 1857?—No, I did not. I may have made a mistake, but I never changed but once.

45,569. How much have you got altogether?—35*l.*

45,570. A great deal more than that you have told us of?—No, 35*l.* 10*l.* from Heal, 10*l.* from Ford, 10*l.* from Bussell, and 5*l.* from Bussell. 35*l.* is all I received for voting.

WILLIAM MORRISH sworn. *W. Morrish.*

45,571. (*Mr. Price.*) What are you?—A carpenter.

45,572. Who do you work for?—I am working at Browne and Co.'s at present.

45,573. At the last election did you work for them?—The last election I did.

45,574. How did you vote?—Kinglake and Vanderbyl.

45,575. Did you get anything then?—No.

45,576. No promise?—No.

45,577. Were you asked by your employers to go and vote?—Never.

45,578. Did you vote in 1866?—Yes.

45,579. When Mr. Vanderbyl first came?—Yes.

45,580. How did you vote then?—Vanderbyl.

45,581. Did you get anything?—Yes.

45,582. How much?—10*l.*

45,583. Who from?—Mr. William Bradford Gold.

45,584. Did you vote for Bagehot?—Yes.

45,585. How much?—10*l.*

45,586. Who from?—Bussell.

45,587. Henry Bussell?—Yes.

45,588. Did you vote in 1865?—Yes.

45,589. How?—Kinglake and Shelley.

45,590. Did you get anything?—No.

45,591. Nothing afterwards?—No.

45,592. Did you vote in 1859?—No, I had no vote.

GEORGE KNIGHT sworn. *G. Knight.*

45,593. (*Mr. Price.*) Are you a brewer, Mr Knight?—I am.

45,594. On your own account?—Yes.

45,595. Did you vote at the last election?—I did.

45,596. How?—For Kinglake and —— for the Liberal side.

45,597. Kinglake and Vanderbyl?—Kinglake and Vanderbyl.

45,598. I should have thought Vanderbyl's name would come pretty ready on your lips. Did you get anything?—Nothing at all.

45,599. Had you any bill against them of any sort?—Nothing at all.

45,600. Did you vote when Mr. Vanderbyl first came here in 1866?—Yes.

45,601. For him?—Yes.

45,602. Did you get anything yourself?—Nothing at all.

45,603. Did you receive any money from anybody to bribe?—Yes.

45,604. How much?—20*l.*

45,605. Who from?—Mr. Allan.

45,606. To whom did you give it?—John Jefferies and Crocker.

45,607. Are they tenants of yours?—Yes.

45,608. Are they the same men to whom you gave money at Bagehot's election?—Yes.

45,609. How much?—20*l.* each.

45,610. 20*l.* each at both elections?—No, no; 20*l.* each at Vanderbyl's and 10*l.* at Bagehot's.

45,611. (*Mr. Coleridge.*) Did you give these men the money yourself?—I did.

45,612. Did not you take your own rent from it?—No.

45,613. Was not there some rent owing?—No it was paid up.

45,614. (*Mr. Price.*) Did you get anything for your trouble?—No.

45,615. Did you vote in 1865?—Yes, always in the Liberal interest and never had anything, to do with bribery except that time.

JOSEPH FURZLAND sworn. *J. Furzland.*

45,616. (*Mr. Anstey.*) Whom did you vote for at the last election?—Kinglake and Vanderbyl.

45,617. (*Mr. Price.*) What are you?—A lime burner.

45,618. Where do you work?—I am my own master.

45,619. (*Mr. Anstey.*) What did you get for your vote?—At the last election?

45,620. Yes?—Nothing at all.

45,621. (*Mr. Price.*) No promise?—No promise.

45,622. Did you vote for Vanderbyl in 1866?—Yes.

45,623. How much?—10*l.*

45,624. Who from?—Searle.

45,625. Did you vote for Bagehot?—Yes.

45,626. How much?—Nothing.

45,627. No promise?—No promise.

45,628. (*Mr. Coleridge.*) Nothing afterwards?—Nothing afterwards.

45,629. (*Mr. Price.*) Did you vote in 1865; Kinglake and Shelley?—Yes?—That is the first time I ever voted.

FORTY-THIRD DAY.

J. Furzland.

15 Oct. 1869.

45,630. What did you get then ?—Nothing.
45,631. No promise ?—No promise.
45,632. Nothing after the election ? — Nothing after the election.
45,633. You have only been paid once ?—Only once.
45,634. (*Mr. Coleridge.*) Has your wife been paid ?—No.

CHARLES DAY sworn.

C. Day.

45,635. (*Mr. Price.*) What are you ?—A shoemaker.
45,636. How did you vote at the last election ?—For Kinglake and Vanderbyl.
45,637. Did you get anything ?—No.
45,638. No promise ?—No.
45,639. Did you vote when Mr. Vanderbyl came in 1866 ?—Yes.
45,640. Did you vote for him ?—Yes.
45,641. How much ?—10*l.*
45,642. Who from ?—Searle.
45,643. Did you vote for Mr. Bagehot ?—Yes.
45,644. How much ?—10*l.*
45,645. Who from ?—Searle.
45,646. Did you vote in 1865 ?—Yes.
45,647. For Kinglake and Shelley ?—Yes.
45,648. How much ?—Nothing.
45,649. Any promise ?—No.
45,650. Nothing after the election ?—No.
45,651. In 1859 ?—I cannot remember no farther.

WILLIAM PREECE recalled.

W. Preece.

45,652. (*Mr. Price.*) Have you been examined ?—I have.
45,653. What are you ?—A builder.
45,654. A master builder, I suppose ?—Yes.
45,655. Did you vote at the last election ?—I did.
45,656. Have you been examined about your vote ?—I have. Mine was a voluntary statement, if you remember, nearly three weeks or a month ago. When Golds gave their evidence they accused me of receiving money. I set my case straight then, and you have heard it.

(*Mr. Coleridge.*) You are not the person we want ; it is a mistake.

(*The witness.*) I find my name is wrongly spelt, but I thought I would appear before you, as it is named a second time in the list.

EDWARD DENNER sworn.

E. Denner.

45,657. (*Mr. Price.*) What are you ?—A retired tradesman.
45,658. Did you vote at the last election ?—I did.
45,659. Whom for ?—Westropp and Gray.
45,660. Did you get anything ?—Nothing.
45,661. Any promise ?—No promise.
45,662. Did you attend any of the meetings ?—I did not.
45,663. Did you attend at the "Clarence"?—I did not.
45,664. Did you vote in 1866 when Mr. Vanderbyl came ?—I did.
45,665. How did you vote then ; Patton or Vanderbyl ?—Patton.
45,666. Did you get anything ?—Nothing.
45,667. No promise ?—No promise.
45,668. Did you vote when Bagehot stood against Patton ?—I did.
45,669. How did you vote then ?—For Patton.
45,670. Did you get anything then ?—No.
45,671. Did you get anything after the election ?—No.
45,672. Was there any promise made to you ?—No, not at all.
45,673. Did you vote in 1859 for Westropp ?—Yes, I did.
45,674. Did you get anything then ?—No.
45,675. Any promise ?—No promise.
45,676. Was anything paid to your wife, if you have one ?—No.
45,677. Or any of your family ?—No, not that I am aware of.
45,678. Did you vote in 1859 ?—I did.
45,679. How did you vote then ; Padwick and Westropp ?—Yes, I did.
45,680. Did you get anything then ?—10*l.*
(*Mr. Anstey.*) Who from ?
45,681. (*Mr. Price.*) Who did you get it from ?—Murlis.
(*Mr. Anstey.*) Was that the first time you voted ?
45,682. (*Mr. Price.*) Did you vote in 1857 ?—I think I did.
45,683. How did you vote then ; Follett ?—I think Follett and Mansell.
45,684. (*Mr. Anstey.*) Did you get anything for your vote then ?—Nothing at all.
45,685. (*Mr. Price.*) Is that the only time you have been paid ; that 10*l.* by Murlis ?—Yes, that is the only time.

Mr. BATE recalled.

Mr. Bate.

45,686. (*Mr. Anstey.*) Have you brought the manuscript Mr. Kinglake gave you at the "Railway Hotel," when taking farewell of the town ?—Yes.
45,687. The farewell address. Will you read it, if you please, that it may be on the shorthand writer's notes ?—(*Reading.*) "Bridgwater Election.

"To my friends and supporters.

" Gentlemen,

" Let me offer you my most grateful acknowledgments for the support which you have given me at this election. The remembrance of your kindness, and, particularly, let me say, the remembrance of the affectionate interest with which my old friends have stood by me will be my best consolation in the defeat which we have suffered.

" Believe me your attached and faithful servant,

" A. W. KINGLAKE."

45,688. When he gave it you did he tell you what to do with it ?—Publish it.
45,689. Print it first ?—Yes.
45,690. Did you get it printed ?—I did not.
45,691. How was that ?—I told him it would be useless to have it printed at once, because until several days after the election we should not know who his friends and supporters were.
45,692. You told him that at the time ?—I did.
45,693. You took it away with the intention of printing and publishing it a few days after the poll ?—Yes.
45,694. Of course it was unnecessary to print or publish it when you found what the state of the poll was at the close ?—Certainly.
45,695. (*Mr. Price.*) You told us before, Mr. Bate, that you said, " Allow me, as the last act of friendship I can do, to take this address and publish it" ?—I did. I went back for that purpose. I had left the house. I then went back and asked him to let me do it.
45,696. And then he said, "Have it printed at once" ?—I said, " I cannot do that, you see, because " you have addressed it to your friends and supporters, and we shall not know who are your friends and " supporters until after the election."
45,697. But Mr. Kinglake's idea was to have it done at once ?—Yes.
45,698. (*Mr. Coleridge.*) You showed it to—— ?—I showed it to Mr. Sealy that afternoon, and some half dozen people the next morning.
45,698. (*Mr. Anstey.*) You did not show it about the streets that day ?—Not about the streets, no.

FORTY-THIRD DAY.

15 Oct. 1869.

JOB LANGFORD sworn.

J. Langford.

45,700. (*Mr. Price.*) What are you?—An innkeeper.

45,701. What inn do you keep?—The "White Hart."

45,702. Did you vote at the last election?—Yes.

45,703. How did you vote?—Westropp and Gray.

45,704. Did you get anything?—No.

45,705. Any promise?—No.

45,706. Any treating bill?—No.

45,707. Did you vote in 1866, when Mr. Patton and Mr. Vanderbyl were here?—Yes, I voted then.

45,708. For Patton?—For the Liberal party.

45,709. What?—I voted for the Liberals.

45,710. For Vanderbyl, then?—Yes.

45,711. What did you get?—10*l.*

45,712. Who from?—I got it once down to Newton's.

45,713. Did you vote for Bagehot?

(*Frederick Charles Temblett.*) He made a mistake, sir; he voted for the Conservatives.

45,714. (*Mr. Price to the witness.*) Did not you get 10*l.* from Temblett?—Yes.

45,715. (*Mr. Coleridge.*) Did you get it both sides?—No.

45,716. You said you got it from Newton?—I voted for the blue party every time.

45,717. (*Mr. Price.*) Did you get 10*l.* from Newton as well?—Yes.

(*Frederick Charles Temblett.*) That was another election.

45,718. (*Mr. Price.*) Another election?—Yes.

45,719. (*Mr. Coleridge.*) How many 10*l.* did you get in your life?—Four.

45,720. In 1865 you voted for Westropp, I suppose?—Yes.

45,721. What did you get then?—10*l.*

45,722. Who from?—From the "White Lion," Murlis.

45,723. That was at Padwick's election you got 10*l.* from Murlis. You voted for Padwick and Westropp, did not you?—Yes.

45,724. And got 10*l.* from Murlis. And the next election you voted for Westropp. Whom did you get the 10*l.* from then?—Mr. Bryant.

45,725. Then, in fact, you got money from Murlis, Bryant, Newton, and Temblett; is not that it?—Yes.

WALTER COLES sworn.

W. Coles.

45,726. (*Mr. Price.*) What are you?—An innkeeper.

45,727. What inn?—The "Duke of Wellington."

45,728. How did you vote at the last election?—Vanderbyl and Kinglake.

45,729. Did you get anything?—Nothing at all.

45,730. Had you a treating bill?—Yes.

45,731. How much?—15*l.*

45,732. Is it paid?—No.

45,733. Has it been sent in?—I have never sent it in.

45,734. Did you vote in 1866 for Vanderbyl?—Yes.

45,735. Anything then?—No.

45,736. Had you a treating bill?—Yes.

45,737. How much?—I cannot say.

45,738. (*Mr. Coleridge.*) About?—About the same amount.

45,739. (*Mr. Price.*) Is it paid?—Yes.

45,740. Who paid it?—Mr. Lovibond.

45,741. Did you vote for Bagehot?—Yes.

45,742. How much did you get?—Nothing.

45,743. Did you have a treating bill?—Yes.

45,744. Is it paid?—Yes.

45,745. Who paid it?—Mr. Lovibond.

45,746. Did you vote in 1865 for Shelley and Kinglake?—Yes.

45,747. Did you get anything?—Nothing at all.

45,748. Had you a treating bill?—Yes.

45,749. Is it paid?—Yes.

45,750. Who paid it?—Mr. Lovibond.

45,751. When was that paid?—Some long time after.

45,752. Was that paid when Vanderbyl came?—I really cannot say whether it was before or after.

45,753. It was not paid till just about that time, just before Vanderbyl's election?—I think it was sometime before that.

45,754. Was it paid before Mr. Bagehot came here?—Yes, it was.

45,755. Did you vote in 1859?—I did not. I first voted in 1865.

JOHN W. HELLARD sworn.

J. W. Hellard.

45,756. (*Mr. Price.*) What are you?—A bricklayer.

45,757. Whom do you work for?—Kitch Brothers.

45,758. How did you vote at the last election?—I voted for Mr.——

45,759. Which side? if you know anything about sides?—The Liberal side.

45,760. Kinglake and Vanderbyl, I suppose?—Yes, that is it.

45,761. What did you get?—10*l.*

45,762. Whom from?—Mr. Allan.

ANDREW ALLAN recalled.

A. Allan.

45,763. (*Mr. Price.*) Is he on your list, Allan?—Yes.

JOHN W. HELLARD recalled.

J. W. Hellard.

45,764. (*Mr. Price.*) Did you vote in 1866 for Vanderbyl?—Yes.

45,765. What did you get?—20*l.*

45,766. Who from?—Bulpin.

45,767. The whole of it?—Yes.

45,768. (*Mr. Coleridge.*) How came you to get 20*l.*?—Because he gave it to me.

45,769. I mean did you stand out for it? Did you refuse to take less?—Yes.

45,770. What did he offer you first of all?—10*l.*

45,771. What did you say?—I said I wanted more.

45,772. (*Mr. Price.*) Did you vote for Bagehot?—Yes.

45,773. How much?—10*l.*

45,774. Whom from?—Bulpin, about a month after I voted.

45,775. Did you vote in 1865?—No.

45,776. Had you a vote then?—No, I had no vote.

45,777. No vote before 1866?—No.

JOHN BAKER sworn.

J. Baker.

45,778. (*Mr. Price.*) You are a butcher, a master butcher?—Yes.

45,779. How did you vote at the last election?—Kinglake and Vanderbyl.

45,780. Did you get anything?—No.

45,781. Any promise?—No.

45,782. Did you vote in 1866 for Vanderbyl?—Yes.

FORTY-THIRD DAY.

J. Baker.

15 Oct. 1869.

45,783. How much did you get ?—10*l.*
45,784. Who from ?—Mr. White,
45,785. Cornelius ?—No, Joseph White.
45,786. Did you vote for Bagehot ?—Yes.
45,787. How much ?—The same amount.
45,788. The same man ?—The same man.
45,789. In 1865 did you vote ?—Yes.
45,790. Kinglake and Shelley ?—Yes.
45,791. How much ?—Nothing at all.
45,792. Did you get anything afterwards ?—No.
45,793. Did you vote in 1859 ?—I had no vote then.

J. Bowering.

JAMES BOWERING sworn.

45,794. (*Mr. Price.*) What are you ?—A baker.
45,795. How did you vote at the last election ?—Kinglake and Vanderbyl.
45,796. Did you get anything ?—No.
45,797. No promise ?—No promise.
45,798. Did you vote for Mr. Vanderbyl in 1866 ?—Yes.
45,799. How much ?—10*l.*
45,800. Who from ?—Alway.
45,801. Did you vote for Bagehot ?—Yes.
45,802. How much ?—Nothing.
45,803. No promise ?—No.
45,804. (*Mr. Coleridge.*) Nothing afterwards ?—No.
45,805. (*Mr. Price.*) Did you vote in 1865 ?—I do not know. I do not think I did.
45,806. Kinglake and Shelley, and Westropp ?—I do not think I did.
45,807. You do not think you did ?—I do not.
(*Mr. Price.*) Had you a vote ?
45,808. (*Mr. Coleridge.*) How often have you voted in your life ?—I cannot say whether it is three or four times.
45,809. (*Mr. Price.*) Do you remember voting for Sir John Shelley ?—I fancy I did, but I should not like to say.
45,810. Did you vote in 1859—Westropp ?—No.
45,811. (*Mr. Anstey.*) Did you hear anything said when Sir John Shelley was here about money going ?—No, I did not.
45,812. Did you vote for Padwick and Westropp ?—No, that is the first vote I had.
45,813. Did you vote for Kinglake and Tynte ?—No.

T. Palmer.

THOMAS PALMER sworn.

45,814. (*Mr. Price.*) What are you ?—Hair dresser and innkeeper.
45,815. What inn do you keep ?—The "Mansion House."
45,816. Did you vote at the last election ?—Yes.
45,817. How ?—Kinglake and Vanderbyl.
45,818. Did you get anything ?—No.
45,819. Any treating bill ?—No, not on the last.
45,820. Did you vote in 1866 for Mr. Vanderbyl ?—Yes.
45,821. How much ?—10*l.*
45,822. Who from ?—Mr. Alway.
45,823. Had you any treating bill as well ?—No.
45,824. Did you vote for Bagehot in 1866 ?—Yes.
45,825. Did you get anything ?—No.
45,826. Any treating ?—A bill of 12*l.*
45,827. Who for, Bagehot ?—No ; Vanderbyl, the first time.
45,828. You got 10*l.* for voting, and you also had a treating bill ?—Yes.
45,829. 12*l.* ?—Yes.
45,830. That is unpaid ?—That is unpaid.
45,831. Did you make any claim before you voted at the last election for it ?—No.
45,832. How was it ?—I sent in a bill. I applied several times for the money, but Mr. Lovibond was out of town or engaged.
45,833. Have you never made any claim upon him since ?—No.
45,834. That 12*l.* is still owing ?—Owing still.
45,835. You voted for Bagehot ?—Yes.
45,836. No money ?—No.
45,837. No treating bill then ?—No.
45,838. Did you vote in 1865 ?—No, that was the first vote I had.

C. Halliday.

CHARLES HALLIDAY sworn.

45,839. (*Mr. Price.*) What are you ?—I am the manager of the district for a life assurance office in London.
45,840. Did you vote at the last election ?—I did.
45,841. How ?—For Messrs. Westropp and Gray.
45,842. Did you get anything ?—No.
45,843. Any promise ?—No.
45,844. (*Mr. Coleridge.*) Did you pay anybody ?—No.
45,845. (*Mr. Price.*) Did you vote in 1866 ?—I did.
45,846. For Patton ?—For Mr. Patton.
45,847. Both times ?—Yes.
45,848. Did you get anything either time ?—No.
45,849. Any promise ?—No. If you will allow me, I have always voted on the Conservative side. I have never taken any particular interest ; I have always given my vote free and independent.
45,850. (*Mr. Coleridge.*) Have you ever received a present afterwards ?—I have not.
45,851. Or your wife ?—No.
45,852. (*Mr. Price.*) Have you ever bribed anybody ?—Well, as you ask me the question, in 1859 I was asked by Mr. Murlis if I would endeavour to get three or four men to vote for Padwick and Westropp from the carriage factory.
45,853. Were you then employed at the carriage factory ?—No ; I was superintendent at the station of the railway where I have been for 23 years. Seven packages were sent down to me, and seven men came up from the factory to see me at my office. They came in one at a time, and I said, "If you vote for "Padwick and Westropp you can take up one of "those packages."
45,854. (*Mr. Coleridge.*) You bribed seven men in 1859 ?—No, I did not bribe them ; they took it off the table.
(*Mr. Coleridge.*) Your name will appear as a briber.
45,855. How many did you let them take ?—Four. The other packages were sent back to Mr. Murlis.
45,856. Did you get anything for your trouble ?—Not a farthing.
45,857. Not one of the packages ?—No.

J. Bailey.

JAMES BAILEY sworn.

45,858. (*Mr. Price.*) What are you ?—A hammerman.
45,859. Where do you work ?—At the carriage works.
45,860. How did you vote at the last election ?—Westropp and Gray.
45,861. Did you get anything for it ?—No.
45,862. Any promise ?—No.
45,863. Were you asked by your employers to go and vote in that way ?—No.
45,864. Did you vote in 1866 ?—No, never before.
45,865. What was it induced you to go and vote ? Was any inducement held out to you ?—No, nothing.
45,866. Did you attend the meeting at the "Clarence ?"—Yes, I was at the meeting.
45,867. At eight o'clock in the morning ?—Yes.

45,868. Did you hear Mr. Hodges promise anything ?—No.

45,869. Did you hear him speak ?—Yes, I heard him speak.

45,870. Did he say anything about 15*l.* ?—No.

45,871. Did you understand that if you voted on that side you would be paid afterwards ?—No.

45,872. (*Mr. Anstey*). Did anybody at that meeting say anything about employment ?—No, nothing at all.

45,873. Or about doing good to the town ?—Nothing at all.

45,874. (*Mr. Price.*) You were then in the carriage works ?—Yes.

45,875. Are you quite sure nothing was said by anybody over you to influence your vote ?—Never a word to me.

45,876. (*Mr. Coleridge.*) Was there to others ?—I cannot say. There was nothing to me.

(*Mr. Price.*) Your name has been returned somehow or other.

(*The witness.*) It may be the wrong one.

(*Mr. Price.*) Is there another ?

(*The witness.*) There is another James Bailey.

45,877. (*Mr. Coleridge.*) Did you ever receive anything at any time ?—No

James Tilly sworn.

J. Tilly.

45,878. What are you ?—A hairdresser.

45,879. Are you a tenant of Joseph Richard Smith ?—I am.

45,880. Did you vote at the last election ?—No.

45,881. Not at all ?—Not at all.

45,882. Had you a vote ?—Yes, I had.

45,883. How was it you did not exercise it ?—Because I received such information from two parties that led me to believe if I had I should have lost my shop.

45,884. Give us the history of it ?—Some time before the election Mr. Charles Dyer, a retired tradesman, came into my shop and told me he had received such information that he thought if I had voted I should have lost the shop ; and I said "Who informed you ?" and he would not tell me the name. I never thought anything more about that until two or three days before the election, and then young Humber came into my shop and told me that he thought I had better not vote at all; he thought I should lose my shop.

45,885. Is Humber a man on intimate terms with Mr. Joseph Richard Smith ?—Humber and his son work for Mr. Smith.

45,886. (*Mr. Anstey.*) Humber and Charles Dyer, are they both of the Conservative party ?—Yes, they are both in the Conservative interest.

45,887. (*Mr. Price.*) What are your politics ?—In my early days I voted Conservative.

45,888. How would you have voted last time if you had not been under the impression conveyed to you by those two men ?—I should have voted for Kinglake and Vanderbyl.

45,889. You are sure about that ?—Yes.

45,890. (*Mr. Coleridge.*) Kinglake and Vanderbyl ?—No, I do not mean that.

45,891. You said so ?—Oh, yes, Kinglake and Vanderbyl.

45,892. (*Mr. Price.*) The last time, if you had exercised your privilege of the franchise freely, you would have exercised it on behalf of Kinglake and Vanderbyl ?—I should.

45,893. Now go on, if you have anything more to tell us about the last election.—No. They never told whose name or who informed them.

45,894. Why did not you go in a straightforward manner, instead of taking it from those fellows to Mr. Smith, and ask him whether he had authorized such a thing to be done; or were you afraid ?—No, I was not afraid. That was the thing I should have done, but I did not do it. The reason I did not do it was that I really thought it was an improbability, and would turn out a mere nothing after all.

45,895. But you did not vote ?—I did not vote.

45,896. (*Mr. Anstey.*) You have not yet told us what Mr. Smith did. Are you his tenant ?—Yes.

45,897. Did you hold your shop of Joseph Richard Smith ?—I did.

45,898. Therefore the meaning of the intimation was, that if you voted for the Liberals Mr. Smith would dispossess you ?—No, they did not mention any name, only held out.

45,899. (*Mr. Price.*) There was only one person who could disposses you ?—I am quite aware of that.

45,900. Then why did not you, like a man, yourself go and ask Mr. Smith what he meant by it ?—Well, I did not.

45,901. Have you ever said anything to him since ?—I have never, nor Mr. Smith to me; and I have seen him several times.

45,902. Did you vote before that in 1866 ?—No.

45,903. Never before ?—Yes, 1847.

45,904. Why did not you vote in 1866 ?—Because I had no vote.

45,905. Had you no vote between 1847 and 1868 ?—Yes ; I voted in 1852.

45,906. (*Mr. Coleridge.*) How ?—One and one.

45,907. What did you get in 1852 ?—I had 10*l.*

45,908. (*Mr. Price.*) Did you vote in 1859 ?—I did, one and one for Tynte and Follett.

45,909. Did you vote for Vanderbyl in 1866 ?—I had no vote.

45,910. Did you vote for Bagehot ?—I had no vote.

45,911. Did you vote in 1865 ?—I had no vote.

45,912. Did you vote in 1859 ?—I had no vote.

45,913. (*Mr. Coleridge.*) You have told us that you had ?—No, in 1852.

45,914. (*Mr. Price.*) Did you vote in 1857 ?—No.

45,915. In 1852 you did ?—Yes.

45,916. And had 10*l.* ?—Yes.

45,917. Who gave it you ?—William Heal, the brewer.

45,918. Did you vote in 1847 ?—Yes.

45,919. How did you vote ?—For Broadwood and Follett.

45,920. Did you get anything then ?—I did not.

45,921. At that time you were Convervative ?—I was partly Conservative and partly Liberal.

(*Mr. Coleridge.*) Broadwood, Tynte, and Gazelee were the three candidates, not Follett.

45,922. (*Mr. Price.*) Did you vote for Tynte and Broadwood ?—Yes, Tynte and Broadwood.

45,923. What have you got altogether ?—10*l.*

45,924. There is no mistake about this, that Charles Dyer and Henry Humber represented this to you ?—Yes.

Charles Sprankling sworn.

C. Sprankling.

45,925. (*Mr. Price.*) What are you ?—An innkeeper.

45,926. What inn do you keep ?—The "Ship Aground."

45,927. How did you vote at the last election ;—For Westropp.

45,928. And Gray ?—Yes.

45,929. Did you get anything ?—Not a farthing. I never asked for anything.

45,930. Had you a treating bill ?—No.

45,931, Did you vote in 1866 ?—Yes.

45,932. When Mr. Patton was here ?—Yes.

45,933. At both elections when Mr. Patton was here ?—Yes.

FORTY-THIRD DAY.

C. Sprankling.

15 Oct. 1869.

45,934. For whom did you vote ?—For Mr. Patton, both times.

45,935. Did you get anything ?—Yes.

45,936. How much ?—Mr. Temblett gave me 5*l.* out here on the pavement, after the election ; I suppose it would be two or three months.

45,937. (*Mr. Coleridge.*) Some one else gave you 10*l.*, did not he ?—I will tell you directly. Waddon met me on the other side of the bridge, and gave me 5*l.*, that is the first election of Patton, and then the second time they sent for me to come down to Pimm's, and gave me 10*l.* out at the hole in the wall.

45,938. You got 10*l.* then ?—I had 10*l.* then.

45,939. Did you vote in 1865 for Mr. Westropp ?—Yes.

45,940. Did you get anything then ?—No.

45,941. Did you vote in 1859 for Padwick and Westropp ?—Yes, I believe I had.

45,942. What did you get then ?—I think Murlis did not give it to me, but gave my daughter 10*l.*

45,943. Did you vote in 1857 for Follett ?—I never had without it was that.

45,944. When was the first election you voted at ?—Astells.

45,945. Did not you vote in 1857 then ?—I voted every time there was a vote this last 42 years ; I cannot mind the names.

45,946. In 1857 it was Follett, Tynte, and Kinglake ?—I had nothing.

45,947. How did you vote then for Follett ?—I voted the blue side, I do not know whether it was Follett.

45,948. Did you vote in 1852, Follett and Mansell were the blue party ?—Yes.

45,949. Did you get anything then ?—No, only a dinner ; I think it was down at Murlis's.

45,950. A tenner or a dinner, did you say ?—A lot of us there went to dinner at that time, that is all I had.

45,951. Did you vote in 1847 for Broadwood ?—Yes.

45,952. How much did you get ?—Nothing.

45,953. That was your first election ?—No, Astell's was my first election.

45,954. In 1841, did you vote for Broadwood and Forman ?—Yes.

45,955. How much did you get ?—Nothing.

45,956. In 1853, did you vote for Broadwood and Courtenay ?—That I do not know ; I voted for all of them along these 42 years.

45,957. How much did you get altogether for your vote ?—Altogether I think about 35*l.*

45,958. More than that, was not it ?—Not much more, I think.

45,959. (*Mr. Price.*) Had you a treating bill during the 42 years ?—No, only one.

45,960. Thirty-five pounds you have had ?—Stop ; I had a treating bill at one election, but I cannot tell you which election that was, and that was Bussell came up.

45,961. Which Bussell ?—Jim Bussell.

45,962. The old man ?—No, the young man, at the time he was leaving with Mr. Smith, and that I never had.

S. Hayward.

SAMUEL HAYWARD sworn.

45,963. (*Mr. Price.*) What are you ?—A shopkeeper.

45,964. How did you vote at the last election ?—For Westropp.

45,965. And Gray ?—Yes.

45,966. Did you get anything ?—No.

45,967. Had you any expenses, or any bill ?—No, no promise, and nothing.

45,968. Did you vote for Patton ?—Yes.

45,969. Both times ?—No, once I did, and once I missed.

45,970. Which was the time you voted for him ?—The first time.

45,971. And the second time you missed voting ?—Yes, I was at the "Clarence," and the names came in that the election was over, and I went home.

45,972. Did you get anything when you did vote ?—Yes, I got 5*l.* from Newton on the morning of the first election, and the night before Mr. Patton came down again I had 5*l.* from Temblett and 10*l.* in the morning from a stranger ; I did not see his face.

45,973. Then you got 20*l.* ?—Yes that is all.

(*F. C. Temblett.*) No, the 10*l.* he got was on the morning of Vanderbyl's election, although he did not vote, and after he got the 10*l.* he said he would go and have a walk.

(*The witness.*) Yes, I was in the "Clarence" about 12 o'clock.

45,974. (*Mr. Price.*) Then you got 10*l.* once and never gave your vote ?—That is it.

45,975. Did you vote in 1865 ?—No.

45,976. You went out to take a walk instead of voting ?—I came back to the "Clarence" about 12.

45,977. Did you ever vote before that ?—When Patton came first ; I had not a vote before that.

J. Dyer.

JOHN DYER sworn.

45,978. (*Mr. Price.*) What are you ?—A nurseryman.

45,979. (*Mr. Anstey.*) Are you the son of Ambrose Dyer ?—I am.

45,980. (*Mr. Price.*) And now carry on your business in Taunton ?—Yes.

45,981. You were formerly residing in Bridgwater ?—Yes.

45,982. Were you a voter at the last election for Bridgwater ?—Not for Bridgwater.

45,983. Were you a voter in 1866 ?—I was.

45984. Did you vote for Patton or Vanderbyl ?—Vanderbyl.

45,985. Did you get anything for it ?—Yes.

45,986. Who from ?—From Ambrose Dyer.

45,987. That is your father ?—Yes.

45,988. How much ?—10*l.*

45,989. Did you vote for Bagehot ?—Yes.

45,990. How much did you get ?—10*l.*

45,991. Who from ?—Father.

45,992. Did you vote in 1865 ?—Yes.

45,993. How much did you get ?—Nothing.

45,994. Who did you vote for ?—Kinglake and Shelley.

45,995. Do you remember dining at the Petherton race dinner ?—Yes.

45,996. Was that about the time that your father had given evidence ?—Well, I cannot say.

45,997. Was it the other day since we have been here ?—Yes, last month, I think.

45,998. Did you say, "Thank goodness, I have now "ceased to have any connexion with the disreputable "borough of Bridgwater" ?—Not that I am aware of.

45,999. And now belong to a place I am not ashamed to mention ?—No.

(*Mr. Coleridge.*) What is the place ?

46,000. (*Mr. Price.*) That is Taunton ?—That is where I reside, Taunton.

46,001. Is your father a man of wealth ?—I think he is very well off.

46,002. And he took money for his votes ?—Not for his votes, I think. I took it for mine, I do not know whether his.

46,003. Did you vote in 1865 ?—Yes ; the first time I had a vote was Kinglake and Shelley.

46,004. Then you did not thank goodness that you had got away from Bridgwater ?—I do not remember such a thing.

46,005. Did you vote at the last election at Taunton ?—Yes.

JAMES CORDING sworn. *J. Cording.*

46,006. (*Mr. Price.*) What are you?—A ship's carpenter.
46,007. Where do you work?—I am working for the railway company now.
46,008. Did you vote at the last election?—Yes.
46,009. Who for?—Kinglake and Vanderbyl.
46,010. Did you get anything then?—Yes.
46,011. How much?—10*l.*
46,012. Who from?—Bussell.
46,013. Did you vote at the elections of 1866, either of them?—No, I had no vote before.

WILLIAM FRY sworn. *W. Fry.*

46,014. (*Mr. Price.*) What are you?—A carpenter.
46,015. Who do you work for?—The Bristol and Exeter.
46,016. Did you vote at the last election?—I did.
46,017. How?—On the Liberal side.
46,018. For Vanderbyl and Kinglake?—Yes.
46,019. What did you get?—10*l.*
46,020. Who from?—I do not know.
46,021. Where did you get it?—At the "New Inn."
46,022. Did you vote in 1866 at all?—I never had a vote before.

H. C. BUSSELL recalled. *H. C. Bussell.*

46,023. (*Mr. Price.*) Was William Hensley bribed at the last election?—No, it was a man at sea; he was not bribed at the last election.
46,024. You might attend, and have a certificate for them?—All the people I bribed have been called at the last election.

JOHN STONE sworn. *J. Stone.*

46,025. (*Mr. Price.*) What are you?—A butcher.
46,026. How did you vote at the last election?—For Westropp and Gray.
46,027. Did you get anything?—Nothing.
46,028. Any promise?—No, never.
46,029. Did you vote in 1866?—I did.
46,030. For Patton?—Yes.
46,031. Both times?—Yes.
46,032. How much did you get?—Nothing. I have had a vote for 28 years, and never gave a bribe or received one in my life, or never a promise.

JOHN KIDDLE sworn. *J. Kiddle.*

46,033. What are you?—I keep a public-house.
46,034. What house?—The "Salmon."
46,035. Did you vote at the last election?—Yes.
46,036. How did you vote?—Westropp and Gray.
46,037. Did you get anything?—No.
46,038. Any promise?—No.
46,039. Had you any treating bills?—No.
46,040. Did you vote in 1866?—Yes.
46,041. Who for?—Patton.
46,042. Both times?—Only once.
46,043. When?—When he was returned.
46,044. That is the first time?—The first time.
46,045. What did you get then?—10*l.*
46,046. Who from?—Waddon.
46,047. Why did not you vote the second time Mr. Patton came and stood here?—I was not here. I only voted twice in my whole time.
46,048. How was it that you were not here the second time that Mr. Patton stood here; you had gone away, I suppose?—No, he only put up once, I think.
46,049. Yes, six weeks after the first, when Mr. Vanderbyl came down, how did you vote? Mr. Patton came here, and was opposed by Mr. Bagehot, and then you voted for him?—Yes.
46,050. And got 10*l.*?—Yes.
46,051. And then he came forward a second time, and Mr. Vanderbyl opposed him; how did you vote then?—Westropp and Gray.
46,052. (*Mr. Coleridge.*) Westropp and Gray were not standing; Vanderbyl and Patton were the candidates?—Well, I never voted but twice.
46,053. How much did you get for your vote altogether?—10*l.*
46,054. No second 10*l.*?—No.
46,055. Or 5*l.*?—No, not a fraction.
46,056. Nor anything after the election?—No.

RICHARD WHITE sworn. *R. White.*

46,057. (*Mr. Price.*) What are you?—I work on the quay.
46,058. You work on the quay?—I work on the quay, a hobbler.
46,059. How did you vote last time?—For Westropp and Gray.
46,060. Did you get anything?—No.
46,061. Any promise?—No.
46,062. What time of the day did you vote?—About half-past 12, I believe.
46,063. Did you vote in 1866?—No, I had not any vote then; I never had but one vote.
46,064. Was any promise given you last time?—No.
46,065. Is there any other Richard White in Eastover but yourself?—No.
46,066. Did you get anything from the other side?—No.
46,067. Any promise?—No.
46,068. Were you employed by anybody?—No.
46,069. Or asked to go to vote?—No.

JAMES RICHARDS sworn. *J. Richards.*

46,070. (*Mr. Price.*) You are the James Richards of Provident Place?—Yes.
46,071. What are you?—A porter.
46,072. Where are you employed?—At Mr. Rose's High Street.
46,073. Who did you vote for at the last election?—Kinglake and Vanderbyl.
46,074. What did you get?—Nothing.
46,075. Any promise?—No.
46,076. Did you vote in 1866, when Mr. Patton stood here twice?—I did.
46,077. Did you vote for Patton or Vanderbyl?—Vanderbyl.
46,078. Did you get anything?—I did.
46,079. How much?—10*l.*
46,080. Who from?—Dyment.
46,081. Did you vote for Bagehot?—I did.
46,082. How much did you get?—10*l.*
46,083. Did you vote in 1865, when Kinglake, Shelley, and Westropp stood?—Yes.
46,084. How did you vote?—Kinglake and Shelley.
46,085. Did you get anything then?—No.
46,086. Was any promise made to you?—No.
46,087. Did you vote before?—That is my first vote.

FORTY-THIRD DAY.

15 Oct. 1869.

William Henry Morris sworn.

W. H. Morris.

46,088. (*Mr. Price.*) What are you?—A saddler.
46,089. How did you vote at the last election?—Kinglake and Vanderbyl.
46,090. Did you get anything for it?—No.
46,091. Nothing at all?—Nothing at all.
46,092. No promise?—No promise.
46,093. Did you vote in 1866?—I never voted before.
46,094. Is there any other William Henry Morris you know of?—Not that I know of.
46,095. Did you bribe anybody?—No.

James Harrington sworn.

J. Harrington.

46,096. (*Mr. Price.*) What are you?—A basket maker.
46,097. How did you vote at the last election?—Kinglake and Vanderbyl.
46,098. Did you get anything for it?—No.
46,099. Nothing at all?—No.
46,100. No promise?—No promise.
46,101. Did you vote at the elections of 1866, either of them?—Yes.
46,102. How did you vote then, for Mr. Vanderbyl?—Yes.
46,103. What did you get then?—10*l.*
46,104. Who from?—From Dyment.
46,105. Did you vote for Bagehot?—Yes.
46,106. Did you get anything then?—Yes, 10*l.*
46,107. Who from?—Dyment.
46,108. Did you vote in 1865 for Kinglake and Shelley?—Yes.
46,109. Did you get anything?—No, I did not.
46,110. Did you vote in 1859?—Yes.
46,111. Kinglake and Tynte?—Yes.
46,112. Did you get anything then?—Yes, 10*l.*
46,113. Who from?—Dyment.
46,114. Did you vote in 1857, Tynte and Kinglake?—I cannot recollect about that.
46,115. Did you vote in 1852?—I cannot recollect so far back.

John Dunn sworn.

J. Dunn.

46,116. (*Mr. Price.*) What are you?—A carpenter.
46,117. How did you vote at the last election?—Kinglake and Vanderbyl.
46,118. Did you get anything for it?—No.
46,119. No promise?—No.
46,120, Did you vote in 1866?—I never had a vote before.
46,121. Is there any other John Dunn in Bridgwater?
(*Mr. Superintendent Lear.*) No.

William Dight sworn.

W. Dight.

46,122. (*Mr. Price.*) What are you?—A carpenter.
46,123. Who do you work for?—For no one.
46,124. For anybody I suppose?—Anybody who will employ me.
46,125. How did you vote at the last election?—Kinglake and Vanderbyl.
46,126. Did you get anything for it?—Not at all.
46,127. Any promise?—Not at all. I did not expect none.
46,128. Did you vote at the election before?—No.
46,129. Have you ever voted before?—I have voted in 1852.
46,130. That is the only time you voted before the last election?—No.
46,131. What did you get in 1852?—Nothing.
46,132. How did you vote then?—Tynte and Kinglake.
46,133. (*Mr. Anstey.*) Is there any other person of the same name as you?—There are several pronounced the same way, but not spelt the same way as mine.

Alfred Bidgood sworn.

A. Bidgood.

46,134. (*Mr. Price.*) What are you?—A printer.
46,135. Did you vote at the last election?—I did.
46,136. How did you vote?—Kinglake and Vanderbyl.
46,137. Did you get anything for it?—10*l.*
46,138. Who from?—Allan.
46,139. Did you vote at the elections of 1866, either of them?—No.
46,140. Had you a vote before the last time?—No.
46,141. (*Mr. Anstey.*) What is your condition in life?—I am a printer.
46,142. A master or a journeyman?—A journeyman.
46,143. In whose service are you?—Mr. Graham's.
46,144. You occupy a tenement of less than 10*l.* I suppose?—I did at that time.
46,145. At the time of the election?—Yes.

William Stuckey sworn.

W. Stuckey.

46,146. (*Mr. Coleridge.*) Did you vote at the last election?—Yes.
46,147. How did you vote?—Kinglake and Vanderbyl.
46,148. What did you get?—Nothing.
46,149. Did you vote the time before?—No, I never had a vote before.
46,150. Have you ever had anything to do with elections before?—Never.
46,151. Received any money?—No.
46,152. Or given any money?—No, never.

John Croker sworn.

J. Croker.

46,153. (*Mr. Coleridge.*) Have you been summoned?—Subpœnaed.
46,154. Are you in the list to-day?—Yes, and yesterday, I believe, too.
46,155. Had you a vote at the last election?—Yes.
46,156. How did you vote?—Kinglake and Vanderbyl.
46,157. What did you get?—Nothing.
46,158. Did you vote the time before?—Yes.
46,159. Who for?—Vanderbyl.
46,160. What did you get?—10*l.*
46,161. Who from?—Searle.
46,162. Did you vote at the next election, in 1866?—Yes.
46,163. What did you get?—10*l.*
46,164. Who from?—Joseph White.
46,165. Did you vote in 1865?—Yes.
46,166. Who for?—Shelley.
46,167. And Kinglake?—Yes.
46,168. What did you get then?—Nothing.
46,169. Nothing at all?—No.
46,170. No present?—No.
46,171. Did you vote in 1859?—No.

William Lock Bailey sworn.

W. L. Bailey.

46,172. (*Mr. Price.*) What are you?—A general servant.
46,173. Did you vote at the last election?—Yes.
46,174. How did you vote?—Westropp and Gray.
46,175. Did you get anything?—No, I had no money and no promise.
46,176. (*Mr. Coleridge.*) Did you vote at the election before?—No; I had no vote whatever.
46,177. Were you ever bribed, or did you get anything for voting at any time?—I never had a vote before.
46,178. Is there anybody else of your name in the town?—Plenty of William Baileys.

JOHN HASTE sworn.

46,179. (*Mr. Price.*) Had you a vote at the last election?—No.

46,180. When did you vote?—In 1866.

46,181. (*Mr. Coleridge.*) What did you get in 1866?—10*l.*

46,182. Who from?—Jarvis.

46,183. And voted for whom?—Patton.

46,184. Did you vote at the first election for Patton?—Yes.

46,185. Did you get anything for it?—10*l.*

46,186. Who from?—Jarvis.

46,187. Did you vote in 1865?—Yes.

46,188. Who for?—Westropp.

46,189. What did you get?—10*l.*

46,190. Who from?—Thomas Boys.

46,191. Did you vote in 1859?—I had not a vote before.

46,192. You have voted three times, and had 30*l.*—Yes.

E. Bidgood.

EDWIN BIDGOOD sworn.

46,193. (*Mr. Coleridge.*) Did you vote at the last election?—Yes.

46,194. Who for?—Kinglake and Vanderbyl.

46,195. What did you get?—Nothing.

46,196. Nothing afterwards?—No.

46,197. No promise?—No.

46,198. Did you vote in 1866?—Yes.

46,199. Who for?—Vanderbyl.

46,200. What did you get?—20*l.*

46,201. Who from?—10*l.* from Bulpin, and 10*l.* from Heal.

46,202. Who paid you first?—Heal.

46,203. Bulpin did not know you had 10*l.* from Heal?—I think he did. I told him so.

46,204. You told him so?—Yes.

46,205. And he gave you another 10*l.*?—Yes.

46,206. At the election before how did you vote?—For Bagehot.

46,207. What did you get?—Nothing.

46,208. Nothing at all?—No.

46,209. Nothing afterwards?—No.

46,210. Did you vote in 1865?—No, I had not a vote.

W. Snell.

WILLIAM SNELL sworn.

46,211. (*Mr. Coleridge.*) Did you vote at the last election?—Yes.

46,212. Who for?—Kinglake and Vanderbyl.

46,213. What did you get paid?—Nothing.

46,214. Did you vote at the election before 1866?—Yes.

46,215. For Vanderbyl?—Yes.

46,216. What did you get then?—25*l.*

46,217. Who from?—Charles Bulpin.

46,218. The whole of it?—Yes.

46,219. Did you vote at Patton's first election?—Yes.

46,220. What did you get then?—10*l.*

46,221. Did you vote in 1865 for Kinglake and Shelley?—Yes.

46,222. What did you get then?—Nothing.

46,223. Did you vote in 1859, Kinglake and Tynte?—Yes, Kinglake and Tynte.

46,224. What did you get then?—I do not know as ever I had anything.

46,225. Of course you would. What did you get?—I do not know as I had anything.

46,226. Had your wife something?—No, I had no wife.

46,227. Are you sure you got nothing?—Nothing at that election.

46,228. In 1857, did you vote for Kinglake and Tynte again?—Yes.

46,229. What did you get then?—Shelley's election.

46,230. No, long past that. How often have you been paid altogether in your lifetime?—I can't say. I had nothing then I don't believe.

46,231. Have you made 100*l.* out of your votes altogether in your lifetime?—I cannot tell.

46,232. You must remember. Tell us?—I cannot recollect.

46,233. You got 25*l.* at Mr. Vanderbyl's first election?—Yes.

46,234. And 10*l.* at Mr. Bagehot's election?—Yes.

46,235. You got nothing in 1865, and do not know what you got at Tynte and Kinglake's election. Do you know who has paid you besides Bulpin in your lifetime?—Well, I had 10*l.* once from Bussell.

46,236. When?—I cannot say what election.

46,237. Was it in 1859?

(*Bussell.*) In 1859 I believe it was.

(*The witness.*) That was the time.

46,238. (*Mr. Coleridge.*) You have sworn once you got nothing; were you paid by Murlis as well?—No.

46,239. Did you get anything from Murlis?—No.

46,240. How did you vote in 1859?—Kinglake and Tynte.

46,241. Did you ever vote for the Tories at all?—Yes, I voted a good many years ago, and for Tynte and Kinglake every time they have been here.

46,242. What did you get the first time you voted for Tynte and Kinglake?—Nothing.

46,243. What did you get in 1852 when Lord Henley stood?—Nothing; if I had voted for Lord Henley I might have had 10*l.*

46,244. You say you might have had money if you had voted for Lord Henley?—Yes.

46,245. Who offered it to you?—I should have had it from the parties.

46,246. Tell us whom?—They were parties who came to me. I should have had money to vote for Lord Henley, but I did not do so.

46,247. In 1847, when Broadwood, Tynte, and Serjeant Gazelee stood, whom did you vote for then?—Broadwood, sir?

46,248. Yes, did you ever vote for Broadwood?—Yes.

46,249. Did you get paid?—Yes.

46,250. How much?—The first election for Broadwood; I voted for Broadwood and Martyn.

46,251. What did you get then?—I had 50*l.*

46,252. What, for yourself?—Yes, and then some could have had 90*l.*

46,253. In the election when Leader stood, what did you get?—That was the election I had it.

46,254. How did you vote?—For Broadwood and Martyn.

46,255. The next election, when Broadwood stood, and Sheridan stood, what did you get then?—Nothing.

46,256. At the next election, when Broadwood, and Courtenay, and Lethbridge, and Sheridan stood, what did you get then?—Nothing.

46,257. And when Broadwood, Forman, Drew, and Robinson stood, what did you get then?—I voted for Broadwood, and never had anything.

46,258. How often have you been paid by Broadwood?—Only once.

46,259. And then you got 50*l.*—Yes.

46,260. Did you have anything from Leader?—That was the time.

46,261. Did you ever get anything from Leader as well?—No.

46,262. Then you have had upwards of 100*l.* for your vote at one time and the other?—I cannot say.

H. Humber.

HENRY HUMBER sworn.

46,263. (*Mr. Price.*) Did you go before the last election, and speak to Mr. James Tilly about his vote?—No.

46,264. Never?—I did not about his vote.

46,265. What?—Not the last election.

46,266. Any election?—Never.

46,267. You never spoke to him about his vote?—When Mr. Westropp came here to a dinner, Tilly, the next day I was going out, said, "I wonder you fellows "can go about the same as you do; I saw Mr. "Westropp down the square cadging.

46,268. (*Mr. Anstey.*) Was that the middle of last year?—Yes.

FORTY-THIRD DAY.

H. Humber.

15 Oct. 1869.

46,269. (*Mr. Price.*) Go on?—Well, I do not know what you want.

46,270. What was said?—Well, we had a little bit of a fall out, and I told him if he did not mind what he was about, I dare say he would leave the shop.

46,271. What business had you to say that to him?—Because he was living in my shop.

46,272. Your shop?—He rented the shop of me when we took it first, and then it fell into Mr. Smith's hands.

46,273. Of you?—My father.

46,274. (*Mr. Anstey.*) He says he rents?—He do now.

46,275. But then at that time did he rent it of Joseph Richard Smith?—Yes, he did.

46,276. (*Mr. Price.*) What business had you to tell him that he would lose his shop?—Because it belonged to our house, and we could take it, I suppose.

46,277. How do you mean it belonged to your house?—The shop did.

46,278. Are you a partner of Mr. Smith?—No.

46,279. What is your story? you say it belonged to Mr. Smith; he was paying rent for it?—No, he used to pay we rent for it.

46,280. (*Mr. Price.*) Did you let it to him, or your father?—Father did.

46,281. He was an under tenant of yours?—Yes.

46,282. And used to pay rent to you or your father?—He did at one time.

46,283. Did he in 1868, when you had this conversation with him?—No.

46,284. (*Mr. Anstey.*) Had you spoken to Joseph Richard Smith on the subject?—No.

46,285. Had Mr. Smith spoken to you on the subject?—No.

46,286. Then by what authority did you, having nothing to do with the shop at that time, take on yourself to say that he had better look out?—I daresay Mr. Smith would let we have the shop again if we wanted it.

46,287. Had he told you so?—I had not asked him.

46,288, Had Mr. Joseph Richard Smith told you so?—Told me so?

46,289. Yes?—No.

46,290. Then what do you mean by saying this, when you had nothing to do with the shop, "Take "care, or you will lose your shop?"—Because we could have had it again, I suppose.

46,291. Did Mr. Joseph Richard Smith tell you so?—No, he did not.

46,292. Are you a great friend of Mr. Joseph Richard Smith's?—Well, not very great.

46,293. Do you manage any portion of his house property?—We do his work.

46,294. Of his property?—We do his work to the house property.

46,295. What work?—Carpentering work.

45,296. Then you have the management of the house and shops which he lets?—No, we go sometimes to work in the shops.

46,297. Ever anything about receiving rents or letting in a tenant?—No.

46,298. I do not understand your statement of it; it is a flat contradiction, as it seems to me, of the other.

C. Dyer.

CHARLES DYER sworn.

46,299. (*Mr. Price.*) What was it you said to Mr. Tilly about losing his shop if he voted?—I was in Mr. Tilly's shop; he kept a barber's shop.

46,300. When?—I cannot say the day of the month.

46,301. Before the last election?—Before the last election, and there was a conversation between people, the Conservatives there, and there was some of the Liberal party there, having a bit of a contest about it, and I went out to go home, and Humber was out of the passage door, and he said Tilly would get into a bother in that shop if he does not shut up some of that, and would have to leave his shop, that is all.

46,302. Did you say anything about it?—No, I told Tilly of it.

46,303. (*Mr. Anstey.*) Is that Humber who said that is all?—That is all I know.

46,304. Humber did not say that?—No, he told me if he kept on that bother.

46,305. Did Humber say, "That is all I know?"—I say that is all I do know of the concern. I told Tilly that he should say if he would not stop some of that bother in the shop he would have to leave the shop.

46,306. (*Mr. Price.*) You told Tilly what this fellow said to you merely?—Yes.

46,307. (*Mr. Anstey.*) And afterwards Humber told Tilley the same thing himself?—I do not know.

B. Crowden.

BENJAMIN CROWDEN sworn.

46,308. (*Mr. Coleridge.*) Did you vote at the last election?—I did.

46,309. Who for?—Kinglake and Vanderbyl.

46,310. What did you get?—Nothing at all.

46,311. Did you vote any time before?—No, that is the only vote I have had.

46,312. Did you get anything for your vote at all?—No.

J. Bell.

JOHN BELL sworn.

46,313. (*Mr. Coleridge.*) Did you vote at the last election?—Yes.

46,314. Who for?—Westropp and Gray.

46,315. What did you get?—Nothing.

46,316. Did you vote the time before?—No, that is the first time and the last.

46,317. You never voted before?—I never voted before.

46,318. And never had anything for your vote?—No; nor promised anything.

W. Thomas.

WILLIAM THOMAS sworn.

46,319. (*Mr. Coleridge.*) Did you vote at the last election?—Yes.

46,320. Who for?—Kinglake and Vanderbyl.

46,321. Did you get anything?—Nothing.

46,322. Any promise?—No.

46,323. Did you vote before that?—No.

H. Harram.

HENRY BARTRAM sworn.

46,324. (*Mr. Coleridge.*) Did you vote at the last election?—I never had a vote.

46,325. Did you have anything to do with the election?—I saw my name was mentioned when Searle was giving his evidence, as taking 10*l.* to give William Hicks.

46,326. Did you?—I did.

46,327. Which election?—That was Mr. Vanderbyl's first election.

46,328. That was for his vote?—Yes.

(*Mr. Price.*) Now I am going to record this public notice, which will be also posted on the outer door of the hall: "Notice is hereby given that the Com- "missioners will sit to-morrow (Saturday) the 16th, "at half-past 10, to consider the claims of persons "who have committed corrupt practices at the elec- "tion of 1868, and who wish to obtain certificates of "freedom from the consequences of their unlawful "acts. Application must be made in open court, "and will be then and there decided by the Com- "missioners." That is the business to which we intend to devote ourselves to-morrow, unless, under very special circumstances, anybody who has been called to-day can give an excuse why he was not here when called.

Adjourned to to-morrow at half-past 10.

FORTY-FOURTH DAY.

Saturday, 16th October 1869.

PRESENT :

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
HENRY FRANCIS PURCELL, Esq., Secretary.

FORTY-FOURTH DAY.

J. Lee.

16 Oct. 1869.

JOHN LEE sworn.

46,329. (*Mr. Price.*) What are you ?—A labourer.
46,330. Did you vote at the last election ?—Yes.
46,331. How did you vote ?—Westropp and Gray.
46,332. What did you get for it ?—Nothing at all.
46,333. Any promise ?—No.
46,334. Is that the first time you voted ?—No.
46,335. Did you vote in 1866, when Vanderbyl and Patton were here ?—Yes, I did.
46,336. How did you vote ?—Patton.
46,337. Did you get anything then ?—I did.
46,338. How much ?—10*l.*
46,339. Who from ?—Waddon gave it my wife.
46,340. Did you vote when Mr. Patton stood the first time in 1866 ?—My wife had it that first time.
46,341. And who the second ?—Me.
46,342. Your wife had 10*l.* the first occasion, and you 10*l.* on the second ?—I did.
46,343. Waddon left it with your wife, who gave it to you when it was paid to you ?—Waddon gave it to my wife.
46,344. Both times ?—No.
46,345. Who gave it to you ?—Bryant give it to me.
46,346. (*Mr. Coleridge.*) Did you vote in 1865 for Westropp ?—I voted for Westropp when he was turned out.
46,347. (*Mr. Price.*) Did you get anything ?—10*l.*
46,348. Who from ?—Jarman.
46,349. Did you vote in 1859 for Padwick and Westropp ?—I had no vote.

J. Coombes.

JOSEPH COOMBES sworn.

46,350. (*Mr. Price.*) What are you? — A plumber.
46,351. A master plumber ?—Yes.
46,352. Did you vote at the last election ?—Yes.
46,353. How did you vote ? — Kinglake and Vanderbyl.
46,354. Did you get anything ?—No.
46,355. Nothing at all ?—No.
46,356. No promise ?—No.
46,357. Did you vote in 1866 ?—Yes.
46,358. For Vanderbyl ?—Yes.
46,359. How much did you get ?—10*l.*
46,360. Who from ?—White gave it me.
46,361. Did you vote for Bagehot ?—Yes.
46,362. How much did you get ?—10*l.*
46,363. Who from ?—Bussell.
46,364. Did you vote in 1865 ?—Yes.
46,365. How did you vote ?—Kinglake and Shelley.
46,366. How much did you get ?—Nothing.
46,367. Did you vote in 1859 ?—No, I had no vote I wish to state I never had the 10*l.* Gilbert said I had, neither from John Smith. Gilbert said in his evidence he gave me 10*l.* I never received it.
46,368. (*Mr. Coleridge.*) Did he ever say anything to you about it or promise it ?—No.
46,369. Did John Smith ?—No.
46,370. Therefore if they had it they must have kept it ?—Yes.

H. C. Bussell.

H. C. BUSSELL recalled.

46,371. (*Mr. Price.*) Do you know anything about it ?—I only know I paid him once.

T. Redman.

THOMAS REDMAN sworn.

46,372. (*Mr. Price.*) What are you ?—A labourer.
46,373. Did you vote at the last election ?—I did.
46,374. How did you vote ?—Kinglake and Vanderbyl.
46,375. Did you get anything ?—No.
46,376. Any promise ?—No.
46,377. Did you vote for Mr. Vanderbyl in 1866 ?—Yes.
46,378. How much did you get ?—10*l.*
46,379. Who from ?—William Gold.
46,380. Did you vote for Bagehot ?—Yes.
46,381. How much did you get ?—Nothing.
46,382. Did you vote in 1865 Kinglake and Shelley ?—Yes.
46,383. Did you get anything ?—No.
46,384. Nothing afterwards ?—No.
46,385. Nothing after Bagehot's election ?—No.
46,386. Nor your wife ?—Nor my wife.
46,387. You had one 10*l.* ?—I had one 10*l.*

J. Southwood.

JAMES SOUTHWOOD sworn.

46,388. (*Mr. Coleridge.*) Did you vote at the last election ?—Yes.
46,389. Who for ?—Westropp and Gray.
46,390. What did you get ?—Nothing at all.
46,391. Any promise ?—No.
46,392. Did you vote in 1866 for Patton ?—Yes, for Patton.
46,393. What did you get ?—10*l.*
46,394. Who from ?—Jarman, the baker.
46,395. The first election of Mr. Patton what did you get ?—10*l.*
46,396. Who from ?—Jarman.
46,397. Did you vote in 1866 for Mr. Westropp ?—Yes.
46,398. What did you get ?—10*l.*
46,399. Who from ?—William Heal, the brewer.
46,400. Did you vote in 1859 ?—No, I never had a vote before.

FORTY-FOURTH DAY.

16 Oct. 1869.

J. Folks. — Job Folks sworn.

46,401. (*Mr. Price.*) What are you?—A butcher.
46,402. Who do you work for?—Myself.
46,403. Did you vote at the last election?—Yes.
46,404. How did you vote?—Kinglake and Vanderbyl.
46,405. Did you get anything?—10*l.*
46,406. Who from?—Allan.
46,407. Did you vote in 1866?—No, not before.

C. Wilkins. — Charles Wilkins sworn.

46,408. (*Mr. Price.*) What are you?—I keep a public-house.
46,409. What house?—The "Market House" inn.
46,410. Did you vote at the last election?—Yes.
46,411. How did you vote?—Kinglake and Vanderbyl.
46,412. Did you get anything?—No.
46,413. Did you get anything before?—Yes.
46,414. Did you vote in 1866 for Vanderbyl?—Yes.
46,415. Did you get anything?—Yes.
46,416. How much?—14*l.*
46,417. Who from?—From Alway.
46,418. Was that for your vote?—Yes.
46,419. Had you a treating bill as well?—No.
46,420. Did you vote for Bagehot?—Yes.
46,421. What did you get then?—10*l.*
46,422. Who from?—Searle.
46,423. Did you vote in 1865?—No.
46,424. In 1859?—No.
46,425. Did you vote before 1866?—No.

F. Cooper. — Frederick Cooper sworn.

46,426. (*Mr. Price.*) What are you?—A bootmaker.
46,427. Did you vote at the last election?—I did.
46,428. How did you vote?—Kinglake and Vanderbyl.
46,429. Did you get anything for it?—Yes, 10*l.*
46,430. Who from?—Allan.
46,431. Did you vote in 1866?—No, I never had a vote before.

R. Ford. — Robert Ford sworn.

46,432. (*Mr. Price.*) What are you?—A timber merchant.
46,433. Are you a voter here?—I am.
46,434. As a matter of form I must go through the questions with you. How did you vote the last time?—For Westropp and Gray.
46,435. Did you get anything for it?—I never had a shilling for a vote in my life.
46,436. Did you vote at the other elections?—Yes.
46,437. For Patton the one before?—Always Conservative up to 1852. In 1852 I voted for Tynte and Kinglake, and after that I altered my mind.
46,438. You bribed a man of the name of Powell?—A man called on me and left the money.
46,439. Which election?—The 7th June, Patton's last election, about a month after that election.
46,440. Patton's first election?—A man came and left me 10*l.*; he would not tell me his name, nor name the gentleman who sent him, and I was to give it to Powell, and old Powell has acknowledged it in this court.

J. Reed. — Joseph Reed sworn.

46,441. (*Mr. Price.*) What are you?—A railway porter.
46,442. Did you vote at the last election?—Yes.
46,443. How did you vote?—Kinglake and Vanderbyl.
46,444. Did you get anything?—No.
46,445. Any promise?—No.
46,446. Were you brought up to poll by anybody in authority?—No; I went myself.
46,447. Did you vote in 1866?—Yes.
46,448. When Vanderbyl stood?—Yes.
46,449. How did you vote?—I voted for Vanderbyl and Kinglake.
46,450. Vanderbyl alone when he stood alone?—No, Vanderbyl and Kinglake.
46,451. And the election when Vanderbyl first came here?—I voted for him.
46,452. How much did you get?—10*l.*
46,453. Who from?—Smith.
46,454. Did you vote for Bagehot?—Yes.
46,455. How much?—10*l.*
46,456. Who from?—Kidner.
46,457. Did you vote in 1865.?—Yes.
46,458. Who for?—Westropp.
46,459. How much did you get?—Nothing.
46,460. No promise?—No.
46,461. Is that the reason you went over to the other side?—No, not that, but I had nothing at all.
46,462. Did you vote in 1859?—I had no vote.

R. Walters. — Robert Walters sworn.

46,463. (*Mr. Price.*) What are you?—A butcher.
46,464. How did you vote at the last election?—Vanderbyl and Kinglake.
46,465. Did you get anything for it?—Yes.
46,466. How much?—10*l.*
46,467. Who from?—Andrew Allan.
46,468. Did you vote in 1866 for Vanderbyl?—Yes.
46,469. How much?—20*l.*
46,470. Who from?—White.
46,471. Did you vote for Bagehot?—Yes.
46,472. How much?—10*l.*
46,473. Who from?—White.
46,474. Did you vote in 1865 for Shelley and Kinglake?—Yes.
46,475. Did you get anything?—No.
46,476. Any promise?—No.
46,477. Anything after the election?—No.
46,478. Did you vote in 1859 for Tynte and Kinglake or Padwick and Westropp?—Yes.
46,479. Did you vote for Padwick and Westropp?—No.
46,480. Tynte and Kinglake?—Yes.
46,481. Did you get anything?—Yes.
46,482. How much?—10*l.*
46,483. Who from?—I think it was from Heal.
46.484. Did you vote in 1857?—Yes.
46,485. That would be Tynte and Kinglake, Gray and Follett?—Yes.
46,486. How did you vote?—Tynte and Kinglake.
46,487. Did you get anything then?—I am not certain.
46,488. Did you vote in 1852? Tell us any other time you got any money?—I did not get any more.
46,489. You have had 20*l.* and two tens?—Yes.

R. Walters.

16 Oct. 1869.

46,490. (*Mr. Coleridge.*) You are not sure you did not vote in 1857?—I may.

46,491. If you did what was it you got and who from?

46,492. (*Mr. Price.*) Come, you need not hesitate.—I do not hesitate, but I cannot recollect.

46,493. (*Mr. Coleridge.*) Did you get any money?—I do not believe I did.

WILLIAM CROSSMAN sworn.

W. Crossman.

46,494. (*Mr. Price.*) You have been at sea till last night?—Yes. I came home last night.

46,495. Did you vote at the last election?—Yes.

46,496. How?—For Kinglake and Vanderbyl.

46,497. Did you get anything?—Yes.

46,498. How much?—10*l.*

46,499. From whom?—Henry Chapman Bussell.

46,500. Did you vote in 1866?—No, never had a vste before.

JAMES PARKER sworn.

J. Parker.

46,501. (*Mr. Price.*) What are you?—A labouring man.

46,502. Where do you work?—I was not working anywhere at all at the election.

46,503. Did you vote at the last election?—I did.

46,504. Who for?—Kinglake and Vanderbyl.

46,505. Did you get anything?—Yes, I did.

46,506. How much?—I cannot tell.

46,507. About how much?—Well, it might be 8*l.* or 9*l.* or 10*l.*, as far as I know I had the same quantity as the rest.

46,508. Where did you get it?—At the "New Inn," at Eastover.

46,509. Did you vote in 1866?—I had no vote before the last election.

(*Mr. Price.*) Now, before I begin to give the certificates, I think it is right to give notice that although, as I said very early in this inquiry, we are quite amenable to comments on our conduct, yet it does not seem the sort of fairness that ought to be shown to persons who are discharging a disagreeable and perhaps invidious duty to increase the odium by putting expressions into our mouths which we have not used. We find persons who are not satisfied with doing that through the medium of the local papers have tried to get some of the London papers to insert their complaints as to language they say has been used. Now language has been used characterising the conduct of witnesses, and I think those who have been in court, and heard such disclosures as a man named Heal made could hardly be surprised at any honest man expressing his feelings in strong terms, therefore there is nothing to retract, and we should certainly express ourselves in the same way again, but it is quite contrary to the fact that we have frequently used towards witnesses the terms scoundrel or thief, or anything of that kind, it is utterly untrue, and unworthy of anybody to take the means I have alluded to of increasing the odium of our duties.

(*Mr. Anstey.*) I do not recollect their being used with regard to anybody, not even Heal, but I quite agree that Heal did leave the box a thoroughly disgraced man, and had no character to maintain, but it is an infamous falsehood to say that those are the specimens with which witnesses are frequently addressed. I do not believe anybody but Heal was so told.

The Commissioners then granted certificates to the following persons:—

James Cook.
Paul Octavius Haythorne Reed.
Joseph White.
Henry Chapman Bussell.
Henry Jarman.
Edward Culliford.
Andrew Allan.
William Robinson.
Robert Garratt.
William Hamson.
John Boucher.
F. C. Temblett.
Isaac Trapnell.
James Cording.
John Hellard.
James Podger.
George Stacey.
Thomas Dyer.
James Studley.
Francis William Rose.
John Hall.
Abraham Hawkins.
Francis Carver.
John Kitch.
Robert Jones Howe.
Benjamin Brewster Burton.
Richard Hooper.
William Dyke.
Charles Stone.
James Leaker.
Barnet Porter.
Eustace Barham (by J. H. B. Carslake).
Henry Guy.
William Crossman.
Philip Gilbert, the younger.
John Prior (by J. L. Sealy).
John Fackerell.
Carey Bailey Mogg.
James Trapnell.
Going Murray.
Dennis Heron.
Jonas Silke.
Walter Coles.
William Crocker.
Frederick Boys (by Andrew Allan).
Robert Walters. do.
William Dyment (by Thomas Collins).
Henry Fisher.
James Parker.
Joseph French (by Henry Hayward).
Edward Prior.
John Webber.
James Honeyball.

The following applied for their certificates, and were refused:

James Hayward, and
John Smith.

(*Mr. Price.*) There is one gentleman who has been very prominently brought before us throughout the whole of these proceedings, and who had an opportunity very early in the proceedings of disclosing fully and candidly all that he knew about the matter. We were sufficiently dissatisfied when he was giving his evidence, and see no reason whatever from anything which has taken place since, either from any statement he has made, or on looking carefully through the evidence, to alter the view we entertained then, and we have declined to examine him further; I mean Mr. Henry Lovibond. He has not applied for a certificate, and I conclude that he does not intend to apply for one; but think it right to give this public notice that we do not intend to grant him a certificate.

The time has now arrived until which we expressed our intention last night of sitting to grant certificates to those who required it. No one else applying now, if there are any other persons who wish certificates, they must make application to our secretary, and according to the view we take of their case, they will receive them or not receive them.

FORTY-FOURTH DAY.

16 Oct. 1869.

It is now our duty to adjourn this court. The Commission does not dissolve, because we have power, and intend to adjourn the inquiry to the 1st day of next term, the 2nd November at Westminster Hall, at 3 o'clock in the afternoon, and then, and on any subsequent days that it may appear necessary for us to receive evidence, to conclude this inquiry; but so far as our labours are concerned in this place, they are now at an end. We have had a very anxious and somewhat disagreeable duty to perform, and the inquiry has necessarily been a lengthened one, and not unnecessarily protracted for the purpose of satisfying the exigencies of the Commission under which we sit here.

Before we leave the town, we think it right to say that we feel ourselves indebted to the chief magistrate of the borough for the preparations which he has made for our reception, and for the accommodation which has been afforded to the gentlemen of the press, who are very necessary attendants on occasions of this kind, by granting us the use of this hall. We think, also, that our thanks are due very much indeed to Mr. Carslake, the town clerk of this borough, who has on every occasion when he has been applied to, shown the greatest readiness in giving us information, and has materially assisted us during the inquiry.

We think, also, it is our bounden duty to express our extreme satisfaction at the conduct of the police here, especially with that of Mr. Lear, the superintendent of police, and who has also had the care of this hall, whose attention to us during the whole of the inquiry has been constant, and everything that could be desired. With regard also to those under his control, though they are a small body, they have always been in attendance when required, and have endeavoured in every way to carry out our wishes with regard to the proceedings of the court, and they have on all occasions succeeded in doing so to our full satisfaction.

Under those circumstances, therefore, I now declare this Commission adjourned to Westminster Hall, on the 2nd November at 3 o'clock.

FORTY-FIFTH DAY.

Conference Room, House of Commons, 2nd November 1869.

PRESENT:

EDWIN PLUMER PRICE, ESQ., Q.C.
THOMAS CHISHOLM ANSTEY, ESQ.
CHARLES EDWARD COLERIDGE, ESQ.
HENRY FRANCIS PURCELL, Esq., Secretary.

FORTY-FIFTH DAY.

Mr. W. E. Redfern.

2 Nov. 1869.

Mr. WILLIAM EDWARD REDFERN recalled.

46,510. (*Mr. Price.*) You told us at Bridgwater that you are a partner in the house of Fennelly, Redfern, and Vanderbyl?—Yes.

46,511. And then there is another house with which you are connected of Redfern, Alexander, and Co.; your house is Fennelly, Redfern, and Co., Mr. Vanderbyl representing the "Co."?—Yes.

46,512. We had from you information as to the mode in which a certain sum of money was arranged by a letter which you got before a certain telegram; you remember?—Yes.

46,513. Posted on the Sunday from Bridgwater and received by you on Monday morning, the Sunday before the nomination day at the last Bridgwater election?—Yes.

46,514. November 15th, I think, on Sunday, when it would be posted, and on the Monday you would receive it?—The 16th I think it was.

46,515. (*Mr. Coleridge.*) Did you receive the letter or telegram first?—I think it is the letter first.

46,516. (*Mr. Price.*) "He sent you a letter before "the telegram?—Yes. (*Mr. Coleridge.*) When was "that?—The same morning, as far as I can recollect. "The same morning as the telegram came?—Yes. "Which came first?—The letter came first, I think. I "am not positive; they were almost both together. "(*Mr. Price.*) Are you quite sure that no arrange-"ment was made between you and Mr. Vanderbyl "that if he telegraphed you were to be prepared with "money?—Oh no; they both came nearly together." Then you told us the letter was destroyed?—Yes.

46,517. And you told us "bales" were to mean hundreds, and soon after the telegram came?—Yes.

40,518. Then you told us, I think, that in consequence of that you went to the bank and drew a cheque; took your clerk, Mr. Lomas, with you and got the cash, which was packed in a bag, and he took it with him. How was that cheque signed?—In the firm's name.

40,519. The cheque was signed in the name of the firm?—Yes.

40,520. Therefore of course the cheque was honoured out of the partnership money?—Yes.

40,521. The money of the firm?—Yes.

40,522. I think you told us it all came back except about 240*l.* or 250*l.*?—Yes.

46,523. Came back in money?—Yes.

46,524. And that you paid back again, I suppose, into the partnership account?—Yes.

46,525. When was the balance repaid to the partnership account?—Repaid? it has not been repaid at all.

46,526. That is still owing?—Yes; it has been debited in the account.

46,527. Who to?—To Mr. Vanderbyl first.

46,528. Have you your book here which will show us when that amount is debited?—Yes.

46,529. (*Mr. Anstey.*) You say it was debited to Mr. Vanderbyl first?—Yes.

46,530. (*Mr. Price.*) We will have first of all where does it show to be debited first, and then the alteration. What book is that?—This is the duplicate of the bank book. There it is (*pointing to the item*).

46,531. Under the date of November 18th. Then

as it originally stood was "P. Vanderbyl, 825?"—Yes.

46,532. What does that figure mean?—That is the number on the cheque.

46,533. 240*l.*?—Yes.

46,534. That is erased?—Yes.

46,535. The words "P. Vanderbyl, 825," are erased?—Yes.

46,536. When was that done?—I do not recollect exactly when, but Mr. Fennelly erased them after he came back.

46,537. (*Mr. Anstey.*) From Bridgwater?—Yes.

46,538. When? This last time, or after the election?—After the election.

46,539. (*Mr. Price.*) What authority had Mr. Fennelly to do that?—I do not know; he did not tell me.

46,540. Did he mention it to you?—No, he merely said it was wrong, and altered it.

46,541. Did he ask you for the book?—Yes, the books are common to us all.

46,542. (*Mr. Coleridge.*) Who is the senior partner?—He is.

46,543. (*Mr. Price.*) He said, "This is entered wrong"?—Yes.

46,544. How is it that you had entered it "P. Vanderbyl 240*l.*"?—I imagined it was on his account.

46,545. Are all these entries in your handwriting?—Yes.

46,546. (*Mr. Anstey.*) Why did you imagine it was on his account?—Because it was his election.

46,547. And you knew that the money was wanted for his election?—Yes.

46,548. There was never any intention of starting Mr. Fennelly at the election, was there?—No.

46,549. You say it was after he came back, do you mean immediately after he came back, or at a distance of some time after he came back that the alteration was made?—That I cannot be sure about.

46,550. I will give you the facts from which you can judge. You see the election took place in November, a petition was talked of in the same month, in the following month a petition is actually presented, in February it is tried, and in the same month Mr. Vanderbyl is unseated?—Yes.

46,551. First, was that alteration made after Mr. Vanderbyl was unseated in February, after the trial?—I cannot be positive.

46,552. (*Mr. Price.*) Will you look at it, and I will point out to you as it is obvious to anybody who looks at it that the "R. Fennelly" which is written over "P. Vanderbyl" is written in ink which is of a very different character in colour, and apparently at a different date, and in a different handwriting?—Yes, because Mr. Fennelly altered this himself.

46,553. It is apparently a different pen and everything?—That is his handwriting.

46,554. Will you undertake to say how soon it was done?—I could not say.

46,555. As near as you can?—I would not undertake to say.

46,556. Will you swear positively it has not been done since we sat at Bridgwater?—Oh, yes.

46,557. What?—Certainly.

46,558. When did you last see that book?—I see it every day.

46,559. With the erased entry?—I use this book every day.

46,560. Can you pledge yourself to when you observed first the alteration?—I will pledge myself it was before the Commission sat.

46,561. How soon before?—A considerable time.

46,562. Before Mr. Justice Blackburn sat down here?—That I do not know, but before the Commission I know.

46,563. (*Mr. Anstey.*) Refreshing your memory no doubt it would be talked of by your firm about the unseating of Mr. Vanderbyl. Mr. Justice Blackburn stated that he should append to his judgment such certificate as would probably make it the duty of Parliament to address Her Majesty for a commission of inquiry. As that was probably a subject of conversation with your firm you may be able to tell us whether it was after any conversation or rumour to that effect that Mr. Fennelly told you "This entry has been inaccurately made; give me the book and let me alter it"?—I could not say.

46,564. (*Mr. Price.*) Do try and recollect, because it is a very important matter. Were you subpœnaed as a witness before Mr. Justice Blackburn?—No.

46,565. (*Mr. Coleridge.*) Did you see Mr. Fennelly after that?—I do not think I did. I do not remember it.

46,566. Did he say anything to you about the alteration at the time he did it?—Yes, he asked how I had entered it, and I told him, and he said, "That is wrong," and took the book away.

46,567. How long after the conversation did you see it altered?—I saw it immediately afterwards.

46,568. Then he altered it then and there?—Yes.

46,569. (*Mr. Price.*) Permit me to ask you, cannot you, if you look through these pages one after another, which are all of different dates, going down to the 28th January, and so on down to the time of the election in February, and then cover up the whole time from November down to February when Mr. Justice Blackburn sat down there; cannot you tell me whether the ink in which R. Fennelly's name is written above is not very much paler than any entry you have down to the end of February, when Mr. Justice Blackburn sat. Is there any ink you can point out, not the handwriting, which is at all the same in colour. You see the difference?—Yes, I observe that.

46,570. A very great difference is not there?—Yes,

46,571. A very great difference in the colour of the ink?—Yes. That might arise from one being copying ink. I sometimes use copying ink, and copying ink is much darker.

46,572. Are all your entries made in copying ink?—They may be; there is one there very light in my handwriting. (*Referring to an item.*)

46,573. (*Mr. Anstey.*) What date?—March.

46,574. (*Mr. Price.*) "Bills received" is exactly the same colour as "R. Fennelly," there is no doubt? Let me see again. I think that one looks rather lighter. (*Referring to another item.*)

46,575. (*Mr. Coleridge.*) Have you a book keeper called Walter?—Yes.

46,576. Was he present on the occasion that alteration was made?—Yes, I think he was.

46,577. He is not here to-day?—No.

46,578. (*Mr. Price.*) I see other entries where Mr. Fennelly is debited, he is debited by you properly in your own handwriting. I see "R. Fennelly 10*l.*," in November?—Yes.

46,579. (*Mr. Anstey.*) Can you point out in that important portion of that book between the beginning of November and the end of February, any entry made that is not in your handwriting except that one which is introduced by way of amendment or alteration?—Not in my handwriting.

46,580. Yes, anyone not your writing?—That is not my writing there. (*Referring to the book.*)

45,581. (*Mr. Anstey.*) What date is that?—February 6th.

46,582. It is written between February 6th and 8th? three entries all one?—Yes.

46,583. In whose handwriting are those?—Those are Mr. Walter's.

46,584. (*Mr. Price.*) That is your cashier?—Yes.

46,585. (*Mr. Anstey.*) Why did Mr. Walters make those entries which appear consecutive and fair entries on those days; were you absent?—No; they look to me like corrections.

46,586. Being cashier, would it be his duty to make corrections in that book?—If he found a mistake; it would not be his duty exactly.

46,587. Is it the custom of gentlemen in business to keep their books as fair as possible; that is, clean and free from corrections in other handwriting, is it not?—Yes.

FORTY-FIFTH DAY.

Mr. W. E. Redfern.

2 Nov. 1869.

46,588. Then I ask you, is there a single case in which, to your knowledge or remembrance, Mr. Fennelly has, in his own handwriting, altered by cancellation or interpolation, an entry in the book not made by him?—No, I think not.

46,589. (*Mr. Anstey.*) Do each of you keep a book of that sort, or did it merely happen to be your duty?—I keep that book.

46,590. Mr. Fennelly does not keep a book like that?—No.

46,591. Nor Mr. Vanderbyl nor Mr. Walter?—No.

46,592. (*Mr. Price.*) This is a transcript of the bank pass book?—Yes.

46,593. It is headed "Consolidated Bank, Threadneedle Street"?—Yes.

45,594. And one side represents one side of the account, and the other the other?—Yes.

45,595. (*Mr Coleridge.*) That is the way you cheque your pass book in fact?—Yes.

45,596. (*Mr. Anstey.*) How often do you send for your pass book in order to transfer into your duplicate book the entries made since the last transfer?—How do we check it.

45,597. How often do you check it?—About once a fortnight or once a week?

46,598. Therefore it would be in any case at least a fortnight after that entry is made in the bank pass book before Mr. Fennelly would have had even an opportunity of making the correction?—Yes.

46,599. (*Mr. Price.*) Have you the pass book there?—Yes.

46,600. Turn to the date in the pass book of November 18th?—We do not keep this book; this is the bank book.

46,601. But your banker gives you your pass book every now and then to correct this by?

46,602. (*Mr. Anstey.*) He says once a fortnight.

(*The witness.*) It would not be altered in this book. There it is.

46,603. (*Mr. Price.*) "Vanderbyl, 240*l.*" That debits him with the balance?—Yes.

46,604. Now we want to see the large cheque you drew?—Here is the cheque (*handing it in.*)

46,605. When you draw a cheque for yourself it is merely the number of the cheque you put?—Yes.

46,606. It appears that the cheque is entered of the 18th, and this debt to Mr. Vanderbyl is to be the same day?—This cheque is the 16th.

46,607. Then account for that 18th; there are your debits, No. 820, 1,500*l.*?—I will tell how that was; Mr. Lomas came back on the 18th, and he brought this 1,500*l.* back all but 240*l.* I drew a cheque for this 240*l.* and got it cashed by the other firm.

46,608. (*Mr. Anstey.*) What other firm?—Redfern, Alexander, and Co. I did not wish the Consolidated Bank to know how much was gone out of it. I did not wish them to know anything about it, so the 1,500*l.* was paid back as is seems, and he was debited with the 240*l.* the difference.

46,609. Then explain that; the cheque for 1,500*l.* was cash by Mr. Redfern, and the money handed to Mr. Lomas?—Yes.

46,610. And then he brought back the whole sum minus 240*l.*?—Yes.

46,611. To make up the whole 1,500*l.* to repay the Consolidated Bank you draw a cheque for 240*l.* on Messrs. Redfern, Alexander, and Co.?—Yes.

46,612. Which you draw, Fennelly, Redfern, & Co., in the name of the house upon another bank?—Yes.

46,613. You make it payable to Philip Vanderbyl, Esquire?—Yes.

46,614. (*Mr. Coleridge.*) You are in both houses, and Mr. Vanderbyl is in only one?—No, I am in one, but he is in both.

46,615. Is Mr. Alexander in your house?—No, he is not.

46,616. (*Mr. Price.*) This is "Consolidated Bank, Threadneedle Street?"—Yes.

46,617. "Fennelly, Redfern, and Co." is the way you draw the 1,500*l.* cheque?—Yes.

46,618. And on the same bank you draw it?—Yes.

46,619. And the same firm?—Yes.

46,620. But you draw this other cheque first, "Pay "Selves & Co. 1,500*l.*" The second is drawn in your handwriting, "Pay Philip Vanderbyl, Esq., or "bearer 240*l.*?"—Yes.

46,621. Both drawn on the same bank?—Yes.

46,622. Then how would the Consolidated Bank know which account to debit it to by that cheque?—They debit it to our firm.

46,623. I thought you did not want them to know about the 1,500*l.* or any of it?—But then they would not; we paid them the 1,500*l.* before we got it from the other house.

46,624. (*Mr. Anstey.*) Got what from the other house?—240*l.*

46,625. No, this is the cheque for the 240*l.* drawn by you on the Consolidated Bank, and Alexander, Redfern, & Co. is the name on it.

46,626. (*Mr. Price.*) How does that show it is debited to the other firm?—But it is not debited to the other firm, they merely gave me the gold for this, and passed this cheque in as if it was their own.

46,627. Who?—Redfern, Alexander, & Co.

46,628. You took this cheque to Alexander & Co.?—Yes.

46,629. Where, at their place of business?—Yes.

46,630. Then you got 240*l.* from them?—From their cashier.

46,631. And you put that to the balance which Mr. Lomas had brought back from Bridgwater, and paid it all in to the credit of the firm Redfern, Vanderbyl and Co.?—Yes.

46,632. (*Mr. Anstey.*) What mode of payment did they give it to you in—gold or notes?—They gave me gold.

46,633. 240*l.* in sovereigns and half-sovereigns?—Yes.

46,634. I see this cheque is crossed to the National Bank; what is the meaning of that?—That is Redfern, Alexander, and Co.'s bank.

46,635. That is the bank as to which Mr. Vanderbyl was in question before the electors, and also before us with regard to the Lundy Island Granite Co.?—Yes.

46,636. (*Mr. Price.*) Then in point of fact it is perfectly right this cheque being drawn, "Pay Philip Vanderbyl, Esquire," the proper regular mode of doing it would be to enter it as you had entered it here, namely, that it was a cheque drawn in favour of Philip Vanderbyl, Esquire, for 240*l.*?—Yes.

46,637. Cashed by the firm to which he belonged, and to which the whole of the rest of your firm do not belong?—Yes.

46,638. You follow me?—Yes.

46,639. Therefore the proper legitimate mode of doing the thing was to debit Mr. Vanderbyl with it in these books?—Yes.

46,640. Therefore it was altogether an irregular transaction, as one firm had given you the cash for this cheque, and the other had been drawn on a different firm altogether, for Mr. Fennelly to come afterwards, and in this book which represents a different firm from what the cheque does, to alter that to "Fennelly," Esquire, instead of "Philip Vanderbyl, Esquire"?—Yes.

46,641. We will hand those cheques to our secretary; have you any other explanation to give with regard to that entry, upon further recollection?—I do not think I have anything further to say about it.

46,642. (*Mr. Anstey.*) You know nothing further than what you have told us?—No.

46,643. (*Mr. Coleridge.*) How often does Mr. Vanderbyl himself go through the books of your firm?—Never.

46,644. How often does he examine them?—Never.

46,645. When you strike the profits at the end of

the year, does not he?—Not since I have been there; he has never looked at them.

46,646. He has never looked at the books?—No.

46,647. Do you mean that he has never seen any of these entries?—No, never looked at them,

46,648. When was it brought to his knowledge that 240*l.* had been debited to him?—I do not know.

46,649. When did you first bring it to his knowledge?—I do not think I saw him at all about it.

46,650. Who did?—I do not know; he never interferes in the things there.

46,651. Did he ever speak to you about it?—No.

46,652. Has he ever repaid that 240*l.*?—No; it has been debited to his account.

46,653. And deducted from his share of the profits?—Yes.

46,654. Then he has really paid it?—Yes.

46,655. Mr. Vanderbyl has?—No, Mr. Fennelly has.

46,656. (*Mr. Price.*) Have the profits been struck since that time—the half-year's profits?—Yes, they have.

46,657. Has that 240*l.* been deducted in taking into account Mr. Fennelly's share of the profits—deducted from his share?—Yes, deducted from his share; it has been repaid to the firm by Mr. Fennelly.

46,658. (*Mr. Anstey.*) When was it repaid to them?—It has been debited—when he made that alteration.

46,659. (*Mr. Price.*) Hardly so, because, if your recollection is accurate, you seem to think it was soon after the election?—Yes, I think it was.

46,660. If so, to Christmas 1868 the deduction would be made then?—Yes.

46,661. Have you any document to show us whether the deduction was made at the division of profits in 1868, or whether it has been made at your half-yearly profits in June 1869?—I will look.

46,662. (*Mr. Coleridge.*) Have not you some private letter which will explain all these matters?—No, none.

46,663. None from Mr. Fennelly or Mr. Vanderbyl?—No; in what way do you mean? I have not heard from them at all.

46,664. Have you a ledger that will show it?—Yes.

46,665. That is a private ledger?—Yes, there is the 245*l.* here.

46,666. (*Mr. Price.*) Tell us what this book is?—That is a private ledger.

46,667. (*Mr. Anstey.*) Of the firm?—There are the individual partners; these are private accounts.

46,668. With the firm?—Yes.

46,669. (*Mr. Price.*) 121, is that the number of the cheque, or what does that refer to?—That refers to the folio in the journal.

46,670. Look at that, "November 18th, cash 245*l.*," and tell me whether that cash, November 18th, 245*l.*, has not been put in after the other entries. November 9th is on the ruled line, and all the other entries, but the 18th is not; how do you account for that fact that, "to cash, 245*l.*," is put down there November 18th, out of its date, not on a ruled line at all?—It looks like a subsequent entry.

46,671. Whose handwriting is it in?—Mr. Walter's, the book-keeper.

46,672. (*Mr. Anstey.*) Whose is Novr. 9th?—The same handwriting.

46,673. (*Mr. Price.*) That is an irregular entry, then?—It appears so.

46,674. (*Mr. Anstey.*) Do you know any other instance of an account being kept in that way, entries made out of date, and by interpolation in the manner that appears to have been?—Not usual, unless there has been a mistake.

46,675. Would you correct one mistake by committing another, that is, by inserting entries out of their proper date, the 18th before the 9th November?—No.

46,676. It looks therefore as if it had been done in haste, does not it?—Yes, it does.

46,677. Have you any doubt it was done in haste?—I do not know. I do not know how it was done. I have nothing to do with the book at all.

46,678. (*Mr. Price.*) Mr. Walter must explain about this 245*l.* It appears by this transcript of your pass book the 240*l.* is under date the 18th November, but it appears immediately under that as it originally stood before Mr. Fennelly had put his pen through, "P. Vanderbyl, 240*l.*;" you had yourself written "Ditto," which would be P. Vanderbyl, "5*l.*" In this book (the ledger) we find this irregular entry of 245*l.*; that must mean apparently the same transaction?—The same transaction.

46,679. What that 5*l.* is you cannot tell?—I think I remember when we took the money to the bank to pay it in there was 5*l.* short. We made some mistake in counting the money out. I think that is how it arose.

46,680. (*Mr. Anstey.*) Then Mr. Fennelly did not correct that 5*l.*?—I have not looked.

46,681. (*Mr. Price.*) He corrected it by making the irregular debit to himself, 245*l.*?—Yes.

46,682. (*Mr. Anstey.*) You have in that private account of Mr. Fennelly with your firm, a reference to which the learned Chief Commissioner directed your attention to page 121 of some journal. I should like to see the entry at page 121 of the journal to which that refers?—I have not that here.

46,683. Were not you told to bring the books?—I thought these would be sufficient.

46,684. Read your subpœna. It is not only books, "all papers?"—Here it is.

46,685. I will give you the words—not only all books, but all papers and writings. I should like to see, as no doubt my colleagues would, every scrap of paper relating to this transaction?—I thought this would be sufficient.

(*Mr. Price.*) You must not exercise any discretion. The consequence of it will be that on Saturday you must bring us the journal. You will see there is another irregularity, November 18th refers to 125, whatever book it is, and Novr. 9th to 120.

46,686. (*Mr. Anstey.*) Looking at all these transactions together, the debiting out of profits, and deducting out of profits, these questionable sums in the case of Mr. Fennelly, have you any doubt whatever now as to the exact period the alteration was made in the first book you showed us?—I cannot recollect the certain time.

46,687. I will call your attention to this: You were not certain before whether it was not after the trial before Mr. Justice Blackburn had taken place, and after it had been the subject of conversation with your firm, that there was sure to be a motion for an address. You afterwards told the Chief Commissioner that the arrangement by which Mr. Fennelly was debited with these sums must have been at the time when the alteration was made by him in the book, about the same time as that?—Yes.

46,688. On the former occasion you stated that Mr. Fennelly was debited with the expenses that were incurred by his own going away, and sending Lomas out of the way so as to avoid the exigencies of the subpœna, on which they certainly would otherwise have had to appear before Mr. Justice Blackburn. Now, have you any doubt whatever that the period at which Mr. Fennelly was debited with his own expenses and Lomas' expenses was also the period at which he was debited with the 245*l.*, and had to submit to the deduction out of his share of the profits. Have you any doubt that these were deductions made at the same time?—I do not recollect; I cannot remember.

46,689. But you can recollect positively whether there were two deductions made; that is, the first for the 245*l.*, and afterwards for the undefined sum expended on Lomas. Can you tell me that?—Some of those were at different times, and not all at the same time. I think I made some mistake. I think I found afterwards when he was away he drew upon us.

FORTY-FIFTH DAY.

Mr. W. E. Redfern.

2 Nov. 1869.

46,690. I am not talking of that; I am talking of the time when the sum total of the disbursements about Mr. Lomas and Mr. Fennelly himself being ascertained, you, as partner, said you certainly should not pay—you did not think it had yet been settled, you should not certainly pay Lomas' expenses. This is on the 4th September last. Down to that time, the 4th September, the amount to be deducted from Mr. Fennelly's share of the profits in respect of Mr. Lomas' expenses had not been ascertained, as you said?—Yes.

46,691. I will read to you what you said. Mr. Coleridge asks, "Were Lomas' expenses debited to "the firm or Mr. Fennelly privately?—To himself, I "think. He is not expected to pay them?—No. "Who is?—I do not think it has yet been settled. I "shall not, certainly. Then you, as a member of the "firm, will not consent to pay his expenses as part of "the expenses of the firm?—No." Now, I take you to the 4th September last. By the 4th September last had Mr. Fennelly been charged in the account of his share of the profits of the firm with the sum of 245*l.*?—Yes, he had been charged then, before that.

46,692. How long before that, because he had not been charged then in respect of the disbursements to enable Lomas to escape being examined. How long before that?—Oh, some time before that.

46,693. Do you mean a few weeks?—I should think some months before that.

46,694. At what period of the year do you ascertain, and, if there are profits to pay, divide them amongst yourselves?—At the end of the year.

46,695. When does the year begin?—The 1st January.

46,696. It is the natural year?—Yes.

46,697. Had that dividing of profits been done in 1868?—Yes.

46,698. What day had they been divided on?—The last day of December.

46,699. That would appear in some book?—Yes.

46,700. It would appear in that book also whether at that date Mr. Fennelly had been charged with the 245*l.*?—Yes.

46,701. Or whether Mr. Vanderbyl had been so charged?—Yes.

46,702. Where is that book?—This ought to show it (*the private ledger*). This is the entry, but it is not in the proper place. That is the entry, and it is introduced in 1868.

46,703. Surely there would be a corresponding alteration made in the result. Where is the result?—This is the result.

46,704. (*Mr. Price.*) This ought to show the result of those figures?—Yes.

46,705. When the balance is struck, that 245*l.* is taken into account?—When the balance is struck, December 31st; yes.

46,706. Then according to that the alteration must have been made?—Yes, before Christmas.

46,707. Then that enables you to say now the alteration must have been made very soon after Mr. Fennelly came back from the Bridgwater election?—Yes.

46,708. (*Mr. Coleridge.*) And before he went away?—Yes.

46,709. (*Mr. Anstey.*) You have looked at that, and is the result right?—Yes.

46,710. The last item, however, in the number of items which led to that result is one which I should like you to read out—the balance?—3729*l.* 14*s.* 9*d.*

46,711. Keep your eye on those figures. Have not they been altered, not by cancellation but erased with a sharp instrument, and possibly so as to bring the entire result in conformity with the sum total which appears as the last result at the end?—It does look like that, certainly.

46,712. (*Mr. Price.*) What does that 3,000*l.* and odd represent?—That represents the amount carried forward to his capital account.

46,713. (*Mr. Anstey.*) The balance carried forward to his capital account?—Yes.

(*Mr. Price.*) It would be a much larger balance, supposing the 245*l.* to be debited.

46,714. (*Mr. Anstey.*) For the sake of the supposition, supposing the balance appearing there originally stood 3,729*l.* plus this identical sum of 245*l.*, and then a penknife had been used to remove it and substitute a sum minus the 245*l.*, and then the sum of 245*l.* had been transferred out of its order of date in the way we have already pointed out, in that case the general result would be the same, and there would be no occasion for any alteration in the general result at the foot of the figures?—No.

46,715. Who can tell us whether that case supposed by me has actually occurred?—Mr. Walter.

46,716. Nobody else?—I do not think so.

46,717. (*Mr. Price.*) He can tell us whether he erased that?—Yes.

46,718. (*Mr. Coleridge.*) Who keeps a key of that book besides yourself?—Mr. Walter does. I do not keep that key; Mr. Walter does.

46,719. Mr. Fennelly?—I think not; he can ask for it.

46,720. (*Mr. Anstey.*) The third of those four figures representing the balance was originally a figure with a tail and not figure 2 at all. You will see it appears under it just where the red ink line has been restored. You will see the remains of the tail of that figure 7 or 9. That is so?—Yes.

46,721. Supposing it was 245*l.* deducted that would make the very thing; that would be a figure 7, because it would then make 3,974. Have you any doubt whatever that that hypothesis of mine is a very probable one; I do not say certain. If you add 245*l.* mentally to that amount you will see 3,974*l.*; the third being a tailed figure instead of a 2?—Yes.

46,722. (*Mr. Price.*) Can you show us in that book Mr. Vanderbyl's private account before there was any question of that kind. You see that was originally totted up exclusively of the 245*l.* if my colleague's suggestion is right; consequently Mr. Vanderbyl's if made at that same time, ought to show the 245*l.* debited to him?—Yes.

46,723. Turn to the corresponding part of his book and see whether there is any alteration made there reducing his debit in the same way Mr. Fennelly seems to have added to his own?—Yes, it is debited to him there.

46,724. It is 245*l.* cancelled; originally under date November 18th. Mr. Vanderbyl, in comparison with the bank book, was debited with the two sums of 240*l.* and 5*l.*?—Yes.

46,725. Therefore his balance of profit would have been calculated upon that footing if it remained so?—Yes.

46,726. That has been taken out; therefore he gets the benefit of that erasure, and Mr. Fennelly takes it?—Yes.

46,727. That must have been done therefore by some one who took that book after it had been regularly made up in the proper way in your office?—Yes.

46,728. And after being properly made up, it would have shown the proper proportion of each partner in December 1868, because it seems made consecutively up to that time, and it has been altered in those two respects?—Yes.

46,729. (*Mr. Coleridge.*) Whose absolute custody is that book kept in?—The book-keepers and partners.

46,730. If you wanted it who should you ask for it; the book-keeper?—Yes, or take it out of the safe.

46,731. It would be in the strong box, locked up?—Yes.

46,732. Which you have each a key of?—Yes.

(*Mr. Anstey.*) There is here no doubt about it; all the four figures have been altered here as they necessarily would have been altered here. It is done more carefully than the other; the tint of the writing is done more artistically than the other, but it is apparent, holding it to a strong light.

46,733. (*Mr. Coleridge.*) And the alteration is in

Walter's handwriting. If it was any other clerk we must have him ?—It could not be any other clerk.

46,734. (*Mr. Anstey.*) Why not ?—No other clerk has access to it.

46,735. But Mr. Fennelly made with his own hand an alteration in the other book ?—Yes ; he is not a clerk.

46,736. Therefore it might have been a partner ?—Yes ; but I was asked as to clerks.

46,737. (*Mr. Coleridge.*) Whose writing is that in ?—Walter's.

46,738. (*Mr. Anstey.*) From whom does Mr. Walter receive his directions touching so important a matter as the alteration of entries once made in books of this kind ?—One of the partners.

46,739. Which one of them ?—Any one of them.

46,740. Therefore he may have from you ?—But he did not.

46,741. (*Mr. Price.*) You never did ? — I never did.

46,472. (*Mr. Coleridge.*) And Mr. Vanderbyl never comes into the place at all ?—No.

46,743. (*Mr. Anstey.*) Are you quite sure Mr. Vanderbyl did not ?—Mr. Vanderbyl did not.

46,744. Did not you answer Mr. Coleridge rather hastily just now, when you said Mr. Vanderbyl does not come there at all ?—Never on business matters.

46,745. Did not you mean to say, as a general rule he does not come in ?—I mean if he comes in it is only by accident.

46,746. You do not mean to pledge your oath to the fact that there being this very unusual transaction you have spoken of, as to which you have already said all the preceding evidence, Mr. Vanderbyl may not by accident have so far deviated from his usual practice as to come into the house without your knowing it on some occasion when you were not there ?—Well, he certainly might ; it is possible, but I do not think it.

46,747. (*Mr. Price.*) Mr. Vanderbyl had some capital in the concern, I suppose ?—Yes.

46,748. Would not he having capital take the trouble at the close of the year, when it came to a question of division of profits, to go through the books to satisfy himself about the thing ?—No, he never does ; and my father, who is in Redfern, Alexander, and Company, never saw the books in his life, and never will ; he never goes near the place.

46,749. (*Mr. Coleridge.*) But if he came in and said, "Mr. Walter, give me the key," he would have done so, the same as to you, and if he had told him to make that alteration he would have done it as much as for you or Mr. Fennelly ?—Yes, but he would have told us about it ; he would have told one of us.

46,750. (*Mr. Anstey.*) I thought you said that for some reason or other no conversation ever passed between you and Mr. Vanderbyl about this election or its expense ?—No ; I say Mr. Walter would have told us.

46,751. You still remain under the impression that you never had any conversation whatever with Mr. Vanderbyl on this subject ?—Yes.

46,752. By "this subject" I mean on the election, or the expenses of his election ?—Yes.

46,753. With Mr. Fennelly you have ?—Yes.

46,754. When Mr. Fennelly told you that this entry you had made was wrong, whereby Mr. Vanderbyl and not he was debited, just give me as near as you can recollect all that you said ; how did the conversation begin ?—He asked me who I had debited that amount to.

46,755. What amount ?—The 240*l.*, that is how it began. "By the by, who did you debit that amount to ? "

46,756. You must have had some previous conversation, or you could not have understood what he meant by "that amount." I presume you were talking of the election ?—Well, I may have specified the amount.

46,757. Knowing that he came to you to ask about this money ?—Yes.

46,758. And then you or he began the conversation ?—He began.

46,759. By talking about the election ?—I suppose he did.

46,760. You must in order to identify the particular sum ?—Yes.

46,761. How did he describe that 245*l.* ; what did he say it was ?—He mentioned it merely as the amount. He said that amount that was deficient who had I debited the deficiency to.

46,762. The deficiency in the sum ?—Yes.

46,763. What sum ?—The 1,500*l.*

46,764. Sent to Bridgwater ?—Yes ; and I said, "To Mr. Vanderbyl." He said, "That is wrong, I must alter it."

46,765. Did he tell you why it was wrong ?—No, nothing about it.

46,766. Did he not tell you it would not be safe to debit it to Mr. Vanderbyl ?—No.

46,767. Nor that it was Mr. Vanderbyl's wish ?—No.

46,768. Nor his own ?—No ; merely wrong.

46,769. What did you say ?—I made no remark.

46,770. Did you say it was done in the course of business ?—No.

46,771. You made no objection ?—No, no remark.

46,772. Would you have acquiesced so readily if he had taken the matter out of your hands, with reference to a transaction not connected with the election of 1868 ?—Yes, he has a right to do what he likes with his own. He may debit himself with what he pleases. I should not make objection to his debiting himself with anything.

46,773. Would not you make objection to destroying the fairness and cleanliness of your books unless there was some good reason for it ?—No, I should not object ; it is his own money and he can do what he likes with it. There is no rule——

46,774. I am speaking of the book ? — That is nothing.

46,775. Is it nothing. I thought that men of business prided themselves on having their books as clean and undefaced as possible ?—Private men of business are only accountable to themselves ; men in public offices do.

46,776. But what you call men in private business, large firms, &c., is it not the fact that they pride themselves upon that ?—You will see several there.

46,777. I will ask you to point out some occurring between the end of November and the end of February ?—Any alteration of any sort ?

46,778. The same kind as this,—alterations whereby a debtor appears a creditor, and a creditor a debtor, for it amounts to that ?—Yes ; but, you understand, a sum of money is drawn out by either of the partners—

46,779. Can you find such an entry ? Explain it afterwards ?—I do not suppose I could.

46,780. Now make any explanation you like ?—I mean to say there is no rule in our deed of partnership as to what money should be drawn out, but any partner having money besides what is required to be kept in business may do what he likes with it ; draw it out, or anything else.

46,781. (*Mr. Coleridge.*) If he leaves it there does he get interest on it ?—Yes ; but he is at perfect liberty to do what he pleases with it—to draw it out ; and supposing Mr. Vanderbyl drew out for Mr. Fennelly, or Mr. Fennelly for Mr. Vanderbyl, I should not interfere with the person to whose debit it was placed, so long as it was not mine or the firm's.

46,782. (*Mr. Price.*) The way it stands now is, Mr. Vanderbyl loses nothing by the expenditure of his election so far as the debiting his account goes ?—In our firm, no.

46,783. Not a farthing ?—No.

46,784. He gets his election and expenditure so far as he is concerned for nothing ?—Yes.

46,785. And Mr. Fennelly having got nothing, and not being returned as a member of Parliament, is the loser by Mr. Vanderbyl's election to the tune of 240*l.* ?—Yes.

FORTY-FIFTH DAY.

Mr. W. E. Redfern.

2 Nov. 1869.

46,786. That is how it stands now?—Yes.

46,787. (*Mr. Coleridge.*) He is a loser on the face of it?—Yes.

46,788. (*Mr. Price.*) As it stands on your books, Mr. Vanderbyl, who got the benefit of the election, loses nothing; and Mr. Fennelly, who certainly got nothing, loses that amount?—Yes; that is no business of mine.

46,789. We only want an explanation?—But you seem to think I should object to Mr. Fennelly debiting himself with that 240*l.*; it has nothing to do with me.

46,790. We do not object to anything you have done; you stand perfectly passively by. We only ask whether it is the result of the two partners Mr. Vanderbyl stands the contest and loses nothing, and Mr. Fennelly, who does not stand the contest, loses 240*l.*?—Yes, certainly.

46,791. (*Mr. Anstey.*) To make this quite complete; show me the entry in Mr. Vanderbyl's account first, the entry with the firm whereby it appears he charged and had allowed interest upon this 245*l.*, and secondly, the entry in Mr. Fennelly's account whereby it would appear that he had received no interest, and had been allowed no interest whatever on that sum. Turn to those items, which you will find in both of the accounts marked interest; show it first, and explain afterwards. First of all, show me the item of interest of Mr. Vanderbyl?—There is interest there (*referring.*)

46,792. Read it out.—"December 31st. By interest 220*l.* 0*s.* 2*d.*"

46,793. On what sum is that calculated?—On this sum here, 10,499*l.* 16*s.* 9*d.*

46,794. Does that include the 245*l.*, or is that interest calculated on what the balance appears to be before the alteration was made? You can make that calculation in pen and ink, if you like?—I am afraid it would take too long a time, because there is a good deal of calculation about it; because there are different amounts here he has paid at different times.

46,795. Do you think you will be able by Saturday next, when you will come again, to tell us whether that sum appearing there for interest due to him on the 31st of December was calculated upon a principal or a capital sum, including or excluding the 245*l.*, because, of course, that would have a material effect in determining the date of the alteration? Will you be able to do that?—Well, I will see.

46,796. Turn to Mr. Fennelly's account, and see whether any alteration was made in the sum allowed to him for interest; whether the converse alteration was made by reducing the amount due to him for interest by the sum which 245*l.* would produce. Read out the amount appearing there due to Mr. Fennelly for interest.—"December 31st. By interest 95*l.* 7*s.*"

46,797. What rate of interest do you allow to each other?—Five per cent. on capital.

46,798. Five per cent. per annum?—Yes.

46,799. Of course the charge would be in those two cases of Mr. Fennelly and Mr. Vanderbyl from the 18th of November?—Yes.

46,800. A *pro rata* charge?—Yes.

46,801. And that would be very easily calculated?—Yes.

(*Mr. Price.*) Perhaps you will do that for us by next Saturday, and then Mr. Walter will be summoned probably, and bring the ledgers and any other books you have. Of course you understand that between this and your further examination no alteration must be made in any of those books, or any book of any kind.

46,802. (*Mr. Anstey.*) You must not part with that out of your sight to any person for fear any other person will make alterations?—There will be no alterations made.

Mr. H. Lovibond.

Mr. Henry Lovibond presented himself.

(*The witness.*) Having attended this court from time to time, and given my evidence in pursuance of a subpœna from Her Majesty's Commissioners, I respectively ask them to grant me a certificate protecting me from civil and criminal proceedings.

(*Mr. Price.*) Mr. Lovibond, you did not present yourself to us at Bridgwater, and we thought it right at that time, not intending to say anything disrespectful as to your not presenting yourself, but remarking upon your absence; but we thought it right to state in open court there that we had very deliberately come to the conclusion that you were not entitled to have a certificate. It is a very painful thing to be obliged to say so, and we still remain of the same opinion, and I can only give you the answer now which I should have given you if you had applied at Bridgwater, that we are not prepared to give you a certificate.

Mr. Fennelly.

Mr. Fennelly recalled.

(*The witness.*) I have a few remarks to make.

(*Mr. Price.*) We cannot possibly hear you. It is impossible to hear anybody, except a person who is summoned as a witness, who is on oath, and sworn to tell the truth. You have not been sworn, therefore it is quite impossible for us to hear you. We gave you to understand at Bridgwater that we did not intend to examine you. At the same time, I think, if I am right, we gave you to understand you might make any statement you liked, which would be at your own peril, but you declined to make any statement there.

(*Mr. Fennelly.*) You told me at the time before the Commission broke up I had permission to do so.

(*Mr. Price.*) Yes, at your own peril. You never wished to take advantage of the permission we gave you at Bridgwater. As a matter of convenience now, seeing the period of time we have arrived at, we think at all events we could not hear you to-day.

(*Mr. Fennelly.*) Let me tell you I do not want to make a statement of facts that occurred, but to address a few words to the Commissioners with regard to myself.

(*Mr. Price.*) That we cannot hear. We might be called upon to hear everybody's appeals, as it were, in that way to us. We are obliged to exercise our best judgment on the matters as they arise before us, and give our judgment upon them. We came to the conclusion that it was not our duty to examine you, and we told you at the same time if you liked to make a statement you might do so at your own peril, and it would be taken as a statement made not under the sanction of an oath. You declined to do that, and we also told you that you might do it any time before we broke up the Commission; therefore, if you are prepared to make a statement with regard to facts which have occurred in the course of the election, you are at liberty to do so within the same limit, and under the same conditions I have already expressed about it, but if you are merely about to make an appeal to us in any way whatever in regard to your own position we must decline to hear it. This is not a tribunal for that purpose at all. Our tribunal is constituted for a totally different purpose, to inquire into different matters, and to report upon the evidence given before us. We are not a tribunal for the purpose of trying persons, or for the purpose of judging what ought to be their position with regard to the report when it comes to be made, in any way whatever.

(*Mr. Fennelly.* What I have to say is as to facts which affect your report.

(*Mr. Coleridge.*) If you will hand them in to the secretary he will look at them.

(*Mr. Anstey.*) I feel if I were to listen to or read

anything containing argumentative matter I should be usurping a province which does not belong to me. I feel so strongly that that at my own risk I would leave the court rather than allow any person not on oath to bring anything whatever before us, whether under colour of a statement or not, which embodied matter of argument, or the advocacy either of his own case or another's.

(*Mr. Fennelly.*) It is matter of fact.

(*Mr. Price.*) If matter of fact that is another matter, but if merely matter of appeal we cannot possibly hear it. It would be very wrong for us to be swayed in our report by any appeal, and we shall endeavour to make a report founded entirely on facts sworn to.

FORTY-FIFTH DAY.
Mr. Fennelly.
2 Nov. 1869.

Adjourned to Saturday the 6th of November at 11 o'clock.

FORTY-SIXTH DAY.

Tea Room, House of Commons, 6th November 1869.

PRESENT:
EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
HENRY FRANCIS PURCELL, Esq., Secretary.

FORTY-SIXTH DAY.
Mr. H. Broadwood.
6 Nov. 1869.

Mr. HENRY BROADWOOD sworn.

46,803. (*Mr. Price.*) You were a candidate for Bridgwater some years ago?—A good many years ago.

46,804. I have the list of the elections, and it appears by the list which we have of the elections that you came for the first time as candidate on January 5th, 1835, when you stood with Mr. Mountjoy Martin?—That was so.

46,805. At that same election the old Mr. Tynte, now dead, and Mr. Temple Leader were your opponents?—They were.

46,806. And I believe the election resulted in Mr. Tynte and Mr. Leader being elected?—Quite so.

46,807. What we want to know from you is, what amount was spent by you at that election, or on your behalf?—I can safely say that I do not know the amount that was expended at that election.

46,808. Give us it as near as you can?—It is merely a matter of opinion now, at this distance of time; it being 35 years ago, I cannot be expected to recollect anything not of great importance, but I was with Mr. Martin in that business, and I think as far as I can recollect that my expenses at that time were something under 2,000*l.*; I think so.

46,809. You were a stranger to Bridgwater, were not you?—I was so entirely. I think it was under 2,000*l.*; I will not answer for it.

46,810. Is Mr. Martin alive?—Yes, certainly; it is Colonel Mountjoy Martin.

46,811. Can you tell us what his expenditure was?—No, I did not ask him that.

46,812. Did you join?—We were joined together.

46,813. Did you divide the expenses between you?—I do not recollect anything about the expenses of the election, more than I think it cost me something about 2,000*l.* I do not recollect.

46,814. Who was the means of introducing you to the borough?—The late speaker, Lord Canterbury. I was dining with him at his house at this very place, and he recommended me to go to Bridgwater. A deputation came to me, and Mr. Martin was there at the same time, I think, but a deputation came to me of some of the gentlemen there.

46,815. You both went down together, then?—We both went together.

46,816. How long were you at Bridgwater before the election?—I can hardly say; perhaps a few days only, I think.

46,817. Who were your agents? Had you the same agent; you and Colonel Martin?—I cannot recollect the name of the agent down there at Bridgwater.

46,818. (*Mr. Anstey.*) Did the same agents act for both?—Well, I think they did.

46,819. It was a joint canvass?—Yes.

46,820. (*Mr. Price.*) Was it Mr. Smith who was your agent?—I had no one of the name of Smith who was an agent.

46,821. (*Mr. Anstey.*) Mr. Trevor, perhaps?—Old Mr. Trevor was dead.

46,822. The sons?—The sons I think were not agents; I think they were too young at that time.

46,823. Mr. Symes?—Symes was one.

46,824. Or was he the other side?—No. I think he is dead,

46,825. Mr. James Ford?—No; he was a Liberal.

46,826. Mr. Ruddock, perhaps?—Yes, I think so. I do not know whether he was one; he is a friend of our side.

46,827. I think he said so?—Yes, I think he was.

46,828. (*Mr. Price.*) Now I will take you to the next election. 2,000*l.* is as near as you can say?—I think so.

46,829. You have no documents?—Nothing in the world to show for anything. Now, with regard to all the other elections, they are all mixed up in my mind.

46,830. Perhaps you can tell how much you spent in Bridgwater altogether?—No, I cannot.

46,831. Within a thousand pounds?—No; but I can tell you my impression as to the amount of each election. I mean, I put them all together, and think they generally come to something about 2,000*l.* each, with the exception of one.

46,832. (*Mr. Coleridge.*) That of Leader was more, was not it?—No, it was not more—less, I think, than any other. I mean, Mr. Leader was supposed to spend a very large sum of money, and I believe he did, because he came very late into the town; and although I had an immense number of promises—we know what promises are—a good many of them left me, and he beat me by eight votes.

46,833. (*Mr. Anstey.*) Do you remember a saying

current, or said to be current at that contest, Leader's fifties would prevail over your forties?—I do not recollect that, but there were a great many stupid things, and that is one of the most stupid.

46,834. (*Mr. Price.*) In 1837 you were again a candidate; that was a contest between one and one, when Mr. Richard Brinsley Sheridan was your opponent?—I daresay it may have been. I do not know.

46,835. The fact is that Mr. Leader retired?—He retired.

46,836. To contest Westminster?—To contest Westminster.

46,837. With Sir Francis Burdett?—Yes.

46,838. Then there was a single election. At that time we are told you were a candidate, and Mr. Sheridan was against you, and you were returned?—Yes, that is so.

46,839. Can you give any idea of the money that was spent at that election?—No, I cannot give you an idea of the money spent at that election. I should think it might have been the same sum, about 2,000*l.*, or perhaps a little more, 2,500*l.* perhaps. I do not know at that election, because I was single there.

46,840. It was probably more expensive, because you were fighting single-handed?—I think that was the most expensive election I had.

46,841. Do you think it cost as much as 3,000*l.*?—No; no election of mine ever came to 3,000*l.*

46,842. (*Mr. Anstey.*) Who were your agents at that second contest, the first in 1837?—I cannot recollect. I should think they were the same people. I do not recollect much about it.

46,843. There was a petition presented against your return by Mr. Sheridan?—There was one, but it was dropped—never gone on with.

46,844. Did not you write a letter to the Speaker on the contrary, that it was not your intention to defend your seat?—No, I think not.

46,845. It was before the death of William the Fourth?—I do not recollect anything of the sort.

46,846. I will put it to you in this way. You were elected in May; the petition was presented in May; the first week in June is the letter which is printed in the journals and read by the Speaker the day after or two days after its date, in which you say, "Sir, I have to inform you it is not my intention to defend my return;" and then the further proceedings on the petition put off, as usual, to a later day, and then in the meantime the King suddenly dies, and then after the death of the King some electors come forward with a petition, stating that they mean to defend the return themselves. They hear the day is granted, and before that day arrives a dissolution takes place?—All that is perfectly new to me. I have not the slightest idea of the sort, but I daresay you are perfectly correct.

46,847. We have the letter?—I daresay it is so, but I have not the slightest recollection of it.

46,848. (*Mr. Price.*) Now I call your attention to the next election, which followed so close, which shows that my learned colleague's account of it must be correct. The election I am speaking of now was May 16th, 1837. Then on July 26th, in the same year, it appears that another election took place, and yourself and Courtenay were candidates on the Tory side, and Sir Thomas Lethbridge and the same Mr. Sheridan were candidates on the Liberal side. Do you recollect that?—I recollect they were candidates.

46,849. And you and Sir Thomas Lethbridge were returned?—No.

46,850. Then it must have been you and Mr. Courtenay?—Yes, myself and Mr. Courtenay were returned.

46,851. If you please tell us whether, between the two elections on May 16th and July 26th, besides what you paid for your expenses at the contest, did you pay anything in the interval in any shape or way in the borough for charities, or, as we have heard it called nursing the borough?—I do not recollect anything of the sort; it is just possible that some subscriptions may have been; I do not know it. I will not swear to it.

46,852. Did you leave those matters to your local agent?—I think the local agents had to do what they thought right about it.

46,853. What money was spent at that election? We know the majority for Mr. Courtenay at that election was very large indeed, and some of the constituency there had begged Sir Thomas Lethbridge to stand, having presented a requisition to him, and that he had few votes, while your number of votes came to about the same number as those who signed the requisition to Sir Thomas Lethbridge?—I daresay it was so.

46,854. They did it for the sake of money, I suppose. What was spent by Mr. Courtenay and yourself?—Less at that election than any other.

46,855. How much?—It was a very small sum of money, comparatively.

46,856. One thousand pounds?—Less than 1,000*l.*, because I recollect at the time it cost Mr. Courtenay a very small sum indeed, and it cost me a very small sum also; but it coming so suddenly upon the last election, and at the last election I had a great many friends in the town——

46,857. You concluded that what you had spent in May enured to your benefit in July?—Probably.

46,858. (*Mr. Anstey.*) You are speaking now entirely from recollection, not from any notes?—Yes, from recollection, not from notes.

46,859. You are aware that a petition was presented against your return and Mr. Courtenay's return; two petitions in fact charging very extensive bribery, and treating, and so forth?—Yes.

46,860. And that it appeared that some, if not all of the requisitionists, who tempted Sir Thomas Lethbridge to come forward and stand for the borough actually recorded their votes for you and Mr. Courtenay?—Very likely; I do not recollect it.

46,861. You will not, I suppose, undertake to say that a good deal of money was not spent, though you yourself do not remember you were personally charged with it?—I cannot conceive who spent any money for me. I had no friends to come forward and spend any money for me.

46,862. (*Mr. Price.*) It is necessary that we should ask you whether the money that you spent at each of these contests was your own money?—Yes, certainly.

46,863. (*Mr. Anstey.*) There was an election petition, and two petitions of a very special and extraordinary nature, both referring not only to the last election, but to your first election in that year, and praying Parliament to institute an extraordinary inquiry, and there was a debate on the presentation of those three petitions, which came off on the 1st September 1837; a long debate in which Mr. Gladstone and Sir William Follett and several other members of the Conservative party took part on the one side, and Mr. Ward, afterwards Sir Henry Ward, who subsequently presented the three petitions; and Mr. Wakeley and Lord John Russell and other Liberals also took part, and the result of the long debate was that the two extraordinary petitions were deferred until after the election petition should be disposed of, and the election petition never was disposed of, because it was dropped. Do you recollect that?—No, I do not, indeed. I do not recollect anything at all about it. It is not from a desire not to give you all the information I can, but I assure you that when you consider that I am a man in bad health, and as old as I am, and that that is 35 years ago, it is not extraordinary that I do not remember anything of that sort. I am sorry I cannot give you the information; I would if I could.

46,864. The object of my putting these questions to you is that you may have an opportunity, if your memory permitted, of contradicting and explaining what we have in evidence already, that is all?—I assure you that I do not recollect more of those circumstances.

46,865. (*Mr. Price.*) In 1841 you were a candidate again?—Yes.

46,866. So you had therefore sat for the borough from 1837 to 1841. During that interval are you able to say what money you spent in charities or donations?—I cannot speak with certainty, but I think I came to the understanding that some one in the town, I do not recollect who, Mr. Symes or some of the agents there, to pay a certain sum of money yearly for subscriptions; I do not recollect what that sum was; it might be 150*l.* a year, or something of that sort.

46,867. One hundred and fifty pounds?—I do not know.

46,868. Is that as near as you can recollect?—As near as I can recollect. I think it was something of that sort. I may be quite wrong; perhaps I may be called over the coals if I say so positively.

46,869. The largest sum that we have had was 375*l.* by Mr. Westropp. Do you think it was ever as much as that?—No. I may have given a sum of money to races and other things. There were races I recollect, and things of that sort, and I think I may have done something of that sort, independently of the agents.

46,870. (*Mr. Anstey.*) What, to individuals?—No, not to individuals. I do not know whether it was for the races or something of that sort; it may have been.

46,871. You were never asked for loans?—Never.

46,872. (*Mr. Price.*) In 1841 you stood a contest with Mr. Forman on the Conservative side, and Mr. Edward Drew and Mr. Augustine Robinson on the other, and you and Mr. Forman were successful?—Yes.

46,873. Can you give any idea what that contest cost?—No, I cannot, any more than a general recollection which I have of these elections, that they all cost me about 2,000*l.* each, with the exception of one which cost me less.

46,874. That is the second one in 1837?—Yes. I think I can safely say that they did not cost me more than 2,000*l.*, all those elections afterwards.

46,875. Did you and Mr. Forman divide the expenses?—I do not know whether we divided them, but it cost me the same money, I should think so. I do not recollect how it was done, but, at all events, I think it cost me the same.

46,876. You think out of your own pocket 2,000*l.* in all probability?—I think so in all probability.

46,877. You sat from 1841 to 1847, and in 1847 young Mr. Tynte, I suppose; that is the second Mr. Tynte?—The second Mr. Tynte.

46,878. The present one?—Mr. Charles Tynte.

46,879. And Mr. Serjeant Gazelee were candidates?—We were.

46,880. We have it in evidence that he was brought down as an independent party, and arrived only on the day of the nomination?—He was brought down as an independent party, and gave us a great deal of trouble.

46,881. You and Colonel Tynte were returned. What did it cost you then?—I do not know. It might have cost me the same; I daresay it did.

46,882. Did you and Colonel Tynte come to any understanding at that election?—No, there was no understanding.

46,883. Is Mr. Symes the only person you can mention as being recipient of these different sums?—I think Mr. Symes was the person who received the money. There was a Mr. Parramore there.

46,884. (*Mr. Anstey.*) Was he one of your agents?—He was at one time.

46,885. He was town clerk after the Conservative reaction in the borough?—I think he was town clerk.

46,886. (*Mr. Price.*) At the time?—No. I think Mr. Trevor was town clerk.

46,887. (*Mr. Anstey.*) Probably at this time, in 1847, the elder Mr. Smith, the pawnbroker, would be one of your agents?—I do not know whether he was an agent or not. I do not recollect. He was not a gentleman in the legal profession, and I think he kept a pawnbroker's shop.

46,888. (*Mr. Anstey.*) We have it in evidence that there are two pawnbrobers of that name, but Mr. Smith, the elder, the pawnbroker at Bridgwater, had acted as agent on the Conservative side at many previous elections as well as at that election?—I daresay.

46,889. (*Mr. Price.*) That possibly might be in a capacity which you did not choose to inquire into?—No, I had no idea whatever.

46,890. Whatever money you spent did you pay it over to your legal agent?—I paid it to no one. My London agent whom I took down at that time arranged all that sort of thing. I was ignorant of it.

46,891. Who was it?—He is a long way from England now—a Mr. Parkinson.

46,892. Did Mr. Holmes act for you at this election; we are told that both Mr. Holmes and Mr. Coppock went down in 1837?—It was a long time ago; no doubt it was. Old Mr. Holmes?

46,893. Yes, the whipper in?—Mr. William Holmes.

46,894. And Mr. Coppock was down on the other side, and was recognized in the crowd; do you recollect that?—Well, I daresay. I do not recollect it.

46,895. (*Mr. Anstey.*) Mr. Thomas Holmes, the son of Mr. William Holmes, was the parliamentary agent acting for you in all these elections?—I think not. I knew Tom Holmes very well. I do not think he ever acted as agent for me.

46,896. (*Mr. Price.*) 1847 seems to have been the last election you stood a contest for?—That was my last election.

46,897. As near as you can tell us how much you spent, taking 500*l.* as your outside expenses, putting it roughly at your second election in 1837, and taking the other four at 2,000*l.* each, you spent 8,500*l.* in the borough of Bridgwater?—I should think so, or rather more.

46,898. Should we put it too high that your elections at Bridgwater cost you altogether 10,000*l.*; your charities and the whole thing?—I think they must have cost me that. There were five elections—yes, they must have cost me about that.

46,899. (*Mr. Price.*) Have you anything more to state which you would like to state to the Commission?—No, nothing at all.

ANTHONY, LORD HENLEY sworn.

Lord Henley.

46,900. (*Mr. Price.*) You are a member for Parliament now for Northampton?—Yes.

46,901. In 1852 it appears that you were a candidate for Bridgwater?—Yes.

46,902. At that election Mr. Follett and Mr. Mansell were the Conservative candidates; Colonel Tynte, and yourself, and Mr. Alexander Kinglake were the three candidates on the Liberal side?—Yes.

46,903. Tell us how you were brought down to Bridgwater?—The affair was first mentioned to me by Colonel Tynte. It was mentioned to a relation of mine as a position opening, and then upon his advice and recommendation I went down to stand for the borough.

46,904. Did he tell you anything at the time about what sort of notoriety it had for expenditure?—It is very difficult to recollect a conversation that took place 17 years ago, but my impression is that he gave me some such idea. I could not say the words in which he said it, but I believe he did give me the idea of the state of affairs at Bridgwater at the time.

46,905. (*Mr. Anstey.*) At all events, you were aware of the state of affairs either from his information or from some other source?—I think I had no

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other but his. I had some idea from his conversation of the state of affairs in the borough of Bridgwater. That is to the best of my recollection.

46,906. (*Mr. Coleridge.*) Then you had a conversation also about it with Sir William Hayter ?—No ; I do not think I ever had a conversation with Sir William Hayter. Of course, this is only an idea. I do not know it is so, but I think it possible that he may have mentioned me as a person wishing for a seat in Parliament to Colonel Tynte, but I am not sure whether I had a conversation with Sir William Hayter, or not.

46,907. Had you any knowledge of him before then ?—No.

46,908. Did he introduce himself to you on this subject ?—He first spoke to a relation of mine respecting it at Brighton, and then I think upon the subject I was brought to his acquaintance.

46,909. (*Mr. Anstey.*) You had been in Parliament before that ?—No, I had not.

46,910. (*Mr. Price.*) Did you communicate, if you did not to Sir William Hayter, to any London agent, Mr. Coppock, or anybody who had any management, or Sir William Drake, or anybody in that position with the party in London ?—No, none. I am saying these things to the best of my recollection, and I am pretty sure I did not.

46,911. In consequence of the arrangement you made with Colonel Tynte you determined to stand for Bridgwater ?—Yes ; I cannot say quite in consequence of the arrangement I made.

46,912. Was any arrangement made with Colonel Tynte as to expenditure at all before you came down? —None, whatever.

46,913. Tell us when you went down what happened ?—I went down and paid several visits to the borough. I found a body there called the Liberal Association, who appeared to be ready to espouse my cause, and I accepted their assistance ; and then it was determined I should stand, and I found there was to be no sort of coalition between myself and Colonel Tynte, that I was not to stand as his friend and colleague, but alone.

46,914. (*Mr. Anstey.*) None of the lawyers of Bridgwater were members of that Liberal Association, were they ?—I think not.

46,915. All the Liberal lawyers were with Colonel Tynte, were not they, and Mr. Kinglake ?—The only Liberal lawyer I had anything to do with was Mr. Benjamin Lovibond.

46,916. And he was Colonel Tynte's agent ?—Yes.

46,917. (*Mr. Anstey.*) He was hostile to you ?—No, he was not hostile, he was friendly ; but he was a sort of unpaid agent, looking after my interests at the same time as he espoused thoroughly those of Colonel Tynte, as I understood.

46,918. (*Mr. Price.*) The contest resulted in the return of Mr. Follett and Colonel Tynte ?—Yes, Mr. Follett and Colonel Tynte.

46,919. Did you find in the result, in point of fact, Colonel Tynte's influence as to second votes, to a great extent, was given to Mr. Follett in preference to yourself ?—That I cannot tell. I do not know.

46,920. (*Mr. Anstey.*) We have it in evidence there was this secret communication between Colonel Tynte's party, represented by Mr. Lovibond and Mr. Follett, either in person or as represented by some one else, and the result was the return of one and one, Colonel Tynte and Mr. Follett, and your losing the election Did anything transpire in the course of your contest which is inconsistent with that ?—Nothing inconsistent with that. It may have happened, but until this moment I had no idea it was so.

46,921. (*Mr. Price.*) At any time during your candidature was it announced that you would spend no money ? Would that account for it ?—I think it very probable. I constantly put forward that idea.

46,922. (*Mr. Coleridge.*) But you beat Mr. Kinglake on that occasion ?—I think I was a few votes ahead of Mr. Kinglake.

46,923. (*Mr. Price.*) Did you ever understand that your defeat was attributable in any way whatever to any declaration which you had made, that you would not be a party to spending money illegally ?—I think that, no doubt.

46,924. It is due to you to say that it is in evidence before us that you did distinctly say so more than once, and that you stood upon what were called purity principles, which were not much approved of ?—No ; and I was of course met with some ridicule on account of my supposed niggardliness in those matters.

46,925. Tell us what the election cost you ?—The election cost me, with my own personal expenses, as well as I could make out, 304*l.* 2*s.* 6*d.*

46,926. Were you applied to at any time afterwards for more money, or during the election ?—It was proposed to me to sign a cheque for 200*l.*, which they said if I would do would make the election perfectly safe.

46,927. When was that proposed ?—On the morning of the election just as the poll was beginning, to the best of my recollection.

46,928. Who was it proposed by ?—I would rather not say, unless you press it. It was said in a sort of confidential manner to me, and I feel some difficulty, but if you say I must——

46,929. I think so ; we have allowed no witness to shelter himself, and we have been in one or two cases obliged to enforce it ?—It was by a young man named Foster, a clerk to Mr. Benjamin Lovibond.

46,930. He is dead now, but he was very notorious in his lifetime.

46,931. (*Mr. Anstey.*) We have had it also in evidence that your supporters there were distinguished from the other sections of the Liberals who supported the two other candidates in this, that you alone were the independent Liberal candidate, that is to say, that you were the only one who was not under the patronage of the Liberal lawyers ; is that so ?—I was not aware that I was under their patronage in any way.

46,932. Were you aware that you were not under their patronage, namely, that they regarded you as a kind of interloper ?—No, I was not aware of that.

46,933. (*Mr. Price.*) Did not you become aware while you were there that in point of fact the attorneys on both sides were the persons who governed the elections, generally speaking ?—It was not brought to my notice specially.

46,934. (*Mr. Anstey.*) You are not aware that your supporters represented you as opposing generally the lawyer interest in the borough ?—No.

46,935. (*Mr. Price.*) You were brought forward by the Liberal Association, but it is represented to us that they had formed themselves or had determined, if possible, to secure the borough from the influence of the lawyers, and it was with that view that you went down. Does that accord with your recollection ?—No, not quite. I think not entirely. My notion is that Colonel Tynte thought it possible to bring in two Liberal members for the borough, and that hearing of me as a probable candidate from Sir William Hayter, he thought I might be a proper person to fill the second seat, and that the commencement of my candidature was owing to that idea on his part. That was the beginning of my going down there. But then, as soon as I got down there, I was asked my opinions by the Liberal Association, and I satisfied them as to my opinions. They then espoused my cause, and it then became an understood thing that I was going to spend no money, and the fight was to be on purity principles, and that they were to do all they could for me. I do not recollect having heard that they were opposed or setting themselves and me up in any way in opposition to the lawyer interest in the borough. I never heard of that.

46,936. Did you come to any conclusion at all as to the result of that contest, disappointed particularly as you were, supposing that you were standing with Colonel Tynte's interest ; did it result in its coming to your knowledge, or did it suggest itself to you, that they had not been loyal ?—No, because I saw it before

the poll took place. Mr. Benjamin Lovibond told me that I should poll 149 or 150, within one of those two numbers, and I polled within one of the numbers that he told me I should poll; so I had no reason to be disappointed with the result.

46,937. (*Mr. Coleridge.*) What position were you in with regard to Mr. Kinglake on this occasion—antagonistic?—Somewhat antagonistic. We were rather as it were standing against each other.

46,938. Was Colonel Tynte supposed to be favoring you as against Mr. Kinglake?—He withdrew his favor as soon as the election began, and dropped all sort of coalition.

46,939. (*Mr. Anstey.*) With you?—With me.

46,940. (*Mr. Coleridge.*) When he withdrew his favor from you, did he transfer it to Mr. Kinglake, or to the Conservative side?—I never understood that he transferred it to Mr. Kinglake at all.

46,941. Or the Conservative side?—I did not understand that either.

46,942. (*Mr. Price.*) Who was at the head of the poll? It is put on this paper which I have, Follett and Tynte. If it was the other way, Tynte and Follett, probably Mr. Follett got the benefit, because there was another Conservative candidate, Mr. Mansell, who was unsuccessful. Probably it was either Mr. Follett returned Colonel Tynte, or Colonel Tynte returned Mr. Follett by the half votes?—These are inferences which you are drawing which I have had no opportunity of looking into.

46,943. (*Mr. Anstey.*) To make this quite clear, do I understand you as saying or meaning more than this, that you had not heard until to-day that you were in fact considered both by the independent electors who were called the Liberal Association, and also the Liberal attorneys' followers, as antagonistic to every local influence, coming forward upon your own foundation. Do you mean to say more than that? do you mean to say you know anything or remember anything which is inconsistent with that?—No; the feeling may have existed amongst them for anything which I can say that I saw at the time; it may have existed.

46,944. (*Mr. Price.*) But you had no encouragement to go and stand again in 1857?—No, I had not.

46,945. Had you got into Parliament in the meantime?—No, I had not; I did not get in until 1859, and I think the reason for not standing then was that a meeting of the Liberal electors called on the subject preferred Mr. Kinglake to me by some majority.

46,946. (*Mr. Anstey.*) We have that in evidence. Have you any recollection what the 200*l.* was wanted for by Foster?—I understand he wanted it for bribery.

46,947. (*Mr. Coleridge.*) When you were first brought down, were you put into communication with Mr. Bate or Mr. Ford?—I was staying at Mr. Ford's house.

46,948. (*Mr. Anstey.*) Mr. Ford, the attorney's house?—He was a merchant, I imagine.

46,949. The father of the attorney—Capt. Thomas Ford?—Yes, Captain Ford.

46,950. Were you brought into communication with Mr. Bate, the conveyancer, there?—I do not recollect.

46,951. Do you recollect hearing Mr. Ford at any time say they were dissatisfied with the dictation which Mr. Lovibond had exercised over the borough, therefore, they wished you to come down in an entirely independent character?—My notion is they were rather glad to have an independent candidate who would attempt to fight the thing upon purity principles, but Mr. Ford's exertions, now that my mind is called to the matter, were to try and produce a kind of compromise between Mr. Kinglake and myself by which one of us might retire, pointing out the impossibility of either of us being elected if both of us went to the poll; that is the chief line he took.

46,952. What we have heard is, that you were brought down to counteract the influence of Mr. Lovibond, who seemed to be ruling the borough on the Liberal side, so that you were antagonistic to him, and standing on your own bottom as it were?—No, I was not antagonistic to him; on the contrary, he assisted me in every way in his power as much as he could without hurting Colonel Tynte; I think that was his position.

46,953. Did he assist you after Colonel Tynte had withdrawn his protection from you, as to speak. After Colonel Tynte had declined to give any assistance did Mr. Lovibond do what he could for you after that?—I imagine he did.

46,954. (*Mr. Anstey.*). If you were told at the election immediately preceding, that is the election of 1847, he held out some encouragement to a candidate standing exactly in your position, and then having voted for that candidate used all his influence with the electors to induce them to vote against that candidate, would that qualify the opinion you had formed as to his loyalty towards you?—Yes, that fact would qualify it, but I have no circumstance which I can recollect.

46,955. (*Mr. Price.*) You thought, judging from your letter to the "Times," that something had been said before us leading to the conclusion that you had spent money illegally; therefore, I wish to give you an opportunity now of explaining it. You wrote?—Yes, I did.

46,956. We did not communicate with you because we intended to call you, and give you the fullest opportunity, but I think I stated openly in court that there was not the slightest imputation upon you as far as the evidence went; but if you like to state anything to go on the notes you are at liberty?—I should just like to state that that statement made by one of the witnesses that I was standing in coalition with Colonel Tynte was not the case, because I think I have described the relation between myself and Colonel Tynte on the occasion of that election, that he did first mention the borough to me, but immediately on my going down there broke off all sort of coalition or partnership between us. It was afterwards mentioned in the evidence that I had expended a considerable sum of money at that election, which of course would lead any to infer that I had joined—from the statement that I had been in coalition with him—joined in the expenditure of that sum; that is the reason of my writing the letter to the "Times," in which the sum I stated I had spent was 260*l.* odd.

46,957. (*Mr. Coleridge.*) Before you went down you did anticipate you would stand in conjunction with Colonel Tynte, and with his assistance?—I think so.

46,958. It was only on getting there that you were undeceived, or else probably you would not have gone?—Those are probabilities I can hardly speak to, but certainly I expected I should have to stand with Colonel Tynte. I think I said 264*l.* was the sum I spent on the election; that I think did not include my own personal expenses. I have now some accounts, extracts made at the time, which put down the whole of the expenses at the election and my personal expenses together.

46,959. Will you read out the various sums?—In 1852, February 16th, 17th, and 18th, journey to Bridgwater and back, inns, &c., 5*l.* 4*s.* 0*d.*

46,960. Give us your personal expenditure in a lump sum—that will be quite enough?—There are only two or three items here: March 16th, 17th, 18th, and 19th, expenses to and from and at Bridgwater, 8*l.* 10*s.*; April 1st, journey to Bridgwater and back, inns, &c., 5*l.* 15*s.*; May 8th, Bridgwater, 1*l.* 10*s.*; 17th, inn at Bridgwater and servants, 8*l.* 5*s.* 1*d.*; July 2nd, fare to Bridgwater, 1*l.* 14*s.*; 3rd, Hodge, "Railway Hotel," 7*l.* 2*s.* 9*d.* Then come the expenses at the election 6th of January: Flinde, printing, &c., 13*l.* 0*s.* 0*d.*; Whitby, ditto, 12*l.* 6*s.* 4*d.*; Wood, ditto, 12*l.* 9*s.* 0*d.*; Foster, for election expenses, 74*l.* 1*s.* 7*d.*; Sutton, "Clarence Hotel," 9*l.* 3*s.* 9*d.*; 7th of July, return to London, 1*l.* 15*s.* 0*d.*; 19th, J. W. Sully and Francis Thompson, for election expenses, two cheques, 70*l.* and 73*l.* 6*s.* 0*d.*

46,961. (*Mr. Price.*) What difference is there be-

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tween them and the expenses which Mr. Foister paid; they are both election expenses?—Well, I was told we had a meeting at one of the inns, and Mr. Lovibond said I could not have a meeting entirely without refreshments, and there was about 30*l.* spent in drink. I recollect his saying something to that effect, and the total of those amounts is 304*l.* 2*s.* 6*d.*

46,962. (*Mr. Anstey.*) Then there was 30*l.* spent in treating?—So I understood; that was told me afterwards.

46,963. There is an inn mentioned without name, the "Railway" hotel by name, and the "Clarence" hotel mentioned by name; how many inns had you bills with committees?—I think the "Railway" and the "Clarence;" I do not recollect any other.

46,964. How happened it that you had to incur bills at two hotels?—Because I stayed at one time at the "Railway" hotel, and afterwards it was thought advisable that I should go more into the middle of the town.

46,965. (*Mr. Price.*) Is there anything else you have to state to us about that election; was any application made to you afterwards?—I paid afterwards I think a few pounds for registration. I think not in the same year. 5*l.* I think I recollect paying. I did not put that into this election account.

46,966. Did you pay any agent any fee?—I think not.

46,967. (*Mr. Anstey.*) Neither then nor afterwards?—Neither then nor afterwards. I think I should say, perhaps, as I am saying everything on this subject, that I had some difficulty in saying it as it was a matter rather confidential, but as the man is dead, and I am bound to say all I can during the election, I said to Foster, "Oh, then you are bribing?" He said, "Of course we are," or words to that effect.

46,968. When he asked you for the 200*l.*?—I think it must have been about that time.

46,969. (*Mr. Coleridge.*) Did you ever give Foster anything afterwards, a present or fee, or anything?—I do not recollect; it may be possibly charged in these expenses.

46,970. Or Mr. Lovibond?—No, I never gave Mr. Lovibond anything.

46,971. (*Mr. Anstey.*) How came you and Foster in communication?—He was Mr. Lovibond's clerk. I kept up my communication with him. The first place I went to in the town was Mr. Lovibond's place.

46,972. Did Mr. Lovibond tell you that Foster managed these things, and that you had better communicate with him?—I think he did.

46,973. (*Mr. Price.*) Managed what things?—These election affairs. You meant election affairs?

(*Mr. Anstey.*) I meant election matters.

46,974. (*Mr. Price.*) The election generally, or the persons with whom you were in communication on election matters?—Yes, that was it.

46,975. Anything else?—No.

46,976. (*Mr. Coleridge.*) Some overtures were made to you about the next election in 1857, were there not?—No. I think since the Liberal party had rejected me and preferred Mr. Kinglake, I do not think I heard anything more of the matter.

46,977. You had nothing more to do with any idea of standing for Bridgwater?—No actual correspondence or interviews about it.

46,978. Did you go down there before 1857, or see anyone about it?—No.

46,979. (*Mr. Anstey.*) According to Mr. Henry Lovibond's evidence it appears that the meeting which you mentioned just now of the Liberal electors took place on the invitation of Liberal attorneys, and on that occasion it was determined that Mr. Kinglake should be accepted to stand at the contest of 1857. Had you been told before that that they were going to hold such a meeting, or was your first knowledge of it derived from the same information which told you you had been passed over in Mr. Kinglake's favour?—I think that was the first knowledge I had of it. I was told at that meeting, I having been in a minority they chose him in preference.

Mr. Serjeant S. Gaselee.

Mr. Serjeant Stephen Gaselee sworn.

46,980. (*Mr. Price.*) We are informed that you went down to Bridgwater to stand a contest in July 1847?—Yes.

46,981. And that you arrived there only on the day of the nomination?—Yes.

46,982. Tell us how it was you were induced to go to Bridgwater?—Some gentlemen waited on me a few nights before to ask me if I could recommend a candidate, and I did recommend them someone, but, however, it ended in my going.

46,983. Do you recollect who they were?—I cannot recollect now more than the name of one gentleman, my solicitor at that time, Mr. Bishop, of London.

46,984. Were the other gentlemen Bridgwater gentlemen? Did he introduce them to you?—I think they were; I have no doubt they were if they came, but it is so long ago I cannot say how many came.

46,985. Can you tell us whether they were lawyers?—No. I will tell you the people at the bottom of it were, as I understood, Mr. Ford and Mr. Bate.

46,986. (*Mr. Anstey.*) But they were both of them in Bridgwater, not in London, at that time, I think?—I cannot say whether they came up to me or not.

46,987. You remember that you went down in the company of gentlemen who introduced you at Bridgwater to Mr. Henry Lovibond, in whose company you arrived on the nomination day?—Oh, did I?

46,988. It is in evidence; he states it?—I daresay, then.

46,989. Was he one of those who waited on you with Mr. Bishop?—My impression is that he was, but I could not be certain, I could not undertake to say.

46,990. (*Mr. Price.*) But when you got there you were under the impression the two most anxious to get you down were Mr. Ford and Mr. Bate?—Yes.

46,991. Did you understand why?—Yes, I understood this, that there was a walk over, one and one, and they did not like it; that is my understanding.

46,992. They wanted a contest. There was a little soreness, I believe, on the Liberal side at being one and one?—I do not mean that their motives were not quite pure, because I did not believe that they wanted any money.

46,993. Was anything said to you about money before you went down, what you would have to spend?—Distinctly that I was not to pay anything. I was not to pay money, I should have said, when I say nothing.

46,994. Did you know anything of Bridgwater at that time, what sort of place it was?—Yes, I did, and I thought therefore I should not be inclined to go if I thought I was going to pay.

46,995. And you made that stipulation, that you should not be called upon for any illegal expenditure?—Illegal?

46,996. Yes?—It was never proposed to me.

46,997. Was any sum named?—No, it was not proposed to me that anything illegal should be paid.

46,998. (*Mr. Anstey.*) Did not you tell them that you would not be drawn into any illegal expenses?—Decidedly.

46,999. (*Mr. Price.*) You announced that down there?—Over and over again.

47,000. What did they say?—They all agreed.

47,001. And the result was that you were very much behind on the poll?—Not very much; I think 60.

47,002. (*Mr. Anstey.*) You got the show of hands?—I got the show of hands.

47,003. (*Mr. Price.*) What did they say?—The party wanted to pay everything for me. I do not know who. I objected to that. I said, "No, I do "not wish you to pay for me; and I paid the hustings,

and I think just those expenses, and to the best of my belief it cost me 26*l.* and no more.

47,004. (*Mr. Coleridge.*) Do you know what the cost of getting the show of hands was ?—I am quite sure that there was no money spent for getting the show of hands.

47,005. (*Mr. Price.*) You were the popular candidate ?—Well, I came just at the end, and the other men proposed to me—they were very glad to see me, of course I knew what that meant—and proposed to me that there should be no speeches. "Speeches ?" said I; "I am a stranger, and going to get the show of hands by my speech ;" and so it turned out.

47,006. (*Mr. Anstey.*) Do you know that it is stated that Mr. Lovibond voted for you to preserve his character as a Liberal in the borough, but kept his promise with the coalition between his nominee, Colonel Tynte, and Mr. Broadwood, by doing all he could with the bribable voters to get them to vote against you ?—I do not know that personally.

47,007. (*Mr. Price.*) Were you not surprised on being brought down there to find Mr. Broadwood and Colonel Tynte returned and yourself, although coming near, not ?—Was I surprised ?

47,008. Yes ?—No, I was not surprised, because I knew if I did not pay money I could not get in ; I mean I thought it almost an impossibility.

47,009. (*Mr. Anstey.*) Why did you go down ?—Well, I went down just on the mere chance. It cost me nothing ; the lawyers, or whoever they were, came and said, "If you come down we will not charge you anything," and I thought I might go and see.

47,010. Supposing a sum of 1,500*l.* raised by themselves to be spent in bribing voters, would you under what they call your sense of honour have paid that or not; what should you have done?—On my honour I cannot say what I should have done in a particular case. I think the best answer I have seen to that question is what Mr. Kinglake said, that he should have left it to some man of honour to say what he ought to do ; but my impression is that I should have been so perfectly disgusted that I should have said, "You "told me nothing was to be spent, certainly nothing "illegal ; I am not inclined to pay it ;" but I do not know what I should have done under the circumstances.

47,011. (*Mr. Price.*) You never thought of standing again for Bridgwater ?—No, I did not ; they were so kind as to mention it, but I thoroughly believed I could not get in there.

47,012. It was a hopeless thing without spending money ?—It was a hopeless thing without spending money.

47,013. That is the result you arrived at ?—That is the result I arrived at.

47,014. (*Mr. Anstey.*) You were never proposed again by the Liberals as their candidate ?—No.

47,015. Neither in 1852 nor in 1857 ?—No.

Mr. Robert Spencer Follett sworn.

Mr. R. S. Follett.

47,016. (*Mr. Price.*) You are one of Her Majesty's counsel ?—I am.

47,017. And have been for some years ?—I have been for some years, I am sorry to say.

47,018. In 1852 it appears that you stood for the first time, as a candidate for the first time, at Bridgwater ?—Yes.

47,019. You were returned on that occasion with Mr. Tynte ?—Yes.

47,020. Give us the history of your introduction to the borough of Bridgwater ?—It is a long time ago, and one's recollection is not quite distinct.

47,021. Was it through your brother, Sir William Follett ?—No ; I think my name was well known in the West of England at that time, and some gentlemen I think connected with Bridgwater. I do not recollect the names of all of them, but a Mr. Smith and Mr. Trevor to the best of my recollection were two of them, who came to me and said there was a chance or a very great probability of the Conservatives returning a member for Bridgwater, that there was a split they thought on the Liberal side, that the borough was as they believe Conservative if polled fairly, and they asked me to stand ; they thought my name would be a good name.

47,022. Are you aware, as they said there was a split, that besides the old member, Colonel Tynte, Lord Henley and Mr. Kinglake were in the field ?—I think I was aware that Mr. Kinglake was ; he had been a friend of mine, and I think I knew, and one fact against going down was the disinclination to oppose Mr. Kinglake.

47,023. I think Mr. Mansell stood in conjunction with you ?—Mr. Mansell stood in conjunction with me.

47,024. Do you know who introduced him ?—I do not know, but I fancy he was introduced through Mr. Gabriel Poole, a gentlemen of great influence, and who I think was solicitor to the family ; his family were resident there and connected with the borough.

47,025. (*Mr. Anstey.*) If you are not aware, it is right to tell you that Mr. Poole says he never took any part in elections beyond giving his vote ?—Then I had better not answer those questions.

47,026. (*Mr. Price.*) Was anything said to you about the expenditure of money ?—Oh yes, certainly. I asked them upon what terms the election was to be conducted, because I was so fully impressed, not to use a stronger word, with the folly of a gentleman in my position spending money in illegal expenses of that kind. I said I would not have anything to do with it unless it was clearly understood there were no illegal expenses incurred, for I would not spend a farthing ; and I think on more than one occasion I pressed that so fully on Mr. Smith, who was the chief person I communicated with.

47,027. Was that Mr. Smith, the lawyer ?—Mr. Smith, the lawyer. I impressed it on his mind so very strongly that I recollect on more than one occasion telling him if the election was won by illegal means I would not keep the seat.

47,028. Did you come to any understanding with Mr. Mansell about any expenses ?—No. I think the first time I saw Mr. Mansell was at Bath. They told me that Mr. Mansell, who I believe lived in Dorsetshire, would meet me at Bath, and I met him at the hotel there, and he told me. It is some time ago, and I have some difficulty in telling you ; but the impression on my mind was that he would not spend any money.

47,029. He was of the same mind as yourself about spending money ?—But he would not spend any money at all as I understood.

47,030. (*Mr. Anstey.*) Legal or illegal ?—Legal or illegal ; but if any at all a very small sum ; and I was to furnish the great amount of the money for the legal expenses.

47,031. Yes, and to have the first chance ?—Yes, to have the first chance. I recollect putting that to him, that I was to have the first chance of coming in, and that was acceded to.

47,032. On your coming down do you recollect any overtures made to you on the part of Colonel Tynte or his friends, showing a disposition to split the votes between you and him so as to secure his election and yours ?—Positively not.

47,033. Nothing of the kind ?—Nothing of the kind. I give it the most positive contradiction; nothing of the sort.

47,034. It is only suggested, because you see you were returned with Colonel Tynte. We have had Lord Henley, who went down at the invitation of Colonel Tynte, and who seems not to have been well treated, and the result was that you and not he came in. Who was at the head of the poll ?—Colonel Tynte.

47,035. You probably secured a great number of his half votes ?—My belief is that he took my votes. If

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he polled without bribery Mr. Mansell and myself would have come in.

47,036. That is your belief?—That is my belief.

47,037. That was the result of the canvass?—That was the result of the canvass and the polling at 12 o'clock. At 12 o'clock we were both at the head of the poll, and I was running ahead very fast. Excuse my saying I was the popular candidate on our side, and was running some votes ahead of Mr. Mansell, and at 12 Mr. Mansell and I thought our election secure. Then the thing suddenly turned in that mysterious way which one sees sometimes in boroughs.

47,038. (*Mr. Anstey.*) Nothing can be more clear and satisfactory than your disclosure of the coalition on your part. I need scarcely ask the question, you do not mean to disclaim it, I presume, in the same positive manner on behalf of those who represented you—Mr. Richard Smith?—So far as my knowledge goes I do.

47,039. But what you mean to say is, if there were such a compact it was behind your back, against your will, and you never heard of it until it came out in evidence?—I never heard of it until this moment; I never had an opportunity of reading all the evidence given in the papers.

47,040. (*Mr. Price.*) It was a suggestion?—My belief is—the impression on my mind was at the time when I saw the way the election was going that Colonel Tynte—at least the persons who managed the election brought me in because they were afraid if I was kept out I should petition. That was the impression left on my mind.

47,041. (*Mr. Anstey.*) Perhaps you have not seen very full reports?—No, I have not. I have been abroad a great part of the time, and have not seen it at all.

47,042. It is fair to tell you in connexion with what you have just said that we have had it in evidence that one person got a number of half votes of Colonel Tynte for you by telling a tally or several tallies, "I know you have taken bribes to vote for Tynte, "and therefore if you plump for him and do not give "half your vote to Mr. Follett there shall be a peti-"tion to a certainty"?—Yes.

47,043. Upon which they all went up and voted for you and Tynte?—Yes, I think I saw some reference to that in the newspapers. I think my late friend, Mr. Hennett, who was a strenuous supporter of mine—he was a popular person there, and I had no doubt if there had been no bribery Mr. Mansell and I should have come in.

47,044. (*Mr. Price.*) Tell us what it cost you?—That election cost me altogether 1,150*l.*

47,045. I should like to know how it is made up?—I have no papers connected with it. I occupied chambers in Lincoln's Inn up to 1862, when I left the professon. All papers there—a great mass of them—I had collected together, some relating to this election, and other matters. Those I thought of no importance I burnt, and amongst them these matters of the election, it being 10 years past, and there is nothing left but my bankers' book. Some time during March I went there, I think, and during March to July there was a continual canvass, and agents were employed, and there was a great deal of writing and printing. I recollect we showed various handbills upon political matters which were then interesting. There was a great deal paid for printing I recollect, and several public meetings were held which cost money, and I recollect at the end I see I paid on the 23rd July 1852, 400*l.*, on the 17th August 100*l.*, 13th December 450*l.*——

47,046. Who was it paid to?—All to Mr. Smith.

47,047. Did he render you an account?—He rendered me an account at the time, no doubt.

47,048. (*Mr. Anstey.*) Did he give you any reason why those large sums appearing to have been demanded from you at various periods, from August down to December following, were kept back so long?—No; he told me they were getting the bills in and paying them from time to time.

47,049. Did he tell you what bills they were?—Oh, yes, I think I saw all the bills.

47,050. Did they appear to be for goods supplied, or what?—Well, they appeared to be chiefly for agency and printing; for the employment of individuals and printing.

47,051. Did you observe any large items coming under etceteras, such as "miscellaneous"?—No; I should not have allowed it if I had.

47,052. (*Mr. Price.*) Did not it strike you as a large sum for legal expenses for a small borough of 500 voters?—I thought I was very well out of it considering the election lasted for five months; we were down there canvassing.

47,053. I suppose you had a large army of paid canvassers?—No doubt.

47,054. And public-houses open all that time?—I do not recollect that I paid any bill under that name, but in point of fact, as you must know well enough, one has not the control of all this expenditure; matters are returned to you under very different heads from what the money has been expended upon. I do not know that there was any money spent upon houses being opened; I should not have allowed it if I had seen it.

47,055. And the bills were prepared so as not to suggest on the face of them any question?—Certainly not.

47,056. (*Mr. Price.*) Agency, how much?—I am not quite sure about that, but I think the solicitors and local agents fees were 50*l.*

47,057. Apiece?—Yes.

47,058. Retaining fees?—Retaining fees. Mr. Smith, Mr. Trevor; I do not recollect the other names.

47,059. Mr. Ruddock?—Mr. Ruddock probably was one.

47,060. (*Mr. Anstey.*) Mr. Symes?—I do not recollect the name there. I think he must have been dead.

47,061. Mr. Richard Smith being the principal agent there, we have it in evidence, obtained a larger fee than the rest?—My impression is that he did not, but I do not recollect that. I do not think he did.

47,062. We have it in evidence that this was the first election at which he took what Mr. Trevor calls the lead of the lawyers, Mr. Trevor having ceased to be active in that capacity, you do not recollect whether he got more?—I should say not, according to my recollection; but I cannot take on myself to recollect that.

47,063. (*Mr. Price.*) Is that all you have to tell us at that election?—That is all.

47,064. From 1852 to 1857 were you called on to spend any money in the borough?—I think I paid to Mr. Smith on behalf of the solicitors, I do not exactly recollect their names, 50*l.* a year for the expenses of the registration.

47,065. In that sum of 1,150*l.*, if Mr. Mansell carried out his resolution, did you pay his legal expenses?—Well, I paid the whole.

47,066. Including hustings and his share of the sheriff's expenses?—I am not quite positive, but I believe I did.

47,067. And including his agents also?—Yes.

47,068. He got the benefit, then?—Yes. As I understood it at the time—I have had no communication with Mr. Mansell since—the impression on my mind at the time was that I was paying all the legal expenses.

47,069. (*Mr. Anstey.*) You began to answer the question about any expenditure between 1852 and 1857, 50*l.* a year. Was there anything else?—I do not recollect anything else.

47,070. Any gifts or loans?—No. At times there was a paper sent up that a man had lost his horse, and I gave him 10*s.*, and that sort of thing.

47,071. Subscriptions to charitable institutions, or races?—No. I think there were no races when I was there; I think they had been abandoned.

47,072. How much a year do you think you spent

in various ways in that interval?—I do not think anything but this sum of 50*l.*

47,073. And the sums you mention?—Yes. It was nothing beyond mere pocket expenses.

47,074. (*Mr. Price.*) Was it ever represented to you in any way as a necessary thing for you to keep up an expenditure in the borough with a view of becoming candidate?—No; nor would I have acceded to it.

47,075. No pressure was put on you?—Not the slightest. I must say this for the gentlemen of Bridgwater, that they behaved exceedingly well in all those matters. I never had any pressure put on me. I am bound to state that.

47,076. (*Mr. Anstey.*) Is it true that you expressed yourself disgusted in 1857 at the expenses you had been put to in 1852, or perhaps after 1852?—No, I never expressed any disgust.

47,077. (*Mr. Price.*) In 1857 you were candidate again?—Yes.

47,078. And on that occasion Tynte and Kinglake were your opponents, and were returned?—Yes.

47,079. How much behind were you at that time?—I forget the state of the poll, but I was very well beaten I recollect.

47,080. Did you spend any money at that election?—My election at that time cost 433*l.* 5*s.* 8*d.*

47,081. Before the election, when it was known there was to be a contest, was anything said to you by Mr. Smith that it was necessary to spend more money than you had before, or anything of the kind?—No. I think Mr. Smith gave me to understand—— No, I do not think that there was. I should say with regard to that election, the particular feature in it which had existed before the division in the Liberal party had continued a short time, and the result of that was that there was no second candidate brought against me, and Colonel Tynte and I were alone in the field, and so we continued, I think, up to a very few days before the election commenced, and I at the canvass on that occasion felt myself so entirely without a chance of success that I should not have gone to the poll if any gentleman on the other side had come forward more promptly; but having gone on up to a day or two before the nomination——

47,082. Your canvass was not successful?—My canvass was not successful.

47,083. How came it that having been the popular candidate the time before, and being at the head of the poll at one time and returned, you had so gone down?—Popularities all are so.

47,084. Had it anything to do with your want of spending money?—No, I do not think so. I think one reason they made use of was my voting against Lord Palmerston on the Chinese war.

47,085. (*Mr. Anstey.*) You were going to say that Mr. Richard Smith just before your contest gave you to understand something?—He gave me to understand that if money was spent on the other side I should not come in.

47,086. And did he propose to you that money should be spent on your side to counteract that influence?—Certainly not; he knew it would be no use.

47,087. (*Mr. Price.*) He never made that proposition to you?—He never made that proposition to me. In conversation with me he gave me to understand that I might come in if I spent money. That was the conversation which constantly took place with anyone talking about Bridgwater—"If there is any "difficulty about your canvass, if you spend money "you may come in."

47,088. (*Mr. Anstey.*) That was constantly said to you?—Oh yes.

47,089. At both elections?—At both elections.

47,090. (*Mr. Price.*) That election cost you very much less than the former one. You went to the poll?—I went to the poll.

48,091. You had not had so long a canvass?—No, only a few days I think, and no public meeting and no writing. The other was a very active canvass indeed. I think it was when free trade was very much discussed, and they wrote articles and stuck them about the public walls to try and enlighten the public mind. I have no doubt printing cost a good deal at that election.

47,092. That was the whole expenditure at that election?—My personal expenditure in bills and so on. I do not know what they were; they were paid out of my pocket money.

47,093. Did your agents get anything on that occasion?—Yes, I think they got 200*l.* on that occasion.

47,094. (*Mr. Anstey.*) Each of them?—No; out of the 433*l.* there was 200*l.* I think I paid them at that election.

47,095. Until a few days before the election you did not expect a contest?—I did not.

47,096. And when you did find a contest coming on you thought it hopeless?—I thought it hopeless if the other side spent money.

47,097. Was that the reason you contracted your expenditure to those narrow dimensions?—No, I spent what I thought necessary, just as I did before; I do not think there was any difference at all. I think some Act had passed in the meantime, making illegal flags and drums. That small expenditure of a few pounds was in the first one which I desired should not be in the second, because in the meantime it had been made illegal.

47,098. (*Mr. Price.*) Is there anything else you have to tell us with respect to your knowledge of Bridgwater elections?—No, I think I have told everything.

Mr. Alexander William Kinglake recalled.

Mr. A. W. Kinglake.

47,099. (*Mr. Price.*) You were to present some accounts?—Yes, the Commissioners desired me to hand them in to the secretary, and I have done so.

47,100. Some of these are letters from Mr. John Smith to you?—Yes.

47,101. One letter of June 9th, 1865, from Mr. Smith. Have you anything to say upon that; I do not say that it is very material?—No, but I considered my duty was to lay all papers before the Commission, whether I thought them material or not. There is one in which he says it was not his intention to take an active part in the election, and alleges the state of his health and the circumstance of his having found it expensive to interest himself in the elections.

47,102. We had better have it on the notes, if you will read it?—"My dear sir,—The moment I had "your telegram I had the poster as sent posted all "over the town, and otherwise distributed. I hope "I have done right. Mr. B. L."—that is, Mr. Benjamin Lovibond "called to say they are taking the "names and amounts of all the persons whom he owes "any money to, and they appear to be in earnest. "Tuesday is now the day they give for a decisive "answer from the colonel." It was a question whether Colonel Tynte would stand or not.

47,103. This is a more important letter from Mr. John Smith, of July 14th, 1865:—

"A. W. Kinglake, Esqre., M.P.

"My dear sir, Bridgwater, July 14th, 1865.

"I cannot delay writing to you any longer. I "have hardly the heart to do so now, and you can "understand for what reason. I never in the whole "course of my life have been so grieved as I have "within the last few days. I should like very much "to know (and numbers besides myself) whose fault "it was that placed us in the position we are. Yours "and Sir John Shelley's return was unmistakeable, "and why such an error of judgment should have "been made to me is very curious. If I had only "known at five in the morning what I knew at half-"past nine, things would have been very very different, "for we would have taken things in our hands after-"wards, chancing results. That is the only thing "that we now grieve at. They (the other side), as

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" we were organized, had not the skeleton of a chance. " Why you and ourselves should be so pained over " this matter is so difficult to understand by us. I " hope you will bear up against it. You must not con- " sider that the Liberal party here are extinct. Time " will prove that. We hold a meeting to-night at Mr. " Phelps'. On that of course you will be advised by " Mr. Henry Lovibond. I wish once more to express " to you our sorrow ; our attachment to you is not in " the least interfered with. I hope and believe that " S. J. V. S. will represent me in Parliament yet is " my hope.

" I am, my dear sir,
" Yours very sincerely,
" JOHN SMITH."

47,104. (*Mr. Anstey.*) "S. J. V. S." means Sir John Villiers Shelley?—Yes, I took the liberty of sending my answer.

47,105. It is July 15th, 1865. Alexander Kinglake to John Smith (*handing it*) ?—" My dear sir,—Your " letter expresses all that I knew you must be feeling. " I do not wonder that you and a great many more " should be anxious to understand the true reason of " the apparent defeat which our cause has sustained, " and I hope you speak freely on this subject with the " chiefs, but I may say to you that, so far as I know, the " conduct of all on our side has been quite straight- " forward. The calculation, I believe, was that Mr. " Westropp could not give himself a chance of success " without undertaking an audacious, extravagant " operation, which must render it easy to unseat him " upon petition ; and, from all I hear, that calculation " has been verified, as far as is possible, in this shape ; " for, unless I am wrongly informed, the Liberal " party at Bridgwater have it now in their power to " annul the election of Mr. Westropp. Assuming " (what I do not for a moment doubt) that the party " will have the spirit to use their opportunity in this " respect there will probably be a fresh election for " the seat held by Mr. Westropp, and with a view to " that you will no doubt be holding yourselves in " readiness.

" Meantime of course Mr. Westropp is ostensibly " at the head of the poll, and one of the members for " Bridgwater, and so he will remain until two or three " weeks after the meeting of Parliament ; but if you " ask which of the two after that time, Westropp or " Shelley, is more likely to be my colleague, I say " Shelley ; for remember that if Mr. Westropp is un- " seated he will be declared incapable of again " standing for Bridgwater during the whole existence " of the Parliament, now in course of formation. I do " not doubt, my dear sir, that the sound and honest " portion of the Liberal party at Bridgwater is un- " swerving in that attachment to me of which I have " always been so proud, and indeed I ventured to " believe that I strengthened the tie which binds me " to my Bridgwater friends by the cordial way in " which I acted with Sir John Shelley. Still you can " well understand that for the time it is painful to me " to contemplate the ostensible state of the poll, for " Bridgwater is represented to England, and I may " say to Europe, as vastly preferring Mr. Westropp to " Shelley and myself. I intend to be at Bridgwater " soon, and I shall then be glad to have an opportunity " of talking over all these things with you."

47,106. (*Mr. Price.*) What did you understand by that, " If I had known at five in the morning what I " knew at half-past nine things would have been very " very different " ?—Well, I hardly formed any idea what was meant. I regarded it as expressing a senti- ment very constantly expressed, jealousy between the lawyers and the tradesmen.

47,107. (*Mr. Anstey.*) The words that strike me as requiring explanation are, " for we would have taken " things in our own hands afterwards, chancing " results. That is the only thing we now grieve at." The words, " things in our hands afterwards," are underlined?—I did not observe that.

47,108. Have you any doubt that they meant bribery?—I should doubt that, for I think those ex- pressions in general imply what was continually stated to me, an inherent power of carrying the elections supposed to exist in non-lawyers. There was a jealousy between the lawyers and non-lawyers, and the tradesmen were always saying if they had everything in their own hands everything would go smoothly.

47,109. (*Mr. Price.*) How about that—" more bene- " ficial at five in the morning than at nine in the " morning " ?—Quite possibly.

(*Mr. Anstey.*) And what results would there be to chance ?

(*Mr. Coleridge.*) Chancing a petition, was not it ?

47,110. (*Mr. Anstey.*) Do you not see the danger in the course, which danger one would chance ?—I do not think one ought to put a construction on the letters of energetic tradesmen, but I quite agree that it is open to the interpretation.

47,111. We have Mr. Smith here.

(*Mr. Smith.*) I think I can explain that.

47,112. (*Mr. Price.*) Well, you shall have an op- portunity. Then there is this letter with regard to the election of 1859, on which we examined you at Bridgwater, which was the second election for which you were returned, Mr. Padwick and Mr. Westropp being unsuccessful ?—Yes.

47,113. There was a petition ?—Yes.

47,114. Against your return as well as Colonel Tynte's, I presume. Now this is a letter which I am going to read to you, which you have handed in ; that is from Mr. Lovibond to you :—" 29th July. My " dear sir,—I met by accident Colonel Kemys Tynte " and Benjamin Lovibond at Taunton this afternoon ; " the former appeared to me, as you may suppose, " very nervous about the petition, and he expressed a " wish that Mr. Geo. Reed should be seen and pre- " vailed upon to withdraw his proceedings against " Heard for the libel. Since then I have had a con- " versation with Mr. B. Lovibond, and I find that he " is of the same opinion as myself with regard to the " object of the petition ; we have decided on remain- " ing quiet for the present, believing that the over- " ture for a compromise may be again renewed through " me. The following persons have been served with " the Speaker's warrant, viz., Lady Cooper, Jenkins, " Newton, H. Faun, Searle, and Manchip, but no " money has been paid for travelling expenses. My " impression is that Geo. Reed will accede to any " reasonable request that might be made to him for " stopping the progress of this petition, but it will not " do to be too precipitate in this delicate business." That letter therefore hints at a compromise being effected against the petition being presented to you upon the terms of this prosecution for libel, which Mr. Heard had had brought against him by a man named Jenkins ?— Yes ; my impression is the action was anterior to the petition.

47,115. Can you tell us whether, in point of fact, the petition having been eventually withdrawn, and Colonel Tynte, who was very nervous, having got up and declared that it was frivolous and vexatious in the House of Commons, when you stated that you stayed away, was the result of a compromise ?—I should imagine it was. The action was stayed and the peti- tion was dropped. I think it may be inferred that it was so.

47,116. Jenkins was examined after you left Bridg- water, I think, and was strongly impressed with a notion, to use a vulgar expression, that he was sold. That was his expression, and it was in consequence of these overtures which had been made about your petition ?—Quite possibly.

47,117. But you cannot give us any more informa- tion ?—No.

47,118. Except that you know there was a sugges- tion or promise, or something of the kind ?—Yes.

47,119. Eventually the petition was withdrawn ?— Yes, and the action stayed.

47,120. (*Mr. Anstey.*) Here is a letter, first of all, with reference to the election of 1866. I suppose he refers to the second election of 1866, in which Mr.

Vanderbyl was returned, and in anticipation of the election; did you receive that letter from Sir William Drake (*handing it*)?—This is one I have handed in?

47,121. Yes?—No doubt I received this if I handed it in.

47,122. Read it, if you please?—It is dated 8th July 1866. "On my return this evening from Oat-"lands I found your note; I am sorry the candidate "I suggested has declined, as your friends appeared "bent on fighting, but I do not anticipate finding "another for them on this occasion, having regard to "the shortness of time which will elapse before the "election, and the general opinion that the Parlia-"ment will not last long. If, however, I can find "anyone willing to go down on the present occasion "I will not fail to write to Mr. Lovibond."

47,123. Do you recollect under what circumstances that letter was written to you?—Yes, extremely well. Mr. Lovibond and, I think, Mr. Barham came up to town to seek a candidate, and I think I have already stated in answer to that, they had first gone to Mr. Travers Smith, who did not give them what they thought a very warm reception, I believe, and then they came to me, and I took them to Mr. Drake in the evening, and found Mr. Drake at dinner, withdrew him from his dinner table and asked him if he could suggest a candidate. He did not give much encouragement, but I think he gave one address to Mr. Lovibond, and there, so far as I know, ended all the part I took in it, and all the part Mr. Drake took, so far as I am acquainted with.

47,124. (*Mr. Anstey.*) Did you, notwithstanding that letter of Mr. Smith's, in which he expressed his regret that he did not chance results, and take the matter in his own hands, which you have lately read to us, put yourself in communication with him previous to the contest of 1868, and request him to do what he could for your interests in the borough?—No, I do not recollect ever making any such request as that of him.

47,125. Then how came that letter which you handed in to have been written to you by Mr. John Smith previous to the last election, and in contemplation of it?—He very frequently wrote to me. I thought the question of the Commissioner was as to whether I had asked him to act for me. He was very active, he did not require any request of that kind.

47,126. Will you read out that letter which you received?—It is dated 15th October 1868. "A meet-"ing is to be holden this, Thursday, night at the "Town Hall. G. B. Sully has consented to take the "chair. I think it will be a success; the heading of "poster, 'The working men of Bridgwater are par-"'ticularly requested to attend a meeting of the "'Liberal electors at the Town Hall to-night. Chair "'½ past 7.' I will send you report as I promised. "I am almost sorry that the worry of an election is "now coming once more. I find that it will be nearly "impossible for me to take my old form; lately I have "been so unwell. To-day I am nearly besieged with "persons asking questions, besides it becomes with "me so expensive, they all fly to me, and what with "one thing and the other, in a pecuniary way, it is "disheartening to me to face it; they quite make my "house their home to eat and drink, discussing ar-"rangements, and for committees." I should think I answered that; I have not a copy of the answer I sent, but I should think no doubt it would be to the effect that I hoped his health would improve, and when the election came on he would find himself as good a friend as ever.

47,127. He complains that he is put to a great expense?—Yes, the expense of associating with people connected with elections.

47,128. Treating them in fact. Have you no other remark to make upon that letter of Mr. Smith's?—No, it does not occur to me. I think the impression of the Commissioner with regard to what is called treating would not be an accurate one. What I gather from it is, that he had groups of men talking about the election, and was obliged to be more or less entertaining them, and found in the long run that it became an expense.

47,129. Making his house their home?—Making his house their home; exactly.

47,130. Could that be described by any other word?—Well, I should think he thought so. I do not think I should imagine they would be men above the class who could be influenced in that sort of way; fellow-tradesmen calling to chat about the election.

47,131. After that election, when the petition was pending against your return, did you receive from Sir William Drake or any of your friends the original letter which is in your hand and the two copies of letters endorsed (*handing them*)?—Yes, I recollect.

47,132. Will you read the original first of all? Before reading it, what period did you first receive those or become acquainted with the existence of those papers which you have in your hand?—I suppose a few days after they were written.

47,133. Did you receive that particular document from Sir William Drake?—No.

47,134. Who gave you that document, or handed it, or sent it to you?—I think I had better perhaps give a narrative of the transaction, then the Commissioners will judge. I think it will make it more clear.

47,135. Certainly.—What occurred in the matter was this, I was asked to name an agent in order to comply with the exigency of the Act of Parliament; a person to receive notices, and I sent an authority for Mr. Hoskins to act, who was recommended to me by Mr. Drake. When the petition made progress, Mr. Hoskins, without consulting the agents in the country, suddenly took a step of his own motion without having consulted me or anybody else; it was a step that was disapproved of by the agents in the country and myself. I then wrote on the subject, and required that Mr. Hoskins should be in a position of receiving instructions from the agents in the country on the ground of my being to a great extent personally ignorant of these things. I took that step before this correspondence was sent to me, but the correspondence at length came, and this is it. Mr. Hoskins on the 22nd December says, "I have taken out a summons for "particulars of bribery, treating, and undue influence, "which will be heard to-morrow, the result of which "I will communicate to you." That is his letter on the 22nd December. Then on the 23rd, there is one from Mr. Lovibond to Mr. Hoskins expressing surprise at his taking that step:—"I was much surprised "to find this morning you had without any instruc-"tions taken out a summons for particulars of bribery, "treating, and undue influence. If these should be "delivered the object we have in view, I am afraid, "will be frustrated. I presume you have forgotten "that I told you we were very friendly with the "solicitors for the petitioners, and that they were not "anxious to proceed with the petition. I shall be "much obliged with any suggestion you have to make, "but I trust no step may be taken without first ac-"quainting me with the nature of it. On the receipt "of your letter this morning I sent you a telegram "to withdraw the summons,"—then on the 24th, there is a letter from Mr. Hoskins to Mr. Lovibond:—"I do not understand your letter of yesterday's date. "Mr. Kinglake did not inform me that I was to "receive instructions from you,"—that is what it all turned upon, whether there were to be instructions direct from me, or from the local agents—"but simply "gave me your name as the gentleman at Bridgwater "with whom I was to communicate. Acting for Mr. "Kinglake, I thought it well for his interests to make "an early application for particulars, and this could "in no way interfere with any negotiations for the "withdrawal of the petition. If it would have been "at all likely to do so I should not have taken out "the summons, as I recollected perfectly well what "you told me as to your position with the other side. "I should wish to hear from you more definitely as to "your reasons for desiring that no application for "particulars should be made in this case as has been "done in so many others. I am sure Mr. Vanderbyl's

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" agent, who at my request has postponed his applica-
" tion, will not wait longer than a day or two. Of
" course, if Mr. Kinglake desires me not to make any
" such application I will not do so, and I have written
" him for instructions."

47,136. (*Mr. Anstey.*) That is expressive of the writer's alarm of Mr. Hoskins asking for information in the usual way, the form of particulars of the acts of bribery led to the charge of yourself and Mr. Vandebyl first, and your agents?—On the ground that it would interfere with what he supposed would be the hopes of a compromise.

47,137. If the other side were favourable?—Yes.

47,138. Then I will ask you, at the period of that portion of the correspondence, had it been proposed on one side and accepted on the other side as the basis of a compromise, that the corrupt practices on your side and Mr. Vanderbyl's side at the election should be suppressed and concealed from the knowledge of Parliament?—No, not at that period. There were from a very early period before the actual presentation of the petition, or very soon afterwards, hopes of a compromise always going on, as I stated to the Commissioners in my former examination, but I do not think that it had ripened so far as it afterwards did at that time.

47,139. You see there is a letter with regard to that; have the kindness to read that letter from Mr. Lovibond?—Yes, it seems to be of the same date, the 24th December; so, I suppose, the letters crossed. " Yesterday morning I received a letter from Mr.
" Hoskins similar to the one he sent you, on the
" receipt of which I immediately sent him a telegram
" 'to withdraw the summons and wait for further
" instructions.' I also wrote him last evening, ex-
" pressing my great surprise at the step he had taken
" without first consulting me, reminding him of the
" friendly terms I was on with the attorneys on the
" other side, and that such a step might entirely
" frustrate a settlement. This morning I received
" another letter from Mr. Hoskins, stating that on
" receipt of my telegram he got the summons to
" stand over generally. Barham thinks with me, the
" best way of getting rid of the petition will be by
" stating a special case for the court, under the 16th
" paragraph of the 11th section of the Parliamentary
" Elections Act, in which we can raise the point as to
" the Provident Place electors having been duly
" rated, so as to entitle them to be put upon the
" register. If the court should decide they were not
" properly rated, then one seat would be lost, and Mr.
" Westropp declared elected. Of course, the allega-
" tions of bribery and treating will have to be first
" withdrawn. This proposition has been made to the
" solicitors on the other side, and they were consider-
" ing how effect can be given to it. The Taunton
" petition against Cox has been arranged; he is to
" retire in a short time."

47,140. That also you received with reference to the same point on the 28th of December (*handing it*)?—" I am pleased to find you confirm my view with
" regard to Mr. Hoskins' position, and I have no
" doubt in future he will not take any important step
" in the defence without instructions. Trevor came
" to me on Saturday with a letter he had received
" from Westropp relative to the suggested 'special
" case,' from which I gleaned the mind of the latter
" had undergone considerable improvement, and I
" think it not improbable he may have during the
" week 'a lucid interval,' as Trevor is going to London
" this evening for the purpose of seeing him to-morrow
" to obtain his consent to the 'special case.' Should
" Trevor succeed he will telegraph for me or Barham
" to come up. I have no doubt we shall want to
" consult Mr. James as to the best mode of carrying
" out the object we have in view. Barham and
" myself freely discussed the expediency of pre-
" senting the counter petition, and found we could
" not do so with any sense of propriety whilst the
" negociation was going on with Trevor, as it formed
" the basis upon which it was opened, *i.e.*, prevented
" an inquiry made or commission; your views, there-
" fore, have been anticipated. Mr. Vanderbyl's agent
" took the summons for particulars, and without
" instructions from Messrs. Reed and Cook."

47,141. The special case spoken of there is that referred to in your oral examination before us at Bridgwater?—I do not remember; it is, possibly. It was one of the *res gestæ*.

47,142. Now, Mr. Hoskins had been acting under the instructions of Sir William Drake, I believe, with reference to this petition and the defence to it?—Not, I think, quite so. Mr. Hoskins was introduced to me.

47,143. Just read that letter?—This is from Mr. Drake, now Sir William Drake, of the 29th December 1868:—" My dear Kinglake,—I only this morning
" received your note, as I was not in London yester-
" day. I will also at once see Mr. Hoskins, and put
" straight the little matter you refer to. He misap-
" prehended my instructions." So that he does use the word " instructions."

47,144. The " little matter " he refers to there means the step he had taken in taking out the summons for particulars of bribery and corrupt practices?—Yes, the step he had taken without communication with the local agents.

47,145. Now, on the 29th January I believe you received from Mr. Lovibond that letter (*handing it*)?—" 29 January 1869. I am much afraid our oppo-
" nents will not abandon the allegation of bribery,
" and rely upon the scrutiny. It seems they are goaded
" on to 'blow up the ship' rather than incur the pos-
" sibility of a failure in the scrutiny. I do not see
" what can be done *here* more than has been. You
" are doubtless aware the 23rd February is fixed for
" the trial?"

47,146. The " blowing up of the ship," I presume, means running the risk of an inquiry which would end in the disfranchisement of the borough of Bridgwater?—Very much that.

47,147. That is, I believe, the last letter on the subject, and it is written by Sir William Drake (*handing it*)?—Yes, " 30th January 1869. (Confiden-
tial.)" I suppose " confidential " does not prevail here?

47,148. No?—" My dear Kinglake,—I have reason
" to believe that the scrutiny will *alone* be proceeded
" with."

47,149. That ends the negociations which had been commenced at an early period for the compromise. Now, taking you back to the beginning of that, I must ask you to what does this letter refer, which you will please to read out first?—Coming down to Bridg-water. " (Private.) Bridgwater, August 30th, 1868. (That is before the election.) " My dear sir,—How-
" ever you may be advised, will you please put in
" an appearance as soon as possible.—Yours sincerely,
" J. Smith."

47,150. What is the meaning of that?—To come down to Bridgwater.

47,151. What advice?—The advice of the lawyers; that was always going on, that sort of rivalry; they thought the lawyers would keep us away, because our coming down would give them trouble. The putting in an appearance means coming down and having a reception.

47,152. Nothing particular?—No more than that.

47,153. Then I will go on to this of the 26th of September, from Mr. Lovibond (*handing it to the witness*)?—" My dear sir,—Westropp approves of my
" last suggestion, but he does not see how it is to
" be carried out——"

47,154. What is that?—I declare I do not know; something, I suppose, in the approaching special case; " but he does not see how it is to be carried out; he
" will not take the written undertaking of the gentle-
" man, and, so far as I can see, nothing will satisfy
" him except an undertaking by yourself to vacate in

" case the other gentleman should fail to do so. Will " you kindly turn your attention to this ?"

47,155. Is the undertaking mentioned in this letter the one to which he refers (*handing it*) ? Havethe goodness to read it first. Is it the 25th or the 28th ?—It looks like the 25th; the 25th or 28th November 1868. " My dear sir,—I am happy to state Mr. Vanderbyl " called upon me yesterday, and in the presence of " Messrs. Reed & Cook ratified the arrangement made " in town. We have now to consider the best way of " carrying it out. Trevor thinks it will not be done " unless he and myself again go to town. I have " assented to this, and we propose going up on " Wednesday evening ; but if you in the meantime " can suggest a mode of giving effect to the arrange- " ment without my running up, I shall be much obliged. " Mr. Sealy is perfectly satisfied with the terms agreed " upon.—Yours very truly, HENRY LOVIBOND." I think it must be ; the dates seem to be right.

47,156. Then a few days after you received this letter, also from Mr. Lovibond (*handing it*) ?—This is the 30th November 1868. " My dear sir,—I have " been much surprised and annoyed this morning " at receiving a communication from Mr. *John* " Trevor, that the Tory party will not consent to " the terms agreed upon by his brother and myself, " and that the petition must be filed. This is the " more extraordinary as it was only on Saturday " afternoon that I informed *James* Trevor of Van- " derbyl's ratification of the terms, when he (James " Trevor) stated they had been accepted by his party, " and we then agreed to go to London on Wednesday " next, to carry them out. The only course I can " conceive for us now to pursue is to resent the gross " breach of faith, and bid the Tory party defiance."

47,157. Upon that you received also this letter from Mr. Sealy the banker, I think (*handing it*) ?—Yes.

47,158. Read it ?—It begins with the words, " A lady."

47,159. Read the date and the whole of it ?—" 2nd March 1868. My dear Kinglake,—A lady " passing in the dark last evening overheard Mr. " John Trevor"—(the Commissioners will under- stand that I do not hand in these things as conceiv- ing them to be important, but because of the exigency of the subpœna; I am not responsible for this—" a lady passing in the dark last evening overheard " Mr. John Trevor say to Mr. Brice, 'the petition " has gone up, but it will not be presented.' That " this remark was made I have not the slightest " doubt, and I communicate it to you for the purpose " of strengthening Lovibond's hands. Take care that " he knows this remark was made. Circumstances " may have arisen since, and have altered its value ; " of this I am unable to speak, but think it well to " communicate the information to you."

47,160. Now the postscript ?—" Since writing this " H. Lovibond has come in, and has asked me to say " that he will call on you to-morrow morning. He " knows the contents of this."

47,161. Did anything come of the conversation on the following morning between you and Mr. Lovibond ? —No ; I doubt whether it was ever referred to. I may have, as a bit of gossip, giving us some little hope.

47,162. But it was not verified ?—I do not recollect.

47,163. You remember there was a meeting of working-men who would not submit to it, and some person was sent up to town and protested on their behalf ?—It was broken off.

47,164. It appears from that letter Mr. Sealy was active during the whole or some portion of this, and in promoting the compromise, and that his presence in London at the meeting of the " Tavistock" was there- fore not accidental ?—I think that his coming to London was, to my impression, quite accidental, but as he was in London, the circumstance of his going to the " Tavistock" was not. He no doubt came out of personal friendship to me.

47,165. Does not it appear by that letter that he was a party to that transaction, or privy to it ?—Privy to it. The word used by the Commissioner exactly represents it.

47,166. Then in a letter of the 16th October 1868, from Mr. Lovibond, the only part I need ask you about is where he says, " Dr. Kinglake has just been with me." That is the last sentence in the letter. I wish to ask you, was Dr. Kinglake, your brother, acting on your behalf personally, as well as we know what part he had besides—personally acting on your behalf in canvassing or seeing your friends in Bridg- water during the month of October preceding the election ?—Oh no ; he was deeply interested in my election, and from time to time communicated with Mr. Lovibond and one or two others, Mr. Charles Bate probably, but he knew much less than I did of the electors there, and had nothing to do with the electors there directly.

47,167. There is one more letter with reference to this negotiation. Mr. Vanderbyl, I presume, was the gentleman here mentioned as " Mr. V." Will you read it and see whether it is so ?—" 13 Jan. 1869. " My object in writing my last letter was to take " advantage of our position, which I am pleased to " find you concur in. There is no doubt but that " Mr. V. promised to write to the gentleman that " called upon him, and that he has not done so. I " have written Hoskins to give V. a spur. I have " again renewed my visit to Mr. Trevor, but I fear " not with much result; he appears to be powerless. " Unless, therefore, some kind friends will intercede " in town, the present opportunity will be thrown " away."

47,168. (*Mr. Coleridge.*) As far as I am concerned, it seems that although you have perfectly cleared it up, there was some sort of notion at one time that you were not acting *bonâ fide* in your returning to London at the time when you left Bridgwater. I believe that is the telegram you sent to your landlady (*handing it to the witness*) ?—Yes; I am much obliged to you for stating that. This was the telegram I sent :—" Bridgwater, 17/11." (It is from Kinglake, Bridg- water, to Mrs. Rope, 28, Hyde Park Place, Marble Arch, London.) " Defeated. I return to-day by the train which reaches London at 6 o'clock."

47,169. After you got back to London, did you find then this awaiting you in London, or did it reach you after ?—I found it after I came back. On reaching London I was told a telegram was awaiting me. I was not told for the first few minutes, but " There is a telegram that has come for you ;" and it was to this effect :—" Bridgwater November 17th. Charles Robert Bate,"—that I told the Commissioners gave me the clue—" A. W. Kinglake, 28, Hyde Park Place, " Marble Arch London. Come back. You are at " the head of the poll."

47,170. And by the following morning's post you received that letter (*handing it*) ?—I received that letter.

47,171. (*Mr. Price.*) The time does not appear in the one you sent ?—No ; but the time of the one I sent I can identify, must have been a few minutes before the train started at 1.30.

47,172. (*Mr. Coleridge.*) The reason I put it to you is that it seems to dispose entirely of any doubt as to your *bona fides* in leaving Bridgwater, and you thought the whole thing at an end when you went away ?—I did indeed.

41,173. So you stated before ; but that seems to make it quite conclusive.—Then I said, I do not think I mentioned it to the Commissioners, after receiving this surprising telegram, I did not feel inclined to act upon it and go back, as I might have done, imme- diately, but I sent for the evening papers, and found from them great changes had taken place in the state of the poll, but they did not give the close of the poll, and I finally determined that I would not obey the telegram. I thought it so far a questionable affair until the next morning.

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47,174. You could have got back that night?—I could have got back that night, but the next morning I received this:—"Bridgwater, 17th November 1868. "My dear sir,—Mr. C. R. Bate promised to send you "a telegram at four o'clock this afternoon, to state "you were elected not only a member, but at the "head of the poll, as he was not then in a position "to send you the final close of the poll." This shows the time he sent it. "I have now the pleasing "duty of doing so: Kinglake, 732; Vanderbyl, 724; "Westropp, 681; Gray 650. I write you with this "information, thinking you may scarcely credit the "telegram, seeing the news so startling.—Yours very "truly, HENRY LOVIBOND. There is no absolute "necessity of your coming down for a day or two "should you be otherwise engaged."

47,175. (*Mr. Price.*) I think you told us at Bridgwater, when asked what you should do about paying this 500*l.* drawn out of the bank, and spent on your behalf, that you should like to place the matter in the hands of a man of honour, to say what you should do. I think we are right in telling you, before you take any step about it, that you ought to consider the Act of Parliament, which says if any sum of money is paid after an election, except that returned as proper legal expenses through the proper representative of the candidate, he is liable to be indicted for misdemeanor?—I think it would be my duty to call the attention of the gentleman I refer to at the time to that.

47,176. I think no gentleman ought to advise you without knowing that there is that stringent clause of the Act of Parliament, which makes it a positive misdemeanor for a candidate, or anybody on his behalf, to pay any sum of money which has not been returned through his election agent?—I am obliged to the Commissioners for making that suggestion.

47,177. (*Mr. Anstey.*) You will also see that in such a payment on your behalf, being a deliberate payment, you would not have the same excuse as was offered by Mr. Prior, that it was drawn and paid in the hurry of the moment?—Quite so; it would be done very deliberately, no doubt.

47,178. Do you wish to say anything more?—In justice to Mr. Vanderbyl, there is one matter I wish to mention to the Commissioners. I should like the Commissioners to know accurately the time of that attempt of his to retain Mr. Henry Lovibond. My impression is, that whilst the evidence was being given, the period when that became known was most prominently brought forward, and not the time when the attempt to retain took place. The attempt to retain took place, supposing the thing to be true at all, as Parliament was sitting, and when there was an apprehension that Bridgwater would probably lose one member. It was when apparently the belief that that would be the case existed, that Mr. Vanderbyl took the step by endeavouring to retain Mr. Henry Lovibond as his agent. The Commissioners see that there would be a difference in the aspect of the case, between an act done at that time and an act done when the two fellow-candidates were actually running their race.

(*Mr. Price.*) Quite so.

(*The witness.*) I ought also to say that the endeavours, on which I laid so much stress, to have separate action instead of joint actions were all endeavours addressed to Mr. Henry Lovibond, and not addressed to Mr. Vanderbyl. I made no attempt to bring him to my view. I suppose he believed after that retainer that I should not be successful.

47,179. (*Mr. Anstey.*) Your bankers' books which you have placed in the hands of our secretary have been examined by him, and I presume you are aware that they fully correspond with your oral evidence?—I was not aware that it was considered so. I shall be glad to have them back. I do not know whether the Commissioners would like it; the pass-book ends some time ago, but I made a memorandum about all subsequent payments.

47,180. (*Mr. Price.*) I think you told us all about your payments, I mean your annual payments, if you mean that?—Yes; there is no subsequent payment, except the payment of the petition. Those two payments are shown.

47,181. We do not care about it. No doubt it was a great expense. The taxed costs were 1,200*l.*, I believe?—Yes, to pay to the opponents, and then there were our own costs; but perhaps I may take this opportunity of mentioning that my late constituents, or at least a large portion of them, insist on my not paying those. I had paid them as a matter of fact, but they insist on carrying a sum equal to that to my credit at my bankers.

Colonel MOUNTJOY MARTIN sworn.

Colonel M. Martin.

47,182. (*Mr. Price.*) You were originally a colonel in the Life Guards?—Yes.

47,183. And not at all connected with Bridgwater or the county?—Not the least.

47,184. But a gentleman of fortune?—Yes.

47,185. Known to be a gentleman of large fortune before you came to Bridgwater?—Supposed to be.

47,186. And you went down to Bridgwater and stood in conjunction with Mr. Broadwood, so long ago as 1835?—Yes.

47,187. What we want to know from you is to give us the best of your recollection the sum of money it cost you at that election?—I think I paid 3,000*l.*

47,188. Did you pay anything after the election?—It was after the election, after Parliament had sat for some months; I think weeks or months; I forget which now.

47,189. (*Mr. Anstey.*) Whom did you pay it to?—Messrs. Lyon and Ellis.

47,190. Who were they?—The solicitors employed by Mr. Broadwood.

47,191. (*Mr. Price.*) They were the London attorneys of Mr. Broadwood?—Yes.

47,192. Lyon, Barnes, and Ellis, of Spring Gardens?—Yes.

47,193. Is that the whole expenditure you had with respect to Bridgwater?—That is the whole.

47,194. (*Mr. Anstey.*) Was any sum named to you before you went down as the probable limit?—Well, they thought 3,000*l.* would be the limit.

47,195. And that identical sum you handed over?—I handed over that sum. At least I think it was as near as possible 3,000*l.*

47,196. Was that more or less, do you think?—It was 3,000*l.* I should say, if you ask me.

47,197. Had you spent any money before that?—Never.

47,198. Only your own personal expenses?—I had been down only, I think, at that time a fortnight. I think two days the elections lasted.

47,199. In 1835 two days?—Yes.

47,200. (*Mr. Anstey.*) Had you any conversation with Mr. Richard Smith?—I do not remember.

47,201. Or the pawnbroker, the old man?—No, I do not remember Mr. Smith.

47,202. Who told you it was necessary that money should be spent among the electors?—I think it was Mr. Lyon who said a certain sum would be required.

47,203. (*Mr. Price.*) Before you went down?—Not before I went down.

47,204. Was any sum named to you before you went down?

47,205. (*Mr. Anstey.*) Yes, he says 3,000*l.* Who told you 3,000*l.* would be wanted?—I think it was Mr. Lyon.

47,206. (*Mr. Price.*) Was that mentioned before you went?—No, not before I went.

47,207. (*Mr. Anstey.*) I asked you whether any sum was mentioned before you went down?—I should think not.

47,208. (*Mr. Price.*) Did you pay that afterwards, or send any money down?—No, I paid it in to Mr. Lyon or Mr. Ellis; I forget which.

47,209. In one cheque?—In one cheque.

47,210. (*Mr. Coleridge.*) You never tried again, I think?—No.

Sir William Drake sworn.

(*The witness.*) Before my examination is proceeded with I have to ask the indulgence of the Commissioners to allow me to refer to a matter of some personal interest. My attention has been called to some remarks which have appeared in the public papers, which may probably lead to the inference that I either went abroad or remained abroad for the purpose of avoiding examination.

(*Mr. Price.*) No, not a word has fallen from us as to that. We only wanted to know how it was that our letters did not seem to have reached you, and we found afterwards that you were travelling about, and were at Venice.

(*Mr. Anstey.*) The only remarks I have heard made were some by myself, and others by my colleagues, that we did not think we were treated with very great courtesy.

(*The witness.*) In order that there may be no misapprehension on this subject hereafter, I ask the indulgence of the Commissioners to allow the correspondence which passed on that subject between the secretary and myself to appear on the minutes.

(*Mr. Price.*) If you wish it, but is it not enough to say that we had not the least idea that you were out of the way, nor did the idea strike us. We only expected a letter to say where you were and when you were going to return.

(*Mr. Coleridge.*) A letter addressed to Wiesbaden has been returned through the dead letter office.

(*The witness.*) I am entirely in the hands of the Commission on the subject.

47,211. (*Mr. Price.*) Now we wish to have the history of your connexion with Bridgwater. Are you a member of the firm of Bircham, Dalrymple, and Drake?—Yes, I am.

47,212. And were at one time the acting parliamentary agent?—I was the acting parliamentary agent of the party from the year 1859 to 1864.

47,213. Was that on Mr. Coppock's death?—No. Mr. Coppock died, I think, in 1857. I knew very little of him. The application that was made to me to be the parliamentary agent was made in the year 1859, after the general election of 1857.

47,214. (*Mr. Coleridge.*) Through the late Mr. Phinn, I believe, was not it?—Yes, he was the first person, and I held that position from that time up to 1864.

47,215. (*Mr. Price.*) Do you remember the election of 1865; I am going to this because that is the time you are first supposed to have been connected?—No. There is no reference made with regard to me in 1865.

47,216. Now, Mr. Travers Smith tells us that he certainly did speak to Sir John Shelley, or was in communication with the party about Sir John Shelley, but I did not quite gather from him whether you had any communication with Sir John Shelley?—None whatever.

47,217. Nor did you see any of the gentlemen who came up as a deputation, or to look out for a candidate at that time?—None.

47,218. (*Mr Anstey.*) There is a paper undated, but which appears to have been written clearly before the election of 1865, and in contemplation of it, by a deceased clerk of Mr. Benjamin Lovibond at Bridgwater, and we have had some evidence before us to the effect that it was prepared on information received in London. Mr. Travers Smith says that he thinks he gave some portion of the information, but he does not know where the rest was obtained. It is a paper which gives a choice to the managers of the Bridgwater party amongst five possible candidates; one is Mr. Bagehot, another Sir John Villiers Shelley, another the late Governor of Bengal, Sir F. Halliday, and another Lord Milton; the other I forget. Did you afford any part of that information?—None. I had no communication. I do not think I knew a single individual in Bridgwater until July 1866.

47,219. (*Mr. Price.*) Mr. Travers Smith tells us that he was acting in a somewhat analogous position to yours, and therefore he would be the person to whom they would go?—He was acting in precisely a similar position to that which I held up to 1864.

47,220. Then in 1865 he would be so?—He was parliamentary agent for the party.

47,221. You had then retired from it?—I had retired from it. In the middle of 1864 I found the call on my time was so seriously interfering with my other professional avocations that I asked to be relieved from it.

47,222. I do not know whether you saw what was read out to a gentleman who holds an analogous position with regard to the Tory party, Mr. Spofforth, by one of my colleagues, the extract from the "Law Times," as to the honour and profits of the position, and whether you agree with that?—No.

47,223. As a matter of profit Mr. Spofforth entirely repudiates it?—With reference to that I saw the question put by the Commissioners, and thereupon referred to the article, which to a certain extent is not otherwise than accurate. But I made this note upon it: "The duties of parliamentary agent for the "Liberal party—I speak, of course, only for the "Liberal party—involved advising the leaders of the "party, members of parliament, and candidates on "matters connected with election law, and com-"munications with candidates seeking seats in "Parliament, and with constituencies seeking candi-"dates, and the placing the former in communication "with the latter through the local parties."

47,224. (*Mr. Coleridge.*) That is very much what the article stated?—Yes; only it speaks about keeping a register of members of boroughs.

47,225. (*Mr. Price.*) Yes. I wish to ask you is there anything of that sort?—No.

47,226. Is there any such system on the Liberal side of having a register kept of those men who are to be bought at so much?—No.

47,227. (*Mr. Coleridge.*) Or as to the general expenses of contesting the borough?—To my knowledge no such thing ever existed.

47,228. Because that article would refer to a column to which so much was put down?—To my knowledge there is no such thing. I do not believe in the existence of it.

47,229. (*Mr. Price.*) If we had been told by some one we should not have thought so much of it, but as it comes forth to the world in a legal publication, that those duties are undertaken by gentlemen in your position, we attached some importance to it, but that is not so, you say?—Clearly not.

47,230. (*Mr. Anstey.*) There is no office I suppose in London to which an inexperienced person, supposed to be a wealthy man, who was invited down to a borough like Bridgwater, when assured that the election will cost him nothing or next to nothing, may go to inquire what is the experience of previous unfortunate candidates who have been brought forward by similar promises?—Of course a gentleman so circumstanced might apply to the gentleman who held my position, or to Mr. Travers Smith afterwards, and I should have told those gentlemen anything that I knew with regard to the borough; but as to a register being kept of anything of that sort at hand, it is quite wrong.

47,231. No book to turn to?—No.

47,232. (*Mr. Coleridge.*) That very much tallies with what Mr. Spofforth says. That is the part he takes objection to, and also to the county court treasurerships?—Yes; I speak feelingly.

FORTY-SIXTH DAY.

Sir W. Drake.

6 Nov. 1869.

47,233. You will not say it is without honour?—*Cela va sans dire.* But as regards the position I made this note: "I observe from the newspaper reports of the "proceedings of this Commission, the position of agent "has been referred to as one highly remunerative." This is a misapprehension. No salary or payment whatever is made to the agent by the party. The only pecuniary remuneration attaching to it arises from the usual professional charges as parliamentary agent in the conduct or defence of petitions placed in the agent's hands. I may mention this fact as regards myself on the subject, during the time I acted as agent there was no single election, and I believe that the petitions in which I acted were limited to three, therefore the remuneration I got for all those years' service was not very much.

47,234–5. Not very much according to the reputation which your office has?—No.

47,236. Now tell us with regard to Bridgwater?—Yes; I have made a memorandum which I will read.

47,237. But I must put in the way of question to you. What was the first period at which you had any communication with respect to a contested election for Bridgwater, and with whom?—In answer to that, I beg to state that as to the elections for Bridgwater I have at no time had any communication or any knowledge of the proceeding at that time as to the mode in which it was conducted. The only direct information I have at any time received about Bridgwater arises from applications having been made to me on two occasions by my personal friend, Mr. A. W. Kinglake.

47,238. Was that so, that Mr. Kinglake spoke to you about first standing for Bridgwater?—No, this is long after. I was going to say it arose from applications being made on two occasions; then I was going on to say that the first occasion was in July 1866, when Mr. Kinglake called at my house one evening whilst I was at dinner. I left the dinner table to see him, he was accompanied I think by three gentlemen, to whom he introduced me. I caught the name, I think, of Lovibond, but I did not catch the names of the other gentlemen. I, however, saw from a report of the evidence that has been taken on this Commission that they were Mr. Reed and Mr. Barham. Until I saw that statement I was not really aware who they were.

47,239. Had you known Mr. Lovibond before?—I had not; he may have been in correspondence very likely with our firm, but personally I did not know him. Mr. Kinglake stated that his friends had come to London to seek a candidate to oppose Mr. Patton, and asked me if I could assist them. I said I had ceased some time to act as agent for the Liberal party, and referred them to Mr. Travers Smith, who at that time held that position. There was a short general conversation directed so far as I recollect.

47,240. (*Mr. Price.*) I think I must ask you on that, because my impression is that it was distinctly said there was some question arose as to whether Mr. Patton should be opposed on going down for re-election after taking office, and we were given to understand that there was some gentleman who objected to it, and thought it was not a proper thing, was that you?—I thought it was not fair.

47,241. I thought the evidence was that you thought it was not?—No; I expressed my surprise, and said, "The course you are taking is a very unusual one. "The election has so recently taken place that I do "not think it is fair to put a man to the expense of "a contest;" but they said, "Oh, we have quite "determined upon that, and what we want to ask you "for is a candidate." I then went into a little discussion with them, still urging the point that there should be no contest, by saying, "But what are your reasonable chances of success?" Because before one suggests the name of any gentleman of course one ought to know whether there is a reasonable hope of his succeeding before he goes down.

47,242. You were aware of course at that time that Mr. Bagehot, who had some connexion with the place, had been beaten by Mr. Patton a month before?—Yes, that was so; and therefore it appeared to me I could not understand what possible chance another contest would have.

47,243. Mr. Bagehot had taken the same view as yourself as one objection to going down, and the other was that he did not choose to spend any more money?—I asked the question, "Why does not Mr. Bagehot go?" and the answer was, "Oh, Mr. Bagehot refuses."

47,244. He took his objection first that it was hardly fair to Mr. Patton, and secondly, that he was digusted with the money which he had had to pay?—I can quite understand. Then there has been a letter read to-day, the existence of which I had entirely forgotten, that was from me to Mr. Kinglake, from which it appears that at that interview I mentioned to them the name of some candidate. It had entirely gone out of my memory, and the gentleman I had mentioned happened to be a personal friend of mine, who a few days before had asked me whether I could not find him a seat; it was Mr. Campbell of Bostock Park. I mentioned his name, and said, "I really do "not know what his feeling in the matter would be; "he merely mentioned to me his wish to go into Par-"liament as a Liberal, and there is no reason why you "should not go and see him, and mention that I gave "you the introduction." Their reply was this, they asked whether he was in town. I said I believed he was at Bostock, they said that was too far to go, they wanted the candidate immediately; and then I said, "Your better plan is to go and see Mr. Travers Smith." I think from the evidence it appears that they did really go to Mr. Campbell.

47,245. Yes, on their way down, they left London without a candidate; their first shot was Mr. Brogden?—Yes.

47,246. (*Mr. Anstey.*) Did you mention Mr. Brogden?—I never knew Mr. Brogden in my life.

47,247. (*Mr. Coleridge.*) They stopped at Farringdon Road, and went on to Bostock?—I never heard from Mr. Campbell about it, and in fact it passed out of my memory until this morning.

47,248. (*Mr. Anstey.*) Did you ever mention Mr. Vanderbyl?—No.

47,249. Nor Mr. Brogden?—No. Mr. Vanderbyl was unknown to me then. I never heard from them again, nor did I know that they had a candidate until I saw in the papers that Mr. Vanderbyl had gone down. I was not aware till then that they had found a candidate. From that time down to the next period which I am going to mention to you I can give you no information of any sort or kind. I know nothing of Bridgwater or its proceedings. The second occasion on which Mr. Kinglake applied to me was early in December 1868, shortly before the presentation of the petition against his and Mr. Vanderbyl's return. He then called on me and stated that he was informed that both parties at Bridgwater were desirous of avoiding the presentation of the petition by coming to an arrangement, and asked me to do him the favour of seeing Mr. Lovibond if he called. At that time the petition was not presented. I believe it was presented a few days afterwards.

47,250. (*Mr. Price.*) You were doing this, as I understand, quite as a matter of friendship for Mr. Kinglake?—Entirely; he came to me as a friend.

47,251. Not as a professional thing?—Not the least in the world; he is an old friend of mine of 25 years' standing, and came to me at the time on that footing.

47,252. (*Mr. Anstey.*) Mr Hoskins I suppose was professionally concerned?—I will mention that to you presently in reference to some letters that have been read.

47,253. I only ask whether you had the conveying of instructions of sitting members to Mr. Hoskins or the solicitors?—Permit me to explain it. Perhaps it would be convenient that I should not answer the

learned Commissioner's question for a moment, but answer now that when Mr. Kinglake saw me, and told me that the petition was going to be presented, he asked me, "What must I do when the petition is presented?" I said, "What you must do is to appoint an "agent under the Act of Parliament to receive service "of the different matters." He said, "Who shall I appoint?" I said, "Mr. Hoskins acts now as the "parliamentary agent of the Liberal party; you can "not do better than go to him." He said, "Will you tell Mr. Hoskins?" I sent for Mr. Hoskins, and told him that Mr. Kinglake wished him to act as his agent.

47,254. (*Mr. Coleridge.*) That is Wyatt and Hoskins?—Wyatt and Hoskins. I believe I sent the form which Mr. Hoskins gave me of the appointment of himself as agent to Mr. Kinglake for signature, but beyond that I gave no instructions to Mr. Hoskins at all. There was subsequently a squabble, and poor Mr. Kinglake applied to me to ask me what to do. Mr. Hoskins and Mr. Lovibond had been squabbling as to how the thing was to be conducted. I told him, "I will send for Mr. Hoskins and explain to him that "all he was to do was to take the formal part of the "work here, and that the real evidence would rest "with Mr. Lovibond." That is my answer to the Commissioner's question. I may mention that Mr. Kinglake asked me if I would see Mr. Lovibond if he called. I asked Mr. Kinglake if he was in any manner personally compromised. I said, "Now, tell "me, Kinglake, are you in this matter at all personally "compromised?" He assured me he was not, and that he left Bridgwater believing the election lost, and on his arrival at his residence in London he, to his surprise, found a telegram requesting his immediate return; that he was at the head of the poll.

47,255. You mean by "personally," was he privy to it?—I think the words meant privy to any illegal expenditure.

47,256. You mean personally as distinguished from agents, not from Mr. Vanderbyl?—No, my feeling was anxiety in the first instance for him, and I said, "Tell me are you personally compromised in the matter?" By that I meant was he personally cognizant of illegal expenditure in any way.

47,257. (*Mr. Price.*) If called on to give evidence would he be able to go into the box and say, "I know "nothing whatever of any illegal expenditure, and "am perfectly ignorant of it?"—That is the first question that suggested itself to my mind, to ask a man who came as Mr. Kinglake did, and he answered me in the frankest manner. He told me the story I have heard him tell here to-day, that he went away from Bridgwater thinking the election was lost. Then Mr. Lovibond called on me, I think it was the day after my interview, but I am unable to fix the precise day; at all events, immediately after that interview, and then represented to me that all persons were desirous of coming to an arrangement, but that it could only be effected by Mr. Vanderbyl agreeing to resign his seat, and he asked me to see that gentleman, and I expressed my willingness to do so if he called on me, but as he was personally unknown to me I could not otherwise communicate with him. At that time I had not seen Mr. Vanderbyl or known him personally at all. Here I may state that the impression left on my mind from that interview with Mr. Lovibond—I cannot refer to any particular expression which he used—but the impression he left on my mind was that bribery had been resorted to by Mr. Vanderbyl and his friends, but that Mr. Kinglake and his friends were no party to it, but that inasmuch as Mr. Kinglake's agents and Mr. Vanderbyl's agents were the same that was the way in which Mr. Vanderbyl's interests were affected. I can understand now why he should have left that impression on my mind, because he knew Mr. Kinglake came to me as his personal friend, and therefore if I had known it was only Mr. Vanderbyl who was personally compromised in the matter, I should have said, "Well, let the matter go on, I am not going to interfere further;" but he was interested in saying in point of fact Mr. Kinglake's friends were concerned in the matter, inasmuch as they were the same agents.

47,258. (*Mr. Anstey.*) At all events, Mr. Lovibond concealed from you his knowledge, if he had any, of corrupt practices having been dealt in on both sides; that is to say, for both candidates?—Yes, he did. I will mention to you afterwards when I had a different impression. At that time it was clearly the impression on my mind.

47,259. (*Mr. Price.*) Therefore that left you free to act as a friend of Mr. Kinglake without in any way compromising him, on the understanding that he was guiltless of any bribery?—Yes, entirely so. You will see the point at which I arrived at a different conclusion was much later in the affair. Then Mr. Vanderbyl, I presume at Mr. Lovibond's instance, a few days afterwards called on me. Up to that time Mr. Vanderbyl was a perfect stranger to me, and I then stated to him that he called on me with reference to an arrangement which had been proposed by a compromise which involved his giving up the seat. He appeared quite aware, of course, as he was, of the object with which he had called on me, and I asked him distinctly if he knew of any circumstance connected with the election, or with the illegal expenditure of money at the election, which should lead to the idea that he or his friends were in any manner compromised. He answered me most distinctly and most positively that neither he, nor to the best of his knowledge any of his friends were aware of any such expenditure; and he then stated that under those circumstances he, of course, was unwilling to give up his seat, and, in fact, refused to give up his seat. I replied, "You, Mr. Vanderbyl, of course, know best;" and there the interview ended. That was my sole interview with Mr. Vanderbyl.

47,260. (*Mr. Anstey.*) Can you fix what period this was?—Yes, I can fix Mr. Vanderbyl, because I find curiously enough there is a note of his calling by my clerk. He seemed to have called. It was on the 7th December. The petition was presented on the 8th. At the time Mr. Vanderbyl communicated with me there was no petition presented. I think the petition was presented on the 8th, and Mr. Vanderbyl called on me on the 7th December. Then Mr. Lovibond subsequently—I cannot quite fix the date, but some days afterwards; I should think somewhere about the 15th December—called on me to learn the result of my interview with Mr. Vanderbyl; whether it was quite to learn the result of my interview with Mr. Vanderbyl or to talk the matter over I do not know, because I rather gathered from what took place that he knew the position Mr. Vanderbyl was in.

47,261. (*Mr. Price.*) You did not think right to mention to Mr. Vanderbyl what Mr. Lovibond had told you?—If Mr. Lovibond had told me anything which I could have laid hold of, and said, "Now Mr. Lovibond tells me so-and-so," I should have done it, because I frankly tell you, when I asked Mr. Vanderbyl the question I expected a different answer; but it is merely the impression I have from conversation. I could put nothing to him; that was my difficulty. Then the next interview I had on the subject seems to have been about the 11th January, when Mr. Kinglake called, and he then told me that he feared that some of the professional men, he did not mention any names, were compromised, and rather than that they should suffer he was willing to give up his seat. I replied that I had understood from Mr. Lovibond that his (Mr. Kinglake's) retirement would not be accepted by the Tory party, and as Mr. Vanderbyl had absolutely refused there was no alternative but to fight out the petition. Now it is due to Mr. Kinglake that I should state that neither at that interview nor on any other occasion did Mr. Kinglake say or imply anything which led me to think that he was in any manner a party to any illegal expenditure. I believed then, as I believe now, that although he had grave suspicions that money had been spent by Mr. Vanderbyl's party, he believed his friends had not been any party to it.

47,262. (*Mr. Anstey.*) Even down to the month of January?—This was the month of January. I am convinced, as I am of my own existence, that Mr. Kinglake knew nothing of it.

47,263. At all events he said nothing to you on that occasion which led you to suppose that he suspected his friend, Mr. Lovibond, or his friend, Mr. Barham, being in any way parties to an arrangement issuing or likely to issue in corrupt practices?—I do not know whether I quite take the Commissioner's question accurately.

47,264. The words he used conveyed to your mind the impression that out of pity or compassion for professional gentlemen down at Bridgwater he was prepared to give up his seat?—Yes, that was so.

47,265. Do I understand you to qualify that statement by what you have afterwards said, which seems to imply, though it does not express, that Mr. Lovibond and Mr. Barham were not friends?—I beg pardon. I have no doubt what I said conveyed that impression, but what I meant by friends was, not professional friends. Mr. Kinglake's impression at that time as conveyed by him was that there had been expenditure on the part of Mr. Vanderbyl's agents, and Mr. Vanderbyl's agents and his agents were the same, and that the professional men were compromised, and that therefore he, Mr. Kinglake——

(*Mr. Price.*) It might be understood in that way.

47,266. (*Mr. Anstey.*) I wanted merely to make it clear that you did understand him to mean Mr. Lovibond as much as the rest?—Certainly.

47,267. (*Mr. Coleridge.*) All the agents, as I understand?—All the agents.

47,268. (*Mr. Anstey.*) My reason for dwelling upon it is that (perhaps you are not aware of the fact) they are said to appear by different agents at the election—Mr. Vanderbyl by Messrs. Reed and Cook, and he by Mr. Lovibond?—There is no doubt they were agents of the two.

47,269. (*Mr. Price.*) I have no doubt they would have been held so if any question had arisen about it?—My impression is that they had the same agents.

47,270. (*Mr. Anstey.*) Mr. Kinglake drew no distinction?—No, certainly not.

47,271. Allow me to ask, for you have passed it over, and I did not interrupt you at the time; you see this is January, and early or some time in the month of December (I suppose in the first week in December) all chance of a compromise had been knocked in the head, partly by the refusal of the local politicians to approve of it, and partly, as we understand—as I understand—from correspondence that has been read to-day, partly because of the untoward action of this Mr. Hoskins in demanding, whilst the negociation for a compromise was going on, particulars of the acts of bribery and treating charged?—I think that must have been afterwards.

47,272. No; the dates are all November except your last letter?—I think the learned Commissioner is in error there, because——

47,273. (*Mr. Price.*) It must have been after the petition the particulars were applied for?—The petition was not presented until the 8th of December. Perhaps you meant to say "December."

47,274. (*Mr. Anstey.*) I said "December." Your last letter was in December. I was going to say when you stopped me that it appears from that correspondence ending with your last letter, which is in December, that this untoward action on the part of Mr. Hoskins was one of the contributing causes to that result. That is what appears to me. Is that so?—I have not the least notion.

47,275. You have no knowledge?—I have no knowledge whatever on the subject; not the least.

47,276. I wanted you to explain that about Mr. Hoskins. What induced Mr. Hoskins to take out that summons if the negociation was likely to end?—Mr. Hoskins, I take it, was no party to the negociation. He would have been a very unwise man if he had been, because he was the agent upon the record, and if there had been any withdrawal of the petition it would have been his duty to go before the judge and swear that he knew nothing about the compromise. Therefore he would have been the last man who would have been a party to the compromise.

47,277. No; but you remember they had a very good case, or they thought they had a very good case, to go to the judge with, namely, the special case about the Wembdon voters?—I was just coming to that, and I was going to mention it. I had put it in order according to date. You will find that this is in January. You will find that this goes up to the 30th of January.

47,278. Oh, very well?—Well, there it ended as it appeared to me. To the best of my recollection I did not see Mr. Kinglake any further on the subject of the proposed arrangement, and I considered the question of compromise at an end, and dismissed the matter from my mind. The petition was presented, and I had no more to do with it; but it is evident that there must have been a continuation of the proposal, as the learned Commissioner mentioned, because Mr. Lovibond about the 20th of January, or on the 20th of January, called upon me again, and informed me that a suggestion had been made that a special case for the decision of the court as to the right of a certain class of voters to vote should be agreed to, and that the result of the petition should be dependent upon the course of the decision on the point. I did not clearly understand the proposition, and in fact I paid very little attention to it.

47,279. (*Mr. Coleridge.*) And without the withdrawal of the allegations of bribery it would have been no good?—The allegation of bribery was to be withdrawn. The real fact is that the man appeared to me so——

47,280. (*Mr. Price.*) It might have affected the scrutiny, on a scrutiny, you know, and that only?—Well, I could not refuse to see the man. He came to me, and he appeared so excessively anxious that the thing should be withdrawn, and really it seemed that he came to unbosom his mind, and to get a little consolation.

47,281. (*Mr. Anstey.*) Who did?—Mr. Lovibond.

47,282. Then you saw somebody about that immediately?—Yes, I did. This relates to a letter which has been read to-day. I wrote a letter to Mr. Kinglake, which arose from this circumstance on the 20th of January. I do not know what the date of that letter is, but I have no doubt it was written on the same day. However, on the 30th of January Mr. Brice, who I had not previously known, called upon me (Mr. Brice, as you are aware, was the Conservative agent; I presume he called upon me at Mr. Mr. Lovibond's request) and intimated that that was so; and then I asked him whether there was anything in the suggestion about a special case, because I may mention that there seemed to be a great want of confidence between the parties, and I really could not be quite sure that Mr. Lovibond's representations to me upon the matter were quite accurate. I do not mean that he intended wilfully to misrepresent.

47,283. (*Mr. Price.*) You probably saw there was a feeling?—There was a feeling. I then asked Mr. Brice if there was anything in the suggestion, and he said that he did not think it could be carried out; but he intimated, as I understood him, that on the petition the scrutiny would be alone proceeded with, and he having given me that intimation, I naturally wrote a line to Mr. Kinglake, and said, "I have reason to believe that the scrutiny alone will be proceeded with."

47,284. (*Mr. Anstey.*) In fact, that is the letter that has been read to-day?—Just so. But I may mention that I understood subsequently that Mr. Brice had said that he misunderstood me. It is not very important, but still——

(*Mr. Price.*) No, it is not important.

(*The witness.*) Well, then, sir, it was either the 12th or the 17th of February. I see Mr. Lovibond's name is down on my call book for both days, though as far as I can make out I did not see him except on one of the occasions, and therefore I think it must have been on the 17th, he called upon me, and I then told him

what had passed between me and Mr. Brice, and I said that Mr. Brice had misunderstood me on the subject at that interview. I then for the first time gathered that some of Mr. Kinglake's friends were implicated in the illegal expenditure of money. That was the first time that I had the slightest notion of Mr. Kinglake's friends—I am speaking now of his friends apart from professional men—that any of Mr. Kinglake's friends were implicated.

47,285. (*Mr. Anstey.*) What date was that? Can you fix it?—Yes, I fix it to be either the 12th or the 17th of February.

47,286. About a fortnight before the trial?—The trial, I think, was on the 23rd.

47,287. The 24th I think; it may have been the 23rd?—Well, this made me very anxious for Mr. Kinglake, and I at once put it to Mr. Lovibond in the most serious manner that I could, to know whether Mr. Kinglake was aware of it, and Mr. Lovibond assured me most positively and most distinctly—he reiterated it several times—that Mr. Kinglake did not know anything about it.

47,288. And did Mr. Lovibond mention the friends to you?—He mentioned none, sir; and it was not any definite statement. There were no words that I could lay hold of as being a distinct statement to that effect, but he was speaking of the petition, and he said, "It must be withdrawn"—most emphatically it must be withdrawn, otherwise people would be implicated; and it is very difficult to say how I got the impression, but the impression was upon my mind.

47,289. (*Mr. Price.*) His anxiety, I suppose, caused it?—Well, his anxiety had a good deal to do with it—his manner and way. At all events I came to the conclusion in my mind that Mr. Kinglake's friends had been in some way mixed up.

47,290. (*Mr. Coleridge.*) Had Mr. Kinglake at this time mentioned to you what has been called his point of law? He had got the notion that all his authority to the agents was withdrawn by leaving the place, and that therefore he was not implicated?—No.

47,291. He never mentioned that to you?—No.

47,292. (*Mr. Price.*) That would be afterwards, I suppose, when he began to be acquainted with the fact that corrupt practices had taken place?—I should think that that proposition would be a point of agency. Would not it have been a point which would have been discussed on the question of agency about the petition?

(*Mr. Price.*) No doubt he thought the point might be taken in his favour.

47,293. (*Mr. Coleridge.*) I thought he might have mentioned it to you?—No, he did not.

47,294. (*Mr. Price.*) Well, go on?—That, sir, I am afraid is the *finis*, as far as I am concerned.

47,295. (*Mr. Anstey.*) What was the result of that conversation?—The result of the last conversation?

47,296. Yes; you did not finish it?—The result of the last conversation was that Mr. Lovibond assured me that Mr. Kinglake knew nothing about the illegal expenditure.

47,297. (*Mr. Price.*) Then you took no further steps?—None, sir; the thing was at an end. I had nothing to do with the petition; nothing to do with the conduct or with the evidence, nor was I consulted upon it in any way. In fact, my experience in the matter was small, and simply a matter of personal friendship with Mr. Kinglake.

47,298. (*Mr. Coleridge.*) Had you anything to do with the election of 1859? You say you came in in 1857?—No, nothing at all.

47,299. Nothing to do with the Bridgwater election of 1859?—Nothing whatever.

47,300. (*Mr. Anstey.*) I understood you to say at the beginning of your examination that you had nothing to do with any Bridgwater election before you were consulted, and only to the extent of being consulted, in 1866?—That is quite true, sir; absolutely true.

(*Mr. Price.*) Very well, Sir William, we have nothing more to ask you.

JOHN SMITH recalled.

J. Smith.

47,301. (*Mr. Price.*) Mr. Smith, you know we declined to give you a certificate when you applied for it at Bridgwater, but we have some questions to put to you now, and upon the manner in which you answer those questions will depend whether we shall not reconsider our decision, and grant you a certificate. And first and foremost we want to ask you about this letter which you wrote to Mr. Kinglake. We had better have the actual document before us; you have heard it read?—I did.

47,302. You have heard it read; you recognize it as your letter?—There is only one letter there I can recognize, that is, the memorandum.

47,303. What we wanted you to explain was this. There are expressions of regret at the beginning of the letter which we need not trouble you with. Then you say, "If I had only have known at 5 in the "morning what I knew at half-past 9 things would "have been very, very different, for we would have "taken things in our own hands afterwards, chancing "results." Now, then, what do you mean when you say that if you had known at 5 in the morning what you had known at half-past 9 things would have been very, very different?—On the evening before the election of Sir John Shelley, Mr. Benjamin Lovibond sent for myself and Bussell at 11 o'clock at night, and told us to take down a list of the names of every man that had to be bribed, and then he told me that at 5 in the morning Mr. Fletcher, who is his clerk, would come down to our house with money.

47,304. (*Mr. Coleridge.*) You never told us this at Bridgwater?—No, it quite slipped my memory.

47,305. (*Mr. Price.*) Well, go on?—And he never came. About half-past 7 in the morning a letter was sent down to me to go up to Mr. Benjamin Lovibond, and then he told me that Sir John Shelley would spend no money.

47,306. You mean, had you known at 5 that Sir John Shelley would spend no money?—Yes; then I should have sent round to the men I had intrusted the lists to to pay the men—to tell them there would be no money coming, and there is no doubt in my mind that they would have polled.

47,307. (*Mr. Coleridge.*) If they got no money?—Without money.

47,308. (*Mr. Anstey.*) How would they have done that, when you go on to say, "We should have taken "things into our own hands afterwards, chancing "results;" that means, daring the consequences?—Oh no, of course we should not have found the money ourselves. It would have been a large item.

47,309. Of course. Therefore, I say, it is entirely inconsistent with the explanation?—No; what I intended to do was to go round to the men who had the lists, and tell them there would be no money.

47,310. And "afterwards chancing results." What do you mean by "chancing results?" You say first of all that you very much lament the result that has taken place of the policy pursued, namely, the defeat of Sir John Shelley and the comparative defeat of Mr. Kinglake, because he is not at the head of the poll. Then you go on to say that if you had known at 5 o'clock what you knew at half-past 9 you would have taken the matter into your own hands afterwards, chancing results, thereby plainly implying, as it appears to me (and does it not appear to you?) that you would have taken a different course from that taken by Mr. Benjamin Lovibond; you would have taken a course which would have exposed you and your friends to some peril, but which could not have had a worse effect than had been produced already, and which might have resulted in the return of Sir John Shelley and Mr. Kinglake. Is not that the plain meaning of that letter?—No, we could not have raised the money.

47,311. (*Mr. Price.*) Give us your interpretation of

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chancing the results. What did you mean by that? Do you mean the chance of how the election terminated, how it ended?—No; my meaning was this, that I should have gone round with other friends of mine and seen the men we had given the lists to, and told them to work without money; but we never knew it before the election was won. It was won by half-past nine in the morning.

47,312. (*Mr. Coleridge.*) You told us that your experience of Bridgwater was, that nothing could be done without money?—I think it was proved that at the last election there was a lot of work done without a shilling of money.

47,313. (*Mr. Price.*) Do you mean to say that you think the result might possibly have been different if at five o'clock, or as early after five as you could, you had sent round to say that Sir John Shelley would not spend money? Do you think that would have had a better effect upon the chances?—Mr. Westropp would not have had such a large majority.

47,314. Why?—Because the election was won by half-past 9 o'clock.

47,315. But it was won by bribery?—I am aware of that.

47,316. Then if the other side bribed, and if your bribable men knew there was no money, of course they would have gone to the other side and increased the majority?—They did do it.

47,317. You say there would have been a different result, as I understand?—Not the word "result."

47,318. No, no; but you say in your letter "things would have been very, very different." Do you mean by that, that if you had gone and let it be known that Sir John Shelley would spend no money it would have given him a better chance?—It would decrease the majority of Westropp in my mind.

47,319. How?—Because I think a large number of men went with the stream when they found it was equal.

47,320. But these were all men who were determined to get money one side or the other?—There is always a large class of them.

47,321. (*Mr. Anstey.*) You say there was no bribery on your side?—Yes.

47,322. Then if you had told the men at five o'clock that they were not to bribe there would still have been no bribery?—Just so.

47,323. Then how would that have changed the condition of things?—We should have tried to induce the men to have voted for Shelley.

47,324. Then what danger could you possibly have incurred, or what would you have had afterwards to "chance" in that case? You would have had no danger to chance. What do you mean by that, by "chancing results"?—I cannot explain those two words.

47,325. Just follow me. I do not think you have read this letter since you have sent it to Mr. Kinglake?—I have quite forgotten it.

47,326. I will just refresh your memory. I will read to you a few passages before those that the Chief Commissioner read: "I have hardly the heart to do so," that is, to write; "and you can understand for what reason." Well, then, after an expression of grief, you go on to say, "I should like very much to know, "and numbers beside myself, whose fault it was that "placed us in the position we are. Yours and Sir "John Shelley's return was unmistakeable"?

(*The witness.*) That is according to the poll book.

47,327. (*Mr. Price.*) According to the poll book?—According to the canvass book I mean.

47,328. (*Mr. Anstey, reading.*) "And why such an "error of judgment should have been made to me is "very curious." What is the error of judgment?—Mr. Benjamin Lovibond, up to 2 o'clock in the morning, told us there would be money.

47,329. And you had been telling the electors so?—I have, no doubt.

47,330. Then why did you not tell us that before, at Bridgwater; because you were asked the question distinctly whether any promise had been made to the voters at all. Your answer was, none to your knowledge?—If I did say so I made a mistake.

47,331. Now, it appears that you had been promising them up to 5 o'clock?—No, not up to 5 o'clock, 2 o'clock.

(*Mr. Price.*) Up to that time they had gone to bed with the promises?

47,332. (*Mr. Anstey, reading.*) "If I had only have "known at five in the morning what I knew at half-"past nine;"—that is, half-past nine in the morning?—Yes.

47,333. Well, then you say if you had known at half-past nine. Now I will stop you there. What time did you yourself rise that morning, the polling day?—About 5 o'clock.

47,334. Then between five and half-past nine you were still under the impression which you have signified, namely, that money would be spent?—No doubt of it.

47,335. And you were communicating that fact during those four hours and half to everybody you met?—No; I had the day before, because I anticipated that Fletcher, Mr. Lovibond's clerk, would come down with it.

47,336. Had you told anybody that morning?—No.

47,337. Then you go on, "Things would have been "very, very different, for we would have taken things "in our hands afterwards, chancing results." Now I again ask you to put these lines in connexion with the part I had previously read to you, and tell me whether "afterwards chancing results" does not mean this, afterwards facing the danger?—No; chancing the result was, as I have told you before, that we should have gone round to the men and tried if the men would poll without being paid.

47,338. But what is the meaning of "afterwards?" Something is to happen afterwards, not running the risk of the present loss of the election, but running some risk, which is to declare itself afterwards. What can that be but penalties for bribery, or perhaps an election petition? Do not you see that yourself?—It is an unfortunate two words, no doubt of it. I cannot explain it.

47,339. You cannot explain it?—No.

47,340. You go on to say, "That is the only thing "we now grieve at; they, the other side, as we were "organized, had not the skeleton of a chance. Why "you and ourselves should be so pained over this "matter is so difficult to understand by us. I hope "you will bear up against it. We hold a meeting to-"night at Mr. Phelps's"?—There was no meeting at Mr. Phelps's.

47,341. "Of that of course you will be advised of "by Mr. Henry Lovibond. I wish once more to "express to you our sorrow." There is not a syllable in the rest of the letter which bears even remotely the construction which you wish us to put upon the part that has been read, namely, that you would have told the voters there was to be no money?—Mr. Benjamin Lovibond told us from time to time, and day by day, that the men would have money, and that the money would be paid to the men.

47,342. You cannot explain this?—The two words I cannot explain.

(*Mr. Price.*) Well, I think, Mr. Smith, we must take time to consider, because we must look at the rest of your evidence, you know, as compared with the evidence you have given to-day. Certainly some of it is very different, and some of it entirely new, although there was a full opportunity for you telling us about it before at Bridgwater. We were there eight weeks, and you had plenty of opportunity. However, we must now consider, in looking back at your former evidence, and comparing it with what you have told us to-day, what we must do about the certificate.

47,343. (*Mr. Anstey.*) Who did Mr. Benjamin Lovibond tell you was to be the person to provide money for Sir John Shelley's and Mr. Kinglake's

election?—I took it that Mr. Benamin Lovibond was entirely the agent of Sir John Shelley, and he told me that he would pay the money his own self.

47,344. He said so?—Oh yes.

47,345. That he (Benjamin Lovibond) his own self would pay it?—Yes.

47,346. Did he ask you what sum would be paid?—No.

47,347. Did he ask you what sum would be necessary?—No, but he told us on the evening before, myself and Bussell, that the men would have 10*l.* each.

47,348. Are you sure Bussell was present?—He was with me.

47,349. Were you present when Henry Bussell was examined before us?—I was.

47,350. Do you remember Henry Bussell stating to us that some days before the election he had been assured by Mr. Lovibond that Sir John Shelley did not intend to spend money?—No.

47,351. But if he did say so; if Mr. Bussell told us that some days before the election Mr. Benjamin Lovibond had already informed him that Sir John Shelley was not going to spend any money, would not that qualify your recollection when you state that he was present at the conversation the very night before the election?—Bussell must have made a mistake if he mentioned it.

47,352. You are quite clear about that?—Quite clear.

47,353. And how many persons had you communicated that fact to, if it were a fact, what Mr. Benjamin Lovibond had told you? You see you had made a list of the bribery people, and to how many people did you speak on the subject and tell this to?—I went round the table and across his dining room and asked him what he thought the probability of the amount of money we should give the men, and he said "As usual, 10*l.*;" and then myself and Bussell made out the lists with perhaps 100 men or something of that kind; and it was conveyed to us that money should be had on the forthcoming morning.

47,354. How many men, I want to know?—I think about 100.

47,355. To how many persons did you communicate that fact, that there were to be about 100 paid 10*l.* a head?—I should think five besides myself.

47,356. (*Mr. Coleridge.*) The men that were to distribute the money?—Yes.

47,357. (*Mr. Anstey.*) Who were they?—The regular men. What I said was this, "We shall give 10*l.*"

47,358. Were the five persons to whom you communicated that people who were bribable, or were they people who were sub-bribers?—Sub-bribers.

47,359. Bussell could not have been one, for you say he was present?—He was present.

47,360. Who were the persons?—I believe the people I told were such men as Pollard.

47,361. Well, who else?—I forget for the moment.

47,362. Did you tell Pollard?—I did.

47,363. He is one?—We made a list out. A list was given to him, a sub-list.

47,364. Allan was out of the case, for he was not then a bribery agent in 1865?—I believe not.

47,365. Bussell could not have been one, for he was present and did not need to be informed; and you have only named one. There were five altogether. Was Jarman one?—Henry Jarman?

47,366. The Liberal Jarman. There were two of them bribers?—I think one was Hill, in John Street. I am not sure whether he was there or not.

47,367. There is only one thing more that I want to ask you, that is with reference to this last election, 1868. When did the county election fall? Do you recollect whether it was the same day as the Bridgwater election?—Afterwards.

47,368. Afterwards? Well, did you go out either before the county election, or during the county election, in order to bribe one or two county voters?—I think not.

47,369. Now, recollect. To Highbridge?—I did.

47,370. Did you not tell what you had done to Mr. Bubbage, the landlord of the hotel there?—I did not to Mr. Bubbage; it might be some one there.

47,371. And did you bribe those two persons?—I did. I will tell you the reason. A part of my premises that I had at Highbridge, the committee room——

47,372. Now, I wish to know, had those persons, whoever they were, used the example of Bridgwater and of the Bridgwater electors with you as a reason why they should have money for their votes?—They did.

47,373. What did they say?—They said that money was paid in Bridgwater; they did not see why it should not be in the county.

47,374. I will ask you, generally did you find that feeling pretty general, or is it rare in the hundreds or districts (or whatever you call them) surrounding Bridgwater?—Very rare. They never think of it.

47,375. But in this case they did think of it?—In this case they did.

47,376. (*Mr. Price.*) What rank of life were they in?—One was a master of a small vessel. The bribery amounted to this: he owed me about 2*s.* 9*d.* on the book, and he said, "If I poll for so-and-so you will have to put 'paid' to my account."

47,377 What did you pay?—Four or five shillings altogether.

47,378. (*Mr. Coleridge.*) Between the two?—Yes.

(*Mr. Price.*) They did not come up to the tariff in the borough at all.

47,379. (*Mr. Coleridge.*) One question I want to ask you about 1865. It was thought at one time that Tynte would come forward then, was it not?—I do not recollect. I think not.

47,380. Do you recollect any compromise with him about his withdrawing?—I have heard a great deal about it, but I know nothing about it.

47,381. What have you heard?—About Mr. Heard and some libel that was in the paper.

47,382. About his getting a sum of money to withdraw in 1865.?—I never heard of that. There was a letter which was referred to about Mr. Kinglake coming to Bridgwater. I should like to explain that, that he had better put in an appearance.

47,383. (*Mr. Anstey.*) A letter from you?—Yes. At the last election it was considered amongst a lot of Bridgwater people that they should canvass. I myself was not against canvassing. I believe the professional gentlemen of Bridgwater kept the members back. People came to me, and then I wrote that letter to say that he had better put in an appearance.

47,384. Were you present when Mr. Westropp was examined before us at Bridgwater?—Part of the time.

47,385. Did you hear that part of Mr. Westropp's evidence which related to yourself and your application to him for assistance, and your promising him that you would not be active against him at the election?—I was not present.

47,386. Well, I should like to have that read to you?—I have read it in the paper. It was a masonic communication between myself and Mr. Westropp.

47,387. I do not know what "masonic" means. Masonry is not recognized by law to that extent?—No; perfectly right.

47,388. I want to ask you (you say you have read it or become acquainted with it in some way since), do you wish to be understood as contradicting Mr. Westropp's account of that correspondence, or those communications between him and you, or do you confirm his statement?—What I contend is this, that when I saw Mr. Westropp in London I promised him that so far as voting for him——

47,389. Will you answer my question? It is a very simple one; if you say that you do not contradict it, I shall not have it read; if you say you do contradict

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it, I shall have it read, and ask you what part you contradict?—I can contradict nothing except about voting for him. That I never undertook to do.

47,390. (*Mr. Price.*) He did not say that. He said no more than what everybody thought was the meaning of your letter. You say in your letter that you would take no part against him. He judged, as everybody would judge, that a man who said that certainly would not vote against him?—I think I can explain.

47,391. (*Mr. Anstey.*) You had seen him?—Once or twice.

47,392. Well, it was in the conversations with him that that is said to have taken place?—But Mr. Westropp will never tell you that I promised to vote for him.

47,393. (*Mr. Price.*) I do not think he said so, but he said that he understood you to mean that you would not vote against him. If you used expressions of that kind, either in a letter or by word of mouth, that you would take no part against him, he naturally thought you would not vote against him?—The day Mr. Westropp called in my shop I was taking out the old shop front and putting in a new one, and the two men who were there were men who had voted for him and heard his conversation, and also Mr. Lilly's.

47,394. (*Mr. Anstey.*) It is not a question of what took place there, but what took place in London?—I did not tell him I would vote for him.

47,395. He says that you promised you would not vote against him, and that you gave him to understand so in London?—Oh no, I did not.

47,396. Your letter to him fully bears that out, because you say that you would take no part against him. With that exception you say you confirm his statement?—Yes.

Mr. A. W. Kinglake.

Mr. Alexander William Kinglake recalled.

47,397. (*Mr. Coleridge.*) At the election of 1865, when Sir John Shelley and you stood, had Colonel Tynte definitely retired at that time?—Yes.

47,398. Was not he somewhat hovering about in the field, and was not some inducement brought to bear upon him to get him to retire?—No, none. His retiring was extremely reluctant, but the actual cause of it, as I always understood, was that there were claimants in Bridgwater whose outstanding claims made it quite impossible that he could stand unless they were satisfied.

47,399. Judgments out against him?—Yes.

47,400. Well, then, do you know of a sum of something like a thousand pounds being paid to satisfy those judgments, on condition that he retired?—Oh no, I never heard a breath of it at all.

47,401. Did you ever hear of Colonel Tynte receiving any sum of money in consideration of his not coming forward at that election?—No, nothing. I always understood that he considered himself aggrieved at being driven from the place, merely because there was that difficulty about the local debts.

47,402. Then you know nothing whatever about any sum of money being paid to him to persuade him to go out?—No, I never heard of it.

47,403. Do you know whether those debts were paid amongst the debts that were afterwards paid out of the monies provided at that election or the following one of Vanderbyl's?—No, I never heard that they were paid at all.

47,404. (*Mr. Anstey.*) Something was said to-day, I forget by whom, (not by yourself, I think,) about a list being made by Mr. Lovibond of Colonel Tynte's debts before one of those elections. We have among the papers that were laid before us by Mr. Benjamin Lovibond's executor, Mr. Sully the mayor, a list of such debts which was amongst the election papers either for 1857 or 1859. Can you throw any light upon that?—No, none whatever.

47,405. You do not confirm or contradict the statement that that list was prepared with reference to one of those coming elections?—No, I have no knowledge whatever.

Mr. Redfern.

Mr. Redfern recalled.

47,406. (*Mr. Price.*) You have brought a book here?—Yes; it is not the journal. I find there is nothing in the journal about the matter.

47,407. (*Mr. Anstey.*) Do I understood you to say that you have not brought the journal?—No, there is nothing in it.

47,408. I particularly requested it?—There is nothing in it.

47,409. But you were asked to bring it?—But I thought you wanted to see an entry, but there is no entry.

47,410. (*Mr. Price.*) Still it would have been more satisfactory, Mr. Redfern?—We will send for it now.

(*Mr. Price.*) It is past two, and we must rise soon.

(*Mr. Anstey.*) You see, Mr. Redfern, that is no explanation at all, because at this moment it is perfectly true with regard to another of your books, that certain entries are not now in it, but it is equally true that in that book there were two entries once which are no longer there; and I should like to satisfy myself by ocular inspection of your journal, that in folio 121, referred to in that book, there not only is not now but that there never was any entry which we should like to see, and that I can only do by my own inspection.

(*The witness.*) Oh yes.

47,411. (*Mr Price.*) If it ought to appear in that book as we understood the other day by the reference made, by the number put down (121), if in the ordinary course of business it ought to appear in that book, and I understood you to say so——?—Well, the journal is usually where all these things are.

47,412. The object of those figures, 121, is to give the reference to the folio in the journal?—Yes; you must understand one thing; I am not perfectly acquainted with book-keeping myself.

47,413. If it ought to appear there, we shall have the fact when the book is produced before us, that there again there is another irregularity with regard to those entries?—I think you will be able to understand that better by seeing the books.

47,414. (*Mr. Anstey.*) Have you a person who could bring the journal by 4 o'clock?—It is here. (*A book was passed to Mr. Anstey.*)

47,415. I thought you said it was not here?—I did not think it was.

47,416. Now where is the book, first of all, which contains the reference?—This is one of them. (*Producing a locked book.*)

47,417. (*Mr. Price.*) That is the book you showed us the other day?—Yes.

47,418. (*Mr. Anstey, referring to the book whcih had been handed to him.*) This is the cash book; this is not the journal?—That is the only one we use.

47,419. Have you any journal for the year 1868?—I do not know.

(*Mr. Price.*) Had not we better have Mr. Walter?

(*The witness.*) I think you had better have him.

47,420. (*Mr. Anstey.*) Do you know of any journal yourself?—I do not know much about the books.

47,421. But you can answer that question. Do you know of any journal?—No, I do not. You had better have Mr. Walter.

47,422. Let me look at the reference?—What reference?

47,423. The reference in the column. There was an entry there in the book you showed us before. (*The book was passed to the learned Commissioner.*)

Mr. JOHN WALTER sworn.

47,424. (*Mr. Price.*) Are you a book-keeper to Messrs. Fennelly, Redfern, & Co. ?—I am.

47,425. What books are these that you produce here ?—This is the duplicate book.

47,426. The duplicate of the banker's pass book ?—Yes. Here is the journalized cash book, and that is the private ledger.

47,427. (*Mr. Anstey.*) Have you a journal in your firm ?—Properly so called we have not, because every book is journalized.

47,428. Which is the book called "journal" by Mr. Redfern in his last examination, and which is referred to here, as he says, in a column containing figures, 121, 120, and so on, in which Mr. Fennelly's capital account for 1868 is referred to ?—He refers to that book.

47,429. The book now before me, called what ?—The cash book.

47,430. The journalized cash book ?—The journalized cash book.

47,431. (*Mr. Anstey.*) Can you explain how it is that whereas against the item which has been interpolated out of its date, "November 18th" coming in before "November 9th," and entered thus, "Cash 245*l.*," there is a reference to page 121 of some book ?—This is the book.

47,432. And there neither appears such an entry nor such a sum nor anything whatever to explain it. That it may appear on the shorthand writer's notes again I will first of all give you the particulars: First of all the book stood thus, the private account of Mr. Fennelly, "1868, November 9th," and so on. Then afterwards there has been inserted "November 18th, to cash, folio or page 121, 245*l.*" That reference you say, 121, is to this book. I turn to this book. I find the date November 18th, but no such sum as 245*l.*, nor anything said about cash ?—That is the wrong side of the book.

47,433. Oh, you mean it is on the other ? Oh, I see, here is an alteration again. When was this alteraion made?—It was made in the month of April this year.

47,434. I see in this book this alteration: "P. Vanderbyl," as it stood originally, "245*l.*" Then, instead of that, "R. Fennelly" is written. In whose handwriting is the original entry, and in whose the alteration ?—My own.

47,435. (*Mr. Price.*) By whose direction did you make that alteration ?—Mr. Fennelly's.

47,436. In the regular course of business of your firm and the keeping your books you had carried the thing properly showing Mr. Vanderbyl to be the person to be debited with the 245*l.* ?—Yes.

47,437. That was the proper way of keeping your books ?—Yes.

47,438. Then Mr. Fennelly comes and orders you to make it altogether an irregular entry by an alteration, as it appears there and in the other book ?—This duplicate book is kept by Mr. Redfern, or in Mr. Redfern's absence generally by Mr. Fennelly, lately by myself; and I copy all the entries in the cash book from this book. As it was entered in this book "P. Vanderbyl," I had nothing to do with it but to enter it under the same name.

47,439. Exactly. I say, the thing being regularly done from book to book, it ought to have appeared as it did originally in that book, in that book, and in this book (*referring to account books*) ?—Yes.

47,440. And the irregularity is caused by Mr. Fennelly's instructions to you to alter the whole series of entries ?—Just so. My duty is simply to copy.

47,441. You found it a proper entry there, at least an entry there ?—Yes.

47,442. You copied it properly into the next book; you copied properly into that book; and then finally it is altered by Mr. Fennelly so as to make Mr. Fennelly debited with the 245*l.* instead of Mr. Vanderbyl ?—Just so.

47,443. (*Mr. Anstey.*) Now I see here, still referring to Mr. Vanderbyl's private account with the firm, against the item 245*l.*, as it stood to his debit at first, on the 18th of November 1868, two references to some book or books, and not one as in the case of Fennelly. In Fennelly's case there is one only, 121; but in this entry in the account of Vanderbyl there are two references, one to folio 121, and one to folio 43. Why are two references instead of one ?—43 is the page of Mr. Fennelly's account, I presume.

47,444. No, Fennelly's is 35. "Forty-three," therefore, is the page in this book, is it ?—I do not know.

47,445. (*After looking*). No; 43 is a blank page. I will show you what I mean, the item which has been struck out in red ink ?—"Forty-three" is the number of days from that date to the end of the year.

47,446. Then why is there no such entry made in the case of Fennelly's ? You see that is left blank, the number of days. I wish to ask you whether it is the intention that he should not be charged interest ?—No, it was not the intention.

47,447. Then why was the 43 days specified when it stood to Vanderbyl's debit, and omitted when the alteration was made putting it to Fennelly's debit ?—In the first instance the entry was made last year, the transfer to Fennelly was this year, and at the end of this year I should place the debits to the account of Fennelly.

47,448. You shall do so ?—Yes.

47,449. What day in April did you make the alteration ?—I do not know, but I can prove it was in April.

47,450. How ?—Because I have papers here which are trial balances taken every month. At the end of March it appears in the account entered to Mr. Vanderbyl. At the end of April it appears entered to Mr. Fennelly.

47,451. Who desired you to make the alteration ?—Mr. Fennelly.

47,452. Did he give you any reason for it ?—No; he simply told me it was a wrong entry.

47,453. There appeared no alteration in the books before that ?—None whatever.

47,454. Nor even in the bank book where he made the alteration ?—This was made at the same time.

47,455. By him at the same time ?—By him at the same time.

47,456. How do you know that the alteration in the bank book was made at the same time ?—Because I had my attention called to it.

47,457. Did you see him do it ?—I cannot say I did.

47,458. Do you know, as a matter of fact, whether Mr. Vanderbyl and Mr. Fennelly had taken any legal advice between February and April as to the probable result of an enquiry before the Commission ?—I have no knowledge whatever.

47,459. You do not know ?—No.

47,460. I suppose you are aware that the trial was then over, the election trial ?—Yes.

47,461. And that a commission like this was considered imminent ?—Well, I cannot say that I had that fact before my mind at the time.

47,462. (*Mr. Price.*) Nothing was said to you about it at all ?—No, nothing was said.

47,463. (*Mr. Anstey.*) One thing more as to Mr. Vanderbyl. When was he last at your office, your counting house ?—A few days ago.

47,464. Had you any conversation with him about this ?—He told me that I should have to appear. That was the day of the last inquiry here, before I had my subpœna.

47,465. Oh, he had heard of it before you had got your subpœna ?—He called in the evening, and Mr. Redfern had just returned I think at that time.

47,466. Well, how often are you in the habit of seeing Mr. Vanderbyl ?—Very seldom indeed.

47,467. Then this visit of his last Tuesday was a rare visit ?—Well, of late he has been oftener.

47,468. Of late he has been oftener ?—Yes, he has,

FORTY-SIXTH DAY.

Mr. J. Walter.

6 Nov. 1869.

47,469. How often? Once a week?—Perhaps once a week.

47,470. Oftener than that?—No, I should not think it would be oftener than that.

47,471. Did he look at the books on this last occasion?—No.

47,472. When did he last look at the books?—I do not ever remember him.

47,473. (*Mr. Price.*) What does he do when he comes there?—He goes into the private office.

47,474. And that book is kept there, is not it?—No, Mr. Redfern has it. Mr. Redfern sits in the clerk's office. His desk is in our office, and the book is always with him.

47,475. Does not Mr. Redfern go in to him and talk with him, and take the books in?—No, I believe the books are never gone into. I keep the accounts.

47,476. Do you mean to say that when the profits are struck at the end of theyear Mr. Vanderbyl is so perfectly indifferent that he does not come down to see what profit is to be credited to him?—I do not know whether Mr. Fennelly informs him from time to time, but he does not look into the books.

47,477. If he looked at the books at the end of 1868 he would have found he was debited with 240*l.*?—Yes, he would.

47,478. (*Mr. Anstey.*) Mr. Fennelly, to inform Mr. Vanderbyl, must have looked at the book himself in December 1868?—Yes, but I do not know that he did inform him.

47,479. You say that Mr. Vanderbyl either does it himself or is informed by Mr. Fennelly. In that case the entry of 245*l.* would appear either to Fennelly or Vanderbyl?—I think you mistake. I say Mr. Vanderbyl does not see the books. I presume only Mr. Fennelly told him.

47,480. (*Mr. Price.*) You presume Mr. Fennelly gives him the result of the books; but he does not go into the items?—No.

47,481. (*Mr. Anstey.*) Either Mr. Vanderbyl saw the book, or Mr. Fennelly did, or both?—Well, at the time that the balance was struck Mr. Fennelly was away, and I closed the books, as I thought right in all particulars, and I am not sure that Mr. Fennelly ever had his attention drawn to this.

47,482. Are you quite sure of that? We have the date of his going away, to Rome you mean?—Yes.

47,483. Well, the books are balanced, Mr. Redfern himself told us, on the 31st of December every year?—Yes.

47,484. Well, had he gone away by that time?—He was away.

47,485. We have it in evidence that he returned before the trial of the election petition, which was on the 24th of February following, and then went away again—Mr. Fennelly?—Yes.

47,486. And then we have it in evidence that he came back soon after the election petition; and it is not till the month of April that the alteration is made. Is not that so?—Yes.

47,487. Very well. Now will you take upon yourself to swear that during the whole intervening period between the striking of the balance of those accounts (Mr. Vanderbyl's account and Mr. Fennelly's account) and the making of the alteration in April, or rather between those dates and the 1st of April, neither Mr. Fennelly nor Mr. Vanderbyl had seen the books?—I will not say that Mr. Fennelly had not seen the books. All the books were of course open in the office, and Mr. Fennelly may refer to any of them at any time, and I could not say for a moment whether he had seen any particular account or not.

47,488. Then you are aware, are you not, of the fact that Mr. Fennelly was there between that 31st of December and the end of February, not often, but he was there backwards and forwards?—Oh yes.

47,489. And Mr. Vanderbyl too, I suppose, was he not, subsequently to the striking of the balance?—So far as Mr. Vanderbyl is concerned I do not know what was the nature of his visits then, or how frequent they were.

47,490. No, no; but the fact of his visits. He was backwards and forwards?—From January?

47,491. From the 1st of January to the 1st of March we will say?—I believe Mr. Vanderbyl called in during that time.

47,492. How often?—Not often I am sure.

47,493. Then again, in the month of March how often was he there?—I could not speak of any particular month.

47,494. Well now, if the books are open to Mr. Fennelly they are open to Mr. Vanderbyl, are they not, he being a partner?—Certainly they are open to him.

47,495. And Mr. Vanderbyl is not a sleeping partner, is he?—He is not an active partner.

47,496. No, but he is not what is called a sleeping partner? He comes and goes as you say?—But I have never known him to make any reference to——

47,497. But do you mean to say that he or any other man who derives his income or any portion of his income from trading profits would go on, as the Chief Commissioner pointed out to you just now, receiving what his partners are pleased to say is his share without once verifying the fact for himself? Do you mean to say that Mr. Vanderbyl is in the habit of doing that, he being a man of business?—I believe Mr. Vanderbyl has never looked at the books.

47,498. (*Mr. Price.*) But if Mr. Vanderbyl does not look at the books is not it the duty of the partners, or is not it the practice (and I should say the duty too) of the partners to send him at the end of the year a statement showing the state of his account, in writing, showing what he is debited in, and the receipts, and then showing the profit that he is to have? Do not you render such an account as that?—Yes, I do; but in this year I think that account was not rendered until about May or June.

47,499. Will you undertake to say so?—I am sure it was not until quite late in the year.

47,500. (*Mr. Anstey.*) Why not?—Well, Mr. Fennelly was away at the close of the year. This is only the second year that I have been with Messrs. Fennelly, and the first year I sent such a statement as that when I was asked for it by Mr. Fennelly; but when he was away I had no one to tell me to do so, nor did I think it necessary until I had been told to.

47,501. But Mr. Fennelly's absence, as you have stated just now, was not continuous even till the end of February?—But I was not told to furnish this account, for all that.

47,502. You say, being away, it is a different thing?—If Mr. Fennelly had been at home at the 31st of December in all probability he would have said when he saw the balances, "Make up Mr. Vanderbyl's account and send it to him;" but Mr. Fennelly was not at home then.

47,503. (*Mr. Price.*) Do you mean to say that you wait for the direction of one of the partners to do that, and that you do not as a matter of course let each partner have a statement, particularly one who does not come very often to the office, without the direction of the other partners, that he may know how he stands?—I am sure I should not do so unless I was told to do so.

37,504. (*Mr. Anstey.*) Do you mean to say that each of the partners does the same thing, namely, leave the question what sum his share of the profits for the past year will amount to remain *in dubio* until the account is handed to him, and that he never thinks of looking into the books himself?—There is no account sent in to either of the partners.

47,505. Do you mean to say that neither of them looks at the books himself to ascertain the fact what amount his share is?—Certainly they do it.

47,506. Every one of them?—No doubt.

47,507. Then at the same time I wish to ask you in connexion with this whether the period at which you say this account was made out and furnished to Mr. Vanderbyl and Mr. Fennelly was in May or June?—Well, it was some months ago, but I really could not state what month.

47,508. Was it as late as June, or was it earlier than May? Yes or no?—Well, I should think it was even later than June.

47,509. You think it was in July or August?—I should think perhaps about the end of June, but I am quite at a loss to tell.

47,510. Then, with the interest which some members of your firm had in it, it can scarcely have escaped your notice, do you recollect whether this paper, the account or whatever you call it—— ?—The "account current."

47,511. Whether the account current was furnished for the first time to Mr. Fennelly and Mr. Vanderbyl, after it was notorious that the address from the House of Commons and the House of Parliament had gone up the Queen praying that this Commission might issue for Bridgwater?—My impression is that the account was rendered not long before the Commission.

47,512. Yes; but will you pay attention to my question. The Commission did not issue till July?—I mean the sitting of the Commission.

47,513. The Commission did not sit till the 23rd of August. Was it just before the Commission sat?—Yes, I think it was just before the Commission sat.

47,514. And after it issued. It issued in July; it sat in August?—I am sure I could not tell you.

47,515. It was moved for in May or June; the address went up in July; the Commission issued in July and sat on the 23rd of August. Now, it was just before the sitting of the Commission, you think, that this account current was made out and furnished to these two partners, Fennelly and Vanderbyl?—It was not furnished to Mr. Fennelly at all.

47,516. Well, to Mr. Vanderbyl?—I think it was just before the sitting of the Commission.

47,517. Do you know what was said when it was being made out; do you remember that. Was anything said about the 245*l.*?—I do not remember a word in reference to that 245*l.* My impression is that the account was made up without the 245*l.*

47,518. No doubt it was. There would be nothing appearing in it about the 245*l.* Can you recollect when Mr. Vanderbyl's account was being made out anything being said about omitting to debit him with that 245*l.*?—There was not a word spoken about it.

47,519. Who made it out?—I did myself.

47,520. Who gave you instructions?—Mr. Fennelly told me to make out the account.

47,521. And did he tell you to be very careful not to insert again the 245*l.* which appeared in the first entry?—No, I am sure he did not.

47,522. But at all events you had before you the books as altered, and by which you were to abide. Well, just look again at that account current of Fennelly and Vanderbyl. Now, looking at the balance there you see in each place where it is written "balance" and an amount (you cannot mistake it) there has been an erasure with the penknife?—Yes, there has.

47,523. Well, now look at this corresponding one of Fennelly's. You see that has also been altered?—Yes.

47,524. And there are the remains of the tail of a long figure?—Oh yes, it has been altered.

47,525. Well, were these alterations made in order to make it correspond with the whole account as altered in April. First of all, were those erasures made in April and the new figures written over them?—Yes.

47,526. And before that there had been no erasure?—No.

47,527. And the alterations made by way of erasure and the insertion of new numerals were such as to make it correspond with the account as altered by the interpolation or omission?—Yes, I may say that these will plainly prove, if you will take this as *bonâ fide*, that the alteration was made in the month of April (*handing in papers*).

47,528. (*Mr. Price.*) These are what make you able to say that the alteration was made in April?—Yes.

(*Mr. Price.*) Then the secretary can have them.

47,529. (*Mr. Anstey.*) The alteration was made in April and the account current was made out before the sitting of the Commission?—Yes.

Adjourned to No. 6, Pump Court, Temple, Friday the 12th inst., at 3 o'clock.

FORTY-SEVENTH DAY.

Thursday, 25th November 1869.

PRESENT:

EDWIN PLUMER PRICE, Esq., Q.C.
THOMAS CHISHOLM ANSTEY, Esq.
CHARLES EDWARD COLERIDGE, Esq.
HENRY FRANCIS PURCELL, Esq., Secretary.

The Commissioners met to examine Cornelius Satterthwaite, against whom an attachment had been moved for non-attendance at Bridgwater, the rule having then been enlarged by the court on his submission and promise to attend before the Commissioners when required.

Mr. HENRY FRANCIS PURCELL sworn.

47,530. (*Mr. Coleridge.*) When did you first summon Satterthwaite?—He was summoned first for the 18th September at Bridgwater.

47,531. And you had notice of his having been served at Doncaster races?—Yes.

47,532–3. Did you subsequently write to him about attending?—The letters had been written previously to his being called formally; after that there were no letters written.

47,534. (*Mr. Anstey.*) He never made any communication to you?—No.

47,535. And in consequence of that you, by the direction of the Commissioners, wrote a letter to the Home Office, and reported the circumstances?—Yes.

47,536. (*Mr. Coleridge.*) Then do you know an application was made by the Solicitor-General for an attachment against him?—Yes, I know it by public report.

FORTY-SEVENTH DAY.

Mr. H. F. Purcell.

25 Nov. 1869.

47,537. (*Mr. Anstey.*) On your affidavit ?—On my affidavit.

47,538. (*Mr. Coleridge.*) Subsequently, do you know the rule was enlarged to next term ?—Yes.

47,539. On an undertaking that Satterthwaite would appear before us ?—Yes.

47,540. (*Mr. Anstey.*) Did he ever present himself to you or report himself to you ?—Not since that submission on his part.

47,541. Did he then report himself to you as being ready to attend any appointment ?—He did not.

47,542. (*Mr. Coleridge.*) Did you summon him last Tuesday by registered letter, which he had requested to be directed to Manchester, to appear to-day ?—Yes.

47,543. (*Mr. Anstey.*) He, having left an address at the office of the Treasury Solicitors, you concluded he had gone to Manchester ?—Yes, and sent him a new summons by registered letter.

47,544. Have you received any communication since ?—No, no answer.

47,545. And he has not appeared ?—He has not appeared.

47,546. The summons was to appear at two o'clock ?—Yes, and it is now a quarter to three.

47,547. (*Mr. Coleridge.*) He would have got your letter yesterday morning, and might have been here with great ease ?—No doubt.

47,548. (*Mr. Anstey.*) Did you or, to your belief, the Commissioners in any way consent to the rule being enlarged ?—No, certainly not.

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TO

REPORT OF THE BRIDGWATER ELECTION INQUIRY COMMISSIONERS,

WITH

REFERENCES TO THE MINUTES OF EVIDENCE.

Presented to both Houses of Parliament by Command of Her Majesty.

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„	The statements of Messrs. Kinglake and Vanderbyl before the Election Judge.	279, 337, 487, 539, 818–9.
„	Effect of the extension of the franchise	39, 42, 99, 100, 191, 273, 313–4, 327, 626, 667, 698, 819, 887.
„	Members of Conservative Working Men's Association vote for the Liberal candidates.	722.

* Not Mr. Lovibond.

ERRATA.

Page 22, line 19 from bottom, for "Wm. Pain" read "Wm. Pimm."
Page 24, line 5, for "without authority" read "on the order of Mr. Cook."
Page 24, line 20, for "and" read "he." For "in addition" read "it appeared."
Page 29, line 20 from bottom, omit "as he also told us."
Page 31, line 9, for "called Mr. Cook up, who was in bed," read "called on Mr. Cook."
Page 31, line 11 from bottom, for "Brown & Co." read "the."
Page 33, line 7, for "Lovibond" read "Reed."
Page 34, line 36, the words "hundreds" and "new" should not appear as quotations.
Schedule T., omit "Richard Hurley."
Schedule V., for "George Barham" read "George Bartram."
Schedule X., ibid.
Schedule W., add "R. Bate."

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